



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): Lawrence Jerome McElligott Trust
First Last
 Mailing Address: 61180 Hwy 74
Ione OR 97843
City State Zip
 Phone: 541-422-7567
Home Work Other

RECEIVED BY OWRD

PROPERTY BUYER INFORMATION

Applicant(s): Mark & Cydney McElligott
First Last
 Mailing Address: PO Box 331
Ione OR 97843
City State Zip
 Phone: 541-701-7772
Home Work Other

FEB 29 2016

SALEM, OR

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Morrow Township: 1S Range: 24 Section: 1 & 12

Tax Lot Number(s): 200

Street address of water right property: 61180 Hwy 74, Ione, OR 97843

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

Application #: T-12068 Permit #: _____ Certificate or Page #: 195

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

Name of individual completing this form: Renee J. Grace/Mid-Columbia Title Company Phone: 541-481-2280

Signature: _____ Date: _____

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

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF MORROW.

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That **GEO. W. SWAGGART**,
of Ione, State of Oregon, has a right to the use of
the waters of WILLOW CREEK and RHEA CREEK, tributary to the Columbia River in
Morrow County, Oregon,

for the purpose of irrigation, (during the irrigation season)

and that said right has been confirmed by decree of the Circuit Court of the State of
Oregon for Morrow County, and the said decree entered of record at Salem,
in the Order Record of the Board of Control of the State of Oregon, in Volume 1, at
page 73 ; that the priority of the right hereby confirmed dates from 1878;

that the amount of water to which such right is entitled and hereby confirmed for the
purpose aforesaid, is limited to an amount actually beneficially used for said pur-
pose, and shall not exceed 1.53 cubic feet per second.

A description of the lands irrigated under such right, and to which the water
hereby confirmed is appurtenant, or, if for other purposes, the place where such water
is put to beneficial use, is as follows:

Seventeen (17) acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$; five (5) acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$; twenty-
eight (28) acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$; twenty-nine (29) acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$; thirteen
(13) acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$; Sec. 12, Tp. 1 S. R. 24 E., W. M., in Morrow County,
Oregon.

RECEIVED BY OWRD

FEB 29 2016

SALEM, OR

The right to the use of the water aforesaid hereby confirmed is restricted to the
lands or place of use herein described.

WITNESS the seal and signature of the Board
of Control, affixed this 29th day
of November, 1911.

BOARD OF CONTROL

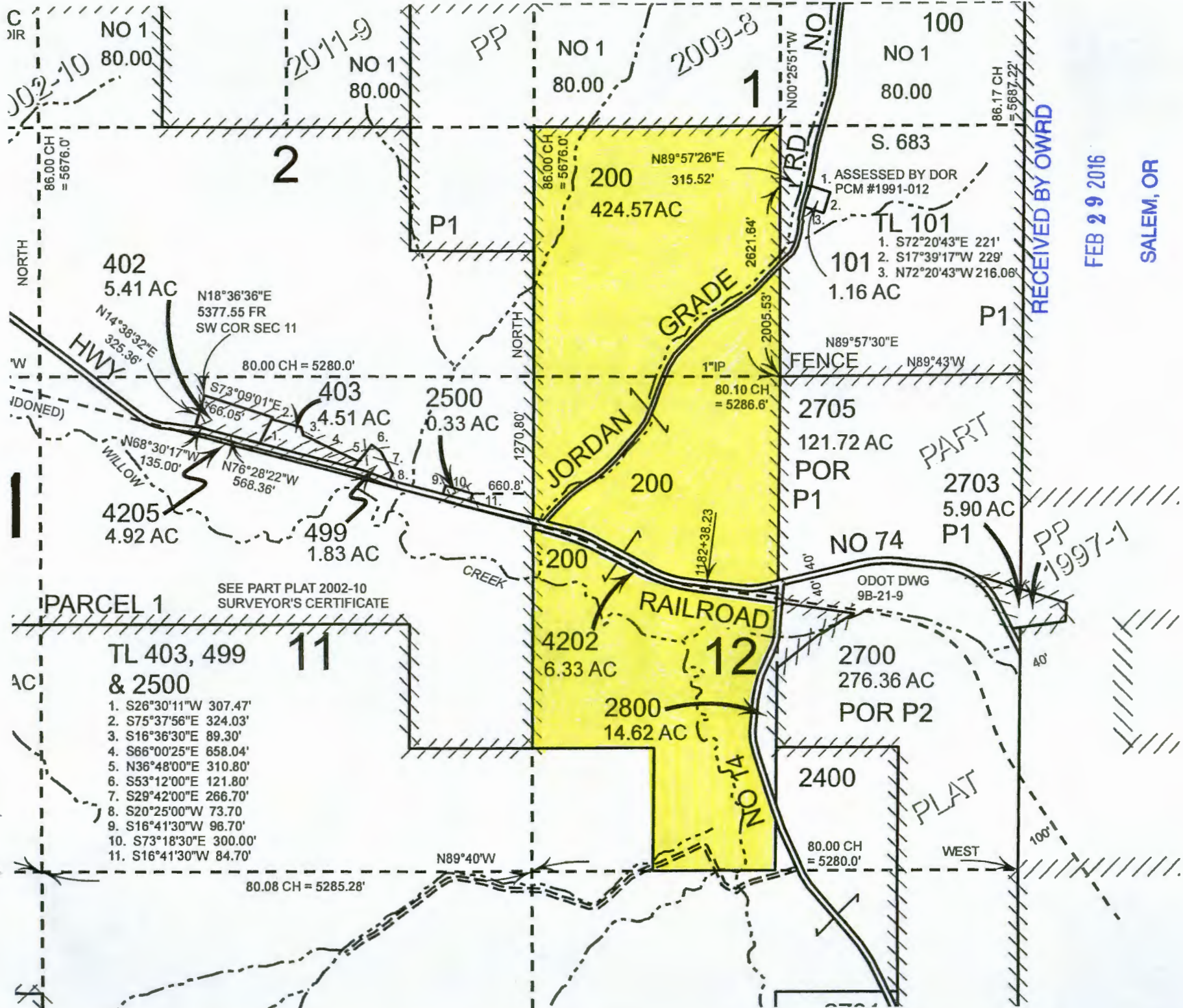
By JOHN H. LEWIS
State Engineer, President

(Seal of Board of Control)

Attest:

M. B. Wann
Secretary

Recorded in State Record of Water Right Certificates, Volume 1, page 195



C 1/4 R

NORTH

W

(DIONED)

W

AC

N

NO 1
80.00

NO 1
80.00

NO 1
80.00

NO 1
80.00

402
5.41 AC

N18°36'36"E
5377.55 FR
SW COR SEC 11

403
4.51 AC

80.00 CH = 5280.0'

2500
0.33 AC

4205
4.92 AC

499
1.83 AC

PARCEL 1

SEE PART PLAT 2002-10
SURVEYOR'S CERTIFICATE

TL 403, 499
& 2500

11

1. S26°30'11"W 307.47'
2. S75°37'56"E 324.03'
3. S16°36'30"E 89.30'
4. S66°00'25"E 658.04'
5. N36°48'00"E 310.80'
6. S53°12'00"E 121.80'
7. S29°42'00"E 266.70'
8. S20°25'00"W 73.70'
9. S16°41'30"W 96.70'
10. S73°18'30"E 300.00'
11. S16°41'30"W 84.70'

80.08 CH = 5285.28'

N89°40'W

200
424.57 AC

N89°57'26"E
315.52'

200
0.33 AC

200

4202
6.33 AC

2800
14.62 AC

2705
121.72 AC

2703
5.90 AC

2700
276.36 AC

2400

80.00 CH = 5280.0'

WEST

P1

NORTH

FENCE

N89°43'W

2705

121.72 AC

POR

P1

NO 74

ODOT DWG
9B-21-9

2700

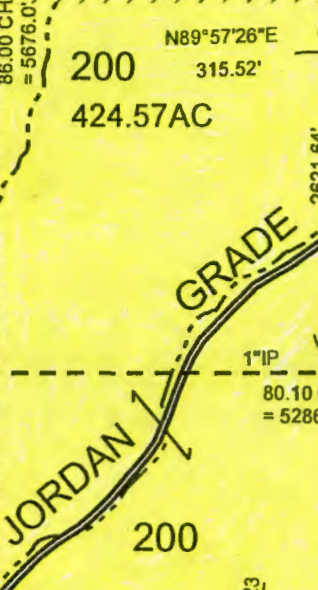
276.36 AC

POR P2

2400

80.00 CH = 5280.0'

WEST



JORDAN GRADE

RAILROAD

CREEK

HWY

WILLOW

N76°28'22"W
568.36'

N68°30'17"W
135.00'

N76°28'22"W
568.36'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

S73°09'01"E
66.05'

1. ASSESSED BY DOR
PCM #1991-012

TL 101

1. S72°20'43"E 221'

2. S17°39'17"W 229'

3. N72°20'43"W 216.06'

N89°57'30"E

80.10 CH = 5286.6'

2705

121.72 AC

POR

P1

NO 74

ODOT DWG
9B-21-9

2700

276.36 AC

POR P2

2400

80.00 CH = 5280.0'

WEST

RECEIVED BY OWRD

FEB 29 2016

SALEM, OR

C/O MID COLUMBIA TITLE CO.
P.O. BOX 290
BOARDMAN OR 97818

MORROW COUNTY, OREGON 2016-37712
D-WD 02/24/2016 01:48:39 PM
Cnt=1 Str=23 KB \$61.00
\$20.00 \$11.00 \$20.00 \$10.00
00028179201600377120040046

I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk



note 9563

After recording return to:
Timothy P. O'Rourke
Corey, Byler & Rew, L.L.P.
P.O. Box 218
Pendleton, Oregon 97801

**Until a change is requested,
all tax statements to:**
Mark and Cydney McElligott
P.O. Box 331
Ione, Oregon 97843

STATUTORY WARRANTY DEED

Lawrence Jerome McElligott, as Trustee of the Lawrence Jerome McElligott Revocable Living Trust U/T/A dated May 4, 1994, GRANTOR, conveys and warrants to Mark McElligott and Cydney McElligott, GRANTEES, husband and wife, as tenants by the entirety, the following described real property situated in Morrow County, Oregon, free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto and incorporated herein by this reference.

Subject to and excepting: See Exhibit "B" attached hereto and incorporated herein by this reference.

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.

RECEIVED BY OWRD

The true consideration for this conveyance is \$580,000.00.

FEB 29 2016

DATED: February 23 2016.

Lawrence Jerome McElligott
Lawrence Jerome McElligott, Trustee of
the Lawrence Jerome McElligott
Revocable Living Trust U/T/A dated
May 4, 1994. *Trustee*

STATE OF OREGON)
County of Morrow) ss.

This instrument was acknowledged before me on this 23rd day of
February, 2016.



Renee J. Grace
/s/ Notary Public for Oregon
My commission expires: 8-14-2017

RECEIVED BY OWRD

FEB 29 2016

SALEM, OR

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land located in Section's 1 and 12, Township 1 South, Range 24, East of the Willamette Meridian, in the County of Morrow and State of Oregon more particularly described as follows:

Section 1: The Southwest Quarter

Section 12: The Northwest Quarter; the North Half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter.

EXCEPTING therefrom, all those strips, tracts or parcels of land comprising the "Heppner Branch" right of way of the Union Pacific Railroad Company deeded to Jordan Elevator Company, an Oregon corporation by deed recorded September 22, 1995 in Microfilm No. M-46074 Morrow County Microfilm Records.

ALSO EXCEPTING therefrom property deeded to State of Oregon, by and through its State Highway Commission by deed recorded July 17, 1967 in Microfilm No. M-53 Morrow County Microfilm Records.

ALSO EXCEPTING therefrom property deeded to State of Oregon, by and through its Department of Transportation, Highway Division by deed recorded July 21, 1983 in Microfilm No. M-21964 Morrow County Microfilm Records.

ALSO EXCEPTING therefrom property deeded to John W. Jepsen and Betty Jean Jepsen, as tenants in common by deed recorded January 08, 2002 in Microfilm No. 2002-3072 Morrow County Microfilm Records. Described as follows:

A tract of land located in the West Half of Section 12, Township 1 South, Range 24 East of the Willamette Meridian, Morrow County, Oregon Which is bound on the West by the Easterly Right-of-way line of Morrow County Road No. 14 (Rhea Creek Road,) Bound on the East by the North-South Center line of said Section 12, and Bound on the North by Southerly Right-of-Way line of the Oregon-Washington Railroad and Navigation Co. abandoned railroad line.

RECEIVED BY OWRD

FEB 29 2016

SALEM, OR

EXHIBIT B
Exceptions

RECEIVED BY OWRD

FEB 29 2016

SALEM, OR

Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

Reservations and conditions, contained in Patents or Deeds, including the terms and provisions thereof, including, but not limited to, any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, rights to ditches, canals and reservoirs used in connection with such water rights, established or constructed by the authority of the United States or said mineral reservations that may have been reserved in Deeds from Northern Pacific Railroad Company, and rights of the proprietor of a vein or lode, to extract and remove his ore therefore should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

Water rights, claims to water or title to water, whether or not such rights are a matter of public record.

Any additional taxes which may become a lien if said property loses its Veterans Exemption.

The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.

The rights of the public in roads and highways.

Mineral Reservations, including the terms and provisions thereof, as reserved in deed from Northern Pacific Railway Company, to Laxton McMurray, recorded March 22, 1920, in Book 33, Page 497, Morrow County Deed Records.

Easement including the terms and provisions thereof, in favor of Pacific Power and Light Co., recorded March 24, 1946, in Book 50, Page 66, Morrow County Deed Records.

Easement including the terms and provisions thereof, in favor of Pacific Power and Light Company, recorded March 30, 1949, in Book 52, Page 192, Morrow County Deed Records.

Easement including the terms and provisions thereof, in favor of Pacific Power and Light Co., recorded May 7, 1951, in Book 54, Page 192, Morrow County Deed Records.

Exception's No. 12, 13 & 14 listed above were assigned by the following document:

Assignment of the easements created by instrument, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded April 23, 1964, in Book 70, Page 533, Morrow County Deed Records

Easement including the terms and provisions thereof, in favor of Pacific Northwest Bell Telephone Company, a corporation, recorded October 20, 1971, as Microfilm No. M-4018, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded November 24, 1975, as Microfilm No. M-8850, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded December 31, 1980, as Microfilm No. M-18299, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded September 20, 1989, as Microfilm No. M-33729, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded October 01, 1999, as Microfilm No. M-1999-59398, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Morrow-County, a political subdivision of the State of Oregon, recorded February 11, 2000, as Microfilm No. M-2000-362, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative, Inc., recorded September 26, 2001, as Microfilm No. M-2001-2317, Morrow County Microfilm Records.

Easement including the terms and provisions thereof, in favor of Morrow Development Corporation, an Oregon corporation, recorded May 19, 2003, as Microfilm No. M-2003-7693, Morrow County Microfilm Records.