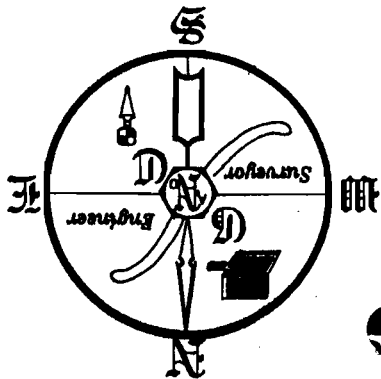


**GASCHLER & CUMMINGS**  
 CIVIL ENGINEERING & LAND SURVEYING  
 P.O. Box 412 / 786 Sunset Dr., Ontario, Oregon 97914  
 Phone: (503) 889-2101 Fax: (503) 889-9644



LETTER OF TRANSMITTAL  
 Water Resources Department  
 3850 Portland Rd. NE  
 Salem, Oregon 97310

Attn: Don Knauer, Adjudication Specialist

Re: Registration Statements SWR-116, 124, 125 & 95

WATER RESOURCES DEPT.  
 SALEM, OREGON

SEP - 7 1993

**RECEIVED**

DESCRIPTION		COPIES	DATE
We are sending the following items:			
1-Mylar Map Dave Etchart Re: your letter dated 6/15/93, File # SWR-116		1	8/31/93
1-Mylar Map Delbert Allison, Re: your letter dated 6/16/93, File #SWR-125		1	8/31/93
1-Mylar Map Wilkinson Ranchers, Re: your letter dated 6/16/93, File #SWR-124		1	8/31/93
1-Mylar Map Jay Weber, Re: Your letter dated 7/1/93, File #SWR-95		1	8/31/93
THESE ARE TRANSMITTED:			
<input type="checkbox"/> For your information <input type="checkbox"/> For action specified below <input type="checkbox"/> For review and comment <input checked="" type="checkbox"/> For your use <input type="checkbox"/> As requested			

Remarks:

Submitted By:

*Albert Gaschler*  
 Albert Gaschler, P.E., P.L.S.

u p r

**Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses**

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Delbert Allison  
 Address: 870 McBride  
 City: Tandon Valley State: OR Zip: 97910 Day Phone: 503-339-3026

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water	Water	Water
<u>25-46-861,1000</u>	<u>E.R.D.</u>			
<u>26-46-1800</u>				

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. Malheur  
 The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

**For Local Government Use Only**

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Malheur County Code. Go to section b) on reverse side.  
6-3A-2CA  
Jordan Valley, Malheur Co Planning Dept

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References		
	Already Obtained	Already Denied	Being Pursued Satisfactorily

Please check the box that applies:

(over)

WATER RESOURCES DEPT  
 SALEM, OREGON

DEC 14 1992

S. J. H. Smith & Co. - Through N. 46 East

Delbert H. Wilson

All on two lines on S. side of

Box 94.

Nov. 1947 C.

Set trap along 16x14x8 and 11x11  
in ground for stands, see con. marks

S.C. 114 on N. face, dug pits 15x12x12  
and E. ft. of along 5 1/2 ft. dist marks

marks of south 1/2 ft high 3 1/2 ft.  
wall along side

66.7 Settlement wagon mark found 45 ft.  
thru through rock bottom lands

of dunes over.  
Set trap along 12x8x8 and 8x11x11

ground, see con. To dist 55 and 54  
marked S. E. with 3 marks on

E. ft. along dug pits 15x12x12 and 12x12  
E. ft. of along 5 1/2 ft. dist over

raised a mound of earth 2 ft.  
high 1/2 ft base along side

and resting over bank. Soil  
loosely forming in 14 or 15 days

bank. Dune over. See key ground  
July 18, 1947

4.52

24.5

26.1

26.6

407

80.0

67.6

AFTER RESOURC

SALEM, ORE

DEC 14 19

REPROV

S. Mont. Coll. Shale R. #6 Coals

Exhibit A

of stone 5 1/2 ft. dist raised mound  
of earth 2 ft high 4 1/2 ft base  
alongside, or

Sand mostly level, soil partly brown  
and rich, 1 1/2 miles being in bottom  
land of Duran over out 2 1/2 miles

in bottom land of latter creek,  
1' and 2' rate, beating eggs, Quicks

grass, fending and other, with  
hay grass.

All on true line on a day of

Dec. 32.

Jan 1914

7:00 Adjustment wagon road corner

72.10° E.

4:00 Set trap stone 12 x 10 x 8 and 8 and 8  
in ground for standard 1/4 sec. con.

marked A. City on N.E. face, day

into 15 x 18 x 12 also both of stone

5 1/2 ft. dist. raised mound of

4:00

5:00

S. Mont. Coll. Shale

Standard Coal Co. 2 1/2 tons

Delbert Allison

All on this line in 5. day of Dec 33  
 Jan. 19. p.  
 Quarter over 11 1/2 tons wide flows  
 in 20 yd. through gravel  
 field of J. B. Ramsey  
 field zone cover 1/2 25 yd.  
 24.50 Driveway with 8 1/2 wide flows  
 7.25 1/2 ft.  
 26.65 Settlement wagon road course  
 7.25 1/2 ft.  
 40.00 But trap stone 12 x 12 x 5 and 8 in  
 in ground for 1/2 1/4 on 72 feet, dug pit  
 marked on 5 1/2 ft. dist. raised  
 mound of about 1 1/2 ft high  
 5 1/2 ft tall along side.  
 67.65 Settlement wagon road course 1/2 ft.  
 But trap stone 16 x 10 x 8 and 11 in  
 Standard  
 in ground for 1/2 1/4 on 72 feet, dug pit  
 marked 1/2 with 2 matches on  
 all over. 4 matches on 6. 10 yds.  
 dug pits 15 x 12 and 1/2. and 1/2

of  
 11 in  
 n. mound  
 15 x 12  
 with  
 1/2 ft.  
 4 yd.  
 20 m  
 10 ft.  
 over  
 2 ft.  
 1/2 in  
 2 3/4  
 10 m  
 10 ft.  
 dug  
 1852

Ex 4. b. 7

E xhibit - A -

The deposits lying on each side  
of this standard line are somewhat  
broken and finely chough much with  
bottom sand in fact along stream  
and bottom layers when the soil  
is a rich sandy loam. There are  
settlements in each sp.

General description

13

Delbert Allison

82

and  
by

nd

on

46 2

nd

18

DEC 4 1992 ES DL  
GON  
WATER RESOURCES DEPT.  
SALE OREGON

139

R. 23

Diagram of T. 25 South, R. 46 East

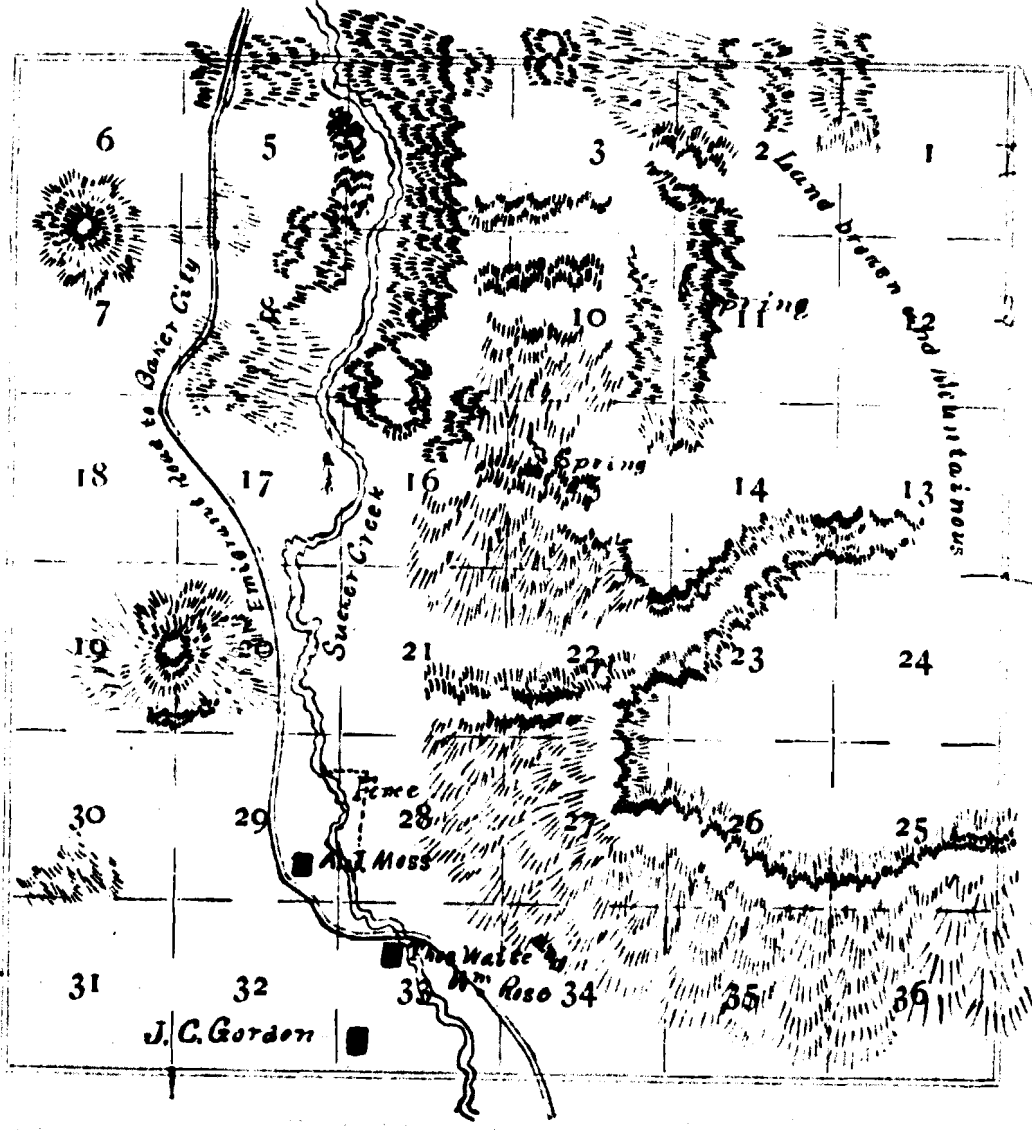


Exhibit - B -

Advertisement of T. 25 South R. 46 East

Williams, Oregon

243

# 14

marked 1/4 on all four dug pits  
15 x 12 and 7 1/2 x 5 1/2 ft  
ditch and raised a mound of  
earth 1 1/2 ft high 3 1/2 ft four along side;  
The loc. To Dec. 3. 4. 9-10.  
Sand monument 79.60 chs.  
Dirt mound and along 50 rods.  
Excellent growth of brush grass.  
August 4<sup>th</sup> 1855

79.60

Begin again on 11. day of  
off. at standard loc. To Dec.

82 rods 53, which is a trap.

along 1610 x 8 rods 11 rods in ground  
marked with 4 mounds on S. and

2 mounds on N. and 2 1/2 on N.  
edges. pits 15 x 12 rods 7.6 rods

mound of earth 2 ft high and  
4 1/2 ft. tall along side.

N. loc. Dec. 12 1855.

Nov 19. 15. 6.

From this loc. J. Co. Anderson

3.00

E x 4. 8



July 1st 1912 at 1 25 AM H.G. Coak

Williams Northern Oregon

Dwelling house barn east about

5 on the east side <sup>on corner adjoining</sup>

4000 Set trap along 14 x 12 x 8 and 10 in

in ground for 1/4 sec. son. marked

1/4 on 1/4 feet, dug pits 18 x 12 x 12

in 1/2 sec. of about 5 1/2 ft dirt

raised mound of earth 1 1/2 ft

high. 5/2 ft base along side.

From this son. from dwelling

house of Thompson and Wm

From barn N. 65° E.

71.80 Government wagon road 400 x 750 m.

Set pit along 16 x 10 x 8 in

11 in in ground for son. to 500

28.29 52 <sup>on 53</sup>. marked with

1 marks on N. side of marks

on S. edge. dug pits 18 x 12 x 12

in each sec 5 1/2 ft dirt raised

mound of earth 2 ft high and

4 1/2 ft base along side.

dug mostly level, but mostly sandy &

rich 2 ft + 3 ft. Black & yellow pages.

Black ground.

Ex 4-B-

45  
245

Subdivisions of T 25 South R 46 East

Williams, Kentucky, Oregon

Q on a random line but does 25' ss.

Jan. 19. 15. '85.

4. on Bucken corner 11' ss with flint 11.00' W

Thomas can receive ground.

4000 ft top 1/4 sec. con.

80.36 ~~cut~~ cut. and d. line 29 sec

11. of con. To Dec. 27. 28. 33 + 34.

Thomas

11. 89. 18. 11 on line line but also

28 sec ss.

Jan. 20. '85.

dot trap alone 12 x 10 x 8 in

8 in in ground for 1/4 sec. con.

marked 1/4 on 11. feet; dug pits

18 x 18 in cells of stone 5 1/2 ft

cut raised a mound of earth

1 1/2 ft high 5 1/2 ft base along side

from this con. during lower

of ~~the~~ white and 10m Rose

base 1.25' in

The con. To Dec. 28. 29. 32 sec ss.

found level 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32.

E x h. - B -

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

Subdivisions of T. 25 South, R. 46 East

WILLIAMETTE BIRDING, OREGON.

Soil 39 rods, except 1/2 acre for  
1st rate. Dogs and willows  
Growth and new grass.

N. 1st. Sec. 28 Oct 29.

Nov. 19. 45. E.

18.00  
Through bottom land of Western Creek,  
from this point from dwelling  
house of W. J. Meas down stream  
700 yds. dirt, white, coral  
and garden adjoining.

22.00  
Austen lower 16 rods and above  
N. 10.00. Through field  
of W. J. Meas in and along  
of Western Creek.

40.00  
Set trap along 18 x 12 x 9 rods 12 rods  
in ground for 1/4 sec. Corn marked  
1/4 on all year, dug 1/2 18151818  
and kind of wood 5 1/2 ft dirt,  
marked mound of wood 1 1/2  
ft high 3 1/2 ft base along ground

E 74 - B -

Subdivision of 25 Stalks at 16 Cents

Williams, Northern, Oregon

N. lat. Dec. 30 1904

Nov. 1906

Thompson's bottom land of Bureau  
Co. Ark.

Wagon road comes N. 1/2 S. 20 E.

Down bottom land of Bureau Co. Ark.  
Set trap along 18 x 12 and 12

one in ground for 1/4 the Corn  
marked 1/2 on 1/4 fall and raised

a mound of ~~stone~~ <sup>gravel</sup> along side  
Dashed border and mountain

50.00

ground.

A point about 500 ft above  
the Corn and set trap along  
16 x 12 and 10 in in ground

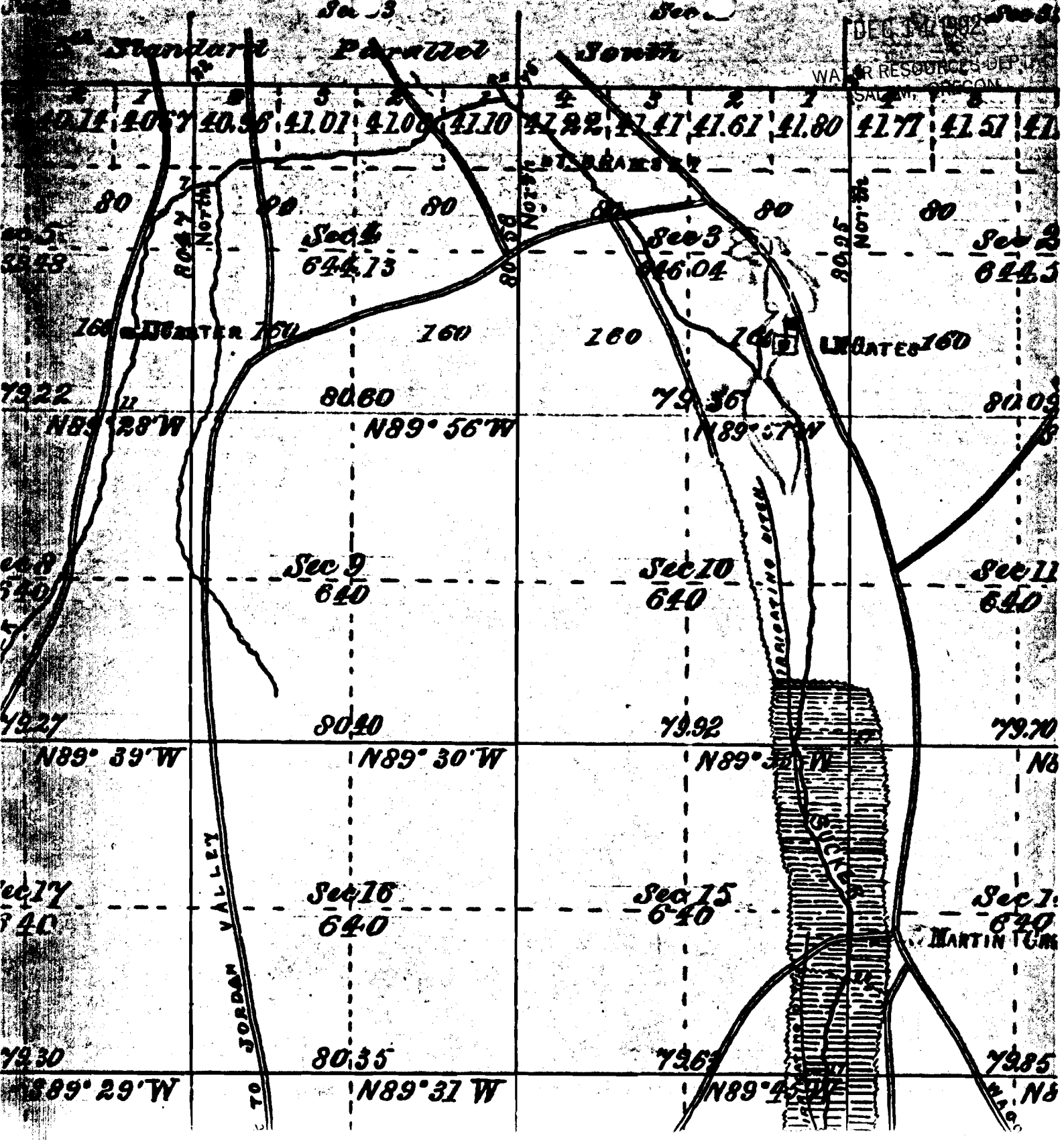
80.00

marked with 1 notch on S.E.  
8 notches on E. side and  
could a mound of stone along

side. Site impracticable.  
Could build 1/2 1/2 mile, mounds  
around 3000 cu. Soil 100 tons

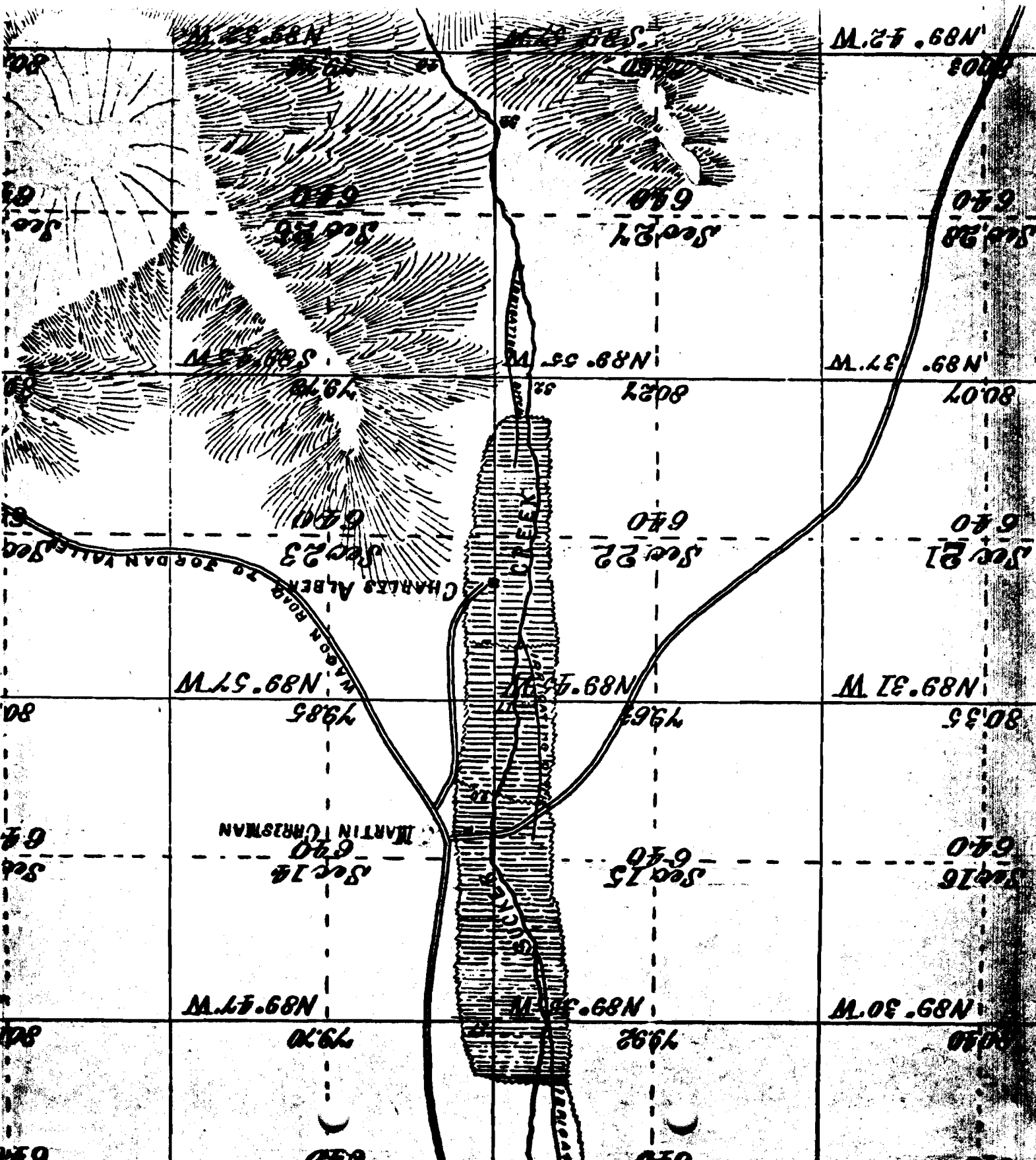
# 26 South Range No. 46 East Willamette

DEC 14 1982  
WATER RESOURCES DEPT  
SALMON, OREGON



20271

Exhibit - C



North  
 20.00 Set true line bet Secs 27 & 31 <sup>1/4</sup> E  
 From this point Let. Sales house base  
 at 85° N about 15.00 chs and barn &  
 Corral base S. 85° N about 15.00 chs dist  
 40.00 Set trap Stone 10x8x8 7 in in ground for  
 1/4 Sec. marked 1/4 on N. face dug pits 18x  
 18x12 at 90° of cor 5 1/2 ft dist and raised  
 mound of earth 1 1/2 ft high 3 1/2 ft base  
 alongside  
 80.95- Intersct. at bdy of Sp 25 NW E of cor to  
 Secs 34 & 35 which is a trap Stone 14x  
 12x10 firmly set in the ground marked  
 with 2 notches on E & 2 notches on N. side  
 & 1 lb. on N face with mound of stone  
 alongside. At point of intersection  
 set trap Stone 16x12x10 for closing cor to  
 Secs. 27 & 31. marked with 2 notches on E &  
 2 notches on N and "16 lb" on S face built  
 mound of stone south of cor.  
 Land level to hilly soil sandy  
 and a part stony 2<sup>nd</sup> to 4<sup>th</sup> rate  
 Sage & greasewood. <sup>1/2</sup> bunch grass.

400  
 30  
 40  
 4'  
 8'

3322  
 Subdivision of T. 26 S. R. 46 E

Willamette Meridian, Oregon.

Subdiv

East On random line bet Sees 3710

Var.  $18^{\circ}30' E$

4000 Set Temp 1/4 Sec cor.

43.50 Wagon road Course at  $30^{\circ} H$

43.72 Fence enclosing pasture of Let. Gates  
 bears at  $30^{\circ} H$

67.10 Sugar Creek 10 hrs wide flows at  $30^{\circ} H$   
 Lowy position

72.20 Irrigating ditch at  $30^{\circ} H$

76.80 Wagon road at  $25^{\circ} H$

79.56 Intersect at 75 line 2 hrs at of cor. to  
 Sees 2. 3. 10 & 11 Thence

At  $89^{\circ}51' H$  On true line bet Sees 3710

39.78 Set band stone  $6 \times 8 \times 6$  15 hrs in 7 hrs  
 for 1/4 sec cor marked 1/4 on ct. face dug  
 pits  $18 \times 18 \times 12$  ins E. N. of cor. 5 1/2 ft dist  
 and raised mound of earth 1 1/2 ft high  
 3 1/2 ft base alongside

79.56 Cor to Sees 3. 4. 9710

Land rolling and level Soil 1st & 2d rates  
 Black Sage & grasswood. Willow on creek  
 Bunch and rye grass +

North On

4.000

41.00

55.00

60.00

76.00

80.56



Subdivisions of T. 26 S. R. 46 E. 323  
Williams Station, Oregon.

70

North On true line bet. Secs 37 & 38  
4.000 Set trapstone 12x10x5 <sup>1/2 in</sup> 9 in in ground for 74 Sec  
Cor marked 74 on N. face dug pits 18x18x12 in  
E. S. of cor 5 1/2 ft dist and raised mound  
of earth 17 ft high 3 1/2 ft base alongside

74 Gates

41.00 Settlement wagon road bears N 70° E

at 30 ft

55.00 Enter grain field of T. B. Ramsey

60.00 From this point frame dwelling house of  
Thomas B. Ramsey bears N 65° E about  
6.00 chs dist. Barn Corrals etc adjoining

of cor to

76.00 Sucker Creek 11 lks wide flows N 65° W.

see dug  
4 dist  
ft high

80.56 Intersect N by of Sp 75 lks E of Standard Cor.  
to Secs 38 & 39 which is a trap stone 12x8x8 firmly  
set in ground marked with 3 notches on E. N. edge  
and 3 lks on N. face pits dug E. N. of cor at  
<sup>on a mound of earth alongside</sup>  
point of intersection set trap stone 15x10x8 10 in  
in ground for closing cor to Secs 37 & 38 marked  
with 3 notches on E. N. edge and 6 lks on S. face  
and dug pits E. N. S. of cor. 5 1/2 ft dist and  
raised mound of earth 2 ft high 5 ft  
base alongside

at 2 rate  
on creek

Subdivisions of T. 26 S. R. 24 E. 335

Willamette Nat. Res., Oregon.

Mar 19/20

North on true line bet. Secs 4 & 5 Through  
 grainfield of J. J. Carter  
 21.00 Wagon road bears S 77 W. from this point  
 dwelling house of J. J. Carter bears S 84 W.  
 about 1500 chs dist. Stables Sheds  
 Corrals Etc adjoining  
 40.00 Set trap stone 10x14x9 10 ins in ground  
 for 4 sec. cor. marked W on N face dug  
 pits 18x18x12 ins N 70 of cor. 5 1/2 ft dist and  
 raised mound of earth 17 1/2 ft high 3 1/2 ft  
 base alongside  
 55.55 Carter Creek 7 lns wide flows N 40 E  
 Leavy meadow of J. J. Carter.  
 80.47 Intersect N bdy of Sp 22 lns E of Cor to Secs  
 32 & 33, which is a trap stone 16x10x8 <sup>11 ins in ground</sup> marked  
 with 4 notches on E & 2 notches on N and 3 1/2 on  
 N. <sup>with mound of earth along side</sup> Edges. Pits dug N 4 E. 77 W of cor. at inter-  
 section of line. Set trap stone 15x10x5 10 ins  
 in ground for cor to Secs 4 & 5 marked with  
 4 notches on E & 2 notches on N and 3 1/2  
 on S. face dug pits 18x18x12 ins S. E. 7  
 W of cor and raised mound of

at 50 E  
 run at 20 E  
 to Secs  
 mound for  
 a dug pits  
 it and  
 high 3 1/2 ft

hardy  
brake

ross

WARRANTY DEED

ANDREW GREELEY, JR., called grantor herein, hereby conveys to MARY ELLEN ALLISON, whose address is Rockyville Route, Marsing, Idaho, the following described real property:

All my undivided one-half interest in and to Land in Malheur County, State of Oregon, to wit:

In Twp. 27 S., R. 45 E., W.M.:
Sec. 22: NE1/4 SW1/4, SW1/4, SE1/4
Sec. 23: NW1/4
Sec. 27: NW1/4, S1/4 NW1/4, N1/4 SW1/4, SE1/4 SW1/4, N1/4 NE1/4, SW1/4 SE1/4

In Twp. 25 S., R. 46 E., W.M.:

Sec. 22: SE1/4 NE1/4
Sec. 23: SW1/4
Sec. 33: SW1/4 NE1/4, SE1/4
Sec. 34: W1/4 SW1/4

In Twp. 26 S., R. 46 E., W.M.:

Sec. 3: Govt Lots 3 & 4, SW1/4 NW1/4
Sec. 4: Govt Lot 1
Sec. 22: SE1/4 NE1/4, E1/4 SE1/4
Sec. 27: NE1/4 NE1/4

In Twp. 27 S., R. 46 E., W.M.:

Sec. 7: Govt Lots SE1/4 SW1/4, SE1/4, SE1/4 NE1/4
Sec. 8: SW1/4 NW1/4
Sec. 18: Govt Lots 1, 2 & 3, E1/4 NW1/4, NE1/4 SW1/4, NE1/4

SUBJECT TO:

- 1. CHARGES AND ASSESSMENTS OF THE Succor Creek Water Control District and any and all matters pertaining thereto.
2. EASEMENT, including the terms and provisions thereof, in favor of Idaho Power Company, a corporation, dated June 10, 1949, recorded May 21, 1951, Instrument No. 14155, Book 86, Deeds, over and across the NE1/4 NW1/4 of Sec. 33, Twp. 25 S., R. 46 E., W.M.
3. EASEMENT, including the terms and provisions thereof, in favor of Idaho Power Company, a corporation, dated Sept. 1, 1949, recorded June 5, 1950, Instrument No. 5623, Book 83, of Deeds, over and across the NE1/4 NE1/4 of Sec. 27 and the SE1/4 SE1/4, SE1/4 NW1/4 of Sec. 22, all in Twp. 26 S., R. 46 E., W.M.
and covenant that grantor is the owner of the above described property free of all encumbrances except as hereinabove set out and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.
The consideration for this transfer is: There is no consideration for this transfer; this is an exchange of land.

Dated: June 2, 1972.

Andrew Greeley, Jr.

STATE OF OREGON

County of Malheur

ss.

June 2, 1972

Personally appeared the above named Andrew Greeley, Jr. and he acknowledged the foregoing instrument to be his voluntary act.

Before me:

Martin P. Gallagher

Notary Public for Oregon

My Commission expires: 3-4-74

INDEXED

STATE OF OREGON

County of Malheur

Inst. No. 14155

Amount of writing was received for record on this day 1972 at 8:40 o'clock

ROBERT L. MORCOM, County Clerk

Deposited

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

MARTIN P. GALLAGHER, LAWYER, GALLAGHER BUILDING, ASTORIA, OREGON.



Rockville History  
Exhibit - D -

RECEIVED

DEC 14 1992

WATER RESOURCES DEP  
SALEM, OREGON

A Mr. Carter started the N.G.  
Nat Graves hid under the water on the N.G. when the Indians came.  
He sold out to a horse outfit which had thousands of horses.  
Lesly located here first. They didn't file claims.  
The Hat H. brand belong to Parks and Pegram.  
Mr. and Mrs. Rose and Joe Mohaniman are buried in the Rockville

cemetery.

She bought some hay and paid for it all in gold. (Must have been  
Joe Monihan) That was about 1903. She died at Malloys.

Alice Graham These built a house across the creek from Jesse  
Strode. She was the wife of Jeff.

Old man Rigbey was shot when tearing down the fence. Old man Rigby  
had McKivers place and thought he owned part of some more land. Jack  
Shoulow was helping him. When he was shot Shoulow ran clear to the Rose  
place to find out that all he had was a streak across his stomach.

This was Baker county in 1881. It was changed a number of years later.  
Mahogany Mountain was the hog place. Christman (from what the Strode  
place) Gates, Ramsey and Ball would round up their hogs and take them to  
the Mountain. Jim Beardon guarded them. After the grain was thrashed and  
the pasture was open they would take a saddle horse and their dogs and  
bring them down and separate each others, in the corrals at Gates and each  
one would take him home and put them on the stubbles. After the grain  
was fed off the farmer would cut out the hogs he wanted to fatten and  
then they would butcher them and take them into Silver, or Wagontown  
and Delamer. They sold their grain and Barley there also.

The thrashing machines were run by all horse power. Fourteen horses.

The first house at the Rocks was built by a rock in 1881, along the  
creek on the road to Sands Basin. That's where it got its name. The idea  
was to have a saloon and station. Bob Young and Russel had it in 1883.  
They had a shed roof which went over the rock where the whiskey was.  
They sold out to Ed. Homes. He went to the spring just west and plowed  
a ditch down to the creek and put the water in there and had water all of  
the time. The original Home Springs. Mrs. Homes was buried up there in  
1889. He left right afterwards. She was a sister of Mrs. Bradley on  
Jackson Creek.

In 1881 Jordan Valley was Baxterville. It was called Baxterville  
after some people named Baxter.

Mrs. Carpenter in 1883 or 84 was cooking for old man Gates at  
the Hat H. She carried the mail here on horseback twice a week. She  
charged 5¢ a paper and 10¢ a letter. There was no Post Office. Henry  
Peterson carried the mail when it was too bad for her to go. All the  
envelopes were yellow and blue. They hardly ever had any in white.

Martin Christman owned Strodes place and twenty to twenty five Indians  
would come to the place. They were just quieting down after the war.  
They still wore paint. The Squaws would come to the Christman place  
for biscuits.

The School was originated. Mamy McMann taught the first school on  
Succor Creek. It was in a little house in Mattinglys (the Hat H) field.  
She boarded with Mrs. Mullinix. There were Carltons (6)--Mullinix (5)  
Rigbys (2) Frank McMann and Maggie Ball. She came down on a horseback. It  
was a room of 12 by 14 with benches for desks. They established the  
District and Gates was on the School board. School only lasted three  
months.--September, October, and November.

Con Sheg had 12,000 cattle. Never gathered, fed or anything. In  
winter they would put them down on Henderson flat which Gem District now.

Baker City was the County seat.

Also Old Lady Uppman and her son built a station and called it  
Rockville. That was the first Post Office. After Uppmans they moved  
out  $\frac{1}{2}$  to the

It up to the Store House. 1899 Uppmans sold out to Little Joe and then he had the Post Office. Joe Silvy was the Post Master and run off with little Joes cook. In 1900 they built a nice house and a dance hall over head.

French John's last name Curry (Spelling may not be right)



mortgage or mortgages executed by the above named applicant to The Federal Land Bank of Spokane and/or the Land Bank Commissioner dated.....December 1st....., 1934....., and with the use of water for irrigation thereon, and knows of his own knowledge the following facts:

1. That the following amounts of water (in miner's inches, second feet, or acre feet) have been applied to beneficial use for irrigation upon said land continuously each year since the dates specified as follows, to-wit:

AMOUNT OF WATER	DATE OF FIRST USE ACTUALLY KNOWN TO AFFIANT
About 1 1/2 miner's inch per acre.	In the month of April 1909.
.....	.....
.....	.....

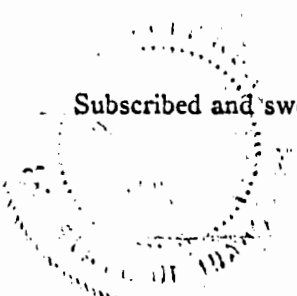
2. That the source of said water is..... Succor Creek which runs through the land.....

3. That the point of diversion is as follows..... At a point on Succor Creek about one-eighth mile South of South boundary of this land.....

4. That no part of said water has during said period or periods been used upon lands other than those herein after described; except..... Lee Strode whose land adjoins this land on the North..... uses water through the same ditch.....

5. That the application of said water to said land has been under the following rights..... actual appropriation and use continuously since 1880.....

and that there has been no abandonment of said right in whole or in part.



Subscribed and sworn to before me this..... 12th..... day of..... March....., 1935.....

*J. F. Brooks*  
*R. B. Kennedy*  
 Notary Public for the State of..... Idaho.....  
 Residing at..... Caldwell, Idaho.....

(NOTE—Under paragraph 5, applicant should state whether the water has been used under a decree, permit, license, state engineer's certificate, water filing, or other right, specifying it and giving date; affidavit made by other than applicant should state facts in this connection if known to him.)

687 2800 5-24

STATE OF OREGON }  
County of Malheur } SS

Inst. No. 59632 I certify that the within instrument of writing was received for record on the 19th day of October, 1934 at 8:56 O'clock A.M.

J. HOMER SCHNELL, County Clerk

By: *Flora Hoff* Deputy

COMPARE

Exhibit - E -

the Land Bank Commissioner dated December 1st, 1934, and with the use of water for irrigation thereon, and knows of his own knowledge the following facts:

1. That the following amounts of water (in miner's inches, second feet, or acre feet) have been applied to beneficial use for irrigation upon said land continuously each year since the dates specified as follows, to-wit:

AMOUNT OF WATER	DATE OF FIRST USE ACTUALLY KNOWN TO AFFIANT
<u>About 1 1/2 miner's inches per acre.</u>	<u>In the Spring of 1885</u>
.....	.....
.....	.....

2. That the source of said water is Succor Creek which runs through the land

3. That the point of diversion is as follows At a point on Succor Creek about one-eighth mile South of South boundary of this land.

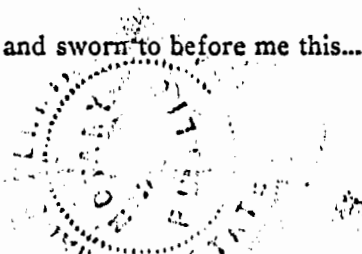
4. That no part of said water has during said period or periods been used upon lands other than those herein-after described; except Lee Strode, whose land adjoins this land on the North, uses water through the same ditch.

5. That the application of said water to said land has been under the following rights actual appropriation and use continuously since 1880.

and that there has been no abandonment of said right in whole or in part.

Subscribed and sworn to before me this 12<sup>th</sup> day of March, 1935.

Irvin Bissett  
March 1935  
Notary Public for the State of Ore.  
Residing at Washburn, Ore.



(NOTE—Under paragraph 5, applicant should state whether the water has been used under a decree, permit, license, state engineer's certificate, water filing, or other right, specifying it and giving date; affidavit made by other than applicant should state facts in this connection if known to him.)

687 2000 2-24

STATE OF OREGON }  
County of Malheur } SS

Inst. No. 59631 I certify that the within instrument of writing was received for record on the 19<sup>th</sup> day of October, 1934 at 8:55 O'clock A.M.

J. HOMER SCHNELL, County Clerk

By: Flora Hoffen Deputy

COMPARE

Exhibit - E -

the Land Bank Commissioner dated December 1st, 1934, and with the use of water for irrigation thereon, and knows of his own knowledge the following facts:

1. That the following amounts of water (in miner's inches, second feet, or acre feet) have been applied to beneficial use for irrigation upon said land continuously each year since the dates specified as follows, to-wit:

AMOUNT OF WATER	DATE OF FIRST USE ACTUALLY KNOWN TO AFFIANT
<u>About 1 1/2 miners inches per acre</u>	<u>Since 1883</u>
.....	.....
.....	.....
.....	.....

2. That the source of said water is Succor Creek which runs through the land.

3. That the point of diversion is as follows. At a point on Succor Creek about one-eighth mile South of South boundary of this land.

4. That no part of said water has during said period or periods been used upon lands other than those herein-after described; except Lee Strode whose land adjoins this land on the North uses water through the same ditch.

5. That the application of said water to said land has been under the following rights. actual appropriation and use continuously since 1880.

and that there has been no abandonment of said right in whole or in part.

Subscribed and sworn to before me this 12th day of March, 1935

Frank M. Mullinix  
Sam R. Scott  
 Notary Public for the State of Oregon  
 Residing at Jordan Valley

(NOTE—Under paragraph 5, applicant should state whether the water has been used under a decree, permit, license, state engineer's certificate, water filing, or other right, specifying it and giving date; affidavit made by other than applicant should state facts in this connection, if known to him.)

687 1800 9-34

My Commission Expires Dec. 23, 1936

STATE OF OREGON }  
County of Malheur } SS

Inst. No. 59633 I certify that the within instrument of writing was received for record on the 19th day of October, 1934 at 8:57 O'clock AM

J. HOMER SCHNELL, County Clerk

By: Flora Holger Deputy

INDEXED

COMPARED

Ex. - E -



The southeast quarter of the northeast quarter and the East half of the southeast quarter of Section twenty-two; the northeast quarter of the northeast quarter of Section twenty-seven, all in Township twenty-six south, Range forty-six east of the Willamette Meridian,

together with the tenements, hereditaments, rights, privileges and appurtenances, now or hereafter belonging to or used in connection with the above described premises; and all plumbing, lighting, heating, cooking, cooling, ventilating, elevating, watering, and irrigating apparatus and fixtures, now or hereafter belonging to or used in connection with the above described premises; and together with all waters and water rights of every kind and description and however evidenced or manifested, which now or hereafter may be appurtenant to said premises or any part thereof, or incident to the ownership thereof or any part thereof, or used in connection therewith; and together with all of the rents, issues and profits of the mortgaged property.

This conveyance is intended as a mortgage and is given as security for the performance of the covenants hereinafter contained and for payment to the mortgagee at his (the Commissioner's) office in the City of Spokane, State of Washington, of the debt evidenced by one promissory note executed by the mortgagors to the order of the mortgagee of even date herewith, for the principal sum of \$2400.00, together with interest thereon at the rate of five per cent per annum from the date hereof until paid, payable semi-annually on the whole of said principal sum from time to time remaining unpaid; the principal sum being due in semi-annual installments of \$120.00 each, beginning on June 1st, 1938, the last of such installments being due on December 1st, 1947; the mortgagors having the privilege of paying at any time one or more installments of principal or the entire unpaid balance of said principal sum; said note providing for the payment of a reasonable attorney's fee in addition to other costs of suit thereon, and further providing that principal payments in addition to those therein contracted to be made shall operate to discharge the debt evidenced thereby at an earlier date and shall not reduce the amount or defer the due date of any installment of principal therein provided.

Each of the mortgagors covenants that they are lawfully seized of said premises in fee simple, have good right and lawful authority to convey and mortgage said premises in the manner and form as aforesaid, and that said premises are free from encumbrances, except as herein stated, and each of the mortgagors shall and will warrant and defend the same forever against the lawful claims and demands of all persons whomsoever. and this covenant shall not be extinguished by any foreclosure hereof, but shall run with the land.

And each of the mortgagors further covenants and agrees:

To pay all debts and moneys secured hereby, when from any cause the same shall become due;

Not to permit or suffer any lien or encumbrance except as hereinafter provided prior to the lien of this mortgage or any charge which may ripen into a lien against said premises to exist against the same;

To pay all taxes and assessments upon said premises before the same become delinquent and to procure and deliver to the mortgagee before any interest or penalty thereon shall begin to run or accrue, the official receipt of the proper officer or person showing payment thereof;

Not to permit the buildings on said premises to become vacant or unoccupied; not to remove or demolish or permit the removal or demolition of said buildings or improvements; not to cut or remove or permit the cutting or removal of timber from said premises except for domestic use; to maintain and cultivate the premises in a good and husband-like manner; to keep the orchards on said land properly irrigated, cultivated, sprayed and cared for; and not to commit or suffer waste of any kind whatsoever upon said premises;

To complete all buildings in course of construction, or about to be constructed thereon, within a reasonable time from the date hereof in accordance with the agreement heretofore made between the parties hereto;

To keep all buildings in good repair and unceasingly insured against loss or damage by fire in manner and form satisfactory to the mortgagee, and in a company or companies to be approved by the mortgagee, in such sum as shall be approved by the mortgagee; to pay all premiums and charges on all such insurance when due; to deposit with the mortgagee all insurance policies whatsoever affecting the mortgaged premises, with receipts showing payment in full of all premiums and charges affecting said policies; and that all insurance whatsoever affecting the mortgaged

No. 11461  
This Mortgage satisfied  
Page 25  
For record see Volume  
H. S. SACKETT, County Clerk  
By *[Signature]* Deputy

Exh. - E -

all compensation for the portion taken and damages to the remaining portion shall be paid to the mortgagee to be applied upon such portion of the indebtedness secured hereby as he shall designate.

Time is material and of the essence hereof and in case of breach of any of the covenants hereof or if default be made in the payment of any of the sums hereby secured or in the performance of any of the covenants and agreements herein contained, then, in any such case, the balance of unpaid principal with accrued interest and all other indebtedness hereby secured, shall, at the election of the mortgagee become immediately due without notice, and this mortgage may be foreclosed; but the failure of the mortgagee to exercise such option in any one or more instances shall not be considered as a waiver or relinquishment of the right to exercise such option in case of any default, but such option shall be and remain continuously in full force and effect.

In any suit to foreclose this mortgage or to collect any charge growing out of the debt hereby secured, or in any suit which the mortgagee may be obliged to prosecute or defend to effect or protect the lien hereof, the mortgagors agree to pay a reasonable sum as attorney's fees and all costs and expenses, including cost of abstract or title search, in connection with said suit, and such sums shall be secured hereby and included in the decree of foreclosure.

Upon maturity of said indebtedness for any cause, the mortgagee shall have the right forthwith to enter into and upon the mortgaged premises and take possession thereof, and to collect the rents, issues and profits thereof, and apply the same less reasonable costs of collection, upon the indebtedness hereby secured, and the mortgagee shall have the right to the appointment of a receiver to collect the rents, issues and profits of the mortgaged premises. The rents, issues and profits from said premises after default are hereby assigned and mortgaged to the mortgagee as additional security for the indebtedness herein described.

Each of the covenants and agreements herein shall be binding upon all successors in interest of each of the mortgagors, and each shall inure to the benefit of any successors in interest of the mortgagee.

This mortgage and the note secured hereby are executed and delivered under and in accordance with Part 3, Act of Congress entitled the Emergency Farm Mortgage Act of 1933, and any amendments thereto, and are subject to all the terms, conditions and provisions thereof, which Act is made a part hereof the same as if set out in full herein.

The taking of other and additional security for the indebtedness hereby secured shall not operate as a waiver or relinquishment of the lien hereby created in whole or in part.

IN WITNESS WHEREOF, the mortgagors have hereunto set their hands and seals the day and year first above written.

WILLIAM LEAKE ( )

JOSEPHINE LEAKE ( )

STATE OF IDAHO)  
County of Canyon)  
ss

I, the undersigned, a Notary Public in and for the State of Idaho, do hereby certify that on this 12th day of March, 1935, personally appeared before me, William Leake, also known as William E. Leake, and Josephine Leake, husband and wife, to me personally known to be the identical persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely, for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year last above written.

(Notarial seal)

R. B. SCATTERDAY  
Notary Public in and for the State  
of Idaho, residing at Caldwell, Idaho  
My commission expires April 30, 1938

Filed for Record Mar. 18, 1935  
At 11:00 o'clock A. M.  
Roy Daley, County Clerk  
Deputy

EXH-E-

sell and convey unto said John Leake and William E. Leake, their heirs and assigns, all the following bounded and described real property, situated in the County of Malheur, and State of Oregon:

The SE $\frac{1}{2}$  of NE $\frac{1}{4}$ ; and the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 22; and the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, Township 26 S., R. 46 E., W. M., containing 160 acres;

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and also all estate, right, title and interest in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD the above described and granted premises unto the said John Leake and William E. Leake, their heirs and assigns, forever. And Fidelio P. Ball, Jr., the grantor above named, does covenant to and with John Leake and William E. Leake, the above named grantees, their heirs and assigns, that he is lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, except as to taxes for the year, 1926; and that he will, and his heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, except as to taxes for the year, 1926.

IN WITNESS WHEREOF, the grantor above named, has hereunto set his hand and seal this 29th day of September, 1926.

Signed, sealed and delivered in the presence of us as witnesses:

J. A. Miller, Caldwell, Ida.

FIDELIO P. BALL, JR. (SEAL)

Jessie D. Walker

STATE OF IDAHO,)

ss.

County of Canyon)

THIS CERTIFIES, that on this 29th day of September, A. D., 1926, before me, the undersigned, a notary public in and for said county and state, personally appeared the within named Fidelio P. Ball, Jr., a bachelor, known to me to be the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

(Notarial Seal)

J. A. MILLER

Notary Public in and for the State  
of Idaho, residing at Caldwell, Idaho.  
My Commission Expires: Apr. 11, 1927.

Filed for Record Oct. 5, 1926

At 11 o'clock A. M.

H. S. Sackett, County Clerk

By Roy Deley, Deputy

Exh. - E -

Exhibit - F -

RECEIVED

DEC 14 1992

STATEMENT RE: HISTORICAL IRRIGATION IN JORDAN VALLEY, OREGON WATER RESOURCES DEPT. SALEM, OREGON

I, Larry S. McLain, current address 512 Commercial Street #6, Elko, Nevada, do hereby state and affirm that I lived on and farmed the land presently known as the Delbert Allison Place, Succor Creek, Malheur County, Oregon, and formerly known as the George Greeley Place, Rockville, address via Jordan Valley, Oregon, from 1927 until 1964. George Greeley was my stepfather. Legal description of said land is appended and made a portion of this statement. During the whole time I lived there, all the bottom land was under irrigation each and every year.

From living in the area since childhood I was given the understanding that the area had been under irrigation since 1909, and that was common knowledge at that time. I believe that the diversion ditches from the east and west banks of Succor Creek are the same as when I lived there years ago.

DESCRIPTION FROM ARTICLES OF INCORPORATION OF SUCCOR CREEK IMPROVEMENT COMPANY:

Township 25 S., Range 46 E., Willamette Meridian, Section 33;  
SW 1/4 of NE 1/4  
SE 1/4 of NE 1/4 This was irrigated land.  
NW 1/4 of SE 1/4  
SE 1/4 of SE 1/4  
NE 1/4 of SE 1/4  
SE 1/4 of SE 1/4

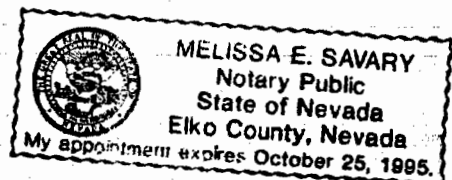
Township 25 S., Range 46 E., Willamette Meridian, Section 34;  
NW 1/4 of SW 1/4 About 40 acres of this was  
SW 1/4 of SW 1/4 where we actually lived.

Township 26 S., Range 46 E., Willamette Meridian, Section 3;  
NW 1/4 of NW 1/4 Irrigated land,  
SW 1/4 of NW 1/4 Adjoining property George Greeley  
NE 1/4 of NW 1/4 bought from Mullinix about 1940.

Township 26 S., Range 46 E., Willamette Meridian, Section 4;  
NE 1/4 of NE 1/4 Irrigated pasture, not adjoining.

Township 26 S., Range 46 E., Willamette Meridian, Section 5;  
NE 1/4 of NE 1/4 Irrigated pasture, not adjoining.

Larry S McLain  
Larry S McLain



Melissa E. Savary

Exhibit - F -

**STATEMENT RE: HISTORICAL IRRIGATION IN JORDAN VALLEY, OREGON**

I, Larry S. McLain, current address 512 Commercial Street #6, Elko, Nevada, do hereby state and affirm that I lived on and farmed the land presently known as the Delbert Allison Place, Succor Creek, Malheur County, Oregon, and formerly known as the George Greeley Place, Rockville, address via Jordan Valley, Oregon, from 1927 until 1964. George Greeley was my stepfather. Legal description of said land is appended and made a portion of this statement. During the whole time I lived there, all the bottom land was under irrigation each and every year.

From living in the area since childhood I was given the understanding that the area had been under irrigation since 1909, and that was common knowledge at that time. I believe that the diversion ditches from the east and west banks of Succor Creek are the same as when I lived there years ago.

**DESCRIPTION FROM ARTICLES OF INCORPORATION OF SUCCOR CREEK IMPROVEMENT COMPANY:**

Township 25 S., Range 46 E., Willamette Meridian, Section 33;

SW 1/4 of NE 1/4

SE 1/4 of NE 1/4 This was irrigated land.

NW 1/4 of SE 1/4

SE 1/4 of SE 1/4

NE 1/4 of SE 1/4

SE 1/4 of SE 1/4

Township 25 S., Range 46 E., Willamette Meridian, Section 34;

NW 1/4 of SW 1/4 About 40 acres of this was

SW 1/4 of SW 1/4 where we actually lived.

Township 26 S., Range 46 E., Willamette Meridian, Section 3;

NW 1/4 of NW 1/4 Irrigated land,

SW 1/4 of NW 1/4 Adjoining property George Greeley

NE 1/4 of NW 1/4 bought from Mullinix about 1940.

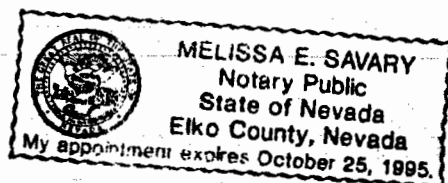
Township 26 S., Range 46 E., Willamette Meridian, Section 4;

NE 1/4 of NE 1/4 Irrigated pasture, not adjoining.

Township 26 S., Range 46 E., Willamette Meridian, Section 5;

NE 1/4 of NE 1/4 Irrigated pasture, not adjoining.

*Larry S. McLain*  
Larry S. McLain



Exh. - F -

*Melissa E. Savary*

the receipt of which is hereby acknowledged, by these presents do grant, bargain, sell and convey unto said

J M Mullinix

his

heirs and assigns, all the following bounded and described real property, situated in the County of

Mulhenn and State of Oregon, to-wit:

South-west quarter of the North-West quarter  
and Lot Numbered Four (4) of Sec (3)  
and Lot No (1) one of Section (4) in  
Township 26. S. R. 46 E. 10. W. 11.  
and the South-East  
quarter of South-East quarter of Section  
Thirty Three (33) in Township 25 S. R. 46 E. 10. W. 11.  
Containing One Hundred and Eighty Two  
acres and thirty two hundred acres.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or  
in anywise appertaining, and also all the estate, right, title and interest in and to the same, including  
dower and claim of dower:

To Have and to Hold, the above described and granted premises unto the said

J M Mullinix

his heirs and assigns forever. And

Thomas B Ramsey and Wife A M Ramsey

The grantors above named do covenant to and with

J M Mullinix

the above named grantee his heirs and assigns, that the above granted premises are free from all

incumbrances .....  
and that ~~we~~ will and ~~our~~ heirs, executors and administrators shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

In Witness Whereof, ~~we~~ the grantors above named, hereunto set ~~our~~ hands and seals this  
21<sup>st</sup> day of November A. D. 1898

Signed, sealed and delivered in the presence of us, as witnesses:

*Wm. Thompson*  
*W. King*

*J. B. Ramsey* [SEAL]  
*Mrs. H. M. Ramsey* [SEAL]  
[SEAL]  
[SEAL]

STATE OF OREGON

County of \_\_\_\_\_ } ss

This Certifies, That on this 21<sup>st</sup> day of November A. D. 1898  
before me, the undersigned, a County Clerk  
in and for said County and State, personally appeared the within named Thomas B Ramsey  
and wife H M Ramsey

known to me  
to be the identical person described in and who executed the within instrument, and they  
acknowledged to me that they executed the same freely and voluntarily.

In Testimony Whereof, I have hereunto set my hand and official  
seal the day and year last above written.

*W. King*  
County Clerk

Exh. - F -

WARRANTY DEED.

J. Thomas B Ramsey and  
H M Ramsey  
-TO-

F. M. Mullinix

STATE OF OREGON,  
County of Washington ss.

I certify that the within instrument  
was received for record on the 21  
day of December A. D. 1898,  
at 2 o'clock P. M., and recorded  
in Book F on page 95.  
Record of Deeds of said County.

Witness my hand and seal of County  
affixed.

*[Signature]*  
By \_\_\_\_\_ Deputy.  
Fee \$1.00

FROM THE OFFICE OF

Exh. F-

sent the day and year last above written.

*[Signature]*  
County Clerk.



Notice is hereby given that I, Lewis N Gates do claim a ditch right of five hundred inches of water to be taken out of Succor Creek, Baker County Oregon, at a point nearly ninety rods south, and thirty rods west of the southeast corner of section ten township 26 S R 46 E

Said ditch is for the purpose of conveying water for irrigation purposes on my land. Said ditch was commenced on or about the 28th day of March 1881 and was finished about the 15th day of May 1881, a distance of five-eighths of a mile to where I commenced using the waters on my grain and has been in constant use ever since when required for irrigation on my land.

Lewis N Gates

Succor Creek

July 27th 1882

Notice of water right, L N Gates, filed for record August the 1st 1882, at one o'clock P M and recorded in Baker County Records of Water Rights Book B page 27

T D Parker County Clerk

(Recorder's Note: Above is an uncertified copy  
from the Records of Baker County)

Filed for record Feb 27 1908

At 1 o'clock P.M.

B W Mulkey, County Clerk

Witnesseth: That the said parties of the first part, for and in consideration of the sum of

Twenty-five hundred-----DOLLARS,

lawful money-----of the United States of America, to-----them-----

in hand paid by the said part. Y of the second part, the receipt whereof is hereby acknowledged, have

GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents do-----GRANT, BARGAIN,

SELL and CONVEY, unto the said part. y of the second part, and to-----her-----heirs, and assigns,

forever, all that-----certain lot, piece or parcel of land, situate, lying and being in the

County of Malheur-----Oregon, and State of Idaho,

and particularly described as follows, to wit:

The West half of the Southeast quarter, the Southwest quarter of the Northeast quarter, and the Northeast quarter of the Southwest quarter of Section Thirty Three in Township Twenty-five South of Range Forty-six East of Willamette Meridian.

Also all ditches and rights of way for ditches and water rights heretofore used and owned in connection with the above described premises. And especially those certain rights and ditches heretofore conveyed by William Kneer to parties of the first part herein by deed dated August 8th, 1900, and recorded the 14th day of September, 1900, at 10 o'clock A.M. in Book G, on Page 340 Record of Deeds Malheur County, Oregon.

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

Exhibit - H -

This Grant is intended as a mortgage to secure the payment of One  
certain promissory note of even date herewith, executed and delivered by the said John Sibbald  
and Finlay McKenzie to the said part y of the second part,  
a copy of which note is in words and figures following, to wit:

*Copy Caldwell, Idaho Jan 17th 1902*  
2500<sup>00</sup>  
One year after date, I, we, or either of us, promise to pay to  
Mrs Annie C Roof or order,  
Twenty-five hundred & <sup>no</sup>/<sub>100</sub> DOLLARS,  
For value received, negotiable and payable at FIRST NATIONAL BANK, of Caldwell, Idaho, in Gold Coin  
of the United States of America, with interest thereon from date until paid, both before and after maturity, at the rate of  
eight per cent per annum, and in case suit is instituted to collect this note or any portion thereof, I, we, or either of us,  
promise to pay such attorney's fee as the court may adjudge reasonable in such suit. Interest payable annually  
No. \_\_\_\_\_  
Due \_\_\_\_\_  
P. O. \_\_\_\_\_  
*John Sibbald*  
*Finlay McKenzie*

ROCKY MOUNTAIN BANK NOTE CO., DENVER

And these presents shall be void if such payment be made. But in case default shall be made in  
the payments of said principal sum of money, or any part thereof, as provided in said note, or  
if the interest be not paid as herein specified, then and from thenceforth it shall be optional with the said  
part y of the second part, heir  
executors, administrators, or assigns, to consider the whole of said principle sum expressed in said  
note as immediately due and payable, although the time expressed in said note for the payment  
thereof shall not have arrived; and immediately to enter into and upon all and singular the above  
described premises, and to sell and dispose of the same and all benefit and equity and redemp-  
tion of the said part is of the first part, their heirs, executors,  
administrators or assigns, according to law, and out of the money arising from such sale to retain the  
principal and interest which shall then be due on the said promissory note, together with the costs  
and charges of foreclosure suit, including reasonable counsel fees  
and also the amounts of all such payments of taxes,

or which may be in effect a prior charge thereupon to these presents, during the continuance hereof, and in default thereof, the said party of the second part may pay and discharge the same, and may, at his option, keep fully insured against all risks by fire the buildings which are now or may be hereafter erected thereon, at the expense of the said parties of the first part.

and the sums so paid shall bear interest at the rate of eight per cent. per annum until paid, and shall be considered as secured by these presents and be a lien upon said premises, and shall be deducted from the proceeds of the sale thereof, above mentioned, with interest as above provided.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Edwinstendon

John Sibbald  
Finlay Mackenzie

Seal  
Seal  
Seal  
Seal

State of Idaho,

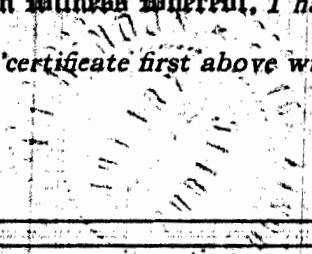
County of Canyon } ss.

This certifies that On this 7th day of March in the year 1912, before me Edwinstendon, a Notary Public in and for said County, personally appeared Finlay Mackenzie John Sibbald and Finlay Mackenzie

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same, freely and voluntarily and for the uses and purposes therein named.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Edwinstendon  
Notary Public  
Exhibit - H -





No. 10567

# MORTGAGE

*John Libbald and  
Frankly McHenry*

TO

*Mrs. Anna E. Roop*

**INDEXED**

Dated

19

State of Idaho

ss

County of *Madison*

**COMPARED**

I hereby certify that this instrument was

filed for record at request of

*Mrs. A. E. Roop*

at \_\_\_\_\_ minutes past

o'clock *P.* M., this *28<sup>th</sup>* day

of *March* A. D. 19*17*

in my office, and duly recorded in Book N--

of *real mtgs* at page *573-4*

*F. J. Moberg*

Ex-officio Recorder.

By *F. J. Moberg* Deputy

Fees, \$ \_\_\_\_\_

Statesman Printing Co., Boise, Idaho. 109-1000

*Mrs. A. E. Roop*

*909 Albany St.  
Caldwell, Ida.*

# **GASCHLER & ASSOCIATES**

*CIVIL ENGINEERING / SURVEYING*

P.O. BOX 412 • 786 SUNSET DR. • ONTARIO, OREGON 97914  
503-889-2101



December 8, 1992

SURFACE WATER REGISTRATION STATEMENT PRE-1909 VESTED WATER RIGHT CLAIM

REGISTRANT: DELBERT ALLISON

## EXHIBIT -I-

Item 8] These lands were patented in the late 1800's. Our family has ranched and owned lands in this area since the early 1900's. We are well acquainted with the local history of the area.

From the exhibit enclosed and our personal knowledge of the area, we hereby contend that these lands have been continuously irrigated since the late 1800's and hereby claim the right hereby.

**SURFACE WATER REGISTRATION CHECKLIST**

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME OWYHEE # 11 UNADJUDICATED AREA ? OK DWF  
RECEIPT # 95184 S W R NUMBER 125  
CHECK ENCLOSURES \_\_\_\_\_ PRELIMINARY DATA BASE ENTRY \_\_\_\_\_  
ACKNOWLEDGEMENT LETTER DWF ENTER ON STREAM INDEX \_\_\_\_\_  
CHECK QUADRANGLE MAP 10B CHECK GLO PLATS \_\_\_\_\_  
Lawson Ridge II  
WATERMASTER CHECKLIST \_\_\_\_\_ PUBLIC NOTICE PUBLICATION scsv

**FORM REVIEW**

\_\_\_\_\_ blanks filled in  
\_\_\_\_\_ signed  
\_\_\_\_\_ date received stamped

**MAP REVIEW**

#2 ✓ source and trib  
\_\_\_\_\_ diversion point location  
✓ conveyances (pipes, ditch, etc.)  
✓ place of use EXISTING WATER RIGHT?  
✓ 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  
✓ Y10 scsv

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

September 8, 1993

WATER  
RESOURCES  
DEPARTMENT

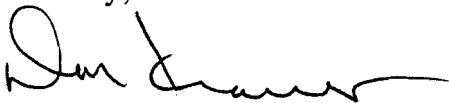
ALBERT GASCHLER  
PO BOX 412  
ONTARIO OR 97914

RE: SWR-125

Dear Mr Gaschler,

This will acknowledge the receipt of the revised map in support of the pre-1909 vested water right claim in the name of DELBERT ALLISON. The revised map will be added to the file.

Sincerely,



Don Knauer  
Adjudication Specialist

J:\WS\C\1\SWR-0125.002



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



June 16, 1993

ALBERT GASCHLER  
PO BOX 412  
ONTARIO OR 97914

RE: File# SWR-125

DEAR ALBERT GASCHLER,

The Water Resources Department (WRD) received a little over 500 surface water registration statements in December, 1992. All of the files have been set up and receipts for the fees have been sent. The next step is to insure the maps received in support of the claims are acceptable based on Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR).

I am returning the map you prepared for Delbert Allison. You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

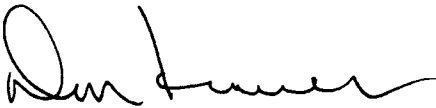
diversion point location      ORS 539.240 (2) (d) (A) "...in reference to an established corner of the US public lands survey or .... recorded subdivision..."

I would like to have you explain what you mean by "existing water right" in your legend.

You must return the map before the claim can be processed. If you cannot have the map to the WRD within 60 days, please inform me as to when it can be expected. Please mark all correspondence with the file number.

As always, if you have any questions, please give me a call.

Sincerely,



Don Knauer  
Adjudication Specialist

Enclosures

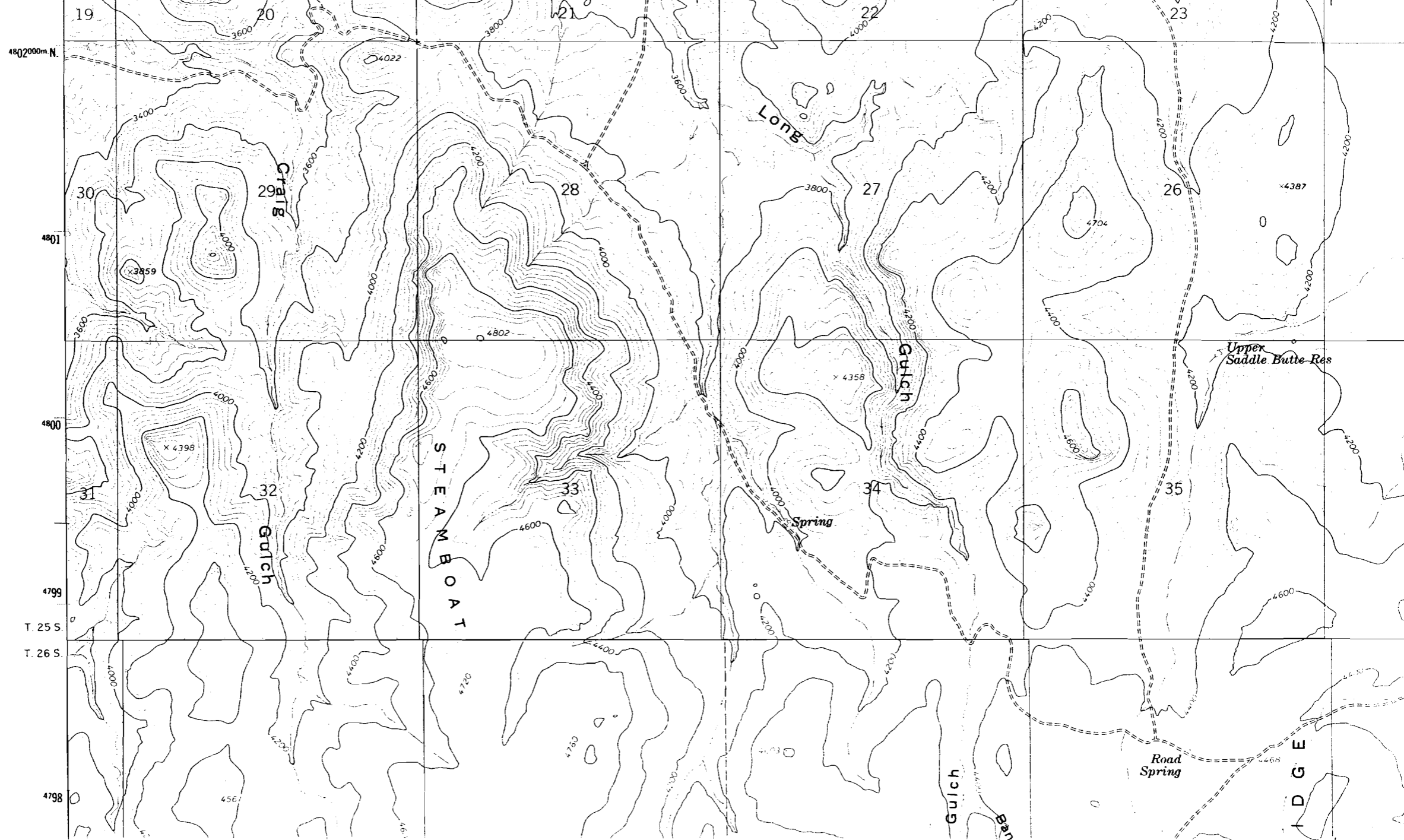
J:\WP51\SWR\CLAIMANT\SWR-0125.00M

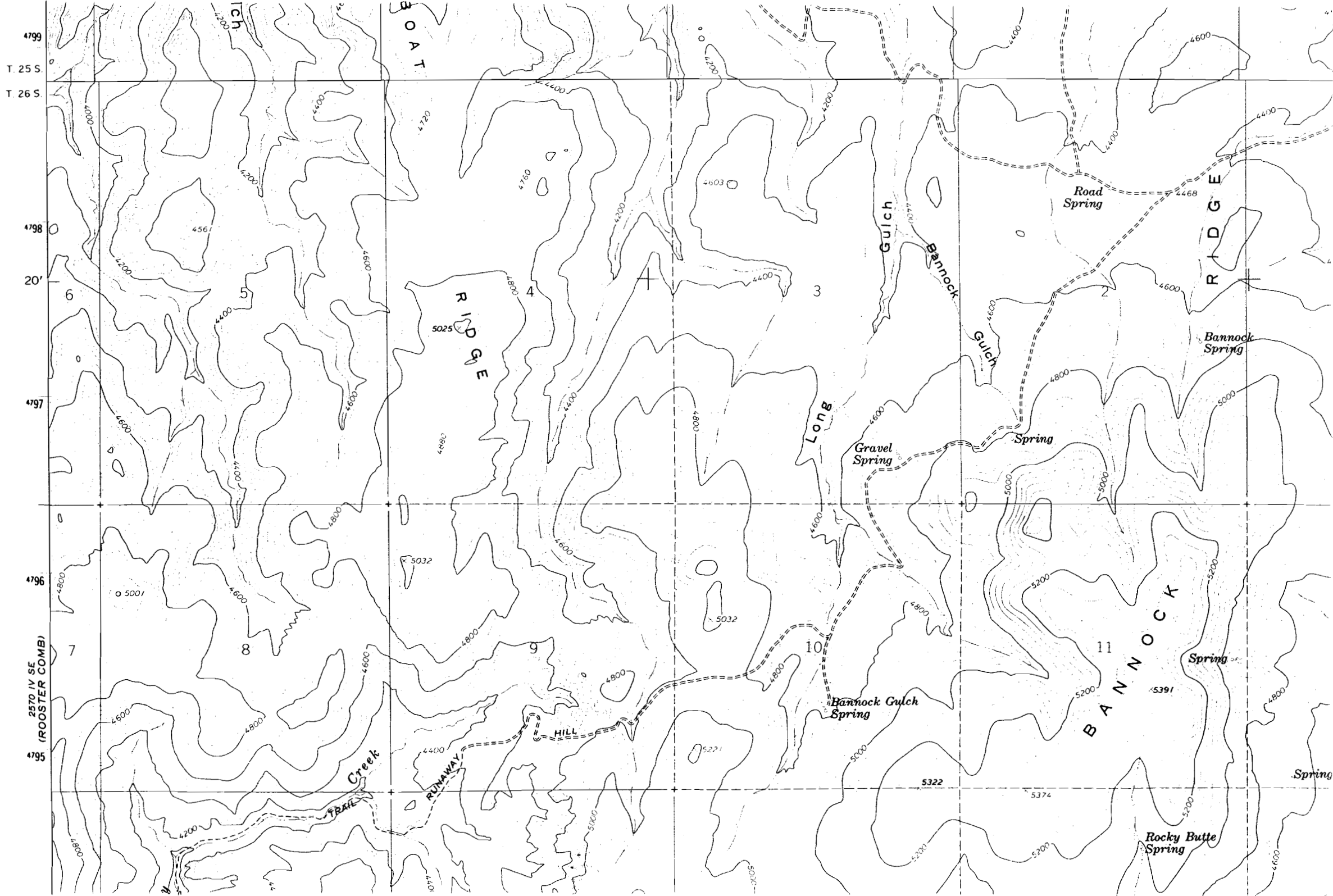


2570 1/4 NE  
ELICAN POINT

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

117° 15' 43' 22' 30" 480000m E. 481 482 483 12' 30" 484 2570 1 NW (THREE FINGERS ROCK) 486 10'





17'30"

4792

4791

600 000  
FEET

4790

4789

Spring

Lestie

RIDGE

Rocky Butte

GULCH

GRASSY

Creek

Creek

Brooks Cabin

Road Canyon

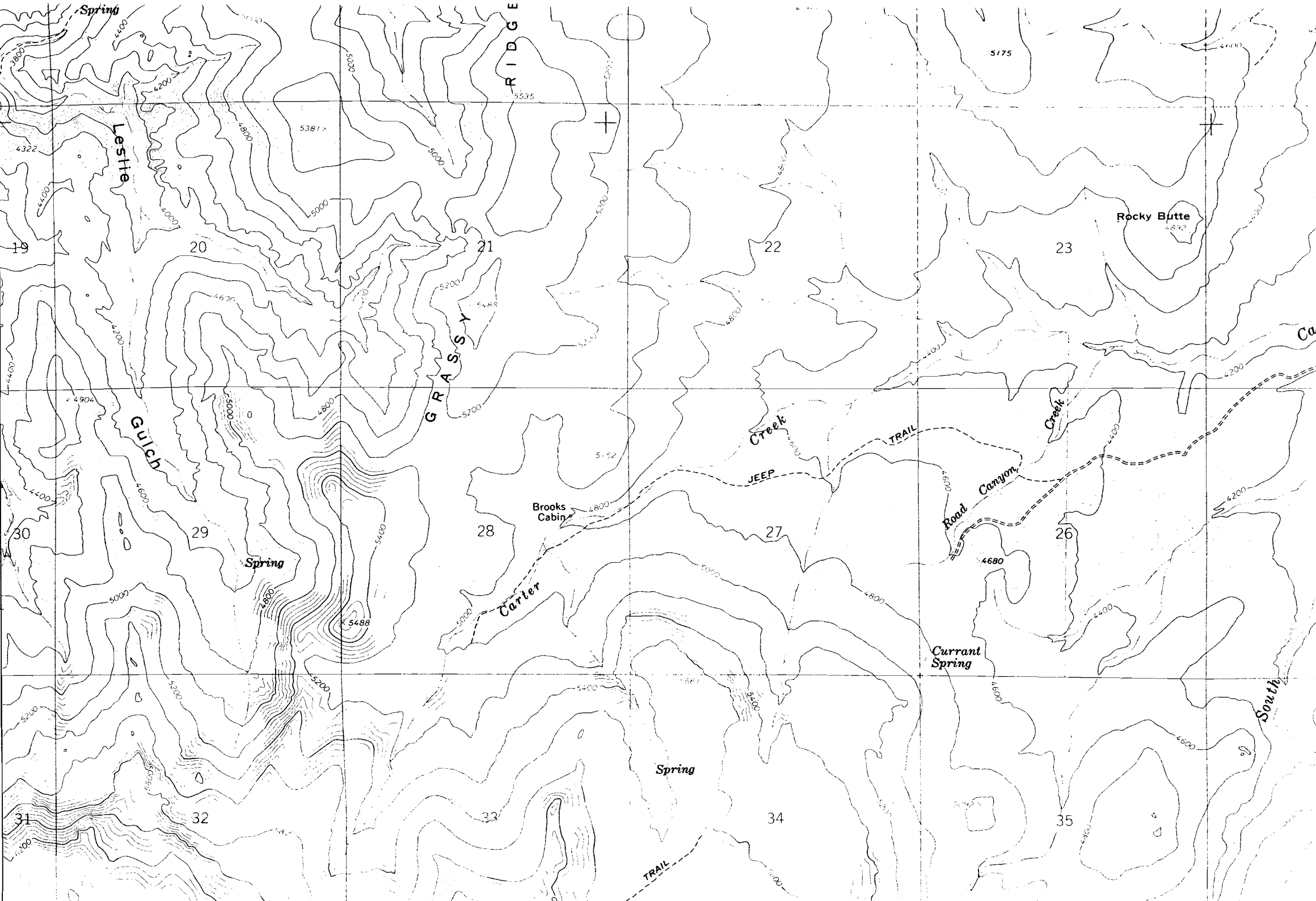
Spring

Carter

Currant Spring

Spring

South



December 16, 1992

DELBERT ALLISON  
870 MCBRIDE  
JORDAN VALLEY OR 97910

RE: Surface Water Registration Statement

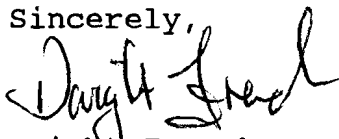
Dear Mr. Allison,

This will acknowledge that your Surface Water Registration Statement in the name of Delbert Allison has been received by our office. The fees in the amount of \$444.50 have been received and our receipt #95184 is enclosed. Your registration statement has been numbered SWR-125.

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,



Dwight French  
Adjudication Section

Enclosure



STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**  
 3850 PORTLAND ROAD NE  
 SALEM, OR 97310  
 378-8455/378-8130 (FAX)

125

RECEIPT # **95184**

RECEIVED FROM: Mr. or Mrs. Duffert  
 BY: B. Allison

APPLICATION	
PERMIT	
TRANSFER	

CASH:  CHECK: #  92-9 OTHER: (IDENTIFY)

TOTAL REC'D \$ 444.30

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$ <u>444.30</u>
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**

<b>MISCELLANEOUS:</b>		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$
<b>WATER RIGHTS:</b>		
842.001	SURFACE WATER	EXAM FEE \$
842.003	GROUND WATER	EXAM FEE \$
842.005	TRANSFER	EXAM FEE \$
<b>WELL CONSTRUCTION</b>		
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$
842.016	WELL DRILL OPERATOR	EXAM FEE \$
	LANDOWNER'S PERMIT	RECORD FEE \$
		LICENSE FEE \$

**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	\$
---------	------------------	----

**07-00-0 HYDRO ACTIVITY**

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

RECEIPT # **95184** DATED: 12/15/92 BY: C. Engel