

**These Documents Damaged  
In Transit**



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

RECEIVED BY OWRD

Applicant(s): RIVER SPRINGS RANCH

Mailing Address: MILE MARKER 47, HWY 40

BLY

OR

FEB 25 2015

SALEM, OR

Phone: \_\_\_\_\_

Home

Work

Other

### PROPERTY BUYER INFORMATION

Applicant(s): WILKS RANCH OREGON, LTD

Mailing Address: P. O. BOX 111

CISCO

TX

76437

Phone: \_\_\_\_\_

Home

Work

Other

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

County: KLAMATH Township: 36S Range: 14E Section: 17,18,19

Tax Lot Number(s): \_\_\_\_\_

Street address of water right property: N/A

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

Application #: \_\_\_\_\_ Permit #: \_\_\_\_\_ Certificate or Page #: 9982

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

Name of individual completing this form: KAREN WILLIAMSON Phone: 817-850-3616

Signature: Karen Williamson Date: 2/13/2015

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

RECEIVED BY OWRD

STATE OF OREGON

COUNTY OF KLAMATH

FEB 25 2015

CERTIFICATE OF WATER RIGHT

SALEM, OR

This is to Certify, That MRS. ANITA LOWERY

of Bly, State of Oregon, has a right to the use of

the waters of Leonard Slough, and South Fork of Sprague River for Tract No. 1, and North Fork of Sprague River for Tract No. 2, for the purpose of Irrigation of 408.3 acres in Tract No. 1, and 557.7 acres in Tract No. 2;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Klamath County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 10, at page 236; that the priority of the right thereby confirmed dates from 1895 for Tract No. 1, and 1900 for Tract No. 2;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one-fortieth of a cubic foot per second per acre, prior to June 15th, and one-eightieth of a cubic foot per second per acre after June 15th, with a total limitation of three acre feet per acre from March 1st to October 1st of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

<u>TRACT No. 1</u>	<u>TRACT No. 2</u>
30.3 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	1.8 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
35 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	26.7 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
Section 17;	22 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
5 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	39.6 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>
25 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	59.3 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>
Section 18;	9 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>
40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	5 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>
40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	Section 17;
40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	34 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>
40 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	20.7 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>
40 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	29.4 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
40 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	40 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
40 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	40 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>
8.3 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	40 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>
4.7 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	40 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>
9.5 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	40 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>
10.5 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	35 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>
Section 19,	15 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>
Township 36 South, Range 14 E.W.M.	Section 18;
	40 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
	40 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>
	Section 19;
	Township 36 South, Range 14 E.W.M.

(NOTE: 40 acres in NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, Sec. 19, under both Tracts Nos. 1 and 2 above, supplement each other from the two sources above described.)

AND said right shall be subject to all other conditions and limitations contained in said Decree.

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

WITNESS the signature of the State Engineer,

affixed this 6th day of May, 1933.

CHAS. E. STRICKLIN

State Engineer.

26

2015-001258

Klamath County, Oregon

02/12/2015 09:35:29 AM

Fee: \$62.00

187 2360735-ALF

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:  
Wilks Ranch Oregon, LTD, a Partnership  
PO Box 111  
Cisco, TX 76437

RECORDED BY OWRD

Until a change is requested all tax statements shall be sent to the following address:  
Wilks Ranch Oregon, LTD, a Partnership  
PO Box 111  
Cisco, TX 76437

FEB 25 2015

SALEM, OR

Consideration \$1,255,100.00

**STATUTORY WARRANTY DEED**

**Ricard Kern and Bradford Kern,**

Grantors, hereby convey and warranty to

**Wilks Ranch Oregon, LTD, a Partnership,**

Grantee, the following described real property in the county of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

"together with all water right permits and certificates appurtenant to the property that are owned by Grantors, if any, along with any irrigation diversion, irrigation ditch or reservoir easements, licenses or permits associated with the water rights that are owned by Grantors, if any; and, together with all grazing permits and leases held by Grantors, if any."

Together with one hundred percent (100%) of the mineral, wind, air, timber and water interests that are owned by Grantors, if any, and one hundred percent (100%) of the Executive Rights that are owned by Grantors, if any.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Easements, encroachments, gaps, gores, and anything that is disclosed by the ALTA survey provided to Buyer from Seller dated January 7, 2015.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE 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 FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE

f. 67.00

4819-0769-1809

187 2360735-ALF

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After recording return to:  
Wilks Ranch Oregon, LTD, a Partnership  
PO Box 111  
Cisco, TX 76437

RECEIVED BY OWRD

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PO Box 111  
Cisco, TX 76437

FEB 25 2015

SALEM, OR

Consideration \$1,255,100.00

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SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

"together with all water right permits and certificates appurtenant to the property that are owned by Grantors, if any, along with any irrigation diversion, irrigation ditch or reservoir easements, licenses or permits associated with the water rights that are owned by Grantors, if any; and, together with all grazing permits and leases held by Grantors, if any."

Together with one hundred percent (100%) of the mineral, wind, air, timber and water interests that are owned by Grantors, if any, and one hundred percent (100%) of the Executive Rights that are owned by Grantors, if any.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Easements, encroachments, gaps, gores, and anything that is disclosed by the ALTA survey provided to Buyer from Seller dated January 7, 2015.

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f.  
67.00

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

RECEIVED BY OWRD

STATE OF CALIFORNIA }

FEB 25 2015

COUNTY OF Los Angeles }

SALEM OR

On Feb. 4, 2015 before me, Sheena A. Bellinger Notary Public,

Date (here insert name and title of the officer)

personally appeared Bradford Kern

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature: Sheena a. bellinger (seal)

OPTIONAL

Description of Attached Document

Title or Type of Document: Statutory Warranty Deed Number of Pages: 5

Document Date: Feb. 4, 2015 Other: -

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

RECEIVED BY OWRD

FEB 25 2015

SALEM, OR

STATE OF CALIFORNIA )

COUNTY OF LOS ANGELES )

On Feb. 4, 2015 before me, Sheena A. Bellinger Notary Public,

Date

(here insert name and title of the officer)

personally appeared Ricard B. Kern

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature: Sheena A. Bellinger (Seal)

OPTIONAL

Description of Attached Document

Title or Type of Document: Statutory Warranty Deed Number of Pages: 5

Document Date: Feb. 4, 2015 Other: -

RECEIVED BY OWRD

FEB 25 2015

**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Klamath, State of Oregon, described as follows:

SALEM, OR

**All of Sections 16 and 17 of Township 36 South, Range 14 east of the Willamette Meridian, Klamath County, Oregon.**



18. 2360724-AKF

2015-001260  
Klamath County, Oregon  
02/12/2015 09:39:29 AM  
Fee: \$57.00

**THIS SPACE RESERVED FOR RECORDER'S USE**

After recording return to:  
Wilks Ranch Oregon, LTD, a Partnership  
PO Box 111  
Cisco, TX 76437

RECEIVED BY OWRD

FEB 25 2015

SALEM, OR

Until a change is requested all tax statements shall be sent to the following address:  
Wilks Ranch Oregon, LTD, a Partnership  
PO Box 111  
Cisco, TX 76437

**STATUTORY WARRANTY DEED**

**River Springs Ranch Corp., an Oregon S corporation,**

Grantor, hereby conveys and warrants to

**Wilks Ranch Oregon, LTD, a Partnership,**

Grantee, the following described real property in the county of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

"together with all water right permits and certificates appurtenant to the property that are owned by Grantor, if any, along with any irrigation diversion, irrigation ditch or reservoir easements, licenses or permits associated with the water rights that are owned by Grantor, if any; and, together with all grazing permits and leases held by Grantor, if any."

Together with one hundred percent (100%) of the mineral, wind, air, timber and water interests that are owned by Grantor, if any, and one hundred percent (100%) of the Executive Rights that are owned by Grantor, if any.

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Easements, encroachments, gaps, gores, and anything that is disclosed by the ALTA survey provided to Buyer from Seller dated January 7, 2015.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE 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

F.  
62.00

18-2360724-AWF

RECEIVED BY OWRD

FEB 25 2015

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:  
Wilks Ranch Oregon, LTD, a Partnership  
PO Box 111  
Cisco, TX 76437

SALEM, OR

Until a change is requested all tax statements shall be sent to the following address:  
Wilks Ranch Oregon, LTD, a Partnership  
PO Box 111  
Cisco, TX 76437

STATUTORY WARRANTY DEED

**River Springs Ranch Corp., an Oregon S corporation,**

Grantor, hereby conveys and warrants to

**Wilks Ranch Oregon, LTD, a Partnership,**

Grantee, the following described real property in the county of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

"together with all water right permits and certificates appurtenant to the property that are owned by Grantor, if any, along with any irrigation diversion, irrigation ditch or reservoir easements, licenses or permits associated with the water rights that are owned by Grantor, if any; and, together with all grazing permits and leases held by Grantor, if any."

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The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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F.  
W.D.

LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE 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.

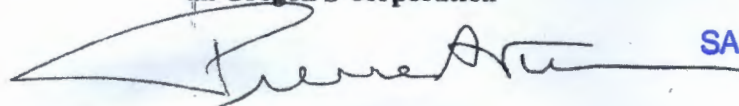
Dated this 3rd day of February, 2015.

RECEIVED BY OWRD

GRANTOR:

RIVER SPRINGS RANCH CORP.,  
an Oregon S-corporation

FEB 25 2015



SALEM, OR

PIERRE A. KERN, PRESIDENT

State of ~~Oregon~~ California for  
County of ~~Klamath~~ Santa Barbara for

This instrument was acknowledged before me on 2-3, 2015 by Pierre Kern, as President of River Springs Ranch Corp., an Oregon S-corporation.



California for  
(Notary Public for ~~Oregon~~)

My commission expires Aug 12, 2018

EXHIBIT A  
to  
Statutory Warranty Deed

RECEIVED BY OWRD

FEB 25 2015

SALEM, OR

**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Klamath, State of Oregon, described as follows:

**Parcel 1:**

The following described real property situate in Township 36 South, Range 13, East of the Willamette Meridian, Klamath County, Oregon.

**Section 9: All**

**Section 10: The SW 1/4 NW 1/4, the E 1/2 SW 1/4, and the SE 1/4**

**Section 14: The S 1/2 S 1/2**

**Section 15: All**

**Section 16: All**

**Section 22: The NE 1/4, the N 1/2 NW 1/4, and the SW 1/4 NW 1/4**

**Section 23: The N 1/2 NE 1/4, and the NW 1/4**

**Parcel 2:**

All in Township 36 South, range 13 East of the Willamette Meridian, Klamath County, Oregon

**Section 11: E 1/2 and the SW 1/4**

**Section 12: All**

**Section 13: NE 1/4, N 1/2 NW 1/4 and E 1/2 SE 1/4**

**Section 24: N 1/2 and N 1/2 SE 1/4**

**Parcel 3:**

The S 1/2 NW 1/4, the SW 1/4 and the W 1/2 SE 1/4 of Section 13 and the N 1/2 and the N 1/2 S 1/2 of Section 14, all in Township 36 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

**Parcel 4:**

All in Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

**Section 18: Government Lots 1, 2, 3 and 4.**

**Parcel 5:**

The E 1/2, E 1/2 W 1/2 of Section 18, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

**Parcel 6:**

The fractional N 1/2, N 1/2 N 1/2 N 1/2 SE 1/4; N 1/2 N 1/2 NE 1/4 SW 1/4; N 1/2 S 1/2 NE 1/4 SW 1/4; S 1/2 S 1/2 NE 1/4 SW 1/4; S 1/2 N 1/2 SW 1/4 SE 1/4; N 1/2 S 1/2 SE 1/4 SW 1/4; S 1/2 S 1/2 NW 1/4 SE 1/4; N 1/2 N 1/2 SW 1/4 SE 1/4; N 1/2 S 1/2 SW 1/4 SE 1/4; N 1/2 S 1/2 SW 1/4 SW 1/4; S 1/2 N 1/2 NW 1/4 SW 1/4; All being in Section 19, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM that portion conveyed to the Oregon California and Eastern Railway Company by deed recorded Volume 80 page 437 and Volume 84 page 417 deed records of Klamath County, Oregon, ALSO EXCEPTING THEREFROM any portion lying within the US Highway 66 right of way.

RECEIVED BY OWRD

FEB 25 2015

SALEM, OR

Parcel 7:

The S 1/2 N 1/2 NE 1/4 SE 1/4, and N 1/2 S 1/2 NE 1/4 SE 1/4, EXCEPTING THEREFROM that portion conveyed to the Oregon California and Eastern Railway Company, Section 19 Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 8:

N 1/2 S 1/2 SE 1/4 SE 1/4 of Section 19, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 9:

The S 1/2 N 1/2 NW 1/4 SE 1/4 of Section 19, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten date]*