SWR-27

RIDDLE RANCH INC. (ALLAN OTLEY)

SWR 27

MEMO

RECEIVED
FEB 20 1996
WATER RESOURCES DEPT.
SALEM, OREGON

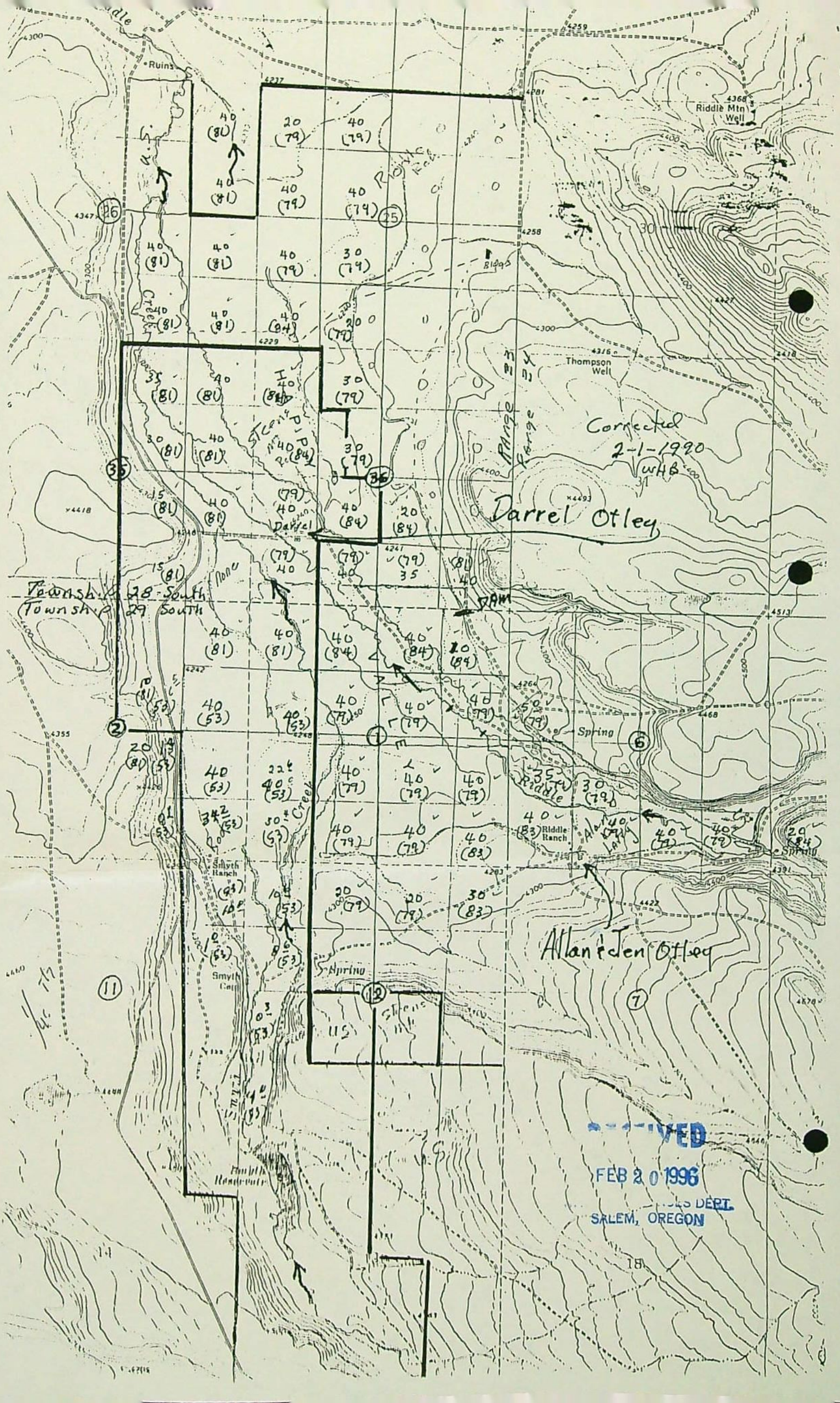
To: Kent Searles, Tom Paul & Reed Marbut
From: william beal Bill Beal
Subject: Allan & Jen Otley @ Riddle Crk.
Date: February 15, 1996

I called Jen Otley this morning and explained to her that the priority Jenkins claims has to be determined in the adjudication process. That there would be a hearing involving all parties for the determination of acreages and priority.

She was concerned he could demand all the water and there wouldn't be any for them. She was concerned about an irrigation season of March 1st because most years the creek runs off in February, And there is no way to get the water back for their use at a later date.

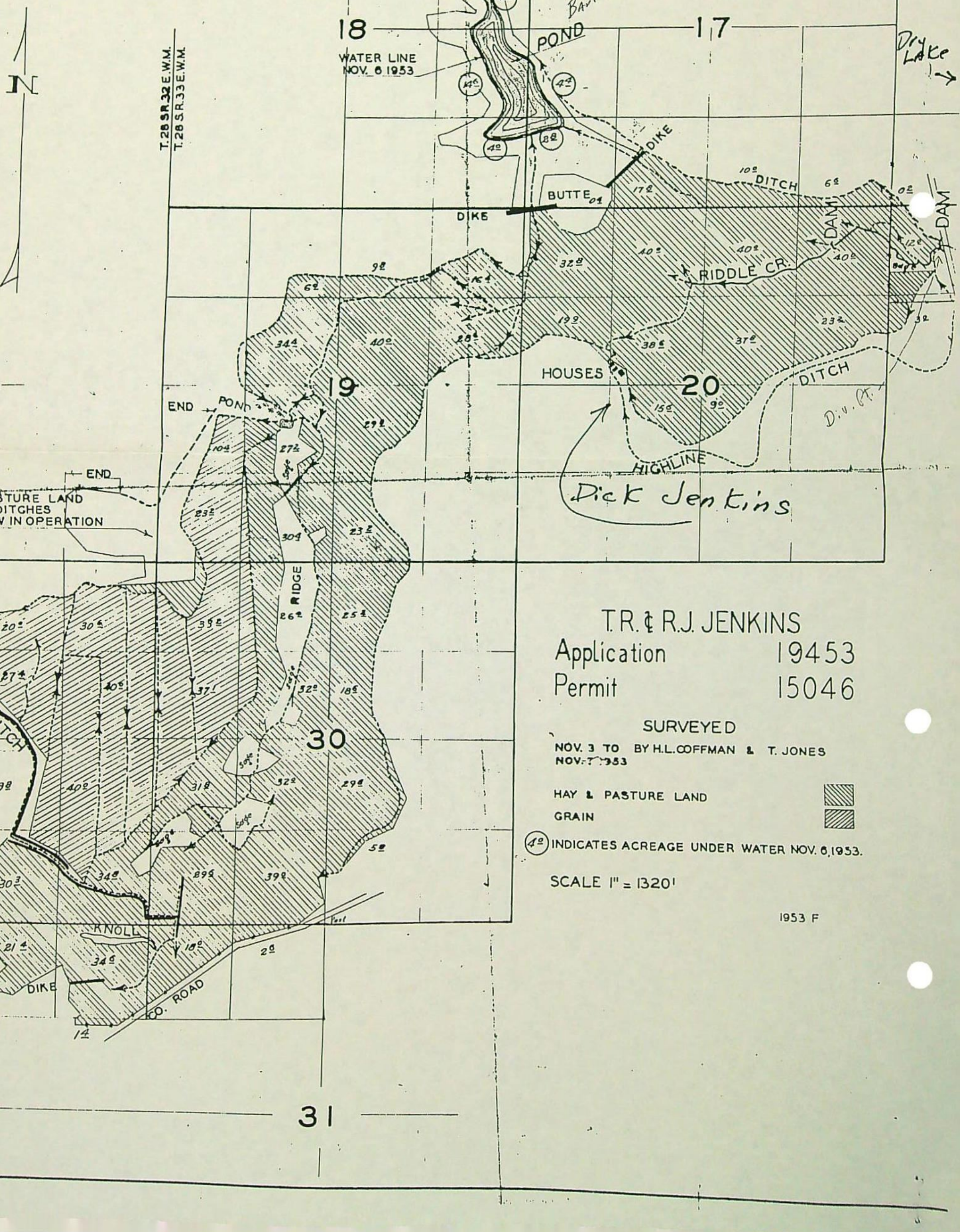
I have attached a copy of a map that I put together showing the court decree acreages and priority for both Otley's involved. I also attached a copy of Jenkins permit map at the lower end of the stream.

Otley = Riddle Creek


Township 28 South
Township 29 South
Darrel Otley
Allan & Jen Otley
Corrected
2-1-1990
WHB
Riddle Mtn Well
Thompson Well
Riddle Ranch
Smyth Ranch
Spring
Ruins
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SALEM, OREGON

T.28S. R.33E.W.M.

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SALEM, OREGON



T.R. & R.J. JENKINS

Application 19453
Permit 15046

SURVEYED
NOV. 3 TO NOV. ? 1953 BY H.L. COFFMAN & T. JONES

HAY & PASTURE LAND
GRAIN

(4a) INDICATES ACREAGE UNDER WATER NOV. 6, 1953.

SCALE 1" = 1320'

1953 F

12/14 Bruce White — Des Chutes Cnty
388 - 6593
→ Return call tomorrow — Left recorded message

12/14 Harry Ottley — Applied for SWR. # 27
453 - 7414
→ Filed under Riddle Ranch ± 1879
→ Jenkins Ranch has 1940's w.a.
- Jenkins filed for w.a. at 1877
Easter Oregon Livestock Co v Sylvester Smith
→ Also Steens Mountain Ranch

Jenkins
SWR 90 - Prior to 1877 - Riddle Creek I/S 28 CFS 1122 A
228 - 1870 - Faley Farm Flat S
229 - 1870 - Ten Cent Lake S
230 - 1870 - Jumper Lake S
231 - 1870 - Pond + Coyote Cks S

Steens Mt Ranch
SWR 25 - 1879 - Smyth + Riddle Cks I/O/S 18 cfs 730 ± A

We are not prepared to say that there was any abuse of discretion in this regard.

The decree of the lower court, with the modification above noted, is affirmed. AFFIRMED.

Argued April 21, affirmed June 21, 1927.

NORTHWEST AUTO COMPANY *v.* REO MOTOR CAR COMPANY.

(257 Pac. 10.)

Appeal and Error—In Reviewing Propriety of Submitting Case to Jury, Supreme Court Need Only Determine Whether Any Competent Substantial Evidence Supported Verdict.

1. Where case was tried to jury and error is assigned in that verdict should have been directed, it is only necessary for Supreme Court to determine whether there was any competent substantial evidence to support verdict rendered.

Principal and Agent—In Automobile Distributor's Action Against Manufacturer for Terminating Contract, Whether Defendant Breached Contract Held for Jury.

2. In action by automobile distributor against manufacturer for damages resulting from defendant's termination of contract when plaintiff insisted on buying under partial payment plan as agreed, whether defendant breached contract *held* for jury.

Principal and Agent—For Contract to be Binding, Minds of Parties must Meet and Offer must be Accepted Either by Word or Act.

3. For contract between automobile manufacturer and distributor to be binding, minds of parties must meet on identically the same proposition and manufacturer's offer must have been accepted by distributor either by word or act.

Principal and Agent—Evidence Held not to Show Delivery of Cars was Made or Intended to be Made at Shipping Point, Under Contract Between Automobile Distributor and Manufacturer, so as to Require Payment in Full of Cars Shipped During October (Or. L., § 8183, Rule 3; § 8209).

4. On issue whether automobiles shipped by manufacturer to distributor during month of October, and leaving shipping point during that month, constituted a delivery to distributor when placed on board cars at shipping point so as to require distributor to pay for October deliveries in full as required by contract, though

1. See 2 R. C. L. 198.
3. See 6 R. C. L. 592.

shipments arrived at destination during November, evidence that delivery of cars was made or intended to be made at shipping point *held* insufficient for jury, in view of Section 8183, Rule 3, Or. L.; Section 8209 being inapplicable.

Sales—Statutory Rule Relating to Passing of Title in Sales Contract is Subordinate to Parties' Intention (Or. L., § 8183, Rule 3).

5. Section 8183, Rule 3, Or. L., relating to passing of title where possession of bill of lading is retained by seller or his agent, is subordinate to intention of parties.

Appeal and Error, 4 C. J., p. 853, n. 59, p. 858, n. 3.
Contracts, 13 C. J., p. 263, n. 78, p. 264, n. 80, p. 272, n. 48, p. 275, n. 72.
Sales, 35 Cyc., p. 194, n. 60, p. 631, n. 12.

From Multnomah: J. M. BATCHELDER, Judge.

Department 1.

This is an action for damages alleged to have occurred when the Reo Motor Car Company of Lansing, Michigan, terminated a contract of distributors for sale of Reo automobiles and parts thereof with the Northwest Auto Company of Portland Oregon. Verdict and judgment for plaintiff in the sum of $10,000. Defendant appeals. The plaintiff alleges in substance that about July 16, 1923, the plaintiff and defendant entered into an agreement by the terms of which the plaintiff was to have the exclusive right to purchase from the defendant, and to sell and distribute in the State of Oregon, and in certain counties of the State of Washington, Reo Motor cars and Reo parts during the year commencing August 1, 1923, and ending July 31, 1924; that defendant agreed to sell to plaintiff and plaintiff agreed to purchase for distribution during the period about two hundred Reo motor cars, and also a quantity of Reo parts, all to be paid for according to the factory list price. The motor-cars were to be about 50 per cent passenger and 50 per cent commercial vehicles. Later certain

an examination of the facts in that case discloses that it should not be considered as controlling here. In the Thatcher case an elevated railway was constructed in front of and above defendant's property so that passengers waiting at the station could easily look through the windows of defendant's residence. In view of this situation and of the great amount of noise attending the coming and going of trains it was held that defendant's property was no longer suitable for residence purposes and that it would be idle for equity under such circumstances to enforce restrictions. The facts in that case are far removed from those before us for consideration. The same might be said of *Jackson* v. *Stevenson,* 156 Mass. 496 (32 Am. St. Rep. 476, 31 N. E. 691), upon which defendant also relies. *Pierce* v. *St. Louis Union Trust Co.,* 311 Mo. 262 (278 S. W. 398), is an instructive case in which the authorities are reviewed and one which is in keeping with the conclusions here reached.

The trial court exercised its discretion in assuming equitable jurisdiction of this cause and we see no reason to interfere therewith. The decree of the lower court is affirmed.

AFFIRMED. REHEARING DENIED.

Argued at Pendleton May 3, affirmed June 21, 1927.

HARRY L. SMITH, ADMINISTRATOR, ET AL., v. B. B. CLARK ET AL.

(257 Pac. 26.)

Appeal and Error—Inadvertent Finding of Land Irrigated in Excess of Amount Alleged to be Owned by Plaintiffs will be Modified on Appeal.

Finding in decree of number of acres of plaintiffs' land to be irrigated, being undoubtedly made through inadvertence, the complaint alleging ownership of fractional parts of sections constituting a less number of acres will be modified on appeal.

Appeal and Error, 4 C. J., p. 842, n. 58.
Waters, 40 Cyc., p. 699, n. 62, 64, p. 734, n. 31, 32, p. 738, n. 68.

From Harney: DALTON BIGGS, Judge.

In Banc.

AFFIRMED.

For appellants there was a brief over the name of *Mr. J. W. McCulloch,* with an oral argument by *Mr. R. M. Duncan.*

For respondents there was a brief and oral argument by *Mr. H. V. Schmalz.*

BELT, J.—This is an appeal and cross-appeal from a decree adjudicating certain water rights in Riddle Creek, Harney County, Oregon. Riddle Creek is a perennial stream which has its source in the Steen Mountains and, flowing in a northwesterly direction through "Happy Valley," empties into Barton Lake. Plaintiffs, Carrie Kidwell and Harry L. Smith, sole heirs of Sylvester Smith, deceased, are the owners of 240 acres of land in Section 26, T. 28 S., R. 33 E., W. M., located in the lower end of the valley

through which Riddle Creek flows. Defendant Clark, under a contract of sale from Eastern Oregon Livestock Co., is in possession of a large tract adjoining and above that of plaintiffs.

The earliest settlers reached this valley in about 1875 or 1876. Sylvester Smith established his home on Riddle Creek in 1880 and lived there continuously until in 1923. Eastern Oregon Livestock Co. obtained title to its large holdings in the valley from those whose predecessors in interest had established homes in this section of Harney County at an early date. It therefore appears that the water rights involved in this controversy had a very early inception and, by reason thereof, testimony of many witnesses is uncertain as to matters which transpired over forty years ago relative to the use of water in this stream. Until comparatively recent years no controversy has ever arisen over water rights in Happy Valley, as there has always been a sufficient amount for irrigation purposes.

While both parties in their pleadings predicate their water rights upon adverse user, we think such doctrine is not involved, for, until about 1920, no complaint was made as to any injury sustained on account of water shortage. Trouble over water rights arose when defendant Clark in recent years began to use water to irrigate additional sage-brush land.

In 1898 Sylvester Smith filed with the county clerk for Harney County a "Notice of Water Right" claiming "100 inches of water diverted from Riddle Creek," and it is therein further recited that the same has been used by him since the year 1881 for irrigation purposes. In addition to this evidence, which we think admissible, other witnesses established to our satisfaction the truth of this recital. The land of plaintiffs is arid and has no value for agricultural use without irrigation. It is reasonable to assume—and there is strong evidence tending to establish the fact—that when Sylvester Smith occupied this ranch in 1880 he diverted water from Riddle Creek to irrigate his meadows for the purpose of raising hay with which to feed his stock. We concur in the finding of the trial court that plaintiffs' priority of water right to their land as described in the amended complaint should be adjudicated as of the year 1881. In the decree the amount of land found by the court to be irrigated by plaintiffs is stated to be 320 acres. This finding was undoubtedly made through inadvertence as plaintiffs, in their amended complaint, allege ownership of only the E. ½ of the NE. ¼ and the SE. ¼ of Section 26, which is 240 acres.

No questions of law are involved in this proceeding. An examination of the record leads to the conclusion that the trial court, in the light of the evidence and the greater weight thereof, made a proper and equitable determination of the water rights in question. A further discussion of the facts might prove of interest to the litigants, but would be of no benefit to the profession generally.

There is no merit in plaintiffs' cross-appeal, contending that their water rights should be established as prior to the year 1881. The decree of the court in this respect is in keeping with the prayer of their complaint. Further, it is in accord with facts.

Defendants assign error of the court in decreeing that neither party recover costs and disbursements.

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut DATE: April 1, 1992
FROM: Don Knauer

SUBJECT: Indorsement of SWR-27

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made a inspection of the property identified in the claim and I have reviewed the WRD records. Based on my review and inspection I suggest the following information be included on the " Notice of Proposed Order " under ORS 539.240 (8):

NAME: Riddle Ranch Inc.
ADDRESS: Box 55
Princeton OR 97721

SOURCE: Riddle Creek, a closed basin.

USE: Irrigation and stockwater

PRIORITY DATES: see below

AMOUNT OF WATER FOR EACH CLAIMED USE:

1/40 CFS per acre during flood season and 1/80 CFS per acre after flood season not to exceed 4 acre feet per season for irrigation of 820.8 acres.
0.20 CFS for stockwater from Riddle Creek.

DIVERSION POINTS:

SW¼ SW¼ Section 5, T. 29 S., R. 34 W., W.M.
SE¼ SE¼ Section 6, T. 29 S., R. 34 W., W.M.
SW¼ SW¼ Section 6, T. 29 S., R. 34 W., W.M.
NW¼ SW¼ Section 6, T. 29 S., R. 34 W., W.M.
SW¼ NE¼ Section 1, T. 29 S., R. 33 W., W.M.
SW¼ SE¼ Section 26, T. 28 S., R. 33 W., W.M.
SW¼ SE¼ Section 26, T. 28 S., R. 33 W., W.M.

PLACE OF USE:

1879

1.2 acres and Stockwater SW¼ NW¼
10.0 acres and Stockwater NW¼ SW¼
Section 25,
1.3 acres and Stockwater SE¼ NW¼
40.0 acres and Stockwater SE¼ SW¼
30.4 acres and Stockwater SW¼ SE¼
Section 36,
Township 28 S., Range 33 E., W.M.

40.0 acres and Stockwater SW¼ NE¼
37.1 acres and Stockwater SE¼ NE¼
40.0 acres and Stockwater SE¼ NW¼
40.0 acres and Stockwater NE¼ SW¼
33.2 acres and Stockwater SE¼ SW¼
40.0 acres and Stockwater NE¼ SE¼
40.0 acres and Stockwater NW¼ SE¼
34.2 acres and Stockwater SW¼ SE¼
Section 1,
Township 29 S., Range 33 E., W.M.

7.2 acres and Stockwater Lot 5 (SW¼ NW¼)
21.4 acres and Stockwater NE¼ SW¼
37.8 acres and Stockwater Lot 6 (NW¼ SW¼)
27.6 acres and Stockwater SE¼ SW¼
2.3 acres and Stockwater NW¼ SE¼
21.3 acres and Stockwater SW¼ SE¼
7.8 acres and Stockwater SE¼ SE¼
Section 6,
Township 29 S., Range 34 E., W.M.

1881

40.0 acres and Stockwater NE¼ SE¼
34.1 acres and Stockwater NW¼ SE¼
36.8 acres and Stockwater SW¼ SE¼
40.0 acres and Stockwater SE¼ SE¼
Section 26,
1.2 acres and Stockwater SE¼ SE¼
Section 36,
Township 28 S., Range 33 E., W.M.

1883

14.6 acres and Stockwater SE¼ SE¼
Section 1,
Township 29 S., Range 33 E., W.M.

22.1 acres and Stockwater Lot 7 (SW¼ SW¼)
Section 6,
Township 29 S., Range 34 E., W.M.

1884

20.6 acres and Stockwater SW¼ SW¼
Section 25,
4.2 acres and Stockwater NW¼ SE¼
Section 36,
Township 28 S., Range 33 E., W.M.

14.4 acres and Stockwater Lot 1 (NE¼ NE¼)
40.0 acres and Stockwater Lot 2 (NW¼ NE¼)
40.0 acres and Stockwater Lot 3 (NE¼ NW¼)
Section 1,
Township 29 S., Range 33 E., W.M.

PERIOD OF USE:

The irrigation season is March 1 to November 1. Stockwatering allowed all year.

FILE C:\WP51\SWR\CLAIMANT\SWR-0027.0IM

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR HARNEY COUNTY

* * * * *

Harry L. Smith, Administrator of the Estate of Sylvester Smith, deceased, Harry L.Smith and Carrie Kidwell, heirs at law of Sylvester Smith, deceased, Plaintiffs, vs. B. B. Clark and Eastern Oregon Livestock Company, a Corporation, Defendants.	)	#1883 DECREE

NOW AT THIS TIME, this matter came on for decree; and it appearing to the court that the case was heretofore referred to the court reporter for taking and transcribing of testimony and that the testimony was so taken, transcribed and filed, and that findings of fact have heretofore been made and filed herein; the case having been submitted on briefs of counsel, plaintiffs appearing by H. V. Schmalz, and defendants appearing by McCulloch and Duncan; and based upon said findings of fact,

It is CONSIDERED, ORDERED, ADJUDGED AND DECREED:

I.

That the parties hereto are entitled to the use of water from Riddle Creek and its tributaries in the amounts, acreage, and according to priorities herein determined:

me and Postoffice Address of Appropriator	Date of Relative Priority	ount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of L Place of U
y L. Smith and arrie Kidwell	1881		320	Modified to 240 acres Misc. Decree 19.39			E½NE¼ and SE¼ Section 26 T. 28 S., R. 33 E
ern Oregon Live-tock Company	1884						40 acres in SW¼SW Section 25 T. 28 S., R. 33 E
	1881						40 acres in NE¼NE 35 acres in NW¼NE 30 acres in SW¼NE 40 acres in SE¼NE 40 acres in NE¼SE 15 acres in NW¼SE 15 acres in SW¼SE Section 35 T. 28 S., R. 33 E.
	1881						40 acres in SE¼SE
	1884						40 acres in NW¼NW 40 acres in SW¼NW
	1879						40 acres in NE¼SW 40 acres in NW¼SW 40 acres in SW¼SW¼
	1884						40 acres in SE¼SW
	1879						20 acres in NW¼SE 35 acres in SW¼SE Section 36 T. 28 S., R. 33 E.
	1884						10 acres in NE¼NE¼
	1884						40 acres in NE¼NE¼
	1879						40 acres in NW¼NE¼ 40 acres in SW¼NE¼ 40 acres in SE¼NE¼
	1884						40 acres in NE¼NW¼
	1881						40 acres in NW¼NW¼
	1879						40 acres in SE¼NW¼ 40 acres in NE¼SW¼ 40 acres in SE¼SW¼ 40 acres in NE¼SE¼ 40 acres in NW¼SE¼ 40 acres in SW¼SE¼
	1883						40 acres in SE¼SE¼ Section 1 T. 29 S., R. 33 E.
	1881						40 acres in NE¼NE¼ 20 acres in NW¼SE¼ 10 acres in SW¼NE¼ Section 2 T. 29 S., R. 33 E.
	1883						30 acres in NE¼NE¼
	1879						20 acres in NW¼NE¼ 20 acres in NE¼NW¼ Section 12 T. 29 S., R. 33 E.
	1884						20 acres in SW¼SW¼ Section 5 T. 29 S., R. 33 E.
	1879						5 acres in SW¼NW¼ 30 acres in NE¼SW¼ 35 acres in NW¼SW¼
	1883						40 acres in SW¼SW¼
	1879						40 acres in SE¼SW¼ 40 acres in SW¼SE¼ 40 acres in SE¼SE¼ Section 6 T. 29 S., R. 33 E.

(Contld. Next page)

ne and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of La Place of U
tern Oregon Live-Stock Company							40 acres in NE¼NW 20 acres in NW¼NW 40 acres in SW¼NW 40 acres in SE¼NW 30 acres in NE¼SW 40 acres in NW¼SW 20 acres in SE¼SW Section 25 T. 28 S., R. 33 E 30 acres in NE¼NW 30 acres in SE¼NW Section 36 T. 28 S., R. 33 E

II.

That the annual irrigation season for the irrigation of the above described lands extends from the 1st day of March to the 1st day of November of each year.

III.

That the duty of water for the lands above described be, and it is hereby fixed at not to exceed four acre feet per acre per year. That a continuous flow during the flood season of each year of one-fortieth cubic foot per second, or one inch per acre is allowed for each and every acre given a water right herein, and after the flood season a continuous flow of water of one-eightieth cubic foot per second for each and every acre during the irrigation season; not to exceed, however, during the irrigation season, four acre feet per acre to the land given water rights herein.

IV.

That the flood season as mentioned in the preceding paragraph may not be determined exactly, but by the right to use a continuous flow of one-fortieth cubic foot per second per acre during the flood season of each year is meant that as long as there is ample water in Riddle Creek or its tributaries to fulfill the right herein found, each party may use a continuous flow of one-fortieth cubic foot per acre; but as soon as the flow of the stream, Riddle Creek and its tributaries, diminishes to a point that all rights can not be fulfilled by allowing one-fortieth cubic foot per second then the continuous flow to be used by each and all of the parties will be, and hereby is reduced to one-half of that amount, or one-eightieth cubic foot per second.

V.

That each appropriator herein granted a priority is entitled to the use of all water herein decreed to him before any use of water by any person having a later priority or subsequent right. Priority of right entitles one to priority in the use of such water as it is herein decreed that he is entitled to use for the irrigation of his premises. The one having the first right is entitled to use all the water under such right before use of water may be made by one having a subsequent right.

VI.

That all rights herein decreed a priority of the same year are of equal priority.

VII.

That the parties hereto and each of them, their successors, attorneys, agents, and employes, are hereby restrained from in any manner interfering with the waters of Riddle Creek except as herein found and decreed, and that the waters of said Riddle Creek and its tributaries be permitted to flow in such manner as to fulfill the rights as herein decreed.

That neither party is allowed costs herein.

Done and dated at Chamber in Ontario, Oregon this 19th day of July, 1926.

DALTON BIGGS
Circuit Court.

Filed July 26th 1926
Chas. E. Dillman, County Clerk.

- - - - - - - - - - - - -

HARRY L. SMITH, Administrator, et al.,
Respondent
vs.
B. B. Clark, et al
Appellants,

MANDATE

BE IT REMEMBERED, that at a regular term of the Supreme Court of the State of Oregon, begun and held at the Supreme Court Room in the City of Salem, on the first Monday of March, 1927,

On this Tuesday the 21st day of June, 1927, the same being the 36th judicial day of said term, there were present:

George H. Burnett, Chief Justice,
John L. Rand, Associate Justice,
Oliver P. Coshow, Associate Justice,
Harry H. Belt, Associate Justice,
Thomas A. McBride, Associate Justice,
Henry J. Bean, Associate Justice,
George M. Brown, Associate Justice,
Arthur S. Benson, Clerk,

whereupon, among others, the following proceedings were had:

Harry L. Smith, Administrator of the Estate of Sylvester Smith, deceased, and Harry L. Smith and Carrie Kidwell, heirs at law of Sylvester Smith, Deceased,
Respondents,
v.
B. B. Clark and Eastern Oregon Livestock Company, a corporation,
Appellants.

APPEAL from Harney County

En Banc

This cause at Pendleton on May 3, 1927, having been duly argued and submitted upon and concerning all questions arising upon the transcript, record and evidence and then reserved for further consideration and the court having fully considered all said questions as well as suggestions of counsel in their argument and briefs, finds there

is not error as alleged, except that the amount of the land found by the court to be irrigated by plaintiffs is stated to be 320 acres. This finding it appears to the court, was undoubtedly made through inadvertance since plaintiffs in their amended complaint allege ownership of only the east one-half of the northeast one-fourth and the southeast one-fourth of section twenty-six, which is 240 acres.

The court further finds there is no merit in plaintiffs' cross appeal contending that their water rights should be established as prior to the year 1881. The decree of the circuit court in this respect is in keeping with the prayer of their complaint. The Court having fully considered the allegations of the parties and the entire record in this cause, finds that the findings of fact are correct and are sustained by the evidence with the exception above mentioned and the decree correctly adjudicates the rights of the parties.

It is therefore CONSIDERED, ORDERED AND DECREED, that said decree be affirmed and the same is hereby adopted as the decree of this court in this cause with the modification that the amount of land irrigated by the plaintiff is hereby designated as 240 acres.

It is FURTHER ORDERED that neither party recover costs or disbursements in this court or in the court below.

It is FURTHER ORDERED that this cause be remanded to the court below from which the appeal was taken with directions to enter a decree in accordance herewith.

STATE OF OREGON)
) SS
County of Marion)

I, ARTHUR S. BENSON, Clerk of the Supreme Court of the State of Oregon, do hereby certify that the foregoing copy of decree has been by me compared with the original journal entry and that it is a correct transcript therefrom, and of the whole of such original, as the same appears of record, and in my office and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Salem, Oregon, Aug. 11, 1927.

Arthur S. Benson
(SEAL) Clerk of the Supreme Court, State of Oregon.

TO THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF HARNEY

You are hereby commanded that of the above judgement order of our Supreme Court you cause proper entry to be made upon the records of your court, as of a judgement therein, and proceed to final determination and execution thereof, as to said order of our Supreme Court, and to law and justice shall appertain.

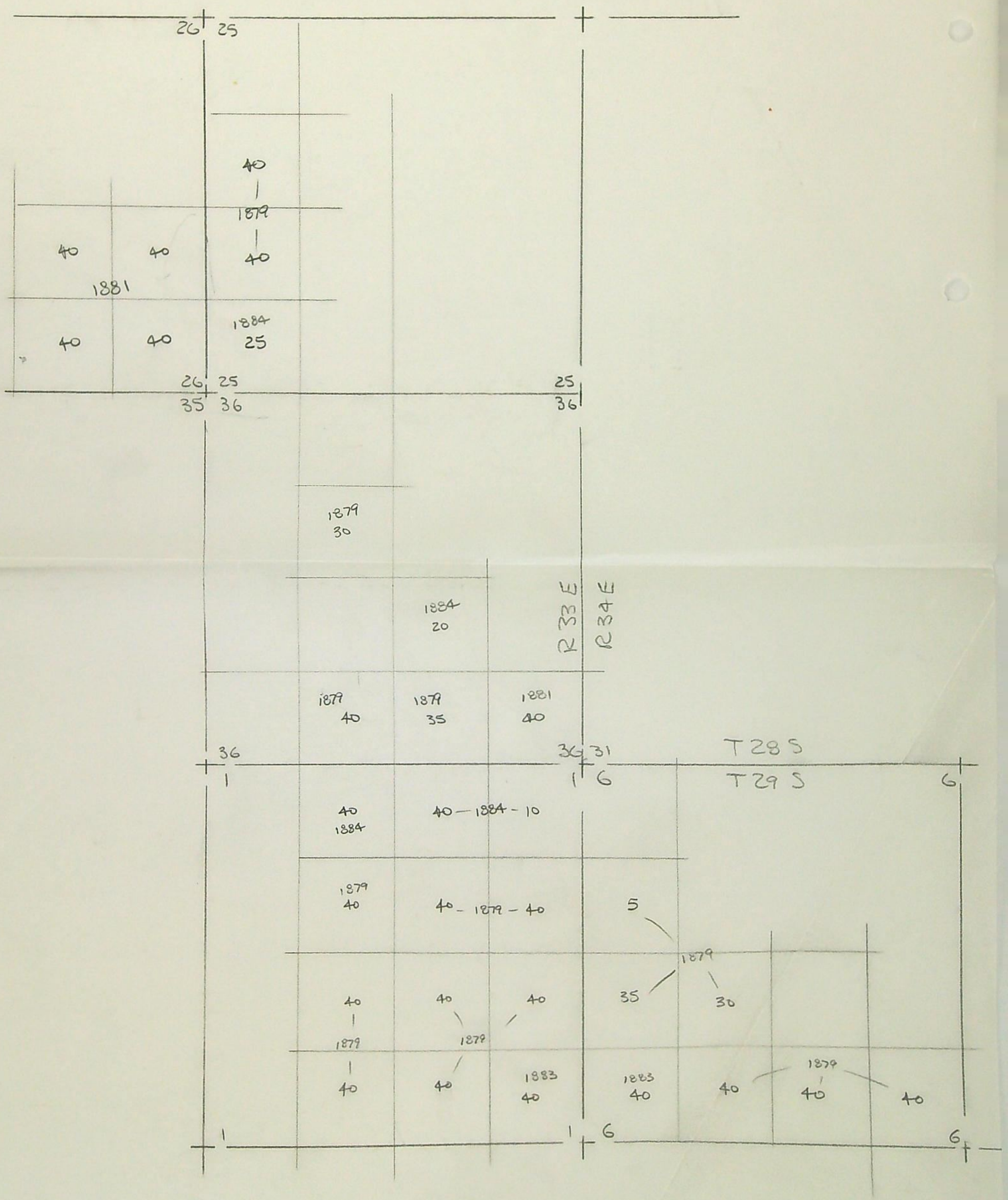
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Salem, Oregon, Aug.11, 1927.

Arthur S. Benson
(SEAL) Clerk of the Supreme Court, State of Oregon.
Filed: August 15, 1927
Chas. E. Dillman, Clerk
By Wm. M. Carroll, Deputy.

STATE OF OREGON)
) ss
County of Harney)

I, WM. M. CARROLL, County Clerk and Clerk of the County Court of the County and State aforesaid, do hereby certify that the foregoing copy of DECREE & MANDATE

HARNEY COUNT
CIRCUIT COURT
CASE # 1883
DECREE



WATER RESOURCES DEPARTMENT

October 3, 1991

To: File SWR-27, Riddle Ranch Inc.

From: Don Knauer

Subject: Field Inspection

Dwight French and I met with Jennie Otley on this property. She told us they irrigate their fields with the Steens Mtn Ranch. That is, as Riddle Ranch irrigates their fields the water goes down the ditches and across their fields to the Steens Mtn Ranch fields. She said they work together using the water. If they don't irrigate, the other ranch doesn't, at least on those fields under ditches from Riddle Creek.

We talked about the 1920's court decree. She said they have those rights. We talked about the various priority dates. I said we would take them right off the court decree. She mentioned a 1960's court case over the reservoir on Smyth Creek.

She said there weren't any other water users above them. She also said the Jenkins below them have been somewhat of a problem. This ranch is a working cattle ranch. Stock water is a necessity. They irrigate the meadows by flooding. Hay is cut and put up. The meadows are used for pasture in the fall and winter. Stock water is used year round.

The map shows the use accurately.

<u>We need to look at the Miscellaneous Decree very carefully before we issue endorsements.</u>

0859

STATE OF OREGON

INTEROFFICE MEMO

TO: William Beal

DATE: March 29, 1991

FROM: Adjudication Section

SUBJECT: Surface Water Registration

Enclosed are two registrations that have been filed on pre-1909 surface water uses in your area. SWR #25 and SWR #27

Please comment on the validity of the claima especially as it might relate to:

-priority date,
-quality of water,
-place of use, and
-continuous use without five or more consecutive years of non-use within the past 15 years.

Thank you for your assistance.

tle

0666

STATE OF OREGON INTEROFFICE MEMO

TO: SWR files 25 & 27 DATE: March 15, 1991

FROM: Don Knauer

SUBJECT: correspondence

Larry Jebousek has asked to have copies of correspondence involved with problems on these forms or maps and the remedies sent to him because he represents water users in this area with similar claims.

STATE OF OREGON INTEROFFICE MEMO

TO: file SWR-27 **DATE:** February 27, 1991

FROM: Don Knauer

SUBJECT: SWR-27

This form and map appear to be in good shape. That is they are filled out and seem to check each other.

This area was involved in a circuit court suit in 1926 and a supreme court mandate in 1927. There is a MISCELLANEOUS DECREE in our records. This needs to be very carefully checked before any action is taken on this claim. This statement is claiming different priority dates, different acreages, and appears to add acreage different from the decree.It appears there are errors in the 1/4 1/4 locations in the decree.

SURFACE WATER REGISTRATIONS

The following surface water registrations were filed in the office of the Water Resources Director during the period of November 20, 1990 to March 25, 1991. By law, all water within the state belongs to the public (ORS 537.110). Persons who began using water prior to February 24, 1909, or who have a federal reserved water claim may register that claim as a vested water right. These persons may receive an approved order of registration from the Director which entitles them to appropriate the water until the right is finally determined by a court.

Persons, agencies or other interested parties are invited to provide comments on the following registrations. Comments should address whether the claim contains:

1. a wrong priority date,
2. a wrong quantity of water,
3. a wrong area of use,
4. a use that has been forfeited by five or more consecutive years of non-use less than fifteen years ago, or
5. a use that has been intentionally abandoned.

Comments on these registrations should be directed to the Adjudications Section of the Department at the above address, and must be received within 30 days from the date of this notice.

HARNEY CO. SWR 25

STEENS MOUNTAIN RANCH INC., HC 72 BOX 40, PRINCETON, OREGON 97721, SMYTH CREEK AND RIDDLE CREEK, TRIBUTARY OF RIDDLE CREEK FOR IRRIGATION, DOMESTIC AND STOCK. 18.65 CFS, TOTAL OF 743.1 ACRES, 1879.

NE 1/4 NE 1/4 SECTION 26, T 28 S, R 33 E, W.M.
SE 1/4 NE 1/4 SECTION 26, T 28 S, R 33 E, W.M.
SE 1/4 SE 1/4 SECTION 35, T 28 S, R 33 E, W.M.
NW 1/4 SE 1/4 SECTION 35, T 28 S, R 33 E, W.M.
NE 1/4 SE 1/4 SECTION 35, T 28 S, R 33 E, W.M.
NE 1/4 NE 1/4 SECTION 35, T 28 S, R 33 E, W.M.
SE 1/4 NE 1/4 SECTION 35, T 28 S, R 33 E, W.M.
SW 1/4 NE 1/4 SECTION 35, T 28 S, R 33 E, W.M.
NW 1/4 NE 1/4 SECTION 35, T 28 S, R 33 E, W.M.
SW 1/4 SW 1/4 SECTION 36, T 28 S, R 33 E, W.M.

SURFACE WATER REGISTRATIONS

NW 1/4 SW 1/4 SECTION 36, T 28 S, R 33 E, W.M.
NE 1/4 SW 1/4 SECTION 36, T 28 S, R 33 E, W.M.
NW 1/4 NW 1/4 SECTION 36, T 28 S, R 33 E, W.M.
SE 1/4 NW 1/4 SECTION 36, T 28 S, R 33 E, W.M.
SW 1/4 NW 1/4 SECTION 36, T 28 S, R 33 E, W.M.
NW 1/4 NW 1/4 SECTION 1, T 29 S, R 33 E, W.M.
SW 1/4 NW 1/4 SECTION 1, T 29 S, R 33 E, W.M.
NW 1/4 SW 1/4 SECTION 1, T 29 S, R 33 E, W.M.
SW 1/4 SW 1/4 SECTION 1, T 29 S, R 33 E, W.M.
NE 1/4 NE 1/4 SECTION 2, T 29 S, R 33 E, W.M.
SE 1/4 NE 1/4 SECTION 2, T 29 S, R 33 E, W.M.
NE 1/4 SE 1/4 SECTION 2, T 29 S, R 33 E, W.M.
SE 1/4 SE 1/4 SECTION 2, T 29 S, R 33 E, W.M.
NW 1/4 NE 1/4 SECTION 2, T 29 S, R 33 E, W.M.
NE 1/4 NE 1/4 SECTION 11, T 29 S, R 33 E, W.M.
NW 1/4 NW 1/4 SECTION 12, T 29 S, R 33 E, W.M.

LANE CO. SWR 26

TOMMIE LORD, 17903 HIGHWAY 126, WALTON, OREGON 97490, UNNAMED CREEK, TRIBUTARY OF SIUSLAW RIVER FOR IRRIGATION AND DOMESTIC. 0.015 CFS, TOTAL OF 1 ACRE, PRIOR TO 1900.
NW 1/4 NE 1/4 SECTION 23, T 18 S, R 8 W, W.M.

HARNEY CO. SWR 27

RIDDLE RANCH INC., BOX 55, PRINCETON, OREGON 97721, RIDDLE CREEK, FOR IRRIGATION AND STOCK. 20.68 CFS, TOTAL OF 820.8 ACRES, 1879.
SW 1/4 SW 1/4 SECTION 25, T 28 S, R 33 E, W.M.
NW 1/4 SW 1/4 SECTION 25, T 28 S, R 33 E, W.M.
SW 1/4 NW 1/4 SECTION 25, T 28 S, R 33 E, W.M.
SE 1/4 SE 1/4 SECTION 26, T 28 S, R 33 E, W.M.
SW 1/4 SE 1/4 SECTION 26, T 28 S, R 33 E, W.M.
NW 1/4 SE 1/4 SECTION 26, T 28 S, R 33 E, W.M.
NE 1/4 SE 1/4 SECTION 26, T 28 S, R 33 E, W.M.
SE 1/4 SE 1/4 SECTION 36, T 28 S, R 33 E, W.M.
SW 1/4 SE 1/4 SECTION 36, T 28 S, R 33 E, W.M.

SURFACE WATER REGISTRATIONS

NW 1/4 SE 1/4	SECTION 36, T 28 S, R 33 E, W.M.
SE 1/4 SW 1/4	SECTION 36, T 28 S, R 33 E, W.M.
SE 1/4 NW 1/4	SECTION 36, T 28 S, R 33 E, W.M.
SE 1/4 SE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
SW 1/4 SE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
NW 1/4 SE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
NE 1/4 SE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
SE 1/4 SW 1/4	SECTION 1, T 29 S, R 33 E, W.M.
NE 1/4 SW 1/4	SECTION 1, T 29 S, R 33 E, W.M.
SE 1/4 NE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
SW 1/4 NE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
NW 1/4 NE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
NE 1/4 NE 1/4	SECTION 1, T 29 S, R 33 E, W.M.
SE 1/4 NW 1/4	SECTION 1, T 29 S, R 33 E, W.M.
NE 1/4 NW 1/4	SECTION 1, T 29 S, R 33 E, W.M.
SE 1/4 SE 1/4	SECTION 6, T 29 S, R 34 E, W.M.
SW 1/4 SE 1/4	SECTION 6, T 29 S, R 34 E, W.M.
NW 1/4 SE 1/4	SECTION 6, T 29 S, R 34 E, W.M.
SE 1/4 SW 1/4	SECTION 6, T 29 S, R 34 E, W.M.
SW 1/4 SW 1/4	SECTION 6, T 29 S, R 34 E, W.M.
NW 1/4 SW 1/4	SECTION 6, T 29 S, R 34 E, W.M.
NE 1/4 SW 1/4	SECTION 6, T 29 S, R 34 E, W.M.
SW 1/4 NW 1/4	SECTION 6, T 29 S, R 34 E, W.M.

DOUGLAS CO. SWR 28

WALDO J AND TWYLA DANCER, 493 WEST FROZEN CREEK ROAD, MYRTLE CREEK, OREGON 97457, UNNAMED STREAM AND WEST FORK OF FROZEN CREEK, TRIBUTARIES OF FROZEN CREEK FOR IRRIGATION, DOMESTIC AND STOCK. 0.023 CFS, TOTAL OF .6 ACRE, APRIL 24, 1884.
SW 1/4 NW 1/4 SECTION 32, T 28 S, R 4 W, W.M.

Oregon

WATER
RESOURCES
DEPARTMENT

February 26, 1991

Riddle Ranch, Inc. by Allen Otley
Box 55
Princeton, Ore. 97721

Dear Mr. Otley,

This will acknowledge your Registration Statement Claiming a Right to Appropriate Surface Water in the name of Riddle Ranch, Inc. The fees in the amount of $1121.00 have been received. Your registration statement has been accepted and numbered SWR-27.

In the future we will review your form and either file it as submitted or return it for completion or correction.

Sincerely,

Don Knauer
Adjudication Specialist

enc

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX 378-8130

NEIL GOLDSCHMIDT
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310 PHONE 378-8455

Riddle Ranch Inc.
Box 55
Princeton, OR 97721

January 7, 1991

Dear Sirs:

This letter is to confirm receipt of your registration statement claiming a right to appropriate surface water. Enclosed you will find a receipt #68326 for the $971.00that was sent with the form.

You need to send an additional $150.00 to complete the filing. The fee for the irrigation of the 820.8 acres is $921.00. The fee for the stock use is $200.00. This makes the total fees for your claim $1121.00.

Please don't hesitate to call if you have any questions. Our phone number is 378-8455.

Sincerely,

Dwight French

Dwight French
Adjudications Section
Oregon Water Resources Department

[redacted]

Records have been redacted or withheld pursuant to the exemption for financial transfer records specified in ORS 192.345(27).

[redacted]

RCPT# 70346

STATE OF OREGON
WATER RESOURCES DEPARTMENT
3850 PORTLAND ROAD NE
SALEM, OR 97310
378-3739/378-8130(FAX)

RECEIVED FROM: Riddle Ranch
BY:

APPLICATION
PERMIT
TRANSFER

CASH: ☐ CHECK: ☒ 24-22 OTHER:(IDENTIFY) ☐

TOTAL REC'D $ 150.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS		$ 150.00
831.087	PUBLICATIONS/MAPS		$
830.650	PARKING FEES Name/month		$
	OTHER: (IDENTIFY)		$

02-00-0 FEDERAL FUNDS

	OTHER: (IDENTIFY)		$

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

880.109	MISC REVENUE: (IDENTIFY)		$
520.000	OTHER (P-6): (IDENTIFY)		$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
842.001	SURFACE WATER	$	842.002	$
842.003	GROUND WATER	$	842.004	$
842.005	TRANSFER	$	842.006	$
	WELL CONSTRUCTION:	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 #

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	$

69001 SUSPENSE ACTIVITY

		LIC NUMBER	
842.115	POWER LICENSE FEE(FW)		$
842.115	HYDRO LICENSE FEE(FW)		$
832.009	HYDRO EXAM FEE(GF)		$

RCPT# 70346 DATED: 1-15-91 BY: A Acheson

RCPT # 68326

STATE OF OREGON
WATER RESOURCES DEPARTMENT
3850 PORTLAND ROAD NE
SALEM, OR 97310
378-3739/378-8130(FAX)

RECEIVED FROM: Kubale Ranch Inc
BY:
24-22

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: ☑ OTHER:(IDENTIFY) ☐

TOTAL REC'D $ 971.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS		$ 971.00
831.087	PUBLICATIONS/MAPS		$
830.650	PARKING FEES Name/month		$
	OTHER: (IDENTIFY)		$

02-00-0 FEDERAL FUNDS

	OTHER: (IDENTIFY)		$

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

880.109	MISC REVENUE: (IDENTIFY)		$
520.000	OTHER (P-6): (IDENTIFY)		$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
842.001	SURFACE WATER	$	842.002	$
842.003	GROUND WATER	$	842.004	$
842.005	TRANSFER	$	842.006	$

WELL CONSTRUCTION:

		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 #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	$

69001 SUSPENSE ACTIVITY

		LIC NUMBER	
842.115	POWER LICENSE FEE(FW)		$
842.115	HYDRO LICENSE FEE(FW)		$
832.009	HYDRO EXAM FEE(GF)		$

RCPT# 68326 DATED: 1-14-22 BY:

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 68326 & 70346

CHECK ENCLOSURES DEK

CHECK BASIN MAP DEK

UNADJUDICATED AREA yes DEK

SURFACE WATER REGISTRATION NUMBER 27

ACKNOWLEDGEMENT LETTER DEK 2-26-91

ENTER ON STREAM INDEX DEK

CHECK QUADRANGLE MAP DEK

CHECK GLO PLATS DEK — NEED GOVT LOTS IN MAP

BASIN 12

FORM REVIEW

- ✓ blanks filled in
- ✓ signed
- ✓ date received stamped
- ✓ date received filled out on back

MAP REVIEW

- ✓ diversion point location
- ✓ conveyances (pipes, ditch, etc.)
- ✓ place of use
- ✓ scale
- ✓ township, range, section
- ✓ north arrow
- ✓ CWRE stamp

EXISTING WATER RIGHT RECORD CHECK DEK Note: LOTS OF INFO TO CHECK!!

ENTER ON PLAT CARDS DEK

!! MISC. DECREE VOL 1 PG 34 !!

CHECK CAREFULLY

TOWNSHIP 28S RANGE 33E W. M. SECTION 25

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
										40						Misc. Decree	V-1 p 35	
				40	20	40	40	30	40		20					Misc. Decree	V-1 p 36	
						1 2			10	20 6						SWR-27		

ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES

TOWNSHIP 28S RANGE 33E W. M. SECTION 26

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
40			40									← 160 →				Misc. Decree	V-1 p 35	
19 4			29 4													SWR-25		
												40	34 1	36 8	40	SWR-27		

ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES

TOWNSHIP 28S RANGE 33E W. M. SECTION 36

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
					40	40		← 160 →					20	35	40	Misc. Decree	V. 1 p 35	
				30			30									Misc. Decree	V. 1 p 36	
					30	37 8	15 7	35 2	40	40						SWR-25		
							1 2				40		4 2	30 7	1 2	SWR-27		

ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES

TOWNSHIP 29S RANGE 33E W. M. SECTION 1

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Lot 1	Lot 2			Lot 3	Lot 4													
40 28	40 28			40 38	40 53													
						22 6				22 6	30 4					28546	23044	26238
																Supplemental U 820	U 726	CANCELLED
10	40	40	40	40	40		40	40			40	← 160 →				Misc. Decree	V-1 p 35	
					40	40			40	28 4						SWR-25		
14 4	40	40	37 1	40			40	40			33 2	40	40	34 2	14 6	SWR-27		

ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES

TOWNSHIP 29S RANGE 34E W. M. SECTION 6

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
							7 2	21 4	37 8	22 1	27 4	2 3	21 3	7 8		SWR-27		

ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES

GEOLOGICAL SURVEY

37°30" 368000m E. 369 PRINCETON 12 MI 371 35' 372 2270 II NE (ADOBE FLAT) 374

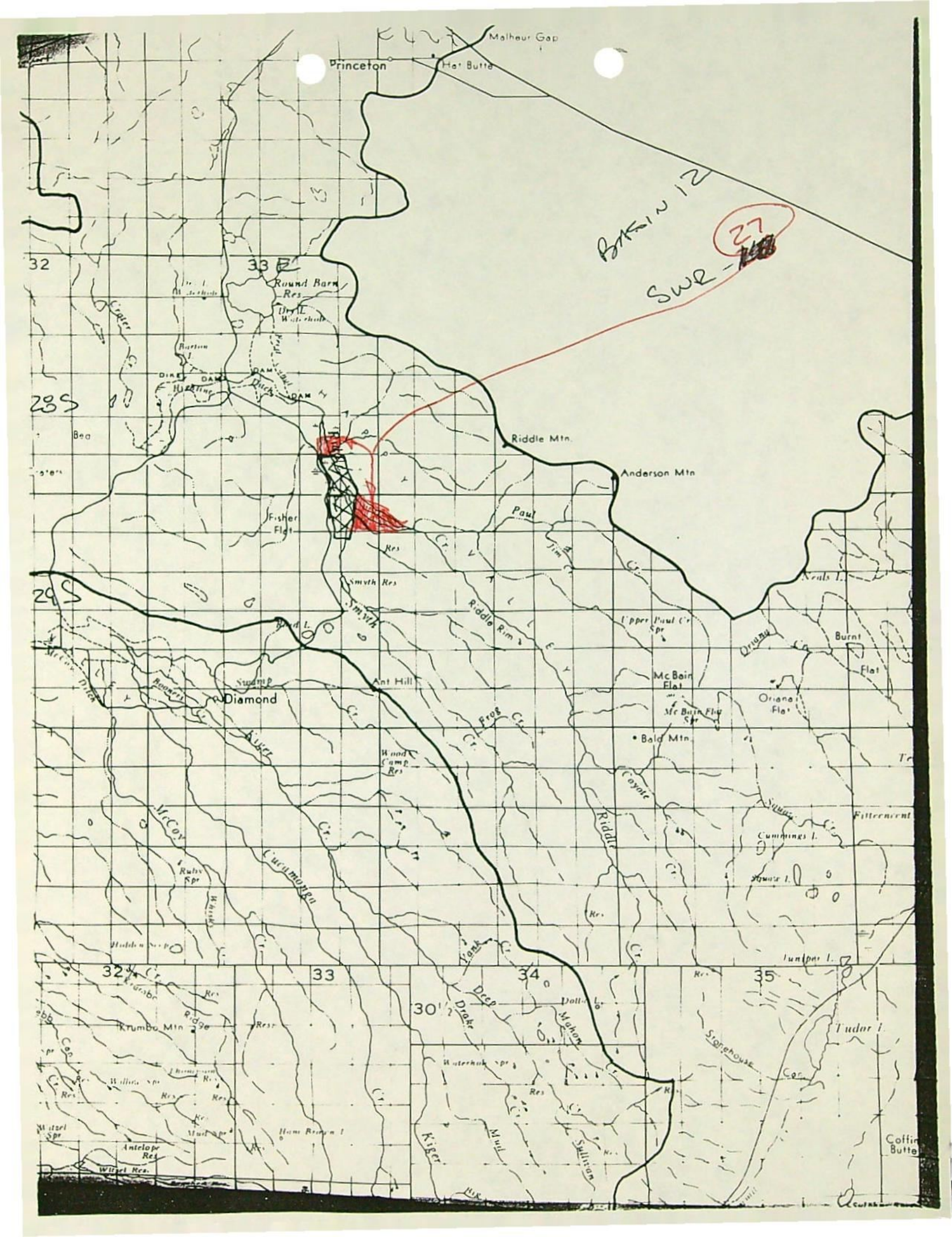
Riddle Ruins Riddle Mtn Well Thompson Well Well 4345 Creek Fisher Flat Smyth Ranch Smyth Cem Smyth Reservoir Spring Riddle Ranch Spring Pictographs Creek Spring Creek Rock Creek JEEP TRAIL

HAPPY VALLEY

R 33 E R 34 E

22 23 24 19 20 25 30 29 26 35 36 31 32 1 6 5 2 3 12 7 8 11 10 13 18 17 14 15 24 19 20 23

285 287


Malheur Gap
Princeton
Hot Butte
Round Barn Res
Riddle Mtn.
Anderson Mtn
Fisher Flat
Paul Cr.
Smyth Res
Riddle Rim
Upper Paul Cr Spr
Burnt Flat
McBain Flat
McBain Flat Spr
Oriana Flat
Ant Hill
Diamond
Diamond Swamp
Frog Cr.
Bald Mtn.
Wood Camp Res
Coyote
Cummings L.
Juniper L.
McCoy Cr.
Ruhs Spr
Krumbo Mtn
Krumbo Ridge
Deep Draher
Mahon
Stonehouse
Tudor L.
Mud
Antelope Res
Willard Res.
Coffin Butte
32
33
34
35
30
29
28

State of Oregon
WATER RESOURCES DEPARTMENT

RECEIVED
JAN - 4 1991
WATER RESOURCES DEPT.
SALEM, OREGON

REGISTRATION STATEMENT CLAIMING A RIGHT TO APPROPRIATE SURFACE WATER

Registrant: Riddle Ranch Inc

Mailing address: Box 55
Street

Princeton	OR	97721	493-2480
City or town	State	Zip	Phone

1. Sources of water Riddle Creek
   Tributary to -

2. Purpose(s) for which water is used irrigation - 2 domestic gardens, crops and pastures; stock
   (irrigation, power, mining, domestic, stock, etc.)

3. Amount of water used for beneficial purpose (20.52 cfs irrigation and 0.16 cfs stock) total = 20.68 cfs
   (cubic feet per second)

4. Date of the initiation of such water right 1879
   If the right to be claimed is described by permit, give the permit no._____, certificate no. _____, and name it is in _____

5. Describe the appropriate water diversion and distribution system for both the original distribution system and any enlargements: - see attached sheet -

   A) DITCH:

   Material _____
   (dirt, concrete, etc.)

   Top width _____ Bottom width _____ Depth _____

   Grade or fall per 1000 feet feet _____ Capacity _____
   (cubic feet per second)

   B) PIPELINE:

   Size at intake _____ Size and distance at changes _____

   Total fall between intake and place of use _____ Capacity _____
   (feet) (cubic feet per second).

C) PUMP:

Make _____ Type _____

No. _____ Intake size _____ Discharge size _____

Suction head _____ Discharge head _____

Rating: G.P.M. _____ R.P.M. _____ Pressure _____

D) MOTOR:

Type _____ Make _____

H.P. Rating _____ R.P.M. _____

E) CONNECTION:

Direct connected unit _____

If belt driven: Size of drive pulley _____ Driven pulley _____

F) DISTRIBUTION SYSTEM:

Main line: Size _____ Length _____ Kind of pipe _____

Lateral lines: Size _____ Length _____ Kind of pipe _____

Size _____ Length _____ Kind of pipe _____

G) SPRINKLER HEADS:

Make _____ Size of nozzles _____

Number of heads used _____ Capacity of each _____ G.P.M.

Operating pressure _____ lbs.

6. Area of land which your distribution system, as originally constructed, was intended to irrigate:

_____ - _____ acres - Area now being irrigated is, or is a portion of, the area originally irrigated.

7. Location of the area irrigated, or place of use if other than for irrigation:. - see attached sheet -

County of _____

Township	Range	Section	1/4, 1/4 Section	No. of acres Irrigated

TOTAL _____

Riddle Ranch Inc - Vested water right application

5. Describe the appropriate water diversion and distribution system for both the original distribution system and any enlargements:

A) DITCH

Material all ditches are dirt

Top width Div 1 - 6', Div 2 - 12', Div 3,4,5,6,7 - 3'

Bottom width Div 1 - 3', Div 2 - 6', Div 3,4,5,6,7 - 1'

Depth Div 1 - 3', Div 2 - 6', Div 3,4,5,6,7 - 2'

Grade or fall per 1000 feet Div 1 thru 7 - approx. 1'

Capacity Div 1 - 16.7 cfs, Div 2 - 106 cfs, Div 3,4,5,6, 7 - 3.2 cfs

B) PIPELINE

Size at intake 12"

Size and distance at changes 12"

Total fall between intake and place of use varies, gated pipe

Capacity 3 cfs

Riddle Ranch Inc - Vested water right application

7. Location of the area irrigated, or place of use if other than for irrigation. County of Harney

Township	Range	Section	1/4,1/4 Section	No. of acres irrigated
28 S	33 E	25	SW,SW	20.6
"	"	"	NW,SW	10.0
"	"	"	SW,NW	1.2
"	"	26	SE,SE	40.0
"	"	"	SW,SE	36.8
"	"	"	NW,SE	34.1
"	"	"	NE,SE	40.0
"	"	36	SE,SE	1.2
"	"	"	SW,SE	30.4
"	"	"	NW,SE	4.2
"	"	"	SE,SW	40.0
"	"	"	SE,NW	1.3
29 S	33 E	1	SE,SE	14.6
"	"	"	SW,SE	34.2
"	"	"	NW,SE	40.0
"	"	"	NE,SE	40.0
"	"	"	SE,SW	33.2
"	"	"	NE,SW	40.0
"	"	"	SE,NE	37.1
"	"	"	SW,NE	40.0
"	"	"	NW,NE	40.0
"	"	"	NE,NE	14.4
"	"	"	SE,NW	40.0
"	"	"	NE,NW	40.0
29 S	34 E	6	SE,SE	7.8
"	"	"	SW,SE	21.3
"	"	"	NW,SE	2.3
"	"	"	SE,SW	27.6
"	"	"	SW,SW	22.1
"	"	"	NW,SW	37.8
"	"	"	NE,SW	21.4
"	"	"	SW,NW	7.2
			TOTAL	820.8

Riddle Ranch Inc - Vested water right application

8) Location of the points of diversion

Div 1, SW 1/4, SW 1/4; Sec 5; T 29 S; R 34 E; WM

Div 2, SE 1/4, SE 1/4; Sec 6; T 29 S; R 34 E; WM

Div 3, SW 1/4, SW 1/4; Sec 6; T 29 S; R 34 E; WM

Div 4, NW 1/4, SW 1/4; Sec 6; T 29 S; R 34 E; WM

Div 5, SW 1/4, NE 1/4; Sec 1; T 29 S; R 33 E; WM

Div 6, SW 1/4, SE 1/4; Sec 26; T 28 S; R 33 E; WM

Div 7, SW 1/4, SE 1/4; Sec 26; T 28 S; R 33 E; WM

8. Location of the point of diversion: - see attached sheet -

_____ 1/4_____ 1/4, Section _____ , T _____ N/S, R _____ E/W.

9. If the water use is for power, please state:

A) Gross Head _____feet

B) Developed THP _____

C) Describe the type of water wheel or turbine and generator used: _____

_____

D) If there is a water power claim, please state the filing number: _____

E) Is water returned to original source? _____ If so, where: _____

_____ 1/4_____ 1/4, Section _____ , T_____ N/S, R _____ E/W.

10. When does the irrigation season begin and end, and if water is used for other purposes, during what months is it used? March 1 to October 1. Stock water is used 12 months a year.

11. Remarks: _____

_____

_____

_____

_____

This registration statement must be accompanied by a map prepared by a licensed land surveyor or engineer.

State of Oregon)
) ss.
County of HARNEY)

I, ALLEN OTLEY - RIDDLE RANCH FNC, being first duly sworn, do hereby certify that I have read the Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

Allan Otley
Signature of Registrant

Subscribed and sworn to before me this 2nd day of January, 19 91

Notary Public

(SEAL) My commission expires: 1-31-92

CERTIFICATE OF REGISTRATION

State of Oregon)
) ss.
County of MARION)

This is to certify that the foregoing Registration Statement was received in the office of the Water Resources Director on the 4 day of JANUARY, 1991, at _____ o'clock ____ M., and has been duly recorded in the office in Book No. _____ of Registration Statements on page no. _____.

Witness my hand this _____ day of _____, 19 _____.

_____ By: _____
Director Deputy

Fees paid: Irrigation: 820.8 acres, $ 921-
Power: _____ H.P., $ _____
Other Uses: STOCK, $ 200-

Receipt Number: 68326; TOTAL $ 1121-
- 971
150 DUE DEK

Received: JAN 4, 19 91.

Donald E. Quarles
Water Resources Department

DR RECEIVED JAN. 15 150.00
(COPY of check/Receipt included)
RECEIPT # 70346

DUE DEK 2-26-91

RECEIVED
JAN - 4 1991
WATER RESOURCES DEPT.
SALEM, OREGON

T 28 S, R 33 E T 29 S, R 33 E T 29 S, R 34 E WM
Harney County, OR

1881
1879
1884
1883

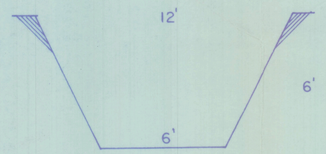


SWR-27
Basin 12

N

DITCH SECTIONS

DIV 1
N.T.S.
Q_M = 16.7 cfs
S = 0.1/100



DIV 2
N.T.S.
Q_M = 106 cfs
S = 0.1/100



DIV 3, 4, 5, 6, 7
N.T.S.
Q_M = 3.2 cfs
S = 0.1/100

NOTES

This map was drawn from field notes taken on October 8, 1990.
Bearings are based on solar observations.
All ditches and creeks on irrigated lands serve as stock watering facilities.

LEGEND

- ○ Diversion points
- ---- Ditches
- —·— 12" Φ gated pipe
- \+ 2 1/2" alum. pipe and cap
- //// Irrigated lands
- ' Check dams

DIVERSION LOCATIONS

Div 1, 357'N and 9'E from the southeast corner of Section 6, T 29 S, R 34 E, WM
" 2, 488'N " 202'W " " " " " " " " " "
" 3, 1296'N " 3981'W " " " " " " " " " "
" 4, 1803'N " 5171'W " " " " " " " " " "
" 5, 3381'N " 1486'W " " " " " 1 " R 33 E, "
" 6, 141'N " 2106'W " " " " " 36, T 28 S, " "
" 7, 1255 N " 2348'W " " " " " " " " "

Certified Water Right Examiner #199
Chris T. Palmer
Nov. 19, 1987
STATE OF OREGON

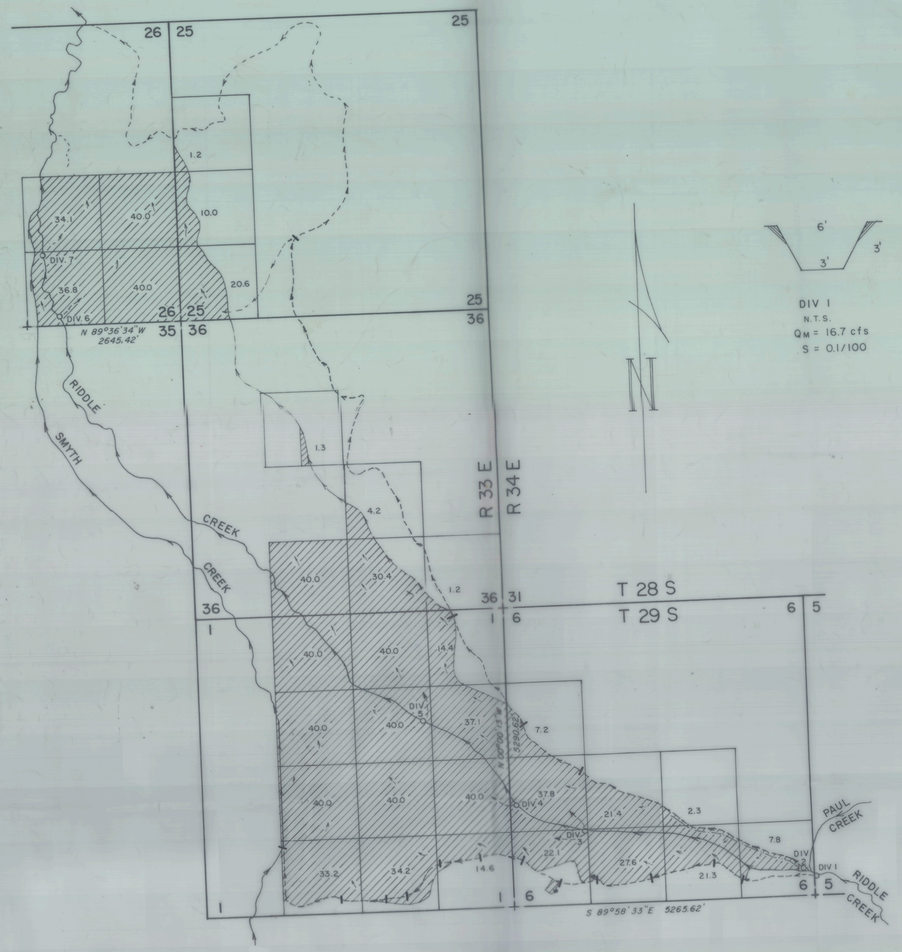
RIDDLE RANCH INC PRINCETON, OR

VESTED WATER RIGHT
APPLICATION MAP

Scale: 4" = 1 MILE	Date: OCTOBER 1990	Job: 1254
Dsn:	M. A. PALMER & SONS, INC.	Sht. No.
Drn: C T P	MAP's ENGINEERING & SURVEYING	of 1
Ckd:	254 N. Alder - Box 61 Burns, Oregon 97720	

T 28 S, R 33 E T 29 S, R 33 E T 29 S, R 34 E WM
Harney County, OR

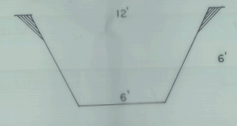
RECEIVED
JAN - 4 1991
WATER RESOURCES DEPT.
SALEM, OREGON



N

DITCH SECTIONS

DIV 1
N.T.S.
Q_M = 16.7 cfs
S = 0.1/100



DIV 2
N.T.S.
Q_M = 106 cfs
S = 0.1/100



DIV 3, 4, 5, 6, 7
N.T.S.
Q_M = 3.2 cfs
S = 0.1/100

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RIDDLE RANCH INC — PRINCETON, OR

VESTED WATER RIGHT APPLICATION MAP

Scale: 4"= 1 MILE	Date: OCTOBER 1990		Job: 1254
Dsn:			Sht. No.
Drn: C T P	MAP's	M. A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Burns, Oregon 97720	of 1
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