

**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

Last

FEB 25 2015

BLY

OR

SALEM, OR

City

State

Zip

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

Home

Work

Other

### PROPERTY BUYER INFORMATION

Applicant(s): WILKS RANCH OREGON, LTD

Mailing Address: P. O. BOX 111

CISCO

TX

76437

City

State

Zip

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

Home

817-850-3616

Work

817-850-3600

Other

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

County: KLAMATH Township: 36S Range: 14E Section: 17

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 #: 9975

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.***

STATE OF OREGON

RECEIVED BY OWRD

COUNTY OF KLAMATH

FEB 25 2015

CERTIFICATE OF WATER RIGHT

SALEM, OR

This is to Certify, That E. T. GIVAN,

of Bly, State of Oregon, has a right to the use of the waters of South Fork of Sprague River, for the purpose of Irrigation of 81 acres,

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 pag. 256; that the priority of the right thereby confirmed dates from 1884;

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:

1 acre in NW 1/4 SE 1/4,
40 acres in SW 1/4 SE 1/4,
40 acres in SE 1/4 SE 1/4,
Section 17,
Township 36 South, Range 14 East, W.M.

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, 1935.

CHAS. E. STRICKLIN
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 9975

3

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

RECEIVED BY OWRD

FEB 25 2015

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

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

FEB 25 2015

SALEM, OR

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187 2360735-ALF

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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.  
47.00

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 4 day of February, 2015.

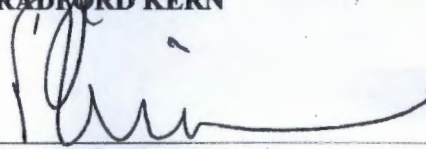
RECEIVED BY OWRD

GRANTORS:

FEB 25 2015

SALEM, OR

  
\_\_\_\_\_  
BRADFORD KERN

  
\_\_\_\_\_  
RICARD B. KERN

**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.

STATE OF CALIFORNIA }

RECEIVED BY OWRD

COUNTY OF Los Angeles }

FEB 25 2015

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

Notary  
SALEM, OR

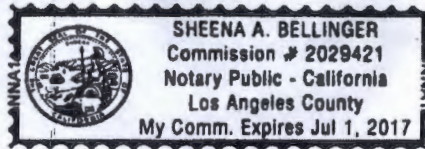
Public, Date (here insert name and title of the officer)

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.

STATE OF CALIFORNIA )

COUNTY OF LOS ANGELES )

RECEIVED BY OWRD

FEB 25 2015

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

SALEM, OR

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

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Document Date: Feb 4, 2015 Other: -



**EXHIBIT A**

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

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

RECEIVED BY OWRD

FEB 25 2015

SALEM, OR

*Leann Williams*

*12/1*