

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME <u>PHILLIP L. GERSTNER</u>		PHONE (HM) <u>541-421-3883</u>	
PHONE (WK) <u>541-421-3883</u>	CELL		FAX <u>541-421-3883</u>
ADDRESS <u>55958 COOK ALLEN LN.</u>			
CITY <u>FOX</u>	STATE <u>OR</u>	ZIP <u>97856</u>	E-MAIL

Organization Information

NAME		PHONE	FAX <u>APR 28 2010</u>
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL

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Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

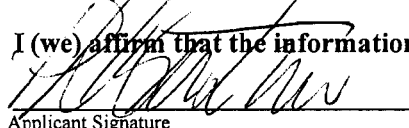
AGENT / BUSINESS NAME <u>KIMBERLY WIRTH / FOX RIDGE RANCH, LLC</u>		PHONE <u>541-421-3311</u>	FAX <u>541-421-3312</u>
ADDRESS <u>PO Box 428</u>			CELL
CITY <u>LONG CREEK</u>	STATE <u>OR</u>	ZIP <u>97856</u>	E-MAIL <u>timberwest@onlinemac.com</u>

Note: Attach multiple copies as needed

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

 I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

PHILLIP L. GERSTNER
Print Name and title if applicable

04/25/2010
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>6-47368</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☒ Yes

☐ There are no encumbrances.

☒ This land is encumbered by easements, rights of way, roads or other encumbrances.

☐ No

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

PHILLIP L GERSTNER 55958 COOK ALLEN LN FOX, OR 97856

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
GRAN 183	SMITH CREEK	1657'	39'

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Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

THERE IS 1/2 MILE OF BURIED MAIN LINE WHICH WAS
INSTALLED IN 1972.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: SEE ATTACHED WELL LOG

Total maximum rate requested: 705 gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
	☐	☒	GRW 163	☐	8"	8'	SEE ATTACHED WELL LOG		28 FT	RED Rock - WB.	197	450 gpm est. from well log	
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
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* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
IRRIGATION	March 1 st to March 31 st Primary	
Irrigation	April 1 st to Sept. 30 th Supplemental	
Irrigation	March 1 st to October 31 st Total season	
Irrigation	October 1 st to October 31 st Primary	

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 93 Acres

Supplemental: 34.6 Acres

List the Permit or Certificate number of the underlying primary water right(s): C-24819, John Day Decree

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 383AF - groundwater

139 AF - surface water under existing water right

- If the use is **municipal or quasi-municipal**, attach Form M
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

☒ Pump (give horsepower and type): 25 HP PUMP

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. EXISTING WELL

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

HAND LINES AND WHEEL LINES, buried main line - existing

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

ALL WATER IS PIPED USING A SPRINKLER IRRIGATION SYSTEM.

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SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR *N/A*

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR *N/A*

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

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SECTION 8: PROJECT SCHEDULE *N/A*

Date construction will begin: construction already complete

Date construction will be completed: _____

Date beneficial water use will begin: As soon as permit is issued

SECTION 9: REMARKS *N/A*

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: PHILLIP GERSTNER
First Last

Mailing Address: 55958 COOK ALLEN LN

FOX OR 97856 Daytime Phone: 541-421-3883
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
T11S	R30E	S5	SW¼NW¼	502	EFU 80(100)	☐ Diverted	☒ Conveyed	☒ Used	IRRIGATION
T11S	R30E	S5	E½NW¼	500	EFU 80(100)	☒ Diverted	☒ Conveyed	☒ Used	IRRIGATION
T10S	R30E	S32	SE¼SW¼	4100	EFU 80(100)	☐ Diverted	☒ Conveyed	☒ Used	IRRIGATION
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

THIS WELL WILL BE USED TO IRRIGATE AGRICULTURAL CROPS.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

Phillip Berstner

11S-30E TL 502 + 500

For Local Government Use Only

10S-30E TL 4100

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Article 14 - Exclusive Farm Use
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	RECEIVED	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	APR 28 2010	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
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	SALEM, OREGON	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Irrigation is an allowed use in the exclusive farm use zone.
Property ID - T11S, R30E section 5 SW1/4 NW1/4 TL 502
T11S, R30E sec 5-E1/2 NW1/4 TL 500; T10S R30E sec 32 SE1/4 SW1/4 TL 4100

Name: Shannon Springer Title: Assistant Planner
Signature: Shannon Springer Phone: 541 575-1519 Date: 4/26/10
Government Entity: Grant County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON 97311
within 30 days from the date
of well completion.

WATER WELL REPORT

GRANT STATE OF OREGON

(Please type or print)
(Do not write above this line)

State Well No. 11/30-5

State Permit No.

(1) OWNER:

Name Vernon Adkins
Address Fox, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒

8" Diam. from 0 ft. to 29 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations	in. by	in.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Water level 28 ft. below land surface Date Dec. 1
Artesian pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static level.

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Columbia Pump, Portland

Id: gal./min. with ft. drawdown after hrs.
Air Tested 450 gal per min.

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water 56° Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Bentonite
Depth of seal 18 ft.

Diameter of well bore to bottom of seal 10 in.

Were any loose strata cemented off? ☐ Yes ☒ No Depth

Was a drive shoe used? ☐ Yes ☒ No

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(11) LOCATION OF WELL:

County GRANT Driller's well number
1/4 Section 5 T. 11 R. 30 E W.M.

Bearing and distance from section or subdivision corner

(12) WELL LOG:

Diameter of well below casing 8"

Depth drilled 197 ft. Depth of completed well 197 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Soil	0	1	
rock Brown decomposed	1	17	
rock Gray	17	25	
rock Brown decomposed	25	29	Sub
rock broken gray	29	35	
rock broken brown	35	70	
rock red water bearing	70	110	
rock red to gray	110	145	
rock brown	145	170	
rock Gray	170	180	
rock red porous	180	192	
rock Brown	192	197	

water bearing from 70 ft

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Work started Nov 28 1967 Completed Nov. 30 1967

Date well drilling machine moved off of well Dec. 1 1967

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Gilbert Chyten Date Dec. 27 1967
(Drilling Machine Operator)

Drilling Machine Operator's License No. 129

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Ray T. French
(Person, firm or corporation) (Type or print)

Address B.T. 2 Box 129

[Signed] Ray T. French
(Water Well Contractor)

Contractor's License No. 107 Date Dec. 27, 1967

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **CARL A. ADKINS**

of **Fox**, State of **Oregon**, has a right to the use of
the waters of **Smith Creek, tributary of Fox Creek**
for the purpose of **Irrigation**

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Grant County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume **15**, at page **461**; that the priority of the right thereby
confirmed dates from **1885**

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed **1/40 cubic foot per**
second per acre irrigated to June 1 and 1/80 cubic foot per second per acre there-
after; further limited to one acre-foot per calendar month to June 1 and four acre-
feet per acre during season April 1 to Sept. 30, measured at point of diversion.

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

13.2 acres in SE 1/4 SW 1/4
Section 32,
T. 10 S. R. 30 E. W.M.

13.4 acres in NE 1/4 NW 1/4
8.0 acres in SW 1/4 NW 1/4
Section 5
T. 11 S. R. 30 E. W.M.

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

WITNESS the signature of the State Engineer, affixed

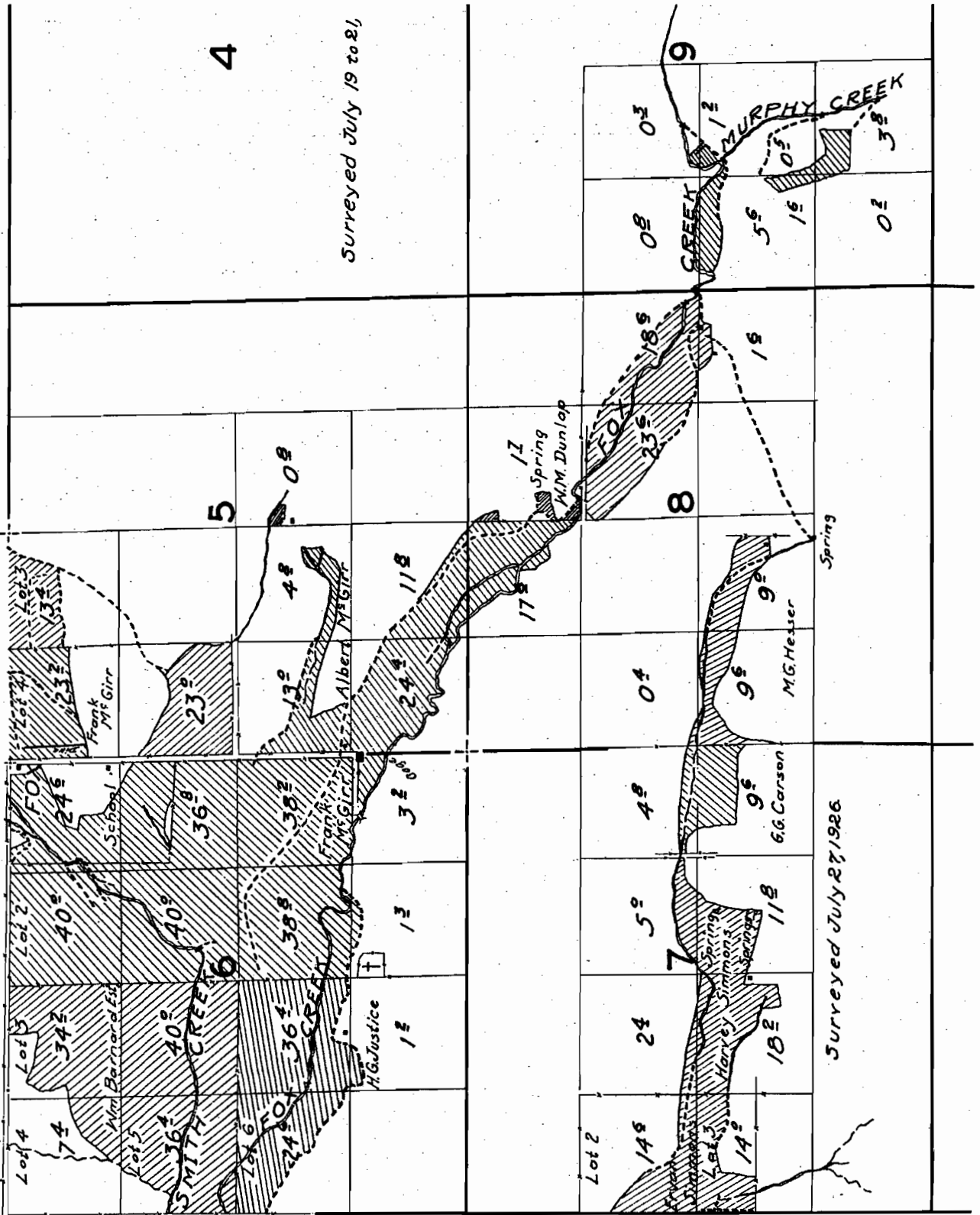
this **1st** day of **May**, 19 **99**.**LEWIS A. STANLEY**

State Engineer

Recorded in State Record of Water Right Certificates, Volume **17**, page **24819**

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TOWNSHIP



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BEFORE THE STATE ENGINEER OF OREGON

Grant County

In the Matter of the Determination of the Relative Rights
to the Waters of JOHN DAY RIVER and its Tributaries,
a Tributary of Columbia River.

STATEMENT AND PROOF OF CLAIM

#1

(The claimant must submit separate proof as to each ditch through which a water right is claimed.)

I, the undersigned, of Carl A. Adkins, Oregon, being called as a witness
in support of this statement of claim, and being first duly sworn, testify as follows:

1. Q.—What is claimant's name and postoffice address? If a corporation, give the place of
incorporation and the authority by which you make this proof.

A.— Carl A. Adkins, For Oregon
(If this proof is made by you as agent, or attorney, the written

authorization therefor must be signed by the claimant upon the back hereof.)

2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof?
If from a tributary, give its name.

A.— Smith Creek a tributary of Top Creek
a tributary of Top Creek a tributary of John Day River

3. Q.—What is the nature of the right or use on which this claim to the waters of said
stream is based?

A.— Irrigation, stock water
(Irrigation, power, mining, domestic, stock, etc.)

4. Q.—How was such right initiated, or upon what is it based?

A.— Appropriation and use
(Appropriation, diversion and use, etc.)

5. Q.—State the date of the initiation of such water right. A.— 1885

6. Q.—What steps were taken by this claimant or his predecessor in interest to initiate said
right? Answer fully, attaching separate sheet if necessary.

A.— Constructed dams and ditches.

7. Q.—When was water first used for irrigation, or other beneficial purposes?

A.— 1886

8. Q.—State the means of utilizing such water, giving the name by which the ditch is most
commonly known, if a ditch is used.

A.— Ditches Dams and Dykes.

9. Q.—State the interest claimant has in such ditch, with the names of any other water users
interested therein.

A.— Corner! water used by J. B. McEwen

[Proof No. 1]

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19. Q.—State the character of the soil and kind of crops cultivated.

A. — *Clay loam Timothy wild grass,*

20. Q.—When does the irrigating season begin and when does it end, and if water is used for other purposes, during what months is it used?

A. — *Feb 1 - Sep - 1*

21. Q.—What amount of water do you estimate is necessary for the proper irrigation of the lands which you are irrigating or propose to irrigate, or for any other purpose for which a right is claimed?

A. — *4 acre feet per acre*

22. Q.—Do you accept the maps prepared by the State Engineer as showing correctly the location of said ditch and the lands irrigated therefrom?

NOTE.—In case there is objection to the official plat or a part thereof the parties objecting must, when giving proof, file a written statement of the reasons therefor, and must, within thirty days, file with the State Engineer a map covering the part objected to, with affidavit of surveyor thereto giving date of survey. Such map should be on tracing linen preferably on a scale of four inches to the mile (20 chains to one inch), and should have marked thereon, within each 40-acre legal subdivision, the area of land which is irrigated. Such map should correspond in size to legal cap paper so as to be easily filed with the claim.

A. — *Yes,*

23. Q.—If water is used for power, state the total fall utilized and the theoretical (not actual) horsepower developed.

NOTE.—Theoretical horsepower equals total quantity claimed in cubic feet per second, times fall in feet, divided by 8.8 (one cubic foot per second falling 8.8 feet equals one theoretical horsepower).

A. —

24. Q.—Describe the nature of the works by which the power is developed, the place where located, and state whether the water is returned to the stream after use and at what point.

A. —

25. Q.—If for mining purposes, describe the location and character of the mines to be served and state whether after use the water is returned to the stream and at what point.

A. —

26. Q.—If water is used for mining or power purposes, state whether there are any diversions between the point of your diversion and the return of such water to the stream.

A. —

27. Q.—Give description of your land as it appears in your deed. (Attach separate sheet if necessary.)

A. — *SW 1/4 NW 1/4 Sec 5 T11-30.
NE 1/4 NW 1/4 Sec 5 T11-30, and other lands
adjacent.*

28. Q.—What interest have you in the lands irrigated or place where the water is used?

A. — *Owner*

29. Q.—What additional evidence have you attached hereto or submitted herewith?

A. — *None*

(If the witness finds the space insufficient to properly answer any question, he should attach hereto said answer on a separate sheet or sheets. A corporation supplying water for irrigation to lands not its own should attach to its proof a complete list of the persons owning the lands so supplied with the correct description of the lands owned by each such person in each smallest legal subdivision. Certified copies of records and such evidence as the claimant may desire to submit should be attached to this proof and marked for identification as exhibit "A," "B," "C," etc.)

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I hereby certify upon oath that the foregoing statement and answers are true as I verily believe.

Carl A. Robbins
Signature of Claimant, or Agent Making Proof.

Subscribed and sworn to before me this 22 day of June, 1927.

Robert
[or] Asst. S. State Engineer.
Notary Public for Oregon.
My commission expires _____

AUTHORIZATION OF AGENT

I, _____, of _____,
State of _____, do hereby make and appoint _____
_____, of _____, my agent
and attorney for me and in my name, place and stead, to make and submit the within Statement
and Proof of Claim.*

And I hereby designate said agent as the proper party upon whom lawful and valid service
may be made of all process and notices in any contest commenced by or against me, in the within
entitled matter, and said agent is hereby duly authorized to appear in any and all such contests as
my true and lawful agent and attorney, giving and granting unto my said attorney full power and
authority to do and perform all and every act necessary and requisite to be done in the premises,
as fully as I might or could do if personally present, hereby ratifying and confirming all my said
agent shall lawfully do by virtue of this power.

Signature of Claimant.

* Claimant should cross out the second paragraph of the Authorization if he does not desire the agent to appear for
him in the proceeding after the filing of this claim.

Filed, June 22, 1927.

Fees paid: SEE OTHER CLAIM

Irrigation _____ acres, \$ _____

Power, _____ H. P., \$ _____

Other use, _____, \$ _____

Recording certificates, \$ _____

Total, \$ _____

Receipt No. _____

Robert
State Engineer.

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SALEM, OREGON

G-17368

FAX COVER SHEET

TO: OREGON WATER RESOURCES DEPT.
ATTN: HERB
FROM: KIMBERLY WIRTH
DATE: APRIL 29, 2010
RE: PHILLIP GERSTNER GROUND WATER RIGHTS APPLICATION:
PROPERTY LEGAL DESCRIPTION

Herb:

Per our phone conversation today, please see the attached Legal Description for Phillip Gerstner Ground Water Rights Application. Please let me know if you have any questions. Thank you.

Kimberly Wirth

971-241-9134

timberwest@onlinemac.com

LEGAL DESCRIPTION:

Township 10 South, Range 30 East of the Willamette Meridian, Grant County, Oregon:
Section 32: E1/2SW1/4, SAVE & EXCEPT that portion conveyed to Grant County, Oregon, by
deed recorded April 21, 1926, in Book 37, page 394, for right of way.
(Portion of Tax Acct. 17-3 10-30 4100; Ref. 6809 and a portion of Tax Acct. 17-3 10-30 4101; Ref. 6810)

Township 11 South, Range 30 East of the Willamette Meridian, Grant County, Oregon:
Section 5: Government Lot 3; S1/2NW1/4.
(Tax Accts. 17-3 11-30 500 and 502; Ref's. 6859 and 6861)

Oregon Water Resources Department

FORM I FOR IRRIGATION USE

1. Please indicate whether you are requesting a primary or supplemental water right, as well as the number of acres that will be irrigated for each type. The acreages must match those shown on the map submitted with your application.

☒ Primary: 93 Acres

☒ Supplemental: 34.6 Acres (supplemental irrigation can be used only when the primary right is not available, and must match the season of the primary right)

List the permit or certificate number of the primary water right that underlies each supplemental right.

Circle one

Season Allowed

Permit/Certificate # C-24819

4/1 - 9/30 each year

Permit/Certificate # _____

Permit/Certificate # _____

Permit/Certificate # _____

2. Indicate the maximum number of acre-feet of water you expect to use in an irrigation season:

3 acre-ft/acre acre-feet (typically 2.5 or 3.0 acre-feet per acre)
(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons)

3. For Limited License applications proposing to use water for irrigation. If for use of stored water, a limited license may be issued for up to one year with a valid contract for stored water per ORS 537.143(9). A limited license may also be issued for irrigation from live flow or groundwater, if the sole purpose is to establish a crop for which no further irrigation will be required after the crop is established per ORS 537.143(6)(a). Please describe the proposed project and indicate if stored water, live flow, or groundwater is to be used. When irrigation is needed to establish a crop, you must justify why more than one year is required.

RECEIVED

APR 28 2010

WATER RESOURCES DEPT
SALEM, OREGON

Last revision August 4, 2009

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