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WATER RESOURCES DEPT.
SALEM, OREGON

OF COUNSEL
GEORGE B. HEILIG

TELEPHONE (541) 754-7477
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November 22, 1996

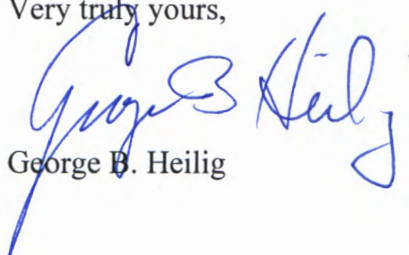
Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310

To whom it may concern:

Please find enclosed the Oregon Water Resources Department Water Right Ownership Update Form for Certificate No. 34304. If you need any additional information regarding this update, please contact me.

Thank you for your courtesies.

Very truly yours,


George B. Heilig

GBH:sv

enc.

townsend\watdept.ltr

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WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12TH STREET NE
SALEM, OR 97310

378-8455 x 499
1-800-624-3199 x 499

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: Lewis Townsend
Street Address: 17887 Alsea Highway
City: Alsea State: OR Zip: 97324
Phone: 541-487-8311

PROPERTY BUYER INFORMATION:

Name: Grant Laiblin and Peggy Laiblin
Street Address: 17180 Alsea Highway
City: Alsea State: OR Zip: 97324
Phone: 541-487-5473

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Benton Township: 14S Range: 8W Section: 9 & 10

Tax Lot number(s): _____

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

As set forth on the attached Exhibit A, the Certificate of Water Right

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

Application #: S-45916 Permit # 34304 Certificate # 34304-42070

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

Name of individual completing this form: George B. Heilig Phone: 541-754-7477

Signature: *George B. Heilig* Date: 11/21/96

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WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That LEWIS E. & MARGARET M. TOWNSEND
97324
of Route 2, Box 15, Alsea, 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
Alsea River

a tributary of Pacific Ocean for the purpose of
irrigation of 28.4 acres

under Permit No. 34304 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 April 8, 1969

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
0.36 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 Lot 7 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 9, T. 14 S., R. 8 W.,
W. M., 100 feet South and 950 feet West from SE Corner, Longworth DLC 37.

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 $\frac{1}{2}$ acre feet per acre for each acre irrigated during
the irrigation season of each year;

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:

- 3.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
- 0.8 acre NE $\frac{1}{4}$ SE $\frac{1}{4}$
- Both as projected within Longworth DLC 37
Section 9
- 19.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 4.8 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Both as projected within Longworth DLC 37
Section 10
T. 14 S., R. 8 W., W. M.

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. May 2, 1975


State Engineer

**CERTIFICATE OF
WATER RIGHT**

STATE OF OREGON

to

STATE OF OREGON } ss. 50947
County of Benton }

I hereby certify that the within
instrument was received for record

'75 JUN 12 AM 9 41

✓

and assigned **Nº 56575**

in the Microfilm records of said county

Witness My Hand and Seal of County Affixed

WILLIAM E. FLYNN
DIRECTOR OF RECORDS & ELECTIONS

By *Jeanette Henderson*
DEPUTY

SS.

ceived

tes, at

day

lark