

OREGON WATER RESOURCES DEPARTMENT
WATER RIGHT OWNERSHIP UPDATE FORM

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 any 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 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.

- 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:

Name: ROBERT W. STRAUB
Street Address: 2087 ORCHARD HTS. RD. NW
City: SALEM State: OR Zip: 97304
Phone: N/A

PROPERTY BUYER INFORMATION:

Name: MCKENZIE WILLAMETTE PROPERTIES, LLC
Street Address: Same as above / Mail to: PO Box 3
City: SPRINGFIELD State: OR Zip: 97477
Phone: 541-746-8096

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: WHEELER Township: 8 S Range: 25 E Section: 4
Tax Lot number(s):
Meets & bounds description (or attach copy of property deed & tax lot map with the parcels highlighted):

WATER RIGHT INFORMATION (attach copy of water right certificate or permit & final proof map if available):

Application #: _____ Permit # 5-25734 Certificate # D 25734 DECREE
Will all lands associated with the water right be owned by the buyer? Yes ☒ No ☐

Name of individual completing this form: Margaret R Thomas Phone: 541-746-8096
Signature: Margaret R Thomas Date: 9/27/02

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WATER RESOURCES DEPT.
SALEM, OREGON

Mail to

Water Resources Dept
Commerce Building
158 12th Street NE

GREEN WATER RESOURCES DEPARTMENT
WATER RIGHT OWNERSHIP UPDATE FORM

NOTICE TO SELLERS & BUYERS:
By law all water rights to the public must be updated every 10 years. A permit
must be filed with the Water Resources Department to update the water right.
If you are a seller or buyer of a water right, you must file this form with the
Department. A water right that is not updated will be considered abandoned.
If you are a seller or buyer of a water right, you must file this form with the
Department. A water right that is not updated will be considered abandoned.
If you are a seller or buyer of a water right, you must file this form with the
Department. A water right that is not updated will be considered abandoned.

If you have any questions about this form or water right requirements, please contact
the Water Resources Department at 505-241-2400.

If you have any questions about this form or water right requirements, please contact
the Water Resources Department at 505-241-2400.

Use the space below to provide additional information. Use
additional space if necessary.

PROPERTY OWNER INFORMATION
Name: _____
Street Address: _____
City: _____
State: _____
Zip: _____
Phone: _____

PROPERTY OWNER INFORMATION
Name: _____
Street Address: _____
City: _____
State: _____
Zip: _____
Phone: _____

PROPERTY LOCATION AND ADDITIONAL INFORMATION
County: _____
Tax lot number: _____
Needs a better description for section used a tax lot map with the
details highlighted.

WATER RIGHT INFORMATION
Water right number: _____
Application #: _____
Will all lands associated with the water right be owned by the buyer? Yes () No ()
Name of individual completing this form: _____
Signature: _____
Date: _____
Phone: _____

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MAY 10 2004
WATER RESOURCES DEPARTMENT
505-241-2400
125 1ST STREET NE
SALT LAKE CITY, UT 84103

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER-RIGHT

This Is to Certify, That I. F. REED

of Spray, State of Oregon, has a right to the use of
the waters of Kahler Creek and Unnamed tributary of Kahler Creek
for the purpose of 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 462; that the priority of the right thereby confirmed dates from 1907

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:

1.7 acres in SW 1/4
5.7 acres in SE 1/4
Section 4,
T. 8 S., R. 25 E., W. M.

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SALEM, OREGON

And said right shall be subject to all other conditions and limitations contained in said decrees.
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, 1999.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25734 ✓

Sprey

STATUTORY WARRANTY DEED

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:**

Michael W. Straub
33956 Seavey Loop Road
Eugene, OR 97405

**AFTER RECORDING,
RETURN TO:**

Con P. Lynch
PO Box 741
Salem, OR 97308-0741

ROBERT W. STRAUB, PATRICIA S. STRAUB, and MICHAEL W. STRAUB, Trustees of the Robert W. Straub Trust, executed the 30 day of July, 1992, an undivided one-half (1/2) interest as a tenant in common, and an undivided one-half (1/2) interest as a tenant in common to PATRICIA S. STRAUB, ROBERT W. STRAUB, and MICHAEL W. STRAUB, Trustees of the Patricia S. Straub Trust, executed the 30 day of July, 1992, Grantors, convey and warrant to the MCKENZIE WILLAMETTE PROPERTIES, LLC, Grantee, the real properties described on the attached Exhibits A (Ralph Jackson Parcel) and B, and located in Wheeler County, Oregon.

SUBJECT TO: All liens and encumbrances of record or apparent on the property by inspection.

The true and actual consideration for this conveyance consists of or includes other property or value given as provided which is the whole consideration.

The liability and obligations of Grantors to Grantees and Grantees heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under any policy of title insurance issued to Grantee at the time Grantors acquired such property. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

THIS INSTRUMENT WILL 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

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SALEM, OREGON

APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST
FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED: March 16, 2000

Robert W. Straub, Trustee
ROBERT W. STRAUB, Trustee

DATED: March 16, 2000

Patricia S. Straub, Trustee
PATRICIA S. STRAUB, Trustee

DATED: March 16, 2000

Michael W. Straub, Trustee
MICHAEL W. STRAUB, Trustee

STATE OF OREGON)
) ss.
County of Marion)

On March 16, 2000, personally appeared the above-named ROBERT W. STRAUB, PATRICIA S. STRAUB, and MICHAEL W. STRAUB, and acknowledged the foregoing instrument to be their voluntary act. Before me:



Delia C. Stephenson
Notary Public for Oregon
My Commission Expires: 10.23.02

APPROVED THIS AND TO DETERMINE ANY RIGHTS OR INTERESTS AGAINST
EARMARKING OR FOREST PRACTICES AS DEFINED IN ORS 30.020

Robert W. Strain, Jr.
ROBERT W. STRAIN, JR.

DATED: March 16, 2000

Patricia R. Strain, Jr.
PATRICIA R. STRAIN, JR.

DATED: March 16, 2000

Michael W. Strain, Jr.
MICHAEL W. STRAIN, JR.

DATED: March 16, 2000

STATUTE OF OREGON
)
)
)
County of Marion

On March 16, 2000, personally appeared the above-named ROBERT W. STRAIN, PATRICIA R. STRAIN, and MICHAEL W. STRAIN, and acknowledged the foregoing instrument to be their voluntary act, to have and to hold.

My Commission Expires 10-25-02
Notary Public for Oregon
Patricia R. Strain, Jr.



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SALISBURY, OREGON

STATUTORY WARRANTY DEED
First Published in the Oregon Statutes

Page 2-

EXHIBIT A

THE FOLLOWING DESCRIBED PROPERTY SITUATED IN WHEELER COUNTY, OREGON:

TRACT I: SE $\frac{1}{4}$ Sec. 33 (Sec. 33) Twp. 7 S.R. 25 E.W.M. N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4 Twp. 8 S.R. 25 E.W.M.; save and except two acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4 Twp. 8 S.R. 25 E.W.M. which is deeded to R.J. Carsner and save and except one acre in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33 in Twp. 7 S.R. 25 E.W.M.

TRACT II: Lot 3, S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec. 5; and all that part of SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5 described as: commencing at the center of said Sec. 5; running thence East on the quarter section line 15.87 chains; thence North 40° West 18 chains; thence North 86° West 3.24 chains; thence South on the quarter section line 14.74 chains to the place of beginning; also the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, all being in Twp. 8 S.R. 25 E.W.M. Also SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27 Twp. 8 S.R. 25 E.W.M.

TRACT III: S $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp. 7 S.R. 25 E.W.M.; and lots 3 & 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4; Lots 1 & 2 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5; and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 5 described as commencing at the SE corner of the said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 5, and running thence 4.34 chains West; thence North 40° West 18 chains; thence North 86° West 3.24 chains; thence North 5.26 chains; thence East 80 rods; thence South 80 rods to the place of beginning; also NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, all in Twp. 8 S.R. 25 E.W.M.

TRACT IV: SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4 in Twp. 8 S.R. 25 E.W.M.

TRACT V: W $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27; NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33; W $\frac{1}{4}$ W $\frac{1}{4}$ Sec. 34; all in Twp. 7 S.R. 25 E.W.M.

TRACT VI: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28; NW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 in Twp. 7 S.R. 25 E.W.M.

TRACT VII: SW $\frac{1}{4}$ Sec. 13; SE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14; all that part SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 lying South of the Spray Heppner Highway, E $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying South of the Spray-Heppner Highway, in Sec. 22; N $\frac{1}{4}$ NE $\frac{1}{4}$ & W $\frac{1}{4}$ Sec. 23; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24; all Sec. 26 except N $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{4}$ N $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 27; E $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34; N $\frac{1}{4}$ N $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec. 35; all being in Twp. 8 S.R. 25 E.W.M.; W $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3; N $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, lots 1,2,3,4, of Sec. 2; E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 3 and 2 of Sec. 3; W $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10; E $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11; SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12; all being in Twp. 9 S.R. 25 E.W.M.

EXCEPTING THEREFROM two acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Twp. 8 S.R. 25 E.W.M.; and excepting the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, in Twp. 7 S.R. 25 E.W.M.; and excepting 8 acres on the North side of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 4, Twp. 8 S.R. 25 E.W.M. previously sold to Roy Britt; and excepting NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, Twp. 8 S.R. 25 E.W.M., and previously sold to Ray Gatea.

AND THE FOLLOWING DESCRIBED REAL PROPERTY IN GRANT COUNTY, OREGON, TO WIT:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28; S $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29; E $\frac{1}{4}$ W $\frac{1}{4}$ and W $\frac{1}{4}$ E $\frac{1}{4}$ Sec. 32, all in Twp. 8 S.R. 26 E.W.M.

It is further understood and it is the intent of this deed to assign all grantors interest in all property which was conveyed to Grantor on the Warranty Deed dated January 29, 1963 and recorded on March 11, 1963 in Book 88 Page 331 in the Grant County Recording Office.

EXHIBIT A PAGE 1 OF 1

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

1995. *Journal of Environmental Management* 35: 1-10.