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WATER RESOURCES DEPT.  
SALEM, OREGON

February 5, 2003

WATER RESOURCES  
158 12th STREET, NE  
SALEM, OR 97301-4172

RE: Escrow No.: 00056439  
Buyer/Borrower: DAVID HARLYN WRIGHT JR.  
Seller: BILL JAY CORPORATION  
Property Address: 10712 S. MYRTLE RD  
MYRTLE CREEK, OR 97457

Dear: Ladies & Gentlemen,

In connection with the above referenced escrow transaction, please find enclosed herewith the following:

- PRIVACY POLICY
- WATER RIGHT OWNERSHIP UPDATE FORM
- NOTICE OF CERTIFICATE ISSUANCE
- CERTIFICATE OF WATER RIGHT

We appreciate having had this opportunity to be of service to you. If you should have any questions, or if we can be of help to you again in the future, please don't hesitate to contact us.

Sincerely,  
AmeriTitle, Inc.

Marquita Swinney for  
Glenda & Anjie  
Escrow Officer

Enc.

In Response to the Gramm – Leach – Bliley Act Effective 7/1/2001

P.O. Box 1609 2365 NW Kline St., Suite 101 Roseburg, OR 97470  
Phone (541) 672-6652 Fax (541) 672-5793

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## PRIVACY POLICY

### **We Are Committed to Safeguarding Customer Information**

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

### **Applicability**

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use the information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

### **Types of Information**

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

### **Use of Information**

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies may include financial service providers, exchange companies, other title insurance companies, escrow collection companies, foreclosure companies, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

### **Former Customers**

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

### **Confidentiality and Security**

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Oregon Water Resources Department  
Water Right Ownership Update Form

NOTICE TO SELLERS & BUYERS:

Oregon law requires persons selling property with a 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.

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 any water [ORS 537.130]. However, most domestic wells do not require water rights. A water right stays with the land.

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's Water Rights Information staff at 378-3066.

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

Property Seller Information:

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SALEM, OREGON

Name: RANDAL B. WALLS and LORRAINE L. WALLS  
Street Address: 1455 Harbison Canyon Road  
City: ElCajon State: CA Zip: 92019  
Phone: \_\_\_\_\_

Property Buyer Information:

Name: DAVID HARLYN WRIGHT, JR.  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_

Property Description (attach additional pages if necessary):

County: Douglas Township: 29S Range: 03W Section: 19  
Tax lot number(s): 400, 601, 500, 800

Meets & bounds description (or attach copy of 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 #: 78493 Permit #: \_\_\_\_\_ Certificate #: 79637 79638 79642

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

Name of individual completing this form: \_\_\_\_\_ Signature: Lorraine L. Walls  
Phone: \_\_\_\_\_ Date: 1-30-03



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
www.wrd.state.or.us

September 27, 2002

### NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water right established under the terms of a transfer order issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. 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 is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within 60 days of the mailing date stated above as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership. 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 any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Steve Brown at (503) 378-8455, extension 263.

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original to certificate holder, copy to file

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WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON  
 COUNTY OF DOUGLAS  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RANDAL AND LORRAINE WALLS  
 1455 HARBISON CANYON ROAD  
 EL CAJON, CALIFORNIA 97019

confirms the right to use the waters of SOUTH MYRTLE CREEK, a tributary of SOUTH UMPQUA RIVER, for IRRIGATION OF 19.4 ACRES.

This right was perfected under Permit 39518. The date of priority is JUNE 13, 1975. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.24 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS FOLLOWS: SE 1/4 NE 1/4, SECTION 20, TOWNSHIP 29 SOUTH, RANGE 3 WEST, W.M.; 700 FEET NORTH AND 330 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 20), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 7 (SE 1/4 SW 1/4), SECTION 19, TOWNSHIP 29 SOUTH, RANGE 3 WEST, W.M.; 680 FEET NORTH AND 560 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 19.

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 2.4 meters per acre for each acre irrigated during the irrigation season each year.

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

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

NE 1/4 SW 1859 13.6 ACRES  
 NW 1/4 SE 177 6.4 ACRES  
 BOTH AS PROJECTED WITHIN CRAIG DLC 37  
 SECTION 19  
 TOWNSHIP 29 SOUTH, RANGE 3 WEST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

T-8493G.SB

Certificate Number 79638

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The water users shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

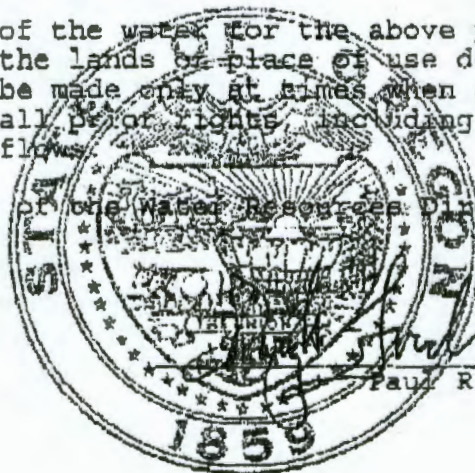
The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered AUGUST 30, 2000, describes the portion of Certificate of Water Right No. 47799, not canceled by Special Order of the Water Resources Director entered August 30, 2000, recorded in Volume 54, Pages 619 through 638, Special Order Records of the Water Resources Director and supersedes Certificate 47799, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed September 26, 2002.



Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79638.

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