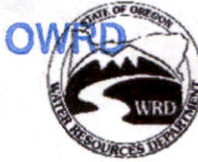


RECEIVED

FEB 18 2020



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Ownership Update
For Certificated Rights
Only

NO FEES ARE REQUIRED TO SUBMIT THIS FORM

NOTICE: A certificate of water right typically stays with the land. In order to track water right ownership, the Department requests that this form be submitted to the Department. To update multiple rights, a separate form is required for each right.

If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

This form is not for Applications, Permits, Transfers, Groundwater Registrations, or Limited Licenses. To notify the Department of changes in ownership to these types of authorizations, an Assignment is required.

Current Landowner Information

Name: Kenneth D. Henry
Mailing Address: 59708 Hwy. 26
City: John Day State: OR Zip: 97845
Phone (Home): 435-760-3214 Work: Other:

Property Description

County: Grant Township: T13 Range: 30 Section: 23
Taxlot Number(s): 3-4 13-30-25 # 500-01696

Street Address of water right property: 59708 Hwy 26 John Day, OR 97845

Water Right Information: Application: 52123 Permit: 39262 Certificate #: 56639 & 52123

Are all the lands associated with this water right owned by the requester? Yes [X] No [ ] If No, include a map showing the portion of the right involved.

Name of individual completing this form: Kenneth D. Henry Phone: 435-760-3214

Signature of requestor: [Signature] Date: 2-13-2020

The Department does not change names on certificates. This form will be placed in the file for future reference only. The Department does not provide acknowledgement that this form has been received.

only. The Department does not provide administrative support for this form and does not collect it. The Department does not charge a fee for this form. This form will be placed in the file for future reference.

Name of individual completing this form: \_\_\_\_\_ Date: \_\_\_\_\_

I am providing the location of the water project and the name of the project to the Department of Ecology. I am providing the name of the project to the Department of Ecology. I am providing the name of the project to the Department of Ecology.

Project Name: \_\_\_\_\_ Location: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address of water user project: \_\_\_\_\_

Project Number(s): \_\_\_\_\_

County: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Section: \_\_\_\_\_

**Project Description**

Name (if any): \_\_\_\_\_ Water: \_\_\_\_\_ Other: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Name: \_\_\_\_\_

**Special Landowner Information**

If the Department of Ecology is conducting an investigation or enforcement action, this form is required for all projects. This form is required for all projects. This form is required for all projects.

If you have any questions about this form, please contact your local water agency or call the Water Resources Department at 360-437-3300. This form is required for all projects. This form is required for all projects.

**NOTICE:** A certificate of water user liability will be issued to the water user only if the water user provides the information requested on this form.

**NO FEES ARE REQUIRED TO SUBMIT THIS FORM**



Department of Ecology  
Office of Water Quality  
10000 1st Avenue, NE  
Bellevue, WA 98004  
Phone: 206-437-3300

**Only  
For Certificated Rights  
Ownership Projects**



**Oregon Water Resources Department  
Water Right Ownership Update Form**

**NOTICE TO SELLERS & BUYERS:**

Oregon law requires persons selling property with 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.

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.

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's Water Rights Information staff at 378-3066.

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

**Property Seller Information:**

RECEIVED  
FEB 18 2020

Name: RUTHELLA HERBURGER  
Street Address: West Highway  
City: John Day, State: OR Zip: 97845  
Phone: 932-4736

OWRD

**Property Buyer Information:**

Name: KENNETH D. HENRY & PATRICIA E. HENRY  
Street Address: P O BOX 566  
City: MT VERNON State: OR Zip: 97865  
Phone: 932-4378

**Property Description (attach additional pages if necessary):**

County: grant Township: T 13 Range: 30 Section: 25  
Tax lot number(s): 3-4 13-30-25 #500;01696

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):**

also water right certificate vol 15 page 461 portion rec page 25584 vol 17 & bo146 p 51807

Application #: 52123 Permit #: 39262 Certificate #: 56639 & 52123

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

Diane J. Sweek for

Name of individual completing this form: LAND TITLE COMPANY Signature: [Signature]  
Phone: 575-1830 Date: 11-25-97



**Oregon Water Resources Department  
Water Right Ownership Update Form**

NO RICE TO SELLERS & BUYERS:  
Oregon law requires persons selling property with 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.

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.

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's Water Rights Information Unit at 503-225-1234. Please print or type legibly when filling in the following information. Use additional paper if necessary.

**Property Seller Information:**

Name: THELMA HERBERGER  
Street Address: West Highway  
City: John Day State: OR Zip: 97842  
Phone: 503-4738

**Property Buyer Information:**

Name: KENNETH D. HENRY & PATRICIA E. HENRY  
Street Address: P.O. Box 266  
City: MT VERNON State: OR Zip: 97862  
Phone: 503-4738

**Property Description (attach additional pages if necessary):**

County: Grant Township: T 13 Range: 30 Section: 12  
Tax lot number(s): 13-27-30-12-36  
Metric & plot description (or attach copy of property deed & tax lot map with the parcel right listed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Water Right Information (attach copy of water right permit or certificate & any prior maps if available):**

Application #: 2002 Permit #: 1998 Certificate #: 1998 & 2002  
Will all the lands associated with this water right be owned by the buyer? Yes  No

Name of individual completing this form: LAND ELLER COMPANY Signature: [Signature] Date: 11-22-07  
Phone: 503-1630

68210

922403

WILSON

922403

13-30-255  
10888

MEMORANDUM OF CONTRACT OF SALE

Between:

RUTHELLA HERBURGER, as Seller,  
and  
KENNETH D. HENRY and PATRICIA E. HENRY,  
husband and wife, as Purchasers.

Pursuant to a Contract of Sale dated 11-18, 1992,  
Seller sold to Purchasers the following described real property:

That particular real property described on Exhibit A  
attached hereto and incorporated herein by reference.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY  
DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLI-  
CABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING  
OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE  
TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPRO-  
PRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY  
APPROVED USES.

The true and actual consideration for this conveyance is:  
\$80,000.

Until a change is requested, all tax statements are to be  
sent to the following address: Kenneth D. and Patricia E. Henry,  
PO Box 566, Mt. Vernon, OR 97865.

Dated this 18<sup>th</sup> day of November, 1992.

SELLER: Ruthella Herburger  
(Ruthella Herburger)

PURCHASERS: Kenneth D. Henry  
Patricia E. Henry  
Kenneth D. Henry  
Patricia E. Henry

After recording, return to: Land Title Company, 103 W. Main,  
John Day OR 97845.



INSTRUMENT NO. 922403 REF. NO. 68210  
FILED FOR RECORD 19 DAY OF Nov 19 92  
RECORD OF Deeds 3:40 PM 3 PGS.  
FILED BY Mary Moulton  
GRANT COUNTY CLERK DEPUTY

STATE OF OREGON, COUNTY OF GRANT ) ss.  
The foregoing instrument was acknowledged before me this  
day of November, 1992, by Ruthella Herburger.



[Signature]  
Notary Public for Oregon  
My Commission Expires:

STATE OF OREGON, COUNTY OF GRANT ) ss.  
The foregoing instrument was acknowledged before me this  
18<sup>th</sup> day of November, 1992, by Kenneth D. Henry and Patricia  
Henry, husband and wife.



[Signature]  
Notary Public for Oregon  
My Commission Expires

RECEIVED

FEB 18 2020

OWRD



922403

10888, 13-30-25(5)

EXHIBIT A

LEGAL DESCRIPTION

MICROFILM

Township 13 South, Range 30 East, Willamette Meridian, Grant County, Oregon:  
Section 25: That portion of the E1/2NW1/4 and S1/2SW1/4NW1/4 lying South of  
the relocated John Day Highway.

SAVE & EXCEPT the following: Beginning at a point on the South right of  
way line of the the relocated John Day-Mt. Vernon Highway; said point  
being 709.02 feet North and 1081.95 feet East of the West quarter  
corner of said Sec. 25;  
thence along the Southerly right of way line of said Highway, as follows:  
N. 87°31'00" E. 76.00 feet;  
N. 3°34'00" E. 33.75 feet;  
45.09 feet along a 40.00 foot offset to a 400 foot spiral curve right  
(a=0.625), (the long chord of which bears S. 88°17'49" E. 45.09  
feet);

thence leaving said right of way line, S. 5°01'00" W. 30.54 feet;  
thence N. 87°31'00" E. 84.70 feet;  
thence S. 0°13'20" E. 81.00 feet;  
thence N. 89°22'00" W. 202.37 feet;  
thence N. 2°28'00" W. 69.93 feet to the point of beginning.

EXCEPTING THEREFROM the following:

Beginning at a point which is 714.24 feet North and 1202.38 feet East  
of the West quarter corner of said Sec. 25;

thence N. 87°31' E. 88 feet, more or less, to the east line of the  
N1/2SW1/4NW1/4;;

thence South along the East line of said N1/2SW1/4NW1/4, 58 feet, more  
or less, to the South line of said N1/2SW1/4NW1/4;

thence West, along the South line of said N1/2SW1/4NW1/4 to a point  
which is S. 5°01' W. of the point of beginning.

thence N. 5°01' E. 55 feet, more or less, to the point of beginning.  
Bearings and distances based on Map of Survey No. 374 as filed in the  
office of the Grant County Surveyor.

ALSO: All that portion of the N1/2SW1/4NW1/4 of said Sec. 25 which lies South  
of the relocated John Day-Mt. Vernon Highway and West of the following  
described line: Beginning at a point on the South right of way line of the  
relocated John Day-Mt. Vernon Highway, said point being 709.02 feet North  
and 1081.95 feet East of the West quarter corner of said Sec. 25;  
thence S. 2°28' E. 50 feet, more or less, to the South line of the  
N1/2SW1/4NW1/4 of said Sec. 25.

ALSO: A tract of land in the N1/2SW1/4NW1/4 of said Sec. 25, being more  
particularly described as follows: Beginning at a point which is 714.24  
feet North and 1202.38 feet East of the West quarter corner of said Sec.25;  
thence N. 87°31'00" E. 85 feet, more or less, to the East line of the  
N1/2SW1/4NW1/4;

thence South along the East line of said N1/2SW1/4NW1/4, 58 feet, more or  
less, to the South line of said N1/2SW1/4NW1/4;

thence West along the South line of said N1/2SW1/4NW1/4 to a point which is  
S. 5°01' W. of the point of beginning.

thence N. 5°01' E. 55 feet, more or less, to the point of beginning.

(Tax Acct. 3-4 13-30-25 500; 01696)

RECEIVED

FEB 18 2020

OWRD

27





3-4-10

300

300

300