


Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

November 21, 2015

Dear Sir or Madam,

In 2014 we purchased the property 9320 SW Gopher Valley Road, Sheridan OR 97378, and we are writing to update the ownership information for the Certificate of Water Rights # **15286** first established by the now deceased WM Fagan. Attached are the original permit/certificate, our deed, and a map of our location. Thank you for the chance to update this record for the certificate of water rights.

Best,



Kira Marina Glover-Cutter
9320 SW Gopher Valley Road
Sheridan, OR 97378
(503)-376-6052
(971) 312-6052
kiracutter@gmail.com

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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

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Applicant(s): (Original permit) W. M. Fagan
First Last

Mailing Address: Deceased
City State Zip

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Phone: _____
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Troy and Kira Cutter (current Owners, not Buyers)
First Last

Mailing Address: 9320 SW Gopher Valley Road
Sheridan Oregon 97378
City State Zip

Phone: 503-376-6052
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Yamhill Township: Sheridan Range: na Section: na

Tax Lot Number(s): R4625 01300

Street address of water right property: 9320 SW Gopher Valley Road, Sheridan Oregon, 97378

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

Application #: 19710 Permit #: 15286 Certificate or Page #: 19836

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

Name of individual completing this form: Kira Glover-Cutter Phone: 503-376-6052

Signature: [Signature] Date: 11-21-2015

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

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **W. M. Fagan**

of Route 2 - Sheridan, 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 Dear Creek a tributary of South Yamhill River for the purpose of irrigation under Permit No. 15286 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 2, 1942

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 0.25 c.f.s.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T. 4 S., R. 6 W., 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-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 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:

5.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
0.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
10.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
3.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25
T. 4 S., R. 6 W., W.M.

Land on which water is to be used is a part of that more explicitly described as follows:

Parcel I. Beginning 6.20 chains South of the center of Section 25 in T. 4 S., R. 6 W. of the W.M., Yamhill County, Oregon, and on the South boundary line of the land now owned by Ed. Casey, Thence East 14.60 chains to an iron pin set in the Center of the County road now there. Thence South 9°23' West 5.98 chains to an iron pin set at N.E. Corner of the land now owned by the grantor, Anna Blair, herein named. Thence W. along the N. line of land now owned by said grantor 33.62 chains to the N.W. corner of the land now owned by said grantor herein. Thence N. 5.90 chains to the S. W. Corner of said Fred Casey's land, Thence E. 20.00 chains to the place of beginning, containing 20 A., More or less.

ALSO:

Parcel II. Beginning of the quarter Section in corner on line between Sec's 25 and 36 in T. 4 S., of R. 6 W. of the W. M. in Yamhill County, Ore., and running thence S. 1.50 chains to an iron pipe at the N. W. corner of John Eboral's 5 acre tract. Thence S. 76°45' E. along fence now there 3.40 chains to angle in said Eboral's N. line. Thence E. 4.75 chains to iron pipe set in center of county road at said Eboral's N. E. Cor. Thence N. 29° E. 1.75 chains to iron pipe set on Sec. line at angle in county road. Thence N. 9°23' E. along center of county road 28.25 chains to iron pipe set 5.98 chains S. 9°23' from the S. E. Corner of Ed. Casey's land. Thence W. 33.62 chains to regular subdivisional line.

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Thence S. on said sub-divisional line 14.70 chains to N. W. cor. of John Eboral's 10 A. tract. Thence E. 7.50 chains. Thence S. 13.33 1/3 chains to Sec. line. Thence E. 12.50 chains to place of beginning, containing 80.24 acres more or less.

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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

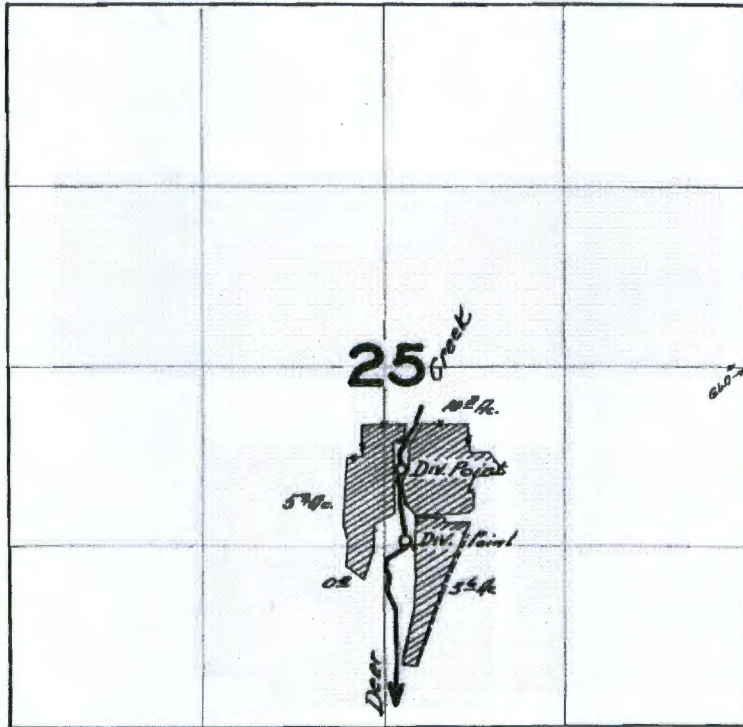
this 30th day of September, 1952.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 19836

T.4S.R.6W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 19710 Permit No. 15286
IN NAME OF

W. M. FAGAN

Surveyed 9/25 1951, by H. L. COFFMAN

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Oregon Water Rights Map

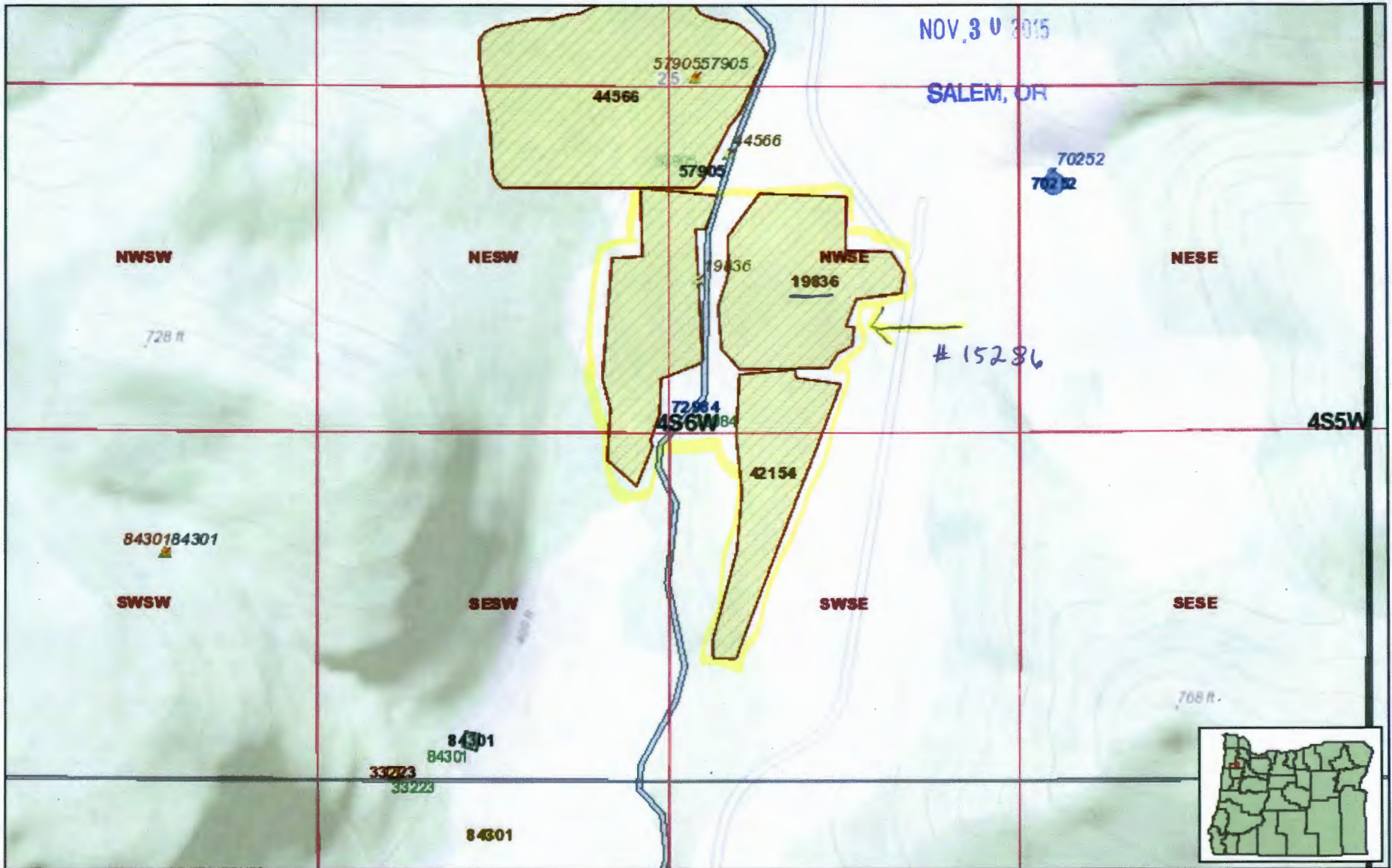
August 29, 2015

Oregon Water Resources Department
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 (503)986-0900



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Water Rights by Type

- Forms of Version
- Places of Use
- Storage Water
- Surface Water
- Groundwater

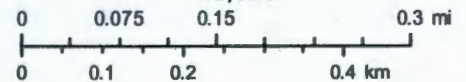
Water Rights by Use

- Recreation
- Fish
- Wildlife
- Railroad
- Hydro.
- Agriculture
- Livestock
- Irrigation
- Mining

By Primary/Supplemental

- Power
- Commercial
- Domestic
- Primary
- Supplemental

1:9,028





After recording return to:
Troy A. Cutter and Kira M. Glover-Cutter
9320 SW Gopher Valley Road
Sheridan, OR 97378

Until a change is requested all tax statements shall be sent to the following address:
Troy A. Cutter and Kira M. Glover-Cutter
9320 SW Gopher Valley Road
Sheridan, OR 97378

File No.: 1031-2251645 (MWG)
Date: May 08, 2014

THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records **201408013**
DMR-DDMR
Stn=6 SUTTONS **07/09/2014 12:24:39 PM**
4Pgs \$20.00 \$11.00 \$5.00 \$20.00 **\$56.00**

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Brian Van Bergen - County Clerk

FIRST AMERICAN TITLE 2251645

STATUTORY WARRANTY DEED

Marc Accuardi and Deborah Accuardi, as tenants by the entirety, Grantor, conveys and warrants to Troy A. Cutter and Kira M. Glover-Cutter, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey. 2014-15 taxes due, all lien but not yet payable.
2. The assessment roll and the tax roll disclose that the premises herein described werespecially assessed as Forest Land pursuant to O.R.S. 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment.

The true consideration for this conveyance is **\$360,000.00**. (Here comply with requirements of ORS 93.030)

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EXHIBIT A

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

PARCEL I

Beginning at the quarter Section in corner on line between Sections 25 and 36 in Township 4 South, Range 6 West of the Willamette Meridian in Yamhill County, Oregon, and running thence South 1.50 chains to an iron pipe at the Northwest corner of the John Eboral's five acre tract; thence South 76°45' East 3.40 chains more or less to the center of Gopher Valley County Road; thence Northeasterly along the center line of said road 32.95 chains more or less to the Southeasterly corner of that tract of land described as Parcel II below; thence West 33.62 chains to the regular subdivisional line; thence South on said subdivisional line 14.70 chains to the Northwest corner of John Eboral's ten acre tract; thence East 7.50 chains; thence South 13.33 chains to the Section line; thence East 12.50 chains to the place of beginning.

EXCEPTING THEREFROM that portion thereof included in Deed from William M. Fagan et ux to Kenneth Miller recorded March 11, 1952 in Book 164, Page 774, Yamhill County Deed Records.

PARCEL II

That portion lying Westerly of Gopher Valley County Road of that tract of land described as follows:

Beginning at a point 6.20 chains South of the center of Section 25 in Township 4 South, Range 6 West of the Willamette Meridian in Yamhill County, Oregon; thence East 14.60 chains to an iron pipe set in the center of said County Road; thence South 9°23' West 5.98 chains to an iron pin; thence West 33.62 chains; thence North 5.90 chains; thence East 20 chains to the place of beginning.

EXCEPTING THEREFROM that portion lying within the tract conveyed to Yamhill County by deed recorded May 9, 1933 in Book 107, Page 636, Yamhill County Deed Records.

EXCEPTING FROM Parcels I and II above that portion conveyed to Tripletree Ranch, an Oregon partnership by instrument recorded June 29, 1994, Film Volume 311, Page 0480, Yamhill County Records, more particularly described as follows:

A tract of land in Section 25, Township 4 South, Range 6 West of the Willamette Meridian in Yamhill County, Oregon and being a portion of the tract of land described in Contract recorded July 2, 1991 in Film Volume 256, Page 1395, Yamhill County Deed Records, wherein Paul Bonneau and Wai Yee Bonneau are the purchasers, described as follows:

BEGINNING at a point on the North line of said Bonneau tract which is on record as being South 6.20 chains from the center of Section 25 in Township 4 South, Range 6 West of the Willamette Meridian in Yamhill County, Oregon; thence West along said North line 990.0 feet to the TRUE POINT OF BEGINNING; thence South 1359.0 feet more or less to a point on the North line of a tract described as Parcel II in deed to Tripletree Ranch, partnership recorded December 31, 1979 in Film Volume 147, Page 248, Deed Records; thence West along said North line 330 feet to the regular subdivision line; thence North along said line 1359.0 feet more or less to the Northwest corner of the said Paul and Wai Yee Bonneau tract; thence East along the North line thereof to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING FROM Parcels I and II above that portion more particularly described as follows:

A tract of land in Section 25, Township 4 South, Range 6 West of the Willamette Meridian in Yamhill County, Oregon and being a portion of the tract of land described in Contract recorded July 2, 1991 in Film Volume 256, Page 1395, Yamhill County Deed Records, wherein Paul Bonneau and Wai Yee Bonneau are the purchasers, described as follows:

BEGINNING at a point on the North line of said Bonneau tract which is on record as being South 6.20 chains from the center of Section 25 in Township 4 South, Range 6 West of the Willamette Meridian in Yamhill County, Oregon; thence West along said North line 990.0 feet to the TRUE POINT OF BEGINNING; thence East along said North line 310.0 feet; thence South 805.0 feet; thence South 45° East 280.0 feet; thence South 383.0 feet; thence East 1,185.0 feet more or less to the center of the Gopher Valley Road; thence Southwesterly along the center of Gopher Valley Road to the Southeast corner of Parcel I of the Paul and Wai Yee Bonneau tract; thence along the South line thereof North 76° 45' West 3.40 chains more or less to an iron pipe at the Northwest corner of a 5 acre tract formerly owned by John Eboral; thence North 1.50 chains to the quarter Section corner on line between Sections 25 and 36; thence West 9.75 chains more or less to the Southeast corner of a tract described as Parcel II in deed to Tripletree Ranch, partnership recorded December 31, 1979 in Film Volume 147, Page 248, Deed Records; thence following said Deed line North 13.333 chains and West 346.5 feet to a point which is 330 feet East from the Northwest corner of said Tripletree tract; thence North 1359.0 feet more or less to the TRUE POINT OF BEGINNING.

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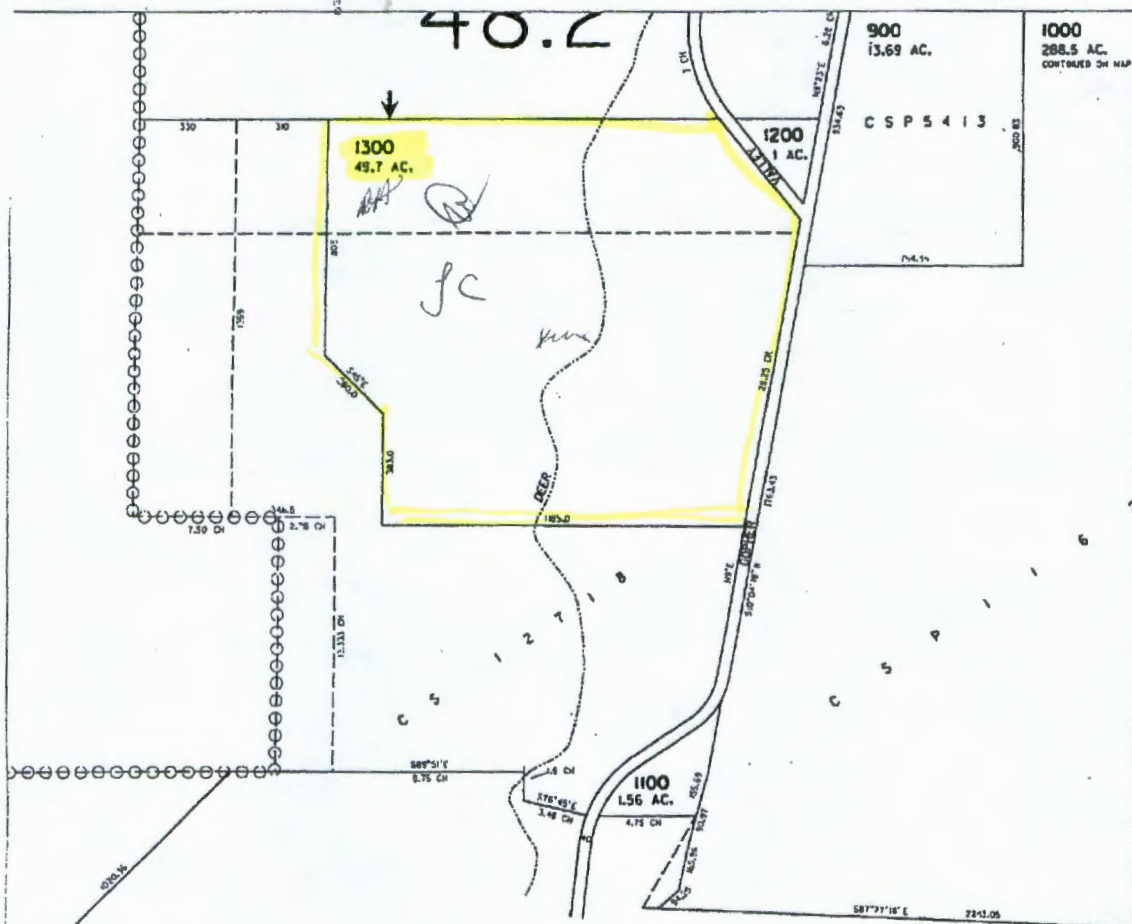
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First American



This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey



SEE MAP 4 6 36

Troy Cutter of Kira Glover - Cutter
9320 SW Gopher Valley Rd
Sheridan, OR 97378
503-376-6052 ; 971-312-1613
kiracutter@gmail.com