

4103

Name Keith J. Obermaier

By _____

Address Route 1, Box 24Tygh Valley, OR 97063Change in POUDate filed Dec. 12, 1978

Date of hearing _____

Place of hearing _____

Date of order 1-5-81 Vol. 34, page 201Date for application of water 10-1-82Proof mailed OCT 18 1996

Proof received _____

Certificate issued FEB 04 1997 Vol. _____, page 74025

DESCRIPTION OF WATER RIGHT

Name of stream Threemile CreekTrib. of _____ County of WASCO

Use _____

Quantity of water _____ No. of acres 20²

Name of ditch _____

Date of priority May 12, 1923In name of Threemile Cr. Water Dist Co.

Adjudication Vol. _____ page _____

App. No. 8967 17838 Per. No. 5879 15519 Cert. No. 8413 46367 suppl

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>12-12-78</u>	<u>30-</u>	<u>7895</u>
TOTAL . . .		
<u>12-12-78</u>	<u>2 Cert. Fee</u>	<u>7895</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

W.R.I.S.

Assembled 7-9-83 by SKA

Entered _____ by _____

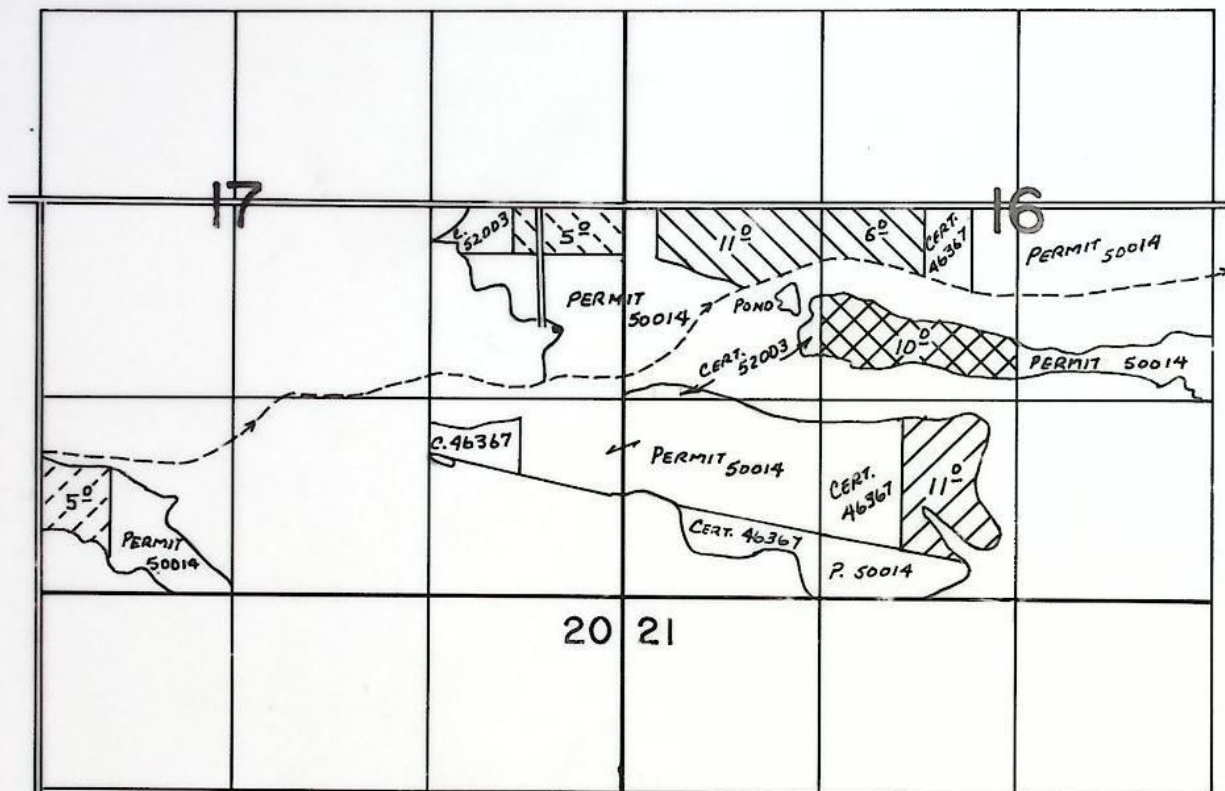
Verified _____ by _____

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

Please create a conforming right
for Port Luck District Improvement Co.
Keep all remaining acres ± 20
acres being moved on one "CE"
right

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

'PRIMARY RIGHT'



FINAL PROOF SURVEY

UNDER

Transfer No.

Application No. Permit No.
IN NAME OF

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

Surveyed June 19, 1984, by L. Tall.....
June 7 1988 T. Warren

4103

4106

4108

4947

4948



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 THREEMILE CREEK, a tributary of WHITE RIVER, for IRRIGATION.

This right was perfected under Permit 5879. The date of priority is MAY 12, 1923. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.86 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

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.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.

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:

SW 1/4 SW 1/4 9.0 ACRES
SECTION 15

SE 1/4 SW 1/4 11.0 ACRES
SECTION 16

NW 1/4 NE 1/4 4.0 ACRES
SE 1/4 NE 1/4 6.0 ACRES
SECTION 21

SW 1/4 NE 1/4 18.0 ACRES
SE 1/4 NE 1/4 7.0 ACRES
SW 1/4 NW 1/4 6.0 ACRES
SE 1/4 NW 1/4 5.0 ACRES
NE 1/4 SW 1/4 15.0 ACRES
NW 1/4 SW 1/4 15.0 ACRES
NE 1/4 SE 1/4 20.0 ACRES
SE 1/4 SE 1/4 30.0 ACRES

SECTION 22

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 JANUARY 5, 1981, and supersedes Certificate 8413, State Record of Water Right Certificates.

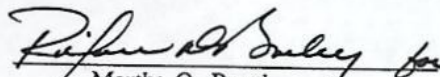
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

SEE NEXT PAGE

T-4103.DEK

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.

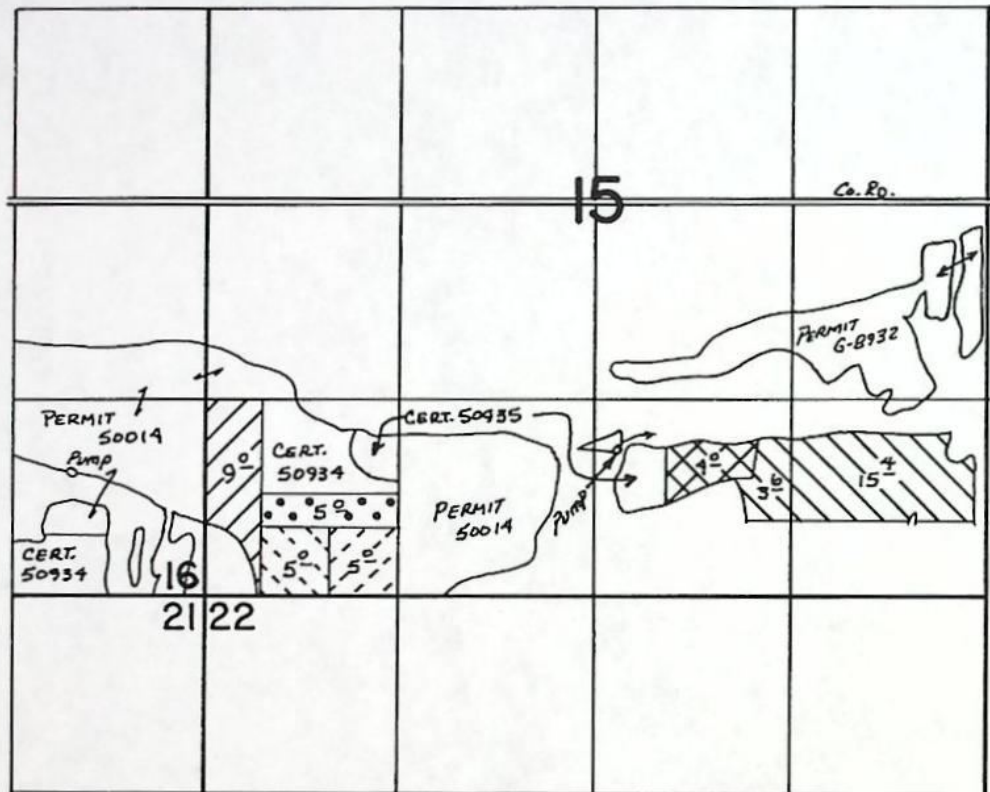
WITNESS the signature of the Water Resources Director, affixed FEBRUARY 4, 1997.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74025.

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



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

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

ORDER APPROVING
TRANSFER 4103

On December 12, 1978, an application was filed in the office of the Water Resources Director by Keith J. Obermaier for approval of a change in place of use of water from Threemile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 8413, Volume 8, State Record of Water Right Certificates, in the name of Three Mile Creek Water Ditch Company, describes a right which includes the use of not to exceed 0.25 cubic foot per second from Threemile Creek for irrigation of a certain 5.0 acres in SW 1/4 SE 1/4 and 15.0 acres in SE 1/4 SE 1/4, Section 15, Township 4 South, Range 12 East, WM, with a date of priority of May 12, 1923. FROM

Water for the said right is diverted, through the Rock, Threemile and Gate Creek Ditches, from points located in the SW 1/4 SE 1/4, Section 14, NE 1/4 NE 1/4, Section 10, NW 1/4 SW 1/4, Section 12, and SE 1/4 NE 1/4, Section 21, Township 4 South, Range 11 East, WM; Rock Creek-1000 feet North and 1200 feet East from the S 1/4 Corner Section 14, Threemile Creek-726 feet South and 528 feet West from the Northeast Corner, Section 10, 2550 feet North and 1250 feet East from the Southwest Corner, Section 12, North Fork Gate Creek-1280 feet North and 1500 feet East from the Center, Section 21.

The applicant proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 9.0 acres in SW 1/4 SW 1/4, Section 15 and 11.0 acres in SE 1/4 SW 1/4, Section 16, Township 4 South, Range 12 East, WM. TO

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


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

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1982.

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 Three Mile Creek Water Ditch Company and recorded at page 8413, Volume 8, 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 5th day of January, 1981.


JAMES E. SEXSON,
Director

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION)
OF ROCK CREEK DISTRICT IMPROVEMENT)
COMPANY FOR THE APPROVAL OF A)
CHANGE IN POINTS OF DIVERSION OF)
WATER FROM GATE CREEK, ROCK CREEK)
AND THREE MILE CREEK.)

O R D E R
APPROVING APPLICATION

On July 23, 1952, the Rock Creek District Improvement Company of Wamic, Oregon, filed an application for the approval of a change in points of diversion of water from Gate Creek, Rock Creek and Three Mile Creeks, pursuant to the provisions of Section 116-606, O. C. L. A.

Rock Creek District Improvement Company, as successor in interest to the Gate Creek and Rock Creek Ditch Company and Three Mile Creek Water Ditch Company and certain individuals, has a right for the irrigation of approximately 1450 acres in Township 4 South, Ranges 12 and 13 East, W. M., from Gate Creek, Rock Creek and Three Mile Creek with dates of priorities ranging from 1870 to 1927. All the lands involved are irrigated through either the Gate Creek ditch, Rock Creek ditch or Three Mile Creek ditch. The present point of diversion of the Gate Creek ditch is within unsurveyed land in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, as projected, Township 4 South, Range 11 East, W. M. The present point of diversion of the Rock Creek ditch is located approximately 390 feet north and 130 feet east from the southwest corner of Section 11, and being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 11, Township 4 South, Range 11 East, W. M., and the point of diversion of the Three Mile Creek ditch is located approximately 1920 feet south and 2520 feet east from the northeast corner of Section 11, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 11, Township 4 South, Range 11 East, W. M.

Volume 7, p 408

The applicant proposes to irrigate all of the lands within the project from three new points of diversion as follows:

- (1) Gate Creek - at a point to be located South $48^{\circ}14'$ West 1865.5 feet from the corner common to Sections 15, 16, 21 and 22, and being within the $NE\frac{1}{4}NE\frac{1}{4}$, Section 21, Township 4 South, Range 11 East, W. M.,
- (2) Rock Creek - at a point to be located South $38^{\circ}57'$ West 1604.9 feet from the quarter corner common to Sections 13 and 14, and being within the $SE\frac{1}{4}SE\frac{1}{4}$, Section 14, Township 4 South, Range 11 East, W. M.,
- (3) Three Mile Creek - at a point to be located South $33^{\circ}16'$ West 870.6 feet from the corner common to Sections 2, 3, 10 and 11, and being within the $NE\frac{1}{4}NE\frac{1}{4}$, Section 10, Township 4 South, Range 11 East, W. M.,

Notice by publication as provided by Section 116-606, O. C. L. A., was given in The Dalles Optimist, a newspaper printed and having general circulation in Wasco County, Oregon, for a period of three weeks, being the issues of August 7, 14 and 21, 1952. The time fixed for hearing upon such application as stated in the notice, namely: October 1, 1952, was not less than thirty days after the last publication of said notice.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in points of diversion, to-wit:

- (1) Gate Creek - from a point located in unsurveyed land in the $NW\frac{1}{4}SW\frac{1}{4}$, Section 17, as projected, Township 4 South, Range 11 East, W. M.,
- (2) Rock Creek - from a point located approximately 390 feet north and 130 feet east from the southwest corner of Section 11, and being within the $SW\frac{1}{4}SW\frac{1}{4}$, said Section 11, Township 4 South, Range 11 East, W. M., and
- (3) Three Mile Creek - from a point located approximately 1920 feet south and 2520 feet east from the northeast corner of Section 11, and being within the $SE\frac{1}{4}NW\frac{1}{4}$, said Section 11, Township 4 South, Range 11 East, W. M.,


- (1) Gate Creek - to a point to be located South $48^{\circ}14'$ West 1865.5 feet from the corner common to Sections 15, 16, 21 and 22, and being within the $NE\frac{1}{4} NE\frac{1}{4}$, Section 21, Township 4 South, Range 11 East, W. M.,
- (2) Rock Creek - to a point to be located South $38^{\circ}57'$ West 1604.9 feet from the quarter corner common to Sections 13 and 14, and being within the $SE\frac{1}{4} SE\frac{1}{4}$, Section 14, Township 4 South, Range 11 East, W. M., and
- (3) Three Mile Creek - to a point to be located South $33^{\circ}16'$ West 870.6 feet from the corner common to Sections 2, 3, 10 and 11, and being within the $NE\frac{1}{4} NE\frac{1}{4}$, Section 10, Township 4 South, Range 11 East, W. M.,

for the irrigation of approximately 1450 acres in Township 4 South, Ranges 12 and 13 East, W. M., with dates of priorities ranging from 1870 to 1927, be and the same hereby is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1953 or such extension of time as may be granted by the State Engineer for good cause shown, and that upon the completion of such work, satisfactory proof shall be filed with the State Engineer.


Dated at Salem, Oregon this 20th day of November 1952.


Noted on Decree
Vol. 7, p. 213
Cert. 7246



CHAS. E. STRICKLIN
State Engineer

11/10
LED JICK - SHOWED US PLACE OF USES

DIV - 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 1/64 x 0

se 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
6/17/84

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


During the spring of 1987 I worked with
Leo a couple of times in a ~~flat~~
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
~~Engine~~

PIPE - ~~APPROX~~ 3000' BURIED MAIN LINE
150' 5" ALUM MAIN
420' 4" ALUM MAIN
180 3" " "
~~2500~~ 3" ALUM LAT
+ 800'
4360

HEADS - 40 RB 30' 5/32" x 0 ALL RUNNING BY GRAVITY
20 RB 30' 5/32" x 0 3 LINES OPSI @ 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)
From near

USE - ALFALFA, HAY

LIFT - SEE QUADS

TIE - 41065-179-219 L

PHOTOS 41065 379-5L & 5R
SHOW DITCHES FROM ROCK
CREEK Rce 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.

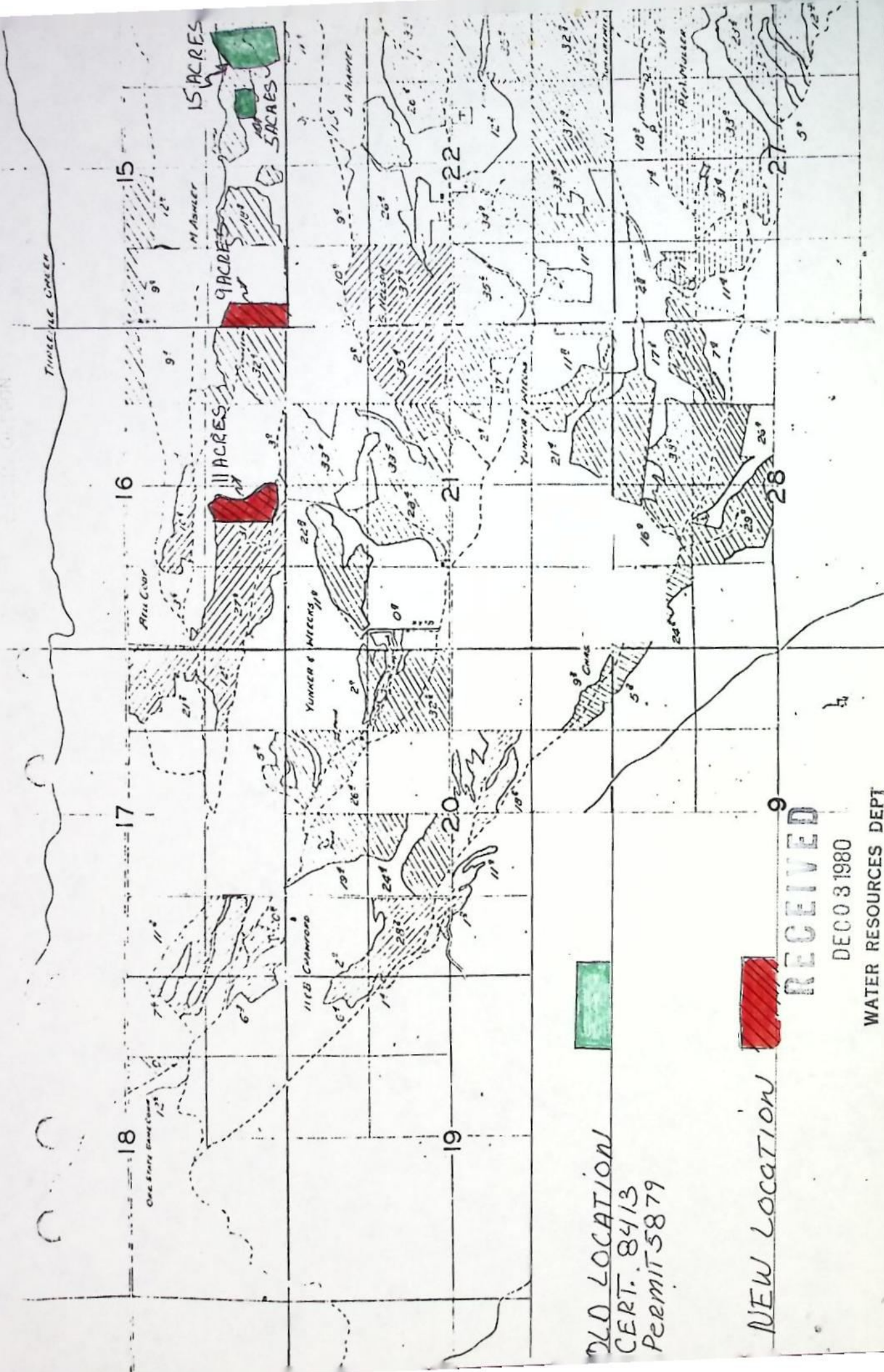
Larry Jell
WRS
6/29/84

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
6/7/83 W. R. E.

T-4103

WATER RESOURCES DEPT
SALEM, OREGON



OLD LOCATION
CERT. 8413
PERMIT 5879

NEW LOCATION

THREEMILE CR

IIR T-0982-C1

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

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

 WATER RIGHT NO. 10020+103 PERMIT NO. 005879 CERTIF. NO. 0008413
 ORIG. NO. A002089671 PREV. NO. A002089671 SUPER. NO.

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

33

STREAM-ID 05 1980 05200080

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-----> 05 12 1923PUT TO USE-----> 01 15 1981

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 12 12 1978SURVEYED-----> 06 19 1984

EXAM. FEE----->

RECORDING FEE----->

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-->

** POD: 726' S & 528' W FM NE** COR S 10° 2550' N & 1250' E FM** SW COR S 12. CHANGES POD PART** OF C-8913 (NOT CANCELLED).

**-----

**-----

**-----

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

USE % CNSMTV ACRES

STATUS S OR P

0405 120E 15 C C 33 12 100 9.00
V P
16 C D 1 1 11.00
1 1

W.R.I.S.

Assembled 4-9-85 by SAB

Entered _____ by _____

Verified _____ by _____



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 12-11-80

FROM: WATERMASTER, DISTRICT NO. 3

(signature) Thomas J. Reed

SUBJECT: Water Right Transfer Application No. 4103 for change in (POU) POD, Use of water

In the name(s) of Keith Obermaier

RECEIVED

DEC 15 1980

WATER RESOURCE
SALEM, OREGON

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 ...
- X (2) WHEN IN the judgment of the watermaster it becomes necessary ...

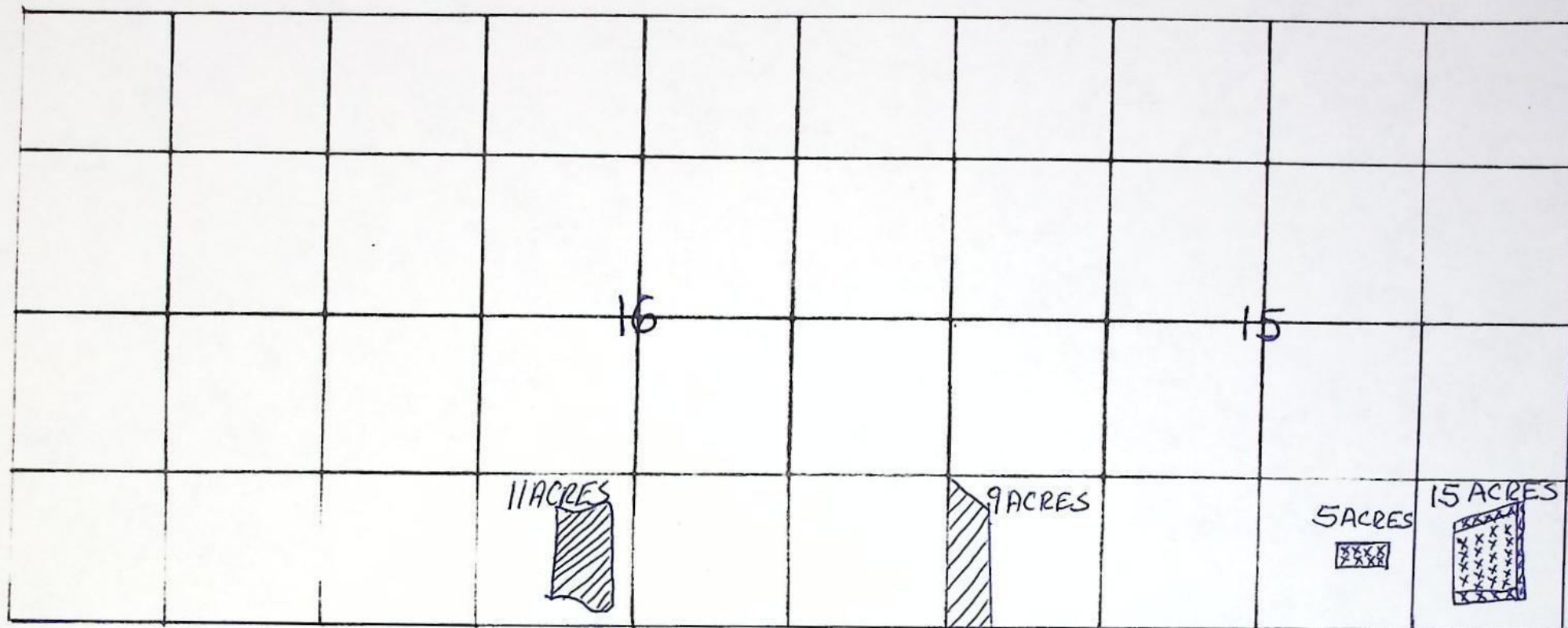
The enclosed copy of the transfer application and map(s) are for your records.

Contains
Recycled
Materials

91-125-1387

SP*75683-125

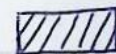
T-4103



RECEIVED
DEC 03 1980
WATER RESOURCES DEPT
SALEM, OREGON

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

CERT. 8413
Permit 5879



RECEIVED

Certificate No. 8413

Number of acres 146

Twp.	Range	Sec.	NE ¼				NW ¼				SW ¼				SE ¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
4 S.	12 E.	21		4		6												
		15															5	15
		22			18	7			6	5	15	15			20			30

Remarks:

WATER RESOURCES DEPT
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: November 8, 1978, 19__.

FROM: ** Tom Paul

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4103

IN THE NAME OF Keith Obermaier

RECEIVED
DEC 12 1978
WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in PLACE OF USE
MAY BE MADE WITHOUT INJURY ~~XXXXXXXXXXXXXXXXXXXXX~~ 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

RECEIVED

JAN 15 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Threemile Creek

PURSUANT TO TRANSFER APPLICATION NO. 4103

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, 19 81

Jan 12, 1981
Date

Keith J. Obermaier
Signature

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

RECEIVED

NOV 17 1980

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

DEC 03 1980

WATER RESOURCES DEPT
SALEM, OREGON

T-4103

RECEIVED
NOV 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, KEITH J OBERMAIER

(Name of applicant)

of Rt 1 Bx 24

(Mailing address)

Tygh Valley

(City)

State of Ore97063

(Zip Code)

5447184

(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, 3 Mile Creek Water Ditch 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 5879 Number of certificate 8413

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 Three Mile Cr.5. What is the date of priority of your water right? 5-12-19236. 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 Wasco The name of the ditch used is Rock Cr. Dist. Imp. Co - 3 mile ditch

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 irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
4S	12E	15	SE $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	15
			SW$\frac{1}{4}$ SE$\frac{1}{4}$	5
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	5

(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	200,000 300,000

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
4S	12E	15	SW $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	9.0
* Map shows SE SW		16	SW$\frac{1}{4}$ SE$\frac{1}{4}$	11.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	11.0

(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 needed

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

Remarks Points 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. 4 S., R. 11 E., W.M.; Rock Cr. 1000 Ft N & 1200 Ft E
From the SW $\frac{1}{4}$ Corner Section 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 Cr. 1280 Ft N & 1500 Ft 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 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 Oct., 1980

Keith Obermaier
(Name of applicant)

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

[Notarial Seal]

Kaufman Minnott
NOTARY PUBLIC FOR OREGON

My commission expires Sept. 17, 1984