

Willyerd

Name Dorothy B. Willyerd

4232

DESCRIPTION OF WATER RIGHT

By _____

Address 6992 Cascade Hwy NE

Silverton, OR 97381

Name of stream Abigwa Creek

Trib. of _____ County of Marion

Use _____

Quantity of water _____ No. of acres 5¹/₂

Name of ditch _____

Date of priority May 26, 1961

In name of Vern Hiskey

_____ Adjudication, Vol. _____, page _____

App. No. 34959 Per. No. 27418 Cert. No. 33095

Certificate cancelled _____

Notation made on record by _____

Change in POD

Date filed June 1, 1979

Date of hearing August 20, 1979

Place of hearing Salem

Date of order 8-31-79 Vol. 32, page 367

Date for application of water complete

Proof mailed _____

Proof received _____

Certificate issued 10-26-79 Vol. 42, page 48683

FFR 18 1987

51

35718

to survey 9/79

REMARKS

See file # T-4169

W.R.I.S.	
Assembled	_____
Entered	_____
Verified	_____

FEES PAID

Date	Amount	Receipt No.
6-1-79	35-	11212
6-12-79	50-	11688
TOTAL . . .		
	OCert. Fee	

Statesman Journal #33.87 pd 8/10/79 clct# 3585

FEES REFUNDED

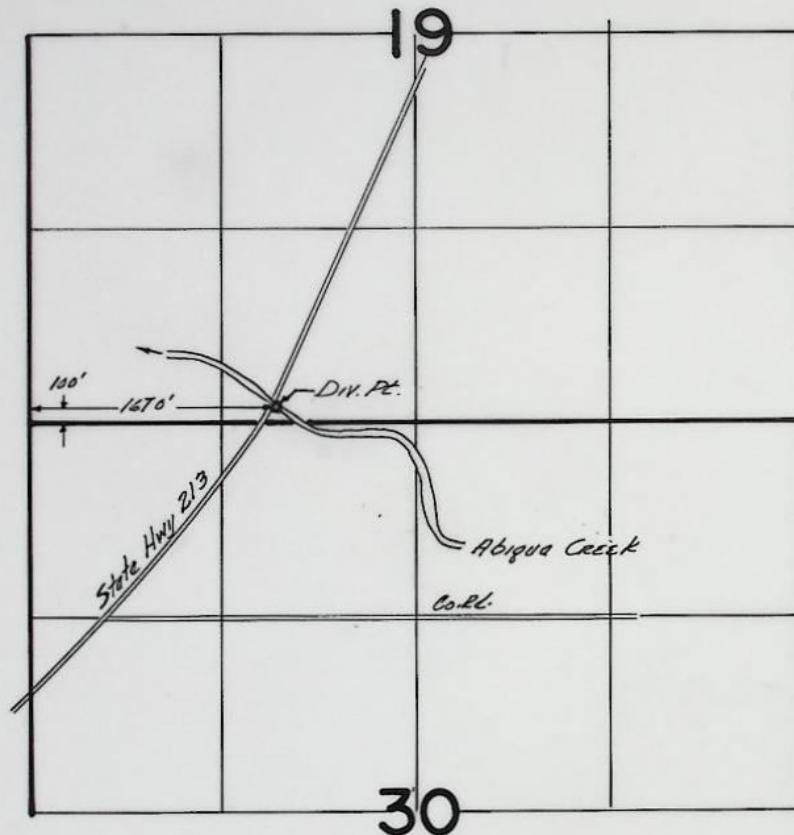
Date	Amount	Check No.
8-10-79	16 ¹³	3586

EX 20-
POD 15-
POD 33.87
65.87

	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>Hej</u>	_____
<input checked="" type="checkbox"/> Stream	<u>Hej</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>Hej</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>Hej</u>	_____
<input checked="" type="checkbox"/> Twp. & Rge.	<u>SRA</u>	_____
<input checked="" type="checkbox"/> Decree-vault	_____	_____
<input checked="" type="checkbox"/> Decree-safe	_____	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>Hej</u>	_____
<input checked="" type="checkbox"/> Per. Folder	<u>Hej</u>	_____
<input checked="" type="checkbox"/> Chainindex	<u>Hej</u>	_____
<input checked="" type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	_____	_____
<input checked="" type="checkbox"/> Abstracts	<u>Hej</u>	_____

429

T. 6S. R. 1E. W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 4232

Application No. Permit No.
IN NAME OF

..... **DOROTHY WILLYERD**

Surveyed June 6, 1979, by L.H. NUNN

DFN-444-54 LBR

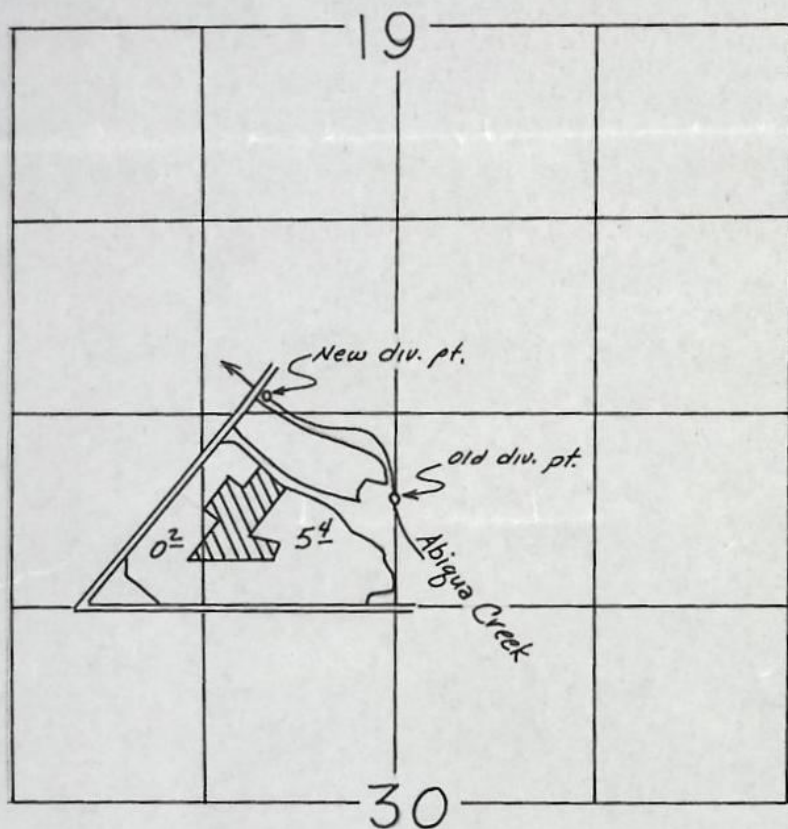
T-4232

RECEIVED

JUN 01 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T.6S. R.1E. W.M.



Scale: 4" = 1 mile

New div. pt. located 100' N. & 1025' E. from
S.W. corner of Sec. 19 T6S R1E W.M.

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Dorothy B. Willyerd
~~Harry C. Brittan~~

of ²6997 Cascade Highway NE, Silverton, State of Oregon 97381, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Abiqua Creek

a tributary of Pudding River
irrigation of ~~2.8~~ ^{5.6} acres

for the purpose of

under Permit No. 27418 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 May 26, 1961

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 ~~0.07 cubic foot per second, if available at the original point of diversion.~~

~~SE 1/4 NW 1/4, Section 30, T6S, R1E, W.M., 560 feet South and 10 feet West from the N 1/4 corner, Section 30,~~

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 1/4 SW 1/4, Section 19, T6S, R1E, W.M., 100 feet North and 1670 feet East from SW Corner, Section 19.

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 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:

~~5.4~~ ^{5.4} acres NE 1/4 NW 1/4
~~0.2~~ ^{0.2} acre NW 1/4 NW 1/4
Section 30
Township 6 South, Range 1 East, W.M.

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered May 14, 1979 and together with certificate of water right recorded at pages 48683, Volume 42, State Record of Water Right Certificates supersedes certificate of water right recorded at page 33095, Volume 25, State Record of Water Right Certificates.

and page 49724, Volume 43

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date.

October 28, 1980

[Signature]
Deputy Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49724

55718

: POD
POU
USE
Add'1 POD

County MARION

Address 6992 Cascade Hwy NE, Silverton, OR 97381 ✓

3. Use irrigation ✓

5. Proposed Point of Diversion 100 ft N. & ¹⁶⁷⁰1625 ft E from SW Cor of Sec 19, being
within $SE\frac{1}{4}$ $SW\frac{1}{4}$, Sec 19, T 6S, 1E, W.M.

6. Completion Date completed

[illegible]

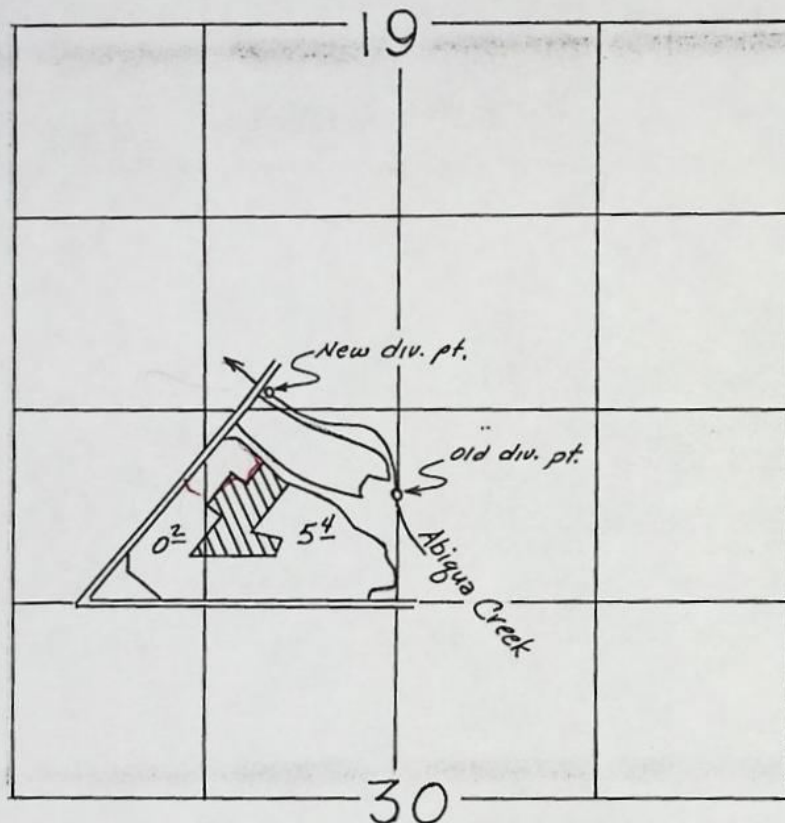
T-4232

RECEIVED

JUN 01 1979

WATER RESOURCES DEPT.
BALM, OREGON

T.6S. R.1E. W.M.



Scale: 4" = 1 mile

New div. pt. located 100' N. & ¹⁶⁷⁰ 1025' E. from
S.W. corner of Sec. 19 T.6S R.1E W.M.

DFN-44-54
LHN 6-6-79

T#(unk) 4232

Dorothy B. Willyerd

6992 Cascade Hwy NE

Silverton Oregon 97381

Info: Mr & Mrs. Willyerd

Source: Abiqua Cr.

Div: Pump from Cr.

Pump: Century 10 Hp @ 320

Pacific CDD 2x1 1/2

Pipe: 5" alum from pump to land, 4" alum along middle of land (~~E-W~~ ^{W-E}), 3" alum lot

Head: 32 RB 30 1/64 x 3/32 all max

Lift: +30'

Crops: Berries, clover, L&G

Land: the same as shown on the application map

Ties: DFN-44-54

Remarks: Mr. Willyerd showed us a copy of his transfer application & map which had been ~~made~~ made with Clif King's help. The land is as shown on the application map.

The Willyerds pump is less than 5' downstream from the pump surveyed for T# 4169.

6-6-79
Larry H. Funn
Field Engineer

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF DOROTHY B. WILLYERD FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4232

On June 1, 1979, an application was filed in the office of the Water Resources Director by Dorothy B. Willyerd for approval of a change in point of diversion, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 33095, Volume 25, State Record of Water Right Certificates, in the name of Vern Hiskey, describes a right which includes the use of not to exceed 0.07 cubic foot per second from Abiqua Creek for irrigation of a certain 5.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.2 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 6 South, Range 1 East, W.M., with a date of priority of May 26, 1961.

The authorized point of diversion for said right is located 560 feet South and 10 feet West from the North Quarter Corner of Section 30, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 6 South, Range 1 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 100 feet North and 1625 feet East from the Southwest Corner of Section 19, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 6 South, Range 1 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Oregon Statesman, a newspaper printed and having general circulation in Marion County, Oregon, for a period of three weeks in the issues of June 28; July 5 and 12, 1979.

Mr. Clifton R. King, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

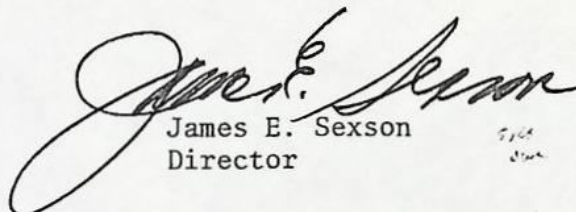
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in point of diversion is completed.

The order of the Water Resources Director entered May 14, 1979, approving transfer No. 4169, provided for cancellation of the certificate recorded at page 33095, Volume 25, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings; therefore,

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered May 14, 1979, approving transfer No. 4169; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 31st day of August, 1979.


James E. Sexson
Director

T-4232

RECEIVED
 JUN 01 1979
 WATER RESOURCES DEPT.
 SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Dorothy B. Willyerd (Name of applicant)
 of 6992 Cascade Hwy N.E., Silverton (Mailing address) (City)
 State of Or, 97381, 873 2465, do hereby make application for change
 (Zip Code) (Phone number)
in point of diversion
 (In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? Vern Hiskey
 (If not, give name)

2. Was your water right determined by Decree of Court? NO If so, give title of proceedings
 (Yes or No)
 number of certificate

3. Was your water right acquired by Water Right Permit? yes If so, give number
 (Yes or No)
 of permit 27418 Number of certificate 33095

A 34959

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Abigwa Creek

5. What is the date of priority of your water right? May 26, 1961

6. The authorized point of diversion is located 560 ft. S and 10 ft. W from the N¹/₄
 (N. or S.) (E. or W.)
 corner of Sec 30 being within the NE¹/₄ NW¹/₄ of Section 30 Tp. 6S R. 1E W. M.,
 (No. N. or S.) (No. E. or W.)
 in the county of Marion The name of the ditch used is

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 100 ft. N and 1625 ft. E from the S.W.
 (N. or S.) (E. or W.)
 corner of Sec 19 being within the SE¹/₄ SW¹/₄ of Section 19 Tp. 6S R. 1E W. M.,
 (No. N. or S.) (No. E. or W.)
 in the county of Marion The name of the ditch to be used is

8. The use to which the water is applied is irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
6S	1E	30	NE ¼ NW ¼	54
6S	1E	30	NW ¼ NW ¼	02

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? NO
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.?
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are The new point of diversion will be more convenient and will require less mainline to reach the area of use.

15. Construction work will be completed on or before completed

16. The water will be completely applied to the proposed use on or before Sept 30, 1979

Remarks _____

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Dorothy B. Willyerd, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 30 day of May, 1979

Dorothy B Willyerd
(Name of applicant)

Subscribed and sworn to before me this 30 day of May, 1979

[Notarial Seal]

E.R. King
Watermaster Dist 16
My commission expires _____
NOTARY PUBLIC FOR OREGON

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4232

The Water Resources Director of Oregon has received and filed an application by Dorothy B. Willyerd for approval, without loss of priority, of a change in point of diversion of water under a certain water right.

The affected water right is a portion of the right described by the certificate recorded at page 33095, Volume 25, State Record of Water Right Certificates, in the name of Vern Hiskey, and is for the use of not to exceed 0.07 cubic foot per second from Abiqua Creek, under a priority date of May 26, 1961, for irrigation of a certain 5.4 ac in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.2 ac in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 30, T 6S, R 1E, WM.

The authorized point of diversion is located 560 ft S & 10 ft W from the N $\frac{1}{4}$ Corner of Sec 30, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 30, T 6S, R 1E, WM.

The applicant proposes to change the point of diversion therefrom to a point located 100 ft N & 1625 ft E from the SW Corner of Sec 19, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 19, T 6S, R 1E, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Monday, August 20, 1979, at the Marion County Courthouse, Salem, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 6992 Cascade Hwy NE, Silverton, OR 97381; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 15th day of June, 1979.

James E. Sexson, Director



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: June 6, 1979.FROM: ** Clifton R. King, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4232IN THE NAME OF Dorothy B. Willyerd

In my opinion the proposed change in point of diversion from Abiqua Creek
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~* to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which
serves this right.

If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? yes
(yes or no)

In my opinion, the order approving the subject transfer application should include
the following in regard to the appropriator installing suitable measuring devices
in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
✓ (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water
rights because _____

**

C.R. King
Watermaster's signature or initials

NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 4232

The Water Resources Director of Oregon has received and filed an application by Dorothy B. Willyerd for approval, without loss of priority, of a change in point of diversion of water under a certain water right.

The affected water right is a portion of the right described by the certificate recorded at page 33085, Volume 25, State Record of Water Right Certificates, in the name of Vern Hiskey, and is for the use of not to exceed 0.07 cubic foot per second from Abiqua Creek, under a priority date of May 26, 1961, for irrigation of a certain 5.4 ac in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.2 ac in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 30, T 6S, R 1E, WM.

The authorized point of diversion is located 560 ft S & 10 ft W from the N $\frac{1}{4}$ Corner of Sec 30, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 30, T 6S, R 1E, WM.

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IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 15th day of June, 1979.

James E. Sexson, Director

CJ June 28, July 5, 12, 1979

Affidavit of Publication

JUL 25 1979

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON, }
County of Marion, } ss.

I, Lela McAllister, being first duly sworn, depose and say that I am the principal clerk of The Oregon Statesman ☐ of The Capital Journal ☒, a newspaper of general circulation as of The Statesman Journal ☐ defined by sections 193.010 to 193.110, Oregon Revised Statutes; printed and published at Salem in the aforesaid county and state; that the, Water Right Transfer #4232

.....a printed copy of which is hereby annexed, was published in the entire issue of said newspaper for three successive and consecutive times in the following issues: June 28, July 5, 12, 1979

Subscribed and sworn to me this 12 day of July 19 79

Notary Public for Oregon

My commission expires 4/24/81

5M/AC150R-279/H

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4232

The Water Resources Director of Oregon has received and filed an application by Dorothy B. Willyerd for approval, without loss of priority, of a change in point of diversion of water under a certain water right.

The affected water right is a portion of the right described by the certificate recorded at page 33095, Volume 25, State Record of Water Right Certificates, in the name of Vern Hiskey, and is for the use of not to exceed 0.07 cubic foot per second from Abiqua Creek, under a priority date of May 26, 1961, for irrigation of a certain 5.4 ac in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.2 ac in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 30, T 6S, R 1E, WM.

The authorized point of diversion is located 560 ft S & 10 ft W from the N $\frac{1}{4}$ Corner of Sec 30, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 30, T 6S, R 1E, WM.

The applicant proposes to change the point of diversion therefrom to a point located 100 ft N & 1625 ft E from the SW Corner of Sec 19, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 19, T 6S, R 1E, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Monday, August 13, 1979, at the Marion County Courthouse, Salem, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 6992 Cascade Hwy NE, Silverton, OR 97381; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 15th day of June, 1979.

James E. Sexson, Director

T-4232

FORM No. 965—Stevens-Ness Law Publishing Co., Portland, Ore. 97204

32796

REEL 142 PAGE 111

TA

WARRANTY DEED—STATUTORY FORM—GRANTEES, TENANTS BY ENTIRETY

INDIVIDUAL OR CORPORATE GRANTOR

VERNE G. HISKEY and RUBY E. HISKEY, husband and wife Grantor,
 conveys and warrants to MAX E. WILLYERD and DOROTHY B. WILLYERD, husband and wife,
 as tenants by the entirety, Grantees, the following described real property free of encumbrances except as specifically
 set forth herein situated in Marion County, Oregon, to-wit:

Beginning at a 1 1/4 inch iron pipe which is North 0° 16' 40" East 3879.07 feet, North 89° 53' 20" East 1021.07, and North 29° 48' East 363.22 feet from the Southwest corner of Section 30 in Township 6 South, Range 1 East of the Willamette Meridian in Marion County, Oregon; thence North 41° 54' East 416.86 feet; thence South 49° 42' East 200.0 feet; thence South 78° 00' East 227.15 feet; thence South 27° 12' West 149.0 feet; thence South 89° 53' 20" West 584.78 feet to the place of beginning, containing 2.541 acres of land, located in Section 30 Township 6 South, Range 1 East of the Willamette Meridian, Marion County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from all encumbrances except

KNOW ALL MEN BY THESE PRESENTS, That VERNE G. HISKY and RUBY P. HISKY
husband and wife, hereinafter called the grantor,
for the consideration hereinafter stated paid to the grantor by MAX E. WILLYARD and DOROTHY
E. WILLYARD, husband and wife,

hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but as tenants by the entirety with the right of survivorship, their heirs and assigns, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Marion, State of Oregon, to-wit:

Beginning at an iron pipe which is North 0° 16' 40" East 3879.07 feet, North 89° 53' 20" East 2021.32 feet, North 25° 48' East 523.22 feet, North 49° 42' West 509.6 feet and North 40° 18' East 31.3 feet from the Southwest corner of Section 30 in Township 6 South, Range 1 East of the Willamette Meridian in Marion County, Oregon; thence North 62° 02' West along the Southwesterly side of a 30-foot roadway 204.72 feet to a 1 1/4" pipe; thence South 40° 18' West 423.87 feet to a 1 1/4" iron pipe, thence South 49° 42' East 200.0 feet to a 1 1/4" iron pipe; thence North 40° 18' East 467.60 feet to the place of beginning and containing 2.046 acres of land, all situated in Section 30 Township 6 South, Range 1 East of the Willamette Meridian in Marion County, Oregon.

This property may not be subdivided without permission of the Marion County, Oregon, Planning Commission.

T-4232

VOL 721 PAGE 843

KNOW ALL MEN BY THESE PRESENTS, That..... Verne G. Hiskey and
 Ruby E. Hiskey, husband and wife,
, grantors.....
 in consideration of Ten and no/100 Dollars,
 to..... them..... paid by Harry C. Brittan and Ilene M. Brittan, husband and
 wife; and Maxwell E. Willyerd and Dorothy B. Willyerd, husband and
 wife, grantee S.,
 do hereby grant, bargain, sell and convey unto the said grantee S., their heirs and assigns, all
 the following real property, with the tenements, hereditaments and appurtenances, situated in the County
 of Marion and State of Oregon, bounded and described as follows, to-wit:

Beginning at an iron pipe which is North 0° 16' 40" East 3879.07 feet
 North 89° 53' 20" East 2021.32 feet, North 25° 48' East 523.22 feet,
 North 49° 42' West 709.6 feet and South 40° 18' West 125.0 feet from
 the SW corner of Section 30 in T 6 S, R 1 E of the W. M. in Marion
 County, Oregon; thence South 40° 18' West 254.48 feet to a 1-1/4" iron
 pipe; thence North 49° 42' West 340.6 feet to the center of State
 Highway Route 213; thence North 40° 01' East along said highway 254.48
 feet; thence South 49° 42' East 344.1 feet to the place of beginning,
 and containing 2.000 acres of land, all situated in Section 30, T 6 S,
 R 1 East of the W. M. in Marion County, Oregon.

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That VERN HISKEY

of Route 1, Box 132 A, Silverton, 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 Abiqua Creek

a tributary of Pudding River for the purpose of irrigation of 36.4 acres

under Permit No. 27418 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 May 26, 1961

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 0.46 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 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, T. 6 S., R. 1 E., W. M. ~~Diversion point located 560 feet South and 10 feet West from the N $\frac{1}{2}$ Corner~~ Section 30.

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:

RR cert draft 13
in T-4169 folder

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0.4 acre	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Section 19		
21.5	28.6 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.7
6.9	7.4 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.3
	Section 30		
	T. 6 S., R. 1 E., W. M.	(0.034 ft)	5.4
			0.2
			5.6
			(0.07 ft)

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. April 8, 1966

CHRIS L. WHEELER

State Engineer