

30646



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

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DEC 12 2014

# Certificate of Water Right Ownership Update

## SALEM, OR NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

*Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.*

### PROPERTY SELLER INFORMATION

Applicant(s): The heirs of Glenn High  
Mailing Address: c/o Jacqueline M. Reed Last  
P.O. Box 1322  
Klamath Falls OR 97601  
City State Zip  
Phone: \_\_\_\_\_  
Home Work Other

### PROPERTY BUYER INFORMATION

Applicant(s): Raymond S. Belnap  
First Last  
Mailing Address: 4137 Kochsmeier Rd.  
Vale OR 97918  
City State Zip  
Phone: \_\_\_\_\_  
Home Work Other

### PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Malheur Township: 18 S Range: 45 E Section: 17

Tax Lot Number(s): 900

Street address of water right property: \_\_\_\_\_

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: S-52367 Permit #: S-37571 Certificate or Page #: 48390

Will all the lands associated with this water right be owned by the buyer?  Yes  No

Name of individual completing this form: Malheur County Title Co.  
Debbie Jerman Phone: 551-889-7625

Signature: [Signature] Date: 12-9-14

**Please be sure to attach a copy of your property deed or legal description of the property.**

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SALEM, OR

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That GLENN E. HIGH

of 250 Yakima St., South, Vale, State of Oregon, 97918, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Willow Creek

a tributary of Malheur River for the purpose of irrigation of 88.0 acres

under Permit No. 37571 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 29, 1974 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.2 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW 1/4 NW 1/4, Section 17, T. 18 S., R. 45 E., W. M., 350 feet South and 1050 feet East from the NW Corner, Section 17

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year, and is subject to the terms and conditions of an agreement or a satisfactory replacement between the Warm Springs Irrigation District and the applicant, a copy of which is on file in the records of the Water Resources Department, and by reference made a part hereof.

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 3.2 acres SW 1/4 NE 1/4
  - 6.6 acres NE 1/4 NW 1/4
  - 6.4 acres NW 1/4 NW 1/4
  - 15.2 acres SW 1/4 NW 1/4
  - 35.2 acres SE 1/4 NW 1/4
  - 17.4 acres NE 1/4 SW 1/4
  - 2.2 acres NW 1/4 SW 1/4
  - 1.8 acres NW 1/4 SE 1/4
- Section 17  
T. 18 S., R. 45 E., W. M.

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed this date. July 23, 1979

James E. Stum Water Resources Director

RECORDING INFORMATION:

Prepared by:  
BUTLER & LOONEY, P.C.  
PO BOX 430 VALE OR 97918



I, Deborah R. DeLong, County Clerk for Malheur County, Oregon certify that the instrument identified herein was recorded in the Clerk records.  
Deborah R. DeLong - County Clerk

After recording return to:

Merc # 30646

Until a change is requested, all tax statements shall be sent to:

Raymond S. Belnap  
4137 Koshamele Rd.  
Vale, OR 97918

The true consideration for this conveyance is: \$24,000.00, which is the whole consideration.

184517  
900

STATUTORY WARRANTY DEED

ISRAEL G. BURSHATTIN, DONALD J. HIGH, MARY ANN HIGH, DAVID G. HIGH, HELEN ROBIN PARTINGTON and JACQUELINE M. REED, individually and/or as an heir or devisee of BRADLEY E. HIGH, deceased, Grantor, conveys and warrants to RAYMOND S. BELNAP, Grantee, land in Malheur County, Oregon, described on the attached Exhibit "A", free and clear of all encumbrances except as specifically set forth herein.

This conveyance is subject to the following exceptions:

1. Additional taxes or penalties and interest, if any, by reason of the disqualification of said lands for farm use purposes.
2. Regulations of the Wamsprings Irrigation District, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.
3. Any adverse claim based upon the assertion that some portion of said land have been removed from or brought within the boundaries thereof by an avulsive movement of the Willow Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
4. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of Willow Creek.
5. Ownership of the State of Oregon in and to that portion of the premises herein described lying below the high water mark of Willow Creek as it now exists or at any time has existed.

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"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FREE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FREE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424,

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

Dated this 7<sup>th</sup> day of <sup>November</sup> ~~October~~, 2014.

THIS DOCUMENT WAS SIGNED AND NOTARIZED IN COUNTERPART.

*Israel G. Burshatin*  
ISRAEL G. BURSHATIN

\_\_\_\_\_  
DONALD J. HIGH

\_\_\_\_\_  
MARY ANN HIGH

\_\_\_\_\_  
DAVID G. HIGH

\_\_\_\_\_  
HELEN ROBIN PARTINGTON

\_\_\_\_\_  
JACQUELINE M. REED

STATE OF PENNSYLVANIA )  
  ) :ss  
County of Delaware )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of <sup>November</sup> ~~October~~, 2014, by ISRAEL G. BURSHATIN.

*Jeanne M. Gullifer*  
Notary Public for Pennsylvania  
My commission expires: August 3, 2018



STATE OF WASHINGTON )  
  ) :ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by DONALD J. HIGH.

\_\_\_\_\_  
Notary Public for Washington  
My commission expires: \_\_\_\_\_

STATE OF IDAHO )  
  ) :ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by MARY ANN HIGH.

\_\_\_\_\_  
Notary Public for Idaho  
My commission expires: \_\_\_\_\_

RECEIVED BY OWRD

DEC 12 2014

SALEM, OR



STATE OF WASHINGTON )  
 )  
:SS  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by DAVID G. HIGH.

\_\_\_\_\_  
Notary Public for Washington  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 )  
:SS  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by HELEN ROBIN PARTINGTON.

\_\_\_\_\_  
Notary Public for Washington  
My commission expires: \_\_\_\_\_

STATE OF OREGON )  
 )  
:SS  
County of Klamath )

The foregoing instrument was acknowledged before me this 7 day of ~~October, 2014~~ <sup>November 2014</sup>, by JACQUELINE M. REED.



*Linzi Rose Kerr*  
Notary Public for Oregon  
My commission expires: 3/16/16

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SALEM, OR

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

Dated this 7 day of <sup>Nov</sup>~~October~~, 2014.

THIS DOCUMENT WAS SIGNED AND NOTARIZED IN COUNTERPART.

ISRAEL G. BURSHATTIN

DONALD J. HIGH

  
MARY ANN HIGH

DAVID G. HIGH

HELEN ROBIN PARTINGTON

JACQUELINE M. REED

STATE OF PENNSYLVANIA )  
:ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by ISRAEL G. BURSHATTIN.

Notary Public for Pennsylvania  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON )  
:ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by DONALD J. HIGH.

Notary Public for Washington  
My commission expires: \_\_\_\_\_

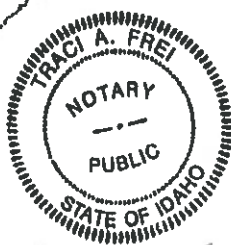
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DEC 12 2014

SALEM, OR

STATE OF IDAHO )  
:ss  
County of Idaho )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of <sup>TF</sup>~~October~~ November, 2014, by MARY ANN HIGH.



  
Notary Public for Idaho  
My commission expires: 2/1/2017

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

Dated this 7 day of <sup>Nov</sup>October, 2014.

THIS DOCUMENT WAS SIGNED AND NOTARIZED IN COUNTERPART.

\_\_\_\_\_  
ISRAEL G. BURSHATIN

\_\_\_\_\_  
DONALD J. HIGH

\_\_\_\_\_  
MARY ANN HIGH

\_\_\_\_\_  
DAVID G. HIGH

  
\_\_\_\_\_  
HELEN ROBIN PARTINGTON

\_\_\_\_\_  
JACQUELINE M. REED

STATE OF PENNSYLVANIA    )  
  :ss  
County of \_\_\_\_\_    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by ISRAEL G. BURSHATIN.

\_\_\_\_\_  
Notary Public for Pennsylvania  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON    )  
  :ss  
County of \_\_\_\_\_    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by DONALD J. HIGH.

\_\_\_\_\_  
Notary Public for Washington  
My commission expires: \_\_\_\_\_

STATE OF IDAHO    )  
  :ss  
County of \_\_\_\_\_    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by MARY ANN HIGH.

\_\_\_\_\_  
Notary Public for Idaho  
My commission expires: \_\_\_\_\_

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SALEM, OR



STATE OF WASHINGTON )  
 )  
:ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by DAVID G. HIGH.

\_\_\_\_\_  
Notary Public for Washington  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 )  
:ss  
County of Pierce )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of October, 2014, by HELEN ROBIN BANNINGTON.



[Signature]  
Notary Public for Washington  
My commission expires: 4-29-17

STATE OF OREGON )  
 )  
:ss  
County of Klamath )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by JACQUELINE M. REED.

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

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SALEM, OR

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

Dated this 6 day of <sup>November</sup> ~~October~~, 2014.

THIS DOCUMENT WAS SIGNED AND NOTARIZED IN COUNTERPART.

ISRAEL G. BURSHATIN

Donald J. High  
DONALD J. HIGH

MARY ANN HIGH

DAVID G. HIGH

HELEN ROBIN PARTINGTON

JACQUELINE M. REED

STATE OF PENNSYLVANIA )  
 )  
:ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by ISRAEL G. BURSHATIN.

\_\_\_\_\_  
Notary Public for Pennsylvania  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 )  
:ss  
County of Pierce )

The foregoing instrument was acknowledged before me this 6 day of <sup>November</sup> ~~October~~, 2014, by DONALD J. HIGH.



Gabriel Houle  
Notary Public for Washington  
My commission expires: 9/4/2018

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SALEM, OR

STATE OF IDAHO )  
 )  
:ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of ~~October~~, 2014, by MARY ANN HIGH.

\_\_\_\_\_  
Notary Public for Idaho  
My commission expires: \_\_\_\_\_

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

Dated this 7 day of <sup>Nov.</sup> ~~October~~, 2014.

THIS DOCUMENT WAS SIGNED AND NOTARIZED IN COUNTERPART.

\_\_\_\_\_  
ISRAEL G. BURSHATTIN

\_\_\_\_\_  
DONALD J. HIGH

\_\_\_\_\_  
MARY ANN HIGH

David G. High  
\_\_\_\_\_  
DAVID G. HIGH

\_\_\_\_\_  
HELEN ROBIN PARTINGTON

\_\_\_\_\_  
JACQUELINE M. REED

STATE OF PENNSYLVANIA     )  
  :SS  
County of \_\_\_\_\_     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by ISRAEL G. BURSHATTIN.

\_\_\_\_\_  
Notary Public for Pennsylvania  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON     )  
  :SS  
County of \_\_\_\_\_     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by DONALD J. HIGH.

\_\_\_\_\_  
Notary Public for Washington  
My commission expires: \_\_\_\_\_

STATE OF IDAHO     )  
  :SS  
County of \_\_\_\_\_     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2014, by MARY ANN HIGH.

\_\_\_\_\_  
Notary Public for Idaho  
My commission expires: \_\_\_\_\_

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EXHIBIT "A"

Land Malheur County, Oregon, as follows:

In Twp. 18 S. R. 45 E., W.M.:

Sec. 17: The South 640 feet of the following described parcel of land:

Beginning at a point 600 feet North of the Southeast corner of the NE1/4 SW1/4 of said Sec. 17;  
thence West 1321 feet to a point on the Easterly right of way boundary of the Union Pacific Railroad;  
thence Northwesterly along said right of way, 2037 feet;  
thence East 664 feet;  
thence North 1263.5 feet to the intersection with the West branch of Willow Creek;  
thence Southerly along the West branch of Willow Creek to the Point of Beginning.

TOGETHER WITH an easement for ingress and egress as described in Easement Deed, recorded November 4, 1981, as Instrument No. 81-97055, records of Malheur County, Oregon,

EXCEPTING THEREFROM the following described parcel of land:

Commencing at the Southeast corner of the NE1/4 SW1/4 of said Sec. 17;  
thence North 600 feet;  
thence West 1321 feet to a point on the Easterly right of way boundary of the Union Pacific Railroad, said point being the POINT OF BEGINNING;  
thence Northwesterly along the said right of way, 2037 feet;  
thence East 644 feet;  
thence Southeasterly, and 644 feet parallel with the Union Pacific Railroad right of way, to a point due East from the point of beginning;  
thence West to the POINT OF BEGINNING.

Map 184517

Tax Lot 900

Acct. No. 13761

Code 43

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EXHIBIT  
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MALHEUR COUNTY, OREGON

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