

MARTIN L. PERNOLL
P. O. Box 35
Summer Lake, OR 97640
(503) 943-3165

RECEIVED

DEC 29 1992

WATER RESOURCES DEPT
SALEM, OREGON

December 27, 1992

Oregon Water Resources Department
Adjudication Section
3850 Portland RD NE
Salem, OR 97310

Greetings:

Re: Surface water registration
Pre-1909 vest water right claim

Enclosed are the following:

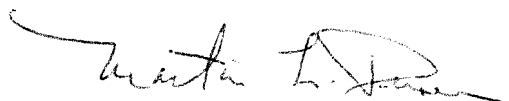
1. A completed "Surface Water Registration Statement
Pre-1909 Vested Water Right Claim"
2. A map prepared by a Certified Water Right Examiner
3. Three statements
4. My check for \$151.34

As you note these apply to 13 & 14 Sections, Township 30 S,
Range 16 E, located in Summer Lake, Lake County, Oregon.

This should complete the claim, but should there be any
additional information necessary please notify me.

Thank you for your assistance.

Sincerely,



Martin L. Pernoll

MLP:mp;wtrts12.24

DEC 20 1992

STATEMENT OF CLAIMANT

(Page 1 of 3) WATER RESOURCES DEPT.
SALEM, OREGON

The land and water included in this surface water registration statement (please see attached map prepared by Darryl Anderson, a Certified Water Rights Examiner), is located in Sections 13 and 14, Township 30 S, Range 16 E.

George Winkleman, his mother, Mrs. Katherine Jane K. (Farrior) Winkleman, and his siblings, Jane, Charles, and Oscar, moved to Summer Lake, Lake County, Oregon in 1874 (Foster, Teressa. Settlers in Summer Lake Valley, Maverick Publications, Bend, Oregon, 1989, page 202). They began a physical occupation of the above noted land and diversion of the water for beneficial use (irrigation, stock water and domestic use) with George Winkleman filing a patent on the land and water included in this statement on March 10, 1884 (Book 5, Page 13, Lake County, Oregon). A reference of this activity is found in Teressa Foster's book Settlers in Summer Lake Valley (Maverick Publications, Bend, Oregon, 1989, page 202), specifically, "He raised a few cattle and horses, but was mainly a sheepman during his years at the ranch."

George Winkleman lived in Summer Lake until 1919 (Foster, Teressa. Settlers in Summer Lake Valley, Maverick Publications, Bend, Oregon, 1989, page 202) when he sold his homestead (the property included in this statement) to Lester E. Elder and his wife, Zilla L. Elder (Book 58, Page 621, Lake County, Oregon) on November 22, 1919.

After the death of Lester E. Elder his widow, Zilla L. Elder sold the property noted above to Martin V. Pernoll and Zilla Lee Pernoll on November 14, 1968 (Book 151, Page 251, Lake County,

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LAND RECORDS DEPT.
ASTORIA, OREGON

Oregon).

On April 1, 1983 Martin V. Pernoll and Zilla Lee Pernoll sold the land to the present owner, Martin L. Pernoll (Book 194, Page 756, Lake County, Oregon).

Martin L. Pernoll is the son of Martin V. Pernoll and Zilla Lee Pernoll. Zilla Lee Pernoll (nee Elder) is the daughter of Lester E. Elder and Zilla L. Elder. Thus, this family has continuously owned as well as physically occupied the above noted land since November 22, 1919. Further evidence of this may be found in Teresa Foster's book Settlers in Summer Lake Valley (Maverick Publications, Bend, Oregon, 1989) pages 3, 60-61, 148, 180, 189, 202.

The claimant, Martin L. Pernoll, on numerous occasions reviewed the methods and extent of the water diversion and use with both his grandfather, Lester E. Elder, and his grandmother, Zilla L. Elder. They indicated to Martin L. Pernoll that the diversion of the surface water for irrigation, stock water and domestic purposes on the above property occurred on or before the time of the patent (March 10, 1884) filed by George Winkleman and that George Winkleman and family continuously occupied the property and continued to use the surface water for irrigation, stock water and domestic purposes until the property was sold to Lester E. Elder and Zilla L. Elder. Moreover, Martin L. Pernoll, has personal knowledge of the fact that the beneficial use of the surface water on this property for the purposes of irrigation, stock water and domestic use has been continuous from that time to the present by

his family and by him.

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VATLIT 763 JOURNAL DEPT
SALEM, OREGON

Notarization of Statement.

STATE OF TEXAS)
: ss
County of Harris)

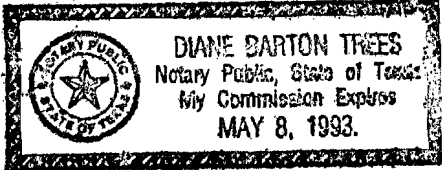
I, Martin L. Pernoll, having been duly sworn, depose and say that to the best of my knowledge all of the matters stated herein are true and correct.

Martin L. Pernoll

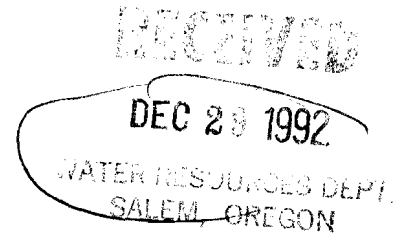
Signature

Signed and attested before me this 28th day of December 1992.)

Diane Barton Tries
NOTARY PUBLIC for the State of Texas
My commission expires: 05-08-93



MARTIN L. PERNOLL
P. O. Box 35
Summer Lake, OR 97640
(503) 943-3165



December 27, 1992

Oregon Water Resources Department
Adjudication Section
3850 Portland RN NE
Salem, OR 97310

Greetings:

Re: Surface water registration
Pre-1909 vest water right claim

Enclosed are two statements which were inadvertently omitted from my surface water registration statement. As you note these apply to my statement relating to 13 & 14 Sections, Township 30 S, Range 16 E, located in Summer Lake, Lake County, Oregon.

This should complete the statement, but should there be any additional information necessary please notify me.

Thank you for your assistance.

Sincerely,



Martin L. Pernoll

MLP:mp;wtrts12.24

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STATEMENT OF ZILLA LEE PERNOLL (nee ELDER) (Page 1 of 2)

I was born May 9, 1921 on property in Sections 13 and 14, Township 30 S, Range 16 E located in Summer Lake, Lake County, Oregon which had been purchased from George Winkleman by my father and mother, Lester E. Elder and Zilla L. Elder on November 11, 1919. I have, except for brief periods, occupied this property from that time to the present and attest to the fact that my parents, Lester E. Elder and Zilla L. Elder occupied the property continuously from November 11, 1919 until his death on June 7, 1960 and her moving to Lakeview, Oregon in the July 1968.

The verbal history of my family indicated that George Winkleman had occupied the aforementioned property on or before his March 10, 1884 patent continuously until the property was purchased by my father and mother, Lester E. Elder and Zilla L. Elder. Further the verbal history of my family confirms the indications of the early pioneer members of the community with which I personally discussed his homestead activities. Thus, I attest that all of my family history as well as information gained from numerous pioneers in the area including, but not limited to, members of the Carlon, Currier, Foster, Harris, Harvey, and Withers families, indicates that the use of surface water for irrigation, stock water and domestic purposes on the property noted above began on or before March 10, 1884 and has been continuous to the present time.

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(Page 2 of 2)

Notarization of Statement.

STATE OF OREGON)
 : ss
County of Lake)

I, Zilla Lee Pernoll (nee Elder), having been duly sworn, depose and say that to the best of my knowledge all of the matters stated herein are true and correct.

Zilla Lee Pernoll
Signature

Signed and attested before me this 28th day of December 1992.

Lillie Ann Olson
NOTARY PUBLIC for the State of Oregon
My commission expires: 3-17-94

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STATEMENT OF MARTIN V. PERNOLL

(Page 1 of 2) FILED IN RECORDS DEPT
SALEM, OREGON

Along with my wife, Zilla L. Pernoll, I owned the property in Sections 13 and 14, Township 30 S, Range 16 E located in Summer Lake, Lake County, Oregon from November 14, 1968 to April 1, 1983. This property was the homestead of George Winkleman and had been previously owned by my father-in-law, Lester E. Elder and mother-in-law, Zilla E. Elder. The land is currently owned by my son, Martin L. Pernoll. I have continuously occupied this property from Spring 1947 until the present time, and was closely associated with the property as early as 1938.

In addition to my personal observations, I have extensive knowledge of the above property from Lester E. Elder and Zilla L. Elder as well as a numerous pioneers in the area including, but not limited to, members of the Carlon, Currier, Foster, Harris, Harvey, and Withers families.

All of these pioneers validated the assertion that George Winkleman, who patented the land and water on March 10, 1884, had diverted the water for irrigation, stock water and domestic use before or on that date and continued to do so until he sold the property to Lester E. Elder and Zilla L. Elder. I attest to the fact that Lester E. Elder and Zilla L. Elder continuously occupied the land and continued to use the surface water for irrigation, stock water and domestic purposes until Zilla L. Pernoll and I purchased the property. I further attest to the fact that the beneficial use of the water on this property for purposes of irrigation, stock water and domestic use has been continuous to the present time.

[Faint stamp]

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WATER RESOURCES DEPT.
SALEM, OREGON

(Page 2 of 2)

Notarization of Statement.

STATE OF OREGON)
 : ss
County of Lake)

I, Martin V. Pernoll, having been duly sworn, depose and say that to the best of my knowledge all of the matters stated herein are true and correct.

Martin V. Pernoll
Signature

Signed and attested before me this 28th day of December 1992.

Lillie Ann Olson
NOTARY PUBLIC for the State of Oregon
My commission expires: 3-17-94



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

April 28, 1999

Marsha Pernoll
6339 Buffalo Speedway
Houston, TX 77005

RE: Surface Water Registration #306

Dear Mrs. Pernoll,

Per your request, please find enclosed a copy of Surface Water Registration #306.

I have noted in the file that your Houston, Texas address is "seasonal" and that you would like the Summer Lake, Oregon address to remain as the "permanent" address in regards to any future correspondence.

If you have any questions, please feel free to call me at 1-503-378-3739 extension 297, or toll-free in Oregon at 1-800-624-3199 extension 297.

Sincerely,

Kerry Lefever
Adjudication Specialist

cc: SWR #306

MEMORANDUM

TO: Surface Water Registration #306 - Martin and Marsha Pernoll
FROM: Kerry Lefever
DATE: April 28, 1999
SUBJECT: additional address

The seasonal address is as follows:

Martin and Marsha Pernoll
6339 Buffalo Speedway
Houston, TX 77005

Telephone No. (713) 666-7817

Mrs. Pernoll would like any correspondence sent to their permanent address in Summer Lake.

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP OK NAME GOOSE & SUMNER # 13 UNADJUDICATED AREA ? yes
 RECEIPT # 95664 LAKES S W R NUMBER 306
 CHECK ENCLOSURES OK PRELIMINARY DATA BASE ENTRY DWP
 ACKNOWLEDGEMENT LETTER OK ENTER ON STREAM INDEX _____
 CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
 WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION SCSN

FORM REVIEW

- _____ blanks filled in
- _____ signed
- _____ date received stamped

MAP REVIEW

- IRRIGATION
- source and trib
 - diversion point location
 - _____ conveyances (pipes, ditch, etc.)
 - place of use
 - scale
 - township, range, section
 - north arrow
 - CWRE stamp
 - disclaimer
 - _____ date survey was performed
 - P.O.B. of survey
 - _____ dimensions and capacity of diversion system
 - "beneficial use" type title
 - "permanent-quality" paper
 - 1/10th ACR

STOCKWATER ?
 DOMESTIC ?
 (NOTHING ON MAP)

WATER RIGHT RECORD CHECK _____ FIELD INSPECTION _____
 FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____
 ENTER ON PLAT CARDS _____

March 2, 1993

MARTIN L PERNOLL
PO BOX 35
SUMMER LAKE OR 97640

Dear MR PERNOLL,

This will acknowledge that your Surface Water Registration Statement in the name of MARTIN L PERNOLL has been received by our office. The fees in the amount of \$151.34 have been received and our receipt #95664 is enclosed. Your registration statement has been numbered SWR-306.

Our office will review your form and map in the near future. If necessary we will schedule a meeting with you that will include a site inspection. If there are problems with your form we are usually able to take care of them during our visit. We will be able to answer any questions you might have about the adjudication process at that time.

Please feel free to contact this office if you have any questions.

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0306.001



STATE OF OREGON
WATER RESOURCES DEPARTMENT
 850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-8455/378-8130 (FAX)

RECEIPT # **95664**

RECEIVED FROM: Rennell Ranch
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 24-22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 157.34

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>157.34</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$
 COST CENTER AND OBJECT CLASS VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$
		EXAM FEE		LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
842.016	WELL DRILL OPERATOR	\$	842.019	\$
	LANDOWNER'S PERMIT		842.024	\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE(FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
	HYDRO APPLICATION		\$

RECEIPT # **95664**

DATED: 12-30-92 BY: [Signature]