



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

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# Certificate of Water Right Ownership Update

FEB 18 2016

**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): Gary L. and Glenda Sue Kaufman  
First Last  
 Mailing Address: 8900 Deschutes Road SE  
Salem OR 97317  
City State Zip  
 Phone: 503-371-0597  
Home Work Other

**PROPERTY BUYER INFORMATION**

Applicant(s): Eugene A. + Andrea M Beyer  
First Last  
 Mailing Address: 10750 Edmunson Dr. SE  
Salem OR 97317  
City State Zip  
 Phone: 503-363-2394  
Home Work Other

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

County: Marion Township: 8S Range: 2W Section: 1

Tax Lot Number(s): 082W01 00700

Street address of water right property: 9122 Aspen Lane Salem OR

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

Application #: G13827 Permit #: G12036 Certificate or Page #: 77018

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

Name of individual completing this form: Eugene Beyer Phone: 503-510-9823

Signature: Eugene A. Beyer Date: 2/19/16

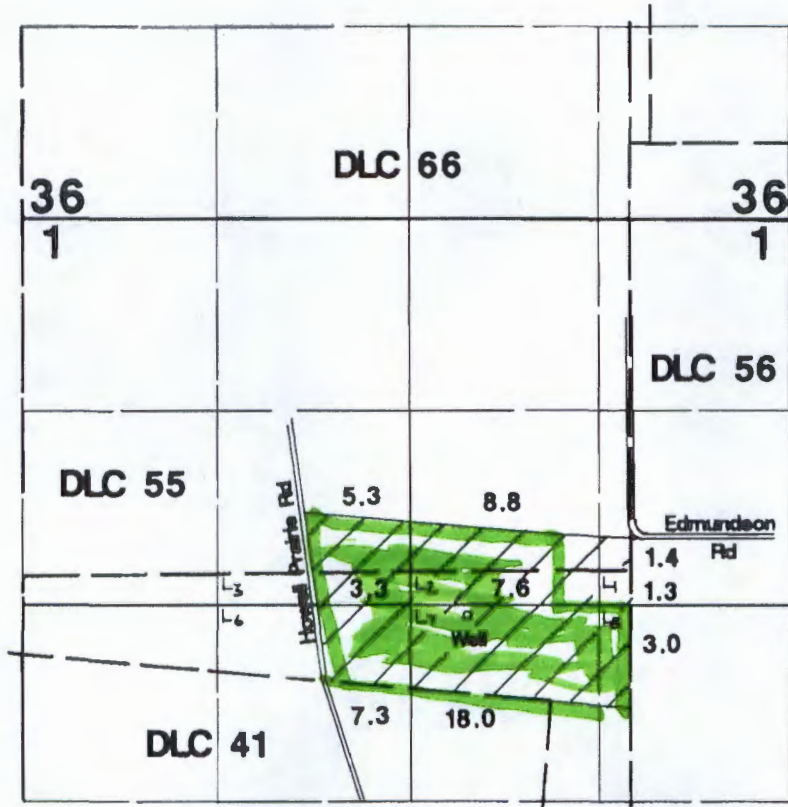
Please be sure to attach a copy of your property deed or legal description of the property.

# T.8S., R.2W., W.M.

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AUG 09 1995

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SALEM, OREGON



Well located 300'S & 1130'W from SE corner DLC 55.

## Final Proof Survey

Application #: G-13827 Permit #: G-12036

FEB 18 2016

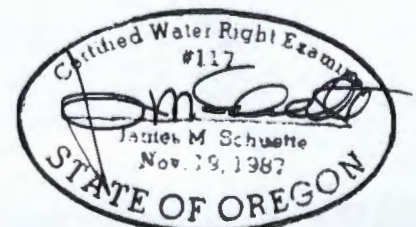
In Name Of

### Henry Fu

Surveyed July 23, 1995 by JM Schuette

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SALEM, OREGON

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HENRY FU  
175 KEVIN WAY SE  
SALEM, OREGON 97306

confirms the right to use the waters of A WELL in the PUDDING RIVER BASIN for IRRIGATION OF 56.0 ACRES.

This right was perfected under Permit G-12036. The date of priority is SEPTEMBER 20, 1994. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.70 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 7 (NW 1/4 SE 1/4), SECTION 1, TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.; 300 FEET SOUTH AND 1130 FEET WEST FROM THE SE CORNER OF DLC 55.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 NE 1/4 8.8 ACRES  
SE 1/4 NE 1/4 1.4 ACRES  
SE 1/4 NW 1/4 5.3 ACRES  
ALL AS PROJECTED WITHIN DLC 55

LOT 1 (SE 1/4 NE 1/4) 1.3 ACRES  
LOT 2 (SW 1/4 NE 1/4) 7.6 ACRES  
LOT 3 (SE 1/4 NW 1/4) 3.3 ACRES  
LOT 6 (NE 1/4 SW 1/4) 7.3 ACRES  
LOT 7 (NW 1/4 SE 1/4) 18.0 ACRES  
LOT 8 (NE 1/4 SE 1/4) 3.0 ACRES

SECTION 1  
TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.

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The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall obtain a static water-level measurement for each well during April of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The referenced level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an

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alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The Director may require pump test results every ten years. ....

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

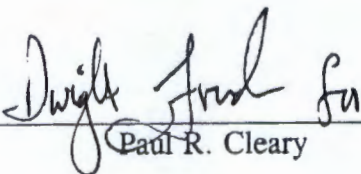
The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director of the Water Resources Department finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed JULY 31, 2001.

  
\_\_\_\_\_  
Paul R. Cleary

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Recorded in State Record of Water Right Certificates numbered 77018.

Fidelity National Title # FT150051770

REEL 3738 PAGE 451  
MARION COUNTY  
BILL BURGESS, COUNTY CLERK  
08-27-2015 03:56 pm.  
Control Number 392149 \$ 51.00  
Instrument 2015 00037222

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

GRANTOR:  
Gary L. Kaufman and Glenda Sue Kaufman, as  
Trustees of The Gary and Sue Kaufman Unitrust,  
dated May 4, 2015  
8900 Deschutes Road SE  
Salem, OR 97317

GRANTEE:  
Eugene A. Beyer and Andrea M. Beyer, as  
tenants by the entirety  
10750 Edmunson Drive SE  
Salem, OR 97317

SEND TAX STATEMENTS TO:  
Eugene A. Beyer and Andrea M. Beyer  
10750 Edmunson Drive SE  
Salem, OR 97317

AFTER RECORDING RETURN TO:  
Eugene A. Beyer and Andrea M. Beyer  
10750 Edmunson Drive SE  
Salem, OR 97317

Escrow No: FT150051770-FTMWV01

R29131  
Parcel 3, Partition Plat 2014-28  
Salem, OR 97317

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

Gary L. Kaufman and Glenda Sue Kaufman, as Trustees of The Gary and Sue Kaufman Unitrust, dated May 4, 2015, Grantor, conveys and warrants to

Eugene A. Beyer and Andrea M. Beyer, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

Parcel 3, PARTITION PLAT NO. 2014-28, recorded October 27, 2014, Reel 3646, Page 78,  
Marion County Records, Marion County, Oregon.

TOGETHER WITH an easement for ingress, egress and utilities over the North 30 feet Parcels 1 and 2, PARTITION PLAT NO. 2014-28, as shown on recorded partition plat.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$835,000.00. (See ORS 93.030)

**Subject to and excepting:**

Current taxes, assessments, reservations in patents, and all agreements, easements, right-of-way, encumbrances, liens, setback lines, reservations, powers of special districts, covenants, conditions and restrictions as may appear of record.

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

FT150051770-FTMWV01  
Deed (Warranty-Statutory)

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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: August 21, 2015

The Gary and Sue Kaufman Unitrust, dated May 4, 2015

BY: Gary L. Kaufman  
Gary L. Kaufman, Trustee

BY: Glenda Sue Kaufman  
Glenda Sue Kaufman, Trustee

State of OREGON

COUNTY of Marion

This instrument was acknowledged before me on August 21, 2015

by Gary L. Kaufman and Glenda Sue Kaufman, as Trustees of the Gary and Sue Kaufman Unitrust, dated May 4, 2015.

Kelly J. Miller  
Notary Public - State of Oregon

My commission expires: 3/10/17



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SALEM, OREGON

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**REEL: 3736**

**PAGE: 451**

**August 27, 2015, 03:56 pm.**

CONTROL #: 392149

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEE: \$ 51.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

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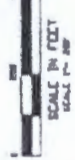
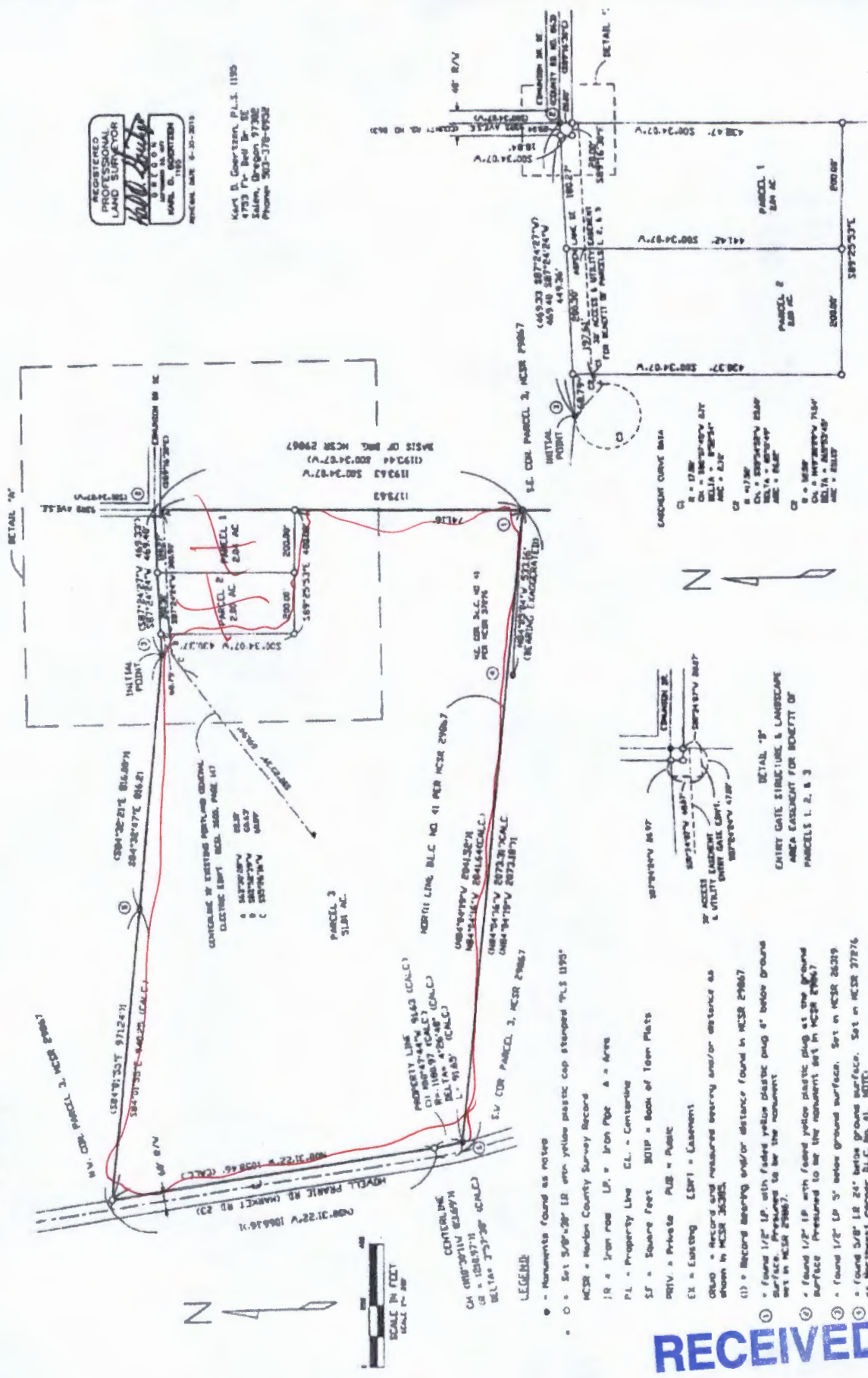
2014-28

1120'

**PARTITION PLAT NO. 2014-28**  
LOCATED IN N.W. 1/4, S.E. AND S.W. 1/4 4th SECTION 1, T. 9 S., R. 2 W.,  
WILLAMETTE NEIGHBORHOOD MARION COUNTY, OREGON  
DATE OF SURVEY JULY 2, 2014



Will B. Coontran, P.L.S. 1190  
1773 P. Post Rd. SE  
Salem, Oregon 97302  
Phone 503-376-6928



**LEGEND**

- - Monument found as noted
- - Set 5/8" x 3/8" IR with yellow plastic cap stamped "P.L.S. 1190"
- MCSR - Marion County Survey Record
- JR 4 - Iron rod LP - Iron Pipe A - Area
- PL - Property Line CL - Centerline
- SF - Square Feet 301P - Book of Town Plats
- PRIV - Private PUB - Public
- EX - Existing LSPT - Easement
- ORIG - Record and measured every one or distance as shown in MCSR 36362
- (1) - Record bearing and/or distance found in MCSR 29667
- (2) - found 1/2" IP with faded yellow plastic plug at top placed surface presumed to be the monument set in MCSR 29667
- (3) - found 1/2" LP 3" below ground surface. Set in MCSR 26219
- (4) - found 3/8" 12 24" below ground surface. Set in MCSR 27276 at northeast corner B.L.C. No. 41. NOTICED as monument cap on aluminum pipe - bare, yellow plastic cap on gone from top
- (5) - found 1/2" IP, 6" above ground surface Set in MCSR 26219
- (6) - found 1/2" IP at ground surface bent to the north. Set in MCSR 29667 found to be 8.21 feet 203/8713/4 of true corner.

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Exhibit A