

Oregon Water Resources Department  
Water Right Ownership Update Form

AUG - 8 1996

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: R.H. & Marybeth Lont  
Street Address: Rt.1 Box 55  
City: Halfway State: Oregon Zip: 97834  
Phone: \_\_\_\_\_

Property Buyer Information:

Name: David & Dona Schmitt  
Street Address: Rt.1 Box 274  
City: Halfway State: Oregon Zip: 97834  
Phone: 541-742-4497

Property Description (attach additional pages if necessary):

County: Baker Township: 7S Range: 45E Section: 36

Tax lot number(s): #800

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 #: \_\_\_\_\_ Certificate #: 76505

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

Name of individual completing this form: Vadene Braten Signature: Vadene Braten  
Phone: 541-742-2222 Date: \_\_\_\_\_

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WATER RESOURCES DEPT.

172 754

KNOW ALL MEN BY THESE PRESENTS, That CURTIS W. HADLEY and HAZEL I. HADLEY, husband and wife,

in consideration of TEN AND NO/100- Dollars

to US paid by R. H. LONT and MARYBETH LONT, husband and wife,

do hereby grant, bargain, sell and convey unto the said grantee, CURTIS W. HADLEY and HAZEL I. HADLEY, husband and wife, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Baker and State of Oregon, bounded and described as follows, to-wit:

Tract #1: That portion of the Southeast quarter of the Northeast quarter of Section 36, in Township 7 South, Range 45 East of the Willamette Meridian, which is described as: Commencing at the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 36; thence East 46 rods; thence Southwesterly to the County Road; thence Northwesterly 3 rods; thence North 4 1/2 rods to the place of beginning.

Tract #2: That portion of the West half of the Southwest quarter of the Northeast quarter of Section 36, in Township 7 South, Range 45 East of the Willamette Meridian, containing approximately 6 acres, which is situate outside the boundaries of the two following described tracts; Commencing at the Northwest corner of the East half of the Southwest quarter of the Northeast quarter of said Section 36; thence South 271 feet; thence Northeasterly 201 feet to the County Road; thence Northwesterly along the West line of the County Road 138 feet to the place of beginning; and Commencing at the Northwest corner of the East half of the Southwest quarter of the Northeast quarter of Section 36; thence South to the Southwest corner of the East half of the Southwest quarter of the Northeast quarter; thence East to the Southeast corner of the Southwest quarter of the Northeast quarter; thence North 621 feet; thence Northwesterly 777 feet to the place of beginning. Together with all water and water rights, ditches and ditch rights thereunto belonging, or in anywise appertaining.

as tenants by the entirety.

To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever.

And the grantors do covenant that they, their heirs, executors and administrators, shall warrant and defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons claiming by, through, or under the grantors.

Witness OUR hand & seal and the seal of said County, this 7th day of August, 1958

Curtis W Hadley (Seal)
Hazel I Hadley (Seal)
On this 7th day of August, 1958

STATE OF OREGON,

County of Baker
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CURTIS W. HADLEY and HAZEL I. HADLEY, husband and wife,

known to me to be the identical individuals 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.

William R. Goshen
Notary Public for Oregon
My Commission expires 10-20-60

WARRANTY DEED

CURTIS W. HADLEY et ux.

R. H. LONT et ux.

88187

1961-1-20

STATE OF OREGON,

County of Baker
I certify that the within instrument was duly recorded on the 17th day of August, 1958, at 1:15 PM, in the office of the County Clerk of said County, Oregon, and is a true and correct copy of the original as filed in my office.

7S. R.45E. W.M.  
COUNTY

400'

7 45

RECEIVED

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SALEM, OREGON

SEE MAP 7 45 25



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

61- 7 45 36  
ELKHORN TITLE CO.

57' 00" 14' (DEED)  
WEST (954.5')

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<p>(Continued) (Proof #235)</p>	<p>1890</p>	<p>3</p>	<p>Irrigation domestic and stock</p>	<p>Walter Allen</p>	<p>Clear Creek trib. of Pine Cr.</p>	<p>3 acres in NE 1/4 NW 1/4 Section 32, T. 7 S. R. 46 E. W. M.</p>
<p>10384 Marker, E. E. et al., Halfway, Ore. (Proof #222)</p> <p><i>Land description puts some land in NW 1/4 of sec. 5</i></p>	<p>1874</p>	<p>36</p>	<p>Irrigation domestic and stock</p>	<p>McMullen Slough and Marker Ditch</p>	<p>Pine Creek</p>	<p>Small tracts and town lots in town of Halfway, aggregating: 36 acres in SW 1/4 SE 1/4 Section 8, T. 8 S. R. 46 E. W. M.</p>
<p>(NOTE: See Findings in Contest No. 8, Group B, and in Contest No. 20)</p>						
<p>10385 Harr, Mary E. Halfway, Ore. (Proof #238)</p>	<p>1886</p>	<p>3.2</p>	<p>Irrigation domestic and stock</p>	<p>Perry</p>	<p>Pine Creek</p>	<p>3.2 acres in SE 1/4 NE 1/4 Section 36, T. 7 S. R. 45 E. W. M.</p>
<p>(Proof #237)</p>	<p>1893</p>	<p>5</p>	<p>Irrigation domestic and stock</p>	<p>Curry</p>	<p>Pine Creek</p>	<p>5 acres in SW 1/4 NE 1/4 Section 36, T. 7 S. R. 45 E. W. M.</p>
<p>10386 Marshallsay, Mrs. A. L. Halfway, Ore. (Proof #244)</p>	<p>1884</p>	<p>20</p>	<p>Irrigation domestic and stock</p>	<p>Marshall-say and McNutt</p>	<p>Clear Creek trib. of Pine Cr.</p>	<p>20 acres in NE 1/4 SE 1/4 Section 5, T. 8 S. R. 46 E. W. M.</p>
	<p>1910</p>	<p>7</p>				<p>7 acres in NE 1/4 SE 1/4 Section 5, T. 8 S. R. 46 E. W. M.</p>
<p>10387 Martin, A. L. Halfway, Ore. (Proof #240)</p>	<p>1886</p>	<p>34</p>	<p>Irrigation domestic and stock</p>	<p>Ritter</p>	<p>Clear Creek trib. of Pine Cr.</p>	<p>34 acres in NE 1/4 NW 1/4 Section 30, T. 7 S. R. 46 E. W. M.</p>