

4101 Obermaier

Name Keith J. ObermaierBy 960 Camino SantanderAddress Route 1, Box 24Tygh Valley, OR 97063Santa Fe, New Mexico 87501Change in POUDate filed Dec. 12, 1978

Date of hearing _____

Place of hearing _____

Date of order 1-5-81 Vol. 34, page 199Amended 12-21-81 Vol. 35, page 446Date for application of water 10-1-82 10-1-84AMENDED 5-2-83 c-date 10-1-84Proof mailed OCT 18 1996

Proof received _____

Certificate issued FEB 04 1997 Vol. _____, page 739966-13-83 SK
to Amended

REMARKS

(Beemer)

S² ac supp in NE 1/4, S. 17, should be in SW 1/4 S. 15 (JLK)Adjust in Final PrintSurveyed 6/19/84 (JLK)

4101

DESCRIPTION OF WATER RIGHT

Name of stream Rock Cr., 3mi Cr., N.E. Gate Cr.Trib. of _____ County of Wasco

Use _____

Quantity of water _____ No. of acres 24¹/₂

Name of ditch _____

Date of priority March 13, 1939In name of Rock Cr. Dist. Imp. Co.

_____ Adjudication, Vol. _____, page _____

App. No. 17838 Per. No. 15519 Cert. No. 46367

Certificate cancelled _____

Notation made on record by _____

OK

FEES PAID

Date	Amount	Receipt No.
<u>12-12-78</u>	<u>30 -</u>	<u>7893</u>
TOTAL . . .		
<u>12-12-78</u>	<u>2 Cert. Fee</u>	<u>7893</u>

FEES REFUNDED

Date	Amount	Check No.
T-10014		

INDEX CARDS:		Entered	Checked
☒	Name	<u>SRB</u>	<u>SRB</u>
☒	Stream	<u>SRB</u>	<u>SRB</u>
☒	Pl. of Div.	<u>SRB</u>	<u>SRB</u>
☒	Calendar	<u>SRB</u>	<u>SRB</u>
☒	CHECKED TO RECORD:		
☒	Trp. & Rpt.	<u>SRB</u>	<u>SRB</u>
☒	Deemed-right	<u>SRB</u>	<u>SRB</u>
☒	Deemed-safe	<u>SRB</u>	<u>SRB</u>
☒	Cod. of W/R	<u>SRB</u>	<u>SRB</u>
☒	Per. Folder	<u>SRB</u>	<u>SRB</u>
☒	Chadwick	<u>SRB</u>	<u>SRB</u>
☒	Cover Ref.	<u>SRB</u>	<u>SRB</u>
☒	Power Claim	<u>SRB</u>	<u>SRB</u>
☒	Abstracts	<u>SRB</u>	<u>SRB</u>

W.R.I.S.

Assembled 4-4-83 by SRB

Entered _____ by _____

Verified _____ by _____

ENV. 151

Smith Barney, Harris Upham & Co.
Incorporated

Suite 293
La Fonda
Santa Fe, New Mexico 87501

Dear Mr. Allison

The Application is For 68.0
ACRES Primary & 34.6
ACRES Supplemental.

These ARE the Only
Transfer That I want to
go through. If you need
To get in touch with
me Please call.

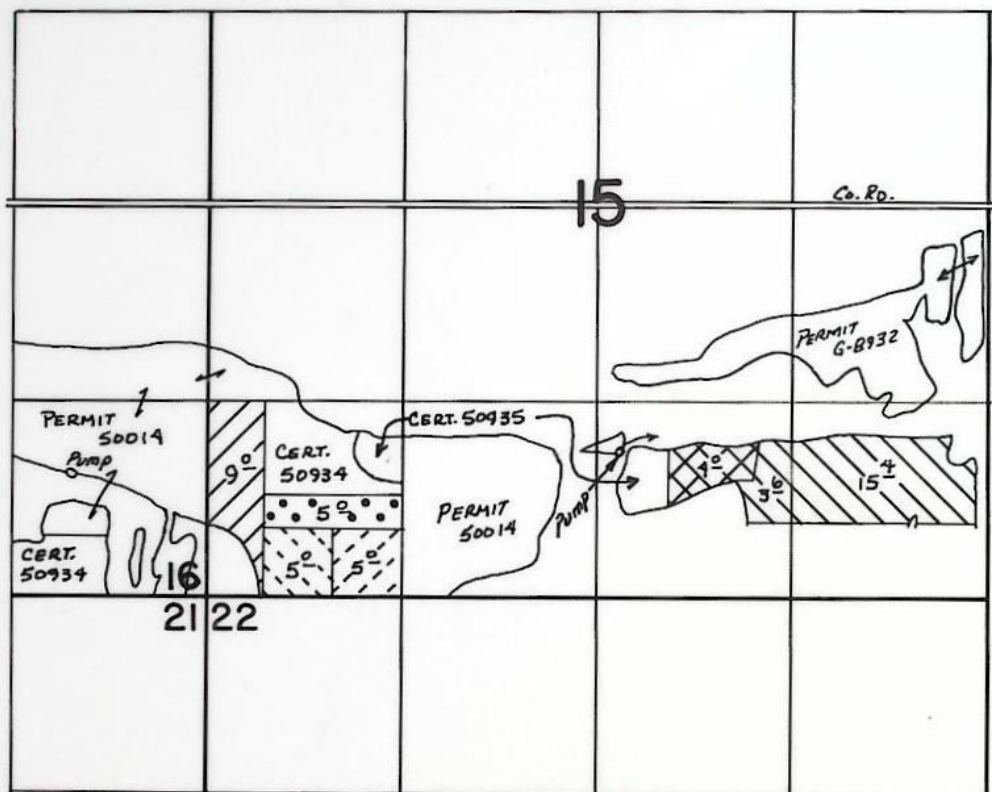
800 545 2092

RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

Sincerely
Keith Oberman

T.4S.,R.12E.,W.M.

'PRIMARY' RIGHTS'



FINAL PROOF SURVEY

UNDER

Transfer No.

Application No. Permit No.

IN NAME OF

..... LEO E. JILK

Surveyed June...19... 19.84., by ..L...Toll.....

4101

4103

4105

4106

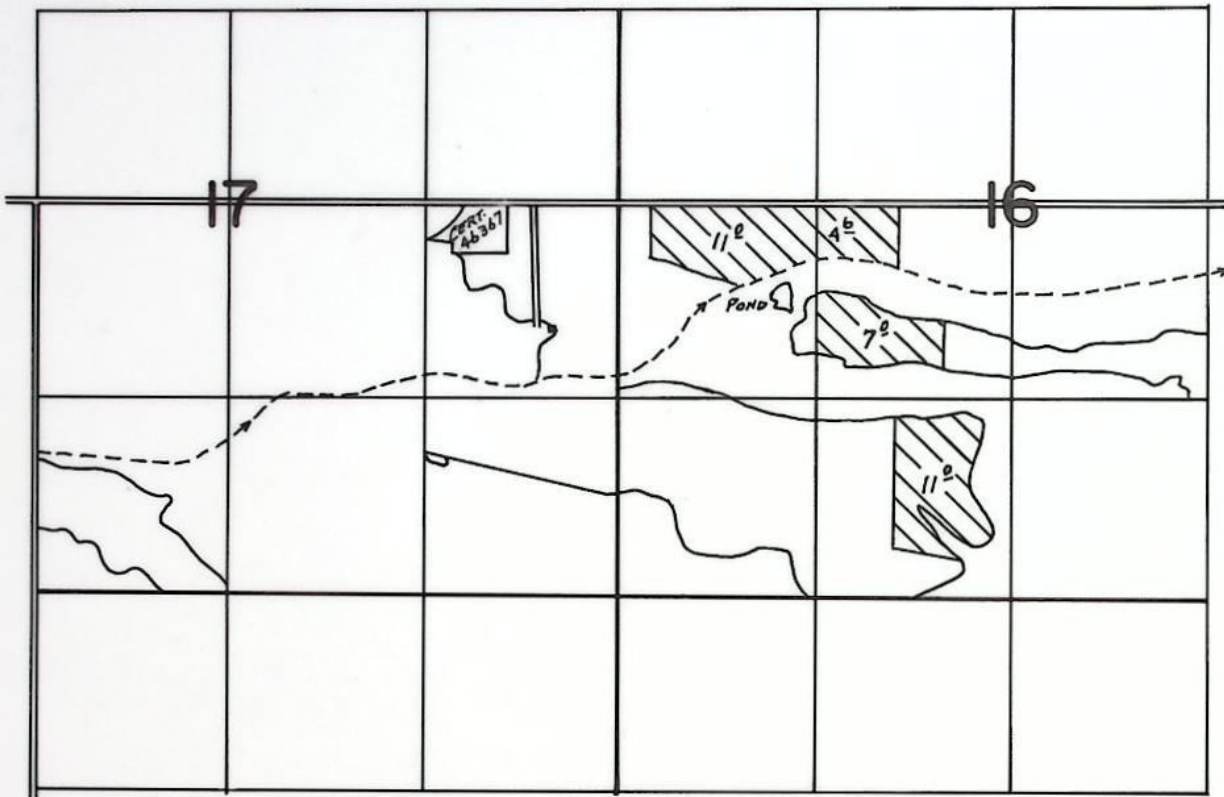
4107

4108



T.4S.,R.12E.,W.M.

'SUPPLEMENTAL RIGHT'



FINAL PROOF SURVEY

UNDER

Transfer No

4101



Application No. Permit No.

IN NAME OF

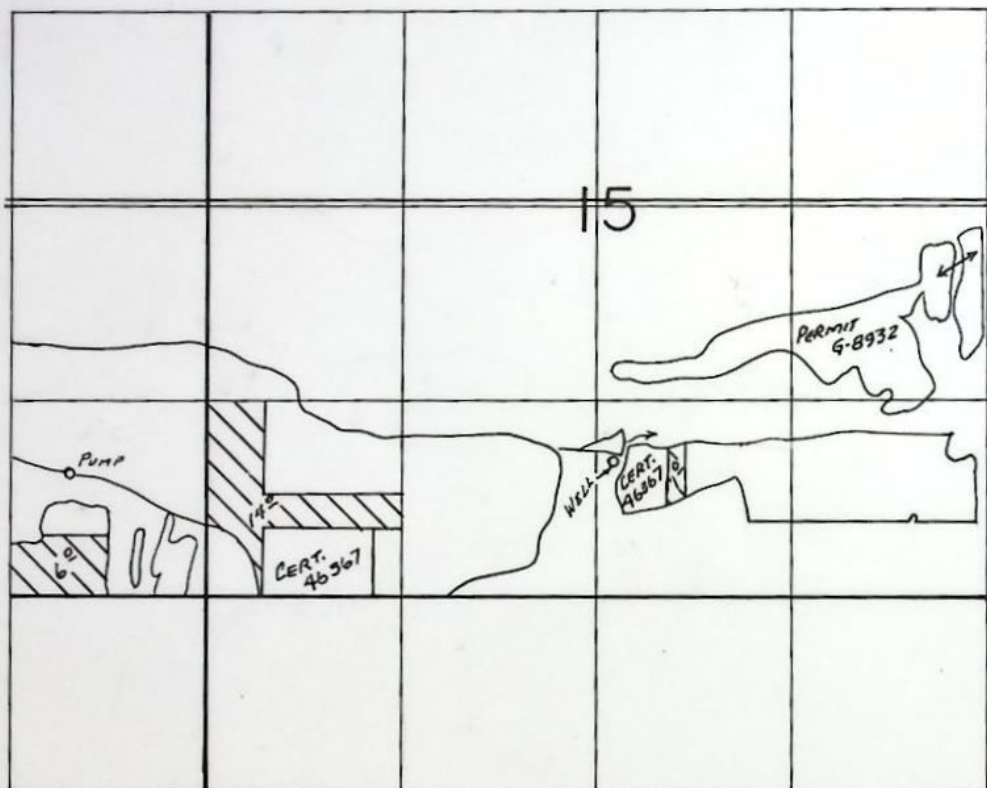
.....PHYLLIS MIZNER.....

Surveyed June 19, 1984, by L. Tall.....

June 7 1988 T. Warren

T.4S., R.12E., W.M.

'SUPPLEMENTAL RIGHTS'



FINAL PROOF SURVEY

UNDER

Transfer No.
4101



Application No. Permit No.
IN NAME OF

..... LEO E. JILK

Surveyed June 19... 19.84., by L. Toll

INTEROFFICE MEMO
WATER RESOURCES DEPARTMENT
NORTH CENTRAL REGION
WATERMASTER DISTRICT 3

Date: December 2, 1998

To: Don Knauer

From: Larry Toll, Watermaster District 3 *LJT*

Subject: Certificate 73996

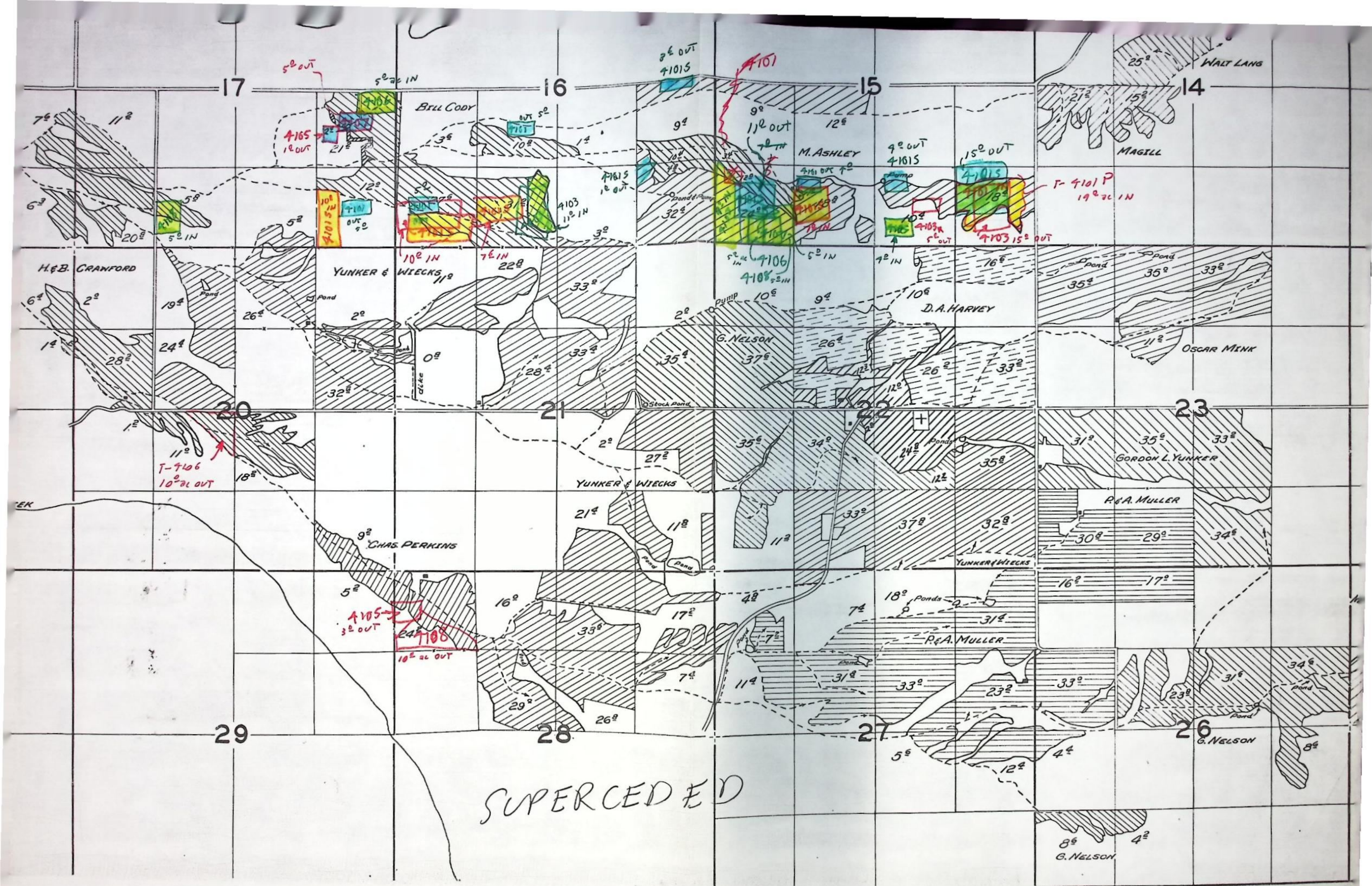
=====

*Do you remember all those Rock Creek District Improvement Company certificates we worked on? Well they are **back**, Well one of them.*

On Certificate 73996, it appears that a couple of the parcels got the 1/4 1/4 incorrect. Attached is a copy of the certificate and map. we listed supplemental land in the NE of SE and NW of SE in Section 16. When you look at the map it shows these parcel in the NE of SW and NW of SW.

Please issue a correction certificate showing the correct 1/4 1/4.

Thanks



STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROCK CREEK DISTRICT IMPROVEMENT COMPANY
PO BOX 28
WAMIC, OR 97063

confirms the right to use the waters of ROCK CREEK, THREEMILE CREEK, AND THE NORTH FORK OF GATE CREEK AND ROCK CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-780, tributaries of WHITE RIVER, for IRRIGATION OF 320.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 609.6 ACRES, DOMESTIC FOR 12 FAMILIES AND STOCK USE.

This right was perfected under Permit 15519. The date of priority is MARCH 13, 1939.

The points of diversion are located as follows:

ROCK CREEK: SW 1/4 SE 1/4, SECTION 14, T 4 S, R 11 E, W.M.; 1000 FEET NORTH AND 1200 FEET EAST FROM THE S 1/4 CORNER OF SECTION 14.

THREE MILE CREEK: NE 1/4 NE 1/4, SECTION 10, T 4 S, R 11 E, W.M.; 726 FEET SOUTH AND 528 FEET WEST FROM THE NE CORNER OF SECTION 10.

NORTH FORK GATE CREEK: SE 1/4 NE 1/4, SECTION 21, T 4 S, R 11 E, W.M.; 1280 FEET NORTH AND 1500 FEET EAST FROM THE CENTER OF SECTION 21.

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated UP TO JULY 1ST OF EACH YEAR AND THEREAFTER not to exceed 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 ONE ACRE FOOT PER ACRE DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3.0 ACRE-Feet PER ACRE FOR EACH ACRE IRRIGATED DURING THE IRRIGATION SEASON OF EACH YEAR FROM DIRECT FLOW AND STORAGE FROM ROCK CREEK RESERVOIR CONSTRUCTED UNDER PERMIT R-780. THE USE OF WATER FOR STOCK AND DOMESTIC PURPOSES SHALL BE IN ACCORDANCE WITH PARAGRAPH 25 OF THE WHITE RIVER DECREE DATED NOVEMBER 30, 1923, IN WASCO COUNTY OREGON.

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:

<u>PRIMARY</u>		<u>SUPPLEMENTAL</u>	
SW 1/4 NE 1/4	6.2 ACRES	SW 1/4 SW 1/4	22.0 ACRES
SE 1/4 NW 1/4	25.0 ACRES	SW 1/4 SE 1/4	4.0 ACRES
NE 1/4 SW 1/4	16.8 ACRES	SECTION 15	
NW 1/4 SW 1/4	21.2 ACRES		
SECTION 14		NE 1/4 SE 1/4	11.6 ACRES
		NW 1/4 SE 1/4	11.0 ACRES
SW 1/4 SE 1/4	3.6 ACRES	SE 1/4 SW 1/4	11.0 ACRES
SE 1/4 SE 1/4	15.4 ACRES	SE 1/4 SE 1/4	6.0 ACRES
SECTION 15		SECTION 16	
TOWNSHIP 4 SOUTH, RANGE 12 EAST, W.M.			

SEE NEXT PAGE

T-4101 & T-4994.DEK

PRIMARY

NE 1/4 SW 1/4 3.7 ACRES
 SW 1/4 SW 1/4 5.0 ACRES
 SE 1/4 SW 1/4 10.0 ACRES
 SECTION 16

NE 1/4 SE 1/4 DOMESTIC
 SE 1/4 SE 1/4 3.7 ACRES
 SECTION 17

SW 1/4 NE 1/4 2.6 ACRES
 SE 1/4 NW 1/4 1.2 ACRES
 NW 1/4 SE 1/4 3.2 ACRES
 SECTION 19

NW 1/4 NE 1/4 DOMESTIC
 SW 1/4 NE 1/4 7.0 ACRES
 SW 1/4 NW 1/4 DOMESTIC
 SE 1/4 NE 1/4 14.5 ACRES
 SECTION 20

NE 1/4 NE 1/4 2.0 ACRES
 SE 1/4 NW 1/4 26.4 ACRES
 SE 1/4 NW 1/4 DOMESTIC
 NW 1/4 SE 1/4 2.0 ACRES
 SECTION 21

NE 1/4 NE 1/4 1.0 ACRE
 NW 1/4 NE 1/4 8.0 ACRES
 SE 1/4 NW 1/4 DOMESTIC
 NE 1/4 SW 1/4 DOMESTIC
 SW 1/4 SW 1/4 11.2 ACRES
 SECTION 22

NE 1/4 NW 1/4 DOMESTIC
 NW 1/4 NW 1/4 20.0 ACRES
 NW 1/4 SW 1/4 DOMESTIC
 SW 1/4 SW 1/4 DOMESTIC
 SECTION 23

NW 1/4 NE 1/4 15.0 ACRES
 SW 1/4 NE 1/4 0.4 ACRES
 NE 1/4 NW 1/4 7.0 ACRES
 NE 1/4 SE 1/4 6.0 ACRES
 SECTION 24

SE 1/4 NW 1/4 2.0 ACRES
 SECTION 25

NE 1/4 NW 1/4 9.0 ACRES
 NW 1/4 NW 1/4 14.2 ACRES
 SE 1/4 NW 1/4 22.0 ACRES
 NE 1/4 SE 1/4 6.3 ACRES
 SECTION 26

NE 1/4 NE 1/4 5.0 ACRES
 NW 1/4 NE 1/4 3.8 ACRES
 SE 1/4 NE 1/4 DOMESTIC
 SECTION 27

SUPPLEMENTAL

NE 1/4 SE 1/4 3.0 ACRES
 SECTION 17

NW 1/4 SE 1/4 2.0 ACRES
 SECTION 18

SW 1/4 NW 1/4 10.0 ACRES
 SECTION 20

NW 1/4 NE 1/4 14.0 ACRES
 SE 1/4 NE 1/4 14.6 ACRES
 NE 1/4 NW 1/4 5.0 ACRES
 SW 1/4 NW 1/4 0.8 ACRE
 SE 1/4 NW 1/4 2.0 ACRES
 SECTION 21

SW 1/4 NE 1/4 26.0 ACRES
 SE 1/4 NE 1/4 11.0 ACRES
 SW 1/4 NW 1/4 12.5 ACRES
 SE 1/4 NW 1/4 19.0 ACRES
 NE 1/4 SW 1/4 25.0 ACRES
 NW 1/4 SW 1/4 8.0 ACRES
 SE 1/4 SW 1/4 12.1 ACRES
 NE 1/4 SE 1/4 20.0 ACRES
 NW 1/4 SE 1/4 12.2 ACRES
 SW 1/4 SE 1/4 12.8 ACRES
 SE 1/4 SE 1/4 25.0 ACRES
 SECTION 22

NW 1/4 NE 1/4 10.0 ACRES
 NE 1/4 NW 1/4 10.0 ACRES
 SW 1/4 SW 1/4 12.0 ACRES
 SE 1/4 SW 1/4 28.0 ACRES
 SW 1/4 SE 1/4 20.0 ACRES
 SECTION 23

SW 1/4 NE 1/4 35.0 ACRES
 SW 1/4 NW 1/4 2.0 ACRES
 SE 1/4 NW 1/4 34.0 ACRES
 SE 1/4 SW 1/4 20.0 ACRES
 NW 1/4 SE 1/4 10.0 ACRES
 SW 1/4 SE 1/4 4.0 ACRES
 SECTION 24

NE 1/4 NW 1/4 14.0 ACRES
 SE 1/4 NW 1/4 4.0 ACRES
 SECTION 25

SW 1/4 NE 1/4 30.0 ACRES
 SE 1/4 NE 1/4 20.0 ACRES
 NE 1/4 NW 1/4 8.0 ACRES
 NW 1/4 NW 1/4 2.0 ACRES
 SECTION 26

NW 1/4 NE 1/4 3.0 ACRES
 SW 1/4 NE 1/4 3.0 ACRES
 SE 1/4 NE 1/4 18.0 ACRES
 SECTION 27

TOWNSHIP 4 SOUTH, RANGE 12 EAST, W.M.

SEE NEXT PAGE

<u>PRIMARY</u>			<u>SUPPLEMENTAL</u>		
NW 1/4 NE 1/4	5.0 ACRES		NW 1/4 NE 1/4	4.0 ACRES	
SW 1/4 NE 1/4	5.0 ACRES		SW 1/4 NE 1/4	8.0 ACRES	
NE 1/4 NW 1/4	5.0 ACRES		NE 1/4 NW 1/4	4.0 ACRES	
NW 1/4 NW 1/4	DOMESTIC		SE 1/4 NW 1/4	6.0 ACRES	
SE 1/4 NW 1/4	5.0 ACRES				
SECTION 28			SECTION 28		

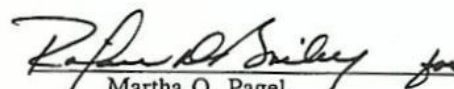
TOWNSHIP 4 SOUTH, RANGE 12 EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered APRIL 21, 1982, AND MAY 2, 1983, and supersedes Certificate 46367, 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 4, 1997.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 73996.

T-4101 & T-4994.DEK

11/10
LEO JICK - SHOWED US PLACE OF USES

Dr - Water is DELIVERED THRU ROCK CREEK IMP. Co.
SYSTEM.

SYSTEM - LAND HATCHURED  IS IRRIGATED FROM
A PUMP ON A POND AT THE END OF A LATERAL
DITCH IN THE SE⁴ SE⁴ SEC 16

LAND ~~REPT~~ HATCHURED  IS IRRIGATED FROM
A PUMP ON A POND AT THE ^{BOTTOM} ~~END~~ OF A
DRAINAGE POND IN SW⁴ SE⁴ SEC 15

LAND HATCHURED  IS IRRIGATED FROM
A WELL AT SOUTH SIDE OF POND, WATER
FROM WELL PUMP INTO POND AND RE-PUMP FROM POND

EQUIPMENT

Pump - Jacuzzi DDC 4x3 @ Pond SE⁴ SE⁴ SEC 16

Motor - U.S. 15 H.P. @ 3500

Pump - Jacuzzi DDC 4x2 1/2 @ Pond near well

Motor - Baldor 15 H.P. @ 3450 RPM

Pump - 10 H.P. submersible 2 1/2 DISCH on well

PIPE 2700 5" Alum Main

1020' 4" wheel line

2540' 3" Alum Lat

HEADS 90 RB 30 1/4 x 20

so off ~~pump~~ either pond pump
well open discharge to well

USE - Wheat, Hay
LIFT - Check Quads
TIE - 41065-179-219 L

NOTES THE LAND SURVEYOR WAS ENTIRE BOUND-
-ARIES OF FIELDS THAT HAVE TRANSFERRED RIGHTS
INTO THEM. PLUS LAND IRR. FROM WELL
BOUNDARY BETWEEN JILK AND BOYMER IS THE W LINE
OF THE ~~E~~ E 1/2 SE 1/4 SEC 16.

Harry Zell
WRB
6/19/84

NOTE: WHEN DRAFTING, EXCESS LANDS SHOULD BE
COVERED BY EXISTING OR NEW RIGHTS.

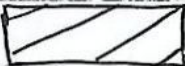
During the spring of 1987 I met with
Leo a couple of time in a ~~office~~
attempt to get these transfers straightened out.

Harry Zell

6/88 PHYLLIS MIZNER (Contract owner)
OAK ACRES INC
P.O. Box 148
Sandy OR 97055

INFO - MR & MRS MIKE BOYMER Rt. 1 Box 24
Buying property from Obermaier Tygh Valley 97063

DIV - WATER IS DELIVERED THRU ROCK CREEK
IMP. CO. SYSTEM

SYSTEM - LAND HATCHURED  IS IRRIGATED
BY GRAVITY FROM A POND IN THE SE⁴ SE⁴
SEC 17

LAND HATCHURED  IS IRRIGATED
BY A DIESEL PUMP FROM A POND
IN THE NW⁴ SW⁴ SEC 16.

EQUIPMENT -

Pump - Cornell DDC 5x3

Motor - DEUTZ DIESEL 3cy 52 H.P @ 2300 RPM

~~REPAIR~~

PIPE - ~~APPROX~~ 3000' BURIED MAINLINE
1580' 5" ALUM MAIN
420' 4" ALUM MAIN
180 3" " "
~~2500~~ 3" ALUM LAT
+ 820'
4360'

HEADS - 40 RB 30' 5/32" x 0 ALL RUNNING BY GRAVITY
20 RB 30' 5/32" x 0 3 LINES 0 PSI @ MAIN LINE
IN STATE OF DISREPAIR 22 PSI @ END OF LINE

45 RB 30' 3/16" x 0

(ALL HEADS RUNNING FOR MAX USE) (FOR DARRELL ASHLEY)

USE - ALFALFA, HAY

LIFT - SEE QUADS

TIE - 41065-179-219 L

PHOTOS 41065 379-5L } 5R
SHOW DITCHES FROM ROCK
CREEK PEE TO PROPERTY

NOTE: PONDS ~~ARE~~ FILL WITH ROCK CR. IMP. Co. water
FOR IRRIGATION. THE AREAS ~~ARE~~ MAPPED
IS WHERE BEYMER SAID ALL TRANSFERRED LAND
SHOULD BE. ~~THE~~ ONE TRANSFER (4108) PUTS LAND
IN THE SE⁴ SW⁴ SECTION 17, BEYMER WANTS THIS
LAND IN THE FIELD GRAVITY IRR.

Larry Jell
WRE
6/29/84

INFO: DARRELL ASHLEY. This is first year
he has been on place but he intends to irrigate
boundaries as surveyed. Since Beymer's left, irrigation
from both ponds is by the same pump which is
moved between them. Boundaries of use from each
~~the~~ pond surveyed by LMT remain the same; ^{however} I
deleted small area above ditch in NE⁴ SE⁴ SEC 17
because it has only been flooded from existing ditch.
Land in SE⁴ SW⁴ was flooded by Beymer, but only for
pasture. I located boundaries as best I could from
photo. 45 more RB 30's are presently on place to be used
by Ashley. (SEE EQUIP.
INVENTORY).

Thompson M. Wanner
6/17/83 W. R. E.

1076
RECEIVED

JUL 14 1938

WATER RESOURCES DEPT.
SALEM, OREGON

County WASCO

Address Route 1, Box 5B, Tygh Valley, OR 97063

6. Proposed Point of Diversion _____

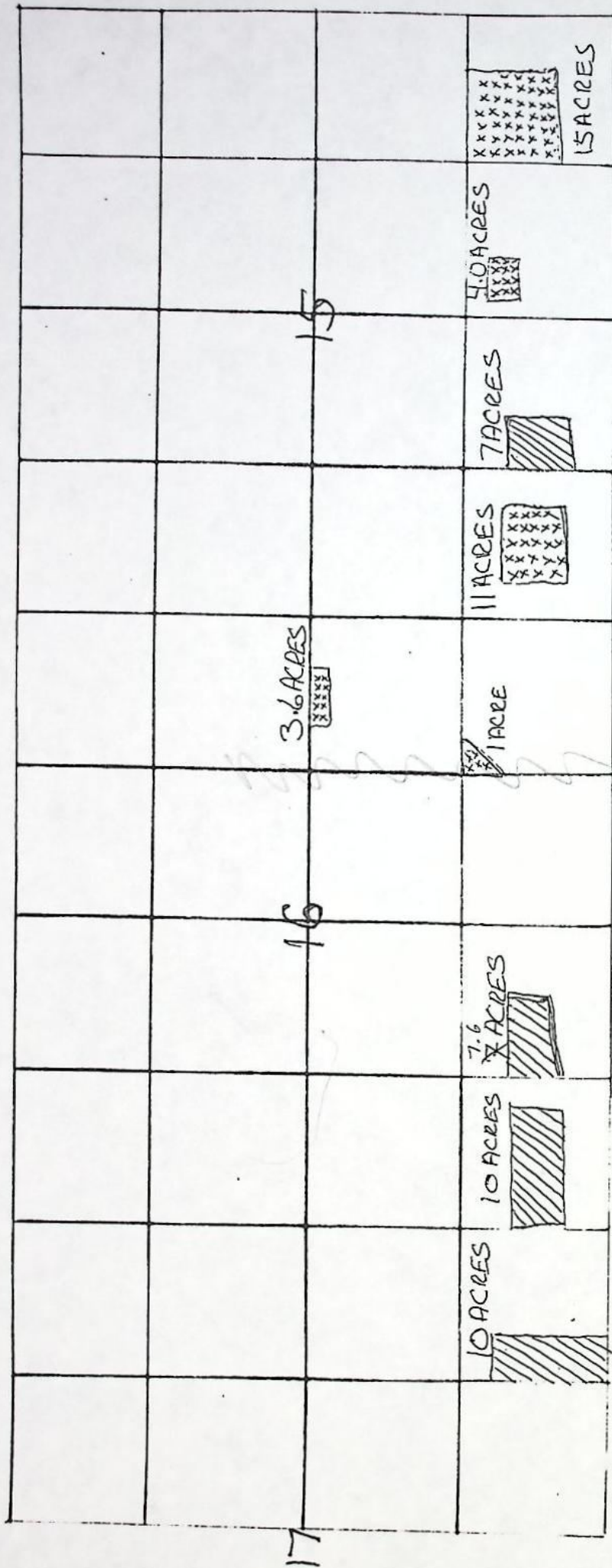
8. Place of Use:

[illegible]

Locate
Locate

41065-179-219C
6-19-84 CMT

RE-44 ECK
6/7/88 maw



Application Map For OLD LOCATION
 Permit 15519 >
 CERT 46367

Keith Obermaier

NEW LOCATION

Scale 4" = 1 mile

RECEIVED
 DEC 03 1980
 WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED 276

JUL 14 1938

Add'l VENDOR RESOURCES DEPT.
SALEM, OREGON
County WASCO

Old Certificate No. 8413

1. Name Leo Jilk

Address Route 1, Box 5B, Tygh Valley, OR 97063

2. Source of Water Three Mile Creek Trib of _____

3. Use irrigation

4. Amount of Water 0.25 cfs

5. Priority Date 5/12/1923

6. Proposed Point of Diversion _____

7. Completion Date 10-1-82

8.. Place of Use:

[illegible]

376
RECEIVED

JUL 14 1988

Transfer No. 4105

Old Certificate No. 7246

1. Name Leo Jilk

Address Route 1, Box 5B, Tygh Valley, OR 97063

2. Source of Water Rock & Late Creeks Trib of _____

3. Use irrigation

4. Amount of Water

5. Priority Date 1875

6. Proposed Point of Diversion _____

7. Completion Date 10-1-82

8. Place of Use:

[illegible]

X ~~5~~ 12

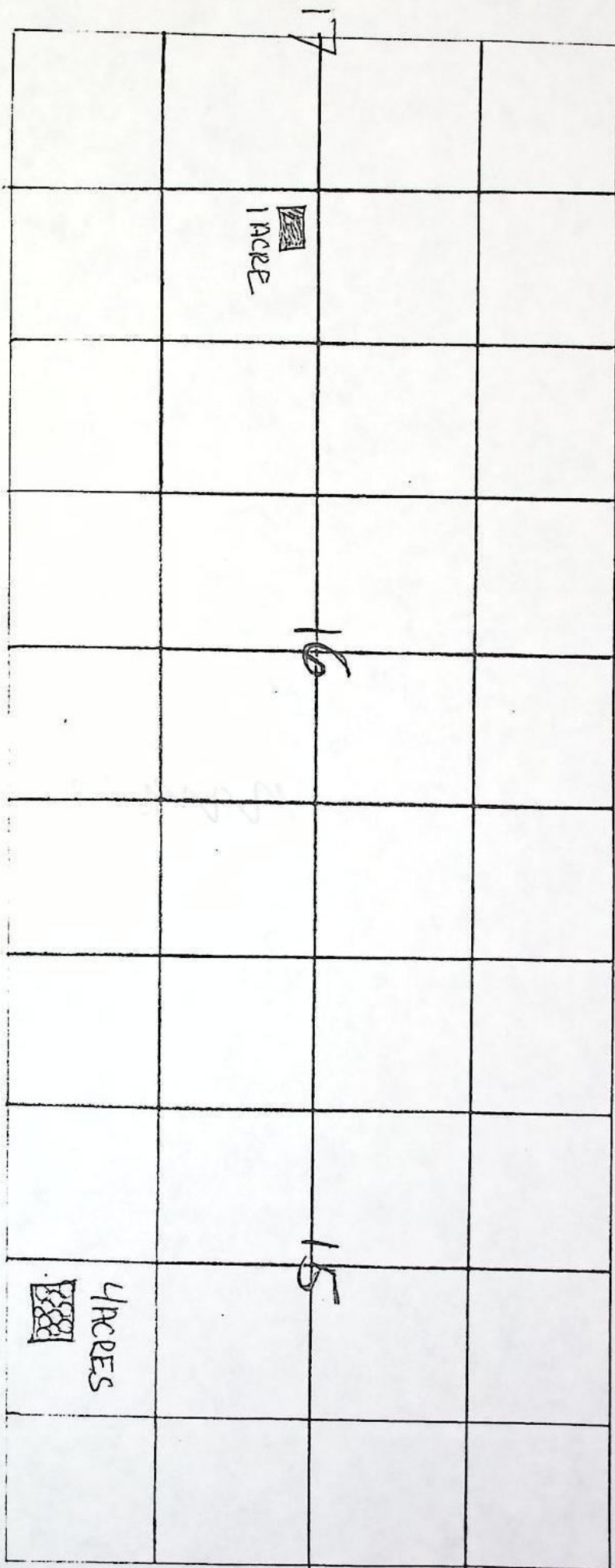
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D-13

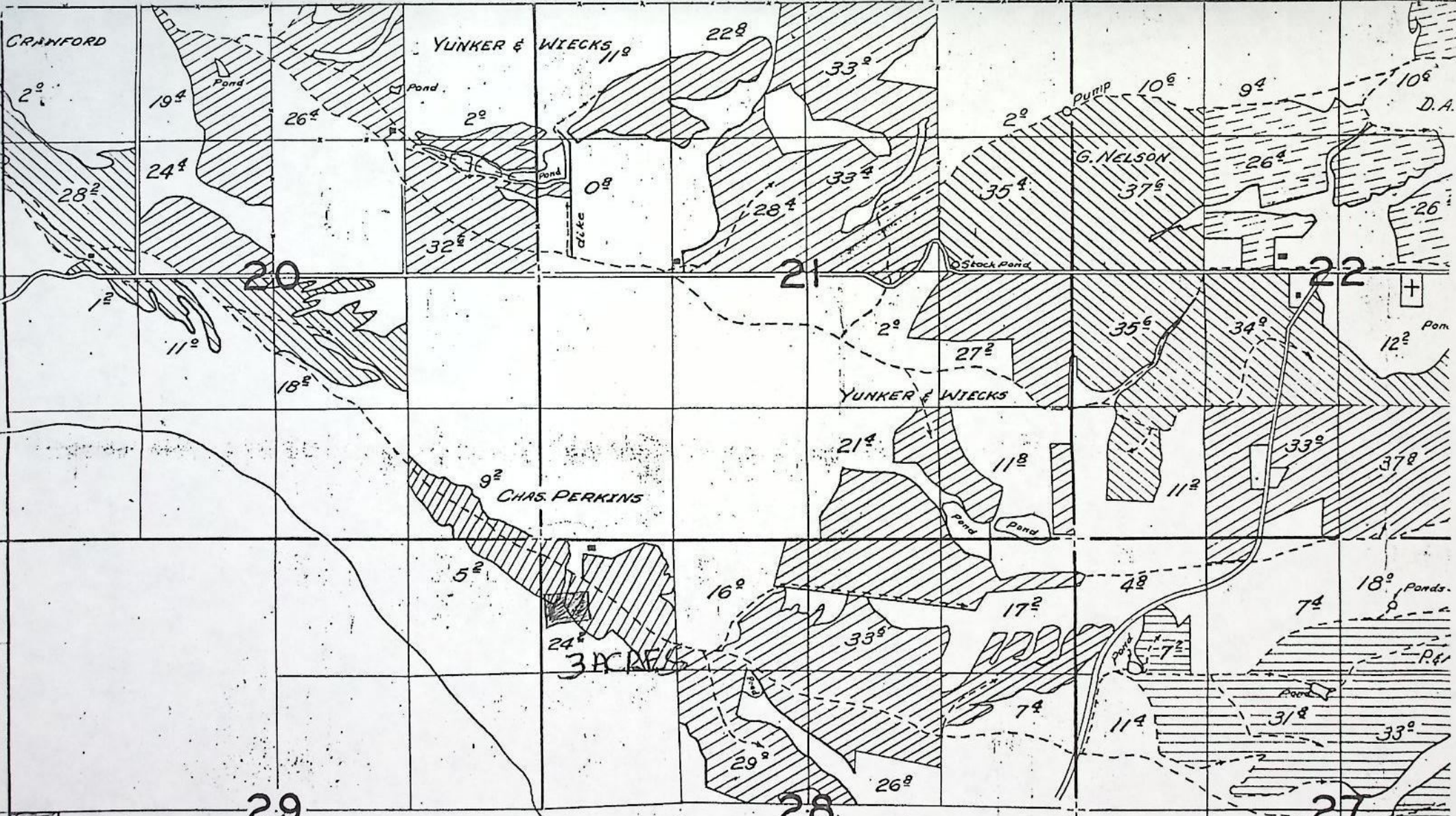
RECEIVED
NOV. 1, 1980
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application Map For
Keith Obermaier
Scale 4" = 1 mile

OLD LOCATION
Cent. 7246





OLD LOCATION
Permit
CERT 7246

RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
NOV 17 1980
WATER RESOURCES DEPT
SALEM, OREGON

OLD LOCATION
CET 7246

New Location

RECEIVED
DEC 03 1980
WATER RESOURCES
SALEM, OREGON

THREEMILE CREEK

NOV 17 1980
WATER RESOURCES D-1
SALEM, OREGON

17

16

15

BRILL COOR

11 ACRES

M. ASHLEY

27 1/2

3 1/2

10 1/2

14

9 1/2

24 1/2

18 1/2

18 1/2

10 1/2

4 ACRES

5 1/2

26 1/2

2 1/2

32 1/2

28 1/2

33 1/2

33 1/2

2 1/2

9 1/2

10 1/2

26 1/2

33 1/2

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JUL 14 1988

WATER RESOURCES DEPT.
County SALEWASCO OREGON

8.. Place of Use:

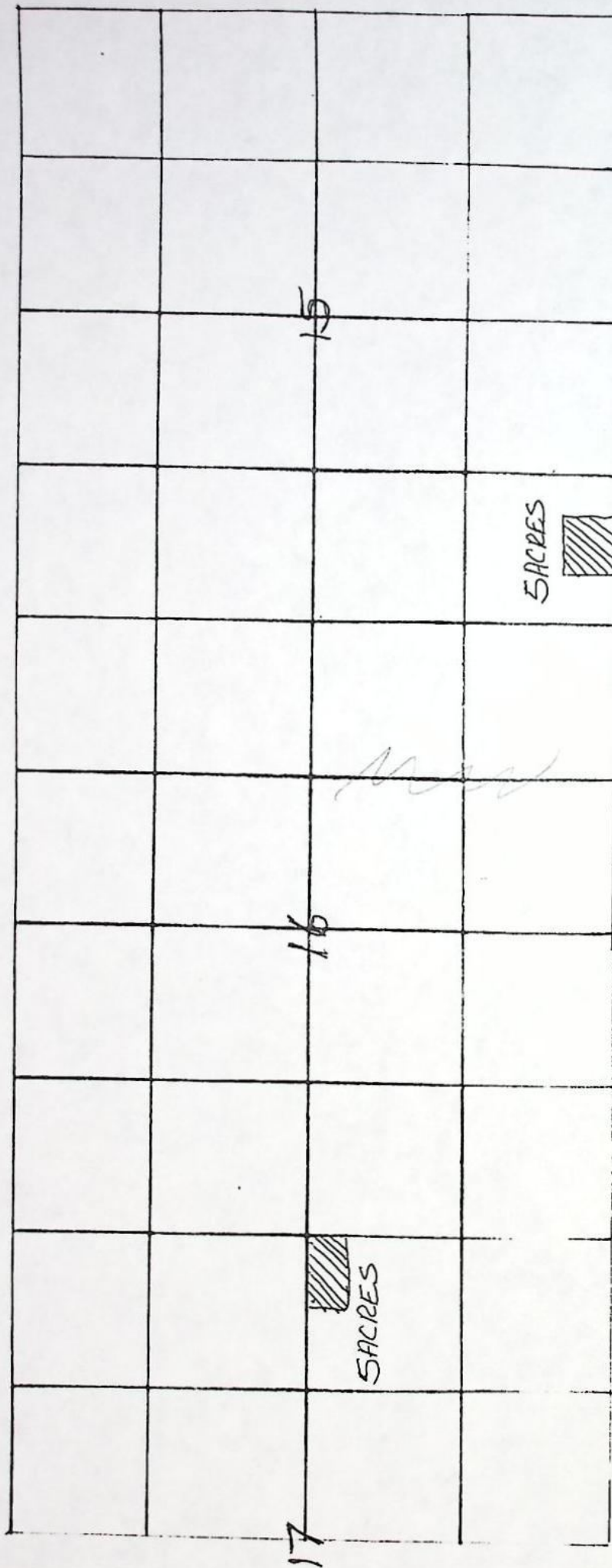
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RECEIVED
DEC 3 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application Map, OLD LOCATION
For ~~Permit~~ 5637
CERT. 8489

Keith Obermaier
Scale 4" = 1 mile

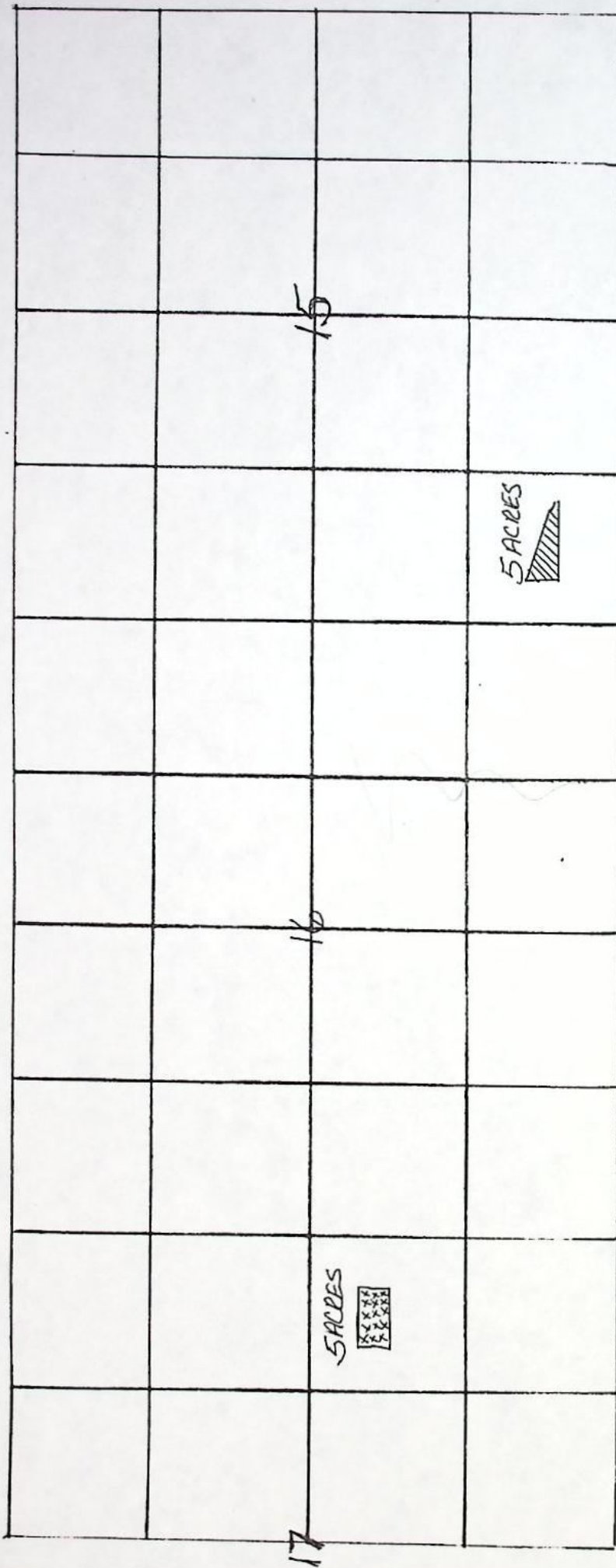
NEW LOCATION

RECEIVED 5076

JUL 14 1968

County WASCO

[illegible]



OLD Location

Permit 6807

Cert. 8497



NEW Location

Application Map For

Keith Obermaier

Scale 4" = 1 mile

RECEIVED

DEC 03 1980

WATER RESOURCES DEPT
SALEM, OREGON

6 of 6

179-2192

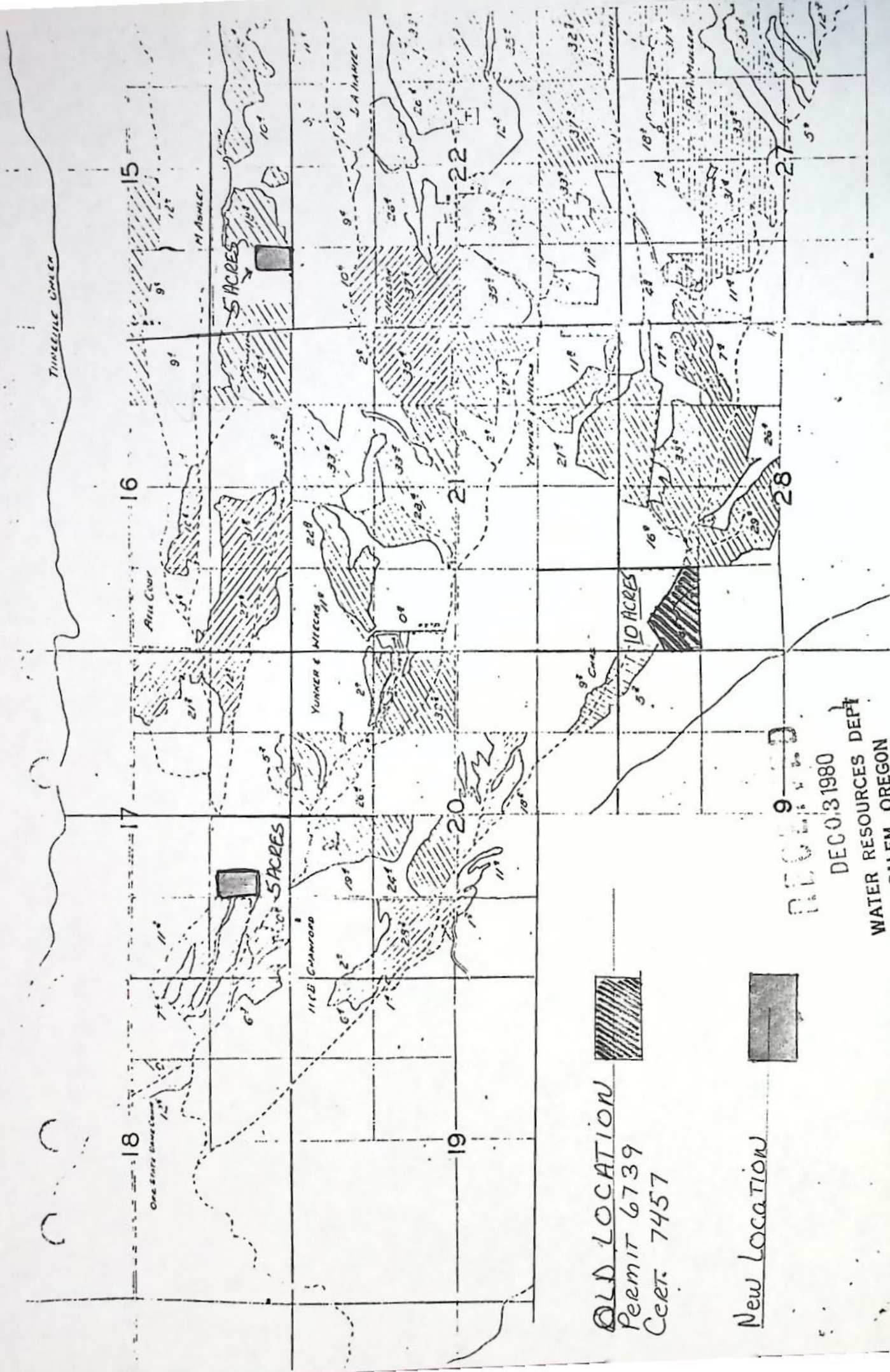
County WASCO

41065-179-291
6-15-84 CMJ

RE-CHECK
6/7/83 JMS

8.. Place of Use:

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X need loc
NE 84
118
PASTURE



OLD LOCATION
Permit 6739
Coet. 7457

New Location

DEC 9 1980
DECO 31980
WATER RESOURCES DEPT
SALEM, OREGON

X ~~Wizac~~

Phyllis Mizner

Transfer No. 4947

County Wasco

Old Certificate, No. 7245

1. Name Keith J. Obermaier
Address B960 Camino Santander, Santa Fe, N.M. 87501

2. Source of Supply Threemile Cr., Trib of White River

3. Use irr / 10° ac

4. Amount of Water _____

5. Priority Date 1870

6. Proposed Point of Diversion _____

7. Completion Date 10-1-83

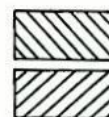
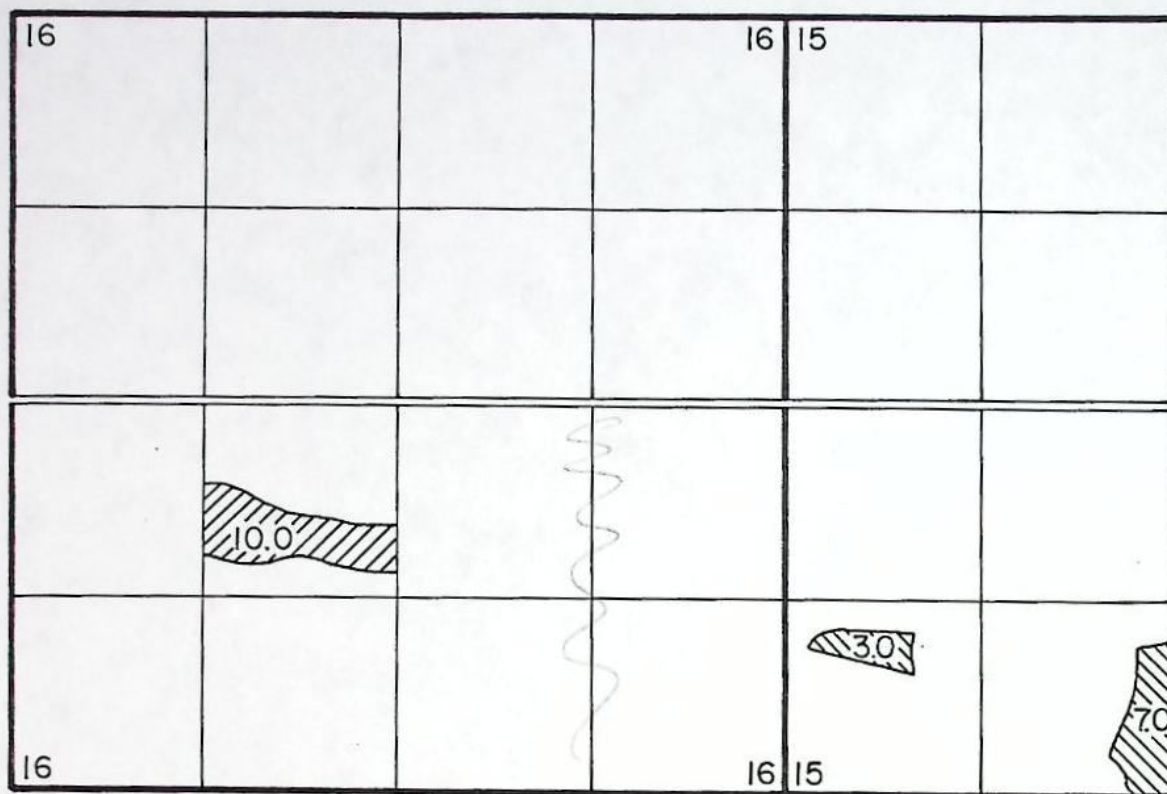
8. Place of Use:

DARRELL ASHLEY 544-2631

[illegible]

T.4S. R.12 E. W.M.

T-4947



FROM

TO

RECEIVED

DEC 7 1981

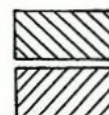
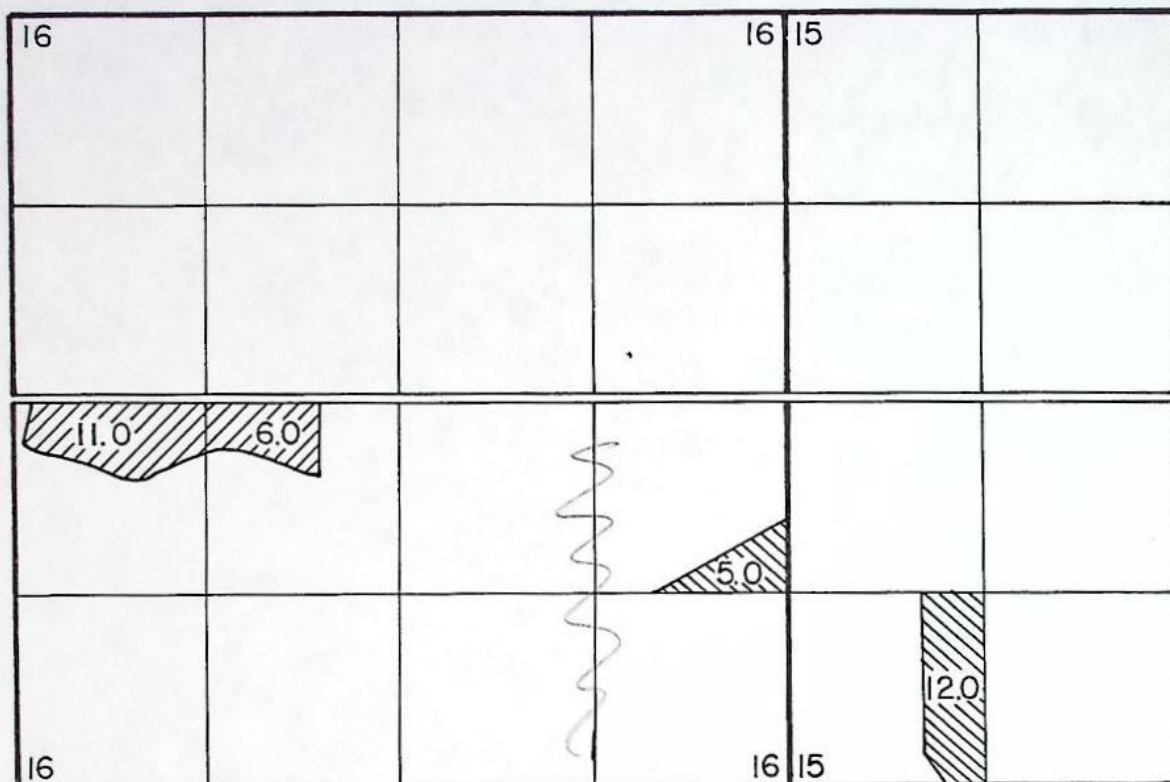
WATER RESOURCES DEPT
S.W. WASHINGTON

Scale 4" = 1 Mile

$$\overline{X_{mapped}}$$

T.4S. R.12E. W.M.

T-4948



FROM

TO

RECEIVED

DEC 17 1961

WATER RESOURCES DEPT
FEDERAL GOVERNMENT

As Mortgage holder I William Cordy agree to said Transfer of water Rights on the Obermaier Ranch + Silk Ranch.

Distribution

98 ACRES To Silk Ranch .46.23% of 212 acres

CERT. 7245 Silk Permit 5879 3 mile - 1870 3 CERT 7 " 5 " 10° 4947 Mizer 5° NC Silk 15 15° $.462 \times 15 = 6.93$ (7) ACRE Silk	Permit 8250 3 mile 1927 5 p 9° 4105 Silk 15 p 11° 4105 Mizer 20 20° $.462 \times 20 = 9.24$ (9)	Silk Permit 8250 3 mile 1927 20 p 5 6 17° 4948 Mizer 6° NC Silk 8° NC Silk 31 31° $.462 \times 31 = 14.32$ (14)	CERT 7246 X Gate & Rock Creek 1875 1 3 4 4° 4105 Silk $.462 \times 4 = 1.85$ (2)
1.807 Permit 6739 Gate & Rock Cr 1925 10 p 4 p 8 p 5° 4107 Silk 5° 4108 Silk 5° 4108 Mizer 3° NC Mizer 4° NC Mizer 22 $.462 \times 22 = 10.16$ (10)	Permit 5651 Middle Fork Gate Cr. 1921 10 p 5° 4106 Silk 5° 4106 Mizer $.462 \times 10 = 4.62$ (5)	Permit 15519 Resor Dam Primary 4 1937 3° 7 NC Mizer 3° NC Mizer 5° NC Mizer 19° 4101 Silk SE 17 8.7 SW 16 8.7 10 10 41.4 $.462 \times 41.4 = 19.12$ (19)	Dam Supplement 1939 20 p 3° 4101 Mizer 11° 4101 Mizer 11° 4101 Mizer 11° 4101 Mizer 20 7 15 9 SE 17 3.6 SE 15 6 68.6 $.462 \times 68.6 = 31.6$ (32)

Sign

and LEO E. JILK and BARBARA J. JILK, husband and wife, as to an undivided one-half, and JOSEPH J. JILK, as to an undivided one-half, hereinafter referred to as the "Buyer," have purchased the following described real property located in the County of Wasco and State of Oregon:

The South half of Section 15 and the East half of the Southeast quarter of Section 16 in Township 4 South, Range 12 East of the Willamette Meridian; and

WHEREAS, the following constitute the water rights which were appurtenant to the real property owned by Seller prior to the sale of the real property by the Seller to the Buyer:

- (1) Three Mile (1870 -- 15 acres
- (2) Three Mile (1923) Permit No. 5879 and Certificate No. 8413 -- 20 acres
- (3) Three Mile (1927) Permit No. 8250 and Certificate No. 11098 -- 31 acres
- (4) Gate & Rock Creeks (1875) -- 4 acres
- (5) Gate & Rock Creeks (1925) Permit No. 6807 and Certificate No. 8497, Permit No. 6739 and Certificate No. 7457 -- 22 acres
- (6) Middle Fork Gate Creek, Permit No. 5651 and Certificate No. 8489 (1921 -- 10 acres
- (7) Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 41.4 acres
- (8) Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 68.6 acres; and

WHEREAS, the Seller and Buyer desire that certain water rights be transferred by Seller in order that the following water rights be appurtenant to Buyer's real property:

- (1) ^{1/2} Three Mile (1870) -- 5 acres
- (2) ⁴¹⁰³ Three Mile Permit No. 5879 and Certificate No. 8413 (1923) -- 9 acres
- (3) ^{1/2} Three Mile Permit No. 8250 and Certificate 11098 (1927) -- 14 acres
- (4) ⁴¹⁰⁵ Gate & Rock Creeks (1875) -- 4 acres
- (5) ⁴¹⁰⁷ Gate & Rock Creeks Permit No. 6807 and Certificate No. 8497; Permit No. 6739 and Certificate No. 7457 (1925) -- 10 acres
- (6) ⁴¹⁰⁶ Middle Fork Gate Creek Permit No. 5651 and Certificate No. 8489 (1921) -- 5 acres
- (7) ⁴¹⁰¹ Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 19 acres

- (8) ^{pc} Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 32 acres; and

WHEREAS, the Seller and Buyer desire that certain water rights be transferred in order that the following water rights be appurtenant to that real property which Seller presently owns and is not selling to the Buyer:

- (1) ¹⁹⁴⁷ Three Mile (1870) -- 10 acres
(2) ⁴¹⁰³ Three Mile Permit No. 5879 and Certificate No. 8413 (1923) -- 11 acres
(3) ⁴⁹⁴⁸ Three Mile Permit No. 8250 and Certificate 11098 (1927) -- 17 acres
(4) Gate & Rock Creeks (1875) -- none
(5) ^{pc} Gate & Rock Creeks Permit No. 6807 and Certificate No. 8497; Permit No. 6739 and Certificate No. 7457 (1925) -- 12 acres
(6) ⁴¹⁰⁶ Middle Fork Gate Creek Permit No. 5651 and Certificate No. 8489 (1921) -- 5 acres
(7) ^{pc} Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 22.4 acres
(8) ^{pc} Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 36.6 acres

114 A.

NOW, THEREFORE, we, the undersigned Directors of the Rock Creek District Improvement Co. do hereby consent to the water right transfers hereinabove described.

DATED this _____ day of March, 1979.

B M Marshall

SESE - 16 - 6
SWSW15 - 22
SWSE - 4

2/21/79
3/3/79
15/4
22

To: Larry Toll

From: knauerde@mailhub.wrd.state.or.us (Don Knauer)

Subject: FILES T-4101 THRU T-4108

Cc:

Bcc:

X-Attachments:

I have the files on my desk and will begin review. I note on the cover of files T-4102 and T-4104 the word "WITHDRAWN". My intent is to begin my review next week.

RECEIVED

APR 6 1983

WATER RESOURCES DEPT.
SALEM, OREGON

CONSENT TO TRANSFER OF WATER RIGHTS

WHEREAS, KEITH J. OBERMAIER and KATHLEEN A. OBERMAIER, husband and wife, hereinafter referred to as the "Seller" have sold and LEO E. JILK and BARBARA J. JILK, husband and wife, as to an undivided one-half, and JOSEPH J. JILK, as to an undivided one-half, hereinafter referred to as the "Buyer," have purchased the following described real property located in the County of Wasco and State of Oregon:

The South half of Section 15 and the East half of the Southeast quarter of Section 16 in Township 4 South, Range 12 East of the Willamette Meridian; and

WHEREAS, the following constitute the water rights which were appurtenant to the real property owned by Seller prior to the sale of the real property by the Seller to the Buyer:

- T-4104 ~~W. JILK~~ (1) ¹⁹⁴⁷ Three Mile (1870) -- 15 acres
T-4103 (2) Three Mile (1923) Permit No. 5879 and Certificate No. 8413 -- 20 acres
T-4102 ~~W. JILK~~ (3) ¹⁹⁴⁷ Three Mile (1927) Permit No. 8250 and Certificate No. 11098 -- 31 acres
T-4105 (4) Gate & Rock Creeks (1875) -- 4 acres
(5) Gate & Rock Creeks (1925) Permit No. 6807 and Certificate No. 8497, Permit No. 6739 and Certificate No. 7457 -- 22 acres
T-4106 (6) Middle Fork Gate Creek, Permit No. 5651 and Certificate No. 8489 (1921) -- 10 acres
T-4101 (7) Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 41.4 acres
T-4101 (8) Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 68.6 acres; and

WHEREAS, the Seller and Buyer desire that certain water rights be transferred by Seller in order that the following water rights be appurtenant to Buyer's real property:

- No TR. ALL ON JILK (1) Three Mile (1870) -- 5 acres
T-4103 OK (2) Three Mile Permit No. 5879 and Certificate No. 8413 (1923) -- 9 acres
No TR. ALL ON JILK (3) Three Mile Permit No. 8250 and Certificate 11098 (1927) -- 14 acres
T-4105 OK (4) Gate & Rock Creeks (1875) -- 4 acres
T-4107 & T-4102 OK (5) Gate & Rock Creeks Permit No. 6807 and Certificate No. 8497; Permit No. 6739 and Certificate No. 7457 (1925) -- 10 acres
T-4106 OK (6) Middle Fork Gate Creek Permit No. 5651 and Certificate No. 8489 (1921) -- 5 acres
T-4106 OK (7) Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 19 acres

T-4101

OK (8) Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 32 acres; and

WHEREAS, the Seller and Buyer desire that certain water rights be transferred in order that the following water rights be appurtenant to that real property which Seller presently owns and is not selling to the Buyer:

T-4947

OK (1) ~~Three Mile (1870) 10 acres~~

T-4103

OK (2) Three Mile Permit No. 5879 and Certificate No. 8413 (1923) -- 11 acres

T-4948

OK (3) ~~Three Mile Permit No. 8250 and Certificate 11098 (1927) 17 acres~~

OK (4) Gate & Rock Creeks (1875) -- none

(5) Gate & Rock Creeks Permit No. 6807 and Certificate No. 8497; Permit No. 6739 and Certificate No. 7457 (1925) -- 12 acres

T-4104

OK (6) Middle Fork Gate Creek Permit No. 5651 and Certificate No. 8489 (1921) -- 5 acres

T-4106

OK (7) Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 22.4 acres

T-4101

OK (8) Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 36.6 acres

NOW, THEREFORE, we, the undersigned Directors of the Rock Creek District Improvement Co. do hereby consent to the water right transfers hereinabove described.

DATED this _____ day of March, 1979.

D M Marshall
E. K. Lippitt
L. L. Lippitt
A. A. Harvey
James Magill

T-4101

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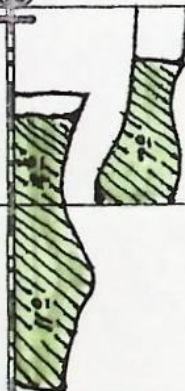
APR 6 1983

WATER RESOURCES DEPT.
SALEM, OREGON

17

16

15



PRIMARY

Supplemental

20

21

22

STATE OF OREGON

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROCK CREEK DISTRICT IMPROVEMENT COMPANY

of Wamic, State of Oregon, 97063, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rock Creek, Threemile Creek and the North Fork of Gate Creek and Rock Creek Reservoir constructed under Permit No. R-780 a tributary of White River for the purpose of irrigation of 320.4 acres and supplemental irrigation of 609.6 acres, domestic for 12 families and stock use under Permit No. 15519 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 March 13, 1939 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

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10 and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T. 4 S., R. 11 E., W. M.; Rock Creek-1000 feet North and 1200 feet East from the S $\frac{1}{4}$ Corner Section 14, Threemile Creek-726 feet South and 528 feet West from the NE Corner, Section 10, 2550 feet North and 1250 feet East from the SW Corner, Section 12, North Fork Gate *

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-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated up to July 1st of each year and thereafter not to exceed 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 one acre foot per acre during any 30-day period up to July 1st of each year and not to exceed three acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from Rock Creek Reservoir constructed **

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

*Creek-1280 feet North and 1500 feet East from the Center, Section 21.

**under permit number R-780. The use of water for stock and domestic purposes shall be in accordance with paragraph 25 of the White River Decree dated November 30, 1923 in Wasco County Oregon.

C-46367

T-4994

T-4107 T-4105 T-4104 T-4103 T-4102 T-4101

Primary

6.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
25.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
15.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
21.2 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14

$\begin{matrix} \text{F-7101} & + & 19.0 & & \text{SE} & \text{SE} & & - & 5.0 & \text{SW} & \text{F-7103} \\ \text{F-7103} & + & 9.0 & & \text{SW} & \text{SW} & & + & 5.0 & \text{F-7106} & + & 5.0 & \text{F-7107} & + & 5.0 & \text{F-7108} \\ \text{F-7105} & + & 4.0 & \text{SW} & \text{SE} & & & & - & 4.0 & \text{F-7101} & \checkmark \end{matrix}$

Section 15

8.7 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 5.0 F-7101 ✓

10.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 5.0 F-7101 ✓

$\text{F-7103} + 11.0$ 10.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 1.0

Section 16

$\begin{matrix} \text{F-7108} & + & 5.0 & \text{SE} & \text{SW} \\ \text{F-7106} & + & 5.0 \end{matrix}$ Domestic NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 1.0 F-7105 - 5.0 F-7107

8.7 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 5.0 F-7101 ✓

Section 17

Domestic NW $\frac{1}{4}$ NE $\frac{1}{4}$

Domestic SW $\frac{1}{4}$ NW $\frac{1}{4}$

14.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 20

2.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

Domestic & 26.4 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

2.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 21

8.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

8.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

8.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

Domestic SE $\frac{1}{4}$ NW $\frac{1}{4}$

Domestic NE $\frac{1}{4}$ SW $\frac{1}{4}$

11.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 22

Domestic NE $\frac{1}{4}$ NW $\frac{1}{4}$

20.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$

Domestic NW $\frac{1}{4}$ SW $\frac{1}{4}$

Domestic SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 23

15.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

0.4 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$

7.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

6.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24

2.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 25

9.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

14.2 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$

22.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

6.3 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26

5.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

3.8 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

Domestic SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 27

5.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

5.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

5.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

Domestic NW $\frac{1}{4}$ NW $\frac{1}{4}$

5.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 28

T. 4 S., R. 12 E., W. M.

Supplemental

20.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 11.0 F-7101

$\text{F-7101} + 7.0$ 7.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 7.0 F-7101

8.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 4.0 F-7101

15.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 15.0 F-7101

Section 15

$\begin{matrix} \text{F-7101} & + & 7.6 & & \text{SE} & \text{SW} \\ \text{F-7101} & + & 10.0 & & \text{SW} & \text{SW} \end{matrix}$

3.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 3.6 F-7101

6.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 1.0 F-7101

Section 16

$\text{F-7101} + 10.0$ 9.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 8.0 F-7107

Section 17

2.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 18

10.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 20

14.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

14.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

5.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

0.8 acre SW $\frac{1}{4}$ NW $\frac{1}{4}$

2.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 21

26.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

11.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

12.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

19.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

25.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

8.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

12.1 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

20.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

12.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

12.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

25.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 22

10.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

10.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

12.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

28.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

20.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23

35.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

2.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

34.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

20.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

10.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

4.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24

14.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

4.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 25

30.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

20.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

8.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

2.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 26

Supplemental

3.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 27

4.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

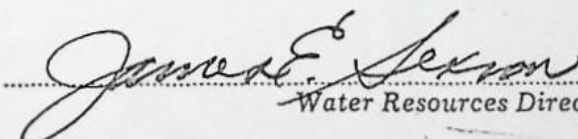
Section 28

T. 4 S., R. 12 E., 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, 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. August 24, 1978


Water Resources Director



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

November 9, 1981

Keith J. Obermaier
960 Camino Santander
Santa Fe, New Mexico 97501

REFERENCE: Transfers 4101, 4103, 4105, 4106, 4107, 4108

Tom Paul, the Watermaster for Wasco County, has pointed out that the approval of Transfers 4101, 4103, 4105, 4106, 4107 and 4108 and the withdrawal of Transfers 4102 and 4104 left some water rights where they shouldn't be.

Some supplemental rights were moved without the overlying primary rights. Some supplemental rights (Certificate 46367) were placed on lands having a primary right under the same certificate (46367).

I am enclosing a copy of Tom Paul's calculations showing the water rights and impacts of the transfers. I am also enclosing copies of our record cards for Sections 15, 16 and 17, showing the same changes in place of use, and a copy of a map of the area.

I cannot suggest what to change, nor can I help you figure out how best to go about it. I can correct the record to show the proper locations of the water rights involved, once you have forwarded the corrected locations to me.

It may be necessary to re-file Transfers 4102 and 4104. I can send blank application forms and instructions if you want to refile.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:lcj
cc: Thomas J. Paul, Watermaster

68% primary, 34.6 ac supplemental

11-17-80

T-9101-9108

Section 15

Section 16 Sec 20

Section 17

Sec 28

46367 (P) ✓ SE SW 4.0

NE SW 5.0

SE SE 5.0

SW SW 5.0

46367 (S) ✓ SW SW 11.0

NE SE 3.6

34.6 ac SW SE 4.0

SE SE 1.0

SE SE 15.0

7246 ✓

NE SE 1.0

NW NW 3.0

7457 ✓

NW NW 10.0

8413 ✓ SE SE 15.0

SW SE 5.0

8497 ✓

NE SE 5.0(?)

8489 ✓

NE SW 10.0

54.0

(30.0 is S)

15.6

(4.6 is S)

10.0

10.0

13.0

Total = 102.6

Section 15

Section 16

Section 17

46367 (P) SE SE 19.0

46367 (S) NE SW 7.0

(S) SW SW 10.0

(S) SE SE 10.0

(S) SE SW 7.6

7246 SE SW(?) 4.0

7457 SW SW 5.0

SE SW 5.0

8413 SW SW 9.0

SE SW 11.0

8497 SW SW 5.0

8489 SW SW 5.0

NE SE 5.0

54.0

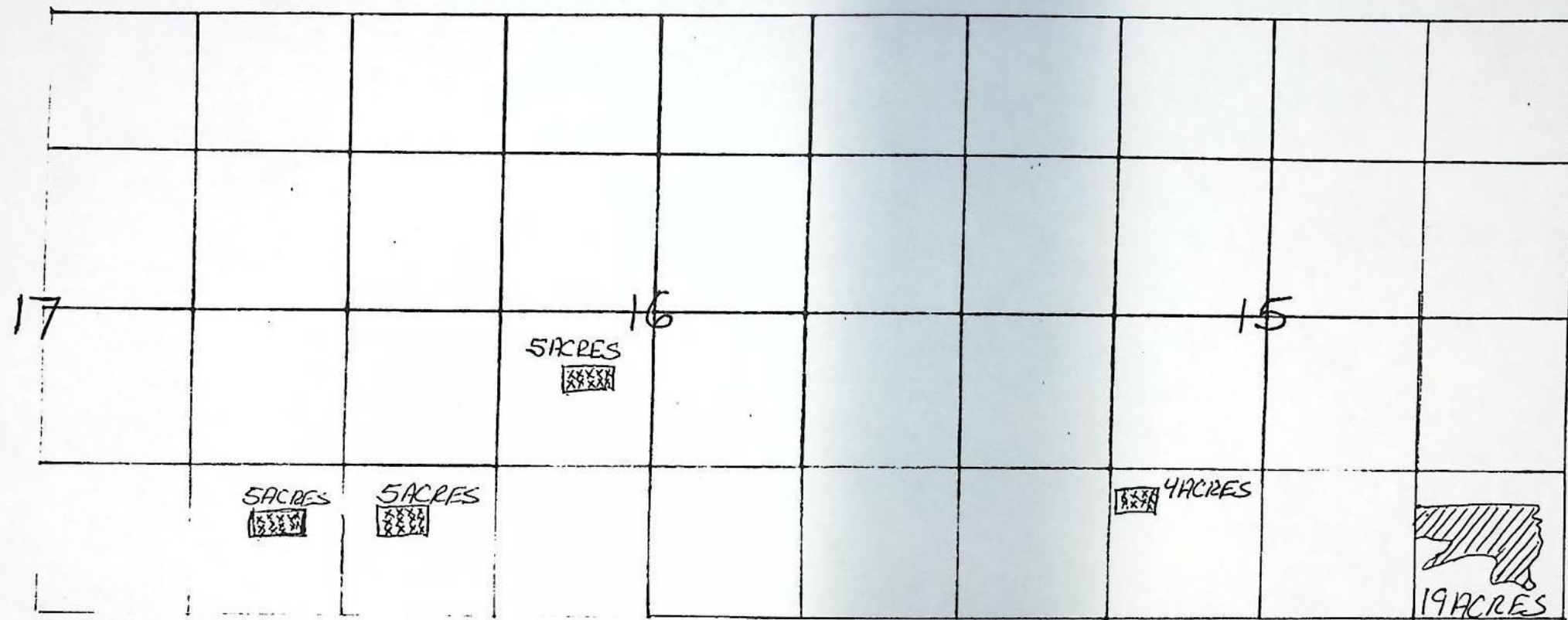
28.6

20.0

Total = 102.6

T-4101

PRIMARY

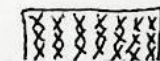


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DEC 03 1980

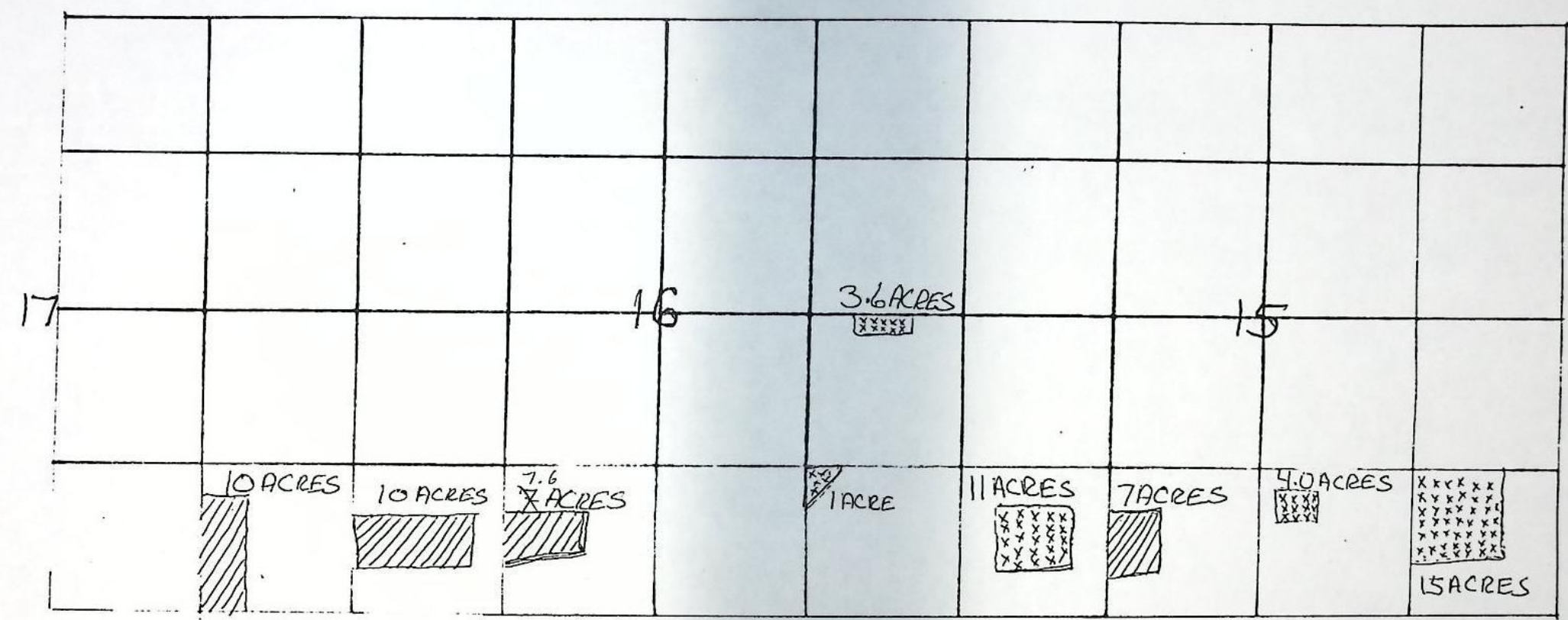
WATER RESOURCES DEPT
SALEM, OREGON

Application Map For OLD LOCATION
Permit 15519
CERT 46367
Keith Obermaier
Scale 4" = 1 mile
NEW LOCATION



T-4101

SUPPLEMENTAL

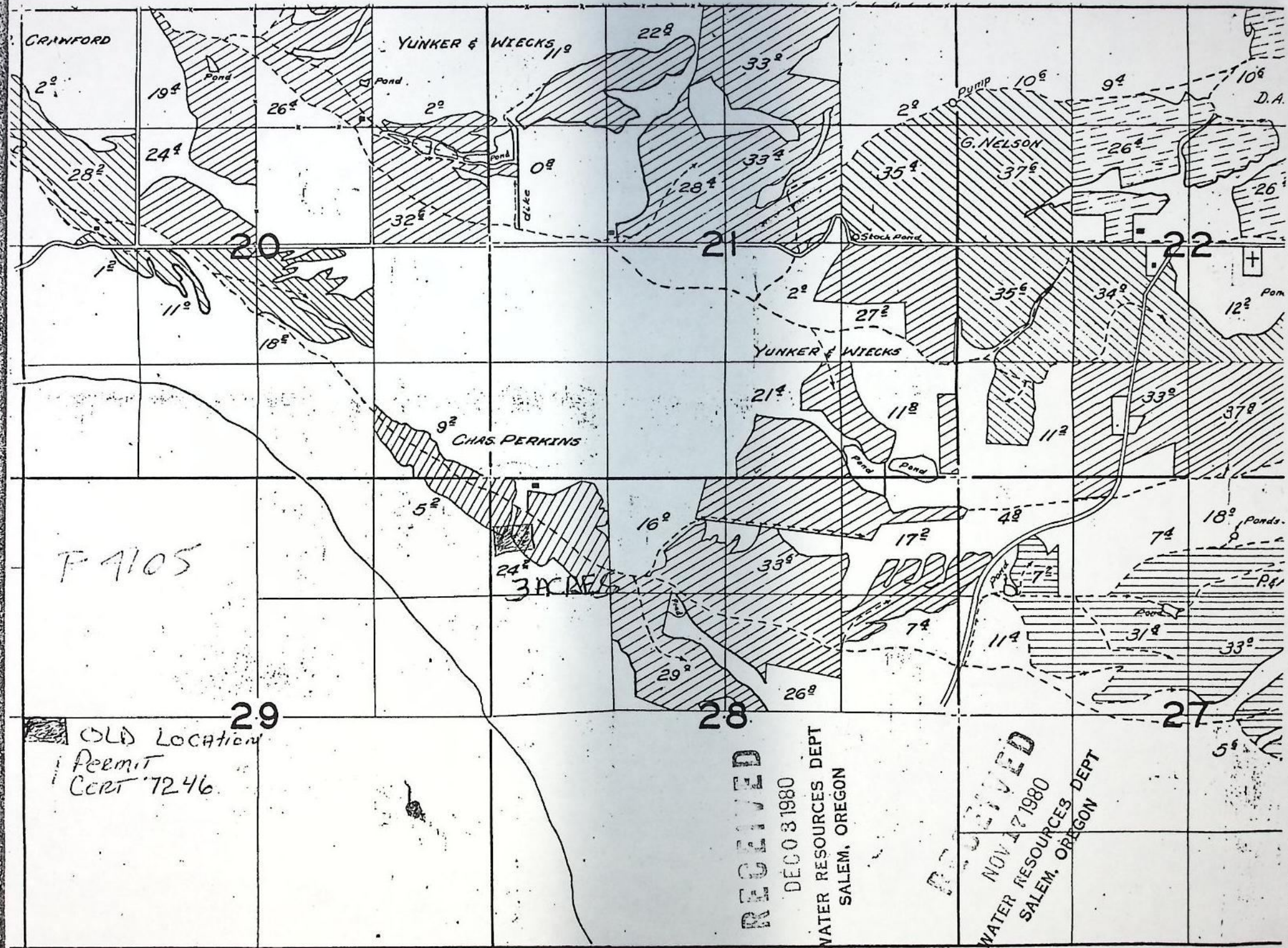


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DEC 08 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application MAP For OLD LOCATION
Keith Obermaier
Scale 4" = 1 mile
NEW LOCATION
Permit 15519
CERT 46367

T-4103





New Location

T-4105

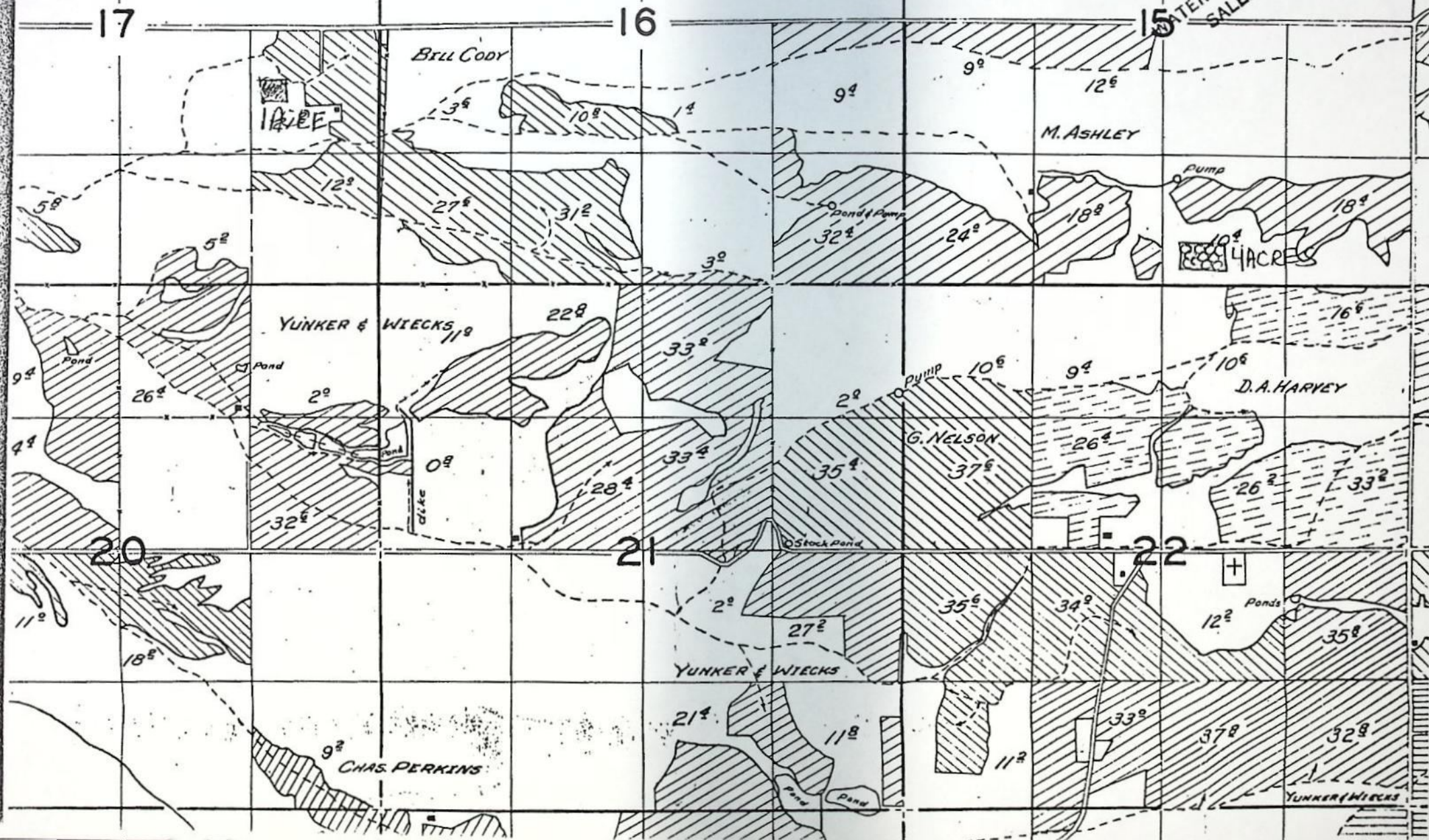
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DEC 03 1980

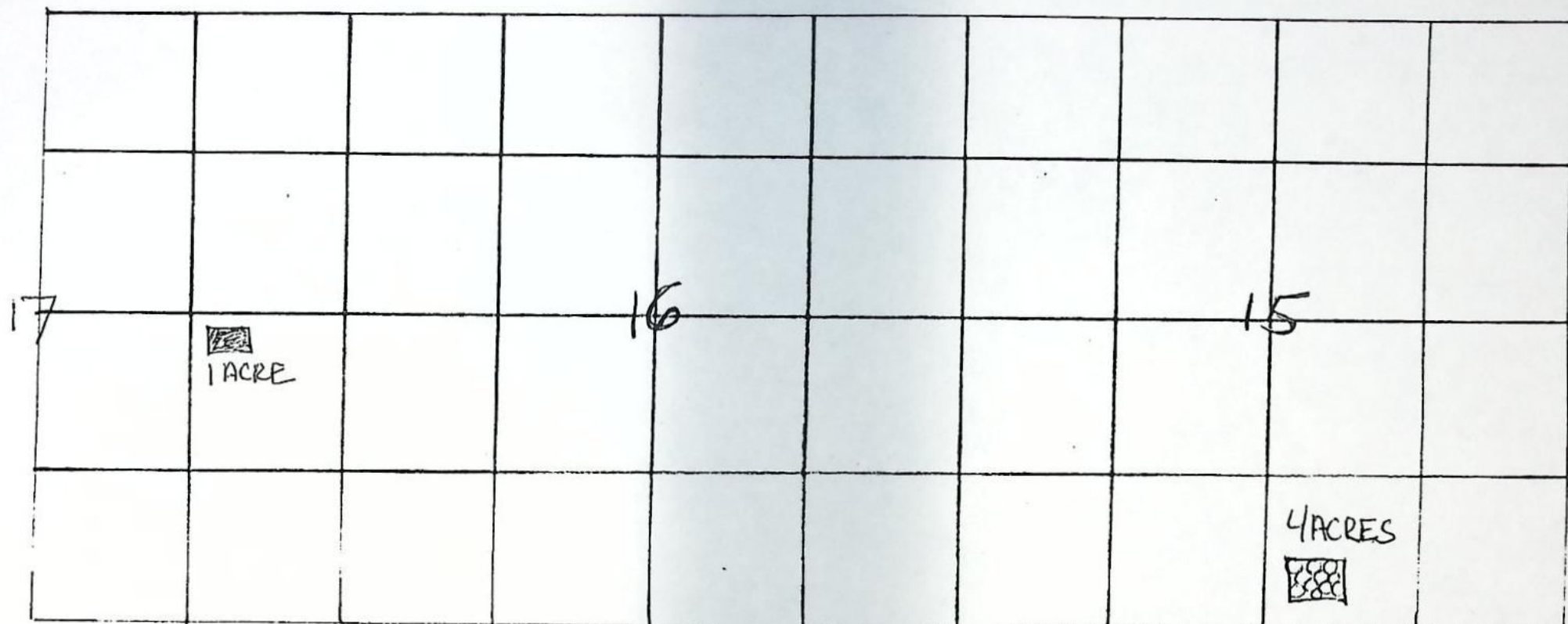
WATER RESOURCES
STALEM, OREGON

THREEMILE CREEK

NOV 17 1986
WATER RESOURCES DEPT
SALEM, OREGON



T-4105



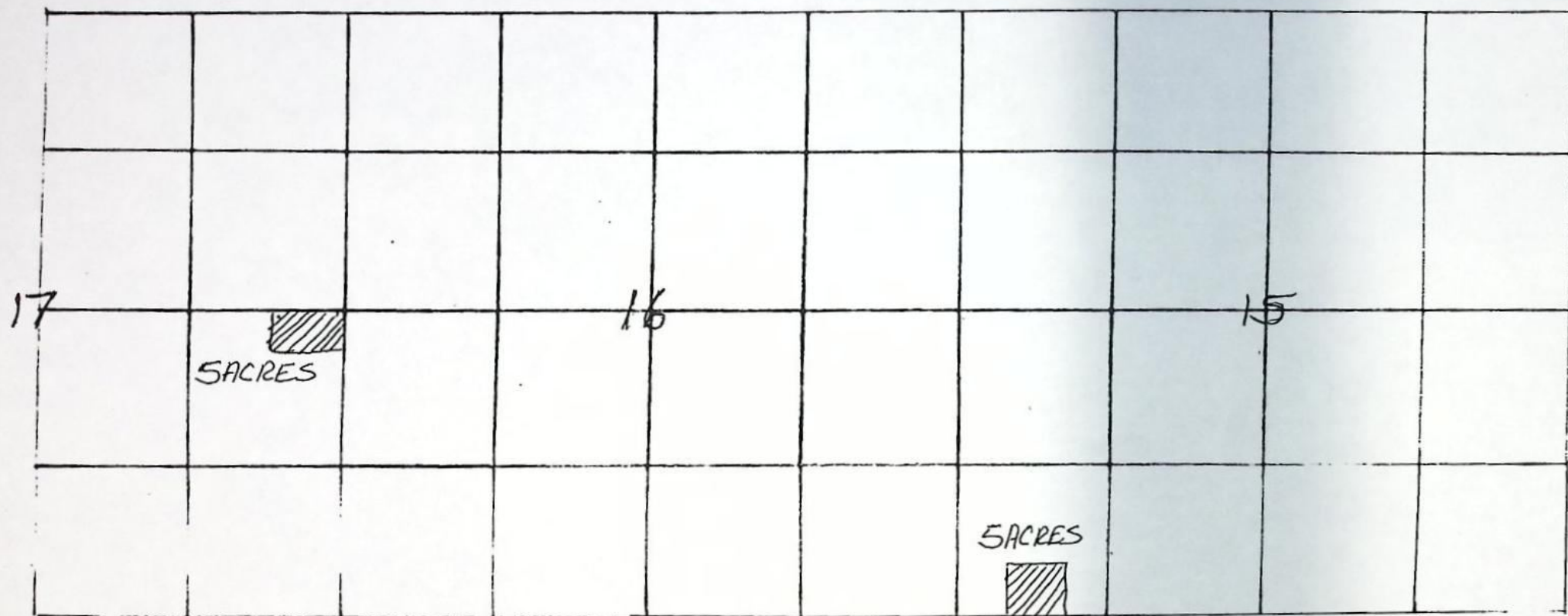
RECEIVED
NOV. 1, 1980
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
DEC 8 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application Map For
Keith Obermaier
Scale 4" = 1 mile

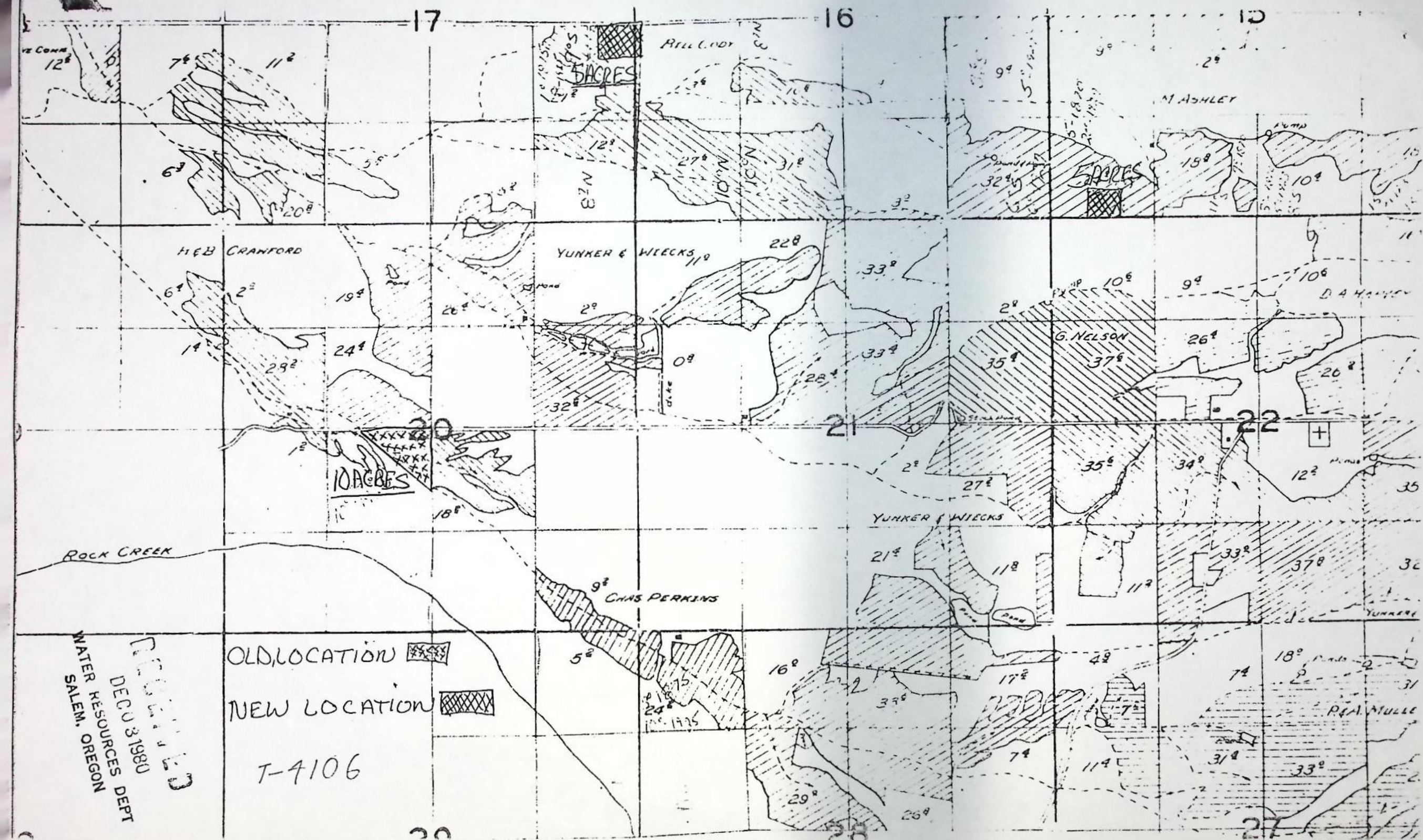
OLD LOCATION
CERT. 7246

T-4106

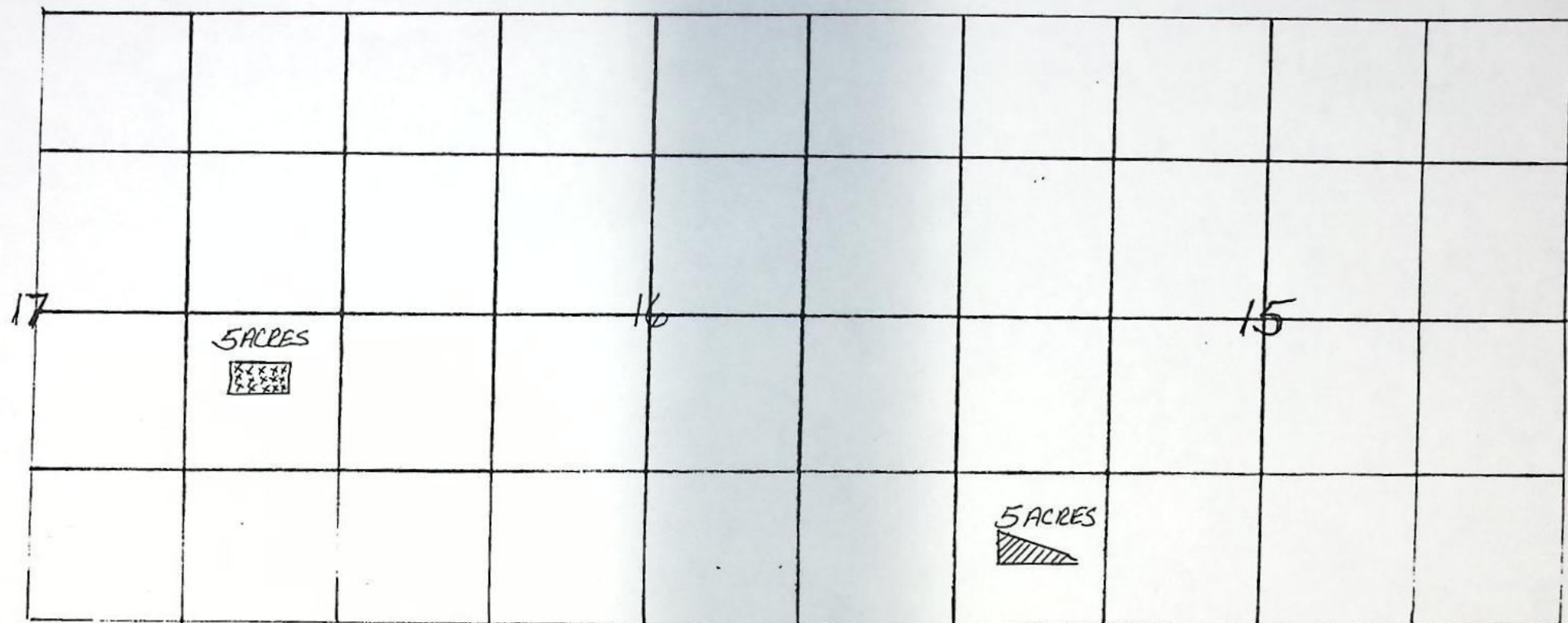


RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application Map For OLD LOCATION 
PERMIT 5651
CERT. 8489
Keith Obermaier
Scale 4" = 1 mile NEW LOCATION 

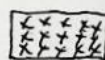


T-4107



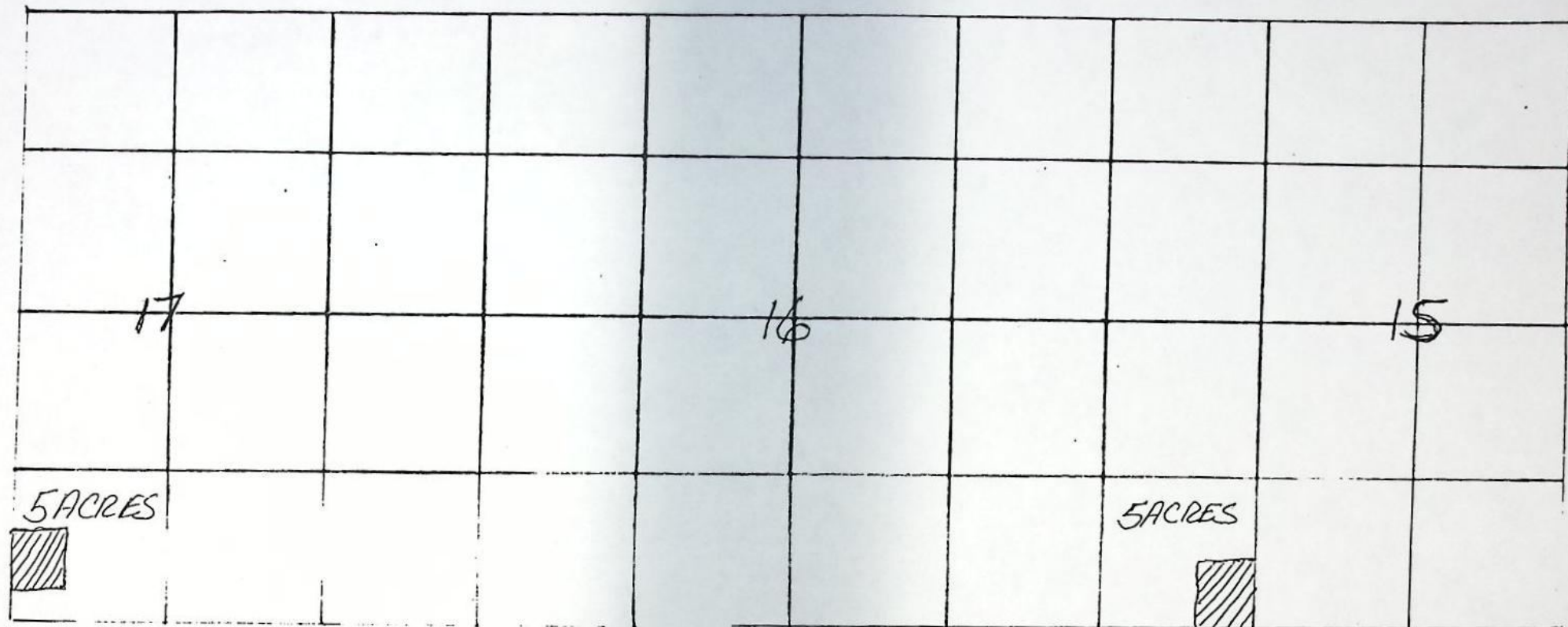
RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application Map For
Keith Obermaier
Scale 4" = 1 mile

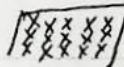
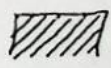
OLD Location 
Permit 6807
Cert. 8497

NEW Location 

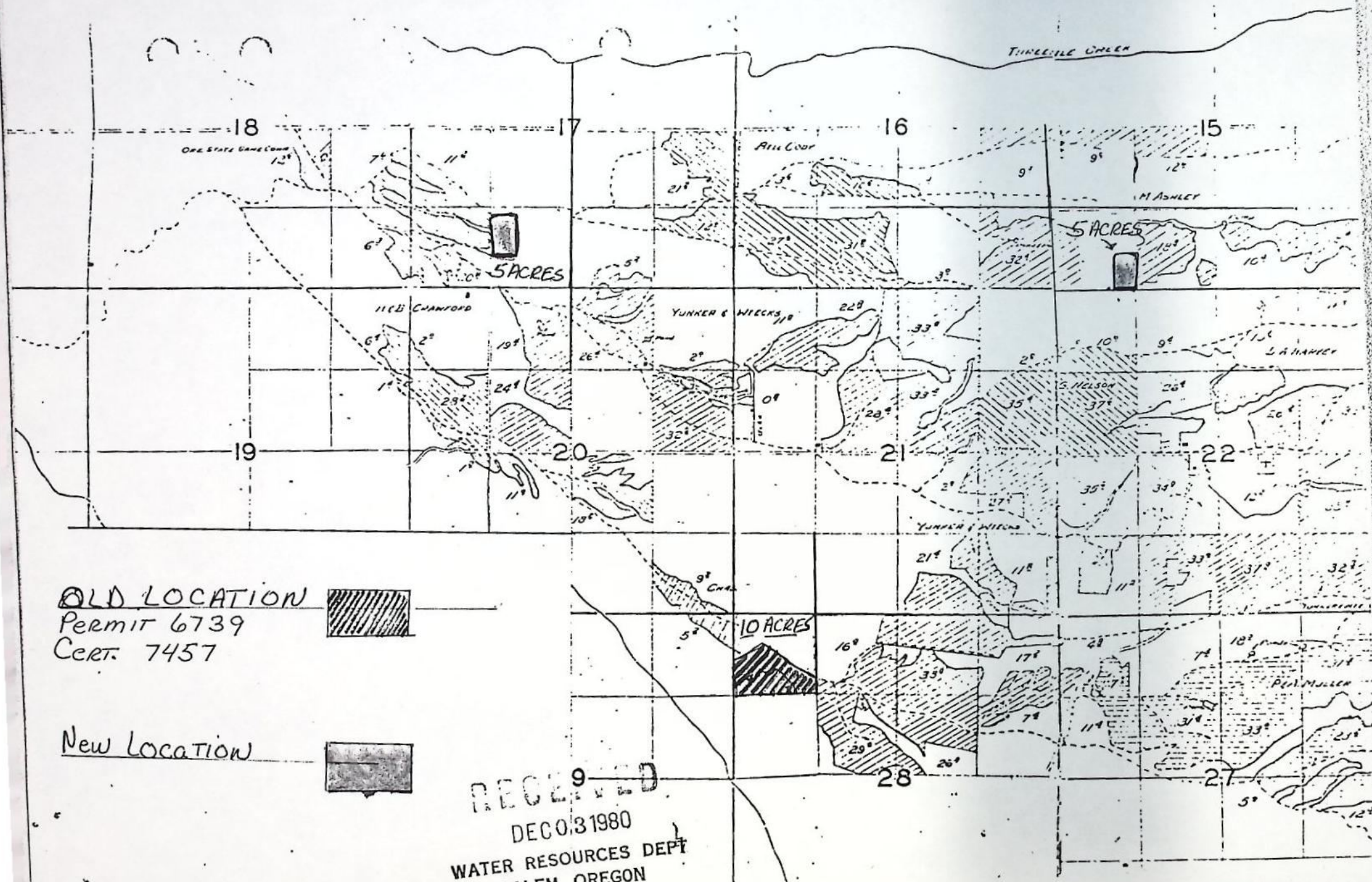
T-4108



RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application Map For OLD LOCATION 
Permit 6739
CERT. 7457
Keith Obermaier
Scale 4" = 1 mile NEW LOCATION 

T-4108



This is to correctly describe the location of the supplemental water right under permit #15519

RECEIVED

DEC 7 1981

Application for Transfer of Water Right

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, KEITH J. OBERMAIER

(Name of applicant)

of 960 Camino Santander

(Mailing address)

Santa Fe

(City)

State of New Mexico, 87501

(Zip Code)

505-988-3371

(Phone number)

do hereby make application for change
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? Rock Creek District Improvement Company

(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 15519 Number of certificate 46367

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 Rock Creek, Threemile Creek, N. Fork Gate Creek,
Rock Creek Reservoir5. What is the date of priority of your water right? March 13, 1939

6. The authorized point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____

(N. or S.)

(E. or W.)

corner of _____ being within the $\frac{1}{4}$ $\frac{1}{4}$ of Section _____ Tp. _____ R. _____ W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of _____ The name of the ditch used is _____

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 $\frac{1}{4}$ $\frac{1}{4}$ 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 supplemental 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
4S	12E	15	SW¼ SW¼	20.0 - 8.0 = 12.0
4S	12E	15	SE¼ SW¼	7.0 7.0
4S	12E	15	SW¼ SE¼	8.0 - 3.0 = 5.0
4S	12E	15	SE¼ SE¼	15.0 15.0
4S	12E	16	NE¼ SE¼	3.6 3.6
4S	12E	16	SE¼ SE¼	6.0 6.0
4S	12E	17	NE¼ SE¼	9.0 - 3.0 = 6.0
(If more space required, attach separate sheet)				68.6 54.6

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.? no
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Treanor/Cody	\$348,000.00

13. The use to which the water is to be applied is supplemental 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
4S	12E	15	SW¼ SW¼ J, 1k	17 - 3.0 = 14.0
4S	12E	15	SW¼ SE¼ J, 1k	4 - 3.0 = 1.0
4S	12E	16	NE¼ SW¼ Begmer	11.6 ✓ 11.6
4S	12E	16	NW¼ SW¼ Begmer	11 ✓ 11.0
4S	12E	16	SE¼ SW¼ Begmer	11 11.0
4S	12E	16	SE¼ SE¼ J, 1k	6 ✓ 6.0
4S	12E	17	NE¼ SE¼ Begmer	8 - 8.0 = 0
(If more space required, attach separate sheet)				54.6

4S

12E

PRIMARY
15

SW SW

14.0

14. Reasons for the proposed changes are transfers pursuant to land sale

15. Construction work will be completed on or before October 1, 1982

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

Remarks The supplemental acres listed in this application are shown
on the same water rights that they were assigned to prior to
Obermaier requesting transfers 4101, 4103, 4105, 4106, 4107 and 4108.

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, KEITH J OBERMAIER, 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 20 day of November, 1981

x Keith J Obermaier
(Name of applicant)

Subscribed and sworn to before me this 20 day of November, 1981.

[Notarial Seal]

Jacqueline M. Dula
NOTARY PUBLIC FOR OREGON
NEW Mexico

My commission expires 9-23-85

T-4101

RECEIVED
APR 18 1983
WATER RESOURCES DEPT.
SALEM, OREGON

AFFIDAVIT

I, Keith J. Obermaier, being first duly sworn, depose and say that I was the owner of the lands divested of water right by Transfer Application T-4101 at the time said application was filed with the Oregon Water Resources Department on December 12, 1978.

I further depose and say that said application, the orders of the Water Resources Director approving said Transfer Application, being the order entered at page 199, Volume 34, and the order entered at page 446, Volume 35, Special Order Record, incorrectly tabulated the locations of the lands involved in said transfer.

I therefore request that said orders be revoked, that application be amended to show divestiture of water right from:

<u>Primary</u>	<u>Supplemental</u>
4.0 acres SE 1/4 SW 1/4	12.0 acres SW 1/4 SW 1/4
Section 15	7.0 acres SE 1/4 SW 1/4
5.0 acres NE 1/4 SW 1/4	5.0 acres SW 1/4 SE 1/4
5.0 acres SW 1/4 SW 1/4	15.0 acres SE 1/4 SE 1/4
Section 16	Section 15
5.0 acres SE 1/4 SE 1/4	3.6 acres NE 1/4 SE 1/4
Section 17	6.0 acres SE 1/4 SE 1/4
T4S, R12E, WM	Section 16
	6.0 acres NE 1/4 SE 1/4
	Section 17
	T4S, R12E, WM

as described by the certificate recorded at page 46367, Volume 39, State Record of Water Right Certificates, in the name of Rock Creek District Improvement Company, with a date of priority of March 13, 1939, and that said water right so divested be correctly placed in the following locations:

Primary

19.0 acres SW 1/4 SW 1/4

Section 15

T4S, R12E, WM

Supplemental

14.0 acres SW 1/4 SW 1/4

1.0 acre SW 1/4 SE 1/4

Section 15

11.6 acres NE 1/4 SW 1/4

11.0 acres NW 1/4 SW 1/4

11.0 acres SE 1/4 SW 1/4

6.0 acres SE 1/4 SE 1/4

Section 16

T4S, R12E, WM

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day
of April, 1983.

Keith J. Obermaier

Keith J. Obermaier

Subscribed and sworn to before me this 15th day of April, 1983.

Guayulin M. Duke

Notary Public for New Mexico

My Commission Expires: 9-23-85

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF)
KEITH OBERMAIER FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER AMENDING
PRIOR ORDERS APPROVING
TRANSFER 4101

On December 12, 1978, and on December 17, 1981, applications were filed in the office of the Water Resources Director by Keith Obermaier for a change in place of use of water from Rock Creek, Threemile Creek, North Fork Gate Creek and Rock Creek Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The water right involved is a portion of the right described by the certificate recorded at page 46367, Volume 39, State Record of Water Right Certificates, in the name of Rock Creek District Improvement Company.

The orders entered at page 199, Volume 34 and page 446, Volume 35, Special Order Record, approving Transfer 4101 did not correctly describe the present and proposed locations of the water right involved in the above referenced transfer.

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

No objection having been filed and it appearing that the amended 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 orders of the Water Resources Director entered at page 199, Volume 34, and page 446, Volume 35, Special Order Record, be canceled.

It is FURTHER ORDERED that a change in place of use of water be allowed from the following locations:

Primary

4.0 acres SE 1/4 SW 1/4
Section 15
5.0 acres NE 1/4 SW 1/4
5.0 acres SW 1/4 SW 1/4
Section 16
5.0 acres SE 1/4 SE 1/4
Section 17
Township 4 South, Range 12 East, WM

Supplemental

12.0 acres SW 1/4 SW 1/4
7.0 acres SE 1/4 SW 1/4
5.0 acres SW 1/4 SE 1/4
15.0 acres SE 1/4 SE 1/4
Section 15
3.6 acres NE 1/4 SE 1/4
6.0 acres SE 1/4 SE 1/4
Section 16
6.0 acres NE 1/4 SE 1/4
Section 17
15.6
Township 4 South, Range 12 East, WM

Don't use

as described by the certificate recorded at page 46367, Volume 39, State Record of Water Right Certificates, in the name of Rock Creek District Improvement Company, with a date of priority of March 13, 1939, and that said water right so divested be correctly placed in the following locations:

Primary

19.0 acres SW 1/4 SW 1/4
Section 15
Township 4 South, Range 12 East, WM

Supplemental

14.0 acres SW 1/4 SW 1/4
1.0 acre SW 1/4 SE 1/4
Section 15
11.6 acres NE 1/4 SW 1/4
11.0 acres NW 1/4 SW 1/4
11.0 acres SE 1/4 SW 1/4
6.0 acres SE 1/4 SE 1/4
Section 16
Township 4 South, Range 12 East, WM

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1984.

It is FURTHER ORDERED that 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, the certificate of water right heretofore issued to Rock Creek District Improvement Company and recorded at page 46367, Volume 39, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to Rock Creek District Improvement Company.

Dated at Salem, Oregon this 2nd day of May, 1983.

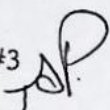

JAMES E. SEXSON
Director

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.

6285B

TO: Sam Allison

DATE: April 5, 1983

FROM: Tom Paul, District #3 **RECEIVED**

APR 6 1983

WATER RESOURCES DEPT.
SALEM, OREGON

SUBJECT: Keith Obermaier Transfer

I have rechecked the land covered under transfer 4101 again. I also contacted Keith Obermaier by telephone to discuss the transfer with him.

Mr. Obermaier and Leo Jilk entered into an agreement in March of 1979. This agreement was to divide the water between the two owners. Under this agreement Jilk was to have 19.0 acres of primary irrigation and 32.0 acres of supplemental irrigation on Permit 15519-Certificate 46367. Transfer 4104 was submitted to accomplish this.

Transfer 4101 as originally submitted listed 19.0 acres of primary to be transferred along with supplemental. The supplemental was transferred to land with no primary rights and also onto lands with the primary from the same right. Mr. Obermaier was contacted about this problem and I assisted in making the corrections after he made the request. He then submitted an amended transfer application to correctly locate where the supplemental was to be transferred to.

In checking the amending order, the primary had been dropped from the order. The original order was correct with regard to the primary and the amending order should have shown 19.0 acres of primary being transferred.

I have talked to Keith about his letter which was received March 21, 1983, which states that 19.0 acres of primary should be transferred, but no supplemental should be transferred. This is not correct. Transfer 4101 should have 19.0 acres of primary and 54.6 acres of supplemental being transferred. The following are in the correct location and do not need to be transferred: 8.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 3.0 acres SW SE $\frac{1}{4}$ both located in Section 15 and 3.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17. (All supplemental.)

The order should list the place of use for primary to be 19.0 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15. The supplemental listing should be 14.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$, 1.0 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$ both in Section 15, 11.6 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, 11.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 6.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ all section 16. I am enclosing a sketch map which shows the correct locations.

I have contacted Keith and told him that you would send an affidavit to him to sign and return requesting the change. Please check this over to make sure that you agree with what I show. I am enclosing the map and a copy of the March 1983 agreement. Please call if you have any questions.

RECEIVED

DEC 03 1980

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

T-7101

NOV 17 1980

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

OCT 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Keith Obermaier (Name of applicant)
 of Route 1 Box 24 (Mailing address), Tygh Valley (City),
 State of Oregon (Zip Code) 97063 (Phone number) 5442184 do hereby make application for change
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? NO. Rock Cr. District Imp. Co. (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 15519 Number of certificate 46367

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 Rock Creek Threemile North Fork Gate & Rock Res.
 5. What is the date of priority of your water right? 3-13-39

6. The authorized point of diversion is located ft. (N. or S.) and ft. (E. or W.) from the 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 used is

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

7. The proposed point of diversion is located ft. (N. or S.) and ft. (E. or W.) from the 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 1/4-1/4 of Section	Number Acres To Be Irrigated
4S	12E	15	SE 1/4 SW 1/4	4.0
		16	NE 1/4 SW 1/4	8.0 5.0
		16	SW 1/4 SW 1/4	4.0
		16	SW 1/4 SW 1/4	4.0 5.0
		17	SE 1/4 SE 1/4	4.0
		17	SE 1/4 SE 1/4	5.0

(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.? NO
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Bill Cody	\$200,000

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 1/4-1/4 of Section	Number Acres To Be Irrigated
4S	12E	15	SE 1/4 OF SE 1/4	19.0
		16	SW 1/4 SE 1/4	4.0

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are

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, Keith Obermaier, 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 20 day of Oct., 1980.

Keith Obermaier
(Name of applicant)

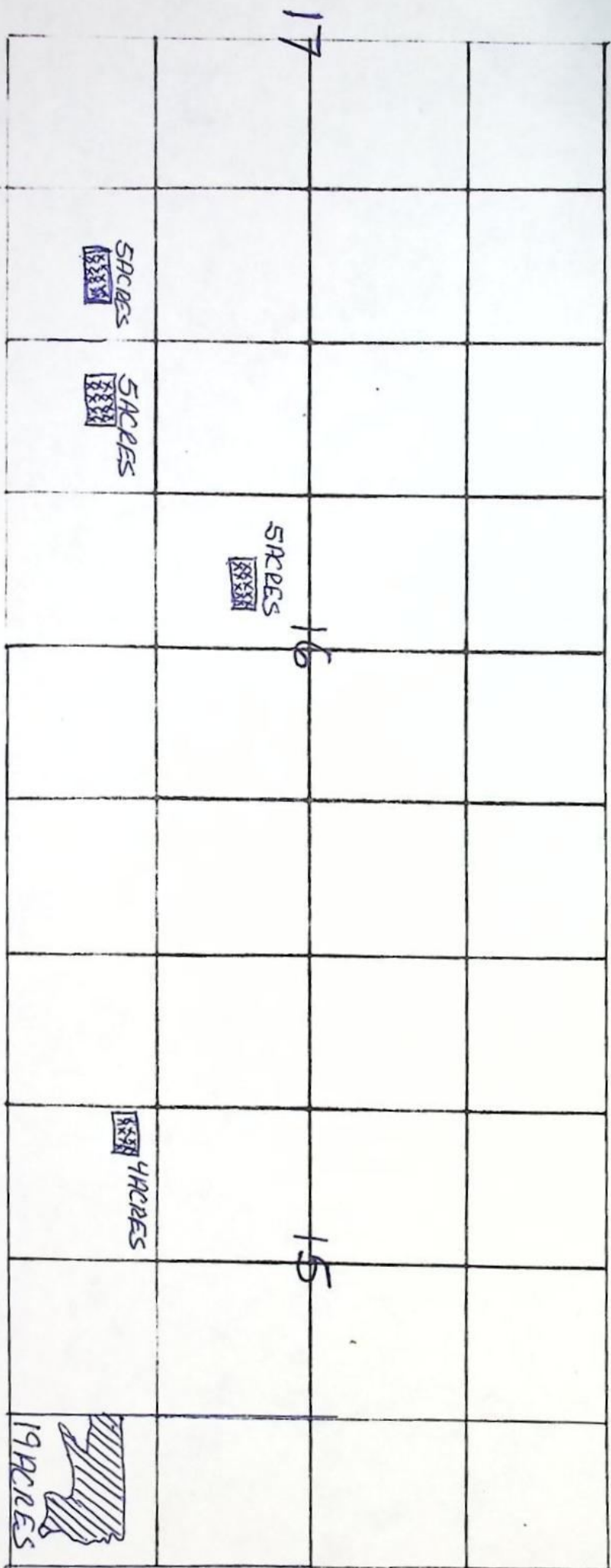
Subscribed and sworn to before me this 20 day of October, 1980.

[Notarial Seal]

Kauf Minnotte
NOTARY PUBLIC

My commission expires Sept. 17, 1984

T-4101
PRIMARY



RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application Map For
Keith Obermaier
Scale 4" = 1 mile
OLD LOCATION
Permit 15519
CERT 46367
NEW LOCATION



[illegible][illegible]

$\frac{J, 1k}{S \frac{1}{2} 15}$
 $E \frac{1}{2} SE \frac{1}{4}$
 Sec 16

T-4101
T-4106
T-4108

Total S 68.6 in 68.6 out

Total P 76.0 in 76.0 mV^T

OBERMAIER

TOWNSHIP 4S RANGE 12E W. M. SECTION 17

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	PRIORITY
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ALREADY IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN AD ADJTS																			
																	8497	(1925)	
																	7246	(1875)	
																	46367	(1939)	
																	46367	(1939)	
																	</		

TOWNSHIP _____ RANGE _____ W. M. SECTION _____

[illegible]

T-4101

COPY

TOWNSHIP 45 RANGE 12E W. M. Card #1 SECTION 17

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
		4.2																5385
																		Superseded by Cert # 171554
																		Decree, Vol. 7 Page 196
																		4109 2320 2324
																		Decree, Vol. 7 Page 196
																		5775
																		Superseded by Cert. 7246
																		Decree, Vol. 7 Page 196
																		10180 8807 8497
																		4104 2361
																		Decree, Vol. 7 Page 196
																		7246
																		15088 15105
																		Supplemental
																		17838 15519 46367
																		82 17838 15519 46367
																		Trs. Sp. Or. Vol. 6 Page 69
																		Superseded by
																		17221 22421

GATE & ROCK

ROCK & GATE

TOWNSHIP 45 RANGE 12E W. M. Card #2 SECTION 17

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
																		34734 27390 46368
																		34734 27390 46368
																		Supplemental
																		45212 33228
																		D-135 Y.18.P.13 46530
																		D-137 Y.18.P.15 46531
																		53066 39616
																		62 T-4101 OUT P
																		102 T-4101 IN S
																		T-4105 OUT (C-7246)
																		T-4106 IN (C-8489)
																		T-4107 OUT C-8497
																		T-4108 IN C-7457
																		32 P 46367
																		92 S 46367
																		52 192 P
																		102 S Add

Should go to SE SW & NW SE

CAN'T DO THIS →

T-4105 32 OUT NW NW, Sec 28 (C-7246)
 T-4106 102 OUT NE SW, Sec 20 (C-8489)
 T-4108 102 OUT NW NW Sec 28 (C-7457)

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

WATER RIGHT NO. T000041011 PERMIT NO. 015519 CERTIF. NO. 0046367
 ORIG. NO. A000178381 PREV. NO. A000178381 SUPER. NO.

NAME: KEITH J. OBERMAIER
 ADDRESS: 960 CAMINO SANTANDER
 CITY/STATE/ZIP/COUNTY: SANTA FE, NM 87501

33

STREAM-ID 05 1990 0520 0120

RIV. MI.

WM. DIST. 03 W.R. TYPE SA STATUS V

CANCEL YEAR--->

CONSTR. COMPLT---> 01 15 1981

YR. LAST USED-----> _____

NEXT ACTION DUE--> _____

PRIORITY-----> 03 13 1939

PUT TO USE-----> 01 15 1981

LAST TRANS. DATE--> _____

LAST TRANS. TYPE--> _____

APPLICATION---> 12 12 1978

SURVEYED-----> 06 19 1984

EXAM. FEE-----> 20.00

RECORDING FEE-----> 10.00

PERMIT ISSUE--> 01 05 1981

CONCURRENCE-----> _____

CYCLE STATUS-----> _____

REPORTED FLAG-----> _____

CONSTR. STRT.--> 01 05 1981

CERTIFIED-----> _____

CORRES. INIT.-----> _____

CORRES. DATE-----> _____

POINT-OF-DIVERSION DATA:
 TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

** REMARKS: - - - - ->
 ** DATED-->

0405 110E 14 D C 05 1980 0520 0120
10 A A 05 1990 0520 0080
12 C B 05 1980 0520 0080
21 A D 05 1980 0520 0120 030

Rock 0.920

V P

** ORDER AMENDED 12-21-81, SP OR
 ** V 35, P 446. CHANGES POV PART
 ** OF ROCK CR D.I.C. C-46367.

PLACE-OF-USE DATA:
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS

S OR P

** POD: ROCK CR, 1000' N & 1200' E FM S 1/4
 ** COR S 1/4, THREE MILE CR, 726' S & 528' W FM
 ** NE COR S 1/4, 2550' N & 1250' E FM SW COR S 1/4
 ** N F GATE CR, 1290' N & 1500' E FM CENTER S 2-1.

0405 120E 15 C C 33 1R 100 19.00
15 C C 19.00
15 D C 1.00
16 C A 11.60
C B 11.00
C D 11.00
DD 6.00

V P
V S

W.R.I.S.

Assembled 4-8-85 by SA

Entered _____ by _____

Verified _____ by _____

OCT 23 1980

RESOURCES DEPT
SALEM, OREGON

OWNER'S

EARNEST MONEY RECEIPT

The Dalles, Oregon

October 4, 1978

RECEIVED OF
Joseph J. SilkLeo E. Silk and Barbara J. Silk, husband and wife, and
hereinafter called purchaser, \$10,000.00, as earnest

money and in part payment for the following described real estate situated in the City of

County of Wasco

State of Oregon

described as follows, to-wit: tax lot

4700, located in Tnshp 45, R12EWM, S.00 containing 393.63
acres more or less

which we have this day sold to the purchaser for the sum of two hundred twenty eight thousand five hundred and no/100 Dollars \$228,500.00 on the following terms, to-wit: The earnest money hereinabove receipted for \$10,000.00 upon acceptance of title and delivery of deed or delivery of contract \$28,132.50 balance of One hundred ninety thousand three hundred sixty seven and 50/100 Dollars \$190,367.50 payable as follows: Buyers shall pay the sum of \$28,132.50 on March 1, 1979 with the balance of \$162,235.00 payable in three (3) equal annual installments of \$54,078.33 plus interest at 8.5% per annum interest to run from March 1, 1979. The first such annual payment shall be on March 1, 1980 with a like payment plus interest on March 1, 1981 and March 1, 1982.

A title insurance policy from a reliable company insuring marketable title in the seller in an amount equal to said purchase price is to be furnished purchaser in due course at seller's expense; preliminary to closing, seller may furnish a title insurance company's title report showing its willingness to issue title insurance, and such report shall be conclusive evidence as to status of seller's record title.

It is agreed that if the title to the said premises is not marketable, or cannot be made so within thirty days after notice, with a written statement of defects, is delivered to seller, the earnest money herein receipted for shall be refunded. But if the title to the said premises is marketable, and the purchaser neglects or refuses to comply with any of the conditions of this sale ~~and~~ ^{on or before Dec. 1, 1978} and to make payments promptly, as hereinabove set forth, then the earnest money herein receipted for shall be forfeited to the seller as liquidated damages, and this contract shall thereupon be of no further binding effect.

The property is to be conveyed by good and sufficient deed free and clear of all liens and encumbrances except zoning ordinances, building restrictions, taxes due and payable for the current tax year, reservations in federal patents and state deeds, easements of record and ~~restrictions contained in preliminary title report~~.

All irrigation, ventilating, cooling, plumbing and heating fixtures and equipment (including stoker and oil tanks but excluding fire place fixtures and equipment), water heaters, electric light and bathroom fixtures, light bulbs and fluorescent lamps, venetian blinds, wall-to-wall carpeting, awnings, window and door screens, storm doors and windows, attached floor coverings, attached television antenna, all plants, shrubs and trees and all fixtures except ~~none~~ are to be left upon the premises as part of the property purchased.

The following personal property is also included as part of the property sold for said price: ~~Hardy Rain irrigation system including a 20 horse power electric pump, valued at \$6000.00~~

Seller and purchaser agree to pro rate the taxes which become due and payable for the current tax fiscal year on a fiscal year basis. Rents, interest, premiums for existing insurance, and other matters shall be pro rated on a calendar year basis. Purchaser agrees to pay for fuel on hand including oil in tank, if any, and, at closing, shall reimburse seller for same, if any, held in any reserve account relating to any encumbrances on said property. Adjustments are to be made as of the date of the consummation of the sale herein or delivery of possession, whichever ever first occurs.

Possession of said premises is to be delivered to purchaser on or before March 1, 1979. Time is of the essence hereof. This contract is binding upon the heirs, executors, administrators, successors and assigns of the purchaser and seller. However, the purchaser's heirs herein are not assignable without written consent of seller. In any suit or action brought on this contract, the losing party agrees to pay the prevailing party's reasonable attorney's fees to be fixed by the trial court, and on appeal the prevailing party's reasonable attorney's fees to be fixed by the appellate court.

Further conditions: 1) Sale subject to Buyers approving water right and range right transfers on water and range rights associated with land transferred herein 2) Sale subject to Sellers receiving approval of sale from present mortgagees.

Kevin J. Oberman

Owners

I hereby agree to purchase the above property and to pay the price of two hundred twenty eight thousand five hundred and no/100 Dollars (\$228,500.00) as specified above.

Address Minnesota City, Minn. 55959

Purchaser

Phone 507-689-2083

Heisler, Van Valkenburgh & Coats

ATTORNEYS AT LAW

214 EAST FIFTH STREET

THE DALLES, OREGON 97058

TELEPHONE: (503) 296-4654

DONALD E. HEISLER
M. D. VAN VALKENBURGH
STANLEY D. HEISLER
J. THOMAS COATS

March 2, 1979

JOHN V. KELLY

Mr. James M. Habberstad
Dick & Dick
Attorneys at Law
601 Washington Street
The Dalles, Oregon 97058

Re: Jilk - Obermaier
Our File No. 136

Dear Jim:

As you are aware, we represent Mr. and Mrs. Leo Jilk and Mr. Joseph J. Jilk. This letter is written for purposes of compromise and compromise only. It does not constitute admission of any fact cited herein.

As I have previously advised you, the Earnest Money Agreement, in the above-referenced transaction, was entered into in October, 1978. In December, 1978, Mr. and Mrs. Obermaier applied for the transfer of water rights from the real property they had contracted to sell my clients in October, 1978 to real property they were retaining. We believe the provisions of the Earnest Money Agreement concerning the water rights to be transferred to my clients speaks for itself.

In the spirit of compromise, my clients have prepared a schedule setting forth an equitable apportionment of the various water rights on the Obermaier property. This is tendered to you without waiver of any of our clients' rights. The schedule is arranged by the various water rights. The circled figure at the bottom of each column represents the number of acres my clients expect to receive. The balance represents the number of acres the Obermaiers would retain for the benefit of their other real properties. As you will note, the apportionment is based on my clients receiving 98/212ths (or 46.23%) of each water right.

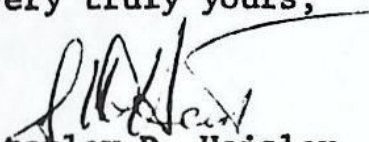
Please inform me if this compromise offer is acceptable. As my clients' damages are mounting, may I please hear from you

Mr. James M. Habberstad
March 2, 1979
Page 2

Re: Jilk-Obermaier

before Wednesday, March 7, 1979. In the event this compromise offer is not acceptable, please consider this letter notice of recission.

Very truly yours,



Stanley D. Heisler

SDH:mkm

Enclosure

cc: Mr. and Mrs. Leo Jilk
Mr. Joseph J. Jilk

98 acres = 46.23% of 212 acres

Rec'd 3-5-79

(Cert 7245) 3 mi. -1870	C-8413 (permit 5879) 3 mi. '23	C-11098 (permit 8250) 3 mi. '27	(Cert. 7246) 1875 Gate + Rock Cr.
3 cert. 7 cert. <u>5 cert.</u> 15	5 p. <u>15 p.</u> 20	20 p. 5 p. <u>6 p.</u> 31 p.	1 cert. <u>3 cert.</u> 4
$462 \times 15 = 6.93$	$.462 \times 20 = 9.24$	$.462 \times 31 = 14.32$	$.462 \times 4 = 1.85$
<u>5</u> <u>9</u>	<u>9</u>	<u>14</u>	<u>4</u>
10 (permit 6739) C-7457 Gate + Rock Cr. 1925	11 (permit 5651) C-8489 Middle Fork Gate Cr. 1921	17 (permit 15519) C-46367 Res. or Dam. Primary 1939	Res. or Dam. Supplemantal
10 p 4 p <u>8 p</u> 22	10 p $.462 \times 10 = 4.62$	4 fin 4.0 8.7 5.0 8.7 5.0 10 <u>10</u> 41.4	20 fin 11.0 7 4.0 8 15.0 15 3.6 9 1.0 3.6 <u>6</u> 68.6
$462 \times 22 = 10.16$		$.462 \times 41.4 = 19.12$	$.462 \times 68.6 = 31.6$
<u>10</u> 12	<u>5</u> 5	<u>19</u> 22.7	<u>32</u> 34.6

109.4 RR

34.0

TO
JILK

THREEMILE CR.	
THREEMILE	
THREEMILE	

Rock, 3 M, N.F. GATE

Take 9^0 (4103) from 5555 sp⁺ into SES
for: 9^0 ac 5555 }
16⁰ ac SES } p

312K

TOWNSHIP 45

RANGE 12 E, W. M.

Card #1

SECTION 16

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
23																Decree, Vol. 7 Page 196		5774
																		5385
GATES ROCK																10180	6507	8497
																Supercoded by Cert. 7246		5776
3 Mile Cr												5		6		11862	8250	11098
Rock & Gate														4		Decree, Vol. 7 Page 196		7246
																17838	15519	46367
																Supplemental		46367
																Supplemental		46367
to 25																Supplemental		CANCELED
																Supplemental		CANCELED
20 ^B 4?								1 ^B								34734	21390	46368
																Supplemental		45212 33228

Card #2

TOWNSHIP 45 RANGE 12E W. M. SECTION 16

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
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 GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
										2 ⁰						D-135	Y.18.P.13	46530
10 ⁰	25 ⁰															D-137	Y.18.P.15	46531
																Supplemental 53066	29616	
								5 ⁰		5 ⁰						T-7101	OUT P	
											3 ⁰			1 ⁰		-	OUT S	
										10 ⁰	7 ⁰					-	IN	S
3	M.16	Cr								11 ⁰						T-7103	IN	P (-8413)
								6 ⁰		11 ⁰				4 ⁰	6 ⁰	P		
								10 ⁰	7 ⁰	0				5 ⁰		S	76367	
								3 ²	5 ⁰	10 ⁰						P	76367	
								4 ⁰		3 ⁴						S	Add	
								10 ⁰								S	sub tract	

T-4101

CONSENT TO TRANSFER OF WATER RIGHTS

WHEREAS, KEITH J. OBERMAIER and KATHLEEN A. OBERMAIER, husband and wife, hereinafter referred to as the "Seller" have sold and LEO E. JILK and BARBARA J. JILK, husband and wife, as to an undivided one-half, and JOSEPH J. JILK, as to an undivided one-half, hereinafter referred to as the "Buyer," have purchased the following described real property located in the County of Wasco and State of Oregon:

The South half of Section 15 and the East half of the Southeast quarter of Section 16 in Township 4 South, Range 12 East of the Willamette Meridian; and

WHEREAS, the following constitute the water rights which were appurtenant to the real property owned by Seller prior to the sale of the real property by the Seller to the Buyer:

SO JILK

	10
5	
9	11
14	17
4	0
10	12
5	5
19	22.4
66	82.4
0	34.6

- | | | | |
|----|----|-----|--|
| 0 | 0 | (1) | Three Mile (1870 -- 15 acres |
| 0 | 20 | (2) | Three Mile (1923) Permit No. 5879 and Certificate No. 8413 -- 20 acre |
| 0 | 0 | (3) | Three Mile (1927) Permit No. 8250 and Certificate No. 11098 -- 31 acres |
| 4 | 0 | (4) | Gate & Rock Creeks (1875) -- 4 acres (C-7246) |
| 5 | 0 | (5) | Gate & Rock Creeks (1925) Permit No. 6807 and Certificate No. 8497; Permit No. 6739 and Certificate No. 7457 -- 22 acres |
| 10 | 0 | (6) | Middle Fork Gate Creek, Permit No. 5651 and Certificate No. 8489 (1921 -- 10 acres |
| 19 | 0 | (7) | Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 41.4 acres |
| 66 | 0 | (8) | Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 68.6 acres; and |

143.4 P
68.6 S
212.0

WHEREAS, the Seller and Buyer desire that certain water rights be transferred by Seller in order that the following water rights be appurtenant to Buyer's real property:

ON Jilk's Property

Sec 15	16	17
(1) 10	0	0
(2) 20	0	0
(3) 20	31	0
(4) 0	0	0
(5) 0 (2497)	0	0
0 (1957)	0	0
(6) 0	0	0
7 1/2	0	0
15 50	9.6	0

- | | | | | | |
|----|---|-----|--|----|----|
| 0 | 0 | (1) | Three Mile (1870) -- 5 acres C-7245 | 0 | 5 |
| 0 | 0 | (2) | Three Mile Permit No. 5879 and Certificate No. 8413 (1923) -- 9 acres | 0 | 11 |
| 0 | 0 | (3) | Three Mile Permit No. 8250 and Certificate 11098 (1927) -- 14 acres | 0 | 17 |
| 4 | 0 | (4) | Gate & Rock Creeks (1875) -- 4 acres C-7246 | 4 | 0 |
| 10 | 0 | (5) | Gate & Rock Creeks Permit No. 6807 and Certificate No. 8497; Permit No. 6739 and Certificate No. 7457 (1925) -- 10 acres | 10 | 0 |
| 5 | 0 | (6) | Middle Fork Gate Creek Permit No. 5651 and Certificate No. 8489 (1921) -- 5 acres | 5 | 0 |
| 15 | 0 | (7) | Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 19 acres | 15 | 0 |
- Supp 32.0

RECEIVED
JUN 9 1980
WATER RESOURCES DEPT
SALEM, OREGON

- (8) Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 32 acres; and

WHEREAS, the Seller and Buyer desire that certain water rights be transferred in order that the following water rights be appurtenant to that real property which Seller presently owns and is not selling to the Buyer:

- (1) Three Mile (1870) -- 10 acres
- (2) Three Mile Permit No. 5879 and Certificate No. 8413 (1923) -- 11 acres
- (3) Three Mile Permit No. 8250 and Certificate 11098 (1927) -- 17 acres
- (4) Gate & Rock Creeks (1875) -- none
- (5) Gate & Rock Creeks Permit No. 6807 and Certificate No. 8497; Permit No. 6739 and Certificate No. 7457 (1925) -- 12 acres
- (6) Middle Fork Gate Creek Permit No. 5651 and Certificate No. 8489 (1921) -- 5 acres
- (7) Permit No. 15519 and Certificate No. 46367 - Primary (1939) -- 22.4 acres
- (8) Permit No. 15519 and Certificate No. 46367 - Supplemental (1939) -- 36.6 acres

77.4 P
36.5 S
114

NOW, THEREFORE, we, the undersigned Directors of the Rock Creek District Improvement Co. do hereby consent to the water right transfers hereinabove described.

DATED this _____ day of March, 1979.

D M Marshall
C. K. Luffert
Boyle
D. J. Harvey
Queen Magill

[illegible]

TOWNSHIP	RANGE	W.M.	SECTION
45	12E		16
N E N W S W S E			
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 GOVERNMENT PLAT, IF OTHER THAN 40 ACRES			
D-135 Y.18.P.13 46530			
D-137 Y.18.P.15 46531			
T-9101 SUPP 53066 39616			
T-9101 (C-10367)			
T-9101 SUPP (C-98367)			
T-9103 (C-8913)			
59862			
T-9947 (7295) IN			
T-9948 (11098) OUT			
T-9948 11098 IN			
16° 15° 11° 0 4 6 P			
11° 11° 11° 0 0 6 S			

why out6, in6

TOWNSHIP <u>45</u> RANGE <u>12E</u> W. M.																SECTION <u>20</u>		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
8	5	16					3									Superceded by Cert. 7246		5776
13	8															Decree, Vol. 7 Page 196 101EC 6807		8497
						2.5										Decree, Vol. 7 Page 196		5753
						10				10						8128	5651	8489
										10						9806	6554	7674
8	5	16					3									Decree, Vol. 7 Page 196		7246
Stock Dom				Stock Dom			10	Stock Dom								Supplemental 17838	15519	46367
		14														75 17838	15519	46367
								out 10								T-9106 (C-8489)		
20	22	8	25	35			20									59862		

TOWNSHIP <u>4 S</u> RANGE <u>12 E</u> W. M.												SECTION <u>28</u>						
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
4	8			2			6									8128	5657	8489
																10180	6807	8497
																Decree, Vol. 7	Page 196	5751
																Superceded by Cert. 7246		5776
																Decree, Vol. 7	Page 196	7457
																10179	6739	7246
																Decree, Vol. 7	Page 196	46367
																Swonlemahal	17838	15519
																17838	15519	46367
																T-9105	(C-7246)	
																T-9108	(C-7457)	
																59862		
15°	23°	30°	15°	15°				27°	5°						5°			
21°	13°	9°	1	4°	0	12°	19°	0										
0	0	8°	1	4°	0	10°	6°	0										

TOWNSHIP <u>4S</u>								RANGE <u>12E</u> , W.M.								Card # <u>1</u>		SECTION <u>17</u>	
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
				4.2								11					2163	5385	
																	Superseded by Cert# 17155 ←	5966	
																	Decree, Vol. 7 Page 196 4189 2380	2324	
																	Decree, Vol. 7 Page 196	5775	
																	Superseded by Cert. 7246 ←	5976	
																	Decree, Vol. 7 Page 196 10180 6607	8497	
																	4 4104 2361	CANCELLED	
																	Decree, Vol. 7 Page 196	7246	
																	13088 15165		
																	Supplemental 17838 15519	46367	
																	82 17838 15519	46367	
																	rs. Sp. Or. Vol. 6 Page 69		
																	Superseded by	22664	
																	19264 22633	22642	

TOWNSHIP				RANGE				W. M.				Card #2				SECTION				
NE				NW				SW				SE				APPLICATION NUMBER		PERMIT NUMBER		CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
1 st				3 rd	5											34734	27390	46368		
				4 th												34734	27390	46368		
6 th				7 th	12 th											45212	33025			
				4 th												D-135	X-18P13	46530		
5 th				7 th												D-137	X-18P15	46531		
6 th				7 th	12 th											Supplemental 53066	39616			
																T-4101	(C-46367)	T-4101		
																T-4101	(C-46367)			
																T-4105	(C-7246)			
																T-4106	(C-8489)			
																T-4107	(C-8497)			
																T-4108	(C-7457)			
																59862				
																	P			
																	S			

TOWNSHIP 45 RANGE 12E W. M. SECTION 15

[illegible]

PRIORITY

1923

1927

1870

1939

1939

TOWNSHIP _____, RANGE _____, W. M. SECTION 13[illegible]

T-4103

T-4101

5-4947

T-4948

46367 S T-4101

5-4103

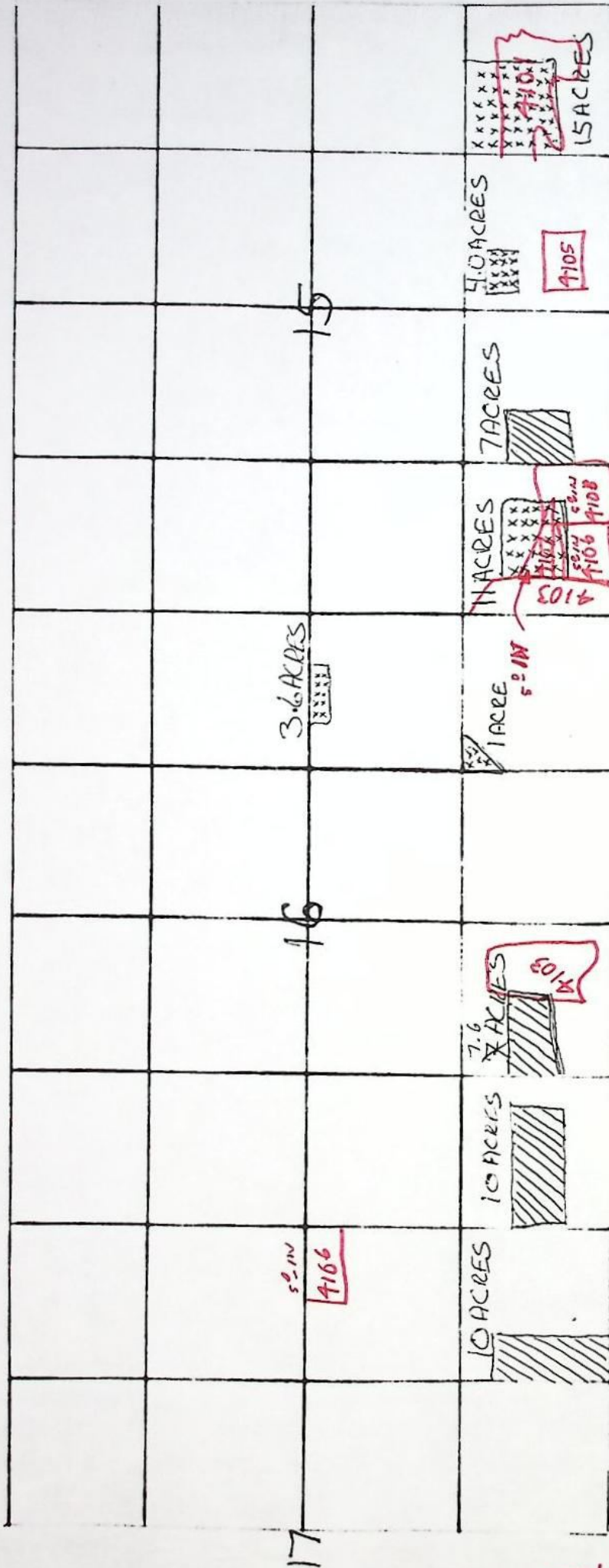
5-4105

r-4106

T-4107

T-4108

T-4101
SUPPLEMENTAL

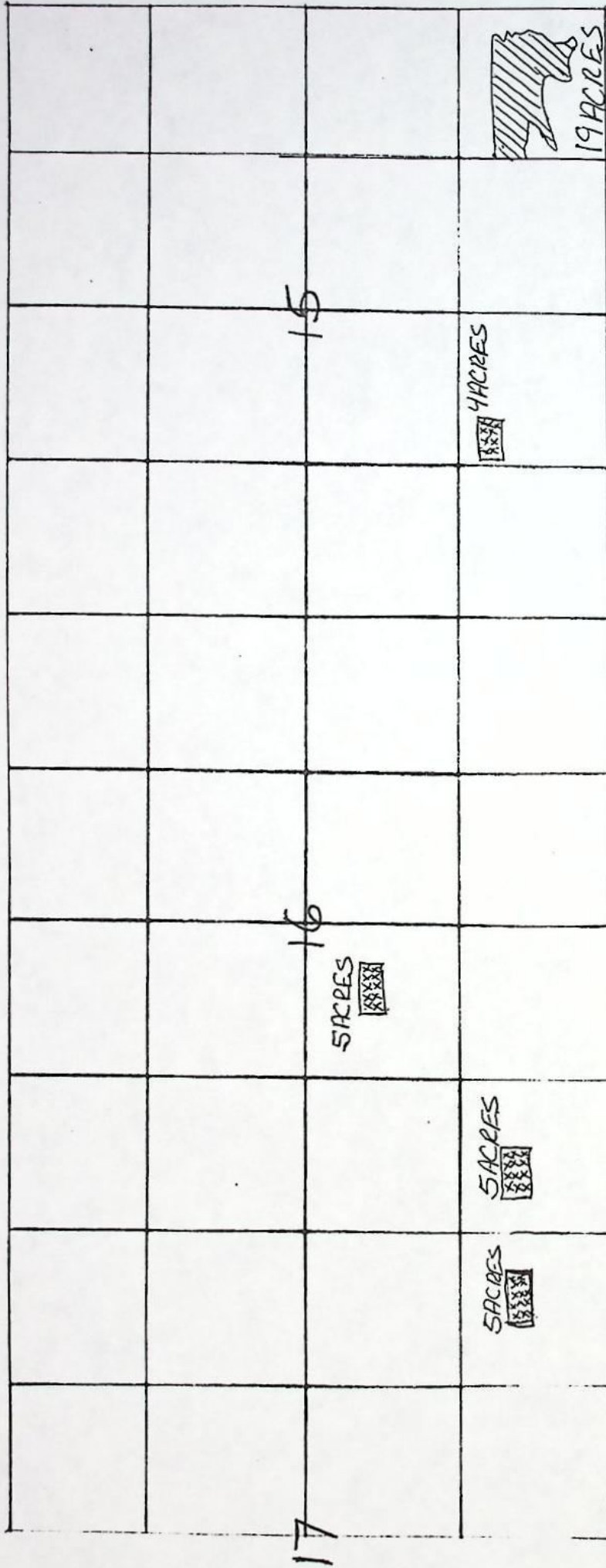


Application Map, For OLD LOCATION
 Permit 15519
 CERT 46367
 NEW LOCATION
 Keith Obermayer
 Scale 4" = 1 mile

RECEIVED
 DEC 8 1980
 WATER RESOURCES DEPT
 SALEM, OREGON

4108
520

T-4101



OLD LOCATION
Permit 15519
CERT 46367

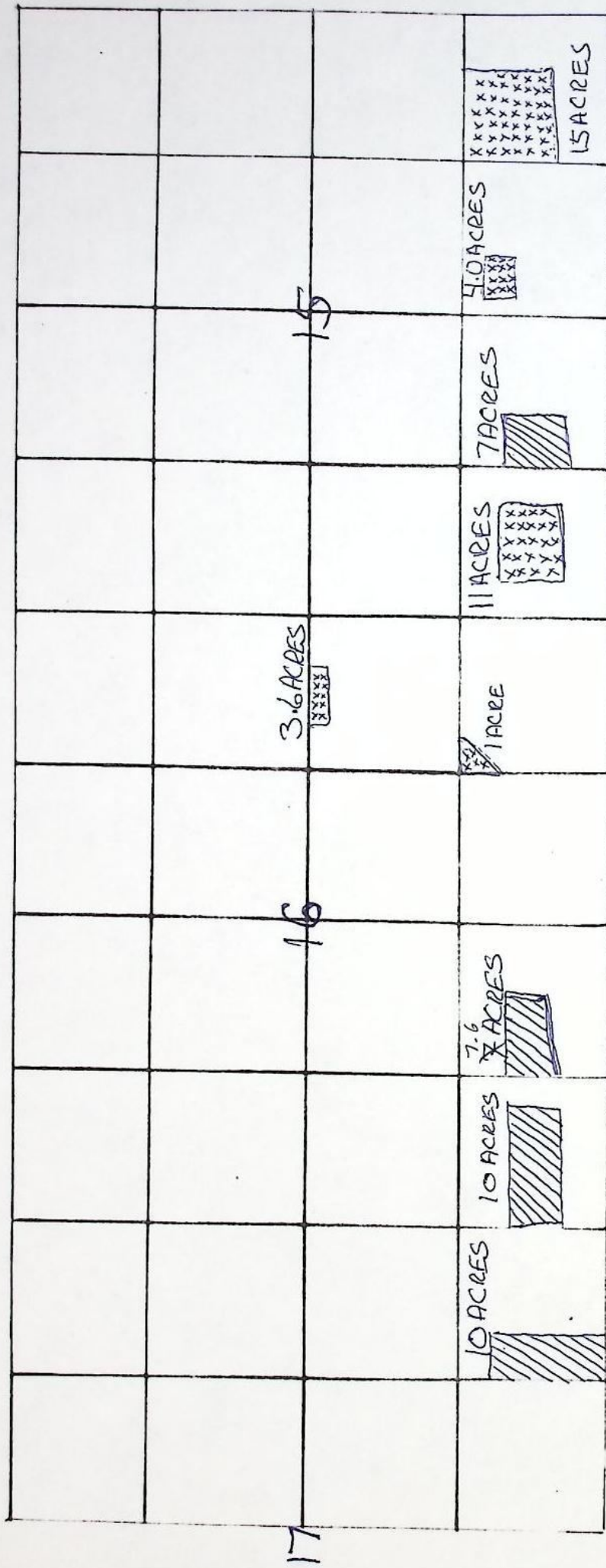
NEW LOCATION

Application MAP, For
Keith Obermaier
Scale 4" = 1 mile

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WATER RESOURCES DEPT
SALEM, OREGON

T-4101

SUPPLEMENTAL



Application Map, For OLD LOCATION
Keith Obermaier
Scale 4" = 1 mile
NEW LOCATION

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WATER RESOURCES DEPT
SALEM, OREGON
Superceded

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JAN 15 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Rock, Threemile, North Fork Gate Creeks & Rock Cr.
Reservoir
PURSUANT TO TRANSFER APPLICATION NO. 4101

I, Keith Obermaier, 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 Jan 12, 1981.

Jan 12, 1981
Date

Keith J Obermaier
Signature

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



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 12-8-80

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DEC 15 1980

FROM: WATERMASTER, DISTRICT NO. 3

(signature) Thomas J. RO

WATER RESOURCES DEPT
SALEM, OREGON

SUBJECT: Water Right Transfer Application No. 4101 for change in (POU) POD, Use of water

In the name(s) of Keith Obermaier

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~~ HAVE NOT been issued for diversion from the source(s) which serve(s) this right.

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 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 enclosed copy of the transfer application and map(s) are for your records.

Contains
Recycled
Materials

91-125-1387

SP-75683-125

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JUL 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

PATENT A-2-2M-2 T

STATE OF OREGON

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROCK CREEK DISTRICT IMPROVEMENT COMPANY

of Wamic, State of Oregon, 97063, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rock Creek, Threemile Creek and the North Fork of Gate Creek and Rock Creek Reservoir constructed under Permit No. R-780

a tributary of White River for the purpose of irrigation of 320.4 acres and supplemental irrigation of 609.6 acres, domestic for 12 families and stock use under Permit No. 15519 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 March 13, 1939

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

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10 and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T. 4 S., R. 11 E., W. M.; Rock Creek-1000 feet North and 1200 feet East from the SW Corner Section 14, Threemile Creek-726 feet South and 528 feet West from the NE Corner, Section 10, 2550 feet North and 1250 feet East from the SW Corner, Section 12, North Fork Gate *

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-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated up to July 1st of each year and thereafter not to exceed 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 one acre foot per acre during any 30-day period up to July 1st of each year and not to exceed three acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from Rock Creek Reservoir constructed **

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

*Creek-1280 feet North and 1500 feet East from the Center, Section 21

**under permit number R-780. The use of water for stock and domestic purposes shall be in accordance with paragraph 25 of the White River Decree dated November 30, 1923 in Wasco County Oregon.

5
Rock Creek & Threemile
Threemile Creek & Threemile

Primary
6.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
25.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
15.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
21.2 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14

4.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 15

8.7 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 16

Domestic NE $\frac{1}{4}$ SE $\frac{1}{4}$
8.7 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 17

Domestic NW $\frac{1}{4}$ NE $\frac{1}{4}$
Domestic SW $\frac{1}{4}$ NW $\frac{1}{4}$
14.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 20

2.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Domestic & 26.4 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21

8.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
8.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
8.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Domestic SE $\frac{1}{4}$ NW $\frac{1}{4}$
Domestic NE $\frac{1}{4}$ SW $\frac{1}{4}$
11.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22

Domestic NE $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Domestic NW $\frac{1}{4}$ SW $\frac{1}{4}$
Domestic SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 23

15.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
0.4 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
6.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 24

2.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 25

9.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
14.2 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
22.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
6.3 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26

5.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
3.8 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Domestic SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 27

5.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
5.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
5.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Domestic NW $\frac{1}{4}$ NW $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28

T. 4 S., R. 12 E., W. 11.

Supplemental

20.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 11 0
7.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 4 0
8.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
15.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 15 0
Section 15

3.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 3 6
6.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 1 0
Section 16

9.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 9 0
Section 17

2.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 18

10.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 20

14.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
14.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
5.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
0.8 acre SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21

26.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
11.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
12.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
19.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
25.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
8.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
12.1 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
20.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
12.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
12.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
25.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 22

10.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
10.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
12.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
28.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
20.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 23

35.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
34.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 24

14.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 25

30.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
8.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 26

Supplemental

3.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
18.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 27

4.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
8.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
4.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
6.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

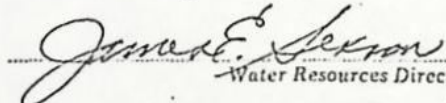
Section 28

T. 4 S., R. 12 E., 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. 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. August 24, 1978


Water Resources Director

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Keith G. Obermaier (Name of applicant)
of Rt 1 Bx 24 (Mailing address), Lygh Valley (City),
State of Ore (Zip Code) 97063, 544 2184 (Phone number), do hereby make application for change
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? No, Gate & Rock Cr. Ditch Co
(If not, give name)
2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings
White River number of certificate 7246
(Yes or No)
3. Was your water right acquired by Water Right Permit? No If so, give number
(Yes or No)
of permit Number of certificate

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 Rock & Gate Creeks
5. What is the date of priority of your water right? 1875
6. The authorized point of diversion is located ft. (N. or S.) and ft. (E. or W.) from the 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 Wasco The name of the ditch used is Gate & Rock Cr. Ditches

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

7. The proposed point of diversion is located ft. (N. or S.) and ft. (E. or W.) from the 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
4S	12E	15	SW¼ SE¼	4.0

(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.? No
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Bill Cody	200,000

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
4S	12E	15	SE¼ SW¼	4.0.

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Changing location of water as agreed in sales contract.

15. Construction work will be completed on or before None necessarily

16. The water will be completely applied to the proposed use on or before 10-1-79

Remarks Pts of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 10 & NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 12 SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21, T. 45, R. 11E, W.M.; Rock Cr. 1000 Ft N & 1200 Ft E. From the S $\frac{1}{4}$ corner Sec 14, Threemile Cr. 726 Ft S & 528 Ft W From the NE corner Sec 10, 2550 Ft N & 1250 Ft E From the SW corner, Sec 12, N Fork Gate C 1280 Ft N & 1500 feet E From the Center Sec 21.

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, Keith Obermaier, 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 20 day of Oct, 1980

Keith Obermaier
(Name of applicant)

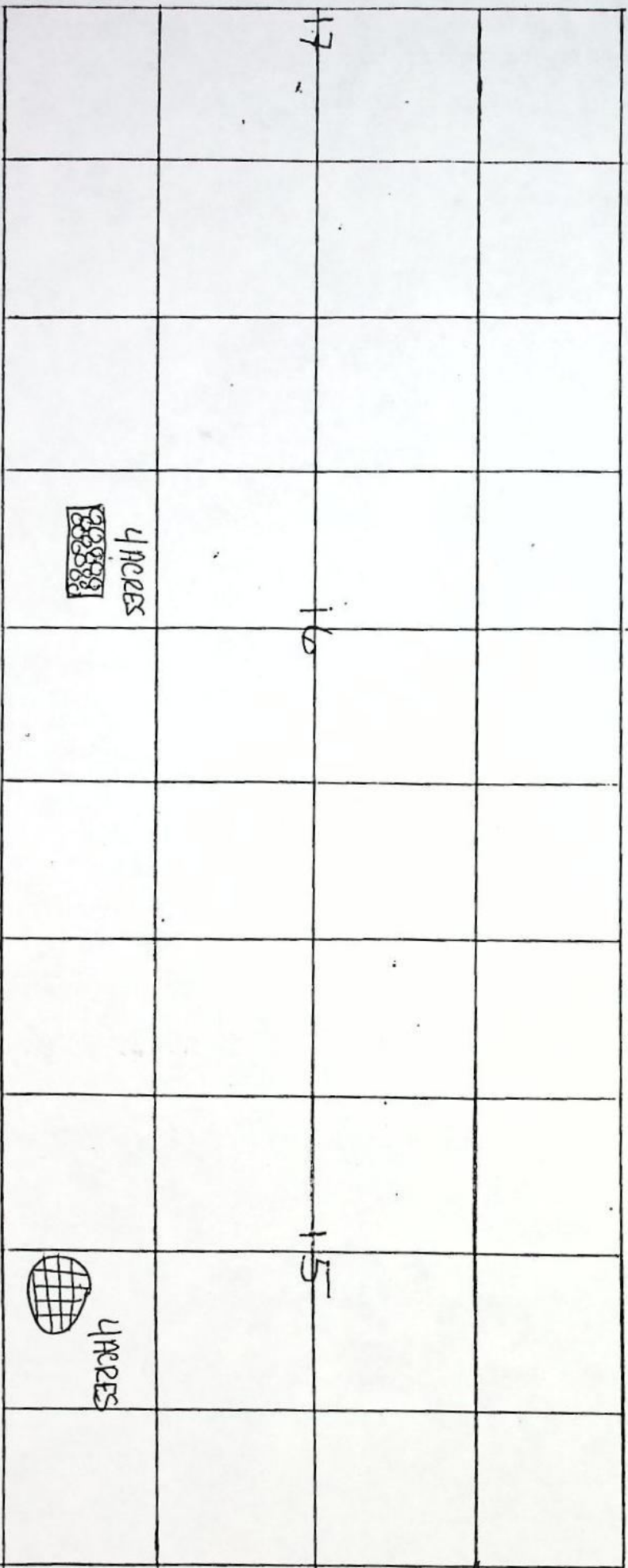
Subscribed and sworn to before me this 20 day of October, 1980

[Notarial Seal]

Kauf. Minnotte
NOTARY PUBLIC

My commission expires Sept. 17, 1984

T. 4S. 8. R. 12E. W.M.



RECEIVED

OCT 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

Application Map for
Keith Obermaier

Scale 4" = 1 mile



New Location



OLD LOCATION
Ceet 7246

~~See also Attach~~
MAP

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That GATE CREEK AND ROCK CREEK DITCH COMPANY

of Wasco, State of Oregon has a right to the use of
the waters of Rock Creek and Gate Creek, tributaries of White River;
for the purpose of Irrigation;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Wasco County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 7, at page 196; that the priority
of the right thereby confirmed dates from 1875

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed Three acre feet per
acre during any irrigation season (with the further limitations contained in Par-
agraph 24 of said decree);

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Ch. Pt. of Div. Sp. Or. Vol. 7, p. 467

APPROPRIATOR	DESCRIPTION OF LAND
Chandler, Ralph	8 acres in NE 1/4 Section 20, T. 4 S. R. 12 E. W. M.
Crawford, Geo. Z.	6.1 acres in SE 1/4 Section 23, T. 4 S. R. 12 E. W. M.
Driver, H. E.	4 acres in SE 1/4 14 acres in NE 1/4 3 acres in NW 1/4 Section 25, T. 4 S. R. 12 E. W. M.
Driver, Thos.	12 acres in SE 1/4 3 acres in NW 1/4 Section 24, T. 4 S. R. 12 E. W. M.
Driver, Willis M.	20 acres in SE 1/4 Section 24, T. 4 S. R. 12 E. W. M.
Farlow, Wm. H. Estate	3 acres in SW 1/4 3 acres in NW 1/4 Section 27, T. 4 S. R. 12 E. W. M.
Fowler, F. M.	2 acres in SE 1/4 Section 27, T. 4 S. R. 12 E. W. M.
Gority, Richard	1 acre in NE 1/4 Section 17, T. 4 S. R. 12 E. W. M.

RECORDED
WATER RESOURCES DEPT
SALEM, OREGON

Harvey, A. C.

5 acres in SW¹/₄ NW¹/₄
2 acres in SE¹/₄ NW¹/₄
5 acres in NE¹/₄ NW¹/₄
10 acres in NW¹/₄ NE¹/₄
Section 21,
4 acres in SW¹/₄ SE¹/₄
Section 16,
T. 4 S. R. 12 E. W. M.

Johnson, W. H.

Domestic use.

Kennedy, James E.

33.3 acres in SW¹/₄ NE¹/₄
Section 26,
T. 4 S. R. 12 E. W. M.

McCoy, J. M.

5.1 acres in NW¹/₄ NE¹/₄
Section 20,
T. 4 S. R. 12 E. W. M.

McGill, J. B.

1.5 acres in NE¹/₄ NW¹/₄
Section 24,
T. 4 S. R. 12 E. W. M.

Patison, A. M.

4.8 acres in SE¹/₄ SW¹/₄
4 acres in SW¹/₄ SW¹/₄
Section 14,
T. 4 S. R. 12 E. W. M.

Roberts, D. C.

10 acres in NE¹/₄ SE¹/₄
Section 21,
T. 4 S. R. 12 E. W. M.

Savage, Lenn

1.6 acres in SW¹/₄ NE¹/₄
Section 20,
T. 4 S. R. 12 E. W. M.

Savage, Richard

3 acres in NW¹/₄ NW¹/₄
Section 28,
T. 4 S. R. 12 E. W. M.

Gesh, Herman H.

14 acres in SW¹/₄ SW¹/₄
Section 23,
T. 4 S. R. 12 E. W. M.

Woodcock, T. H.

3 acres in SE¹/₄ NW¹/₄
Section 20,
T. 4 S. R. 12 E. W. M.

(NOTE: This certificate is issued to supersede that certain certificate issued Jan. 9, 1926, to the above Company, the rights covered thereby having been modified by an order of the State Engineer dated June 15, 1927, under the provisions of Chap. 219, Laws of Oregon for 1927.)

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 14th day
of July, 1927.

.....
State Engineer.



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: November 8, 1978, 19__.

FROM: ** Tom Paul

RECEIVED

DEC 12 1978

WATER RESOURCES DEPT.
SALEM, OREGON

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4101

IN THE NAME OF Keith Obermaier

In my opinion the proposed change in PLACE OF USE
MAY BE MADE WITHOUT INJURY ~~XXXXXXXXXXXXXXXXXXXX~~* 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? NO
(yes or no)

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

- (1) PRIOR to the diverting of water at the new point of diversion . . .
x (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

** Thomas J. Paul
Watermaster's signature or initials

1-1-74

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That W. J. CODY and DAISY D. CODY, husband and wife, ODELL TREANOR and ESTHER TREANOR, husband and wife, and PAUL TREANOR, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by KEITH J. OBERMAIER and KATHLEEN A. OBERMAIER, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wasco and State of Oregon, described as follows, to-wit:

Exhibit "A" attached hereto

RECEIVED

001 231980

WATER RESOURCES DEPT
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPTING

see attached Exhibit "A"

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 440,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ®, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this November 1975; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Esther Treanor

Paul Treanor

STATE OF OREGON, } ss.
County of Wasco
November 1975

W. J. Cody

Daisy D. Cody

Odell Treanor

STATE OF OREGON, County of) ss.
November 1975

Personally appeared and

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Personally appeared the above named W. J. Cody, Daisy D. Cody, Odell Treanor, Esther Treanor and Paul Treanor,

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires: 1/4/78

Before me:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

W. J. Cody, et al

Box 188

Tygh Valley, Oregon 97063

Keith J. Obermaier, et ux

Wamic Station

Tygh Valley, Oregon 97063

After recording return to:

Keith J. Obermaier

Wasco Title

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Keith J. Obermaier

Wamic Station

Tygh Valley, Oregon 97063

NAME, ADDRESS, ZIP

STATE OF OREGON, } ss
County of Wasco, }

I, SUE A. PROFFITT, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received for record —

NOV 26 3 56 PM '75

and recorded in the — DEED

records of said County under Micro Film

NUMBER: 752799(2)

INDEXED

Witness my hand & seal affixed at The Dalles
SUE A. PROFFITT, County Clerk
By B. G. Gandy, Deputy
Return to Address

752799(2)

EXHIBIT "A"

Southeast quarter of Northwest quarter, East half of Southwest quarter of Section 17, Township 4 South Range 12 East of the Willamette Meridian; EXCEPTING the county road;

West half of Southeast quarter, Northeast quarter of Southwest quarter of Section 20, Township 4 South Range 12 East of the Willamette Meridian; EXCEPTING the county road;

South half of Section 15; East half of Southeast quarter of Section 16, Township 4 South Range 12 East of the Willamette Meridian; EXCEPTING the county road;

South half of North half, Southwest quarter, Northwest quarter of Southeast quarter of Section 16; South half of Northeast quarter, North half of Southeast quarter, Southeast quarter of Southeast quarter of Section 17, Township 4 South Range 12 East of the Willamette Meridian; EXCEPTING the county road;

East half of Southeast quarter of Section 20; Northwest quarter of Northwest quarter of Section 28; Northeast quarter of Northeast quarter of Section 29, Township 4 South Range 12 East of the Willamette Meridian; EXCEPTING the county road;

SUBJECT TO:

The rights of the public in and to the portions thereof included within the boundaries of roads and highways.

The usual reservations as contained in patent issued by the United States of America.

Subject to the levies and assessments of Rock Creek Improvement Company and to the easements for the works thereof if the same exist in said premises.

Drainage Agreement, including all the terms and provisions thereof between Massie Ashley and Marie L. Ashley, husband and wife, and County of Wasco, a political subdivision of the State of Oregon, dated August 29, 1966 and recorded September 21, 1966 in the records of Wasco County, Oregon, being Micro-Film Image No. 66-1719.

----- 1 (2)
75-2799 (2)

