



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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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

503-873-4541

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Polk Township: 9 Range: 4 Section: 33, 28, 27

Tax Lot Number(s): ~~214447~~ #213693, Account # 214434

Street address of water right property: 12050 Corvallis Rd. Independence

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

Application #: S37265 Permit #: S27763 Certificate or Page #: 33876

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.

TRUSTEE'S DEED

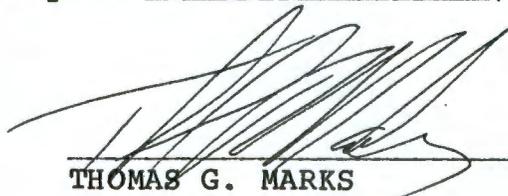
THOMAS G. MARKS, Trustee of the Estate of Donald G. Hector and Ada T. Hector and Hector Farms, Inc., Grantor, releases and quitclaims to David Ditchen and Eldon Ditchen, Grantee, all right, title, and interest in and to the following described property.

See Attached Exhibit A

The true consideration for this conveyance is \$500,000.

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.

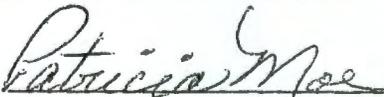
Dated this 31 day of MARCH, 1987.



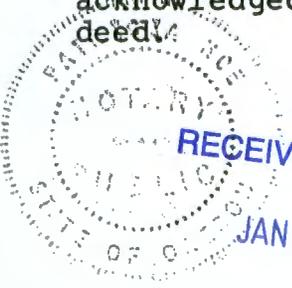
THOMAS G. MARKS

STATE OF OREGON)
) ss.
County of Multnomah)

Personally appeared before me THOMAS G. MARKS, and acknowledged the foregoing instrument to be his voluntary act and deed.



NOTARY PUBLIC FOR OREGON
My Commission Expires: 5/25/88


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WILLAMETTE VALLEY TITLE CO. - 112431-P

Commencing at the Southwest corner of the property described as the West one-half of the Donation Land Claim of Elijah D. Butler and Sarah E. Butler, his wife, situate in Polk County, Oregon, and marked and designated on the official plats and surveys of the United States as Notification No. 1567, Claim No. 68, being parts of Sections 27, 28, 33, and 34, in Township 9 South, Range 4 West of the Willamette Meridian; and running thence to the Southeast corner of the above-described premises; running thence North along the East line of said premises to the Luckiamute River; thence Westerly along the South bank of said Luckiamute River to where the said river crosses the West line of the above described premises; thence South along the West line of said premises to the place of beginning.

ALSO Government Lots 5 and 6 and all Government Lot 4 that lies South of the Luckiamute River in Section 28, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO Government Lots 2, 3, 4, 5, 6, 7, 8, and 9, and the Southeast quarter of the Southwest quarter of Section 33 in Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO Beginning at the Northeast corner of Government Lot 1 of said Section 33; thence running South a distance of 28.59 chains to the township line; thence West along said line a distance of 13.0 chains; thence North a distance of 28.59 chains; thence East a distance of 13.0 chains to the place of beginning. All lying in Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO All of the Donation Land Claim of P. W. Lovelady, Notification No. 1584, Claim No. 49, in Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO Beginning at the Southeast corner of said Lovelady claim; thence running East to the Southeast corner of Government Lot 4 of Section 34; thence North to said Luckiamute River; thence Northerly along and following the meanderings of said river to point which is 10.44 chains West and 6.77 chains North of the Northeast corner of said P. W. Lovelady Donation Land Claim; thence South a distance of 6.77 chains to the North line of said Claim; thence East a distance of 10.44 chains to the Northeast corner of said claim; thence South along the East line of said claim, a distance of 67.36 chains to the place of beginning, lying in Section 34, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

SAVE AND EXCEPT from the above described tracts of land that certain tract of land conveyed to Ben M. Griffith et ux by deed recorded May 13, 1947 in Volume 128, Page 351, Deed Records for Polk County, Oregon, and more particularly described as follows: Beginning at the Southeast corner of the C. T. Davidson Donation Land Claim, Notification No. 1554, Claim No. 50; and running thence West to the intersection of the South line of said claim with the West line of the Luckiamute River; thence Southerly and Easterly following the said West bank to a point where the said river crosses the West line

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EXHIBIT A, page 1

of the Elijah D. Butler Donation Land Claim, Notification No. 1567, Claim No. 68; thence Northerly along the West line to the place of beginning, being in Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO, SAVE AND EXCEPT that certain tract of land conveyed to Mountain States Power Co., by deed recorded May 29, 1951, in Volume 145, Page 6, Deed Records for Polk County, Oregon, and more particularly described as follows: That portion of Government Lot 8 of Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon, bounded and particularly described as follows: Beginning at a point on the East boundary of said Government Lot 8 that is 167.64 feet East and North 0°13' East 1603.66 feet from the Northeast corner of the Amon Pyburn Donation Land Claim No. 67 (said Donation Land Claim corner being on the South boundary of Government Lot 9 of said Section 33) and running thence North 0°13' East along the East boundary of said Government Lot 8, a distance of 317.10 feet; thence South 89°46' West a distance of 152.15 feet; thence South 25°03' East a distance of 350.59 feet, more or less, to the point of beginning; subject to the rights of the public in Market Roads No. 7 and 9 along the North and East sides of said parcel.

ALSO SAVE AND EXCEPT that portion of the above described tracts of land lying within the boundaries of public roads and highways.

ALSO SAVE AND EXCEPT a parcel of land lying in the Preston W. Lovelady Donation Land Claim No. 49, Township 9 South, Range 4 West, Willamette Meridian and in Government Lots 6 and 7 in Section 33, Township 9 South, Range 4 West, Willamette Meridian, Polk County, Oregon, as described in deed conveyed to Polk County, a political subdivision of the State of Oregon, recorded June 12, 1964, in Book 190, Page 674, Deed Records for Polk County, Oregon.

ALSO Beginning at the Southeast corner of the George W. Pyburn Donation Land Claim, Notification No. 1590, claim No. 69, in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence North along the East line of said Donation Land Claim a distance of 101.58 chains to the Northeast corner of said Claim; thence West a distance of 15.23 chains to the most Northerly Northwest corner of said claim; thence South a distance of 21.73 chains to the re-entrant corner on the North line of said Donation Land Claim; thence West on the North line of said Donation Land Claim a distance of 2.42 chains; thence South a distance of 79.85 chains, more or less, to the South line of said Donation Land Claim; thence East on the South line of said Donation Land Claim a distance of 17.65 chains to the place of beginning.

SAVE AND EXCEPT the West 20.0 feet of the South 66 chains of the above described tract reserved for a roadway.

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312223

STATE OF OREGON)
County of Polk) ss.

I hereby certify that the within was received and duly recorded by me in Polk County records:

B.O.R. 202 Page 943

FILED
POLK COUNTY OREGON

87 APR 10 PM 2:13

LINDA DAWSON
COUNTY CLERK

BY an DEPUTY

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WARNER AND LINN (a partnership)

of Route 1, Box 135, Independence, 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 Luckiamute River

a tributary of Willamette River for the purpose of irrigation of 79.9 acres

under Permit No. 27763 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 December 18, 1961

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 1.00 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 5 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Butler DLC 68, Section 33, T. 9 S., R. 4 W., W. M. Diversion points located: 5470 feet South and 750 feet East; 5680 feet South and 160 feet West; both from NW Corner, Butler *
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-eighth 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 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:

13.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Butler DLC 68
10.8 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Butler DLC 68
Section 27
1.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Butler DLC 68
24.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Butler DLC 68
10.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Butler DLC 68
Section 28
2.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Butler DLC 68
6.1 acres Lot 5 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
2.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Lovelady DLC 49
1.2 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Lovelady DLC 49
4.4 acres Lot 6 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
1.0 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Lovelady DLC 49
Section 33
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Butler DLC 68
Section 34
T. 9 S., R. 4 W., W. M.

* DLC 68.
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. April 26, 1967

CHRIS L. WHEELER

State Engineer

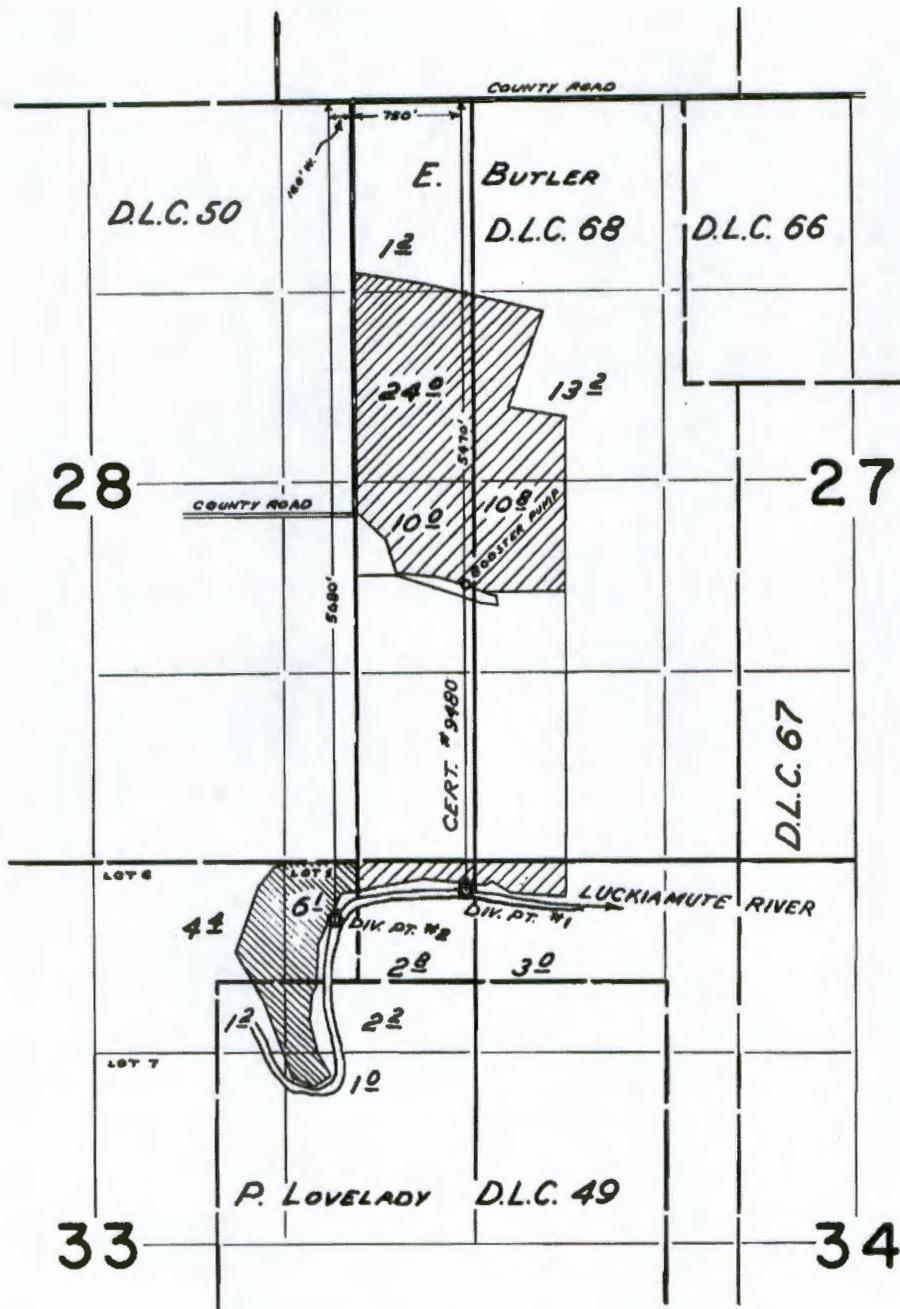
Recorded in State Record of Water Right Certificates, Volume 25, page 33876

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T. 9 S. R. 4 W. W.M.



FINAL PROOF SURVEY
UNDER

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Application No. 37265 Permit No. 27763
IN NAME OF

Warner & Linn

Surveyed Aug. 17, 1965, by C. GARDNER

B354P2032

98 MAY 15 PM 2:01

After recording return to:

TITLE ORDER NO: 16-14360

DITCHEN LAND COMPANY AN OREGON LIMITED PARTNERSHIKEY ESCROW NO: 02-53801

STATE OF OREGON)

7385 HOWELL PARIRIE ROAD

SILVERTON, OR 97381

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

SAME AS ABOVE

446320

COUNTY OF POLK)
I hereby certify that this instrument was received and duly recorded by me in Polk County records

LINDA DAWSON,
COUNTY CLERK

WARRANTY DEED -- STATUTORY FORM
(INDIVIDUAL or CORPORATION)

RAYMOND C. WARNER AND NADENE H. WARNER, CO-TRUSTEES OF THE WARNER FAMILY REVOCABLE TRUST, AS TO UNDIVIDED ONE-HALF AND/ELMER D. LINN TRUSTEE TO AN UNDIVIDED ONE HALF INTEREST. Grantor,

conveys and warrants to:

DITCHEN LAND COMPANY AN OREGON LIMITED PARTNERSHIP, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

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

Tax Account No: 13-05 09433-0 Map No:
Tax Account No: 13-05 09428-0 Map No:

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.

The true consideration for this conveyance is [redacted]. However, if the actual consideration consists of or includes other property or other value given or promised, such other property or value was part of the/the whole of the (indicate which) consideration.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

Dated this 4-16th day of April, 1998.

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GRANTOR(S):

JAN 04 2016

Raymond C. Warner -
RAYMOND C. WARNER, TRUSTEE

SALEM, OR

Nadene Warner - By Raymond C. Warner attorney in fact

NADENE H. WARNER, TRUSTEE

Elmer D. Linn Trustee
ELMER D. LINN, TRUSTEE

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on April 16, 1998, by RAYMOND C. WARNER, TRUSTEE, NADENE H. WARNER, TRUSTEE and ELMER D. LINN, TRUSTEE

[Signature]
Notary Public for Oregon

My commission expires: 6-15-98

OFFICIAL SEAL
LORI S. NEVA
NOTARY PUBLIC-OREGON
COMMISSION NO. 035555
MY COMMISSION EXPIRES JUNE 15, 1998

key - 1 title

Beginning at the Southeast corner of the C. T. Davidson Donation Land claim, Notification Number 1554, Claim Number 50; running thence West to the intersection of the South line of said claim with the West line of the Luckiamute River; thence Southerly and Easterly following the said West bank to a point where the said river crosses the West line of the Elijah D. Butler Donation Land Claim, Notification Number 1567, Claim Number 68; thence Northerly along the West line to place of beginning, being in Section 33, Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon.

ALSO the following described property: The West half of the Donation Land Claim of Elijah D. Butler and Sarah E. Butler, his wife, and marked and designated on the official plats and surveys of the United States as Notification No. 1567, Claim no. 68, being parts of Sections, 27, 28, 33 and 34, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon.

SAVE AND EXCEPT: Beginning at a point on the West line of the Elijah D. Butler Donation Land Claim No. 68, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, which is 2920.64 feet South of the Northeast corner of the C. I. Davidson Donation Land Claim, No. 50, in said Township and Range; thence along said Donation Land Claim line South 152.47 feet; thence South 87° East 242.00 feet; thence North 180.00 feet; thence North 87° West 242.00 feet to a point on said Donation Land Claim line; thence South 27.53 feet to the point of beginning.

SAVE AND EXCEPT: Any portion of the above described tract lying within the right of way limites of public roads and highways.

SUBJECT TO:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially 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. The following matters are excluded from the coverage of the policy based on the proximity of the property to Luckiamute River.

- 1) Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of the Luckiamute River as it now exists or has existed.
- 2) Any adverse claim based on the assertion that:
 - a) some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - b) some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Luckiamute River or has been formed by accretion to such portion.
 - c) any adverse claim based upon the assertion that the Luckiamute River has changed in location.

3. An easement created by instrument, including the terms and provisions thereof,

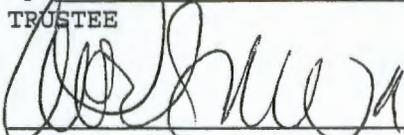
Dated: June 24, 1974
Recorded: June 25, 1974 in Book 59, Page 665, Book of Records, Polk County, Oregon
In favor of: R. C. Warner and Nadene Warner (TL 101)
For: maintaining water line and pump
Affects: as set forth in document

4. An easement created by instrument, including the terms and provisions thereof,

Dated: September 1, 1992
Recorded: September 10, 1992 in Book 258, Page 400 Book of Records, Polk County, Oregon
In favor of: adjacent property owner (TL 101)
For: septic drainfield

#446320

This instrument was acknowledged before me on April 16, 1998, by RAYMOND C. WARNER, TRUSTEE, NADENE H. WARNER, TRUSTEE and ELMER D. LINN, TRUSTEE.


Notary Public for Oregon

My commission expires: 6-15-98



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IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

SEC. 28 T9S R4W WM
POLK COUNTY
Scale 1" = 400'

9.4.28

20 21
29 28

S.W. CORNER
THOMAS L. BOUNDS
DLC NO. 51

300
67.80 AC

LOT 2
24.88 AC

N.W. CORNER
C.T. DAVENSON
DLC NO. 50

LOT 3
18.98 AC

200
263.82 AC
200M1

See Map 9.4.21

S.E. CORNER
THOMAS L. BOUNDS
DLC NO. 51
S.W. CORNER
JOHN B. BEARDS
DLC NO. 70
N.W. CORNER
DLC NO. 50

S.E. CORNER
C.T. DAVENSON
DLC NO. 50

100
180.11 AC

S.W. CORNER
ELIAS D. BUTLER
DLC NO. 58

Account #
213693

Cancelled No.

See Map 9.4.29

400
84.06 AC

LOT 4
14.08 AC

500
36.88 AC

LOT 4
14.80 AC

S.W. CORNER
SECOND W. PETERSON
DLC NO. 59

LOT 5
14.34 AC

13-5

201
1.35 AC
201M1

200
263.58 AC

101
1.00 AC

See Map 9.4.27

S.E. CORNER
MERRISON LITTLE
DLC NO. 48

LOT 6
14.34 AC

LOT 6
14.34 AC

See Map 9.4.33

S.W. CORNER
C.T. DAVENSON
DLC NO. 50

S.E. CORNER
C.T. DAVENSON
DLC NO. 50

S.W. S.W. CORNER
ELIAS D. BUTLER
DLC NO. 58

28 27

33 24

05/16/07

9.4.28

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SALEM, OR

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

SEC.33 T9S R4W WM
POLK COUNTY

Scale 1" = 400'

9.4.33

See Map 9.4.28

29 | 28
32 | 33

26 | 27
33 | 34

400
90.00 AC

300
483.89 AC

SW CORNER
C.T. SIMPSON
DLC NO. 50

200
23.00 AC
E.E. CORNER
C.T. SIMPSON
DLC NO. 50

100
20.00 AC

W.T. SW CORNER
ELIASH D. BUTLER
DLC NO. 48

LOT 4
38.48 AC

LOT 5
34.89 AC

LOT 3
38.48 AC

LOT 7
28.10 AC

13-5

N.W. CORNER
PRESTON W. LOVELADY
DLC NO. 48

214434
Account #

N.E. CORNER
PRESTON W. LOVELADY
DLC NO. 48

Canceled No.
301

See Map 9.4.32

S.E. CORNER
GEORGE W. PYBURN
DLC NO. 89

LOT 2
38.14 AC

LOT 8
28.10 AC

300
483.89 AC

PL LOT 1
17.18 AC

LOT 6
28.10 AC

S.W. CORNER
ALEXANDER HODGES
DLC NO. 53

N.E. CORNER
AMON PYBURN
DLC NO. 87

SW CORNER
PRESTON W. LOVELADY
DLC NO. 48

S.E. CORNER
PRESTON W. LOVELADY
DLC NO. 48

32 | 33
5 | 4

33 | 34
4 | 3

See Map 10.00.01
DLC NO. 87

S.W. CORNER
PRESTON W. LOVELADY
DLC NO. 48

S.E. CORNER
PRESTON W. LOVELADY
DLC NO. 48

05/16/07

9.4.33

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