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Oregon Water Resources Department  
Water Right Ownership Update Form

SEP 22 1994

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 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 378-8455.

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

Property Seller Information:

Name: EARL, MARJORIE & FRED BURKHARDT  
Street Address: 2028 FISHER ROAD  
City: ROSEBURG State: OR Zip: 97470  
Phone: \_\_\_\_\_

Property Buyer Information:

Name: DAVID SEIBEL  
Street Address: P.O. BOX 585  
City: WINCHESTER State: OR Zip: 97495  
Phone: \_\_\_\_\_

Property Description (attach additional pages if necessary):

County: DOUGLAS Township: 26 Range: 6 Section: 27A  
Tax lot number(s): 43186.00

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 #: \_\_\_\_\_ Permit #: 28229 Certificate #: \_\_\_\_\_  
Will all the lands associated with this water right be owned by the buyer? Yes  No

Name of individual completing this form: VICTORIA HAWKS Signature: Victoria Hawks  
Phone: 673-0681 Date: 9/20/94

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WATER RESOURCES DEPT.  
SALEM, OREGON

## STATE OF OREGON

COUNTY OF

DOUGLAS

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That RICHARD VAUPEL

of 2028 Fisher Road, Roseburg, State of OR 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Umpqua River

a tributary of Umpqua River for the purpose of irrigation of 1.65 acres

under Permit No. 28229 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 July 31, 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 0.021 cubic foot per second; if available at the original point of diversion: SE 1/4 SE 1/4, Section 22, T26S, R6W, WM

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, as projected within McKinney DLC 47, Section 27, T26S, R6W, WM; 650 feet South and 790 feet West from NE corner Section 27.

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-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 2.5 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 North Umpqua River is more than 525 cfs at its mouth,

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:

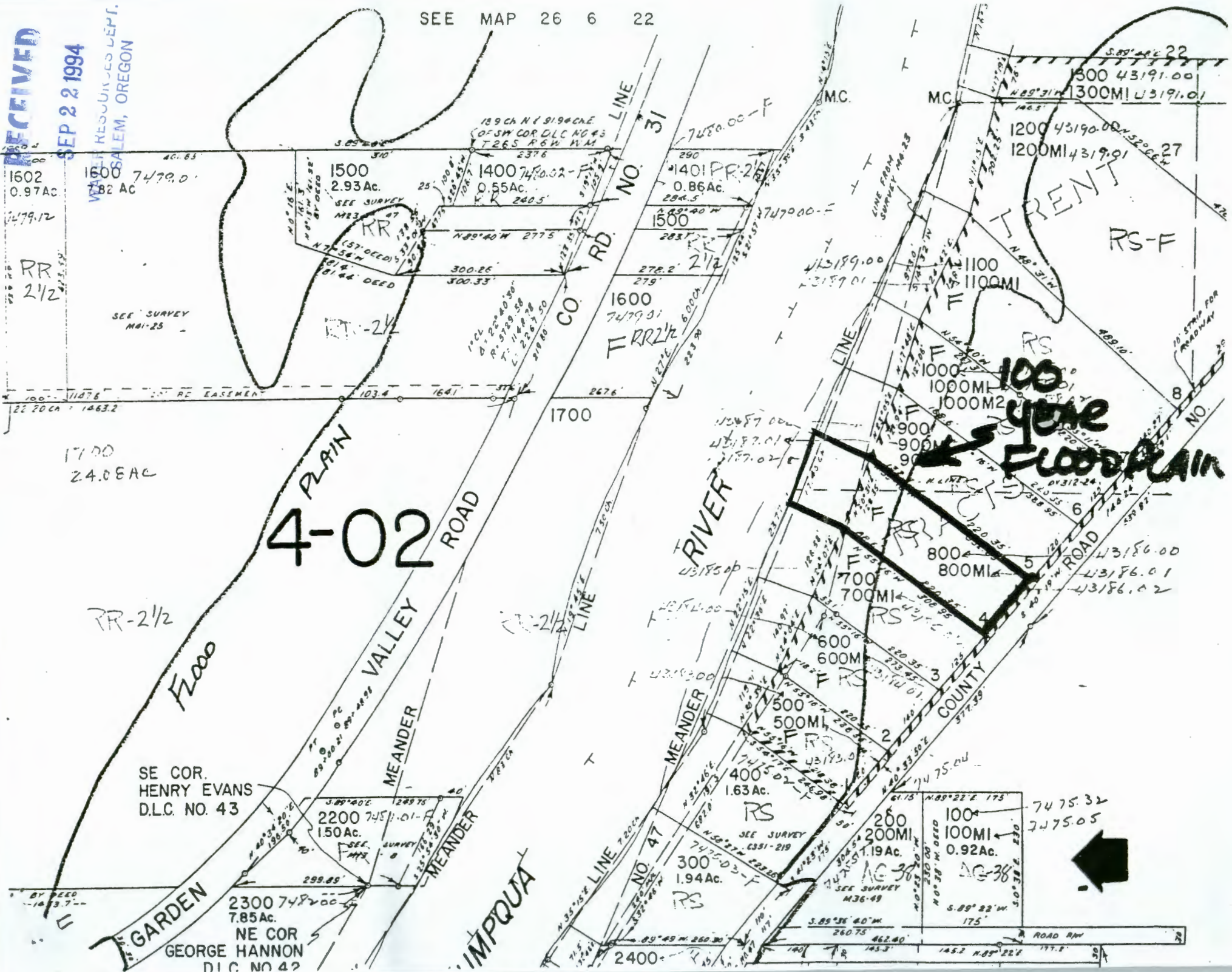
SEE NEXT PAGE

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VALLEY RECORDS DEPT. SALEM, OREGON

SEE MAP 26 6 22



100 YEAR FLOOD PLAIN



RECEIVED WATER RECORDS DEPT. SALEM, OREGON SEP 2 1994

KNOW ALL MEN BY THESE PRESENTS, That Earl Burkhardt, Marjorie Burkhardt and Fred Daniel Burkhardt

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by David Seibel

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Douglas and State of Oregon, described as follows, to-wit: Lot FOUR (4), TRENT TRACTS, DOUGLAS COUNTY, OREGON. Tax Card No. 43186.00

COMMERCIAL TITLE P.O. BOX 1325 ROSEBURG, OR 97470

TO HAVE and to HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except 1994-95 taxes, a lien not yet payable, Right of Ways, Reservations and Restrictions of record and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 320,000.00

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 6th day of Sept, 19 94; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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 PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Fred Daniel Burkhardt  
Fred Daniel Burkhardt  
Earl Burkhardt  
Earl Burkhardt  
Marjorie Burkhardt  
Marjorie Burkhardt

STATE OF OREGON  
County of Douglas Deschutes } ss.

BE IT REMEMBERED, That on this 6th day of SEPTEMBER, 1994, before me, the undersigned a Notary Public in and for the State of Oregon personally appeared the within named Fred Daniel Burkhardt known to me to be the identical individual - described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written



Roberta Strome  
Roberta Strome Notary Public for Oregon  
My Commission Expires 3/31/96

Fred Daniel Burkhardt  
Grantor's Name and Address  
David Seibel  
2028 Fisher Road  
Roseburg, OR 97470  
Grantee's Name and Address  
After recording return to:  
David Seibel  
2028 Fisher Road  
Roseburg, OR 97470  
Name, Address, Zip  
Until a change is requested all tax statements shall be sent to the following address.  
David Seibel  
2028 Fisher Road  
Roseburg, OR 97470  
Name, Address, Zip

Space Reserved For Recorder's Use

STATE OF OREGON,  
County of \_\_\_\_\_  
I certify that the within instrument received for record on the - day of \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ Records of Deeds of said County Witness my hand and seal of affixed.

By \_\_\_\_\_ Deputy

STATE OF OREGON,

County of Douglas

} ss.

FORM No. 23—ACKNOWLEDGMENT.  
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BE IT REMEMBERED, That on this 15 day of September, 1994,  
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within  
named Earl Burkhardt, and Marjorie Burkhardt

known to me to be the identical individual... described in and who executed the within instrument and  
acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year last above written.



Shari Engels  
Notary Public for Oregon  
My commission expires 4/18/98

STATE OF OREGON }  
COUNTY OF DOUGLAS } ss.

I, GAY FIELDS, COUNTY CLERK AND RECORDER OF  
CONVEYANCES, DO HEREBY CERTIFY THAT THIS  
INSTRUMENT WAS RECORDED

94 SEP 19 PM 2:39

GAY FIELDS  
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY Debra J. KERRIN  
DEPUTY

ccm

FEE

30.50

94-20474

35.00