



WATER RIGHT OWNERSHIP UPDATE FORM

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

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WATER RESOURCES DEPT.
SALEM, OREGON

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 along 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: Thomas Orchards Inc.
First Last
Mailing address: PO Box 496
City Kimberly State Or Zip 97848
Phone: 541-934-2870 same
Home Work Other

Property Buyer Information:

Applicant: Mid Ohio Securities
First Last
Mailing address: 36 Lake Avenue
City Elyria State Ohio Zip 44096
Phone: 440-323-5491
Home Work Other

Property Description (attach additional pages if necessary):

County: Grant Township: 9S Range: 26E Section: 30 & 29
Tax lot number(s): 3602

Mets & bounds description (or attach a copy of your property deed & tax lot map with the parcels highlighted):
see enclosed Plat 2000-11

- Final Proof Survey
- Certificate of Water Right

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

Application #: 38224 Permit #: 18480 Certificate #: 69822

Will all the lands associated with this water right be owned by the buyer? Yes No , only 3± acres

Name of individual completing this form: John Thomas Signature: John Thomas

69822

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

This Is to Certify, That THOMAS ORCHARD, INC.

of Kimberly, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Fork John Day River

a tributary of John Day River for the purpose of irrigation of 72.6 acres

under Permit No. 26480 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 7, 1962

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.82 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 NE 1/4, Section 30, T. 9 S., R. 26 E., W. M., 620 feet South and 730 feet West; 1800 feet South and 750 feet West; both from NE Corner, Section 30.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth 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 5 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the John Day River is more than 30 cubic feet per second at USGS Gage No. 14-0465 and more than 20 cubic feet per second at USGS Gage No. 14-0480,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 12.8 acres SW 1/4 SW 1/4
Section 19
- 3.4 acres SW 1/4 SW 1/4
Section 20
- 5.8 acres NW 1/4 NW 1/4
2.4 acres SW 1/4 NW 1/4
Section 29
- 21.2 acres NE 1/4 NE 1/4
27.0 acres SE 1/4 NE 1/4
Section 30
T. 9 S., R. 26 E., W. M.

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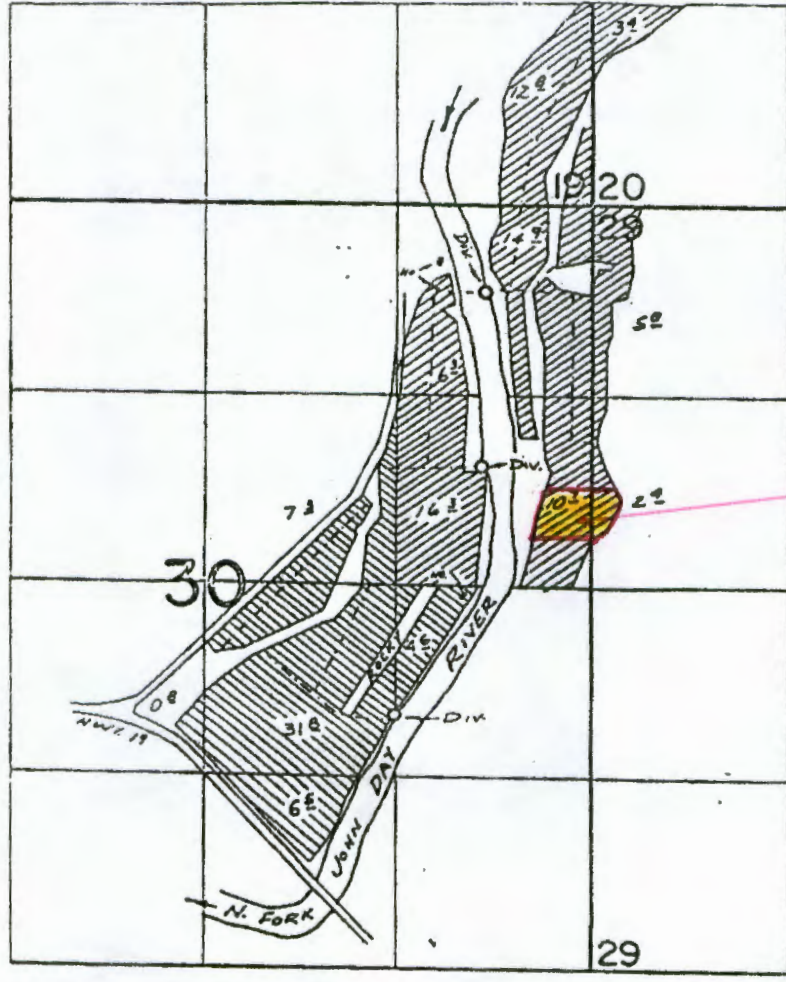
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date, December 14, 1972

CHRIS L. WHEELER
State Engineer

T.9S.R.26E.W.M.



APPL. 38224
 APPL. 43440
 DIV PTS. LOC: 620'S. & 780'W.; 1800'S. & 150'W.; 3510'S. & 1830'W.,
 ALL FROM N.E. COR. SEC. 30

FINAL PROOF SURVEY UNDER

Application No. ³⁸²²⁴~~43440~~ Permit No. ²⁸⁴⁸⁰~~32495~~
 IN NAME OF

.....THOMAS ORCHARDS, INC.....

Surveyed July 17, 1971, by R. MUGGEN

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WATER RESOURCES DEPT.
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LAND PARTITION PLAT NO. 2000-11

A PARTITION OF PARCEL 1 LAND PARTITION PLAT NO. 99-03
 SITUATED IN THE SE1/4 OF SEC. 19 AND IN THE SW1/4 SEC. 20
 AND IN THE SW1/4 AND NW1/4 OF SEC. 29 AND IN THE NE1/4 SEC. 30
 AND IN THE NW1/4 OF SEC. 32
 T9S, R26E, W.M.

GRANT COUNTY, OREGON

June 30, 2000



Scale 1"=500'

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WATER RESOURCES DEPT.
 SALEM, OREGON

POINT

Tax Lot 3602

