

**AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF A PORTION
OF A WATER RIGHT CERTIFICATE (ORS 540.621)**

State of Oregon)
) ss
County of Baker)

I/We (or authorized agent), Jason & Cassi LeTourneau / Salmon Creek Builders, Inc., residing at 44919 Pine View Road Baker City, OR 97814, telephone number 541-519-2926, being first duly sworn depose and say:

1. I/We are the legal and deeded owner(s) of the property described as tax lot number 1900, within the SE SE ^{SW SE} ¼, Section 20, Township 08 S (N/S), Range 39 E (E/W), of the Willamette Meridian, in Baker City, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit.

2. I/We wish to cancel the following portion(s) of the water right certificate number 86092 issued to Marcus Sackos with a date of priority of 12-28-1959 / 12-29-1959.

☒ A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) Irrigation

FOR IRRIGATION OR NURSERY USE:

- Total number of acres to be cancelled 59.54
- Location of acres to be cancelled must be clearly identified on a copy of the final proof map.
- In the amount of 1.48 cubic foot per second
- From the water source (s) Mill Creek

AND/OR (less common)

☐ One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.

- For the use of (specify irrigation, domestic, etc.) _____
- From the water source (s) _____
- Located within the _____ ¼, Section _____, Township _____ (N/S), Range _____ (E/W)

Location Description (if given on the certificate) _____

3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (*if the right is located within a district or reclamation project, name it here:* N/A)
4. The portion of the water right being cancelled is served by an irrigation district. The signature of the district manager on the line below indicates the concurrence of the district to the cancellation of the portion of the water right served by the district.

Signature of district manager

Printed Name

Date

5. If the water right is issued in the name of an irrigation district then the affiant must have the concurrence of the district to the cancellation of the portion of the water right. (*Signature of district manager on the line below documents consent of the district.*)

Signature of district manager

Printed Name

Date

6. I/We have abandoned any and all interest in the portion of the water right described in Item 2, above, and request that portion of the right be canceled.

[Signature]
Signature of legal owner as listed on deed, or authorized agent

10/6/21
Date

[Signature]
Signature of legal co-owner as listed on deed
(If applicable)

10/10/21
Date

Subscribed and Sworn to Before Me this 6th day of October, 2021.



[Signature]
Notary Public for Oregon
My Commission Expires 7/2/2023

PLEASE ATTACH A LEGIBLE COPY OF:

- 1) A deed which lists landowners and includes a legal description of affected lands, and
- 2) A copy of a water right final proof map, or a tax lot map, or an adjudication map with the abandoned portion of the right clearly drawn and identified.
- 3) IF ACTING AS AN AUTHORIZED AGENT, include a copy of Power of Attorney or other documents granting authority to act on behalf of the legal owner(s).

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OCT 08 2021

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STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARCUS SACKOS
1405 CAMPBELL STREET
BAKER CITY, OR 97814

confirms the right to use the waters of the MILL CREEK, a tributary to the POWDER RIVER for IRRIGATION of 194.8 ACRES.

This right was perfected under Permit 26506. The date of priority is DECEMBER 28, 1959, FOR 3.0 CUBIC FEET PER SECOND (CFS) AND DECEMBER 29, 1959, FOR 1.875 CFS. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.875 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
8 S	39 E	WM	32	SE SW	1280 FEET NORTH AND 2640 FEET EAST FROM SW CORNER, SECTION 32.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be furthered limited to a diversion of not to exceed 3 1/2 acre feet per acre during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
TWP	RNG	MER	SEC	Q-Q	ACRES
8 S	39 E	WM	20	NW SE	39.2
8 S	39 E	WM	20	SW SE	40.0
8 S	39 E	WM	20	SE SE	37.8
8 S	39 E	WM	29	NE NE	37.8
8 S	39 E	WM	29	NW NE	40.0
TOTAL:					194.8

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This certificate is issued to correct a scrivener's error in the source described on Certificate 73613. This Certificate supersedes Certificate 73613, to describe the portion of water right Certificate 33793, NOT modified by the provisions of an order of the Water Resources Director entered January 16, 1997.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed February 17, 2010.

William E. Feber

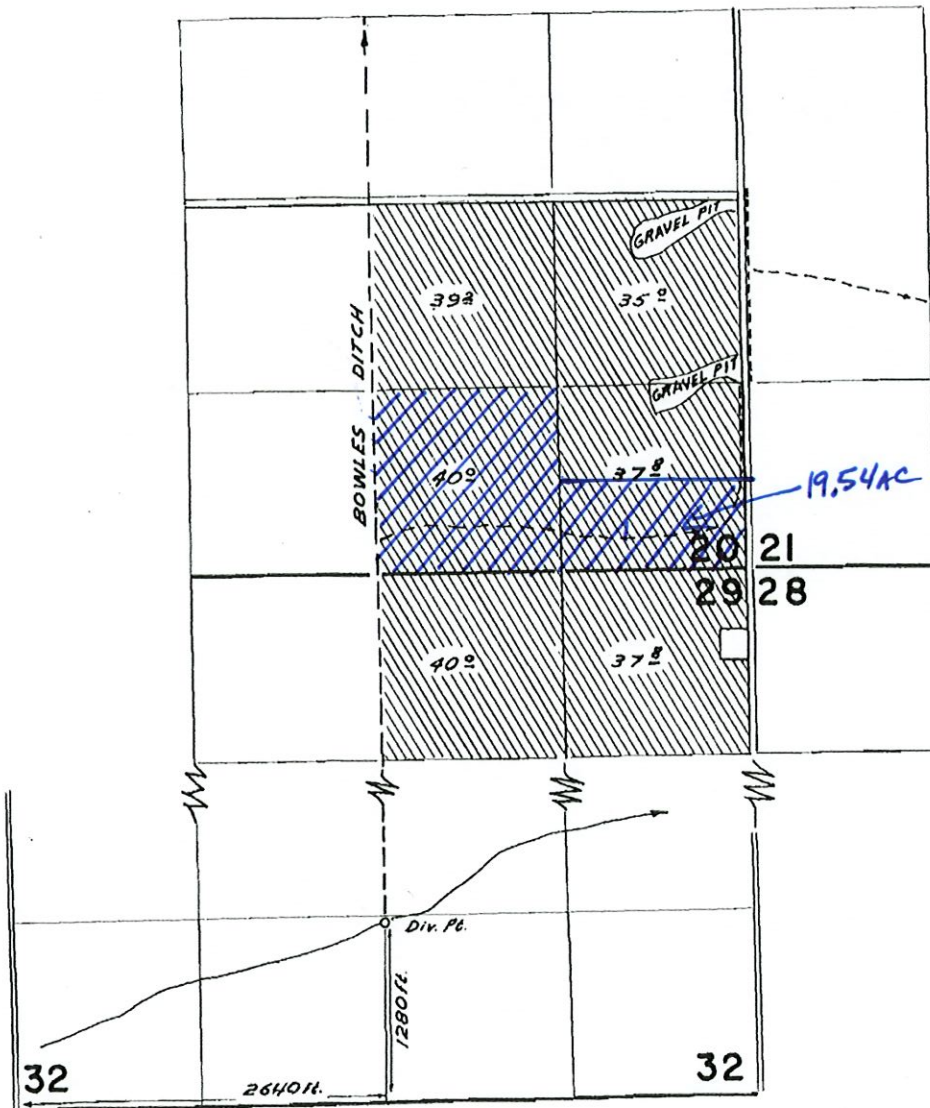
Phillip C. Ward, Director

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T. 8 S. R. 39 E. W.M.



59.54 AC
TO BE
CANCELLED.

FINAL PROOF SURVEY
UNDER

Application No. **33512** Permit No. **26506**
IN NAME OF

ALVIN F. MOSER

Surveyed **NOV. 16, 17, 1964**, by **C. GARDNER**.

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Grantee(s) address:
Salmon Creek Builders, Inc.
44919 Pine View Road
Baker City, OR 97814

B21290156

WARRANTY DEED

SLC, LLC, an Oregon limited liability company, Grantor, conveys and warrants to Salmon Creek Builders, Inc., an Oregon Corporation, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE EXHIBIT "A" ATTACHED HERETO FOR DETAILED LEGAL DESCRIPTION

This property is free from liens and encumbrances, EXCEPT:

Those of record

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

The true consideration for this conveyance is \$720,000.00, a portion of which is pursuant to an IRC 1031 tax deferred exchange on behalf of the grantor (Here to comply with requirements of ORS 93.030)

Dated this 20 day of July, 2021.

Gregory A. Sackos, Manager

STATE OF OREGON)
)ss.
COUNTY OF BAKER)

Signed or attested before me on this 20 day of July, 2021 by Gregory A. Sackos, Manager of SLC, LLC, an Oregon limited liability company.



Heidi LouAnn Jones
Notary Public for the State of: Oregon
My commission expires: December 3, 2024

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EXHIBIT "A"

The Southwest quarter of the Southeast quarter, and the South half of the Southeast quarter of the Southeast quarter of Section 20, Township 8 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

This legal description was created prior to January 1, 2008.

(532 08S3920 1900; Ref. No. 8605)

STATE OF OREGON

County of Baker

} ss

I certify that this instrument was
received and recorded in the book of
records of said county.

Stefanie Kirby
Baker County Clerk

by: *Karen Phillips* Deputy.

DOCH: B21290156
91.00
7/21/2021 9:53 AM
REFUND:

.00

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