



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

5-39388

# 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): Joseph A. and Lynn S. Moyle, Trustees of Moyle Trust  
First Last  
 Mailing Address: 280 N. Plummer Rd.  
 Star Idaho 83669  
City State Zip  
 Phone: 208-286-7373    
Home Work Other

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### PROPERTY BUYER INFORMATION

Applicant(s): Michael Moyle  
First Last  
 Mailing Address: 480 N. Plummer Rd.  
 Star Idaho 83669  
City State Zip  
 Phone: 208-286-7842    
Home Work Other

JAN 27 2014

SALEM, OR

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

County: Malheur Township: 20 S. Range: 47 E. Section: 7 and 8

Tax Lot Number(s): 100

Street address of water right property: 440 Enterprise Ave., Nyssa, OR 97913

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

Application #: S 39388 Permit #: S 29356 Certificate or Page #: 33950

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. Phone: 541-889-7625

Signature: Sharon Z. Miles Date: 6-10-13

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

THIS SPACE RESERVED FOR RECORDER'S USE

MALHEUR COUNTY, OR 2013-2768  
DST WD 08/07/2013 3:33:11 PM  
Cnt=1 Pgs=2 Total:\$52.00



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

*Ray*

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

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

Michael E. Moyle  
*480 N. Pyramus*  
*Star, Idaho 83469*

File No.: 29871  
Date: May 20, 2013

**STATUTORY WARRANTY DEED**

JOSEPH A. MOYLE and LYNN S. MOYLE, Co-Trustees of the Joseph A. & Lynn S. Moyle Trust under Trust Agreement dated July 1, 2004 and their substitutes and successors as Trustee thereunder, Grantor, conveys and warrants to MICHAEL E. MOYLE, 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

Map 20477

Tax Lot 100

Account No. 10063

Code 29

FML4  
2047B  
1000

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 \$450,000.00 (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, AN 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 7<sup>th</sup> day of June ~~May~~ 2013

*Joseph A. Moyle*  
Joseph A. Moyle, Trustee

*Lynn S. Moyle*  
Lynn S. Moyle, Trustee

STATE OF OREGON County of Malheur ) ss

On ~~May~~ June 7<sup>th</sup>, 2013, personally appeared before me JOSEPH A. MOYLE and LYNN S. MOYLE, Co-Trustees of the Joseph A. & Lynn S. Moyle Trust, under Trust Agreement dated July 1, 2004 and their substitutes and successors as Trustee thereunder who acknowledged to me that they executed the same as their voluntary act and deed



*Sharon L. Miles*  
Notary Public for Oregon

My commission expires: 2-19-16

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EXHIBIT 'A'

Land in Malheur County, Oregon, as follows:

In Township 20 South, Range 47 East of the Willamette Meridian:

Section 7: A parcel of land in Government Lots 2 and 3 and in the SE1/4 NE1/4 more particularly described as follows:

Beginning at a point which is located North 00° 04' West, 471.8 feet from the Northwest corner of Lot 3, Section 8 of said Township and Range;  
thence South 00° 04' East, 2119.3 feet;  
thence North 66° 04' West, 366.8 feet;  
thence North 09° 45' East, 2002.67 feet to the Point of Beginning.

Section 8: Government Lots 1, 2, 3 and 4,

**EXCEPTING THEREFROM** the following described parcel:

Beginning at a point which is located North 00° 04' West, 471.8 feet from the Southwest corner of said Lot 2;  
thence North 09° 45' East, 1817.79 feet;  
thence North 69° 59' West, 330 feet;  
thence South 00° 04' East, 1901.4 feet to the Point of Beginning.

TOGETHER WITH an easement for road right of way 30 feet in width being 15 feet on either side of the following described center line:

Beginning at a point which lies on the section line common to Section 6 and 7, Township 20 South, Range 47 East of the Willamette Meridian and 1375 feet more or less, Easterly of the quarter section corner common to said Sections 6 and 7; thence running Southeasterly more or less and parallel with the Snake River along the center line of an existing road to a point on the section line common to Section 7 and 8, said point lying 2330 feet, more or less, North 00° 04' West of the quarter corner common to said Sections 7 and 8; thence South 69° 59' East, 330 feet more or less, following the existing road as it courses Southeasterly to a gate in an existing fence.

**SUBJECT TO:**

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.

Regulations of the Owyhee Ditch Company, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.

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.

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.

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

Recorded: July 1, 1930, in Book 11, Page 131, Leases and Agreement Records  
Recorded: October 27, 1948, in Book 76, Page 370, Deed Records  
Favor of: Idaho Power Company

An easement for road right of way created by instrument, including the terms and provisions thereof;

Recorded: May 26, 1960, in Book 116, Page 39, Deed Records of Malheur County, Oregon  
Favor of: George J. Vandewall, et ux

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MALHEUR COUNTY, OREGON

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