Name Joseph F. Jackson	4	845				
	DESCRIPTION OF WATER RIGHT			FEES PAID		
By Address R+2, Box 2-28 N11/sborg OR 97/23	Name of stream Unnamed Stream & Reservoir			Amount	Receipt No.	
NIIISDOI G. GIS.		Ive County of Washing ton	8-10-81	<u> 31.75</u>	26268	
Change in POU	Use Irrigation		TOTAL			
Date filed August 6, 1981	Quantity of water	1011Hz ,	Cert. Fee			
Date of hearing	· ·					
Place of hearing	Date of priority April	5,1949		FEES REFUNDED		
Date of order 9-25-81 Vol. 35 , page 252		F. Jackson	Date	Amount	Check No.	
Date for application of water 10-1-83	Adjudication, Vol, page					
Proof mailed						
Proof received						
Certificate issued VJU 1987 Vol. 51 , page	Notation made on record	by				
<i>プラ</i> フ				4	# Sherman	
			UNDE Å	CARUN: Enforced	(Areaner'	
I	REMARKS		Stream			
Confirm Tenus 3658	alea		う 🏒 Caleni		, man a series	
CONTAIN TRADS DODG	(1134)		1 W	A. Egre.		
- Junes			ng — Derg	riale SPA	الله المارية ا	
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		Verified by			V	

Т	ransfer No. 4845 county WASHINGTON
C	county
NameJoseph F. Jackson	
Date for Completion 10-1-83	
Date for Completion	 -
Extended to	- 41
Completion Report Received 10 - 2	1-8/
To Survey 11-8	
Comments:	

TR-4845

TRANSFERS ACC BUT

WHAT'S SHOWN IN LEST 55549.

BACK TO 40 =

BETONE T - 3058

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REPORT ON INSPECTION UNDER TRANSFER OF WATER RIGHT FOR CHANGE IN: POD

POU USE Add'1 POD

729.		
175-1 Bush	Tran	nsfe
186	01d	Ce
2/10	1.	Nai

8. Place of Use:

Tran	nsfer No. 4845 County Washington
01d	Certificate No. T-3658 (Permit 19431)
1.	Name Joseph 7. Jackson 15
	Address RF2 Box 228, Hillsfore OR 97123
	RTG BOX 755 628-1657 - 215 S HOULD DE HOME forther
2.	Source of Supply un'd str. + reservoir, Trib of Tualatin K.
	Use in /365 ac
4.	Amount of Water 0.45cfs
5.	Priority Date 4-5-1949
6.	Proposed Point of Diversion
7	Completion Date $10-1-83$

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
-15	JW	33	Lot 1 NESE	10 ³⁰ ac 2595ac
			" 2 NWSE	2595 ac
	1			3615
			80 50 140.	150
				1.5.
The state of the s				
100000000000000000000000000000000000000				67
The Parties of the Pa			The state of the s	

INFO! LARRY JACKSON, SON OF JOSEPH, NEW ADDRESS RT. 6 BOX 755 HILLS BORD, OR. 97123 PX. # 628-1657 TRANSFER WAS MADE AND A PORTION (11-ac) IS ON LAND NOW OWNED BY T.F.L. TRUST, RT. 6 BOX 750, HILLSBORD, OR 97123. LAND IS IRRIGATED SEPARATEY BY BOTH OWNERS FROM THE RESERVOIR FUNN STREAM

SOURCE: A RESERVOIR & UNN. STREAM.

GOLD

PUMP: BERKELEY DIC 4x3 MODEL 8-32PL 50 MOTOR: CENTURY 50 Np. C 3540 RPM.

JACKSON

PUMP: UNIVERSAL DDC 5x4

MOTOR: NEWMAN 25 DESTO Hp. @ 3600 RPM (TAG DAMAGED COULD NOT TELL Hp.) BOTH 25\$40 25 Hp. Per HOLLY TON TAG.

GOLD PIPE: = 1750, 3- \$ 6 "ALUM. MAIN 5000 = 3" ALUM. LATERAL

JACKSON P. PE: 2800' 5 & 6 "ALUM. MAIN 3520' 3" ALUM LATERAL

HEADS: GOLD. 115 RB 30 3/16 XO - 66 MAX @ 50 PSi (Measure) JACKSON 88 RB 30 3/11 XD NOT SUPE DEMAX 54- & TOPSI MEASURED 1- NELSON 100 FA BIG GUN . 5" RING.

USE: BOLD - IRRIBATION OF IN BROUND DENAMENTAL NURSERY STOCK JACKSON- IRRIGATION OF ROW CROPS. IN CUCUMBERS NOW.

LIFT: +5 SUCTION +15 DISCHARGE

- TIE! PHOTO 41067-178-1624 (RAN SCALE COULDN'T LOCATE COR.)

pump @ 50 psi

STATE OF OREGON

COUNTY OF

WASHINGTON

CERTIFICATE OF WATER RIGHT

This is to certify, That

JOSEPH F. JACKSON

of Route 6, Box 755, Hillsboro , State of OR 97123 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of an unnamed stream and reservoir constructed under Permit R-1030

a tributary of Tualatin River irrigation of 36.15 acres

for the purpose of

under Permit No. 19431 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

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 0.45 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 Lot 2 (NW 1/4 SE 1/4), Section 33, T1S, R2W, WM; 1300 feet South and 1375 feet West from the E 1/4 corner Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, from direct flow and storage from reservoir,

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:

10.20 acres Lot 7 (NE 1/4 SE 1/4)

25.95 acres Lot 2 (NW 1/4 SE 1/4)
Section 33
Township 1 South, Range 2 West, WM

This certificate is issued to confirm changes in place of use approved by orders of the Water Resources Director entered November 3, 1977 and September 25, 1981, and together with certificate entered at page 55549, Volume 51, State Record of Water Right Certificates, supersedes certificate

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 purposes aforesaid is restricted to the lands or place of use herein described and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. January 30, 1987

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55548

7991D/SB T-3658, T-4845

23313.

Sermat A-2-204-5777

STATE OF OREGON

COUNTY OF

WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

JOSEPH F. JACKSON

of Route 6, Box 755, Hillsboro , State of OR 97123 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of an unnamed stream and reservoir constructed under, Permit R-1030

a tributary of Tualatin River irrigation of 14.15 acres

for the purpose of

DE 00001-000

under Permit No. 19431 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 April 5, 1949

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 Lot 2 (NW 1/4 SE 1/4), Section 33, T1S, R2W, WM; 1300 feet South and 1375 feet West from the E 1/4 corner Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, from direct flow and storage from reservoir,

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:

SEE NEXT PAGE

page two

5.8 acres NE 1/4 NE 1/4
3.0 acres NW 1/4 NE 1/4
5.35 acres SW 1/4 NE 1/4
all as projected within P. Harris DLC 53
Section 33
Township 1 South, Range 2 West, WM

This certificate is issued to confirm changes in place of use approved by an order of the Water Resources Director entered November 3, 1977, not modified by an order entered September 25, 1981, approving transfer application 4845, and together with certificate entered at page 55548, Volume 51, State Record of Water Right Certificates, supersedes certificate 23313.

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 purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. January 30, 1987

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51 , page 55549

7992D/SB T-3658, T-4845

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION OF	
JOSEPH F. JACKSON FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING TRANSFER 4845

On August 6, 1981, an application was filed in the office of the Water Resources Director by Joseph F. Jackson for approval of a change in place of use of water from an unnamed stream and reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

Transfer 3568, recorded at page 5, Volume 30, Special Order Record, in the name of Joseph F. Jackson, describes a right which includes the use of not to exceed 0.45 cubic foot per second from an unnamed stream and reservoir for irrigation of 2.60 acres in NE 1/4 NE 1/4, 25.15 acres in NW 1/4 NE 1/4, 6.80 acres in SW 1/4 NE 1/4, 0.70 acre in NE 1/4 NW 1/4 and 0.90 acre in SE 1/4 NW 1/4, Section 33, Township 1 South, Range 2 West, WM, with a date of priority of April 5, 1949.

Water for the said right is diverted from a point located 1,300 feet South and 1,375 feet West from the East Quarter Corner of Section 33, being within the NE 1/4 SE 1/4 of Section 33, Township 1 South, Range 2 West, WM.

The applicant proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof 10.2 acres in Lot 7 (NE 1/4 SE 1/4) and 25.95 acres in Lot 2 (NW 1/4 SE 1/4), Section 33, Township 1 South, Range 2 West, WM.

Clayton J. Gardner, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1983.

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 November 13, 1977, approving Transfer 3658; and upon receipt of 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 and the order approving Transfer 3658, confirming certificates of water right shall be issued.

Dated at Salem, Oregon this 25th day of September, 1981.

JAMES E. SEXSON

NOTE:

The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

-6995A--

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I,Joseph F. Jackson	Name of applicant)
of Route 4. Box 448. (Mailing address)	Hillsboro (City)
	8-1657, do hereby make application for change
in place of use (In point of diversion; place of us	e; use heretofore made of the water)
1. Is the water right recorded in your name?	YES (If not, give name)
2. Was your water right determined by Decre	e of Court? NO If so, give title of proceedings
	number of certificate
	ght Permit? YES If so, give number
of permit 19431 Number of certificate	23313 & transfer 3500
of the right that is directly involved siquestions on this form.	ctly involved in the requested change, only that part hould be considered in answering the balance of the and reservoir
4. The source of water is many than the source of water is many th	
	right? April 5, 1949
6. The authorized point of diversion is located 1.3	ft. S. and 1375 ft. $\frac{W}{(E. \text{ or } W.)}$ from the $\frac{E}{E} \frac{1}{4}$
corner of Sec. 33 being within the $\frac{N E}{4}$ SE	
in the county of Washington The name of	the ditch used is
NOTE; Answer question if the applicat	ion is for change in point of diversion.
7. The proposed point of diversion is located	ft from the from the
corner of being within the ¹ / ₄	1/4 of Section Tp R W. M.,
in the county of The name of	the ditch to be used is

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres TX	Re Irrigated
				(not	transferre
TlS	R2W	33	NE 1/4 NE 1/4	8.40	(5.80)
TlS	R2W	33	NW 1/4 NE 1/4	28.15	(3.00)
TlS	R2W	33	SW 1/4 NE 1/4	12.15	(5.35)
TlS	R2W	33	NE 1/4 NW 1/4	0.70	
TlS	R2W	33	SE 1/4 NW 1/4	0.90	
			Total	50.30 Acres	(14.15 acı

(If more space required, attach separate sheet)

- 9. Are you the legal owner of the above described lands? No. Sec. #14.below. (If not owner, explain your interest)

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
legal owner is Roberta Boge		Unknown
and Floris C. Gold, husband and wife		

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

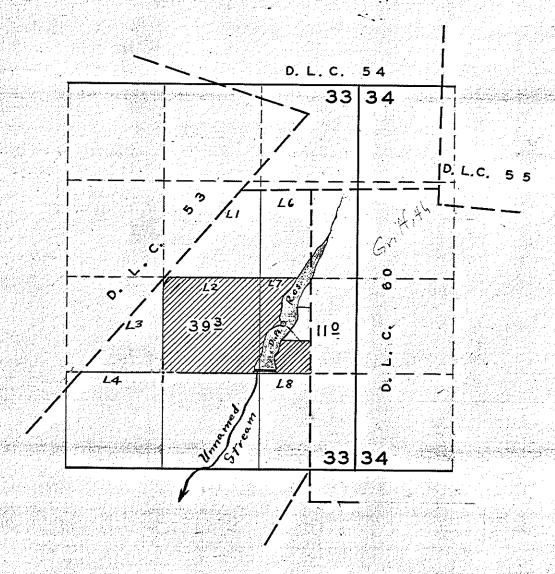
Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
Tls	R2W	33	Lot 7 (NE1/4 SE1/4)	6.60
TLS	R2W	33	Lot 2 (NW1/4 SE1/4)	18.55
Tls	R2W	33	Lot 7 (NE1/4 SE1/4)	3.60
TIS	R2W	33	Lot 2 (NW1/4 SE1/4)	7.40

(If more space required, attach separate sheet)

Total: 36.15 acres

14. Reasons for the proposed changes are This water right was transferred
from its original place of use on a temporary basis to allow irrigation
on adjoining land. The purpose of this application is to re-transfer a portion of the water right back to the original place of use pursuant to a judgment order dated March 10, 1981 in case number 40-725, Circuit Court of the State of Oregon for the County of Washington, a copy of which judgment order is attached hereto marked Exhibit "I" and by this reference incorporated herein. See also attached Consents of owners, marked Exhibit "II". 15. Construction work will be completed on or before
16. The water will be completely applied to the proposed use on or before
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, Joseph F. Jackson , 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 day of May, 1981
(Name of applicant)
Subscribed and sworn to before me this 13 day of May , 19 81
Subscribed and sworn to before me this
[Notarial Seal]
NOTARY PUBLIC FOR OREGON
My commission expires $10-25-83$
$\frac{0.63}{50.3} = \frac{0.45}{36.15} \frac{6.45}{30.05}$
50.3 = 36.15 FORS

T.IS., R. 2W., W.M.



FINAL PROOF SURVEY

UNDER
R-23694 R-1030
Application No. 23695Permit No. 19431
IN NAME OF

JACKSON BROTHERS, JOSEPH & CHARLES

Surveyed 4 - 26 1956, by M. BISH

KNOW ALL MEN BY THESE PRESENTS, That CHARLES C. JACKSON and VELVA L. JACKSON, husband and wife, hereinafter called grantors, for the consideration hereinafter stated, do kereby grant, bargain, sell and convey unto JOSEPH F. JACKSON and MARIE P. JACKSON, husband and wife, hereinafter called grantees, and unto grantees' heirs, successors and assigns, all of our undivided interest in all of that country hereinafter with the tenements, hereditaments and appreciances thereunto belonging or in anywise appertaining, situated in the County of Washington, State of Oregon, described as follows, to-wit:

A portion of that certain tract of land in the Northeast Quarter and the Southeast Quarter of Section 33. Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, conveyed to Joseph Jackson, et al. by deed recorded in Book 510, Page 546, Washington County, Oregon, Deed Records, said portion being more particularly described as follows:

Beginning at an iron pipe at the Southwest corner of the Southeast Quarter of said Section 33, and running thence N 11' 10" W 2506.20 feet, along the west line of the Southeast Quarter of said Section 33, to an iron pipe on the Southeast boundary of the P. Harris Donation Land Claim No. 53 which bears N 40° 11° 20" E 311.23 feet from an iron pipe at the Southeast corner of said Donation Land Claim; thence N 39° 36' 00" E 991.12 feet, along the Southeast line of said P. Harris Donation Land Claim No. 53, to an iron rod which bears S 39° 36' 00" W 864.12 feet from an iron rod at the Southwest corner of the A. Landess Donation Land Claim No. 54; thence S 08° 37' 20" W 115.10 feet to an iron rod; thence S 00° 23' 20" W 959.21 feet to an iron rod; thence N 89° 23' 30" E 1224.05 feet to a point; thence N 05° 29' 30" E 325.90 feet to a point; thence N 59° 10' E 192.94 feet to a point on the east line of that certain tract of land conveyed to Joseph Jackson, et al, by deed recorded in Book 510, Page 546, said Deed Records; thence S 00° 23' 20" W 1287.72 feet to an iron rod at the Southeast corner of the said Joseph Jackson tract; thence S 89° 234 30" W 1983.37 feet, along the south line of the said Joseph Jackson tract to an iron rod which is 33.00 feet East of the west line of the Southeast Quarter of said Section 33; thence S 00° 11' 10" E 1324.49 feet, parallel with and 33.00 feet East of the west line of the Southeast Quarter of Section 33, to an iron rod on the south line of said Section; thence N 89° 56° 10" W 33.00 feet, along said south line, to the place of beginning.

RESERVING to the said grantors an easement for roadway purposes on that tract of land described as follows:

100x 976 mg 281

Page 1.

Exhibit "A"



THIS AGREEMENT, made this 9th day of February 197 between CHARLES C. JACKSON and VELVA L. JACKSON, husband and wife hereinafter called the first party, and LESLIE C. COLD and FLORIS C. GOLD, husband and wife, hereinafter called the second party, WITNESSETH:

That under the terms and conditions set forth in that certain contract for the sile of real property and personal property bearing date of February. 1977, from the first party to the second party, all of which terms and conditions are hereby made a part hereof as fully and completely as if set out herein in full, first party has agreed to sell, and second party has agreed to purchase the real property and personal property, hereinafter set terth, situate in Washington County, Oregon, to-wit:

A portion of that certain tract of land in the NE quarter and the SE quarter of Sec. 33, TIS, R2W,: Will. Mer., Washington County, Oregon, conveyed to Joseph Jackson et al, by deed recorded in Book 510, Page 546, Washington County, Oregon, Deed Records, said portion being more particularly described as follows:

reginning at an iron rod on the SE line of the P. Harris DLC No. 53, which hears S 33° 36' 00" W 1279.71 feet from andiron pipe at the JE without of said Harris DLC, suid point of beginning being also the SM corner of the A. Landess JLC No. 54, and running thence S 83° 13' 00" h 655.11 feet, along the S line of said A. Landess DLC, to an iron pipe at the NJ corner of the J. Criffith DLC; thence S 60° 23' 26" W 1290.94 feet, along the E line of that certain tract of land conveyed to J.saph Jackson et al. by deed recorded in Book 51G, Page 54G, while Deed Jecords, to a point; thence S 55° 10' W 192.3+ feet to a point; thence S 65° 23' 33" W 325.90 feet to a point; thence S 89° 13' 33" W 1224.05 feet to an iron rod; thence N 60° 23' 20" E 359.21 feet to an iron rod; thence N 68° 37' 70" E 115.10 feet to an iron rod on the SE line of the P. Harris DLC No. 53; thence N 39° 36' 20" E 364.12 feet, along the SE line of said P. Harris DLC to the place of beginning.

SUBJECT TO:

(1) Rights of the public in and to that portion of the above property lying within the limits of Tile Flat Road.

(?) Easement created by instrument, including the terms and provisions thereof, dated May 21, 1974; recorded May 21, 1974, in Book 976, Page 184, for roadway over northwesterly corner of said property.

ALSO, sellers' undivided one-half interest in the well and reservoir which is owned jointly by the sellers, and his brother, Joseph

100x 1143 mil 613

Commencing at the Northeast corner of the Donation Land Claim of Phillip Harris and wife in Section 33, Township 1 South, Range 2 West of the Willamette Meridian, Washington County, Oregon, and running thence along the East line of said claim South 42 30' West 51.96 chains to the division line between the North and South halves of said claim; thence following said division line North 56 00' West 7.90 chains; thence North 42 32' East 49.51 chains more or less to the North line of said claim; thence following the North line of said claim South 71 35' East 8.83 chains to the point of beginning.

SHI 1017 - 11 A

Commencing at a point on the North line of the Donation Land Claim of Phillip Harris and wife in Section 33, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, said point being North 71° 35' West 8.83 chains from the Northeast corner of said claim, and running thence South 42° 32' West 49.51 chains more or less to the division line between the North and South halves of said claim. Thence following said division line North 56° West 9.07 chains; thence North 42° 22' East 46.93 chains to the North line of said claim. Thence following the said claim line South 71° 35' East 9.68 1/2 chains to the point of beginning.

Exhibit "C"
Part II

CANADA CONTRACTOR

FILE

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF WASHINGTON

JOSEPH JACKSON and MARIE)

JACKSON, husband and wife) No. 40-725

Plaintiffs,) JUDGMENT ORDER

vs.

LESLIE C. GOLD and FLORIS C. GOLD, husband and wife,

Defendants.

The parties hereto having agreed to a resolution of issues in this case by written stipulation, a copy of which is attached hereto and made a part hereof,

NOW, THEREFORE, it is hereby ORDERED AND ADJUDGED as follows:

- 1. The place of use of the water right represented by permit no. 19431, Certificate No. 23313, encompassing 50.3 acres shall be transferred, upon application of the plaintiffs, from the property described in Exhibit "C" of the Stipulation, to the property described in Exhibits "A" and "B" thereof, as follows:
 - a. The place of use of 11 acres of said water right shall be transferred to the southerly part of the property described in Exhibit "B".
 - b. The place of use of 25.15 acres of said water right shall be transferred to the southerly part of the property described in Exhibit "A".
 - c. The remaining 14.15 acres shall remain on the most easterly part of the property described in Exhibit "C".

The State of Oregon, Water Resources Director is hereby

Page 1 - Judgment Order

EXHIBIT "I

9 BOOK 455 PAGE 658

authorized and directed to effect such transfer of place of use and enter the same on the records of the State of Oregon, Water Resources Department and shall issue an order accordingly.

It is further ORDERED AND ADJUDGED that Part II of the stipulation of the parties is hereby incorporated herein and made a part of this judgment order, and the parties are directed to abide by its terms and cooperate in the accomplishment of the same.

DATED this 10 TH day of March, 1981.

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IN THE CIRCUIT COURT OF THE STATE OF ORECON FOR THE COUNTY OF WASHINGTON APROLE

RECORDS & ELECTIONS JOSEPH JACKSON and MARIE No. WASHINGTUN COUNTY JACKSON, husband and wife Plaintiff, STIPULATION FOR ENTRY OF JUDGMENT ORDER VS. LESLIE C. GOLD and FLORIS C. GOLD, husband and wife, Defendants.

PART I.

The parties hereby stipulate as follows with regard to the issues raised in the above captioned case:

- Plaintiffs are the owners of the real property described in Exhibit "A" attached hereto and made a part hereof.
- Defendants are the contract purchasers of the property described in Exhibit "B" attached hereto and made a part hereof.
- Defendants are also the contract purchasers of the real property referred to in plaintiffs' complaint as the "Boge" property, which is more particularly described in Exhibit "C" attached hereto and made a part hereof.
- That on November 3, 1977, an order was entered by the State of Oregon, Water Resources Director approving transfer no. 3658, which transferred the place of use of Water Right Permit No. 19431, Certificate No. 23313, representing 50.3 acres, from the property described in Exhibits "A" and "B", to the Bartines To Be A True And property described in Exhibit "C". Correct Copy Of The Original

Page 1 - Stipulation for Entry of Judgmenty Order

7-31-81 Roger Phomssen, Dir, of Records & Elections

5. Plaintiffs, as owners of the property described in Exhibit "A", and defendants, as and only as contract purchasers of the properties described in Exhibits "B" and "C", consent to a judgment order being entered herein directing and authorizing the transfer of said water right by the State of Oregon, Water Resources Director, upon application by plaintiffs, from the property described in Exhibit "C" to the property described in Exhibits "A" and "B", as follows:

- a. The place of use of ll acres shall be transferred to the southerly part of the property described in Exhibit "B".
- b. The place of use of 25.15 acres shall be transferred to the southerly part of the property described in Exhibit "A".
- c. The remaining 14.15 acres shall remain on the most easterly part of the property described in Exhibit "C".

Defendants have not informed the fee holders of the property described in Exhibits "B" and "C" of the transfer of the water right proposed by this stipulation. Defendants have no authority to consent to the transfer on behalf of the fee holders, therefore, this stipulation is a consent to the transfer only of those rights defendants currently hold in said water right as contract purchasers. Attached as Exhibit "D" is a Consent to Transfer of the water right which defendants shall sign and which shall be submitted to Roberta Boge for her signature.

PART II.

Although the following stipulations are not relevant

Page 2 - Stipulation for Entry of Judgment Order

to the issues raised in the pleadings, the parties request that
they be incorporated into the judgment order and that the parties
be directed to abide by them and cooperate in the accomplishment
of each of them:

1. Defendants shall purchase plaintiffs' interest in

- 1. Defendants shall purchase plaintiffs' interest in the parties' irrigation pump, intake pipe and electrical connections and all accessories except for plaintiffs' irrigation pipe, for the sum of \$1,500.00, and shall promptly move the same to a point at least 150 feet north of the existing pumping station.
- 2. Defendants shall provide plaintiffs with a copy of the "flood leases" with adjoining property owners, and plaintiffs shall pay to defendants their one-half share of the rent on those leases for the years 1979, 1980, and 1981, which is agreed to be no more than \$1,000.00 per year. Plaintiffs shall also pay their one-half share of the rental on said leases in each additional year covered by those leases as such rentals become due.
- 3. The parties shall cooperate in effecting the installation of a separate electrical meter to the culinary well which they share. The monies already expended by plaintiffs toward that end shall constitute plaintiffs' full share of any expenses incurred thereby. Defendants shall pay any remaining expenses incurred in the installation of said meter.
- 4. For the year 1980, and for future years, the electricity charges for the culinary well shall be shared by the

parties as follows:

- a. For the months of May, June, July, August and September, plaintiffs shall pay one-half thereof and defendants shall pay one-half.
- b. For all other months plaintiffs shall pay one-third thereof and defendants shall pay two-thirds.
- 5. Defendants shall pay to plaintiffs the sum of \$392.29 for their share of miscellaneous repairs and charges which have been incurred and paid by plaintiffs over the past three years.
- 6. Plaintiffs shall pay to defendants the sum of \$419.87 for their share of the miscellaneous repairs and charges which have been incurred and paid by defendants over the past three years. In addition, plaintiffs shall pay to defendants an amount equal to one-half of the 1980 electric charges for the irrigation pump.
- 7. All repairs or other expenses which are to be shared by the parties shall be approved by all parties prior to any repairs being made or expenses incurred, unless an emergency situation exists and one of the parties cannot be reached for such prior approval. Documentation of such expenses shall be provided upon request.
- 8. No commercial fishing shall be allowed on the irrigation pond by any party. However, each party may allow family and friends to fish on that part of the pond which is located on their own property, and shall not allow trespassing

by those persons on the property owned by the other party. A party allowing fishing on the pond shall hold the other party harmless from any liability created thereby.

9. Defendants are hereby granted a license to enter plaintiffs' potatoe shed for the purpose of inspecting and/or making repairs to the pressure tank for the culinary well, which is located in the shed.

10. Each party hereby releases the other from all claims, liabilities or charges, other than as set forth herein, which may have accrued to either party, for any reason, at any time in the past, up to the date hereof.

DATED this 10 day of March, 1981.

Leslie C. Gold

(5) Floris C. Gold

Floris C. Gold

Joseph Jackson

Marie Jackson

Marie Jackson

11F T-0982-01

*** O R E G O N W A T E R R E S O U R C E S D E P A R T M E N T *** *** W A T E R R I G H T S D I V I S I O N ***

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

*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. TOOOO 48451 F ORIG. NO. 1000 23645 FREV. NO STREAM-ID 02 1140 0500 -	. 10000 3 658 / SUPER. NO.	NAME: JOSEPH F. JACKSON ADDRESS: RT 2, BOX 228 CITY/STATE/ZIP/COUNTY: HILLSBORD, OR 9-7/23 WM. DIST. O/ W.R. TYPE S.A. STATUS V
CANCEL YEAR>	CONSTR.COMPLT>/002/98/ PUT TO USE>/002/98/ SURVEYED> CONCUPRENCE> CERTIFIED>	YR.LAST USED> LAST TRANS.DATE> LAST TRANS.TYPE> EXAM.FEE> 20.00 RECORDING FEE> CYCLE STATUS> CORRES.INIT> CORRES.DATE> STATUS S OR P ** REMARKS;
PLACE-OF-USE DATA: TWNSP RNGE SECT QTR/QTR CNTY U 105 020W 33 D A 34 /		Y:: T.1 S. Annualis (-23-8 S to 50)

,



Water Resources Department MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

or

1-800-452-7813 (message line)

November 24, 1981

Joseph F. Jackson Route 2, Box 228 Hillsboro, OR 97123

Dear Mr. Jackson:

REFERENCE: File T-4845

We have received the Notice of Completion of Works and Use of Water for a change in place of use from an unnamed stream and reservoir, as allowed by Water Right Transfer 4845. A survey will be made at a later date to confirm extent of use.

A new certificate based on the survey will be issued at a later date. In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

LUCILLE C. JENSEN Secretary Transfer Section

LCJrwpc ca Clayton Gardner, Watermaster 0647A 8083A





Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

October 19, 1981

Joseph F. Jackson % J. W. Darr Attorney at Law 126 NE Second Hillsboro, Oregon 97123

REFERENCE: File T-4845

The first page of the order approving Transfer 4845 originally sent you contained a typographical error in the priority date. Please substitute the enclosed page for the one you now have in your records.

Sincerely,

SAMUEL R. ALLISON

Supervisor

Transfer Section

SRA: Icj

cc: Clayton Gardner, Watermaster

Samuel R allison

RECEIVED

OCT 21981

NOTICE OF COMPLETION OF CHANGE IN

WATER RESOURCES DEPT SALEM, OREGON

place of use of water from an unnamed stream & reservoir

PURSUANT TO TRANSFER APPLICATION NO. 4845

I, Joseph F. JACKSON, 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 $October$ 1981.

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

J. W. Darr

ATTORNEY AT LAW

HARE-STURGIS BUILDING . 126 N. E. SECOND

HILLSBORO, OREGON 97123

TELEPHONE 648-1186

October 1, 1981

RECEIVED

OCT 2 1981

WATER RESOURCES DEPT SALEM, OREGON

Water Resources Department Mill Creek Office 555 13th Street N. E. Salem, Oregon 97310

Attention: Samuel R. Allison

Re: File No. T-4845

Dear Mr. Allison:

I am enclosing the "Notice of Completion" which you sent to my client, Joseph F. Jackson for signature. Mr. Jackson has signed and dated the notice as requested.

Thank you for your cooperation and assistance in this matter.

J. W. DARR

JWD/jig Enclosure

CC: Joseph Jackson

August 10, 1981

Joseph F. Jackson Route 2, Box 228 Hillsboro, OR 97123

Dear Mr. Jackson:

REFERENCE: File T-4845

Your Water Right Transfer Application for approval of a change in place of use of water from an unnamed stream and reservoir, together with supporting data and fees in the amount of \$31.75, was received on August 6, 1981. Our Receipt 26268 was handed to Jim Darr.

By copy of this letter, we are asking the Watermaster for his usual report regarding the proposed change.

When examination of the application and supporting data has been completed, you will be advised of any matters requiring your further attention prior to consideration of the application for approval.

Please refer any correspondence to File T-4845.

Sincerely,

SAMUEL R. ALLISON Supervisor Transfer Section

SR Anvpc enclosure cc: Clayton Gardner, Watermaster, District 1 1098A 6311A



Water Resources Department MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE1+800-452-7813 378-3066

September 29, 1981

Joseph F. Jackson Route 2, Box 228 Hillsboro, Oregon 97123

REFERENCE: File No. T-4845

Enclosed is a certified copy of the order of the Water Resources Director approving your water right transfer application.

The date for completion is given in the order. When you have completed the change, fill out and return the enclosed completion form.

If your transfer is for change in use or change in place of use, you may lose the right if the change is not made within the time limit noted in the order. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

A survey will be scheduled some time after completion of the authorized change.

Sincerely,

Samuel R. Allison

all allien

Supervisor

Transfer Section

SRA:1cj

cc: Watermaster



RECEIVED

INTEROFFICE MEMO 4 1981 WATER RESOURCES DEPT

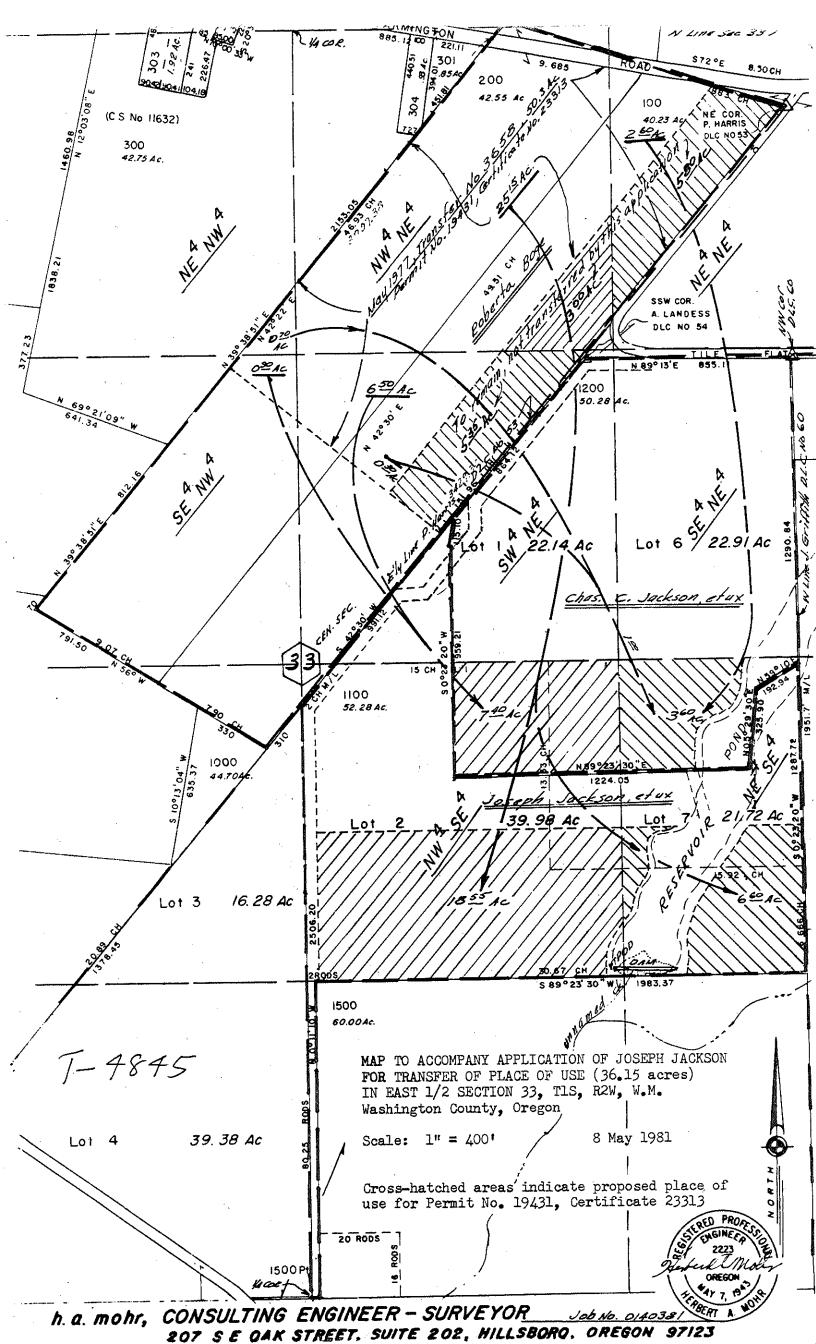
SALEM. OREGON

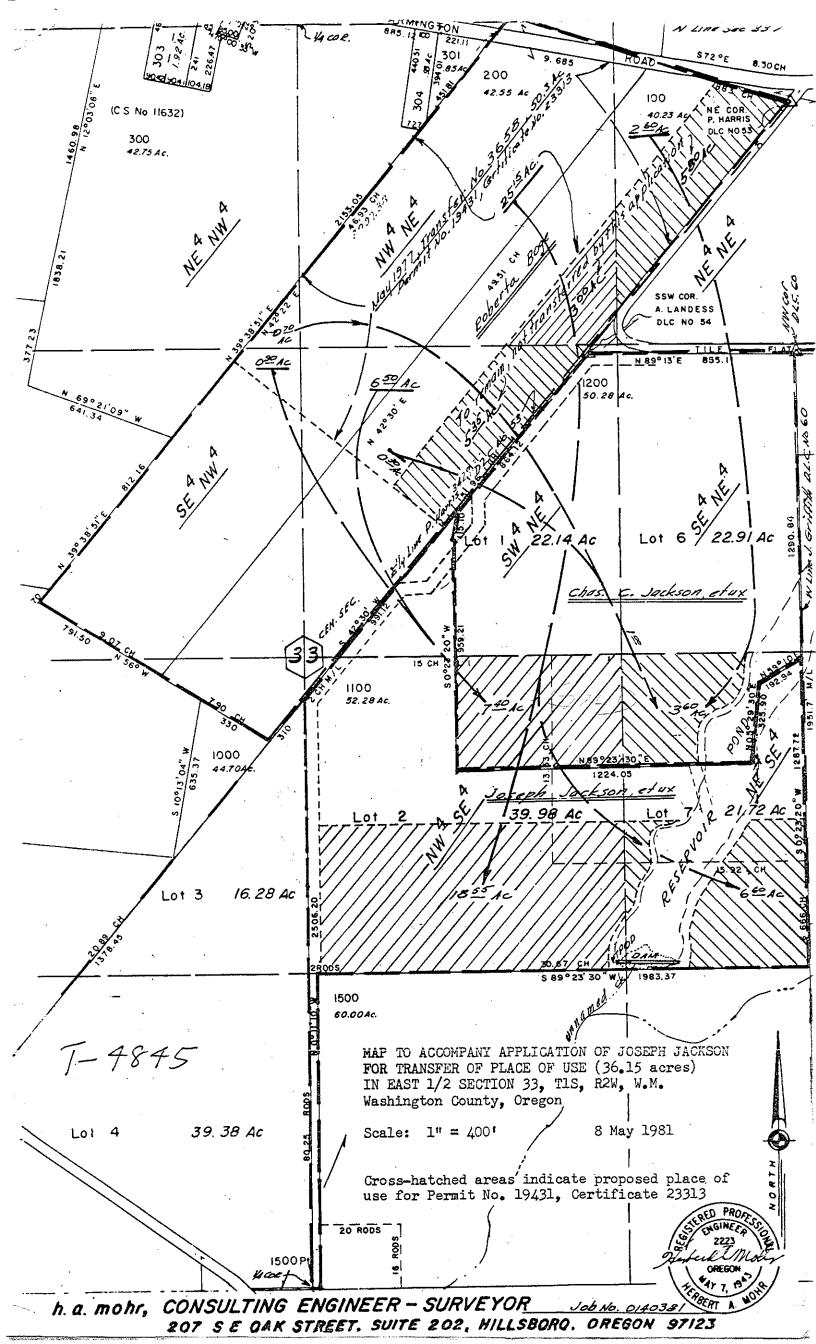
TO: TRANSFER SECTION, WATER RIGHTS DIVISION DATE: 8-12-8/	
FROM: WATERMASTER, DISTRICT NO. (signature)	
In the name(s) of	
In my opinion (assuming the water right is valid), the proposed change	
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.	
*The approval of this transfer application would result in injury to other water rights because	
The existing right may not be valid because	
	_
Headgate notices HAVE NOT been issued for diversion from the source(s) whi serve(s) this right.	ch
If for change in point of diversion, is there any intervening point(s) of diversion	
between the authorized and proposed points of diversion? (yes or no)	_
In my opinion, the order approving the subject transfer application should include t following in regard to the appropriator installing suitable measuring devices in the diversion works:	he
(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 enclosed copy of the transfer application and map(s) is for your records.

1	IN THE CIRCUIT COURT OF THE STATE OF OREGON
2	FOR THE COUNTY OF WASHINGTON
3	JOSEPH JACKSON and MARIE) JACKSON bushand and wife.) No. 40-725
4 Plaintiffs.) ADDE)
	Plaintills, ADDENDON TO STITUTE ORDER FOR ENTRY OF JUDGMENT ORDER
6	vs.)
7	LESLIE C. GOLD and FLORIS C.) GOLD, husband and wife,)
8	Defendants.)
9	
10	We, JOSEPH JACKSON and MARIE JACKSON, understand and
11	agree that Leslie C. and Floris C. Gold, and their assigns,
12	shall have the right to obtain from the reservoir jointly owned
13	by the parties irrigation water for use on those portions of the
14	Boge property remaining covered by the 14.15 acre stream flow
15	water right. The Golds shall use their own irrigation pumping
16	facilities for this purpose.
17	
18	Joseph Jackson Joseph Jackson
19	
20	Marie Jackson
21	
22	
23	
24	
25	
26	





STATE OF OREGON

COUNTY OF

WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

JOSEPH F. JACKSON

of Route 6, Box 755, Hillsboro , State of OR 97123 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of an unnamed stream and reservoir constructed under, Permit R-1030

a tributary of Tualatin River irrigation of 14.15 acres

for the purpose of

under Permit No. 19431 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 April 5, 1949

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 Lot 2 (NW 1/4 SE 1/4), Section 33, TIS, R2W, WM; 1300 feet South and 1375 feet West from the E 1/4 corner Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, from direct flow and storage from reservoir,

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:

SEE NEXT PAGE

page two

5.8 acres NE 1/4 NE 1/4
3.0 acres NW 1/4 NE 1/4
5.35 acres SW 1/4 NE 1/4
all as projected within P. Harris DLC 53
Section 33
Township 1 South, Range 2 West, WM

This certificate is issued to confirm changes in place of use approved by an order of the Water Resources Director entered November 3, 1977, not modified by an order entered September 25, 1981, approving transfer application 4845, and together with certificate entered at page 55548, Volume 51, State Record of Water Right Certificates, supersedes certificate 23313.

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 purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. January 30, 1987

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55549

7992D/SB

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

Joseph F. JACKSON

This Is to Certify, That

Sherwood 755 of Route , State of Oregon to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed stream and reservoir constructed under Application No. R-23694, Permit 🄰 , has made proof No. R-1030 a tributary of Tualatin River for the purpose of irrigation 14.15 ac 45 19431 of the St under Permit No. 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 April 5, 1949

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 9.63 cubic foot per second

0.18

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 2 (NW\(\frac{1}{4}\)SE\(\frac{1}{4}\)), but 7 (NE\(\frac{1}{4}\)SE\(\frac{1}{4}\)), Section 33. Township 1 South, Range 2 West, W.M.; 1300 feet 5. \$ 1375 feet

West from the E /4 Corner Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 21 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1030,

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:

acres in Lot

Section 33 Township 1 South, Range 2 West, W.M.

This certificate is issued to confirm a change in point n approved by a order of the Water Resources Director entered supersedes certificate of water right recorded at page Volume ______, State Record of Water Right Certificates.

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.

Recorded in State Record of Water Right Certificates, Volume

, page

LEWIS A. STANLI State Engineer

T#3658 T#3972

