

31014



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): Robert Ensley, et al  
First Last  
Mailing Address: 3142 Johnstone Rd.  
Homedale ID 83628  
City State Zip  
Phone: 208-337-3050  
Home Work Other

## PROPERTY BUYER INFORMATION

Applicant(s): Van Vliet Properties, LLC  
First Last  
Mailing Address: 26257 Matthews Rd.  
Parma ID 83660  
City State Zip  
Phone: 208-880-9260  
Home Work Other

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

County: Malheur Township: 20 S. Range: 47 E. Section: 31  
Tax Lot Number(s): 1400

Street address of water right property: n/a

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

Application #: 5-31572 Permit #: 24911 Certificate or Page #: 27296

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: 541-889-7625

Signature: [Signature] Date: 9-29-15

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

STATE OF OREGON  
COUNTY OF MALHEUR  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify,** That THE STATE OF OREGON, STATE LAND BOARD

of 106 Capitol Bldg., Salem, 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 Snake River a tributary of Columbia River for the purpose of irrigation of 54.0 acres,

under Permit No. 24911 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 May 20, 1957.

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 1.35 cubic foot 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 Lot 6 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 31, Township 20 South, Range 47 East, W.M.,

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-fourtieth 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 4 acre feet per acre for each acre irrigated during the irrigation season of each year,

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:

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1.6 acres Lot 8 (SW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
16.0 acres Lot 7 (NE $\frac{1}{4}$  SW $\frac{1}{4}$ )  
18.8 acres Lot 6 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )  
8.8 acres Lot 9 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ )  
8.8 acres Lot 10 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ )  
Section 31  
Township 20 South, Range 47 East, W.M.

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

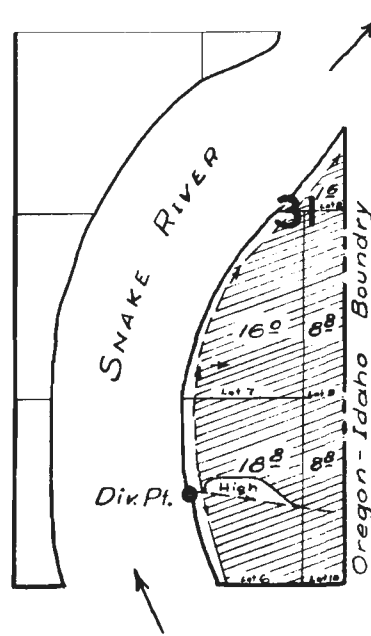
WITNESS the signature of the State Engineer, affixed

this date. July 11, 1960

LEWIS A. STANLEY

State Engineer

# T.20 S.R.47 E.W.M.



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## FINAL PROOF SURVEY UNDER

Application No. 31572 Permit No. 24911  
IN NAME OF

THE STATE OF OREGON, STATE LAND BOARD

Surveyed 16 Sept. 1959, by M. Bush

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:  
Malheur County Title Company, Inc.  
81 South Oregon Street  
Ontario, OR 97914

Until a change is requested all tax statements shall be  
sent to the following address:

Van Vliet Properties, LLC  
26257 Matthews Rd.  
Palma, ID 83660

File No.: 31014 E  
Date: September 21, 2015

MALHEUR COUNTY, OR 2015-3487  
DST WD

09/23/2015 03:27 PM

Cnt=1 Pgs=3

Total:\$62.00



00032366201500034870030038

L. Deborah R. DeLong, County Clerk for Malheur  
County, Oregon certifies that this instrument identified  
herein was recorded in the Clerk records.

Deborah R. DeLong - County Clerk

*land*

**STATUTORY WARRANTY DEED**

JERRY ENSLEY AND MARGARET ENSLEY, husband and wife and ROBERT ENSLEY  
AND MARY SUE ENSLEY, husband and wife, Grantor, conveys and warrants to, VAN VLIET  
PROPERTIES, LLC, an Idaho limited liability company, Grantee, the following described real  
property free of liens and encumbrances, except as specifically set forth herein:

**SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF**

Account No.: 10480 Code No.: 34 Map No. 204731 Tax Lot No.: 1400

This property is free from liens and encumbrances, EXCEPT:

**SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF**

The true consideration for this conveyance is \$335,000.00 a portion of which was paid to an Accommodator  
pursuant to an IRC 1031 Exchange. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE  
SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS ORS 195.300, 195.301 AND 195.305  
TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND 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 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND  
SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 22 day of September, 2015

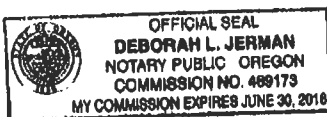
SEE PAGE TWO FOR ADDITIONAL  
SIGNATURES AND NOTARY

*Jerry Ensley*  
Jerry Ensley

*Margaret Ensley*  
Margaret Ensley

STATE OF OREGON County of Malheur)ss

On September 22, 2015, personally appeared before me, Jerry Ensley and Margaret Ensley,  
who acknowledged to me that they executed the same as their voluntary act and deed.



*Deborah L. Jerman*  
Notary Public for Oregon  
My Commission Expires: 6-30-16

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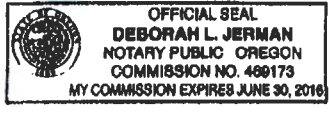
SALEM, OR

Robert Ensley  
Robert Ensley

Mary Sue Ensley  
Mary Sue Ensley

STATE OF OREGON      County of Malheur)ss

On September 23, 2015, personally appeared before me, Robert Ensley and Mary Sue Ensley, who acknowledged to me that they executed the same as their voluntary act and deed.



Deborah L. Jerman  
Notary Public for Oregon  
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EXHIBIT 'A'

Land in Malheur County, Oregon described as follows:  
In Twp. 20 S., R., 47 E., W. M.  
Sec. 31: Govt. Lots 6, 7, 8, 9, and 10

SUBJECT TO:

Taxes for the fiscal year 2015-16, which are a lien not yet due and payable.

The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

The rights of the public in and to that portion of the premises herein lying within streets, roads and highways

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 Snake River 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.

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 the Snake River.

Ownership of the State of Oregon in and to that portion of the premises herein described lying below the high water mark of the Snake River as it now exists or at any time has existed.

An easement for power lines created by instrument, including the terms and provisions thereof;

Dated: March 31, 1948

Recorded: October 27, 1948, as Instrument No. 63028, official records of Malheur County, Oregon

Favor of: Idaho Power Company

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