

4087 Haas

Name Dan F. Haas

By _____

Address 1006 Niantic AveMedford, OR 97501Change in POUDate filed Oct 24, 1978

Date of hearing _____

Place of hearing _____

Date of order 11-21-78 Vol. 31, page 447Date for application of water 10-1-80 10-1-82 85Proof mailed NOV 30 1999

Proof received _____

Certificate issued FEB 28 2000 Vol. _____, page 764354087
DESCRIPTION OF WATER RIGHTName of stream Rogue RiverTrib. of _____ County of Jackson

Use _____

Quantity of water _____ No. of acres 20

Name of ditch _____

Date of priority Nov. 2, 1951In name of Dan F. Haas

Adjudication, Vol. _____, page _____

App. No. 26614 Per. No. 22885 Cert. No. 33724

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-24-78</u>	<u>30-</u>	<u>6922</u>
TOTAL . . .		
	o Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

2/20/79 ASSIGNED to George J. Haas 12941 Modoc, Central Point, OR Vol. 6, Page 509

CARD FOR C NOV 4 1980

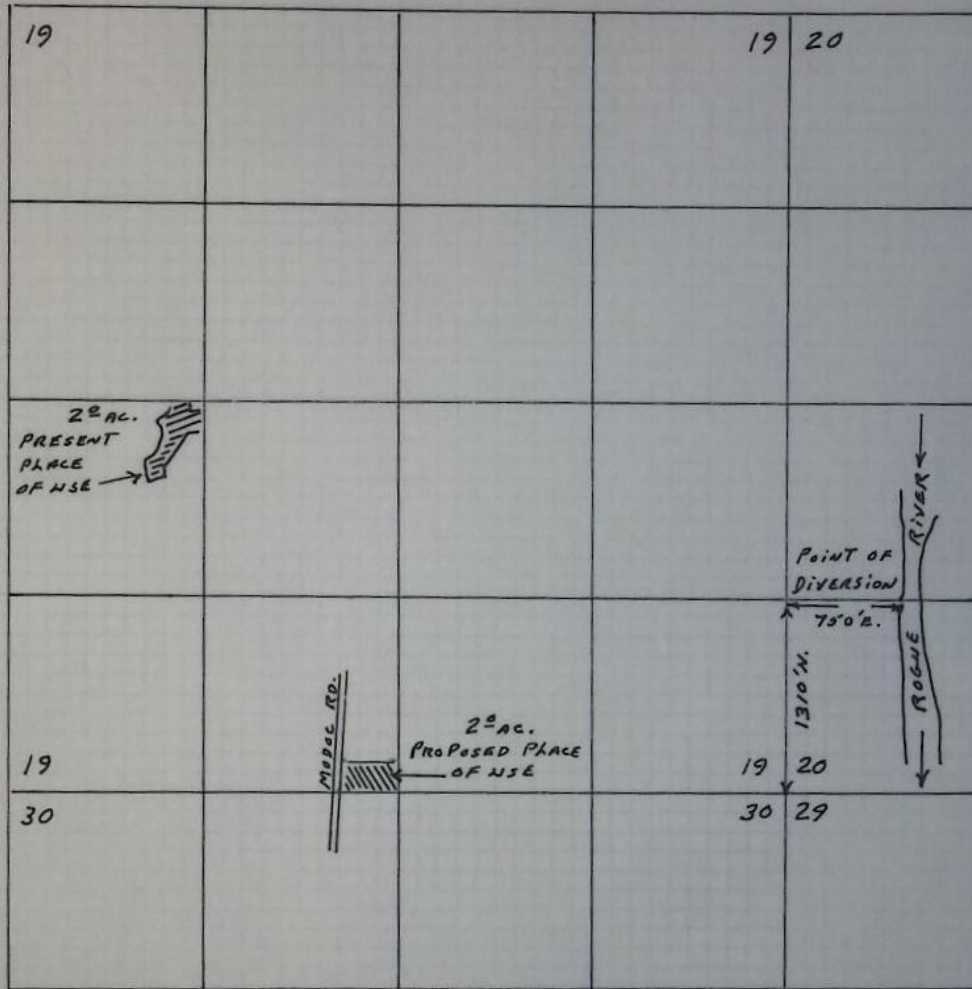
Card for C NOV 20 1981

W.R.I.S.	
Assembled <u>7-8-85</u> by <u>SA</u>	
Entered _____ by _____	
Verified _____ by _____	

INDEX CARDS:	Entered	Checked
Name	<u>lg</u>	
Stream	<u>lg</u>	
Pt. of Div.	<u>lg</u>	
Calendar	<u>lg</u>	
CHECKED TO RECORD		
Top. & Map	<u>lg</u>	
Deeds & Maps	<u>lg</u>	
Deeds & Maps	<u>lg</u>	
Cert. & Maps	<u>lg</u>	
Per. & Maps	<u>lg</u>	
Convey.	<u>lg</u>	
Ownership	<u>lg</u>	
Part. & Maps	<u>lg</u>	
Abstracts	<u>lg</u>	

T-4087

T. 35 S. R. 1 W. W. M.



RECEIVED
OCT 24 1978
WATER RESOURCES DEPT.
SALEM, OREGON

MAP TO ACCOMPANY APPLICATION OF
DAN F. HAAS FOR CHANGE IN PLACE OF
USE. PERMIT # 22885, PRIORITY 11-2-51

SCALE 4" = 1 MILE



10-20-78

THIS MAP PREPARED BY:

John F. Cummings
FROM INFORMATION FURNISHED BY
THE APPLICANT.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TONY JELINCICH
2379 BELL COURT
MEDFORD, OREGON 97504

confirms the right to use the waters of ROGUE RIVER, a tributary of PACIFIC OCEAN, for IRRIGATING 2.0 ACRES.

This right was perfected under Permit 22885. The date of priority is November 2, 1951. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 6 (SW 1/4 SW 1/4), SECTION 20, T 35 S, R 1 W, W.M.; 1310 FEET NORTH AND 750 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 20.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 SW 1/4 2.0 ACRES
SECTION 19
TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

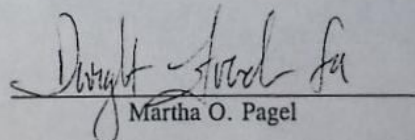
The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered NOVEMBER 21, 1978, and supersedes Certificate 33724, 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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

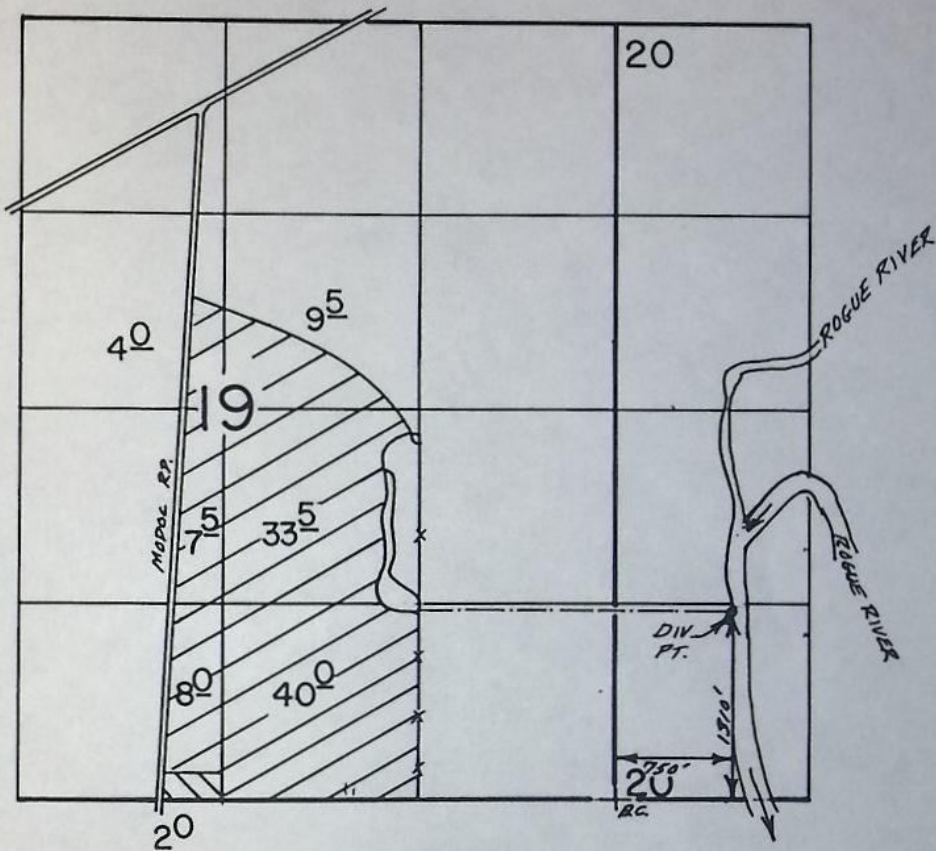
WITNESS the signature of the Water Resources Director, affixed FEBRUARY 28, 2000.


Martha O. Pagel


Recorded in State Record of Water Right Certificates numbered 76435.

T-4087.LMS

T. 35 S., R. 1 W., W. M.



 T-4088

 T-4087

Scale 1" = 1320'

N

FINAL PROOF SURVEY

UNDER

Application No. Permit No. 22885...
IN NAME OF

.....TONY.....JELINCICH.....

Surveyed FEB. 9, 1994, by S. JAMES.....

Death TD#2088

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

POD
POU
USE

To: Sue James
Medford

County Jackson

1. Name Tony Jelencich

Address 3610 Woodside Road, Woodside, CA 94062

2. Source of Water Rogue River

3. Use irrigation

4. Amount of Water 0.03 cfs

5. Priority Date 11-2-1951

Proposed Point of Diversion

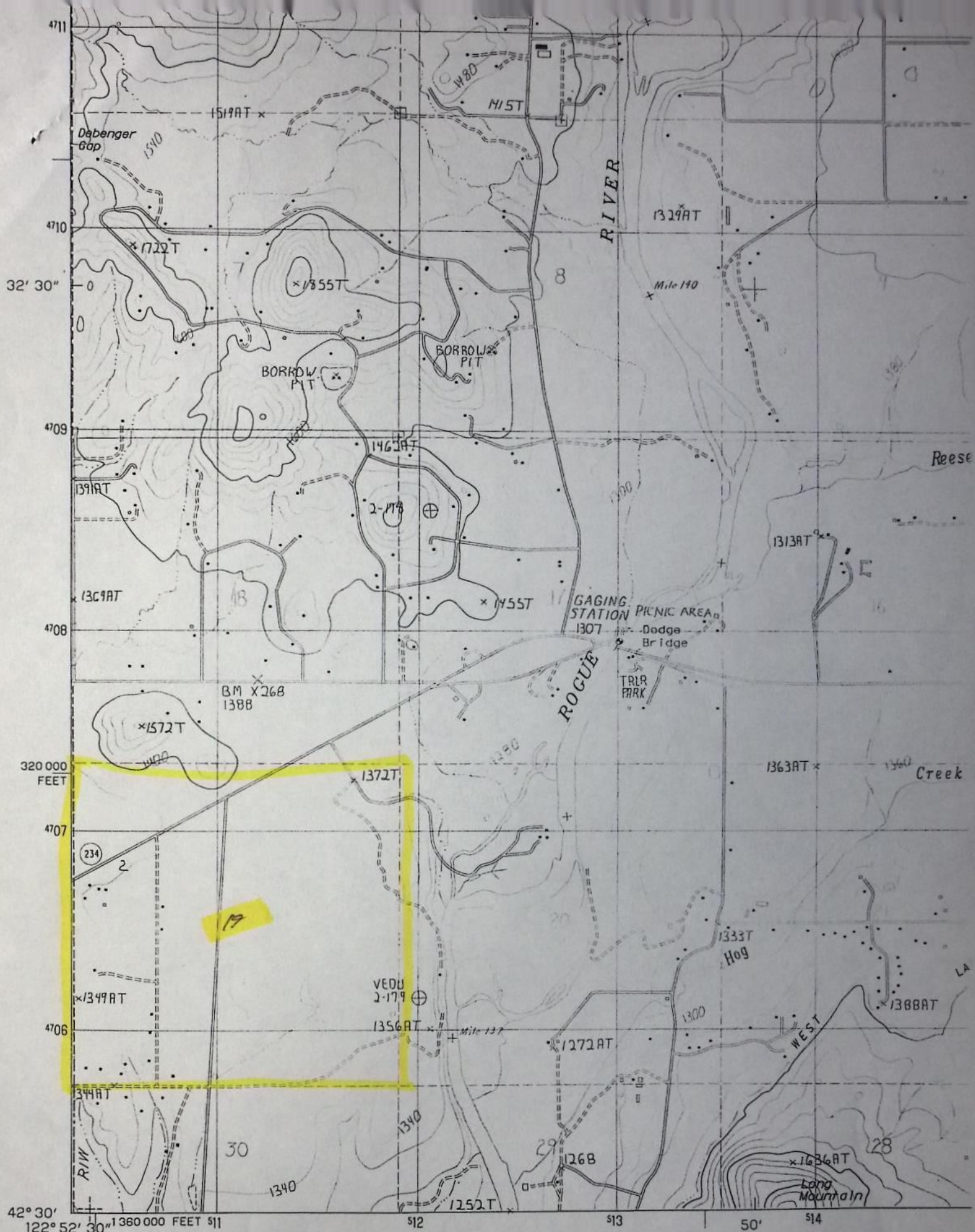
7. Completion Date 10-1-84

C Notice Received: 11-13-84

8. Place of Use:

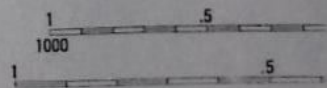
Transfer Order: Vol 3/ , pg. 447

[illegible]



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY.....USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN.....1976
 FIELD CHECKED.....1977. MAP EDITED.....1983
 PROJECTION.....LAMBERT CONFORMAL CONIC
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR...ZONE 10
 10,000-FOOT STATE GRID TICKS OREGON SOUTH ZONE

NORTH



TOWNSHIP **35s**, RANGE **1W**, W. M.SECTION **19**

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON CURRENT PLAT IF LESS THAN 80 ACRES																		
40 40 40 40				40 40 40 40				40 40 40 40				40 40 40 40						
40 40 40 40				40 40 40 40				40 40 40 40				40 40 40 40						
10								2 out 2 in T 4087				2 out 2 in T 4087				26614	22885	33724
																197	298	27130
																37483	37753	
																197	3	
9.5				San Haas 4.0				7.5				8.0 36 40				T-4088	9600	

CANCELLED
CANCELLEDXCR 5/94
B)

MEMORANDUM

To: Don Knauer

Date: November 18, 1996

From: Steve Brown

Subject: Transfer No.'s 4087 and 4088 - Dan F. Haas

The above referenced files were routed to me to consider cancellation of the rights. These transfers were on a list of adverse reports.

Three field inspections, completed by department's staff, did adversely report the proof under the transfers. However, an inspection of the lands on February 9, 1994, resulted in a report of satisfactory proof that use of water was made under the terms of the transfers.

Please review the field inspection reports. If you agree with my conclusions, I believe the files may be processed routinely with other surveys completed in 1994. If you disagree, please return the files to me for further action.

11/12/96

LARRY,

I AM PURGING DATA BASE FILES. IT APPEARS THESE TRANSFERS HAVE ADVERSE REPORTS. IF YOU DO THE CANCELLATIONS ON TRANSFER FILES, YOU MAY BE INTERESTED IN THIS LIST.

Don K.

T	✓2784	ADVRPT		NO		"	"	NEEDS CANCELL
T	3374	ADVRPT		YES	YES	"	"	SP. DR. 1/47 p. 3
T	✓4087	ADVRPT		NO		"	"	REVIEW, BELIE
T	✓4088	ADVRPT		NO		"	"	BOTH NEED CAAA
T	✓OUT → UNLGRUP 4099	ADVRPT	6/17/87			"	"	
T	✓4147	ADVRPT	6/25/88	NO		"	"	NEEDS CANCELL
T	✓4703	ADVRPT	6/01/88	NO		"	"	" "
T	✓4834	ADVRPT	6/21/88	NO		"	"	" "
T	✓OUT → UNLGRUP 5492	ADVRPT				"	"	
T	✓5753	ADVRPT		NO		"	"	" "
T	5772	ADVRPT	SEE LETTER FROM LHM	NO		"	"	SEE LARRY HULL
T	5938	ADVRPT	7/29/93			"	"	FILE CANNOT BE LOCAT
T	6078	ADVRPT	NEED REVIEW	NO		"	"	NO ADVERSE REPORT IN FILE

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF DAN F. HAAS FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4087

On October 24, 1978, an application was filed in the office of the Water Resources Director by Dan F. Haas for approval of a change in place of use of water from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 33724, Volume 25, State Record of Water Right Certificates, in the name of Dan F. Haas, describes a right for the use of not to exceed 0.03 cubic foot per second from Rogue River for irrigation of a certain 2.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 35 South, Range 1 West, W.M., with a date of priority of November 2, 1951.

Water for the said right is diverted from a point located 1310 feet North and 750 feet East from the Southwest Corner of Section 20, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 35 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 35 South, Range 1 West, W.M.

Mr. David C. Hendrix, 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, 1980.

It is FURTHER ORDERED that the certificate of water right recorded at page 33724, Volume 25, State Record of Water Right Certificates, is canceled; and

131,9447

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 November, 1978.

James E. Sexson ¹⁹⁷⁸
Director

By *Chris K. Wheeler* Deputy

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAN F. HAAS

of 1006 Niantic Street, Medford, 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 Rogue River

a tributary of Pacific Ocean
irrigation of 2.0 acres

for the purpose of

under Permit No. 22885 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 November 2, 1951

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 0.03 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 6 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 20, T. 35 S., R. 1 W., W. M. Diversion point located 750 feet East and 1310 feet North from the SW corner Section 20.

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 $4\frac{1}{2}$ 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:

2.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19
T. 35 S., R. 1 W., W. M.

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. March 13, 1967

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page 33724

T44087

NOTICE OF COMPLETION OF CHANGE IN

place of use of water

point of diversion of water

use heretofore made of water

RECEIVED

NOV 9 1984

WATER RESOURCES DEPT

Under the Terms of TRANSFER APPLICATION T-4087 SALEM, OREGONI, TONY JELINCICH, USED the water as provided by the
(print name)order of the Water Resources Director approving said water right transfer application
BY OCTOBER 1st, 1984Description of the land on which I use water: 2.0 Acres in SE $\frac{1}{4}$ SW $\frac{1}{2}$ of
Section 19, Township 35 South, Range 1 West, W.M.
10/16/84
(date)

(signature)

3610 WOODSIDE RD. WOODSIDE CA
(address) 94062

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

4087 and
4088
RECEIVED

APPLICATION FOR EXTENSION OF TIME
FOR TRANSFER OF WATER RIGHT

OCT 6 1983

WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Veva Haas, wife of George Haas, Deceased...(Dan Haas also deceased)
(Name of Applicant)

of 12941 Modoc Road, EXXX White City,
(Mailing Address) (City)

State of Oregon, 97503, 826-3938
(Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

() point of diversion (X) place of use () use heretofore made

of water under the terms of an order of the Water Resources Director entered
on November 21, 1978, approving Transfer 4087 & 4088, in the name
of Dan F. Haas

for change in place of use of water from Rogue River for irrigation
purposes. Legal description of land to be irrigated - T. 35 S., R. 1 W.,
Section 19, being transferred in from same township and range, but Sec. 31.

(give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time
allowed, which expired on October 1, 1983 :

Have irrigated and raised grass hay and pasture crops on 30 acres.

(if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the
following: Have 77 acres more to be levelled and planted. Have caterpillars
to do levelling work, and a big scraper to do work with.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,
because I only have one man working on the project, my brother-in-law,
and he has his own property to keep up as well as work on mine. My husband
passed away before he could complete the work that Dan started. and request that the
time for completion be extended to October 1, 1984 .

\$40.00

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$20 TO:
WATER RESOURCES DEPARTMENT

Mill Creek Office Park
555 13th Street, NE
Salem, Oregon 97310

Ext to 10-1-84
56/6

RECEIVED

NOV 20 1980

WATER RESOURCES DEPT
SALEM, OREGON

File No. Transfer 4087

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, GEORGE J. HAAS,
of 12941 Modoc Road, Central Point,
(Mailing Address) (City)
County of Jackson, State of Oregon,

do hereby make application for an extension of time within which to complete

() a change in point of diversion

(X) a change in place of use

() a change in the use theretofore made

under the terms of an order of the State Engineer dated November 21, 1978,
approving water right transfer application No. 4087 in the name of Dan F. Haas
(transferred to George J. Haas) * which time expires October 1, 1980

The following has been accomplished toward completion of the
change within the time allowed: I have leveled part of the land lying north of this
two-acre parcel across which the water has to flow.

(If for irrigation, state total number of acres now irrigated under the change)

To fully complete the change, it will be necessary to accomplish
the following: To reach this two-acre parcel, I must level 40 more acres lying
north of it covered under transfer No. 4088. I have an extension of time
for leveling the land in #4088 to October 1, 1982.

(over)

*If you are not the applicant named above, please explain your interest in
this matter. I am the assignee of transfers Nos. 4087 and 4088 named in
assignment dated January 29, 1979 recorded by James E. Sexson, Director in
Miscellaneous Records Volume 6, page 509.

Ext to 10-1-81 (same as T-4088) SRA

*11-20-80
\$10.00
21604*

I am unable to complete the change under the terms of the order,
within the time allowed, because considerable land needs to be leveled
with heavy equipment and it takes time.

and request that the time for completion be extended to October 1, 1982.

AFFIDAVIT OF APPLICANT

STATE OF Oregon)
County of Jackson) ss.

I, GEORGE J. HAAS, being first duly sworn,
depose and say that I have read the above and foregoing application for
extension of time; that I know the contents thereof, and the facts stated
therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 18 day
of November, 1980.

George Haas

Subscribed and sworn to before me this 18 day of _____
November.

Jeannette Marshall
Notary Public for Oregon
My commission expires July 20, 1982



When completed, this application should be submitted to the ~~State~~ **Director**
~~Engineer~~ accompanied by payment of the statutory fee in the amount
of ~~\$100.00~~ **\$100.00**

Please mail to: **WATER RESOURCES DEPT.
MILL CREEK OFFICE PARK
555 13th Street, N.E.
Salem, Oregon 97310**

Application for Extension of Time for Transfer of Water Right

RECEIVED

NOV 2 1981

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, VEVA HAAS
 of 12941 Modoc Road
 State of Oregon
 (Mailing address) Central Point
97502 826-3938
 (Zip Code) (Phone number)

do hereby make application for an extension of time within which to complete
 a change in: () point of diversion
 (X) place of use
 () use heretofore made of water

under the terms of an order of the Water Resources Director entered on
November 21, 1978, approving transfer application No. 4087,
 in the name of Dan F. Haas (transferred to George J. Haas) *.

The following has been accomplished toward completion of the
 change within the time allowed, which expired on October 1, 1981:

60 acres of the land in application #4088 have been
leveled. 45 more acres to be leveled lie between the 2-acre
parcel covered by #4087 and the source of water.

(If for irrigation, how many acres, total, are now irrigated)

11-2-81
\$20.00
#28182
 *If you are not the applicant named above, please explain your interest in
 this matter. I am the widow of George J. Haas, who applied for
the extension last year. I am one of the beneficial owners of
the property.

Ext to 10-1-82
SRb

To fully complete the change, it will be necessary to accomplish the following: Need to level about 45 more acres of uneven land to permit gravity flow of irrigation water and to reach the 2-acre parcel.

I am unable to complete the change under the terms of the order, within the time allowed, because my husband George J. Haas died on August 22, 1981 and at the same time, I was hospitalized with a heart attack. I have just now become well enough to take care of business, and request that the time for completion be extended to October 1, 1982.

AFFIDAVIT OF APPLICANT

I, VEVA HAAS, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of October

1981

Veva Haas

Subscribed and sworn to before me this 30 day of October, 1981

[Notarial Seal]

James H. Hessel
Notary Public for Oregon

My commission expires July 20, 1982

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$20.00

TO:

Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E.
SALEM, OREGON 97310

RECEIVED

OCT 24 1978

WATER RESOURCES DEPT.
SALEM, OREGON

T-4087

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

George J. Haas
12941 Modoc
Central Point, OR

ASSIGNED

I, Dan F. Haas

(Name of applicant)

of 1006 Niantic Avenue, Medford,
(Mailing address) (City)

State of Oregon, 97501, 826-2526, do hereby make application for change
(Zip Code) (Phone number)

in place of use.

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? Yes, Dan F. Haas.
(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 22885 Number of certificate 33724.

A#2664

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 Rogue River.

5. What is the date of priority of your water right? November 2, 1951.

6. The authorized point of diversion is located 1310 ft. N. and 750 ft. E. from the SW
(N. or S.) (E. or W.)
corner of Sec. 20 being within the SW 1/4 SW 1/4 of Section 20 Tp. 35 S. R. 1 W. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Jackson. The name of the ditch used is pump.

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

7. The proposed point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____
(N. or S.) (E. or W.)
corner of _____ being within the _____ 1/4 _____ 1/4 of Section _____ Tp. _____ R. _____ W. M.,
(No. N. or S.) (No. E. or W.)
in the county of _____ 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
35 S.	1 W.	19	NW¼ SW¼	2.0 acres

(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.? Yes.

(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.

(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
35 S.	1 W.	19	SE¼ SW¼	2.0 acres

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are to better facilitate the use of water.

15. Construction work will be completed on or before October 1, 1979.

16. The water will be completely applied to the proposed use on or before October 1, 1980.

Remarks _____

THIS APPLICATION PREPARED BY:

John F. Cummins
FROM INFORMATION FURNISHED BY
THE APPLICANT.

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, Dan F. Haas, 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 19th day of October, 1978

x Dan Haas
(Name of applicant)

Subscribed and sworn to before me this 19th day of October, 1978

[Notarial Seal]

John F. Cummins
NOTARY PUBLIC FOR OREGON
My commission expires 21 JANUARY 1980



T-4087

307893

DEED

Vol. 352 Page 59

Know all men by these presents that: We, C. J. Haas, and Alberta Lea Haas, husband and wife, of Jackson County, State of Oregon, for the consideration of a sum of money, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said Dan F. Haas and George J. Haas, (hereinafter referred to as Purchasers,) their heirs and assigns, all their right, title and interest in and to the following described property situate in the County of Jackson, State of Oregon, to-wit:

The Southeast Quarter of the Southwest Quarter of Section 18; and the Northeast Quarter of the Northwest Quarter, the South Half of the Northwest Quarter, and the Southwest Quarter of Section 19; all in Township 35 South, Range 1 West of the Willamette Meridian; and the Northeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 35 South, Range 2 West of the Willamette Meridian.

This deed is made and accepted subject to the following reservations, covenants, etc., as recorded in Deed #95717, Vol. 312, Page 377, January 28, 1949:

Reserving and excepting all mineral rights, water rights and all rights-of-way for canals and ditches reserved to the United States of America in patents from the United States; and

Except that portion thereof conveyed to Jackson County, Oregon, for road purposes, by the United States of America by deed dated March 27, 1948, recorded in Volume 295, page 214, Deed Records of Jackson County, Oregon; and

Except that portion thereof conveyed to the State of Oregon for highway purposes by the United States of America by deed dated March 10, 1948, recorded in Volume 295, page 111, Deed Records of Jackson County, Oregon; and

Subject to all easements and servitudes of whatever nature now existing whether or not the same be disclosed by an instrument of record in said county; and

Subject to rights of the public in and to any portion of said property lying within the boundaries of roads and highways.

All uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the lands covered by this instrument are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby. However, such land may be used, and any rights otherwise acquired by this disposition may be exercised, as if no reservation of such materials had been made; except that, when such use results in the extraction of any such material from the land in quantities which may not be transferred or delivered without a license under the Atomic Energy Act of 1946, as it now exists or may hereafter be amended, such material shall be the property of the United States Atomic Energy Commission, and the Commission may require delivery of such material to it by any possessor thereof after such material has been separated as such from the area in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining development, production, extraction, and other services performed with respect to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation hereby made shall be of no further force or effect.

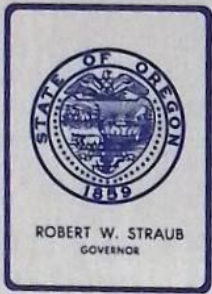
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RECEIVED

UCT 24 1978

WATER RESOURCES DEPT.
SALEM, OREGON



RECEIVED

OCT 24 1978

**WATER RESOURCES DEPT.
SALEM, OREGON**

Water Resources Department

JACKSON COUNTY COURTHOUSE, MEDFORD, OREGON 97501 PHONE 776-7056
October 23, 1978

T-4087, 4088

Water Resources Department
Mill Creek Office Park
Salem, Oregon 97310

Attention: Mr. James W. Carver, Jr.
Water Rights Engineer

Dear Mr. Carver:

I am enclosing two transfer applications in the same name of Dan F. Haas of 1006 Niantic Avenue, Medford, Oregon 97501, for changes in place of use, together with his check in the sum of \$93.70 to cover transfer fees, the necessary map tracings and legal land descriptions and signed waivers.

It is my opinion that these proposed changes in place of use may be made without injury to existing rights.

Very truly yours,

David C. Hendrix

David C. Hendrix
Water Master, District 13

DCH:pg

enclosures

