

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP See NAME Malware Lake # 12 UNADJUDICATED AREA ? yes
RECEIPT # 95059 S W R NUMBER 135
CHECK ENCLOSURES See PRELIMINARY DATA BASE ENTRY DWP
ACKNOWLEDGEMENT LETTER ~~None~~ See ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP CA 2309 CHECK GLO PLATS _____
Stinking Lake 2309 Northwest Harvey Lake 173
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION See

FORM REVIEW

_____ blanks filled in
_____ signed
_____ date received stamped

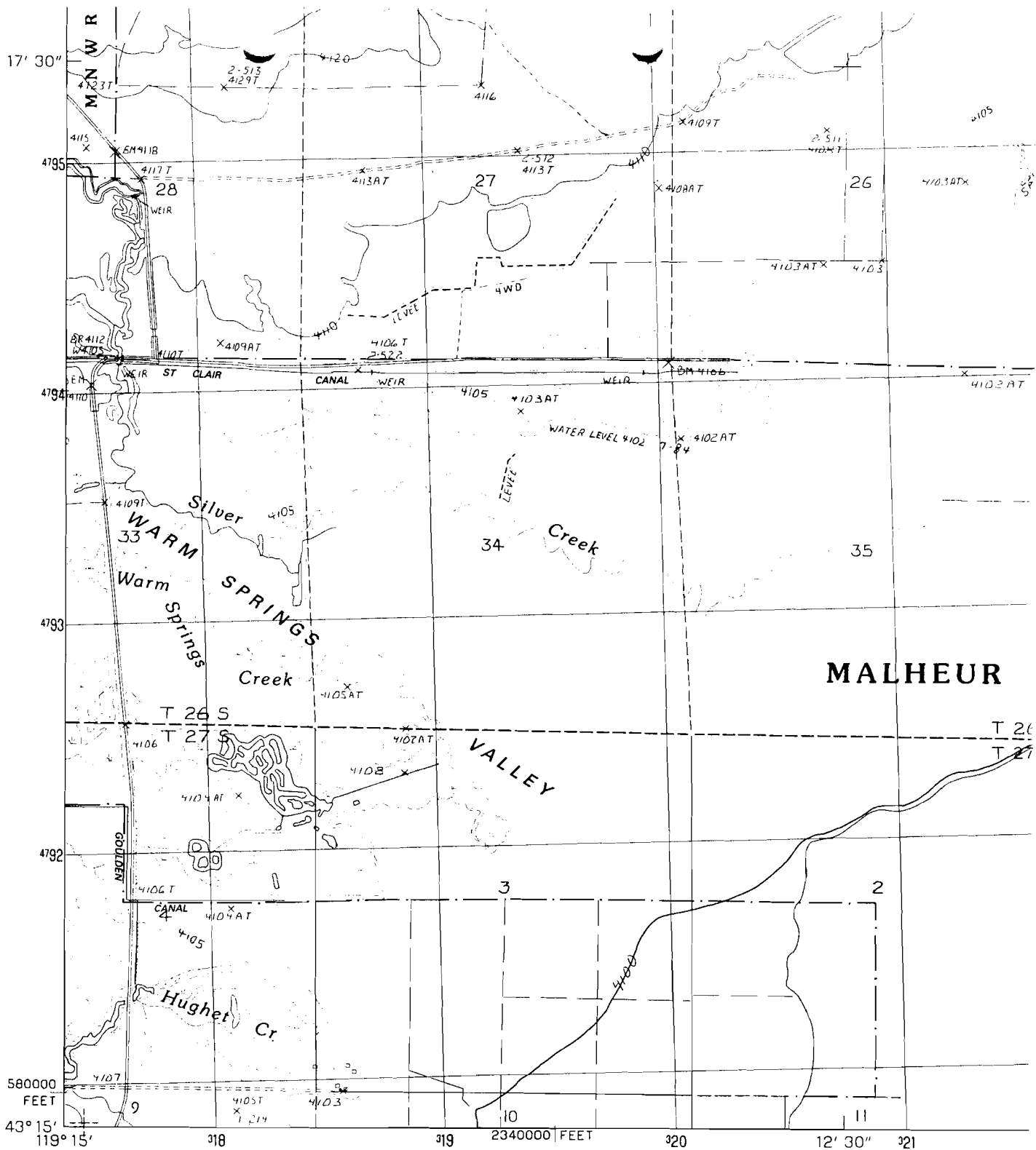
MAP REVIEW

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

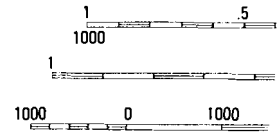
WATER RIGHT RECORD CHECK _____ FIELD INSPECTION _____

FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____

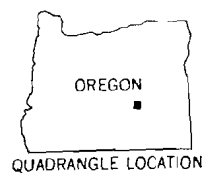
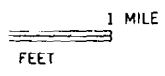
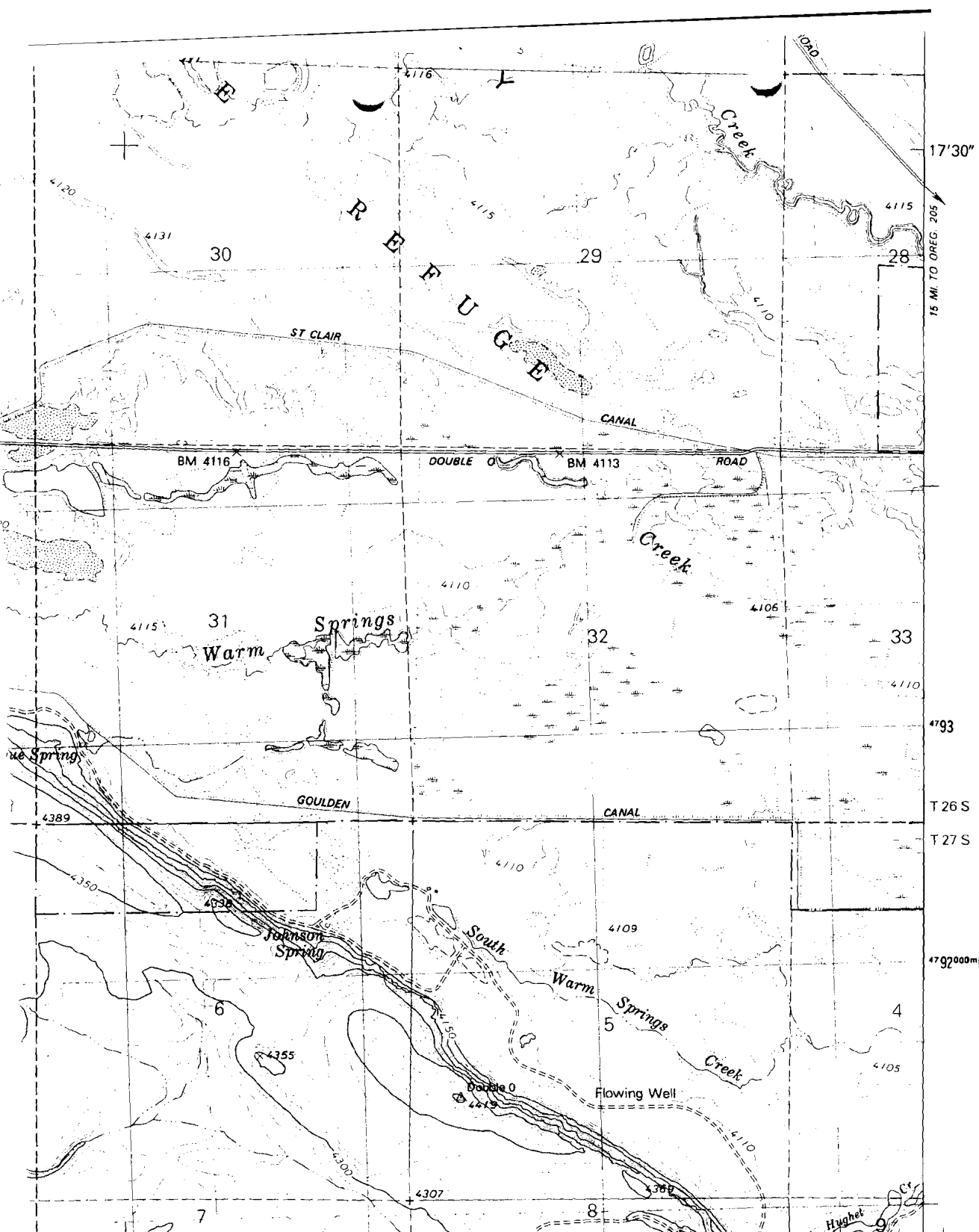
ENTER ON PLAT CARDS _____



137,200 PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY.....USGS AND NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN.....1984
 FIELD CHECKED.....1986. MAP EDITED.....1990
 PROJECTION.....LAMBERT CONFORMAL CONIC
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR.....ZONE 11
 10,000-FOOT STATE GRID TICKS.....OREGON, SOUTH ZONE
 UTM GRID DECLINATION.....1°30' WEST
 1990 MAGNETIC NORTH DECLINATION.....17°00' EAST
 VERTICAL DATUM.....NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM.....1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,
 move the projection lines as shown by dashed corner ticks
 (18 meters north and 85 meters east)
 There may be private inholdings within the boundaries of any
 Federal or State reservations shown on this map
 Where omitted, land lines have not been established



PROVISIONAL MAP
 Produced from original
 manuscript drawings. Informa-
 tion shown as of date of
 field check. 2



ROAD CLASSIFICATION

Primary highway, hard surface	Light-duty road, hard or improved surface
Secondary highway, hard surface	Unimproved road
Interstate Route	U. S. Route
	State Route

STINKING LAKE, OREG.
N4315-W11915/7.5

(SOUTHWEST HARNEY LAKE)
270 II NW

220

February 17, 1993

HURLBURT RANCHES INC
PO BOX 257
BURNS OR 97720

Dear MR HURLBURT,

This will acknowledge that your Surface Water Registration Statement in the name of HURLBURT RANCHES INC has been received by our office. The fees in the amount of \$200.50 have been received and our receipt #97087 is enclosed. Your registration statement has been numbered SWR-135.

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

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

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0135.002



WATER RESOURCES DEPARTMENT

RECEIPT # **97087**

3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

RECEIVED FROM: Hurlbut Resources, Inc.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 2472 OTHER: (IDENTIFY)

TOTAL REC'D \$ 200.50

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>200.50</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

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

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

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

WATER RIGHTS:

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

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
842.016	WELL DRILL OPERATOR	\$	842.019	\$
_____	LANDOWNER'S PERMIT	\$	842.024	\$

06-00-0 WELL CONST START FEE

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

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

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

RECEIPT # **97087**

DATED: 2/16/93 BY: P. Engel

RECEIVED

FEB 16 1993

WATER RESOURCES DEPARTMENT
SALEM, OREGON

WATER
RESOURCES
DEPARTMENT

February 2, 1993

HURLBURT RANCHES INC
PO BOX 257
BURNS OR 97720

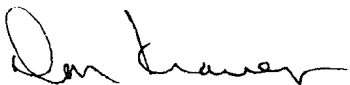
Dear MR HURLBURT,

You failed to submit enough fees with your Surface Water Registration Statement as required under ORS 539.081.

You sent \$325.50 and your receipt #95059 is enclosed. You should have sent a total of \$526.00. The amount now due is \$200.50. That is if you wish to claim both irrigation and stockwater as indicated on your form. When you say "and" it tells use there are two separate uses. Your claim will not be processed until these remaining fees are received. Your claim has been numbered SWR-135.

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

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

*Enclosed is a check for
\$200.50
to claim both irrigation
and stockwater rights.
(Claim # SWR-135)*

C:\WP51\SWR\CLAIMANT\SWR-0135.001



February 2, 1993

HURLBURT RANCHES INC
PO BOX 257
BURNS OR 97720

Dear MR HURLBURT,

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You sent \$325.50 and your receipt #95059 is enclosed. You should have sent a total of \$526.00. The amount now due is \$200.50. That is if you wish to claim both irrigation and stockwater as indicated on your form. When you say "and" it tells use there are two separate uses. Your claim will not be processed until these remaining fees are received. Your claim has been numbered SWR-135.

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

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0135.001



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

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

RECEIPT # 95059

RECEIVED FROM: <u>Hurlburt Ranches</u>	APPLICATION
BY: <u>INC.</u>	PERMIT
	TRANSFER

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

TOTAL REC'D \$ 325.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>325.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

02-00-0 FEDERAL FUNDS

_____	OTHER: (IDENTIFY)	\$
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03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES		\$
850.200	RESEARCH FEES		\$
880.109	MISC REVENUE: (IDENTIFY)		\$
520.000	OTHER (P-6): (IDENTIFY)		\$
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WELL CONSTRUCTION			
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
842.016	WELL DRILL OPERATOR	\$	842.023 \$
	LANDOWNER'S PERMIT	\$	842.019 \$
			842.024 \$

06-00-0 WELL CONST START FEE

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

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

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

RECEIPT # 95059 DATED: 12-16-92 BY: D. Bushnell

WILLIAM D. CRAMER
WILLIAM D. CRAMER, JR.
GORDON MALLON

CRAMER & MALLON
ATTORNEYS AT LAW
90 W. WASHINGTON
BURNS, OREGON 97720-1545

PHONE (503) 573-2066
FAX (503) 573-2068

December 22, 1992

RECEIVED

DEC 24 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
3850 Portland Road NE
Salem, OR 97310

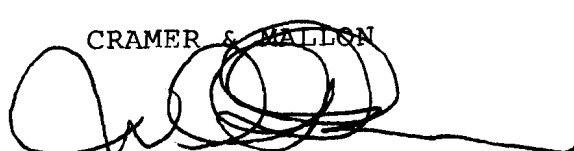
RE: Registration of Pre-1909 Water Right
Hurlburt Ranches, Inc.
Our File No. 7281

Gentlemen:

I am writing to supplement the information sent in my letter of December 14, 1992. Enclosed herewith is affidavit of Don Hurlburt, which supports the application previously submitted. Thank you.

Very truly yours,

CRAMER & MALLON



William D. Cramer

WDC;pg
Enc.
cc: Steve Hurlburt w/enc.
5/54

RECEIVED

DEC 24 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Tulelake, Ca. Dec 12, 1992

A. W. Hurlburt bought the ranch in 1896. It was in two parcels: the Conway field and the main meadow. I believe the Conway field was a relinquishment and the rest an outright purchase.

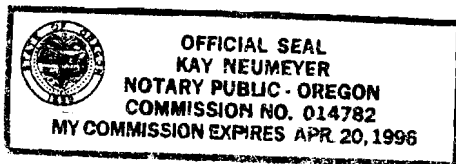
There were no dams in the creek at the time and no canal on the north. The only irrigation was from the big slough from the OO. AWH put the dam in the creek sometime during his first years on the place. When the OO dug the canal he retained a water right on the big slough water and had a dam in the canal and a turnout on the north side of the meadow.

There were three turnouts; one to the "little field". (The north west 40 was put in when the dam was built.) The second was dug sometime later, ending at the barn and "cow pasture". The third on the south side went into the Conway field and down to the house. The primary purpose of this was to supply water to the "Ward" field just north of the house. AWH had a contract with Ward to establish alfalfa in this field. Ward didn't get it done.

Newton Hughet had the place just north of Granddad's place. One of his daughters homesteaded the ground just west of the ranch over to the OO. He put a dam in just below the spring and dug a canal to irrigate this homestead. I don't know if he ever had water in the canal. I never saw the dam closed. Newt & Granddad had some "heated" (as I heard about it) discussions and he never used any water that I know of.

The second dam was put in the creek at the 'Simmond's?' place. Granddad helped because then he didn't have to let so much water on down the big slough which also irrigated the 'Simmonds?' place.

The third, (maybe second) dam was put in by Hughet at the upper end of the spring to get water for a garden at his house. They raised a fine garden.



Don Hurlburt
Don Hurlburt
Born December 17, 1912
Raised at the ranch

Kay Neumeier
notary Public
my Commission expires April 20, 1996

WILLIAM D. CRAMER
WILLIAM D. CRAMER, JR.
GORDON MALLON

CRAMER & MALLON
ATTORNEYS AT LAW
90 W. WASHINGTON
BURNS, OREGON 97720-1545

PHONE (503) 573-2066
FAX (503) 573-2068

December 14, 1992

Water Resources Department
3850 Portland Road NE
Salem, OR 97310

RECEIVED

DEC 16 1992

WATER RESOURCES DEPT.
SALEM, OREGON

RE: Registration of Pre-1909 Water Right
Hurlburt Ranches, Inc.
Our File No. 7281

Gentlemen:

I am enclosing herewith Surface Water Registration Statement for Pre-1909 Vested Water Right Claim of Hurlburt Ranches, Inc., together with the check of this company for \$325.50 in payment in full of the fees due for this registration. If this is insufficient, please let us know immediately and we will supplement the amount.

I'm also enclosing herewith the vested water right application map made by M. A. Palmer & Sons, Inc. and certified by Chris T. Palmer, certified water rights examiner. An original tracing and two other copies of this map are enclosed for your purposes.

Also enclosed herewith is a letter dated December 10, 1992 signed by James H. Hurlburt discussing a meeting where a ruling was made by the Water Master confirming that this was one of the older non-adjudicated rights. We expect to have other information to support this application at a later date and will send that information as soon as received.

I will appreciate your confirming this filing for my clients.
Thank you.

Very truly yours,

CRAMER & MALLON


William D. Cramer

WDC;pg
Enc.
cc: Hurlburt Ranches, Inc.
James L. Hurlburt
5/17

RECEIVED

DEC 16 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Dec. 10, 1992

To whom it may concern:

In the spring or early summer, approximately 20 years ago, I attended a meeting at the Hughet spring concerning adjudication of the water from that spring.

Present were, so far as I can remember:

James L. Hurlburt	Myself
A. A. Hurlburt	My Father
Clifford Fine	A neighbor with property downstream of us.
Louis Yriarte	A neighbor with property downstream of us.
J. Virgil Moon	The person who had put the new dam in the creek which we were discussing at this meeting.
Joe Moon	Son of J. Virgil Moon.
Phil Hibbell	Harney County Watermaster at the time.

The subject of discussion was the new dam that Virgil Moon had constructed in the creek near the Hughet spring. Between the diversion of water, and the reduction of flow from the spring due to the raise in depth of water over the outlet of the spring, the rest of us on the creek were short of water.

There had been some testing done, and it was evident that raising the level of water behind the dam was restricting the flow of water from the spring, there by reducing the total flow in addition to the water diverted.

The ruling given by Phil Hibbell was :

That the previous users of the creek had older, non adjudicated water rights.
That J. Virgil Moon had limited rights to the water from the creek.
That J. Virgil Moon was limited in the depth of restriction at the dam, and that he was to deepen his diversion ditch sufficiently to take his share without raising the level at the dam beyond those limits.

The date of this meeting was probably 2 or 3 years after J. Virgil Moon built the diversion and filed his water right application.

James L. Hurlburt



PO Box 750
Granger, WA

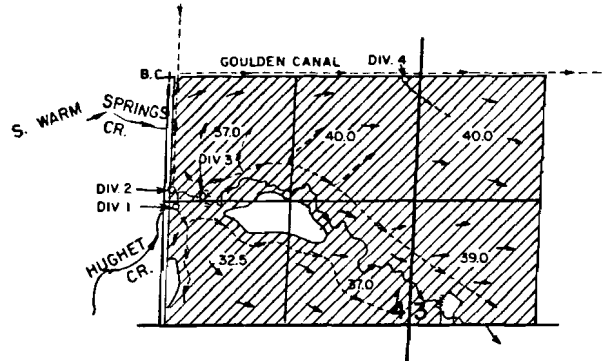
98932

RECEIVED

DEC 16 1992

WATER RESOURCES DEPT.
SALEM, OREGON

T 27 S, R 29 E, WM



NOTES

1. THIS MAP WAS DRAWN FROM FIELD NOTES TAKEN ON FEB. 4, 1992.
2. BEARINGS ARE BASED ON SOLAR OBSERVATIONS.
3. ALL DITCHES AND CREEKS ON IRRIGATED LANDS SERVE AS STOCK WATERING FACILITIES.

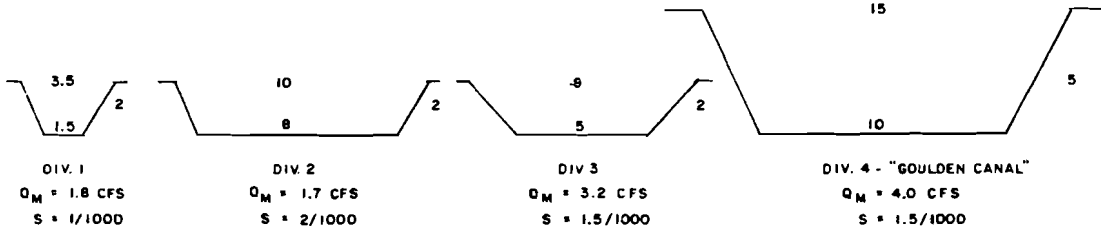
LEGEND

- o DIVERSION POINTS
- DITCHES
- /// IRRIGATED LANDS - SOURCE IS HUGHET CREEK.
- ||||| EARTHEN LEVEES

DIVERSION LOCATIONS

- DIV. 1, 1405'S, 110'E
 - DIV. 2, 1195'S, 40'E
 - DIV. 3, 1250'S, 340'E
 - DIV. 4, 10'S, 2520E
- FROM C 1/4, SEC 4, T. 27 S., T. 29 S., W. M.

DITCH SECTIONS



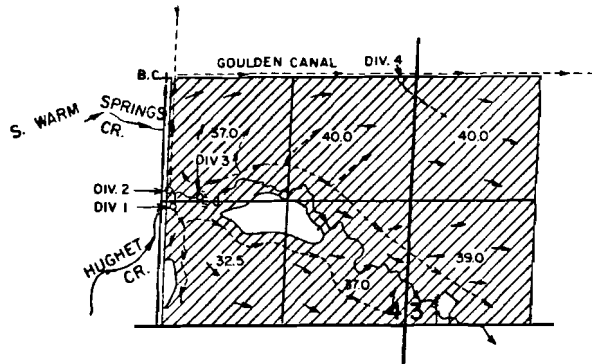
	HURLBURT RANCH INC		BURNS, OR
	VESTED WATER RIGHT APPLICATION MAP		
	Scale: 4" = 1 MILE	Date: FEB 1992	Job: 1370
	Dgn: _____	 M. A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Burns, Oregon 97720	Sht. No. _____
Dm: C T P	of _____		
Ckd: _____			

RECEIVED

DEC 16 1992

WATER RESOURCES DEPT.
SALEM, OREGON

T27S, R29E, WM



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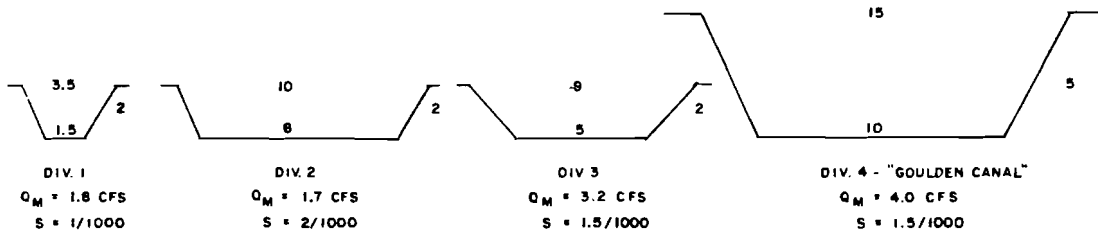
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DITCH SECTIONS



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	VESTED WATER RIGHT APPLICATION MAP		
	Scale: 4" = 1 MILE	Date: FEB 1992	Job: 1370
	Dsn:		M. A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Burns, Oregon 97720
Dm: C T P	Sht. No.		
Ckd:		of 1	