



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): \_\_\_\_\_  
First Last

Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

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**JAN 04 2016**  
**SALEM, OR**

## PROPERTY BUYER INFORMATION

Applicant(s): Ditchen Land LLC  
First Last

Mailing Address: 7385 Howell Prairie Rd NE  
Silverton OR 97381  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

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

County: Polk ~~Harmon~~ Township: 6 Range: 2 Section: 31

Tax Lot Number(s): R19247

Street address of water right property: 3795 Hazelgreen Rd. NE Salem OR 97305

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

Application #: G4468 Permit #: G4211 Certificate or Page #: 40579

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

Name of individual completing this form: DAVID DITCHEN Phone: 503-873-4541

Signature: David Ditchen Date: 12-11-15

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



WARRANTY DEED

DENNIS L. WRIGHT and MARTHA L. WRIGHT, husband and wife, Grantors, convey and warrant to DITCHEN LAND COMPANY LIMITED PARTNERSHIP, an Oregon limited partnership, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

That certain parcel of real property upon which is located that certain 28.0 foot by 65.0 foot 1983 Berrington mobile home (Vehicle Identification Number WAFL2AD24314705) being more particularly described as a portion of the real property described in the attached **Exhibit A** that is the shape of a rectangle, the sides of which are parallel to the sides of the mobile home and are One Hundred (100) feet from the corresponding sides of the mobile home.

Subject to and excepting:

1. The assessment and tax rolls disclose that the premises herein described have been specifically assessed as Farm use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
2. No liability is assumed if a financing statement or agricultural service lien is filed in the office of the County Clerk covering growing crops or fixtures wherein the land is described other than by metes and bounds, the rectangular survey system, or by recorded lot and block.
3. No liability is assumed if a financing statement or agricultural service lien is filed with the Secretary of State but not recorded in the office of the Marion County Recorder.
4. Rights and easement of the public and governmental bodies for commerce, navigation and fishing in and to the waters of Labish Drainage Ditch.
5. Any adverse claim based upon the assertion that the Labish Drainage Ditch has changed in location.
6. An easement created by instrument, including the terms and provisions thereof, recorded on October 10, 1929 in Book 204, Page 306, Deed Records, Marion County, Oregon, in favor of The Pacific Telephone and Telegraph Company for maintenance of an underground conduit.

(CONTINUED ON NEXT PAGE)

The true and actual consideration for this conveyance is [REDACTED] RECEIVED BY OWRD

AFTER RECORDING,  
RETURN TO:

UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO: JAN 04 2016

DITCHEN LAND COMPANY  
LIMITED PARTNERSHIP  
7385 Howell Prairie Road NE  
Silverton, OR 97381

DITCHEN LAND COMPANY  
LIMITED PARTNERSHIP  
7385 Howell Prairie Road NE  
Silverton, OR 97381

SALEM, OR

10-20-2016  
Mobile Home



7. An easement created by instrument, including the terms and provisions thereof, recorded on March 1, 1995 in Book 473, Page 15, Deed Records, Marion County, Oregon, in favor of The United States of America for electric power transmission lines and facilities.

8. An easement created by instrument, including the terms and provisions thereof, dated April 12, 1962 and recorded on April 21, 1962 in Book 544, Page 61, Deed Records, Marion County, Oregon, in favor of Portland General Electric Company for electrical lines.

9. Grant of Easement and Joint Use Agreement, including the terms and provisions thereof, recorded February 28, 1980, in Reel 203, Page 664, Microfilm Records, Marion County, Oregon between David G. Wright and Irene J. Wright, grantors and Ernest L. Wood and Lorene D. Wood, grantees.

10. Mortgage, including the terms and provisions thereof, dated September 15, 1983 and recorded on September 20, 1983 in Reel 322, Page 55, Microfilm Records, Marion County Oregon. The beneficial interest under said Mortgage was assigned to Northwest Farm Credit Services, ACA, by instrument recorded July 1, 1997 in Reel 1405, Page 227, Microfilm Records, Marion County, Oregon.

11. An easement created by instrument, including the terms and provisions thereof, dated February 26, 1993 and recorded April 27, 1993 in Reel 1054, Page 244, Microfilm Records, Marion County, Oregon in favor of U.S. West Communications, Inc. for telecommunications facilities.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 13 day of June, ~~1998~~ 2000.

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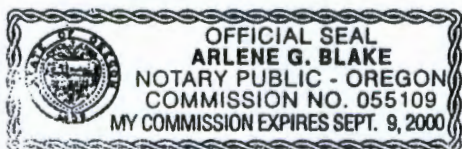
SALEM, OR

STATE OF OREGON )  
 ) ss.  
County of marion )

Dennis L. Wright  
DENNIS L. WRIGHT

Martha L. Wright  
MARTHA L. WRIGHT

The forgoing instrument was acknowledged before me this 2 day of Dec., 1998, by Dennis L. Wright and Martha L. Wright, husband and wife.



Arlene G. Blake  
Notary Public for Oregon  
My Commission Expires: 9-9-2000



EXHIBIT A

PARCEL 1:

Beginning at a stone at the quarter corner between Section 36, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, and Section 31, Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence South 89° 35' East, 439.56 feet to an iron pipe; thence South 2° 32' East, 430.28 feet to an iron pipe; thence North 89° 45' East, 436.25 feet to an iron pipe; thence South 0° 15' East, 157.00 feet to the center of Market Road No. 52; thence North 89° 45' East, along the center line of said road, 668.90 feet; thence North 947.8 feet to the center of a drainage ditch; thence along the center of said ditch North 76° 21' 20" West, 687.32 feet; thence North 54° 58' West, 929.93 feet to the East line of the S. P. Railroad right of way; thence South 18° 49' West, 404.02 feet; thence South 0° 24' West, 676.14 feet to the place of beginning.

Save and Except that portion lying in the County Road.

Also Save and Except the following:

Commencing at a point in the center of Market Road No. 52 which is North 89° 45' East 843.90 feet from the Northwest corner of W. B. Stephens Donation Land Claim in Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence North 250 feet; thence South 89° 45' West, a distance of 180 feet; thence South 250 feet to the center of said County Road; thence North 89° 45' East, a distance of 180 feet to the place of beginning.

AX #  
219247

Also Save and Except all that portion of that property described in that certain deed recorded April 25, 1984 in Reel 342, Page 446, Microfilm Records, Marion County, Oregon between David G. Wright and Irene J. Wright to Marion County, a political subdivision of the State of Oregon.

PARCEL 2:

Beginning at a point on the east line of the Southern Pacific Railroad right of way which is North 0° 24' East, 676.14 feet and North 18° 49' East, 404.02 feet from the quarter corner between Sections 36, Township 6 South, Range 3 West, and Section 31 in Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence along the East line of said railroad right of way, 1645.42 feet; thence South 33° 36' East, 75.90 feet to the center of a drainage ditch; thence South 18° 48' West, 1616.62 feet along the center of said ditch; thence North 54° 58' West, 62.64 feet to the place of beginning.

PARCEL 3:

Beginning at a point in the center of Lake Labish Drainage Ditch which is North 0° 05' West, 888.72 feet from the Southwest corner of Section 30, in Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence North 0° 05' West, 431.48 feet; thence North 89° 14' East, 1036.09 feet to the West line of the Southern Pacific Railroad right of way; thence South 18° 27' West, along said right of way, 1363.68 feet to the center of Lake Labish Drainage Ditch; thence North 35° 7' West, along the center of said ditch, 568.60 feet; thence North 35° 51' West, along the center of said ditch, 472.29 feet to the place of beginning.

TAX #  
R 19222

Save and except from the above descriptions that part conveyed to the Oregon and California Railroad Company by deed recorded in Volume 87, Page 131, Deed Records for Marion County, Oregon.

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Together with a

nonexclusive easement for ingress and egress 40 feet in width lying North and Easterly of the center line of the Lake Labish Drainage Ditch which center line is described as follows: Beginning at a point which is North  $0^{\circ} 24'$  East, 676.14 feet and North  $18^{\circ} 48'$  East, 2049.44 feet from the quarter corner of the West line of Section 31, Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; and running thence South  $33^{\circ} 36'$  East, 1329.9 feet; thence South  $42^{\circ} 50' 40''$  East, 331.85 feet; thence South  $47^{\circ} 40'$  East 395.80 feet; thence South  $63^{\circ} 36'$  East, 167.90 feet; thence South  $80^{\circ} 32'$  East, 411 feet; thence North  $83^{\circ} 36'$  East, 946 feet to the West line of Pacific Highway No. 99 East.

ALSO: Together with an easement for ingress and egress as disclosed by that certain private road crossing disclosed May 21, 1929 in Book 162, Page 210, Deed Records, Marion County, Oregon.

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

**This Is to Certify, That DAVID G. WRIGHT**

of **7536 Lakeside Drive NE, Salem**, State of **Oregon**, **97305**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of two wells

a tributary of **Labish Drainage Ditch** for the purpose of irrigation of **45.05 acres**

under Permit No. **G-4211** 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 **June 27, 1968**

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 **0.56 cubic foot per second, being 0.30 cubic foot per second from Well No. 2 and 0.26 cubic foot per second from Well No. 3**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **No. 2 - SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 30, No. 3 - SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 31, T. 6 S., R. 2 W., W.M., No. 2 - 880 feet North and 50 feet East, No. 3 - 2550 feet South and 500 feet East, both from NW Corner, Section 31.**

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 for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others,**

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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<u>Well No. 2</u>	<u>Well No. 3</u>	
14.2 acres		SW $\frac{1}{4}$ SW $\frac{1}{4}$
	Section 30	
10.05 acres	17.5 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$
	2.0 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
	0.1 acre	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	1.4 acres	Lot 4 (NE $\frac{1}{4}$ SW $\frac{1}{4}$ )
	Section 31	Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$ )
	T. 6 S., R. 2 W., 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. **June 28, 1974**

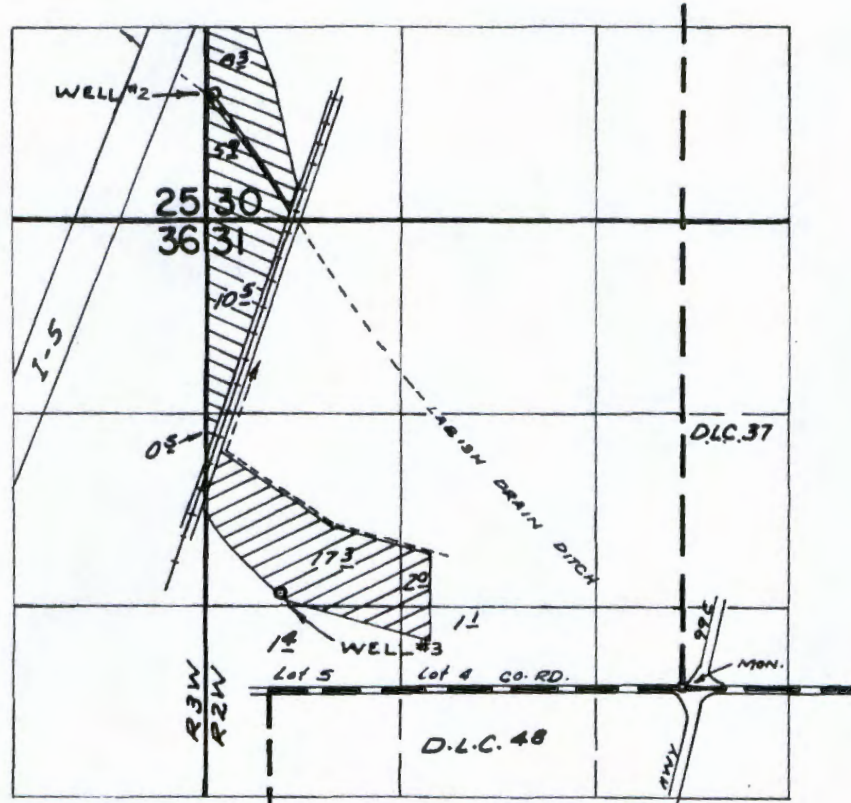
.....**Chris L. Wheeler**.....  
 State Engineer

T.6S.R.2&3W.W.M.

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WELLS LOC: 880' N. & 30' E; 2550' S. & 500' E, BOTH FROM N.W. COR. SEC. 31

WELL #2 → [hatched box] WELL #3 → [hatched box]

**FINAL PROOF SURVEY**  
UNDER

Application No. G-4468 Permit No. G-4211  
IN NAME OF

URLIN S. & L. K. PAGE

Surveyed APR. 5.7, 1972., by R. MUCKEN