

Scott Fein Water Rights
Scott D. Fein
Professional Land Surveyor
Certified Water Rights Examiner
Certified Federal Surveyor
Oregon Certificate & Idaho Certificate
600 Tyler Creek Rd.
Ashland, OR 97520
541-842-0795
sfeinsurveyor@gmail.com

To: Oregon Water Resources Department
725 Summer St, Suite A
Salem, OR 97301

October 31, 2015

Dear OWRD,

This letter is in reference to a Certificate of Water Right Ownership Update. I have completed the required form on behalf of Mr. and Mrs. Siler for an ownership update to a portion of certificate per Vol. 12 Pg. 14336.

Please find the following attached.

- 1) Certificate of Water Right Ownership Update Form
- 2) Deed per Jackson County Official Records 2015-024328
- 3) Certificate Vol. 12 Pg. 14336
- 4) Permit Map per permit 14857 (only map available related to certificate 14336)
- 5) CWRE prepared Map for Water Right Ownership Update

Relative to the original certificated right, the property appears to have been divided from the original configuration of the certificate holder of record. I have mapped the use of the water rights on the taxlot 1904 in field as shown on the accompanying map and reviewed aerial photos 1994 through 2015 to confirm appurtenancy for a total of 7.23 acres out of 10 certificated acres as being appurtenant to taxlot 1904. The remaining right which is not a part of this ownership update appears to be appurtenant to taxlots 1901, 1902, and 1903 for the remaining total of 2.77 acres. My ownership update map is attached for your review. Please contact me with any questions.

Sincerely,



Scott Fein
Certified Water Rights Examiner

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CC: Christopher S. & Theresa L. Siler



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): Michael W. COOKE and Claire A. COOKE Trustees of Michael W. Claire
First Last
2038 Vista Hermosa Way
First Last
El Cajon CA 92019
City State Zip
 Phone: 619-447-9876
Home Work Other

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PROPERTY BUYER INFORMATION

Applicant(s): Christopher S. and Theresa L. Siler
First Last
 Mailing Address: PO Box 597
Ashland OR 97520
City State Zip
 Phone: 916-296-5698 541-708-0819
Home Work Other

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PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Jackson Township: 39S Range: 2E Section: 30

Tax Lot Number(s): 39-2E-30 TL 1904

Street address of water right property: 790 Neil Creek Road, Ashland, OR 97520

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

Application #: _____ Permit #: _____ Certificate or Page #: 14336

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

Name of individual completing this form: Scott Fein, CWRE Phone: 541-842-0705

Signature: [Signature] Date: 10/31/15

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



After recording return to:
Christopher S. Siler and Theresa L.
Siler
P.O. Box 597
Ashland, OR 97520

Until a change is requested all tax
statements shall be sent to the
following address:
Christopher S. Siler and Theresa L.
Siler
P.O. Box 597
Ashland, OR 97520

File No.: 7162-2454989 (jas)
Date: May 21, 2015

Jackson County Official Records **2015-024328**
R-WD
Stn=5 FOOTENL **07/20/2015 09:00:30 AM**
\$20.00 \$11.00 \$10.00 \$8.00 \$20.00 **\$69.00**

THIS SPACE RESERVED

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

STATUTORY WARRANTY DEED

Michael W. Cooke and Claire A. Cooke Trustees of The Michael W. & Claire A. Cooke 1996 Revocable Trust dated August 30, 1996, Grantor, conveys and warrants to Christopher S. Siler and Theresa L. Siler, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

See Exhibit "A"

Subject to:

See Exhibit "B"

The true consideration for this conveyance is **\$137,500.00**. (Here comply with requirements of ORS 93.030)

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

Dated this 8th day of July, 2015.

Michael W. & Claire A. Cooke Cooke 1996
Revocable Trust dated August 30 1996

[Signature]
Michael W. Cooke, Trustee

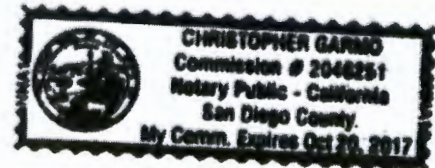
[Signature]
Claire A. Cooke, Trustee

STATE OF California)
)ss.
County of San Diego)

This instrument was acknowledged before me on this 8th day of July, 2015
by Michael W. Cooke and Claire A. Cooke, Trustees.

[Signature]

Notary Public for
My commission expires:



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ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On July 8, 2015 before me, Christopher Garino / Notary
(insert name and title of the officer)

personally appeared Michael and Claire Cooke,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



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EXHIBIT A

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

BEGINNING AT A 5/8" IRON PIN, WHICH BEARS NORTH, 2357.64 FEET AND WEST, 2.16 FEET FROM A SANDSTONE MONUMENT AT THE QUARTER CORNER COMMON TO SECTIONS 30 AND 31, TOWNSHIP 39 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE WEST, ALONG BOUNDARY LINE ESTABLISHED BY AGREEMENT RECORDED AS DOCUMENT NO. 67-11160, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, 474.23 FEET, TO THE NORTHEAST CORNER OF TRACT DESCRIBED IN DEED RECORDED AS DOCUMENT NO. 68-02968, SAID OFFICIAL RECORDS; THENCE SOUTH 715.24 FEET, TO A 5/8" IRON PIN; THENCE WEST, 358.87 FEET, TO A 5/8" IRON PIN; THENCE SOUTH 10°17'25" WEST, 46.35 FEET, TO A 5/8" IRON PIN; THENCE SOUTH 43°15'20" WEST, 59.35 FEET, TO A 5/8" IRON PIN; THENCE SOUTH 55.99 FEET, TO A 5/8" IRON PIN, THENCE NORTH 61° 39' 20" WEST 219.05 FEET, TO A 5/8 INCH IRON PIN ON THE EASTERLY LINE OF NEIL CREEK ROAD; THENCE SOUTHWESTERLY, ALONG SAID EASTERLY LINE, 62.43 FEET, TO A 5/8" IRON PIN; THENCE SOUTH, 61°39'20" EAST, 234.24 FEET, TO A 5/8" IRON PIN; THENCE SOUTH, 116.01 FEET, TO A 5/8" IRON PIN, ON BOUNDARY LINE ESTABLISHED BY AGREEMENT RECORDED AS DOCUMENT NO. 70-00106, SAID OFFICIAL RECORDS; THENCE SOUTH 89°53'10" EAST, ALONG SAID LINE, 883.01 FEET, TO A 3/4" IRON PIPE ON BOUNDARY LINE ESTABLISHED BY AGREEMENT RECORDED AS DOCUMENT NO. 70-00107, SAID OFFICIAL RECORDS; THENCE NORTH 0°03'10" WEST, ALONG SAID LINE, 1046.00 FEET, TO THE POINT OF BEGINNING.

NOTE: This Legal Description was created prior to January 01, 2008.

EXHIBIT B

1. The 2015-2016 Taxes, a lien not yet payable.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Neil Creek.
4. Agreement and Declaration of Boundary Line and the terms and conditions thereof:
Recording Information: November 22, 1967 as Document No. 67-11160
5. Unrecorded leases or periodic tenancies, if any.

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STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That . HENRY KERBY

of Route 1, Box 465, Ashland, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the excess of Drainage and Seepage water from West, Middle and East Draws in Neil Creek Watershed, a tributary of Bear Creek for the purpose of Irrigation under Permit No. 14857 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 April 8, 1941

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 0.13 cubic foot per second, being 0.06 c.f.s. from West Draw, 0.04 c.f.s. from Middle Draw and 0.03 c.f.s. from East Draw,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SW 1/4 and SE 1/4 SW 1/4, Section 30, Township 39 South, Range 2 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-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 4 1/2 acre feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year, and shall also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water,

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:

10 acres in the NE 1/4 SW 1/4,
Section 30,
T. 39 S., R. 2 E., W. M.

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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 22nd day of June, 1942

CHAS. E. STRICKLIN
State Engineer

Recorded in State Record of Water Right Certificates, Volume 12, page 14336.

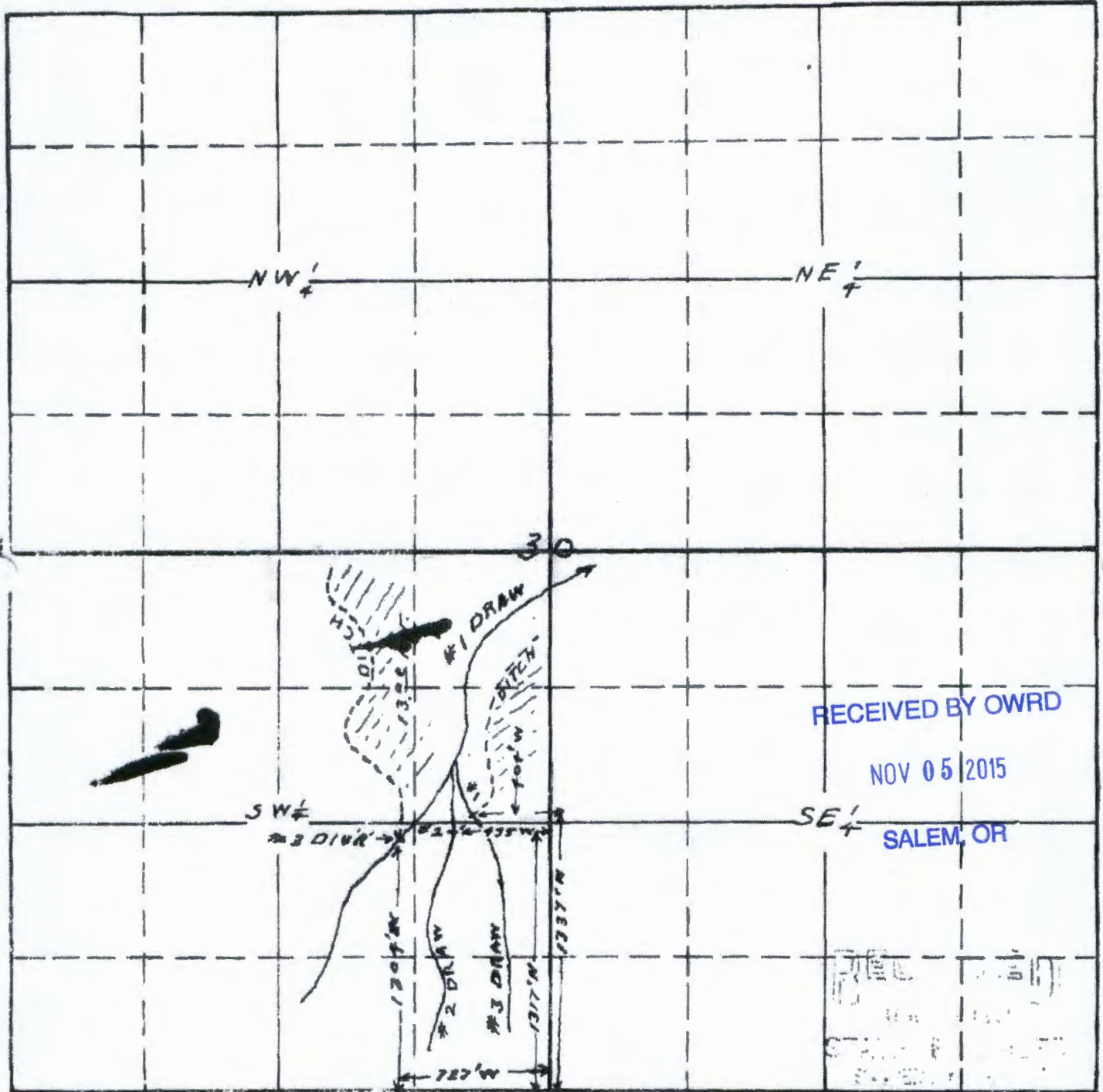
15 4

SECTION

30

TOWNSHIP 39 S, RANGE 2 E, W. M.

North



Sketch to accompany application of Henry Kirby for use of seepage and drainage water from #1-2-3 Draws for irrigation purposes.
 Measurements from actual survey by E. Z. Boyden Engr.

19251
 APPLICATION No. 19251
 PERMIT No. 14857

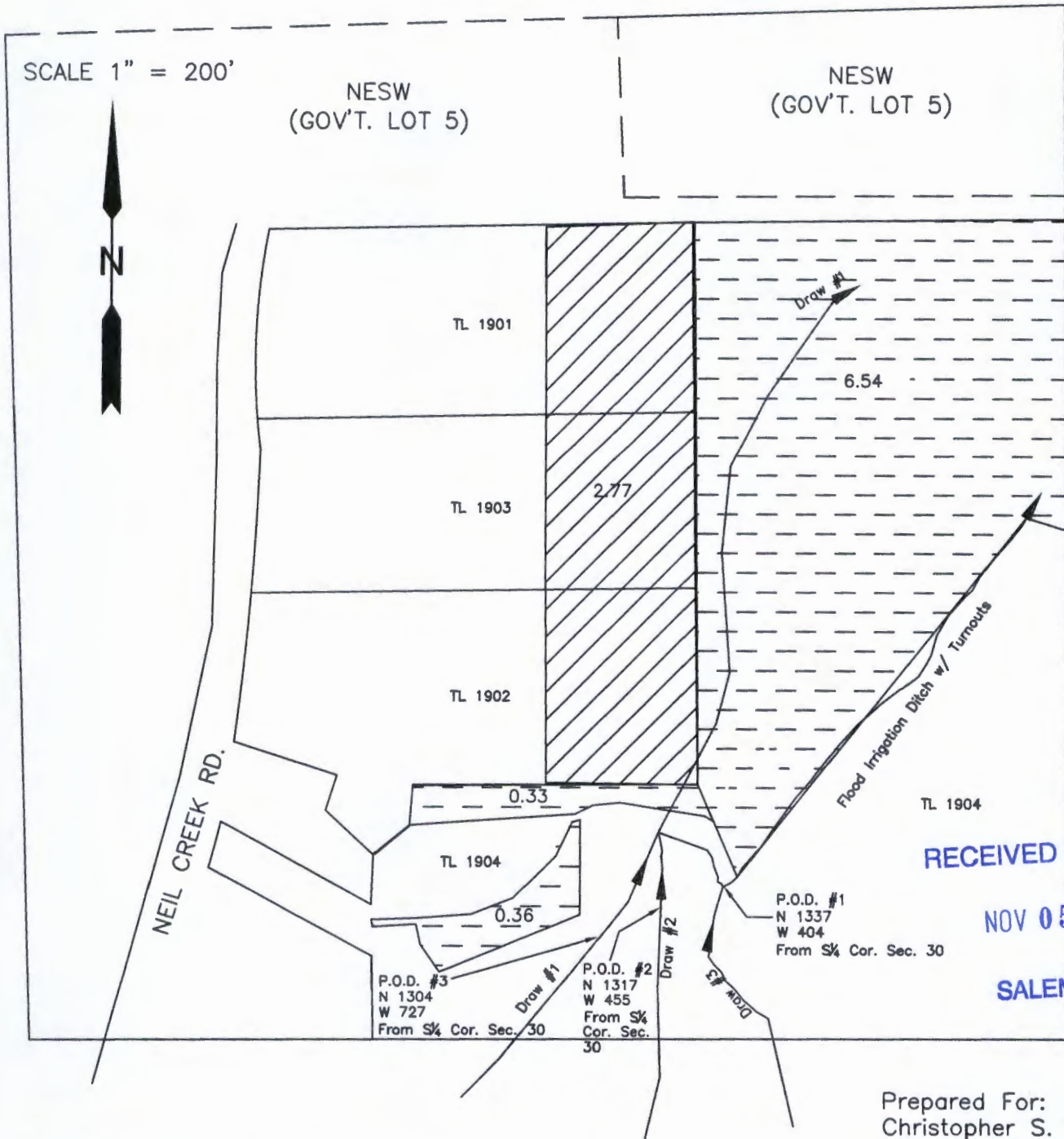
This office 3/1/41

MAP FOR WATER RIGHT OWNERSHIP UPDATE

CERTIFICATE VOL. 12 PG. 14336

T39S R3E S30 W.M.


39-2E-30 TL 1904




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 Cert. 14336
Not Part of Ownership Update
2.77 Acres

 Cert. 14336
Siler Ownership Update
7.23 Acres



Prepared For:
Christopher S. Siler &
Theresa L. Siler
P.O. Box 1957
Ashland, OR 97520

Prepared By:
Scott Fein Water Rights
Scott Fein, CWRE
600 Tyler Creek Rd.
Ashland, OR 97520
541-842-0795
sfeinsurveyor@gmail.com

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