

Name Hayre's Egg Farms, Inc

By _____

Address 12261 S. Adkins Circle
Canby, OR 97013Change in PODDate filed Oct. 19, 1979Date of hearing Dec. 28, 1979Place of hearing Oregon CityDate of order 1-21-80 Vol. 32, page 646Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued FEB 25 1980 Vol. 42, page 48997OCT 27 1986 50 55061*to survey 4/80*

REMARKS

4316

DESCRIPTION OF WATER RIGHT

Name of stream Milk CreekTrib. of _____ County of ClackamasUse irrigationQuantity of water _____ No. of acres 32²

Name of ditch _____

Date of priority Dec. 15, 1945In name of Raymond M. + Josephine Johnson

_____ Adjudication, Vol. _____, page _____

App. No. 21328 Per. No. 16724 ^{V16} Cert. No. 22482 ^{SRA}

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-19-79</u>	<u>95⁶⁰</u>	<u>14627</u>
TOTAL . . .		
	Cert. Fee	

McCanby Herald \$35.50 pd 12/20/79 ck #3972

FEES REFUNDED

Date	Amount	Check No.
<u>12-20-79</u>	<u>25¹⁰</u>	<u>3973</u>

*EX 20
POD 15
POD 35.50
70³⁰*

W.R.I.S.

Assembled 7-3-85 by SRA

Entered _____ by _____

Verified _____ by _____

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

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
HAYRE'S EGG FARMS, INC., FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION OF)
WATER FROM MILK CREEK)
- - - - -

ORDER APPROVING
TRANSFER NO. 4316

On October 19, 1979, an application was filed in the office of the Water Resources Director by Jack Hayre, Jr., for Hayre's Egg Farms, Inc., for approval of a change in point of diversion from Milk Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22452, Volume 16, State Record of Water Right Certificates, in the names of Raymond M. and Josephine E. Johnson, describes a right which includes the use of not to exceed 0.20 cubic foot per second from Milk Creek for irrigation of a certain 5.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 10.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 4 South, Range 2 East, W.M., with a date of priority of December 15, 1945.

Water for the said right is diverted from a point located 1500 feet North and 50 feet East from the West Quarter Corner of Section 17, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 4 South, Range 2 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 25 feet North and 40 feet East from the Southwest Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 4 South, Range 2 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Canby Herald, a newspaper printed and having general circulation in Clackamas County, Oregon, for a period of three weeks in the issues of November 7, 14 and 21, 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:

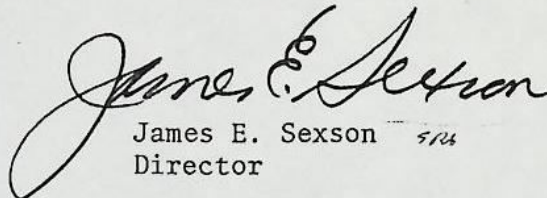
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 22452, Volume 16, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 21st day of January, 1980.


James E. Sexson 5/14
Director

T-4316

Matt Gloege
Watson Realty
914 Nolsita Ave
Oregon City, OR 97045

He called 11-29-79 re: T-4316. He thought that T-4316 requested POD for some property that Mr. Hayre had sold to Dwight Goehring.

We sent a letter to Mr. Hayre requesting L.D.'s of his property. On Dec. 10, a copy of Certificate 22452 was sent to Mr. Gloege.

On Dec 12, Mr. Gloege called, requesting more information. I read him the location of the property in C. # 22452. He then read ^{to me} the location of the property, deeded to Mr. Goehring. The western part of the property cited in C-22452 does seem to belong to Mr. Goehring.

Mr. Gloege requested a copy of Final Proof map # P16724 (C-22452). He will send us a copy of Mr. Goehring's deed. The deed was recorded by Clackamas County Feb 26, 1979.

The transfer application was filed Oct 19, 1979.

5RB

12-12-79

POD
POU
USE
Add'1 POD

County Clackamas

1. Name Haines Egg Farms, Inc.

Address 12261 So. Adkins Circle, Canby, OR 97013

2. Source of Supply Milk Creek, Trib of _____

3. Use irrigation

4. Amount of Water 0.20 cfs Priority Date 12/15/1945

5. Proposed Point of Diversion 25' N + 40' E from SW Cor of NW $\frac{1}{4}$ NE $\frac{1}{4}$,
within NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 17, T4S, R2E, W.M.

6. Completion Date 10-1-81

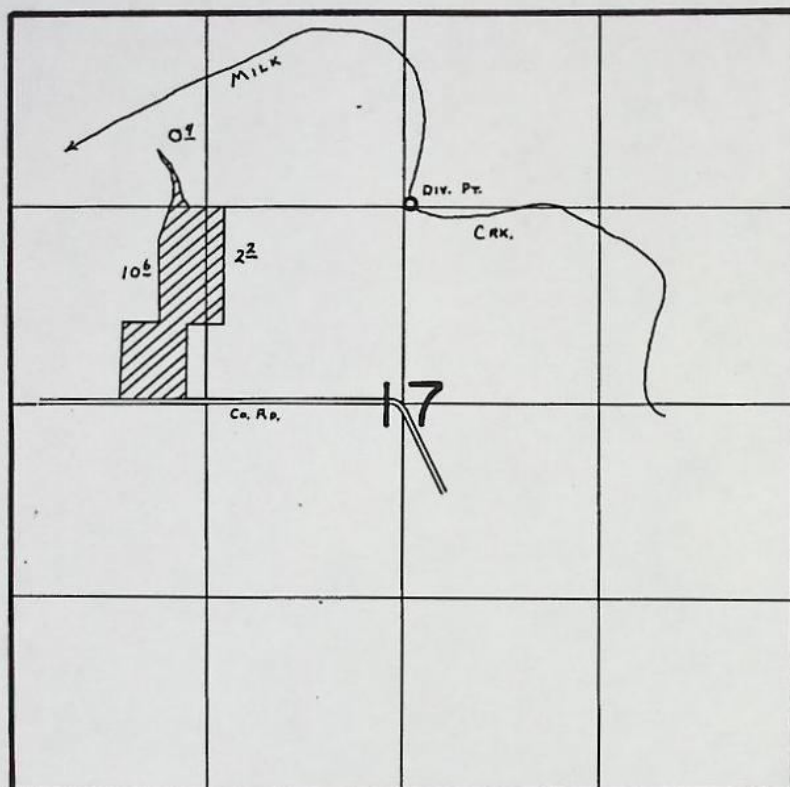
7. Place of Use:

[illegible]

T.4S. R.2E. W.M.

Richard
Gingerich

651-2440



Div. Pt. Loc: 1300'S. $\frac{1}{2}$ 50'E. fr. N. $\frac{1}{4}$ Cor. SEC. 17.

FINAL PROOF SURVEY
UNDER

Transfer No. T-4316

Application No. 53367... Permit No. 39593.....

IN NAME OF

HAYRE'S EGG FARMS, INC.

Surveyed Oct. 18, 1979, by C. L. HUGHES.....

Info: Mr. Hayne. Irr as applied fr. d.p. on F.P. App. 17275. He has consolidated ^{all} ac. fr. app. 21228, 53367, and 17275 and pumps only fr. d.p. on 17275. Gave Transfer form for 21328.

Source: Milk Cr. Div. dir. fr. crk. through 5" Alum suction.

pump - US 25HP @ 3600 RPM 375 GPM @ 19' HD
Peerless CDP 4x3 rated 3450 RPM

Use: Irr. of clover, grass seed.

Equip: pipe 5" Alum main - 2170'

3" Alum laterals - 3320'
heads - 83 RB 30 $\frac{1}{64}$ x 0 (80 max)

Lift: 0 @ crk to +5 @ pump to +50 @ irr land

Tie: DFK-3D-121, Chained in farm

Chris Hughes

FE

10/18/79

Note: Richard Ganderick leases prop. Call to find out max hds. used and use on land.

$$\frac{375}{1/50} = .833 \text{ cfs}$$

info: Mr. Hayne says same as above also ~~the~~ land is still leased by Gengerick.

Al Brian

FE

8-13-81

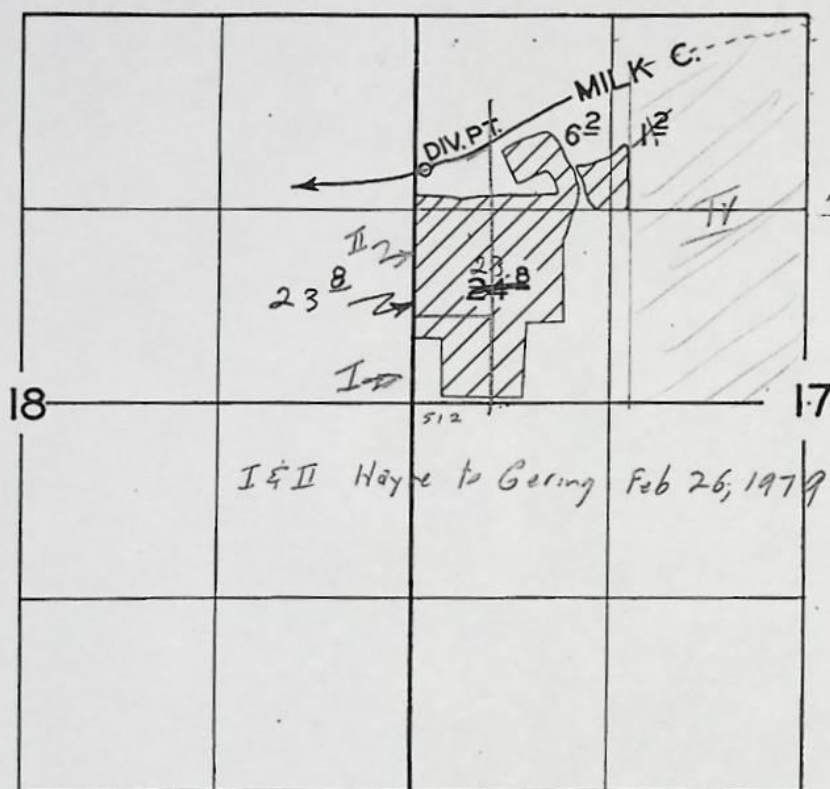
RECEIVED

DEC 17 1979

WATER RESOURCES DEPT
SALEM, OREGON

T-4316

T. 4S. R. 2E. W.M.



FINAL PROOF SURVEY
UNDER

Application No. 21328 Permit No. 16724
IN NAME OF

RAYMOND M. & JOSEPHINE E. JOHNSON

Surveyed 12 MAR. 1956, by R.D. BEST

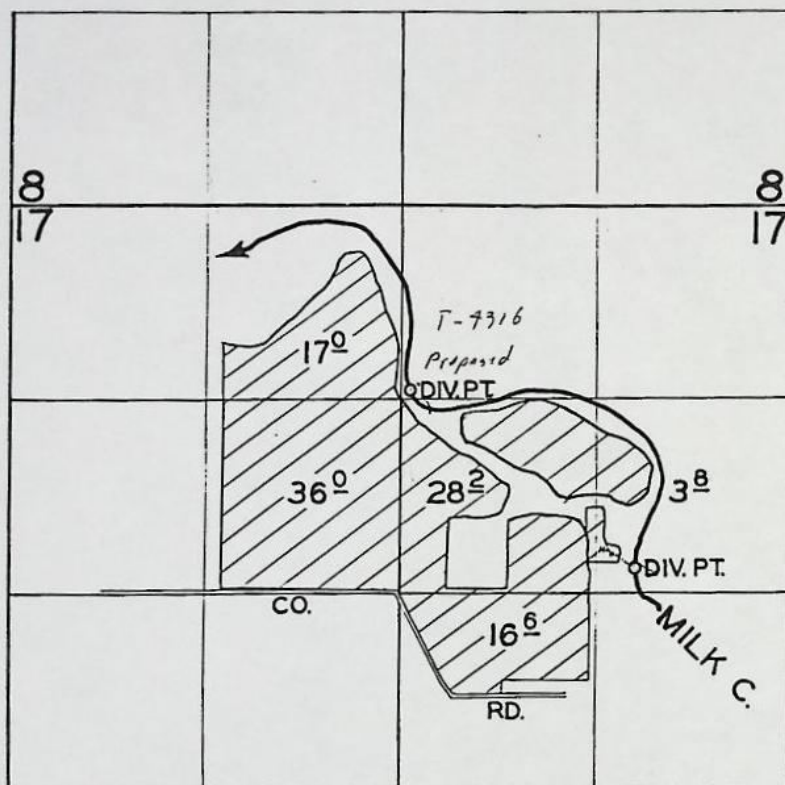
DFK-3D-121

RECEIVED

DEC 17 1979

WATER RESOURCES DEPT
SALEM, OREGON

T. 4S. R. 2E. W.M.



FINAL PROOF SURVEY

UNDER

Application No. 17275 Permit No. 12985

IN NAME OF

J. A. ELLISON

Surveyed 12 MAR. 1956, by R. D. BEST

DFK - 3D - 121

MILK CR

LIR T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

PAGE 1
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. 1000043161 PERMIT NO. 016724 CERTIF. NO.

ORIG. NO. 100213281 PREV. NO. 100213281 SUPER. NO.

NAME: HAYRE'S EGG FARMS, INC

ADDRESS: 12261 S. ADKINS CIRLE

CITY/STATE/ZIP/COUNTY: CANBY, OR 97013

STREAM-ID 02 1140 0410 0070

RIV. MI.

WM. DIST. 16 W.R. TYPE SA STATUS ✓

CANCEL YEAR---->

CONSTR. COMPLT--> 03 23 1980

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 12 15 1945

PUT TO USE-----> 03 23 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION----> 10 19 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE----->

15.00

PERMIT ISSUE--> 01 21 1980

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 01 21 1980

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA;
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

0405 020E 17 A B 02 1140 0410 0070

0.200

✓

P

** REMARKS; - - - - -
 ** DATED-->

** POD: 25' N & 40' E FM SW COR

** NW 1/4 NE 1/4, S 17. CHANGES

** POD PART OF C-22452.

** RR C-48997.

PLACE-OF-USE DATA:
 TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

0405 020E 17 B B 03 1R 100 5.50

✓

P

B C

10.30

48997

** -----

** -----

** -----

W.R.I.S.

Assembled 4-3-85 by SCA

Entered _____ by _____

Verified _____ by _____

RECEIVED

DEC 24 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

OCT 19 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

T-4316

To the WATER RESOURCES DIRECTOR OF OREGON:

I, HAYRE'S EGG FARMS INC.
(Name of applicant)
of 12261 S. ADKINS CIRCLE, CANBY, ORE.
(Mailing address) 824-5543 (City)
State of OREGON, 97013, 266-9264, 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? NO - HAYRE'S EGG FARMS INC.
(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 16724 Number of certificate 22452
23 EAL

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 MILK CREEK

5. What is the date of priority of your water right? CERTIFICATE 12/15/45

6. The authorized point of diversion is located 1500 ft. N and 50 ft. E from the W 1/4
(N. or S.) (E. or W.)
corner of 17 being within the NW 1/4 NW 1/4 of Section 17 Tp. 4S R. 2E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of CLACKAMAS 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 25 ft. N and 40 ft. E from the SW
(N. or S.) (E. or W.)
corner of NW 1/4 NE 1/4 being within the NW 1/4 NE 1/4 of Section 17 Tp. 4S R. 2E W. M.,
Sec 17 (No. N. or S.) (No. E. or W.)
in the county of CLACKAMAS 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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
45	2E	17	NE $\frac{1}{4}$ NW $\frac{1}{4}$ J.H.L.	
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.5 J.H.L.
			SW $\frac{1}{4}$ NW $\frac{1}{4}$ J.H.L.	2.8 J.H.L.
				10.3 J.H.L.

(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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are to CONSOLIDATE LAND THAT
HAS to BE IRRIGATED - no additional acreage will
be irrigated from the two pumps

15. Construction work will be completed on or before

16. The water will be completely applied to the proposed use on or before

Remarks CANBY HERALD is paper in area

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.

*Maps in possession of Chris L. Hughes
your field engineer*

AFFIDAVIT OF APPLICANT

I, Jack Hayre, Jr., 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 18th day of October, 1979.

JACK HAYRE, JR.
(Name of applicant)

Subscribed and sworn to before me this 18th day of October, 1979.

[Notarial Seal]

[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires 5-8-80

50.-
20.-
10.-
.60
15.-
95.60

STATE OF OREGON

COUNTY OF

CLACKAMAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That RAYMOND M. AND JOSEPHINE E. JOHNSON

of Route 1, Box 374, Canby , State of Oregon 97013 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Milk Creek

a tributary of Molalla River for the purpose of irrigation of 14.2 acres

under Permit No. 16724 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 December 15, 1945

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 0.18 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 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, T. 4 S., R. 2 E., W.M.; 1500 feet North and 50 feet East from W $\frac{1}{4}$ Corner Section 17

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:

0.7 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
13.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 17
T. 4 S., R. 2 E., W.M.

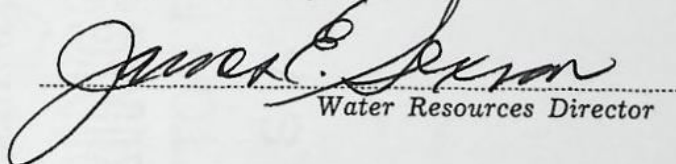
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 22452, Volume 16, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 21, 1980, approving transfer application No. 4316.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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. February 25, 1980


Water Resources Director

RECEIVED
MAR 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion of water from Milk Creek

PURSUANT TO TRANSFER APPLICATION NO. 4316

I, HAYRE'S EGG FARMS INC, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by 3-27, 1980

3-27-80

Date

Jack Hayre, Jr.
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

OK
Qcy

Permit No. 16724

T-4316
22452

Application No. 21328

County Clackamas

Proof of Appropriation of Water

Rt. 1, Box 374

1. Name Raymond M. and Josephine E. Johnson 2. Address Canby, Oregon

3. Source of supply Milk Creek

Tributary of Molalla River

4. Amount of water 0.38 cfs 5. Priority date December 15, 1945

6. Use Irrigation -- 1/80th -- 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,

7. Location of point of diversion NW 1/4 NW 1/4 Sec. 17 Tp. 4 S Rg. 2 E, W.M.
(Legal Subdivision)

8. The description of land given below corresponds to that shown in the permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
4 S	2 E	17	NW 1/4 NW 1/4	6.2
			SW 1/4 NW 1/4	23.8
				30.0

Land on which water is to be used is part of the property described by appropriator as follows:

Beginning 62 rods S of the N. W. Corner of Section 17, in T. 4 S. R. 2 E. of the Willamette Meridian, running thence S. 98 rods. thence E. 88 rods, thence N. to Milk Creek, thence S. Westerly along the meanderings of Milk Creek to the place of beginning, containing 63 acres more or less, excepting therefrom that tract of land conveyed to August Olson in Vol. 149 Deeds Page 489.



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Nov 2, 1979FROM: ** Clifton R. King, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4316IN THE NAME OF Hayre's Egg Farms, Inc.

In my opinion the proposed change in point of diversion from Milk 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 - his own
(yes or no)
Appl # 53367

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 _____

**

Clifton R. King
Watermaster's signature or initials

NOTICE OF
WATER RIGHT TRANSFER
APPLICATION NO. 4316

The Water Resources Director of Oregon has received and filed an application by Hayre's Egg Farms, Inc., 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 described by the certificate recorded at page 22452, Volume 16, State Record of Water Right Certificates, in the name of Raymond M. & Josephine E. Johnson, and is for the use of not to exceed 0.38 cubic foot per second from Milk Creek, under a priority date of December 15, 1945, for irrigation of a certain 6.2 ac in NW¹/₄NW¹/₄ & 23.8 ac in SW¹/₄NW¹/₄ of Sec 17, T 4S, R 2E, WM.

The authorized point of diversion is located 1500 ft N & 50 ft. E from the W¹/₄ Corner of Sec 17, being within the NW¹/₄NW¹/₄ OF Sec 17, T 4S, R 2E, WM.

The applicant proposes to change the point of diversion therefrom to a point located 25 ft N & 40 ft E from the SW Corner of NW¹/₄NE¹/₄, being within the NW¹/₄NE¹/₄ of Sec 17, T 4S, R 2E, WM.

Pursuant to ORS 540.520 (2), a hearing is scheduled for 9:30 a.m. on Friday, December 28, 1979, at the Clackamas County Courthouse, Oregon City, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 12261 S. Adkins Circle, Canby, OR 97013; 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
31st day of October, 1979.

James E. Sexson,
Director

Published in The Canby
Herald November 7, 1979. 117-
1-1121

COUNTY OF CLACKAMAS

Oath of Publication

RECEIVED

DEC - 3 1979

WATER RESOURCES DEPT.
SALEM, OREGON

I, Thomas R. Dillon, being

first duly sworn, depose and say that I am the publisher of the Canby Herald, a newspaper of general circulation as defined by ORS 193.010 and 193.020; printed and published at Canby in the aforesaid county and state;

that the Notice of Water Right Transfer

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for (3) Three successive and consecutive weeks in the following issues: November 7, 1979, November 14, 1979

November 21, 1979

Thomas R. Dillon

Subscribed and sworn to before me this 30th day of November, 19 79

Janet Morton

Notary Public for Oregon

(My Commission Expires 11-18-83)

MAR 2 1979

137 132
4-2-17

RECEIVED

DEC 14 1979

WATER RESOURCES DEPT
SALEM, OREGON

SPECIAL WARRANTY DEED

HAYRE'S EGG FARMS, INC., GRANTOR, conveys and specially warrants to DWIGHT R. GERING, surviving spouse of Caryl L. Gering, deceased, GRANTEE, the following described real property free of encumbrances created or suffered by Grantor, except as set forth hereafter, situated in Clackamas County, Oregon:

PARCEL I: That portion of the Northwest quarter of Section 17, T 4 S, R 2 E, W.M. described as:
Beginning at the Southwest corner of the Northwest quarter of said Section 17; thence East along the South line of said Northwest quarter a distance of 512.0 feet; thence North parallel with the West line of said Northwest quarter a distance of 595.55 feet; thence West parallel with the South line of said Northwest quarter a distance of 512.00 feet to the West line of said Section 17; thence South along said West line 595.55 feet to the point of beginning.

PARCEL II: That portion of the Northwest quarter of Section 17, T 4 S, R 2 E, W.M. described as:
Beginning at the Southwest corner of the Northwest quarter of said Section 17; thence North along the West line of said section 595.55 feet to the true point of beginning herein; thence East parallel with the South line of the Northwest quarter of said Section 17, a distance of 512.0 feet; thence North parallel with the West line of the Northwest quarter of said section to the Milk Creek; thence Southwesterly along the meanderings of Milk Creek to the West line of the Northwest quarter of said Section 17; thence South along said West line to the true point of beginning.

This deed is given in complete performance of two contracts of sale which are extinguished hereby. Except property previously conveyed by Grantor to Grantee under said contracts; special assessment for farm use, and easements of record.

The true consideration for this conveyance is \$70,000.00.

Dated February 26, 1979.:

HAYRE'S EGG FARMS, INC.


By Jack Hayre
President

79 11624

MAR 22 1979

STATE OF OREGON }
County of Clackamas } ss.

Personally appeared Jack Hayre, Jr. who, being sworn, stated that he is the president of grantor corporation, and that this deed was voluntarily signed in behalf of the corporation by authority of its board of directors. Before me February 26, 1979:



NOTARY PUBLIC FOR OREGON

My commission expires 2/18/81.

Alot H/V p... 4
retail 11.3 206
SEND TAX STATEMENTS TO:
Dwight R. Gering
13025 S. Mulino Road
Mulino, Or 97042

STATE OF OREGON }
County of Clackamas }
I, George D. Poppen, County Clerk, Ex-Officio
Recorder of Conveyances and Ex-Officio, for
of the Circuit Court of the State of Oregon, for
the County of Clackamas, do hereby certify that
the within instrument of writing was received for
and recorded in the records of said county at

79 MAR 22 A 8:50


Witness my hand and seal of office
George D. Poppen
County Clerk
Recording Certificate
79 11624
CCP-14