

A Tradition of Community Caring

January 15, 1997

RECEIVED

JAN 16 1997

**WATER RESOURCES DEPT.
SALEM, OREGON**

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

Re: Transfer of Water Rights for property located in Wheeler County

Dear Sirs:

Enclosed please find a completed Water Right Ownership Update Form. Mr. Robert Hofer gifted property in Wheeler County with water rights to the Foundation on December 30, 1996.

I have enclosed a copy of the deed (with legal description), the Certificate of Water Right and a map of the area. Please contact me if you need additional information.

Sincerely,



Nancy A. Wilson
Fund Services Officer

PRESIDENT

Gregory A. Chaillé

BOARD OF DIRECTORS :

Chair

Alex M. Byler

Vice Chair

C. Morton Bishop, Jr.

Vice Chair

Donna P. Woolley

Secretary

David A. Rhoten

Treasurer

John C. Hampton

Board Members

Clifford N. Carlsen, Jr.

Sue Hollern

Mary K. Mark

Carolyn McMurchie

James A. Meyer

Dr. Matthew Prophet

William Thorndike, Jr.

Janet Webster

NAW
enclosures

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

RECEIVED

JAN 16 1997

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 (503)378-8455.

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

Donor
PROPERTY SELLER INFORMATION:

Name: Robert D. Hofer
Street Address: 619 NE 62nd Street
City: Newport State: OR Zip: 97365
Phone: (541)265-4057

PROPERTY BUYER INFORMATION:

Name: The Oregon Community Foundation
Street Address: 621 SW Morrison Street, Suite 725
City: Portland State: OR Zip: 97205
Phone: 503-227-6846

PROPERTY DESCRIPTION (attach additional pages if necessary):

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

See attached deed & maps

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

Application #: 41551 Permit # See attached certificate Certificate # _____
Will all lands associated with the water right be owned by the buyer? Yes ☐ No ☐

Name of individual completing this form: Nancy A. Wilson Phone: 503 227-6846
Signature: Nancy A. Wilson Date: 1/15/97

RECEIVED

JAN 16 1997

WATER RESOURCES DEPT.
SALEM, OREGON

STATUTORY BARGAIN AND SALE DEED

Robert D. Hofer and Jeannette B. Hofer, who also acquired title as Jeannette Hofer, Grantors, convey to The Oregon Community Foundation, an Oregon non-profit corporation, Grantee, the real property located in Wheeler County, Oregon, described on attached Exhibit A.

The true consideration for this conveyance is \$0.00.

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.

DATED this 30th day of December, 1996.

Robert D. Hofer
Robert D. Hofer

Jeannette B. Hofer
Jeannette B. Hofer

After recording, send this deed to and until a change is requested, send all tax statements to: The Oregon Community Foundation, 621 SW Morrison, Suite 725, Portland, OR 97205.

RECEIVED

JAN 16 1997

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON)
) ss.
County of Lincoln)

This instrument was acknowledged before me on December 30th,
1996, by Robert D. Hofer.

[SEAL]



Apryl B. Haro

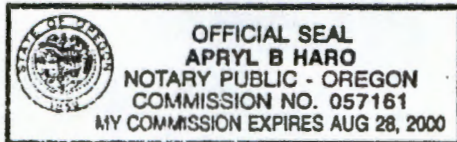
Notary Public for Oregon

My commission expires: August 28, 2000

STATE OF OREGON)
) ss.
County of Lincoln)

This instrument was acknowledged before me on December 30th,
1996, by Jeannette B. Hofer.

[SEAL]



Apryl B. Haro

Notary Public for Oregon

My commission expires: August 28, 2000

RECEIVED

JAN 16 1997

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT A

Township 7 South, Range 23 East of the Willamette Meridian

Section 33: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 34: SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 8 South, Range 23 East of the Willamette Meridian

Section 3: Lot 3 and Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$

Section 4: SE $\frac{1}{4}$ NE $\frac{1}{4}$

The foregoing real property is located in Wheeler County, Oregon.

DEED

970003

STATE OF OREGON
County of Wheeler

I hereby certify
that the within was
received and duly
recorded in Wheeler
County records.

JAN 6 3:11 PM 97
MARILYN G GARCIA BAILEY
WHEELER COUNTY CLERK

Fee 45.00

BY Marilyn Garcia Bailey DEPUTY

JAN 16 1997

STATE OF OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That R. D. HOFER

of Box 245, Fossil, 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
unnamed spring area and Camp Creek

a tributary of John Day River for the purpose of
domestic use of two families and fish culture

under Permit No. 30995 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 October 21, 1965

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
0.21 cubic foot per second, being 0.01 c.f.s. from Spring Area for domestic and
0.20 c.f.s. from Camp Creek for fish culture,

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, T. 7 S., R. 23 E.,
W. M. Diversion points located below:

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 of one cubic foot per second
per acre,

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:

Domestic NE $\frac{1}{4}$ SW $\frac{1}{4}$
Fish Culture SE $\frac{1}{4}$ SW $\frac{1}{4}$
Fish Culture SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 34
T. 7 S., R. 23 E., W. M.

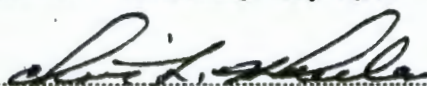
Fish Culture NW $\frac{1}{4}$ NE $\frac{1}{4}$
Fish Culture NE $\frac{1}{4}$ NW $\frac{1}{4}$
Domestic SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 3
T. 8 S., R. 23 E., W. M.

Diversion points located: Spring Area - 150 feet North and 160 feet East from
the SW Corner, SE $\frac{1}{4}$ NW $\frac{1}{4}$; Camp Creek - 950 feet South and 1450 feet East from the
NW Corner, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34.

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. February 10, 1970



State Engineer

RECEIVED

JAN 16 1997

WATER RESOURCES DEPT.
SALEM, OREGON

REGISTER

R. D. HOFER

Oregon

Box 345, Fossil

unmarked spring area and Camp Creek

John Day River

domestic use of two families and fish culture

47617

**CERTIFICATE OF
WATER RIGHT**

STATE OF OREGON

to

R. D. Hofer

STATE OF OREGON } ss.
County of *Washington*

I CERTIFY, that the within was received
and duly recorded by me of Volume 1
of Record of Water Right Certificates, at
page 157 on the 22nd day
of *March* 1997

Valerie H. Hines County Clerk

0.20 c.f.s. from Camp Creek for
0.21 cubic foot per second.

.. .. .

T. 8 S., R. 23 E., W. M.
Section 3
Domestic
Fish Culture NW 1/4 NW 1/4
Fish Culture NE 1/4 NW 1/4
Fish Culture SW 1/4 NW 1/4
Section 34
T. 7 S., R. 23 E., W. M.
Domestic
Fish Culture SW 1/4 NW 1/4
Fish Culture SE 1/4 NW 1/4
Fish Culture SW 1/4 NW 1/4

PHOTOCOPY ONLY

NW Corner, SW 1/4 NW 1/4, Section 34.
the SW Corner, NW 1/4 NW 1/4, Camp Creek - 920 feet south and 1450 feet east from the
Diversion points located: Spring Area - 150 feet North and 180 feet East from

...

...

February 10, 1990

State Engineer

36250

58

...

JAN 16 1997

WATER RESOURCES DEPT.

SALEM, OREGON

SCALE 1" = 48000

FEET

KILOMETER

RECEIVED
FEB 02 1994
DEPT. of REVENUE STATE OF OREGON
ASSESSMENT & APPRAISAL DIV.

THIS SKETCH IS FOR LOCATION PURPOSES ONLY, AND NO WARRANTIES ARE IMPLIED AS TO VARIATIONS, IF ANY, IN DIMENSIONS OR LOCATION AS REVEALED BY AN ACCURATE SURVEY.

WHEELER COUNTY TITLE, INC.

