

September 15, 1993

Oregon

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WATER  
RESOURCES  
DEPARTMENT

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JAMES HAYHURST  
1455 HWY 95 N  
JORDAN VALLEY OR 97910

re: **SWR-243 and SWR-244**

Dear Mr Hayhurst,

I am in the process of reviewing the maps submitted in support of claims to pre-1909 vested water rights. The map submitted by your Certified Water Right Examiner does not meet the requirements of a Surface Water Registration map. I informed Mr. Thomas Hanley of this in a letter on February 25, 1993.

It appears there are two options at this time to resolve this problem. The first would be to have Mr Hanley prepare the required map. The second would be to rely on a "Final Proof" map to be prepared in the future by the Water Resources Department to cover the beneficial use under Permit # 40580. The only problem with the second option is the time factor. The WRD may not complete the mapping in time for the actual adjudication of Succor Creek. I intend to postpone my review of your files until such time that the review is absolutely necessary.

If you have any questions, please give me a call.

Sincerely,



Don Knauer  
Adjudication Specialist

cc: Thomas Hanley

J:\W\VC\2\SWR-0243.005 and SWR-0244.005



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

**SURFACE WATER REGISTRATION CHECKLIST**

(received after July 18, 1990)

CHECK BASIN MAP OK NAME Owyhee # 11 UNADJUDICATED AREA ? YES  
 RECEIPT # 95484 ~~244~~ (Success Co) S W R NUMBER 244  
 CHECK ENCLOSURES OK PRELIMINARY DATA BASE ENTRY DWP  
 ACKNOWLEDGEMENT LETTER OK ENTER ON STREAM INDEX \_\_\_\_\_  
 CHECK QUADRANGLE MAP \_\_\_\_\_ CHECK GLO PLATS \_\_\_\_\_  
 WATERMASTER CHECKLIST \_\_\_\_\_ PUBLIC NOTICE PUBLICATION 10/91

**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

*(Handwritten note in a circle: MAP 111, SWR-243)*

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

March 9, 1993

JAMES HAYHURST  
1455 HWY 95 N  
JORDAN VALLEY OR 97910

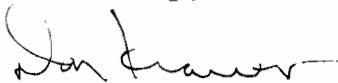
Dear MR HAYHURST,

This will acknowledge that your Surface Water Registration Statement in the name of JAMES HAYHURST has been received by our office. The fees in the amount of \$274.00 have been received and our receipt #97608 is enclosed. Your registration statement has been numbered SWR-244.

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-0244.004



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 # **97608**

RECEIVED FROM: Hayhurst Farming & Harvesting Inc.  
 BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	

CASH:  CHECK:  OTHER: (IDENTIFY)   
11-24

TOTAL REC'D \$ 415.00

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

842.010	ADJUDICATIONS	\$ <u>415.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

_____	CASH ACCT.	\$
_____	VOUCHER #	

**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	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$
<b>WELL CONSTRUCTION</b>		
842.022	WELL DRILL CONSTRUCTOR	\$
842.016	WELL DRILL OPERATOR	\$
_____	LANDOWNER'S PERMIT	\$

<b>EXAM FEE</b>		<b>RECORD FEE</b>
\$	842.002	\$
\$	842.004	\$
\$	842.006	\$
<b>EXAM FEE</b>		<b>LICENSE FEE</b>
\$	842.023	\$
\$	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	\$
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**07-00-0 HYDRO ACTIVITY**

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

RECEIPT # **97608** DATED: 3/4/93 BY: K. Marro  
 Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

February 25, 1993

THOMAS J HANLEY  
PO BOX 701  
BAKER OR 97814

RE: SWR-243 AND SWR-244

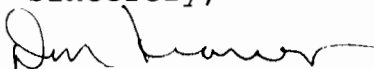
Dear Mr Hanley,

There appears to be a misunderstanding in regards to the map required for filing to support a claim to a beneficial use under a pre-1909 vested water right. The map supporting a surface water registration statement requires what we refer to as a "FINAL PROOF" map, a claim to beneficial use.

In the future I will be able to research the Succor Creek area claims to pre-1909 water use and it is possible all claimants will be able to use a "FINAL PROOF" map of the district. In the mean time it must be understood that the copies of the "Map to Accompany Application to Appropriate Water for Irrigation" is not acceptable for a pre-1909 claim.

If you have any questions, please give me a call.

Sincerely,



Don Knauer  
Adjudication Specialist

CC: James Hayhurst

C:\WP51\SWR\CLAIMANT\SWR-243.003



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

February 17, 1993

HANLEY ENGINEERING  
2043 MAIN ST  
PO BOX 701  
BAKER CITY OR 97814

RE: Surface Water Registration Map

Dear MR HANLEY,

JAMES HAYHURST has indicated to the Oregon Water Resources Department (WRD) that you have been hired to prepare the claim of beneficial use map for their Surface Water Registration Statement. Would you please inform me of your anticipated schedule of map preparation and submission to the WRD.

Please mark all correspondence related to this claim with the file number SWR-244.

Sincerely,



Don Knauer  
Adjudication Specialist

C:\WP51\SWR\CLAIMANT\SWR-0244.002



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

February 17, 1993

JAMES HAYHURST  
1455 HWY 95 N  
JORDAN VALLEY OR 97910

Dear MR HAYHURST,

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

You sent \$0.00 ( the \$ 360.00 was used for SWR-243). You should have sent a total of \$274.00. The amount now due is \$274.00. The fees for irrigation of 36.7 acres are \$ 74.00 and the fees for stockwater are \$ 200.00. Your claim will not be processed until these remaining fees are received. Your claim has been numbered SWR-244.

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.



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

The form has been signed by Aaron Kasper. You are the registrant shown on the front of the form and therefore you are the one who must sign the form. Your signature must be notarized. I am keeping a copy of your form and returning the original to you for your signature.

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

Sincerely,

Don Knauer  
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0244.001



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

RECEIPT # **95484**

RECEIVED FROM: Haybuck Training and Consulting, Inc.  
 BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	

CASH:  CHECK: #  11-24 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 360.00

<b>01-00-0 WRD MISC CASH ACCT</b>		
842.010	ADJUDICATIONS	\$ <u>360.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

<b>REDUCTION OF EXPENSE</b>	CASH ACCT.	\$
COST CENTER AND OBJECT CLASS	VOUCHER #	

<b>03-00-0 WRD OPERATING ACCT</b>		
<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 \$
_____	_____	RECORD FEE \$
_____	_____	RECORD FEE \$
_____	_____	RECORD FEE \$
_____	_____	LICENSE FEE \$
_____	_____	LICENSE FEE \$
_____	_____	LICENSE FEE \$

<b>06-00-0 WELL CONST START FEE</b>		
842.013	WELL CONST START FEE	\$
_____	MONITORING WELLS	\$
_____	_____	CARD #
_____	_____	CARD #

<b>45-00-0 LOTTERY PROCEEDS</b>		
864.000	LOTTERY PROCEEDS	\$

<b>07-00-0 HYDRO ACTIVITY</b>		LIC NUMBER	
842.011	POWER LICENSE FEE(FW/WRD)		\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **95484** DATED: 12/2/92 BY: C. Engel  
 Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

# HANLEY ENGINEERING

P.O. Box 701, 2043 Main St. BAKER CITY, OREGON 97814 (503) 523-3803

Consulting Engineers and Surveyors  
JAMES D. HANLEY P.E., P.L.S.  
OREGON WATER RIGHTS EXAMINER  
U.S. MINERAL SURVEYOR  
THOMAS J. HANLEY P.E., P.L.S.

RECEIVED

FEB 25 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

February 23, 1992

Don Knauer, Adjudication Specialist  
Oregon Water Resources Department  
3850 Portland Road, N.E.  
Salem, Oregon 97310

Re: File # SWR-243 & SWR-244

Dear Mr. Knauer:

This letter is in response to your letter of 2-17-93, re: Surface Water Registration Statement for the James Hayhurst application. Enclosed are (2) copies of the "Map to Accompany Application to Appropriate Water for Irrigation" for the applicant, Succor Creek District Improvement Company, drawn Aug., 1975 with a latest revision date of Sept., 1988.

Aaron Casper asked me to send these to you some time ago, and apparently I forgot to get it done at that time.

Sincerely,

*Tom Hanley*

Tom Hanley

RECEIVED

DEC 28 1992

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

SURFACE WATER REGISTRATION STATEMENT  
PRE-1909 VESTED WATER RIGHT CLAIM

1. Name of Registrant: ~~ADAM KUIPER~~ JAMES HAY HURST  
Mailing Address: 1455 Hwy 95 N. JORDAN VALLEY ORE. 97910  
Telephone No: (503) 586-2697

2. Source of water: SUCCOR CREEK  
Tributary to: SNAKE RIVER

3. Purpose(s) for which water is used: IRRIGATION, STOCKWATER  
(Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)  
If irrigation, total number of acres irrigated: 36.7 ACRES.

4. Priority Date  
a) Date of first use: 1885  
b) Date water use development first initiated: 1885  
c) Name of party who initiated development: JAMES MALLOY

5. Amount of water claimed: 412 GPM, in CFS or GPM  
(Water put to beneficial use)

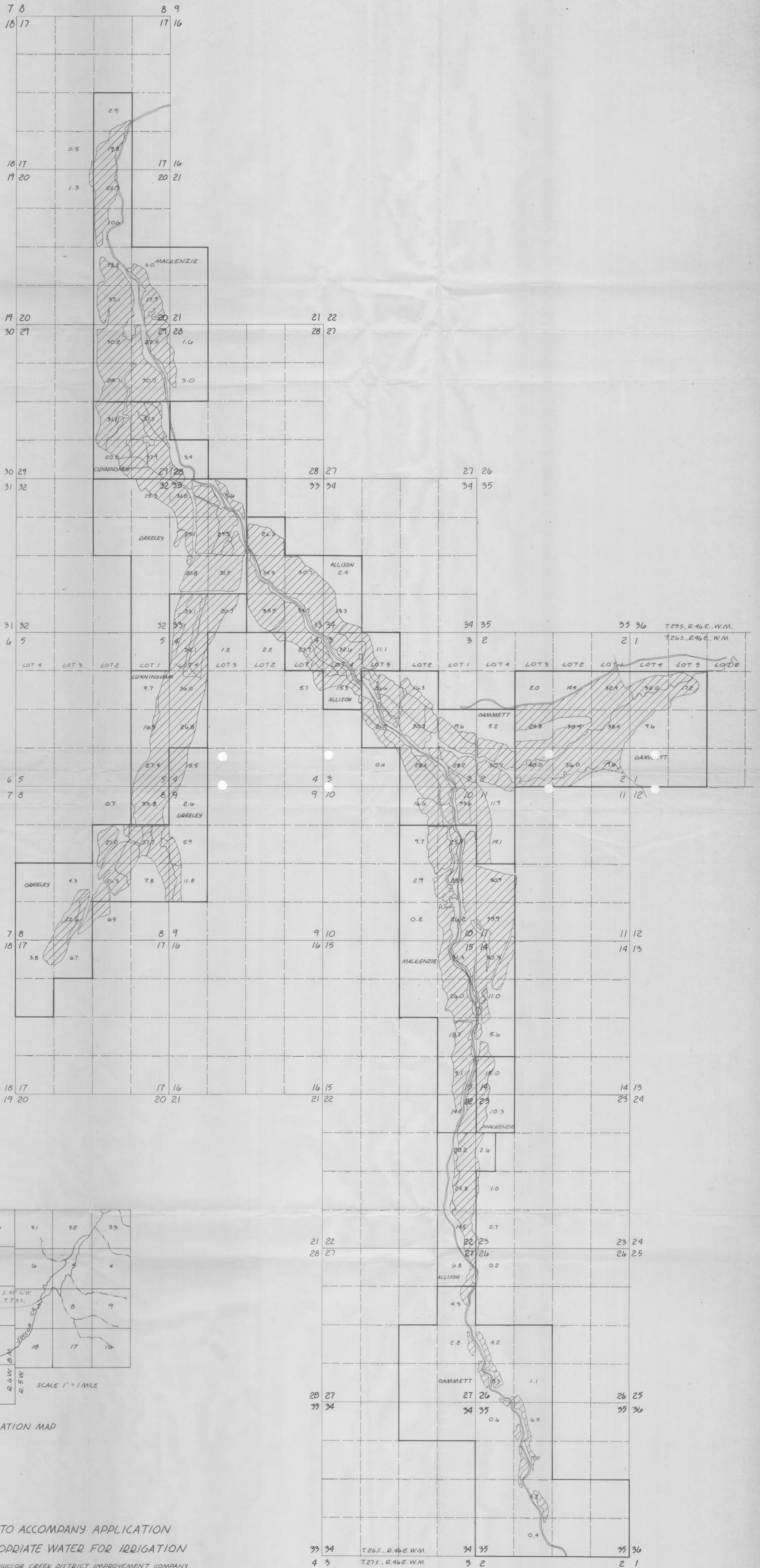
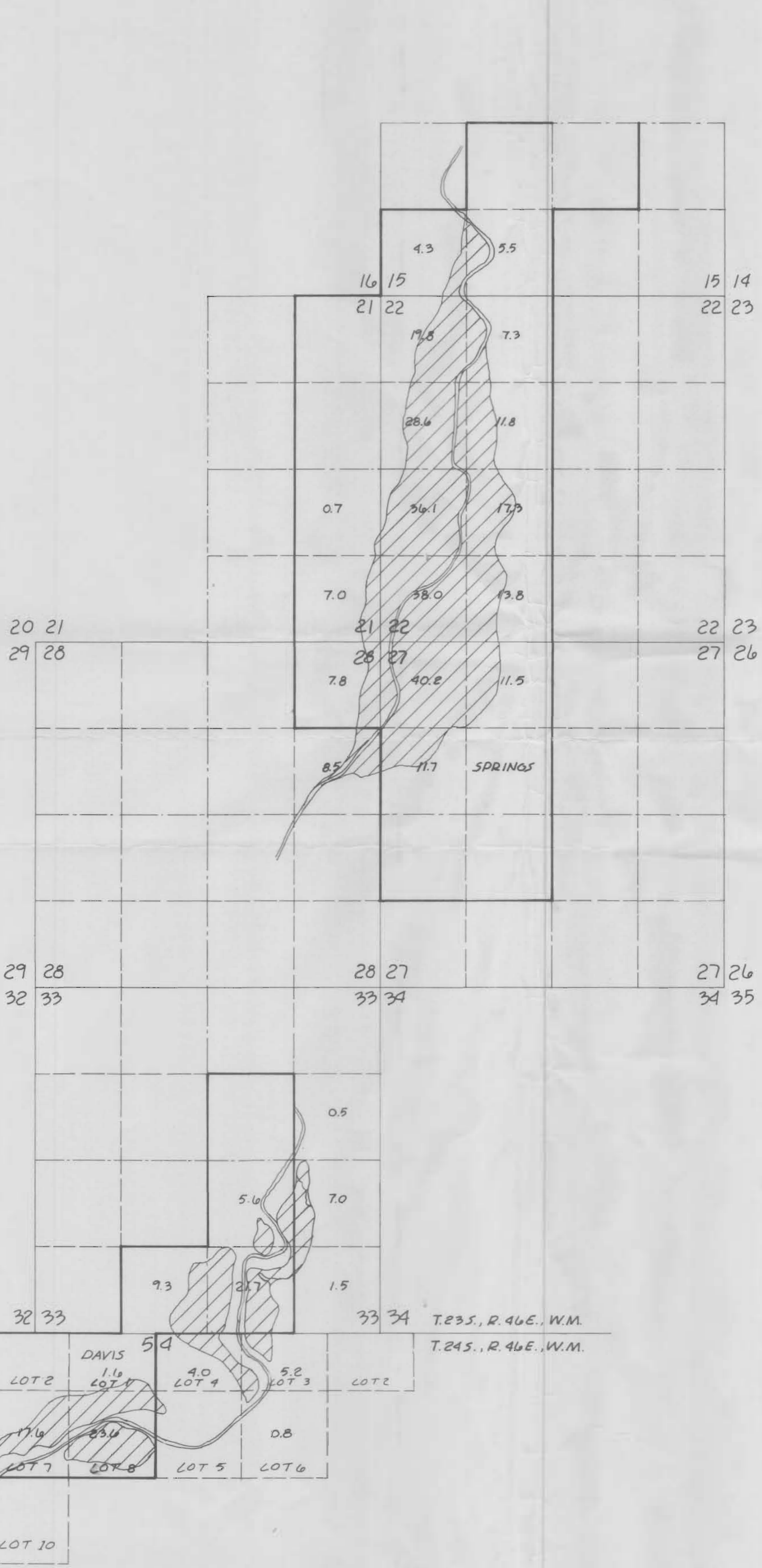
GPM 412 x # of FUL  
CFS 1/70 x # of FUL

6. Location of place of use:  
13, 12, 11 Sections, Township 27 N (S), Range 47 (E) W.  
\_\_\_\_\_ Sections, Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W.  
(Attach additional pages if necessary)

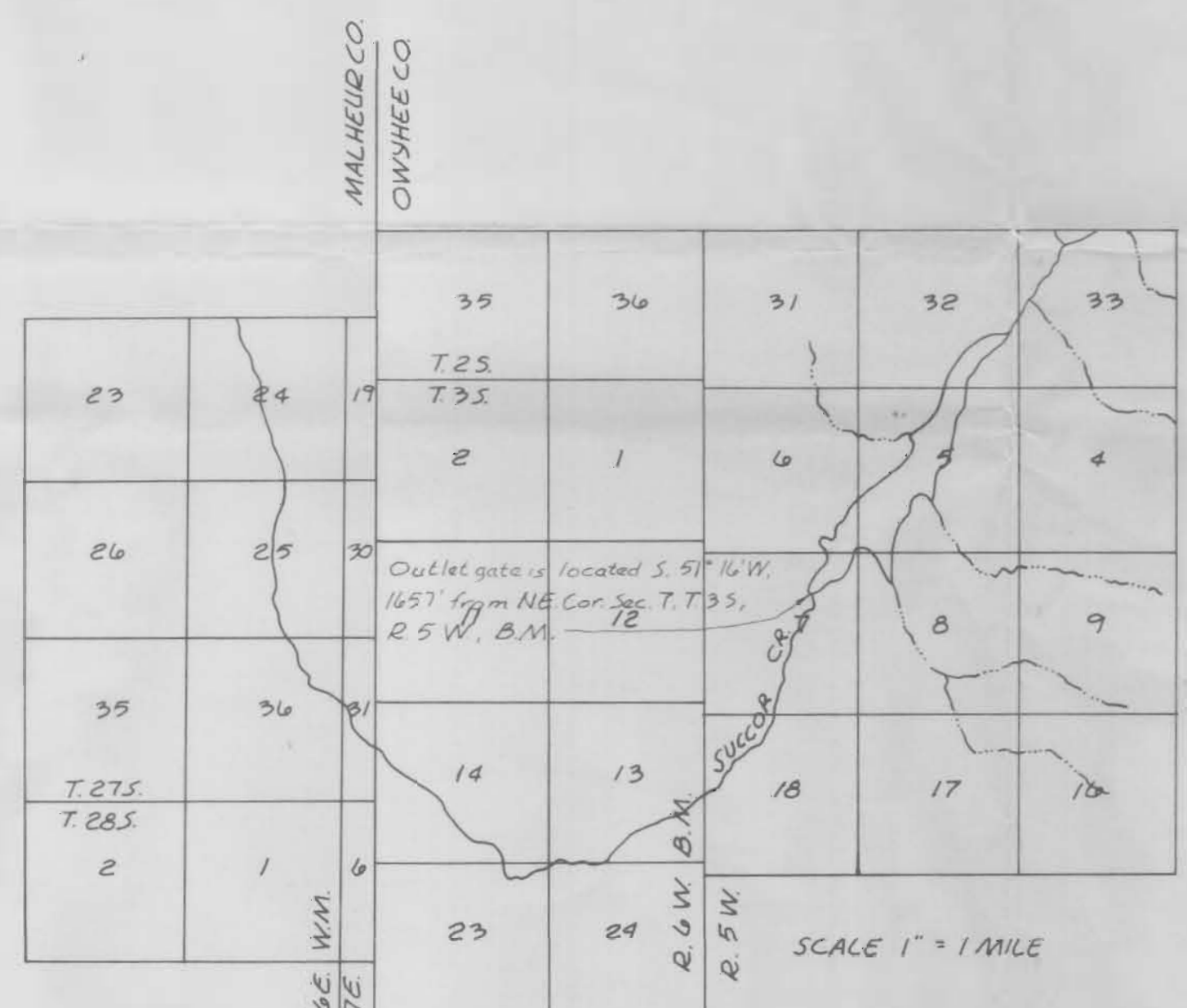
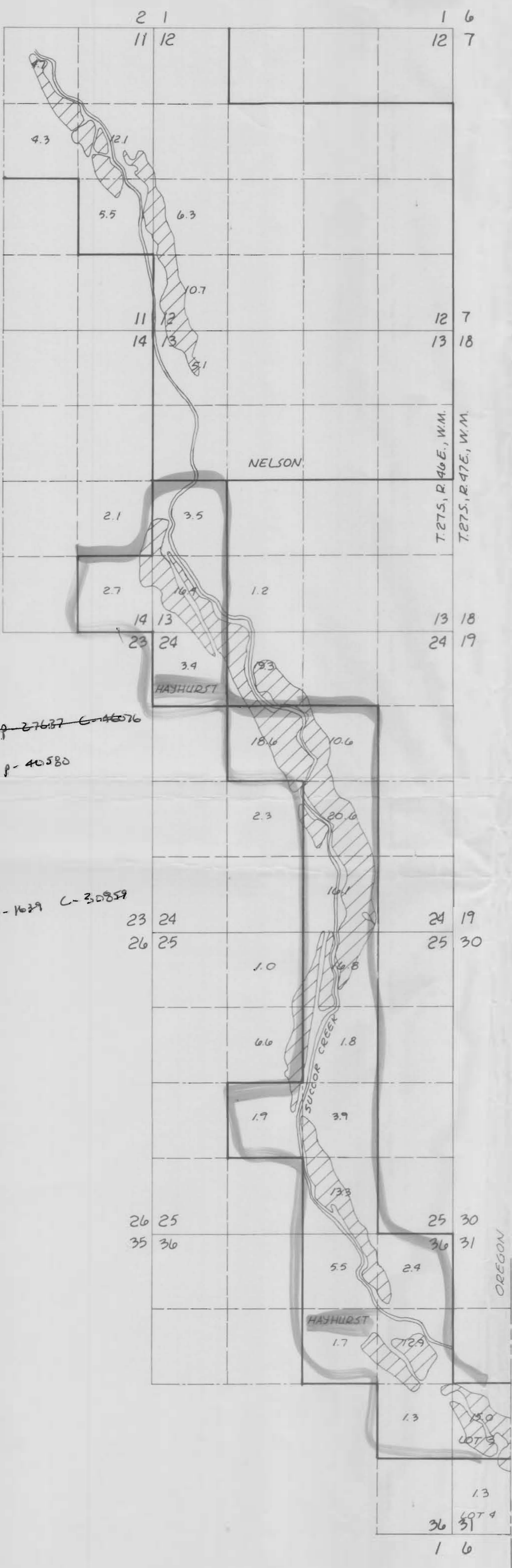
7. Usual period of use: 4 / 1 / 1 to 9 / 1 / 1 IRRIGATION  
month day month day  
12 / 1 To 12 / 1 - STOCKWATER







RECEIVED  
DEC 28 1982  
WATER RESOURCES DEPT.  
SALMON, OREGON



MAP TO ACCOMPANY APPLICATION  
TO APPROPRIATE WATER FOR IRRIGATION  
APPLICANT: SUGOR CREEK DISTRICT IMPROVEMENT COMPANY  
DRAWN AUGUST, 1975  
REVISED MARCH 31, 1976  
REVISED SEPTEMBER, 1981  
REVISED SEPTEMBER, 1985  
SCALE: 1" = 1320'

A-36002 p-27627 C-40576  
A-5184 p-40580  
A-30002 p-1024 C-30057