

**SURFACE WATER REGISTRATION CHECKLIST**

(received after July 18, 1990)

CHECK BASIN MAP SEE NAME MALWEND # 10 UNADJUDICATED AREA ? yes  
RECEIPT # 95449 & 109857 S W R NUMBER 223  
CHECK ENCLOSURES See PRELIMINARY DATA BASE ENTRY DWP  
ACKNOWLEDGEMENT LETTER See ENTER ON STREAM INDEX \_\_\_\_\_  
CHECK QUADRANGLE MAP \_\_\_\_\_ CHECK GLO PLATS \_\_\_\_\_  
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

10th area  
WATER RIGHT RECORD CHECK \_\_\_\_\_ FIELD INSPECTION \_\_\_\_\_  
FINAL FILE REVIEW \_\_\_\_\_ FINAL DATA BASE ENTRY \_\_\_\_\_  
ENTER ON PLAT CARDS \_\_\_\_\_

March 3, 1994

WATER  
RESOURCES  
DEPARTMENT

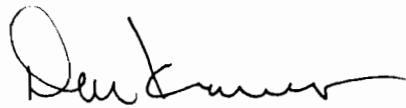
WILLIAM E VAN ATTA  
PO BOX 610  
ONTARIO OR 97914

re: SWR-223

Dear Mr Van Atta,

This will acknowledge the receipt of fees in the amount of \$ 12.00. Our receipt # 109857 is enclosed. Thank you for your attention to this matter.

Sincerely,



Don Knauer  
Adjudication Specialist

j:\w\slc\2\swr-0223.004



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

February 16, 1994

Oregon

WATER  
RESOURCES  
DEPARTMENT

WILLIAM E VAN ATTA  
PO BOX 610  
ONTARIO OR 97914

RE: SWR-223

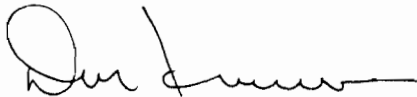
Dear Mr Van Atta,

This will acknowledge the receipt of the "Amended" Surface Water Registration Statement in the name of Richard L and Jacqueline L Rule, the supporting map prepared by CWRE, Michael Holladay, and copies of exhibits A & B. I have add all to the file. I have made a preliminary review of the map and find it meets the requirements. The map shows the acreage irrigated as 65.9 acres and originally payment was made for 60 acres. There is a balance due of \$ 12.00.

The Rules have done everything required of them at this point to make their claim to a pre-1909 vested water right. It will be quite some time in the future before the actual, formal water right adjudication begins. All parties will be notified of any action or any steps they may need to take.

If you have any questions, please give me a call. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer  
Adjudication Specialist

j:\twistc12\swr-0223.003



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

12-17 43

SWR-223

WALT NEITZ CALLED ASKING  
MAPPING REQUIREMENTS -

SENT HIM COPIES -

HE SAID THE AGENCY SAID  
THERE IS A DEC 31, 1993  
DEADLINE TO GET CURR MAP  
IN. I TOLD HIM, NO DEADLINE,  
JUST AS SOON AS POSSIBLE.

Dehner

10-5-93

JACQUELINE RICE CALLED  
TO SAY SHE WAS TAKING  
MAPS TO CURR FOR WORK  
TO BEGIN ON THEIR NEEDED  
MAP.

Delmar

NOT CURR

- MR. NEITZ -

MIKE HOLLIDAY, CURR

CURR PHONE # 642-1100

PAYETTE ID

9-15-93 430p

To: Don

Dick VANATHA called.  
He the attorney that reps.  
SWR claimants Dick and  
Jackie Rule. He said  
the CWRE doing the map is  
Jack Windercraft from  
Weiser ID. He said the  
map is almost done.

Dykt

September 1, 1993

WILLIAM E VAN ATTA  
PO BOX 610  
ONTARIO OR 97914

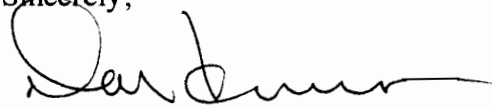
RE: SWR-223

Dear Mr Van Atta,

I have begun the review of the Surface Water Registration Statement files. I find that a letter was sent to Richard & Jaqueline Rule on February 10, 1993 asking the name of the Certified Water Right Examiner who would be doing the mapping to support their claim. I do not find a response from the Rules. I need to know which CWRE has been contracted to do the mapping work. I can then contact the CWRE for their map submittal date.

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

Sincerely,



Don Knauer  
Adjudication Specialist

J:\WAS\CV2\SWR-0223.00



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

February 10, 1993

WATER  
RESOURCES  
DEPARTMENT

RICHARD L & JACQUELINE L RULE  
440 DOUGLAS RD  
ONTARIO OR 97914

Dear MR & MRS RULE,

This will acknowledge that your Surface Water Registration Statement in the name of RICHARD L & JACQUELINE L RULE has been received by our office. The fees in the amount of \$120.00 have been received and our receipt #95449 is enclosed. Your registration statement has been numbered SWR-223.

The map you submitted with your claim is not acceptable. ORS 539.240 (2) (d) requires the map be prepared by a Certified Water Right Examiner (CWRE). Within 60 days of this letter you must send a letter to this address indicating you have contracted with a CWRE to prepare your map. You should send your letter to my attention. In your letter you must identify the name of the CWRE who will prepare your registration statement map. We will contact the CWRE to arrange a map submittal deadline.

We will not be able to process your claim until we have received your map. If you have any questions regarding this process, please do not hesitate to give me a call.

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

Sincerely,



Don Knauer  
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0223.001



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



RECEIVED FROM: Dick Rule APPLICATION \_\_\_\_\_  
 BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
 TRANSFER \_\_\_\_\_

CASH:  CHECK: #  2472 OTHER: (IDENTIFY)  \_\_\_\_\_  
 TOTAL REC'D \$ 120.00

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

842.010	ADJUDICATIONS	\$ 120.00
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)	\$

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

**06-00-0 WELL CONST START FEE**

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

**45-00-0 LOTTERY PROCEEDS**

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

**07-00-0 HYDRO ACTIVITY**

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

**Teri Hranac**

**From:** Alyssa Mucken  
**Sent:** Thursday, July 12, 2007 12:49 PM  
**To:** Teri.K.HRANAC@wrd.state.or.us  
**Subject:** SWR 223

Hi Teri,

Jacqueline (Jackie) Rule called today wanting to confirm that her surface water registration was "complete" and there weren't any pieces of it that she needed to follow up on. It's SWR 223. Their property is being appraised and she just wants to make sure her ducks are in order in regard to their claim. I took a look at it, but really have no idea if it's lacking necessary information.

Her number is:  
208-230-2883 (cell)  
541-889-3779 (home)

Alyssa Mucken  
Water Rights Caseworker  
Oregon Water Resources Department  
503.986.0853

*Left message 7/16/07 7:32 am PST*  
*Jackie Ret'd call 8:35 am*

7/16/2007

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMORANDUM

MEMORANDUM OF PERSONAL OR TELEPHONE CONTACT

TO: SWR 223

DATE: 8/30/96

FROM: Don Knauer

SUBJECT: ADJUDICATIONS

NAME: SANDRA O'KEEFE  
503-263-6616

WANTED TO KNOW THE STATUS OF THIS  
CLAIM FOR A UENP -

I EXPLAINED: THE NEED FOR AN ADJUDICATION  
PRIOR TO A CERTIFICATE BEING ISSUED -  
LACK OF PEOPLE WORKING IN ADJUDICATIONS -

RECOMMENDED SHE TALK TO REE MORANT

FOR \_\_\_\_\_  
DATE 8-29 TIME \_\_\_\_\_ A.M.  
FROM Sandra O'Keefe P.M.  
FIRM Harvest Capital Co.  
PHONE 263-6616  
 FAX AREA CODE \_\_\_\_\_ NUMBER \_\_\_\_\_ EXTENSION \_\_\_\_\_  
 MOBILE 266-6003 AREA CODE \_\_\_\_\_ NUMBER \_\_\_\_\_ TIME TO CALL \_\_\_\_\_

TELEPHONED		PLEASE CALL	
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE _____	


MESSAGE \_\_\_\_\_

SWR 223

called again

Don Knauer

SIGNED \_\_\_\_\_

 FORM 4007  
MADE IN U.S.A.

**MESSAGE**

Post-it Fax Note 7671		Date 8/29	# of pages 4
To Darlene Bushnell	From Sandra O'Keefe		
Co./Dept. Water Rights	Co. Harvest Capital Co		
Phone #	Phone # 263-6646		
Fax # (503) 378-6203	Fax #		

**AMENDED**

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

**SURFACE WATER REGISTRATION STATEMENT  
PRE-1909 VESTED WATER RIGHT CLAIM**

1. Name of Registrant: Richard L. Rule and Jacqueline L. Rule  
 Mailing Address: 440 Douglas Rd., Ontario, OR 97914  
 Telephone No: 503-889-3779

2. Source of water: Snake River  
 Tributary to: Columbia River and Pacific Ocean

3. Purpose(s) for which water is used: irrigation for growing crops  
 (Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)  
 If irrigation, total number of acres irrigated: 65.9 acres

4. Priority Date  
 a) Date of first use: July 1, 1893  
 b) Date water use development first initiated: July 1, 1893  
 c) Name of party who initiated development: Milford Hopper (See attached Exhibit)

5. Amount of water claimed: 14.87 in CFS or GPM (See attached Exhibit "A")  
 (Water put to beneficial use)

6. Location of place of use:  
Lot 1 of Lot 2, 2 Sections, Township 17 N/S, Range 47 E/W.W.M.  
SE1/4SE1/4 35 Sections, Township 16 N/S, Range 47 E/W.W.M.  
 (Attach additional pages if necessary)

7. Usual period of use: 03 / 01 to 11 / 01  
 month / day month / day

*back*  
*COPY* (S)

8. Remarks: See attached Exhibit "A" for additional remarks;  
Exhibit "B" for Milford Hopper's claim letter, dated May 25,  
1894 and Exhibit "C" consisting of a Malheur County Assessor's  
Map, describing the use and progressive points of diversion  
of this water right claimed.

9. Total fees submitted with claim: Submitted with original application  
December, 1992

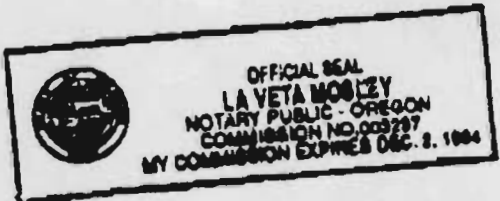
Notarized Statement Signed by Claimant.

STATE OF OREGON )  
 ) ss  
County of Malheur )

RICHARD L. RULE and  
I, JACQUELINE L. RULE, having been duly sworn,  
depose and say that I, and being the claimant of the existing surface  
water right described herein, have read the contents of this claim and  
to the best of my knowledge all of the matters stated herein  
are true and correct.

Richard L. Rule  
Jacqueline L. Rule  
Signature of Claimant

Signed and attested before me this 13 day of January, 19 94



La Veta Mosley  
NOTARY PUBLIC for the State of Oregon  
My commission expires: 12-02-94

**THIS FORM MUST BE ACCOMPANIED BY A MAP PREPARED BY A  
CERTIFIED WATER RIGHT EXAMINER (CWRE).**

Certified Water Right Examiner

Name: Michael E. Holladay CWRE#: 069

Address: PO Box 235, Payette ID 83661

Telephone: 208-642-3304

COPIES

3

**THARP & VAN ATTA**

ATTORNEYS AT LAW

P.O. BOX 610  
7 SOUTHWEST THIRD STREET  
ONTARIO, OREGON 97014  
(503) 866-7803  
FAX (503) 866-3408WILLIAM C. THARP  
WILLIAM E. VAN ATTA  
ADMITTED TO PRACTICE  
IN OREGON AND OREGON

January 18, 1994

~~Don Knauer  
Adjudication Specialist  
State of Oregon  
Water Resources Department  
3850 Portland Rd NE  
Salem OR 97310~~Re: Richard L and Jacqueline L Rule  
SWR-223

Dear Mr Knauer:

Please find enclosed our Amended Application and map for inclusion with our original Application filed in December, 1992. If additional fees are necessary, please contact me and I will arrange for their immediate payment.

Note that the Amended Application (after an accurate survey) expands the use points from 1 to 2 and enlarges the acreage sought to be approved by 5.9 acres.

Thank you for your patience and every effort.

Sincerely yours,

THARP &amp; VAN ATTA

WILLIAM E. VAN ATTA

WEV:lm

Enc/

cc: Dick and Jackie Rule  
Walter Neitz

*COPIES*

*2*

**THARP & VAN ATTA**

ATTORNEYS AT LAW  
P.O. BOX 610  
7 SOUTHWEST THIRD STREET  
ONTARIO, OREGON 9714

WILLIAM G. THARP \*  
WILLIAM E. VAN ATTA

TELEPHONE (503) 888-7808  
FAX (503) 888-3428

\* ADMITTED TO PRACTICE  
IN OREGON AND OREGON

February 8, 1994

Don Knauer  
Adjudication Specialist  
State of Oregon  
Water Resources Department  
3850 Portland Rd NE:  
Salem OR 97310

Re: Richard L and Jacqueline L Rule  
SWR-223

Dear Mr Knauer:

On January 18, 1994, we mailed the amended Application, map and other documents regarding the above captioned water rights filing. If you need additional information, please let me know. Otherwise I will calendar this matter for a ninety (90) day review. If I need take further action sooner, please let me know.

Sincerely yours,

THARP & VAN ATTA

WILLIAM E. VAN ATTA

WEV:lm  
cc: Dick and Jackie Rule



WILLIAM C. THARP \*  
WILLIAM E. VAN ATTA

\* ADMITTED TO PRACTICE  
IN IDAHO AND OREGON

THARP & VAN ATTA  
ATTORNEYS AT LAW  
P.O. BOX 610  
7 SOUTHWEST THIRD STREET  
ONTARIO, OREGON 97914

1994  
WATER RESOURCES DEPT  
SALEM, OREGON

TELEPHONE (503) 889-7603  
FAX (503) 889-2402

February 28, 1994

Oregon Water Resources Department  
Attention: Don Knauer  
3850 Portland Rd NE  
Salem OR 97310

Re: Dick and Jackie Rule - SWR-223

Dear Mr. Knauer:

Please find enclosed our check for \$12.00 for the balance due in the subject matter. Please contact our office if you need additional information and notify us of any action or steps which our client needs to take.

Sincerely yours,

THARP & VAN ATTA

WILLIAM E. VAN ATTA

WEV:lm

Enc/

cc: Dick and Jackie Rule

RECEIVED

JAN 26 1994

WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT "A"

In July 1893, Milford Hopper staked a land claim along the Snake River as evidenced by the attached letter (Exhibit "B") dated May 25, 1894, for water from the Snake River to irrigate sixty (60) acres of farmland. At that time he had constructed two (2) large dip water wheels working in tandem along the Snake River on what is now known as Dead Oax Flat. The water wheels were used until sometime shortly after 1909 when pumps were placed in the ditch constructed by the Owyhee Ditch Company, possibly as late as 1935. Tom Carico farmed this property with the use of this irrigation source as did his son, Curt, after him. Dick and Jackie Rule purchased the property in 1975 and since that date have continuously pumped from the same site utilizing water flowing from the original location of the two (2) dip water wheels mentioned in the letter of water right claim by Milford Hopper of May 25, 1894, described above. Milford Hopper filed a claim on 150" of water from the Snake River or the equivalent of 14.87 cfs. We arrive at this calculation by dividing 150" by 20" per cubic foot for a total of 7.5 acre feet, multiplying 7.5 acre feet by 1.98347 to equal 14.87 cfs.

RECEIVED

JAN 26 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

NOV - 9 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

Filed for notice is hereby given to all whom it may concern that I Milford Haffer, of Malheur County State of Oregon do hereby claim and record one hundred and fifty inches of the waters of Snake River, said water E. H. Fish is taken out of <sup>said</sup> Snake River by means of c. class. two large dip water wheels, located on lot No. 1 Section No. 1 Township No 17 South Range No 47. E. W. M. in Malheur County State of Oregon and is conveyed by means of ditches on to my desert claim in lot 1 Section 1 and lot 1 Section 2 Township 17 and S 4 of S 4 of section 35 Township 16 South Range 47 E. W. M. in said County and State

I have had the uninterrupted use of said water right since July 1893.  
Dated this 25<sup>th</sup> day of May 1894  
Milford Haffer

Recorded Volume A, Page 250, Record of Water Rights

EXHIBIT "B"

Patent D 565

Parcel 2

RECEIVED

THARP & VAN ATTA

FEB 14 1994

WILLIAM C. THARP \*  
WILLIAM E. VAN ATTA

ATTORNEYS AT LAW  
P.O. BOX 610  
7 SOUTHWEST THIRD STREET  
ONTARIO, OREGON 97914

WATER RESOURCES DEPT  
SALEM, OREGON TELEPHONE (503) 889-7603  
FAX (503) 889-2402

\* ADMITTED TO PRACTICE  
IN IDAHO AND OREGON

February 8, 1994

Don Knauer  
Adjudication Specialist  
State of Oregon  
Water Resources Department  
3850 Portland Rd NE:  
Salem OR 97310

Re: Richard L and Jacqueline L Rule  
SWR-223

Dear Mr Knauer:

On January 18, 1994, we mailed the amended Application, map and other documents regarding the above captioned water rights filing. If you need additional information, please let me know. Otherwise I will calendar this matter for a ninety (90) day review. If I need take further action sooner, please let me know.

Sincerely yours,

THARP & VAN ATTA

WILLIAM E. VAN ATTA

WEV:lm

cc: Dick and Jackie Rule

S-71636

**THARP & VAN ATTA**

ATTORNEYS AT LAW

P.O. BOX 610  
7 SOUTHWEST THIRD STREET  
ONTARIO, OREGON 97914  
(503) 889-7603  
FAX (503) 889-2402

**RECEIVED**

**JAN 26 1994**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

WILLIAM C. THARP\*  
WILLIAM E. VAN ATTA

\*ADMITTED TO PRACTICE  
IN IDAHO AND OREGON

January 18, 1994

Don Knauer  
Adjudication Specialist  
State of Oregon  
Water Resources Department  
3850 Portland Rd NE  
Salem OR 97310

Re: Richard L and Jacqueline L Rule  
SWR-223

Dear Mr Knauer:

Please find enclosed our Amended Application and map for inclusion with our original Application filed in December, 1992. If additional fees are necessary, please contact me and I will arrange for their immediate payment.

Note that the Amended Application (after an accurate survey) expands the use points from 1 to 2 and enlarges the acreage sought to be approved by 5.9 acres.

Thank you for your patience and every effort.

Sincerely yours,

THARP & VAN ATTA  
DICTATED BY THE ATTORNEY AND MAILED  
WITH OUT SIGNATURE IN HIS/HER ABSENCE  
TO AVOID DELAY.  
WILLIAM E. VAN ATTA

WEV:lm

Enc/

cc: Dick and Jackie Rule  
Walter Neitz



THARP & VAN ATTA

ATTORNEYS AT LAW

P.O. BOX 610

7 SOUTHWEST THIRD STREET

ONTARIO, OREGON 97914

(503) 889-7603

FAX (503) 889-2402

RECEIVED

DEC 24 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

WILLIAM C. THARP\*  
WILLIAM E. VAN ATTA

\*ADMITTED TO PRACTICE  
IN IDAHO AND OREGON

December 23, 1992

Dwight French  
Water Resources Department  
Attention: Adjudication Department  
3850 Portland Rd NE  
Salem OR 97310

Re: Water Rights - Richard and Jacqueline Rule

Dear Dwight:

Attached for filing with the Oregon Department of Water Resources, please find the Water Rights Registration Application for Pre-1909 Water Right, together with a check for \$120.00, filed by Richard and Jackie Rule, contract purchasers of the following described real property, drawing water from the Snake River, an unadjudicated area in Malheur County:

Land in Malheur County, Oregon as follows:

In Twp 17 S., R. 47 E., W.M.:

Sec 2: Lot 1 and the E1/2 of Lot 2

SUBJECT to County Road right of way.

This parcel consists of eighty (80) acres, however only sixty (60) acres are farmable and only sixty (60) acres have been irrigated by two (2) large dip water wheels since July, 1893 and later by pump inserted in the ditch created by the Owyhee Ditch Company in 1935.

Please file our registration with the attached Assessor's map since we are receiving the research information to late in 1992 to complete the Certified Water Examiner's Map and we will, with your permission, amend the Assessor's Map with a certified survey as soon as possible in 1993 after the snowpack melts and an accurate survey of the area can be conducted. If a different map is needed sooner or prior to December 31, 1992, please contact me at your earliest opportunity.

I hope you will accept our warmest wishes for a happy and healthy holiday season and a prosperous New Year.

Sincerely yours,  
THARP & VAN ATTA

WILLIAM E. VAN ATTA

WEV:lm

Enc/

cc: Richard and Jackie Rule

RECEIVED

DEC 24 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

EXHIBIT "A"

In July 1893, Milford Hopper staked a land claim along the Snake River as evidenced by the attached letter (Exhibit "B") dated May 25, 1894, for water from the Snake River to irrigate sixty (60) acres of farmland. At that time he had constructed two (2) large dip water wheels working in tandem along the Snake River on what is now known as Dead Oax Flat. The water wheels were used until sometime shortly after 1909 when pumps were placed in the ditch constructed by the Owyhee Ditch Company, possibly as late as 1935. Tom Carico farmed this property with the use of this irrigation source as did his son, Curt, after him. Dick and Jackie Rule purchased the property in 1975 and since that date have continuously pumped from the same site utilizing water flowing from the original location of the two (2) dip water wheels mentioned in the letter of water right claim by Milford Hopper of May 25, 1894, described above. Milford Hopper filed a claim on 150" of water from the Snake River or the equivalent of 14.87 cfs. We arrive at this calculation by dividing 150" by 20" per cubic foot for a total of 7.5 acre feet, multiplying 7.5 acre feet by 1.98347 to equal 14.87 cfs.



RECEIVED

DEC 24 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

NOV - 9 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

Filed for notice is hereby given to all whom it may concern that I Milford Happer, of Malheur County State of Oregon do hereby claim and record one hundred and fifty inches of the waters of Snake River, said water E. H. Hook is taken out of <sup>said</sup> Snake River by means of <sup>said</sup> two large dip water wheels, located on lot No. 1 Section No. 1 Township No 17 South Range No 47. E. W. M. in Malheur County State of Oregon and is conveyed by means of ditches on to my desert claim in lot 1 Section 1 and lot 1 Section 2 Township 17 and S 4 of S 4 of section 35 Township 16 South Range 47 E. W. M. in said County and State

I have had the uninterrupted use of said water right since July 1893-  
 Dated this 25<sup>th</sup> day of May 1894  
 Milford Happer

Recorded Volume A, Page 250, Record of Water Rights

EXHIBIT "B"

Patent D 565

Parcel 2

**SEC. 2 T.17S. R.4 7E. W.M.  
MALHEUR COUNTY**

Revised On  
7-19-78  
7-20-78  
10-14-82  
8-27-85

17 47- 2  
68-

1" = 400'

*Tax Acct No's*

MAP 17472

TL's 600 + 700

Code 12

SEE MAP 16 47 D

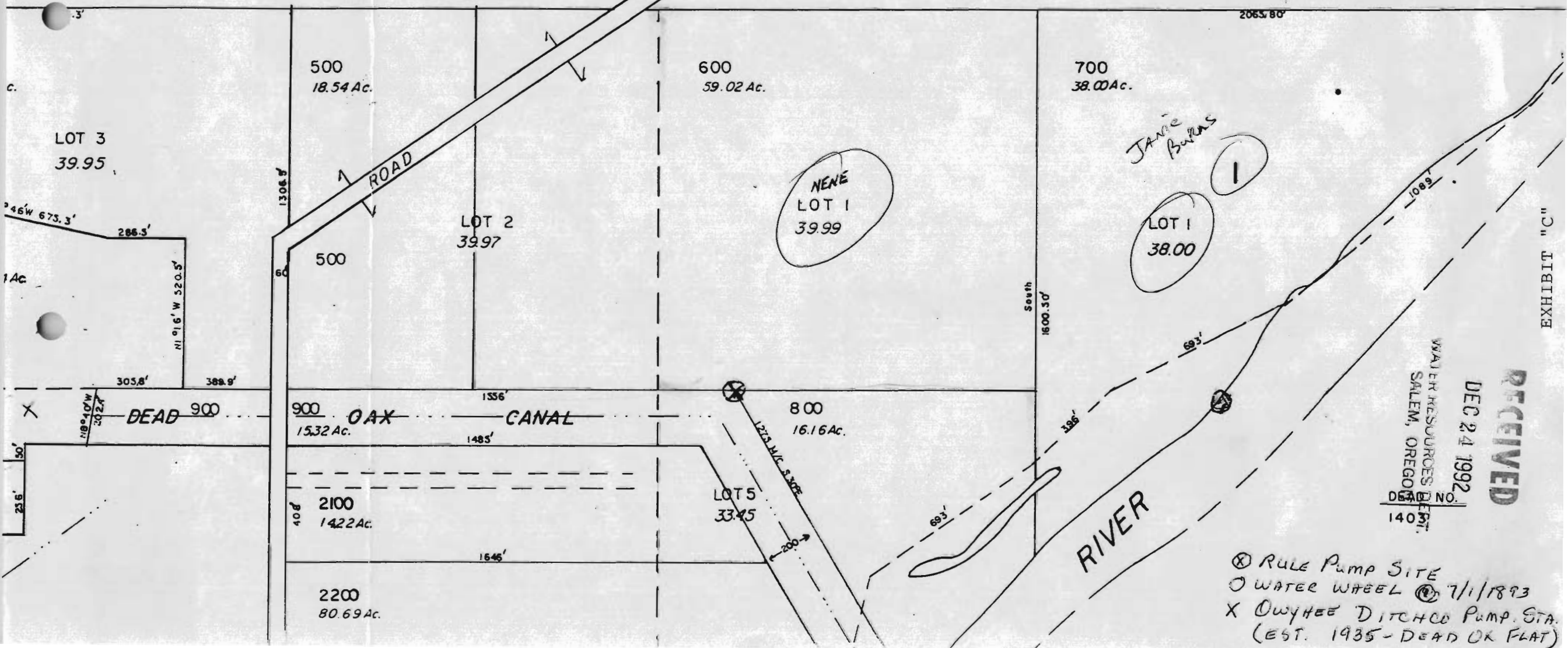


EXHIBIT "C"

**RECEIVED**

DEC 24 1992

WATER RESOURCES DEPT.  
SALEM, OREGON  
DEPT. NO. 1409

⊗ RULE PUMP SITE  
○ WATER WHEEL 7/1/1993  
X OWYHEE DITCH CO PUMP STA.  
(EST. 1935 - DEAD OAK FLAT)