



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

RECEIVED BY OWRD

Applicant(s): Leo and Christina Wright
First Last

Mailing Address: 8385 La Madre
Las Vegas NV 89129
City State Zip

Phone: _____
Home Work Other

FEB 22 2016
 SALEM, OR

PROPERTY BUYER INFORMATION

Applicant(s): Larry Potter (and Beverly Bailey-Potter)
First Last

Mailing Address: P.O. Box 113
Agness OR 97406
City State Zip

Phone: _____
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Curry Township: 35 S Range: 11 W Section: 7

Tax Lot Number(s): 3511-07 -00900-00

Street address of water right property: 34471 Agness-Illahe Road, Agness, OR 97406

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

Application #: 69728 Permit #: 51617 Certificate or Page #: 90110

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

Name of individual completing this form: Beverly Bailey-Potter Phone: 530-701-8005

Signature: Beverly Bailey-Potter Date: 2/19/2016

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

February 19, 2016

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

Re: 34471 Agness-Illahe Road, Agness, Oregon 97406
United States Department of the Interior, Bureau of Reclamation,
Contract No. 4-07-10-W0985
State of Oregon, Water Resources Certificate No. 90110

To Whom It May Concern:

By way of introduction, my husband, Larry Potter, Jr., and I purchased the real property located at 34471 Agness-Illahe Road, Agness, Oregon 97406. I have contacted the Bureau of Reclamation and transferred the water rights from the previous owner to us. Please find enclosed the following documents:

1. Oregon Water Resources Department Certificate of Water Right, Ownership Update.
2. Recognition of Successors in Interest to Rogue River Basin Project Water Service Contract No. 4-07-10-W0985. I am enclosing the contract transferring the water rights in our names. I have also included the Water Service Contract in the previous owners' names for ease of reference.
3. The legal description of the property.
4. Notice of Certificate Issuance dated April 24, 2015. I apologize for the clarity of this document; it's the only one I have.

Please let me know if you need additional documentation or any other information.
Thank you for your assistance in this regard.

Sincerely,

Bev Bailey-Potter

Bev Bailey-Potter
7252 State Highway 20
Smartsville, CA 95977
530.701.8005

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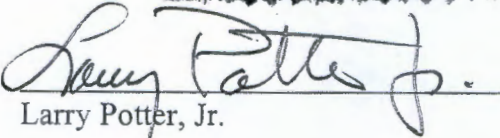
RECOGNITION OF SUCCESSORS IN INTEREST TO ROGUE RIVER BASIN PROJECT
WATER SERVICE CONTRACT NO. 4-07-10-W0985

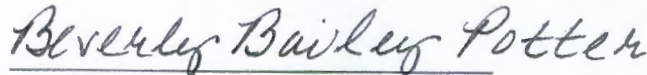
WHEREAS, the United States of America entered into a contract on November 22, 1993, Contract No. 4-07-10-W0985, with William R. Webster and Thomas Luckey for an irrigation water supply from Lost Creek Reservoir for use on lands owned by the Contractor; and

WHEREAS, all right, title and property interest in Contract No. 4-07-10-W0985 were subsequently assigned to Leo and Christina Wright on May 14, 2001; and

WHEREAS, Larry Potter, Jr., and Beverly Bailey-Potter state that they now own the land to which water was to be provided under said contract and request that they be recognized as the successors in interest to this contract (at mailing address: _____) and/or (at physical address: 7252 State HWY 20, Smartsville, California 95977);

NOW, THEREFORE, all right, title and property interest in Contract No. 4-07-10-W0985, dated November 22, 1993, for an irrigation water supply not to exceed 10 acre-feet annually are hereby recognized to be held by Larry Potter, Jr., and/or Beverly Bailey-Potter. This contract action is effective only upon the approval thereof by the United States of America as provided in General Provisions, Article f. of said November 22, 1993, contract.


Larry Potter, Jr.


Beverly Bailey-Potter

The above contract action is hereby approved:



Program Manager
Repayment and Acreage Limitation
PN Region
Bureau of Reclamation
1150 North Curtis Road, Suite 100
Boise, ID 83706-1234

02/05/2016
Date

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RECOGNITION OF SUCCESSORS IN INTEREST TO ROGUE RIVER BASIN PROJECT
WATER SERVICE CONTRACT NO. 4-07-10-W0985

STATE OF CALIFORNIA)
 : SS
County of Sutter)

On this 19th day of JANUARY, 2016, before me, a notary public, personally appeared Larry Potter, JR and Beverly Bailey Potter known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they are the legal owners of the property for which a water supply is to be provided under the November 22, 1993, contract and has executed this contract document as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

S. Hurd

Notary Public in and for the
State of CALIFORNIA
Residing at: 471 Century Pk Dr. Yuba City, CA
My commission expires: 12-2-2019

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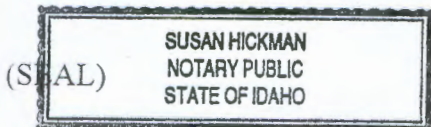
FEB 22 2016

STATE OF IDAHO)
 : SS
County of Ada)

SALEM, OR

On this 5th day of February, 2016, personally appeared before me Ryan M. Patterson, known to me to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

Susan Hickman


Notary Public in and for the
State of IDAHO
Residing at: Meridian
My commission expires: 1-7-2022

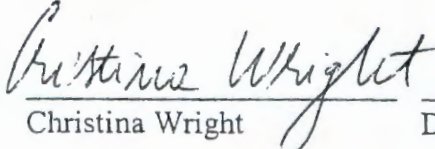
RECOGNITION OF SUCCESSORS IN INTEREST TO CONTRACT FOR ROGUE RIVER
BASIN PROJECT WATER SERVICE

WHEREAS, the United States of America entered into a contract on November 22, 1993, Contract No. 4-07-10-W0985, with William R. Webster and Thomas Luckey for an irrigation water supply from Lost Creek Reservoir for use on lands owned by the Contractor; and

WHEREAS, Leo and Christina Wright state that they own the land to which water was to be provided under said contract and request that they be recognized as the successors in interest to this contract (at mailing address: 8385 La Madre, Las Vegas NV 89129);

NOW, THEREFORE, all right, title, and interest in Contract No. 4-07-10-W0985, dated November 22, 1993, for an irrigation water supply not to exceed 10 acre-feet annually is hereby recognized to be held by Leo and Christina Wright. This contract action is effective only upon the approval thereof by the United States of America as provided in General Provisions, Article 15.f. of said November 22, 1993, contract.

 4-24-01
Leo Wright Date

 4-24-01
Christina Wright Date

The above contract action is hereby approved:



Program Manager
Land and Repayment
PN Region
Bureau of Reclamation
1150 N. Curtis Road Suite 100
Boise ID 83706-1234

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FEB 22 2016

SALEM, OR

STATE OF OREGON

: SS

County of CLATSOP

On this 24 day of APRIL, 2001, before me, a notary public, personally appeared LEO & CRISTINA WRIGHT and _____ known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they are the legal owners of the property for which a water supply is to be provided under the November 22, 1993 contract, and have executed this contract document as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



Sandra L. Flynn
Notary Public in and for the
State of OREGON

Residing at:

My commission expires:

June 16, 2003

(SEAL)

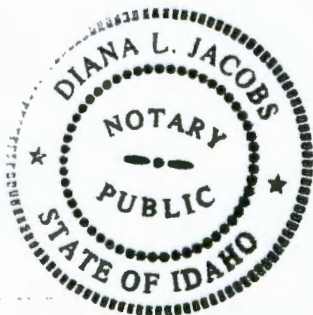
STATE OF IDAHO)

: SS

County of Ada)

On this 14 day of May, 2001, personally appeared before me Ryan M. Patterson, to me known to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



Diana L. Jacobs

Notary Public in and for the

State of IDAHO

Residing at: Boise

My commission expires: 5-23-06

(SEAL)

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SALEM OR

Exhibit "A"

Real property in the County of Curry, State of Oregon, described as follows:

Parcel I:

The following described premises in Government Lot 6, Section Seven 7, Township 35 South, Range 11 West of the Willamette Meridian, Curry County, Oregon, described as follows:

Commencing at a point located 50 feet North and 50 feet East of the Northwest Corner of a parcel of ground located in said Lot 6, conveyed to Charles C. Bittner by deed recorded in Volume 45, Page 218, Deed Records of Curry County, Oregon. (Said parcel being described as the South Half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 7;
thence North on a line parallel to and 50 feet distant from the West line of said lot 6 to the South line of the County Road;
thence Northeasterly along the South line of the County Road to the Southwest Corner of premises described in deed to B.W. Griffith et ux, recorded in DV: 34 Page: 119 Deed Records of Curry County, Oregon;
thence East along the South line of the Griffith premises to the Westerly edge of Rogue River;
thence Southerly along the Westerly edge of Rogue River to the North line extended of premises described in Parcel II of deed recorded in DV: 56 Page: 315;
thence West to the point of beginning.

SAVE and EXCEPT that parcel conveyed to Rudolph Valente by instrument recorded May 15, 1987 BR:131 Page:941.

Parcel II:

That certain tract of land lying in Government Lot 6, Section 7, Township 35 South, Range 11 West, of the Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at a 5/8 inch iron rod driven on the South boundary of that tract of land described in Book of Records 80, Page 592, Curry County Records, at a point 367.82 feet North and 1489.74 feet East of the Southwest Corner of said Section 7;
thence South 42° 38' East, 65.34 feet;
thence South 86° 52' East, 470 feet more or less to the right bank of the Rogue River;
thence Northerly along the right bank of the Rogue River to a point which bears North 89° 15' East from the point of beginning;
thence South 89° 15' West, 513 feet more or less to the point of beginning.

ALSO all right, title and interest in any portion of the above described parcel that is situated between the right bank of the Rogue River and the ordinary high water line of the Rogue River.

NOTE: This legal description was created prior to January 1, 2008.

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SALEM, OR



Oregon
Kate Brown, Governor

RIGHTS

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 989-0900
Fax: 503, 986-1914

Date Mailed: April 24, 2015

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as specified by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.480 and ORS 183.473. Any petition for judicial review must be filed within the 60-day time period specified in ORS 183.480. Pursuant to ORS 183.484, ORS 183.475 and OAR 137-304-3087, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 30 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 597.260 any person who, on application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you own a right of water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 547.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORE 547.610.

If you have any questions please contact Perry Clark at 503-989-0911.

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FEB 22 2016

SALEM, OR

STATE OF OREGON
COUNTY OF CURRY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS A WEBSTER
THOMAS LUCKLEY
PO BOX 782
MOUNTAIN, OR 97857-0782

for the right to use the waters of LOST GREEN RESERVOIR, CONSTRUCTED UNDER PERMIT S-8141, A TRIBUTARY OF ROGUE RIVER, for IRRIGATION of 1.00 ACRES.

This right was established under Permit S-8141. The date of priority is SEPTEMBER 30, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.535 ACRE FEET SECURED UNDER OREGON or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Tract	Reg	Mer	Sec	Q-Q	Gl or I	Measured Distances
143	W	N75E	7	SE SW	5	ROGUE RIVER REEF DIVERSION 40 FEET NORTH AND 115 FEET EAST FROM SW CORNER, SE 1/4 SW 7th SECTION 7

The amount of water used for irrigation under this right together with the amount secured under any other right existing for the same class, is limited to a diversion of 4.7 acre-feet for each acre irrigated during the irrigation season of each year from March.

The period of rotation is from April 1 to October 31 of each year.

The location of the place of use is as follows:

Tract	Reg	Mer	Sec	Q-Q	Gl or Acres
143	W	N75E	7	SE SW	5 1.00

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SALEM, OR

This certificate is subject to the following conditions:

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is not a water or other class 2 contested case. This order is subject to judicial review under ORS 183.484 and ORS 183.485. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, 183.485, 183.486 and ORS 183.487, 183.488, 183.489, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 17 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 183.487, you may petition with an application, permit or water right certificate subsequent in priority may jointly or severally, warrant the issuance of the certificate within three months after issuance of the certificate.

-  INDICATES AREA IRRIGATED WITH MOVABLE "RAIN BIRDS"
-  INDICATES AREA IRRIGATED WITH INSTALLED "RAIN BIRDS"
-  INDICATES GARDEN AREA IRRIGATED

RECEIVED

FEB 22 2016

WATER RIGHT #51817



RECEIVED BY OWRD

FEB 22 2016

SALEM, OR

PLAT 2007 SA 21 FILE # 189028018

This map has been revised by OWRD. The acreages and irrigated areas have been reduced to match the total number of acres.

THE PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF DETERMINING THE LOCATION OF THE PROPOSED WATER RIGHT AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

*By the OWRD
2/22/2016*

FINAL PROOF SURVEY

APPLICATION #68728 PERMIT #51817

IN THE NAME OF
WILLIAM WEBSTER & THOMAS LUCKY

SECTION 14, SW 1/4, SECTION 7
T. 35 S., R. 11 W., W. 1/2

SURVEYED JULY 25, 1899 BY BRYAN W. FLANN

