



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

# Certificate of Water Right Ownership Update

## 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): Barbara Bergen  
First Last  
 Mailing Address: See Attachment A  
 \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip  
 Phone: \_\_\_\_\_  
Home Work Other

### PROPERTY BUYER INFORMATION

Applicant(s): Boy Scouts of America  
First Last  
 Mailing Address: 2145 SW Naito Parkway  
Portland OR 97210  
City State Zip  
 Phone: \_\_\_\_\_  
Home Work Other

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

County: Wasco Township: 2S Range: 11E Section: 9  
 Tax Lot Number(s): 200  
 Street address of water right property: See Attachment B  
 Water Right Information (attach copy of water right permit or certificate & final proof map):  
 Application #: S 8583 Permit #: S 5601 Certificate or Page #: 5088  
 Will all the lands associated with this water right be owned by the buyer?  Yes  No  
 Name of individual completing this form: Jim Hill Phone: 503-225-5753  
 Signature: *Jim Hill* Date: 8/4/2014 (AUG 4)

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

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August 11, 2014

Mr. Jerry Sauter  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

RE: Certificate of Water Right Ownership Update

Dear Jerry,

Enclosed please find a Certificate of Water Right Ownership Update form for Certificate 5088 to be filed on behalf of Boy Scouts of America.

Certificate 5088 was originally issued to Dufur Lumber Company. The property, to which the water right is appurtenant, was purchased by Boy Scouts of America in 1955.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Sussman", is written over a light blue background.

Adam Sussman  
GSI Water Solutions, Inc.

Enclosures

Cc: Jim Hill, Director of Support Services - Boy Scouts of America  
Richard M. Glick, Davis Wright Tremaine LLP

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Attachment A

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Property Deed

BOOK 132 PAGE 28

KNOW ALL MEN BY THESE PRESENTS, That BARBARA C. BERGEN, a widow,

in consideration of One and no/100 (\$1)----- Dollars,  
and other good and valuable considerations

to her paid by PORTLAND AREA COUNCIL, BOY SCOUTS OF AMERICA, an  
Oregon corporation,

do es hereby grant, bargain, sell and convey unto said PORTLAND AREA COUNCIL, BOY SCOUTS  
OF AMERICA, its successors

And and assigns, all the following real property, with the tenements,  
hereditaments and appurtenances, situated in the County of Wasco and State  
of Oregon, bounded and described as follows, to-wit:

Southeast quarter of Northeast quarter, and Southeast quarter  
of Section 9; and South half of Northwest quarter, and Northwest quarter  
of Southwest quarter of Section 10, in Township 2 South, Range 11, East  
of the Willamette Meridian.

EXCEPTING AND RESERVING unto the Grantor, her heirs and assigns,  
for a period of one year from the date hereof, all merchantable timber on  
said property, except that within one hundred (100) feet on either side of  
the bank of the stream flowing through said property, together with the  
right on the part of the Grantor, her heirs, assigns, licensees and  
contractors, to enter upon said property for the purpose of cutting and  
removing said timber, at any time during said one-year period, except  
during the months of June, July and August. At the expiration of said  
one-year period, this exception and reservation shall terminate, and all  
timber, logs and forest products of whatsoever kind or nature on said  
property at the expiration of said period shall be the sole property  
of the Grantee herein. For the purpose of this agreement, merchantable  
timber shall mean trees twelve (12) inches or more in exterior diameter,  
four (4) feet from the ground on the high side. Grantor, her heirs,  
assigns, licensees and contractors shall hold the Grantee harmless  
from any loss by reason of failure to comply herewith, and from any  
liens, claims, damages, or liabilities, arising out of said logging  
operation.

To Have and to Hold the above described and granted premises unto the said PORTLAND AREA  
COUNCIL, BOY SCOUTS OF AMERICA, an Oregon corporation, its  
successors

And and assigns forever,  
subject to the exception and reservation above stated.

And BARBARA C. BERGEN

she the grantor  
above named do covenant to and with the above named grantee, its SUCCESSORS and assigns  
that she is lawfully seized in fee simple of the above granted premises, that the above  
granted premises are free from all encumbrances,

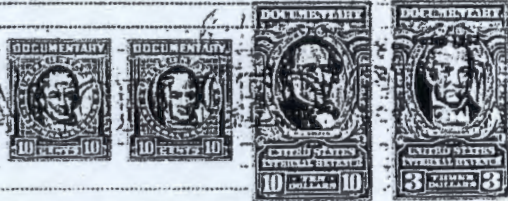
and that she will and her heirs, executors and administrators, shall warrant and forever  
defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands  
of all persons whomsoever, except as herein stated.

Witness my hand and seal this 10 day of October, 1955.

Executed in the Presence of

[Signature] Barbara C. Bergen (SEAL)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (SEAL)

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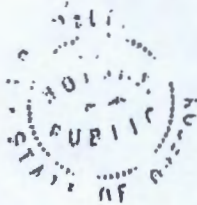
STATE OF OREGON,  
County of Wasco }

BE IT REMEMBERED, That on this 10th day of October, 1955,  
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within  
named BARBARA C. BERGEN, a widow,

known to me to be the identical individual..... described in and who executed the within instrument and  
acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have herunto set my hand and affixed  
my official seal the day and year last above written.

[Signature]  
Notary Public for Oregon.  
My Commission expires Nov. 4, 1955



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SALEM, OR

COMPARED  
INDEXED

02606

WARRANTY DEED  
(FORM No. 3)

BARBARA BERGEN

TO

PORTLAND AREA COUNCIL  
BOY SCOUTS OF AMERICA

STATE OF OREGON, }  
County of Wasco, } ss  
I, D. V. BOLTON, County Clerk and ex officio  
Recorder of Conveyances, in and for said county, do  
hereby certify that the within instrument of writing  
was recorded for record and recorded in the record  
of DEEDS of said county at

1955 U. S. 11 8 54  
CLERK'S OFFICE

D. V. BOLTON  
COUNTY CLERK

On Page

28

In Book

132

Witness my hand and seal of office, affixed at  
The Dalles

D. V. BOLTON, County Clerk

By [Signature] Deputy

Return Boy Scouts of America

Street 1009 S.W. 5th

City Portland 4, Oregon



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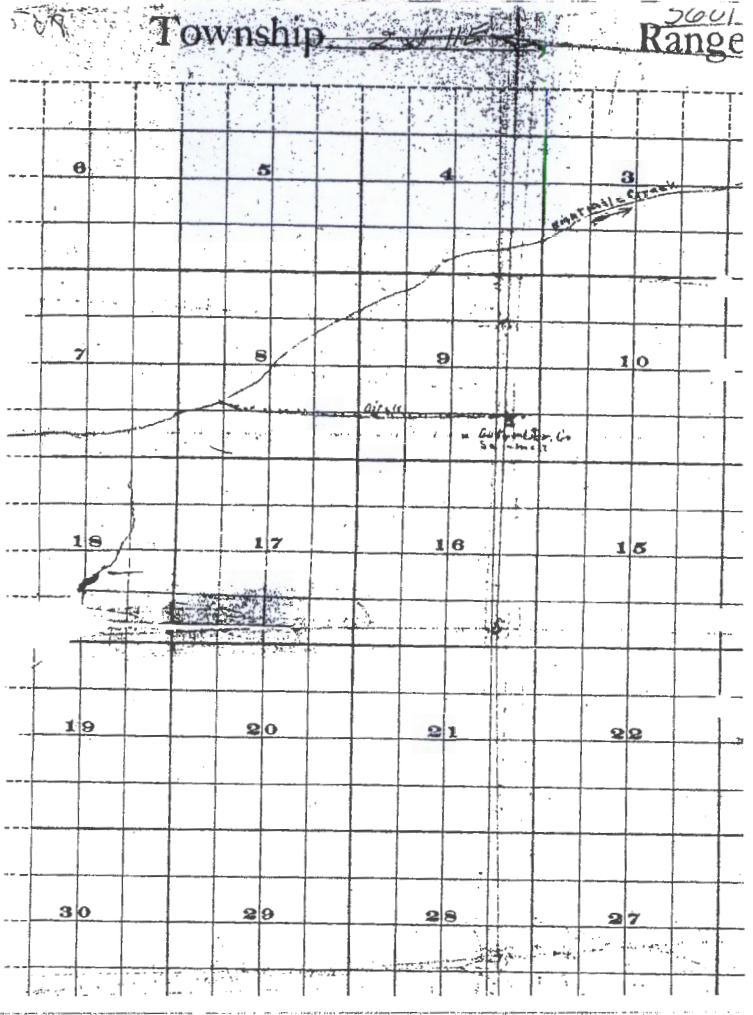
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Attachment B

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Property Map



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STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That Dufur Lumber Company of Dufur, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Eight Mile Creek a tributary of Fifteen Mile Creek for the purpose of domestic & for use in steam boiler under Permit No. 5601 of the State Engineer, 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 15, 1922;

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 0.05 cubic foot per second.

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Nine (9), Township Two (2) South, Range Eleven (11) East of the Willamette Meridian, in Wasco County, Oregon.

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The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this 5th day of July, 1924.

Rhea Luper, State Engineer.