

Name Keith Obermaier

By \_\_\_\_\_

Address Route 1, Box 24

Change in POU

Date filed Dec 12, 1978

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

Date of order 1-5-81 Vol. 34, page 207

Date for application of water 10-1-82

Proof mailed OCT 18 1990

Proof received \_\_\_\_\_

Certificate issued FEB 04 1997 Vol. \_\_\_\_\_, page 74028

REMARKS

Surveyed 6/19/84 (Jilk)

4-10014

4107

DESCRIPTION OF WATER RIGHT

Name of stream Gate & Rock Creeks

Trib. of \_\_\_\_\_ County of WASCO

Use \_\_\_\_\_

Quantity of water \_\_\_\_\_ No. of acres 12.9

Name of ditch \_\_\_\_\_

Date of priority May 23, 1925

In name of Gate & Rock Creek Ditch Co.

Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 10180 Per. No. 6867 Cert. No. 8497  
~~17838~~ ~~15319~~ ~~46367~~

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>12-12-78</u>	<u>30 -</u>	<u>7899</u>
TOTAL . . .		
<u>12-12-78</u>	<u>2 Cert. Fee</u>	<u>7899</u>

FEES REFUNDED

Date	Amount	Check No.

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.		
<input checked="" type="checkbox"/> Calendar	<u>Leg</u>	
<input checked="" type="checkbox"/> CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>SRB</u>	
<input checked="" type="checkbox"/> Decree-vault		
<input checked="" type="checkbox"/> Decree-safe	<u>WJO</u>	
<input checked="" type="checkbox"/> Cert. of W/R	<u>WJO</u>	
<input checked="" type="checkbox"/> Per. Folder		
<input checked="" type="checkbox"/> Chaindex		
<input checked="" type="checkbox"/> Cross Ref.		
<input checked="" type="checkbox"/> Power Claim		
<input checked="" type="checkbox"/> Abstracts	<u>Leg</u>	

W.R.I.S.	
Assembled <u>1-9-85</u> by <u>SRB</u>	
Entered _____ by _____	
Verified _____ by _____	



## STATE OF OREGON

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**

GATE and ROCK CREEK DITCH 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 Gate Creek and Rock Creek

a tributary of White River  
irrigation of 76.0 acres

for the purpose of

under Permit No. 6807 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 May 23, 1925 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.95 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 SE 1/4, Section 14, SE 1/4 NE 1/4, Section 21, T4S, R11E, WM; Diversion 1 - 1000 feet North and 1200 feet East from S 1/4 Corner Section 14; Diversion 2 - 1280 feet North and 1500 feet East from Center Section 21.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre,

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

4.0 acres NW 1/4 SW 1/4  
Section 16  
3.0 acres NE 1/4 SE 1/4  
Section 17  
13.0 acres NE 1/4 NE 1/4  
8.0 acres NW 1/4 NE 1/4  
Section 20  
15.0 acres NE 1/4 SE 1/4  
Section 21  
12.0 acres SW 1/4 SW 1/4  
13.0 acres SE 1/4 SW 1/4  
Section 23  
8.0 acres NE 1/4 NW 1/4  
Section 26  
Township 4 South, Range 12 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 8497, Volume 8, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 13, 1984, approving Transfer Application 5422 and prior orders approving Transfer Applications R-46 and 4107.

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

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.*

*WITNESS the signature of the Water Resources Director, affixed*

*this date. April 19, 1984*

*.....William H. Young.....  
Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 46 , page 52003



STATE OF OREGON  
COUNTY OF WASCO  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of GATE CREEK AND ROCK CREEK, tributaries of WHITE RIVER, for IRRIGATION OF 81.0 ACRES.

This right was perfected under Permit 6807. The date of priority is MAY 23, 1925. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

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.

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-EIGHTIETH of one cubic foot per second per acre, or its equivalent.

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	5.0 ACRES ✓
SECTION 15	
NW 1/4 SW 1/4	4.0 ACRES
SECTION 16	
NE 1/4 SE 1/4	3.0 ACRES
SECTION 17	
NE 1/4 NE 1/4	13.0 ACRES
NW 1/4 NE 1/4	8.0 ACRES
SECTION 20	
NE 1/4 SE 1/4	15.0 ACRES
SECTION 21	
SW 1/4 SW 1/4	12.0 ACRES
SE 1/4 SW 1/4	13.0 ACRES
SECTION 23	
NE 1/4 NW 1/4	8.0 ACRES
SECTION 26	
TOWNSHIP 4 SOUTH, RANGE 12 EAST, W.M.	

SEE NEXT PAGE

T-4107.DEK



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 52003, 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.

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

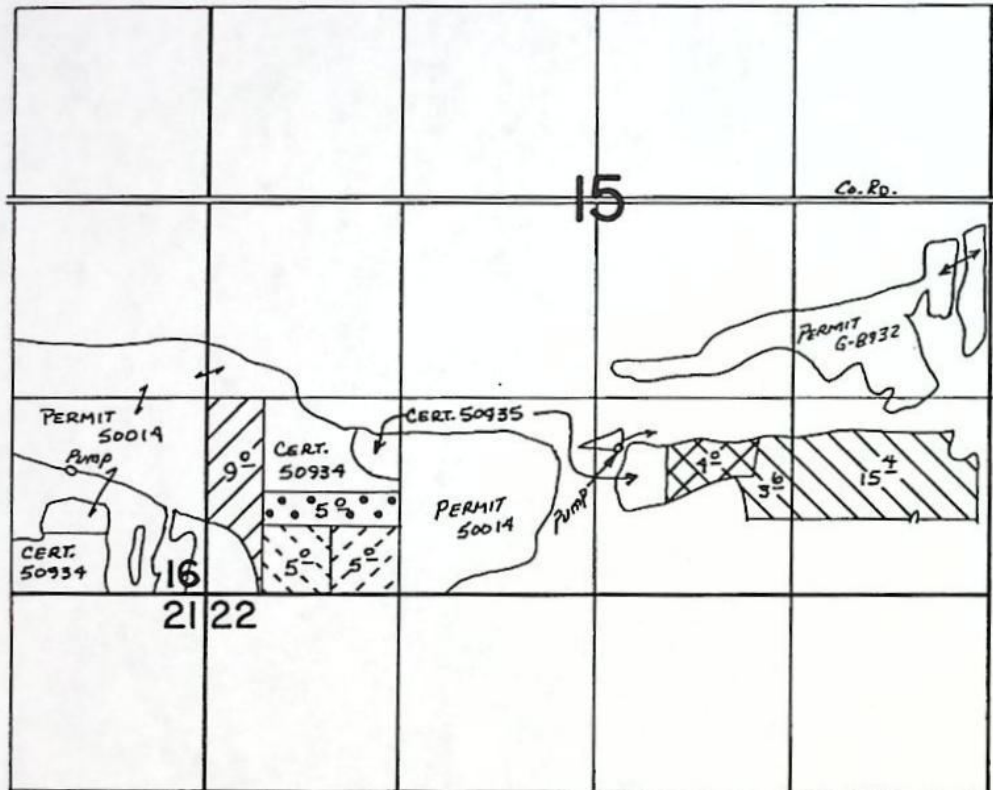
  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74028.



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 4107

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 Gate and Rock Creeks, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 8497, Volume 8, State Record of Water Right Certificates, in the name of Gate and Rock Creek Ditch Company, describes a right which includes the use of not to exceed 0.06 cubic foot per second from Gate and Rock Creeks for irrigation of a certain 5.0 acres in NE 1/4 SE 1/4, Section 17, Township 4 South, Range 12 East, WM, with a date of priority of May 23, 1925.

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 5.0 acres in SW 1/4 SW 1/4, Section 15, Township 4 South, Range 12 East, WM.

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.

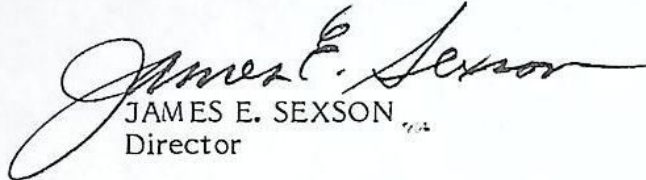
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

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



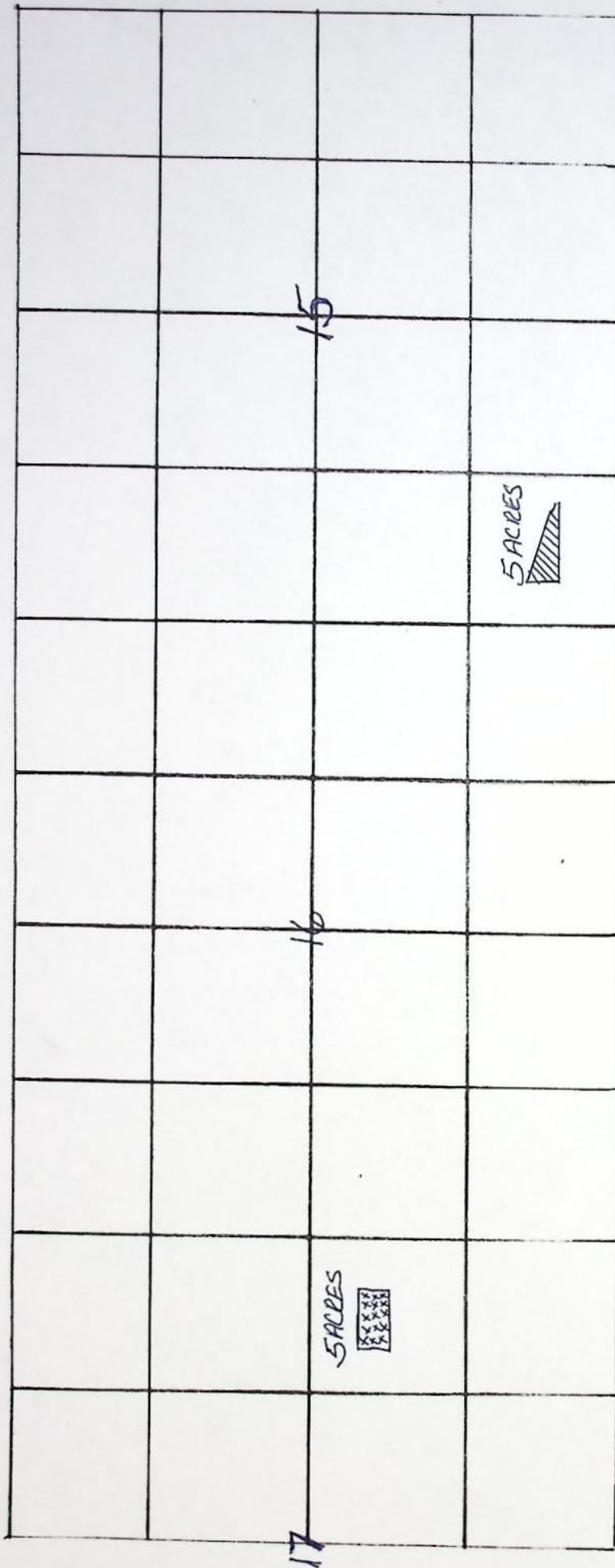
It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, the certificate of water right heretofore issued to Gate and Rock Creek Ditch Company and recorded at page 8497, 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



T-4107



OLD Location

Permit 6807

Ceet. 8497



NEW Location

Application Map, For

Keith Obermaier

Scale 4" = 1 mile

RECEIVED

DEC 03 1980

WATER RESOURCES DEPT  
SALEM, OREGON

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.,



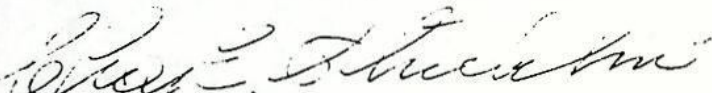
- (1) Gate Creek - to a point to be located South  $48^{\circ}14'$  West 1865.5 feet from the corner common to Sections 15, 16, 21 and 22, and being within the  $NE\frac{1}{4} NE\frac{1}{4}$ , Section 21, Township 4 South, Range 11 East, W. M.,
- (2) Rock Creek - to a point to be located South  $38^{\circ}57'$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



Rock CR; GATE CR

WRT-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. 50000+1071 PERMIT NO. 006807 CERTIF. NO. 0008497  
 ORIG. NO. A000101801 PREV. NO. A000101801 SUPER. NO.

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

STREAM-ID 05 1980 0520 0120

RIV. MI.

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

CANCEL YEAR--->  
 PRIORITY----->  
 APPLICATION--->  
 PERMIT ISSUE-->  
 CONSTR. STRT.-->

CONSTR. COMPLT--->  
 PUT TO USE----->  
 SURVEYED----->  
 CONCURRENCE----->  
 CERTIFIED----->

YR. LAST USED----->  
 LAST TRANS. DATE-->  
 EXAM. FEE----->  
 CYCLE STATUS----->  
 CORRES. INIT.----->

NEXT ACTION DUE-->  
 LAST TRANS. TYPE-->  
 RECORDING FEE----->  
 REPORTED FLAG----->  
 CORRES. DATE----->

POINT-OF-DIVERSION DATA:  
 TWP/SP. RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

0705 110E 14 D C 05 1980 0520 0120  
 1 ) 21 A D 05 1980 0520 0120 030

0.060

V P

\*\* REMARKS; - - - - -  
 \*\* DATED-->

\*\* ROD: ROCK CR, 1000' N & 1200' E FM  
 \*\* S 1/4 COR S 19, GATE CR, 1280' N &  
 \*\* 1500' E FM CENTER S 21. CHANGES

\*\* PART OF C-8497 (NOT CANCELED).

PLACE-OF-USE DATA:  
 TWP/SP. RGE SECT QTR/QTR CNTY

USE % CNSMTV ACRES

STATUS S OR P

0705 120E 15 C C 33 1R 100 5.00

V P

\*\*  
 \*\*  
 \*\*

W.R.I.S.

Assembled 4-9-85 by SDB

Entered by

Verified by



## STATE OF OREGON

COUNTY OF WASCO

## CERTIFICATE OF WATER RIGHT

This is to Certify, That Gate and Rock Creek Ditch Company

of Wasco, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Gate and Rock Creeks

a tributary of White River for the purpose of Irrigation

under Permit No. 6807 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 23, 1925;

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 1.02 cubic feet per second;

The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 17, Township 4S, Range 11E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 1 acre in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 19, 8 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , 13 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 20, 15 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 21, 12 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , 15 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 25, 8 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 26, 4 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 16, 8 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 17, Township 4 South, Range 12 East of the Willamette Meridian in Wasco County, Oregon, being a total of 82 acres.

POD pursuant to Transfer R-46

- (1) Gate Creek - to a point to be located South 48°14' West 1365.5 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°57' West 1601.9 feet from the quarter corner common to Sections 13 and 14, and being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 14, Township 4 South, Range 11 East, W. M., and

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 24th day

of February, 1930

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8497











## STATE OF OREGON

## INTEROFFICE MEMO

RECEIVED

DEC 15 1980

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 12-12-80  
WATER RESOURCES DEPT  
SALEM, OREGONFROM: WATERMASTER, DISTRICT NO. 3  
(signature) T. J. PaulSUBJECT: Water Right Transfer Application No. 4107 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 ... .
- X (2) WHEN IN the judgment of the watermaster it becomes necessary ... .

Contains  
Recycled  
Materials

#1-125-1387

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

SP\*75683-125

## Abstract of Permit No. 6807

Application No. 10180

Certificate No. 8497

Name Gate and Rock Creek Ditch Company,

Address Wamic, Oregon.

Source of water supply Gate and Rock Creeks, a tributary of White River.

Use Irrigation.

from Rock Creek in approx. the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 11, & from Gate Creek  
 Point of diversion in unsurveyed land in approx. the westerly part of what would  
 be the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec 17, T. 4 S., R. 11 E. 7 N.

Number of acres  
82

## DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
4 S	12 E	19				1												
		20	13	8														
		21													15			
		23											12	13				
		26					8											
		16										4						
		17													8			

Priority date May 23, 1925.

Amount of water 1.02 second-foot.

Time limit to begin construction

Time limit to complete construction

Time limit to completely apply water

Remarks:

RECEIVED

DEC 3 1960

WATER RESOURCES DEPT  
SALEM, OREGON

extended to

extended to

extended to

extended to

RECEIVED  
 NOV 17 1980  
 WATER RESOURCES DEPT  
 SALEM, OREGON

RECEIVED  
 OCT 23 1980  
 WATER RESOURCES DEPT  
 SALEM, OREGON

Rock Cr.



RECEIVED

NOV 17 1980

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

DEC 03 1980

WATER RESOURCES DEPT  
SALEM, OREGON

T-4107

RECEIVED

OCT 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), High Valley (City),  
State of Ore (Zip Code) 97063, 5442184 (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? 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 6807 Number of certificate 8497

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 Gate & Rock Creeks
5. What is the date of priority of your water right? 5-23-25
6. The authorized point of diversion is located \_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the \_\_\_\_\_  
(N. or S.) (E. or W.)  
corner of \_\_\_\_\_ being within the \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Tp. \_\_\_\_\_ R. \_\_\_\_\_ W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of Wasco The name of the ditch used is Gate & Rock Cr. Ditch Co

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

7. The proposed point of diversion is located \_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the \_\_\_\_\_  
(N. or S.) (E. or W.)  
corner of \_\_\_\_\_ being within the \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Tp. \_\_\_\_\_ R. \_\_\_\_\_ W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of \_\_\_\_\_ The name of the ditch to be used is \_\_\_\_\_

8. The use to which the water is applied is Irrigation  
(Irrigation, Mining, Power, Manufacturing, etc.)

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
<u>4S</u>	<u>12E</u>	<u>17</u>	<u>NE¼ SE¼</u>	<u>?</u>
<u>4S</u>	<u>12E</u>	<u>17</u>	<u>NE¼ SE¼</u>	<u>5.0</u>

(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
<u>Mortgage</u>	<u>Bill Cody</u>	<u>200,000</u>

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
<u>4S</u>	<u>12E</u>	<u>15</u>	<u>SW¼ SW¼</u>	<u>5 ACRES</u>

(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 necessary

16. The water will be completely applied to the proposed use on or before 10/11/79

Remarks As 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. 1M.; Rock Cr. 1000 Ft N & 1200 Ft E. From  
the SW corner Sec 14, Threemile Cr 726 Ft S & 528 Ft W From the N.E.  
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 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 Mlinnath  
NOTARY PUBLIC ~~FOR OREGON~~


My commission expires Sept. 17, 1984




INFO  
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 SE<sup>4</sup> SE<sup>4</sup> SEC 16

LAND ~~RETRACT~~ HATCHURED  IS IRRIGATED FROM A PUMP ON A POND AT THE <sup>BOTTOM</sup> ~~END~~ OF A DRAINAGE POND IN SW<sup>4</sup> SE<sup>4</sup> 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 SE<sup>4</sup> SE<sup>4</sup> 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 - <sup>10</sup> ~~5~~ 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

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 $\frac{1}{2}$  SE $\frac{1}{4}$  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 met with  
Leo a couple of time in a ~~off~~  
attempt to get these transfers straightened out.


Harry Zell

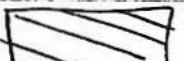


6/88 PHYLLIS Migner (Contract Owner)  
OAK Acres Inc  
P.O. Box 148  
Sandy OR 97055

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 SE<sup>4</sup> SE<sup>4</sup>  
SEC 17

LAND HATCHURED  IS IRRIGATED  
BY A DIESEL PUMP FROM A POND  
IN THE NW<sup>4</sup> SW<sup>4</sup> SEC 16.

### EQUIPMENT -

Pump - Cornell DDC 5x3  
Motor - DEUTZ DIESEL 3cy 52 H.P @ 2300 RPM  
~~REMARK~~

PIPE ~~APPROX~~ 3000' BURIED MAINLINE  
1580' 5" ALUM MAIN  
420' 4" ALUM MAIN  
180 3" " "  
~~2500~~ 3" ALUM LAT  
+ 4320'  
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  
45 RB 30' 5/16" x 0 22 PSI @ END OF LINE  
IN STATE OF DISREPAIR  
(ALL HEADS RUNNING FOR MAX USE)  
FROM NIGER (per DARRELL ASHLEY)



USE - ALFALFA, HAY

LIFT - SEE QUADS

TIE - 41065-179-219 L

PHOTOS 41065 379-5L } 5R  
SHOW DITCHES FROM ROCK  
CREEK Ree 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 SE<sup>4</sup> SW<sup>4</sup> SECTION 17, BEYMER WANTS THIS  
LAND IN THE FIELD GRAVITY IRR.

Larry J. Wells  
6/27/84

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 LNT remain the same; <sup>however</sup> I  
deleted small area above ditch in NE<sup>4</sup> SE<sup>4</sup> SEC. 17  
because it has only been flooded from existing ditch.  
Land in SE<sup>4</sup> SW<sup>4</sup> 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. Waver  
6/7/83 W. R. E.

RECEIVED

JAN 15 1981

WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Gate and Rock Creeks

PURSUANT TO TRANSFER APPLICATION NO. 4107

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.

1 12 81  
Date

Keith J Obermaier  
Signature

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



## STATE OF OREGON

COUNTY OF

WASCO

Superseded by  
Cert. No.

74028

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

GATE and ROCK CREEK DITCH 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  
Gate Creek and Rock Creek

a tributary of White River for the purpose of  
irrigation of 76.0 acres

under Permit No. 6807 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  
May 23, 1925  
that the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed  
0.95 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
The point of diversion is located in the SW 1/4 SE 1/4, Section 14, SE 1/4 NE 1/4,  
Section 21, T4S, R11E, WM; Diversion 1 - 1000 feet North and 1200 feet East  
from S 1/4 Corner Section 14; Diversion 2 - 1280 feet North and 1500 feet  
East from Center Section 21.

The amount of water used for irrigation, together with the amount secured under any other  
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second  
per acre,

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



4.0 acres NW 1/4 SW 1/4  
Section 16

3.0 acres NE 1/4 SE 1/4  
Section 17

13.0 acres NE 1/4 NE 1/4  
8.0 acres NW 1/4 NE 1/4  
Section 20

15.0 acres NE 1/4 SE 1/4  
Section 21

12.0 acres SW 1/4 SW 1/4  
13.0 acres SE 1/4 SW 1/4  
Section 23

8.0 acres NE 1/4 NW 1/4  
Section 26

Township 4 South, Range 12 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 8497, Volume 8, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 13, 1984, approving Transfer Application 5422 and prior orders approving Transfer Applications R-46 and 4107.

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

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.*

*WITNESS the signature of the Water Resources Director, affixed*

*this date. April 19, 1984*

*.....William H. Young.....  
Water Resources Director*

*Recorded in State Record of Water Right Certificates, Volume 46 , page 52003*





## 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, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4107IN THE NAME OF Keith Obermaier

In my opinion the proposed change in PLACE OF USE  
MAY BE MADE WITHOUT INJURY ~~XXXXXXXXXXXXXXXXXXXXXXX~~\* 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 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\* Thom J. Paul  
Watermaster's signature or initials

RECEIVED

JUN 21 1980

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

JUN 9 1980

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

DEC 12 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

T-4107

## Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Keith J. Obermaier

(Name of applicant)

of Route 1, Box 24, Tygh Valley,

(Mailing address)

(City)

State of Oregon, 97063, 544-2184, do hereby make application for change

(Zip Code)

(Phone number)

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 and Rock Creek Ditch 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 6807 Number of certificate 8497

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 Gate and Rock Creeks5. What is the date of priority of your water right? 5-23-25

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 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. \_\_\_\_\_ 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
4 S	12 E	16	NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.0
		17	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.0

(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	\$308,000

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
4 S	12 E	15	SW $\frac{1}{4}$ SW $\frac{1}{4}$	12.0

(If more space required, attach separate sheet)

RECEIVED  
WATER RESOURCES DEPT  
SALEM, OREGON

7-4107  
RECEIVED

DEC 12 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

# Application for Transfer of Water Right

RECEIVED

JUN 9 1980

To the WATER RESOURCES DIRECTOR OF OREGON:

WATER RESOURCES DEPT  
SALEM, OREGON

I, Keith J. Obermaier (Name of applicant)

of Route 1, Box 24 (Mailing address), Tygh Valley (City)

State of Oregon, 97063 (Zip Code), 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, 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 Cr., Threemile Cr., N.F. Gate Cr., Rock Cr. Res.

5. What is the date of priority of your water right? 3-13-39

6. The authorized point of diversion is located \_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the \_\_\_\_\_  
SEE REMARKS (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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
4 S	12 E	17	NE SE	8.0

(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	\$308,000

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
4 S	12 E	15	SW $\frac{1}{4}$ SW $\frac{1}{4}$	8.0

(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 There is 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 $\frac{1}{4}$ , 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. 4S., R. 11E., 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 Creek 1280 feet North and 1500 feet East 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 11<sup>th</sup> day of DECEMBER, 1978.

Keith J. Obermaier  
(Name of applicant)

Subscribed and sworn to before me this 11<sup>th</sup> day of DECEMBER, 1978.

[Notarial Seal]

Thomas J. R. R.  
NOTARY PUBLIC FOR OREGON

My commission expires 3-18-80

THIS APPLICATION PREPARED BY:

Thomas J. R. R.  
FROM INFORMATION FURNISHED BY  
THE APPLICANT.



RECEIVED

JUN 9 1980

T-4107

WATER RESOURCES DEPT  
SALEM, OREGON

## Application for Transfer of Water Right

RECEIVED

JUN 11 1980

To the WATER RESOURCES DIRECTOR OF OREGON:

WATER RESOURCES DEPT  
SALEM, OREGON

I, Leo E. Jilk (Name of applicant)  
 of Rt. 1 Box 5B (Mailing address), WAMIC (City),  
 State of Oregon (Zip Code) 97063 (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 Creek 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 6807 Number of certificate 8497

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 Gate & Rock Creeks

5. What is the date of priority of your water right? 5/23/25

6. The authorized point of diversion is located \_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the \_\_\_\_\_  
 (N. or S.) (E. or W.)  
 corner of \_\_\_\_\_ being within the \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Tp. \_\_\_\_\_ R. \_\_\_\_\_ W. M.,  
 (No. N. or S.) (No. E. or W.)  
 in the county of 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. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the \_\_\_\_\_  
 (N. or S.) (E. or W.)  
 corner of \_\_\_\_\_ being within the \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Tp. \_\_\_\_\_ R. \_\_\_\_\_ W. M.,  
 (No. N. or S.) (No. E. or W.)  
 in the county of \_\_\_\_\_ The name of the ditch to be used is \_\_\_\_\_

8. The use to which the water is applied is .....  
(Irrigation, 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

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? .....  
(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? .....  
(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.? .....  
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is Irr. Stock & Domestic  
(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
45	12 E.	15	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	5.0

(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 10/1/80

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, Leo E. Jilk, 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 8<sup>th</sup> day of May, 1980

Leo E. Jilk  
(Name of applicant)

Subscribed and sworn to before me this 8<sup>th</sup> day of May, 1980

[Notarial Seal]



Nita L. Goodcock  
NOTARY PUBLIC FOR OREGON  
My commission expires Sept. 23, 1983