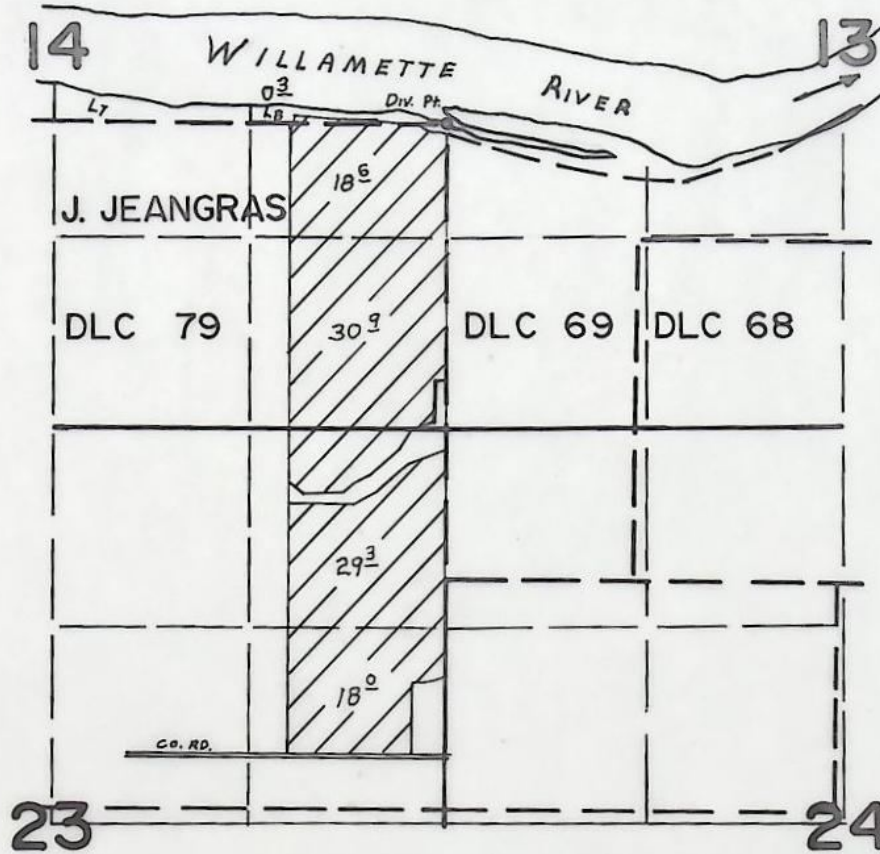


T.4S.R.3W., W.M.



DIV. PT. LOC. 2060' N. FROM S.E. COR SEC. 14

FINAL PROOF SURVEY
UNDER

Application No. 55307... Permit No. 41484...
IN NAME OF

DICK KIRK

Surveyed SEP. 26... 1978., by S.P. APPLGATE.

RECEIVED

STATE OF OREGON MAR 09 1981
COUNTY OF MARION WATER RESOURCES DEPT
SALEM, OREGON

Proof of Appropriation of Water

DICK KIRK

of 4667 St. Paul Highway NE, St. Paul, State of Oregon 97137,
has applied beneficially the waters of
Willamette Rivera tributary of Columbia River for the purpose of
irrigation of 97.1 acresunder Permit No. 41484 and that the use of said waters has been completed under the
terms of said permit; that the priority of the right dates from
February 22, 1977that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of

1.21 cubic feet 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 Lot 8 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 14, T4S, R3W, WM;
2060 feet North from SE Corner, Section 14The 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-eighth~~ 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 yearand 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, and to which such right is appurtenant, is
as follows:0.3 acre L Lot 8 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 14
18.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
30.9 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
both as projected within Jeangras DLC 79
Section 14
29.3 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
18.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
both as projected within Jeangras DLC 79
Section 23
Township 4 South, Range 3 West, WMI have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of March,

1981

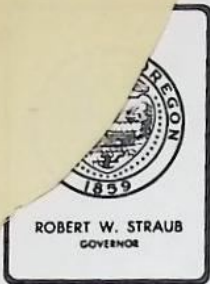
Dick C. Kirk

May 19, 1977

Dick Kirk
Star Route, Box 36
St. Paul, OR 97137

55307

41484 with map.



Water Resources Department

1178 CHEMEKETA STREET N.E., SALEM, OREGON 97310 PHONE 378-3066

April 12, 1977

55307

Dick Kirk
Star Route, Box 36
St. Paul, Oregon 97137

Dear Mr. Kirk:

We have received your map, legal description, fees of \$52.20, and your application for a permit to use 1.30 cubic feet per second of water from Willamette River for irrigation of 104.0 acres. For reference, your application is numbered 55307.

Permits will be issued for use of water from Willamette River and its tributaries. However, water may not be available during dry periods. The water may be needed to satisfy existing rights or minimum flow standards.

Your application is satisfactory and a permit will be issued in 30 to 60 days.

Sincerely,

Vestal R. Garner
Water Rights Engineer

DN/VRG:cjw

Enclosure: Receipt number 58350

DEED

DATED: This 8 day of May, 1972

FROM: RICHARD C. KIRK and JOANNE M. KIRK, as equal tenants in common, herein called "Grantors"

TO: The UNITED STATES NATIONAL BANK OF OREGON, herein called "Grantee", a national banking association, Trustee for Richard C. Kirk and Joanne M. Kirk under that certain Trust Agreement dated the 8 day of May, 1972

Grantors hereby convey to Grantee, in its capacity as Trustee, all of the following described real property hereafter referred to as the "property", situated in Marion County, Oregon:

Commencing at the Northeast corner of the Jean Jeangrass Donation Land Claim No. 79 in Township Four (4) South, Range Three (3) West of the Willamette Meridian, Marion County, Oregon, on the East bank of the Willamette River; thence South 45.38 chains to an angle in the line of said Claim No. 79; thence South about 23.48 chains to the South line of said Claim No. 79; thence West 16.12 chains; thence North to the meander of the East bank of the Willamette River; thence in an Easterly course along said meander line to the place of beginning; EXCEPTING THEREFROM the following described tract, to-wit: Beginning at a point on the South line of the Jean Jeangrass Donation Land Claim No. 79 in Township Four (4) South, Range Three (3) West of the Willamette Meridian in Marion County, Oregon, said point being North 79.20 feet from the quarter corner between Sections Twenty-three (23) and Twenty-four (24) in said Township Four (4) South, Range Three (3) West; thence West along the South line of said Claim No. 79, 1063.92 feet to an iron bar; thence North 1° 34' West 334.76 feet to an iron pipe in the center line of the county road; thence North 88° 26' East along the center line thereof, about 1065 feet to the east line of the tract hereinabove conveyed; thence South 1° 24' East about 355 feet to the point of beginning of the within-described excepted tract.

EXCEPTING FROM THIS CONVEYANCE AND RESERVING UNTO GRANTORS, their heirs, personal representatives and assigns, all of the following described property:

1. All improvements and fixtures, including, without limitation, all hop poles and wires.
2. All machinery and equipment in any fashion used in connection with the cultivation or harvest of hops.

554709

THIS CONVEYANCE IS MADE SUBJECT TO and without derogation of all existing third party rights, interests, liens and encumbrances in or on said real property, none of which does Grantee assume or agree to pay or otherwise personally obligate itself to perform except to the extent required by the above Trust Agreement, and all of which Grantors agree to continue to pay and perform.

In terms of money or money's worth, no consideration has been or is to be given for this conveyance in trust.

IN WITNESS WHEREOF, Grantors have signed their names on the day and year first written above.

Richard C. Kirk
Richard C. Kirk

Joanne M. Kirk
Joanne M. Kirk

STATE OF OREGON)
County of _____) ss.

On this 8 day of May, 1972, personally appeared the above named RICHARD C. KIRK and JOANNE M. KIRK, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

[SEAL]

Edward R. Hall
Notary Public for Oregon
My Commission Expires:

11/30/75

564709

564709

STATE OF OREGON) I hereby certify that the within was received at _____ o'clock 10:26 P.M. on the _____ day of _____ 19____ and duly recorded by me
County of Marion) ss. Marion County Records Book of DEEDS _____ Records Volume 733 page 488 William W. Lynde
County Recorder

AUG 24 1972

PAGE 2 - DEED

Application No. 55307
Permit No.

400 2-1288

Abstract of Permit No. 41484

Application No. 55307

Certificate No.

633-2211

Name Dick Kirk
 Address Star Route, Box 36 4667 St Paul Hwy NE
St. Paul, OR 97137

Source of water supply Willamette River, trib. Columbia R.

Use Irrigation of 97[±] Lot 8

Point of diversion 2150' N from SE cor., sec. 14, being within (NE $\frac{1}{2}$ SE $\frac{1}{2}$) sec. 14, T.4S., R.3W., W.M.; Marion County

Number of acres 104.0

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
4 S	3 W	14													19.2			
		23	32.0															32.0
		14	<u>Lot 9 (NE SE)</u>															
			<u>NE SE</u>				<u>5. Jeanette</u>				<u>DLG 79</u>							
			<u>SE SE</u>				<u>11</u>				<u>11</u>				<u>11</u>			
		23	<u>NE NW</u>				<u>11</u>				<u>11</u>				<u>11</u>			
			<u>SE NE</u>				<u>11</u>				<u>11</u>				<u>11</u>			
			<u>97[±]</u>															

Priority date February 22, 1977

Amount of water 1.3 c.f.s. 1.21

Time limit to begin construction 4-27-78

Time limit to complete construction 10-1-78 extended to _____ extended to _____

Time limit to completely apply water 10-1-79 extended to _____ extended to _____

Remarks: Limitations: 1/80th c.f.s., 2 $\frac{1}{2}$ a.f.

DFW-3D-26 # 1978-9
9-26-78
SPA

3D-26

cgm

Willamette River R 1/2

Basin 2, Volume 25

7774
23278
19747
31259

Lot Dic

7

INFO: DICK KIRK

ALL LAND IS IRR. AS FILED EXCEPT FOR NARROW LINE OF BRUSH REMAINING NEAR CENTER OF PLACE - SEE PLS 1978-6. ALSO SMALL AREA AROUND STORAGE & TRAILER HO. IN SE COR.

SOURCE: WILLAMETTE RIV.

DIR. PL.: DIRECT FROM SMALL SIDE CHANNEL OF MAIN STREAM

MOTOR: GE 50 HP @ 3550

PUMP: CORNELL C.D.D. 5" x 4"

$$\frac{(50)(6.60)}{165 + 50} = 1.53$$

PIPE: BURIED 8" & 6" PVC N-S ALONG E SIDE OF PROP
4000' - 3" ALUM

HEADS: 100 RB 30 - 3/16 x 0
(ALL MAX)

$$\frac{(100)(7.2)}{450} = 1.60$$

CROP: HOPS

LIFT: +50' TO +80'

TIE: DFN-3D-26 & PLS 1978-6 (TIED TO PHOTO @ INT. OF No. SIDE OF CO. RD. & E. PROP. LINE IN SE COR).

Stewart R. Appl. Jr.

FIELD ENG.

9-27-78

RECEIVED

FEB 18 1977

SOURCES DEPT.

OREGON

T 4 S R. 3 W

PHOTO DFN-3D-26

4" = 1 MI

Willamette R.

13

W. Classen DLC 6

DIV. THIS NEW APPL.

J. Jeangras DLC 79

Connor's Lake

M. Accotti DLC 68

Horseshoe Lake

St. Paul's Mission DLC 8

L. Sauvie DLC 67

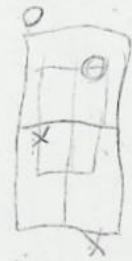
Application No.
Permit No.

55307
41484

berd C. 6

65

Doc
1 83



RECEIVED

FEB 18 1977

WATER RESOURCES DEPT.
PORTLAND, OREGON

T 4 S R. 3 W

PHOTO DFN-3D-26

4" = 1 MI



Willamette R.

13

W. Classen DLC 65

DIV. THIS NEW APPL.

J. Jeangras DLC 79

23758

2150

Brass Cap

23770

27020

21504

Connor's Lake

M. Accotti DLC 68

Horseshoe Lake

23758

23683

St. Paul's Mission DLC 81

23

L. Sauvie DLC 67

Application No.
Permit No.

55307
41484

Lambert Ch. 64

6/21/65

Dist. 183