



**PIONEER RESOURCES I**

A LIMITED LIABILITY COMPANY

*Olympic Resource Management, LLC · Manager for Pioneer Resources I*

March 24, 2003

State of Oregon  
Water Resource Department  
158 12<sup>th</sup> Street, NE  
Salem, OR 97301-4172

RE: Water Right Ownership Update Form

Enclosed please find several update forms concerning a large tract of land that Pioneer Resources has recently sold. The new land owner is:

D. Rahn & Rebecca Hostetter  
203 E. Main Street  
P.O. Box 400  
Enterprise, OR 97628

Please feel free to contact me at (360) 394-0689 should you have any questions or require any additional information.

Sincerely,

*Ember D. Krumwied*

Ember D. Krumwied  
Land Records

cc: D. Rahn & Rebecca Hostetter  
File

Enclosures

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SALEM, OREGON



# WATER RIGHT OWNERSHIP UPDATE FORM

STATE OF OREGON  
WATER RESOURCES DEPT  
158 12<sup>TH</sup> STREET N.E.  
SALEM OREGON 97301-4172

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### NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public [ORS 537.110]. In almost every instance, a permit ("water right") 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 water right stays with the land. In order to keep track of water right ownership, ORS 537.330 requires persons selling property that has water right to: 1) provide evidence of the water right to the buyer and 2) notify the Water Resources Department of the water right involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

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 503-378-8455.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

### Property Seller Information:

Applicant: Pioneer Resources  
Mailing address: 19245 Tenth Avenue, NE  
City Poulsbo State Oregon WA Zip 98370  
Phone: (360) 697-6626  
Home Work Other

### Property Buyer Information:

Applicant: D. Rahn & Rebecca Hostetler  
Mailing address: 203 E. Main Street / P.O. Box 400  
City Enterprise State Oregon Zip 97628  
Phone: \_\_\_\_\_  
Home Work Other

### Property Description (attach additional pages if necessary):

County: Morrow Township: 5/6 S. Range: 25/26/27 E Section: See attached  
Tax lot number(s): see attached

Metes & bounds description (or attach a copy of your property deed & tax lot map with the parcels highlighted):

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

Application #: \_\_\_\_\_ Permit #: \_\_\_\_\_ Certificate #: 24852  
Will all the lands associated with this water right be owned by the buyer? Yes  No \_\_\_\_\_

Name of individual completing this form: Ember D. Krumwied Signature: Ember D. Krumwied

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**EXHIBIT "A"**

**OPAL BUTTE TRACT**

**Township 5 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.**

**Section 25:**

That portion of the SE1/4 lying Easterly of State Hwy. 207.

**Section 36:**

That portion lying Easterly of State Hwy. 207.

**Township 5 South, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.**

**Section 25:**

All.

**Section 26:**

That portion lying Southeast of Board Creek County Road #703

**Section 27:**

That portion lying Southeast of Board Creek County Road #703

**Section 29:**

That portion lying Southwesterly of the Sunflower Flat County Road #670  
**EXCEPTING** 11.31 acres lying Southerly of the County Road.

**Section 30:**

That portion of Government Lots 3 and 4 and the E1/2 W1/2 lying Southeasterly of State Hwy 207; and that portion of the SE1/4 and the SW1/4 NE1/4, lying Southwesterly of Sunflower Flat County Road #670, and Southeasterly of State Highway 207.

**Section 31:**

All.

**Section 32:**

That portion lying Southwesterly of the Sunflower Flat County Road #670  
**EXCEPT** those portions described in Deeds recorded July 9, 1968 as M-803 and M-804 and Deed recorded July 30, 1968 as M-848, Morrow County Microfilm Records. **ALSO EXCEPT** those portions of the N1/2NE1/4 and the SE1/4NE1/4 lying Southerly of the County Road. **ALSO EXCEPT** that portion described as: Beginning at the Northeast corner of the Southwest one-quarter of the Northeast one-quarter; thence South 0°54'50" West, along the North-South centerline of the Northeast one-quarter a distance of 1,319.36 feet to the Southeast corner of the Southwest one-quarter of the Northeast one-quarter; thence North 45°0'25" West a distance of 1,854.90 feet to the Northwest corner of the Southwest one-quarter of the Northeast one-quarter; thence North 89°40'7" East along the East-West center line of the Northeast one-quarter a distance of 1,332.85 feet to the point of Beginning.

**Section 33:**

That portion lying Southerly of the Sunflower Flat County Road #670 **EXCEPT** the SW1/4NW1/4.

**EXCEPTING THEREFROM** the follow parcel:

Beginning at the West Quarter Corner of Section 33, which is marked by a 2 inch pipe in the ground next to a rock crib and fence corner; thence proceeding East a distance of 756.10 feet; thence turning 90° to the South and proceeding a distance of 288.10 feet; thence turning 90° to the West and proceeding a distance of 756.10 feet, thence turning 90° to the North and proceeding 288.10 feet to the True Point of Beginning.

**Section 34:**

That portion lying Southeasterly of the Sunflower Flat County Road #670 and the Board Creek County Road #703.

**Section 35:**

All.

**Section 36:**

All.

**Township 6 South, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon.**

**Section 13:**

That portion of the S1/2 SE1/4 lying Easterly of State Hwy 207.

**Section 24:**

That portion lying Easterly of State Hwy 207.

**Section 25:**

That portion lying Easterly of State Hwy 207.

**EXCEPTING THEREFROM** that portion of Sections 24 and 25 lying Southerly of the Following Described line, (Also Known as Forest Service Road No. 21 and Skid Cross Road Easement) described as follows:

**COMMENCING** at the Southeast corner of Section 36, being the corner common to Township 6 South Range 25 East and Township 6 South Range 26 East; thence North along the East line of Sections 36 and 25 to the Northeast corner of Section 25 and the True Point of Beginning of this described line and said point being also the intersection of the centerline of Forest Service Road No. 21, AKA Kinzua Road No. S518 and Kinzua Cutoff Road N. S 518 J as recorded in Book 73, Page 135 of Morrow County Deed Records; thence along the center line of Kinzua Road No. S518 and Kinzua Cutoff Road No. S 518 J (AKA Forest Service Road No. 21) Westerly as described in Exhibit A of the Easement filed in Book 73, Page 139, through the Northeast Half of the Northeast Quarter of Section 25, the Southwest Quarter of the Southeast Quarter of Section 24, and the Southeast Quarter of the Southwest Quarter of Section 24 of Township 6 South, Range 25 East, W.M. to the Easterly right of way of Oregon State Highway No. 207, said point being the terminus of said line.

**Township 6 South, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.**

**Section 1:**

All.

**Section 2:**

All.

**Section 3:**

All.

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**Section 4:**

All.

**Section 5:**

All.

**Section 6:**

That portion lying Easterly of State Hwy. 207.

**Section 7:**

E1/2; That portion of the NE1/4 NW1/4 lying Easterly of State Hwy. 207; NE1/4 of the SW1/4.

**Section 8:**

All.

**Section 9:**

All.

**Section 10:**

All.

**Section 11:**

All.

**Section 12:**

W1/2 W1/2.

**Section 14:**

W1/2

**Section 15:**

All.

**Section 16:**

All.

**Section 17:**

All.

**Section 18:**

Government Lots 3 and 4; E1/2; SE1/4 NW1/4; E1/2 SW1/4.

**Section 19:**

All.

**Section 20:**

All.

**Section 21:**

All.

**Section 22:**

All.

**Section 23:**

W1/2.

**Section 30:**

NE1/4 NE1/4

**EXCEPTING THEREFROM** that portion lying southerly of the following described line, (AKA Forest Service Road No. 21 AKA Kinzua Road No. S516 (Western Route), described as follows:

BEGINNING at the South Quarter Corner of Section 23, Township 6 South Range 25 EWM, thence North along the Center line of Section 23 to the intersection of the center line of Kinzua Road No. S516 (Western Route), AKA Forest Service Road No. 21, as described in Book 69, Page 310, and microfilm No. M-9644 of the Morrow County Deed Records being the Point of Beginning of said line; thence Westerly along the center line Kinzua Road No. S516, AKA Forest Service Road No. 21, through the East Half of the Northwest Quarter and the North Half of the Southwest Quarter of Section 23, the North Half of the Southeast Quarter, the Southeast Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of

Section 22, the Northeast Quarter and the Southwest Quarter of the Southeast Quarter and the South Half of the Southwest Quarter of Section 21, the South Half of the South Half of Section 20, the Northeast Quarter of the Northeast Quarter of Section 30, and the South Half of the South Half of Section 19 to the intersection of the West line of Section 19, said point being also the Southeast corner of Section 24 of Township 6 South Range 25 East, said point being the terminus of said line.

**Township 6 South, Range 27, East of the Willamette Meridian, in the County of Morrow and State of Oregon.**

**Section 5:** All  
**Section 6:** All  
**Section 7:** N  $\frac{1}{2}$   
**Section 8:** N  $\frac{1}{2}$  N  $\frac{1}{2}$

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STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ADA M. AYERS

of Heppner, State of Oregon, has a right to the use of the waters of Rock Creek, Board Creek and Tupper Creek and Spring in SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 33, T. 5 S. R. 26 E. W. M. for the purpose of Domestic and Stock and Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1876

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to Sept. 30, measured at point of diversion.

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

1.0 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 33, T. 5 S. R. 26 E. W. M.

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And said right shall be subject to all other conditions and limitations contained in said decree. 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 1st day of May, 19 59.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 24852