

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This is to Certify, That

MAUDE HAYLETT

has a right to the use of

of Jordan Valley, State of

Oregon

the waters of Cow Creek

for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order

9 at page

1; that the priority

Record of the STATE ENGINEER, in Volume

of the right thereby confirmed dates from

March 15, 1889 for Tract #3;
Tract #5

1888 for Tract #1; 1888 for Tract #2;

March 15, 1901 for Tract #4; March 1, 1903 for

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2 acre feet per acre

prior to June 1st, and 1 acre foot per acre during any calendar month after

June 1st, of each irrigation season from April 1st to October 15th.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

TRACT #1: 9.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M.,
(East side of Cow Creek)

TRACT #2: 9.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M.

TRACT #3: 17.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ (West side Cow Creek), 34.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M., being a total of 52.1 acres.

TRACT #4: 35.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 9.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 34.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 15.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 6.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T. 28 S., R. 46 E., W.M., being a total of 102 acres.

TRACT #5: 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M.

And said right shall be subject to all other conditions and limitations contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer.

afford this day

20th

day

of November, 1929.

9.

REMA LUTER,
State Engineer.

- 3-15-1891

- 3-1-1893

Haylett, Maude
Jordan Valley, Ore.
(See Paragraph 20,
page 23)

1900	24.2	Irrigation	South Side	Cow Creek	Section 25, 4.4 acres in SE 1/4 NE 1/4 9 acres in NE 1/4 SE 1/4 11.2 acres in NW 1/4 SE 1/4 Section 26, T. 28 S. R. 45 E. W. M. 18.2 acres in NE 1/4 SE 1/4 1.5 acres in SE 1/4 SE 1/4 Section 26, 3.5 acres in NE 1/4 SW 1/4 1 acre in SW 1/4 SW 1/4 Section 25, T. 28 S. R. 45 E. W. M.
1885	9.5	Irrigation	Shea	Cow Creek	9.5 acres in NE 1/4 SW 1/4 (East side of Cow Creek)
1886	9.5	Irrigation	Shea	Cow Creek	9.5 acres in NE 1/4 SW 1/4 Section 13, T. 28 S. R. 46 E. W. M.
March 15, 1889	52.1	Irrigation	Rock Corral	Cow Creek	17.2 acres in NE 1/4 SW 1/4 (West side Cow Creek) 34.9 acres in SW 1/4 SW 1/4 Section 13, T. 28 S. R. 46 E. W. M.

OWYHEE RIVER - Cow Creek -71-

26

Decree - May 14, 1932

Recorded - Vol. 11, p. 447

Order Supreme Court

Recorded - Vol. 12, p. 395

Haylett, Maude
(Continued)

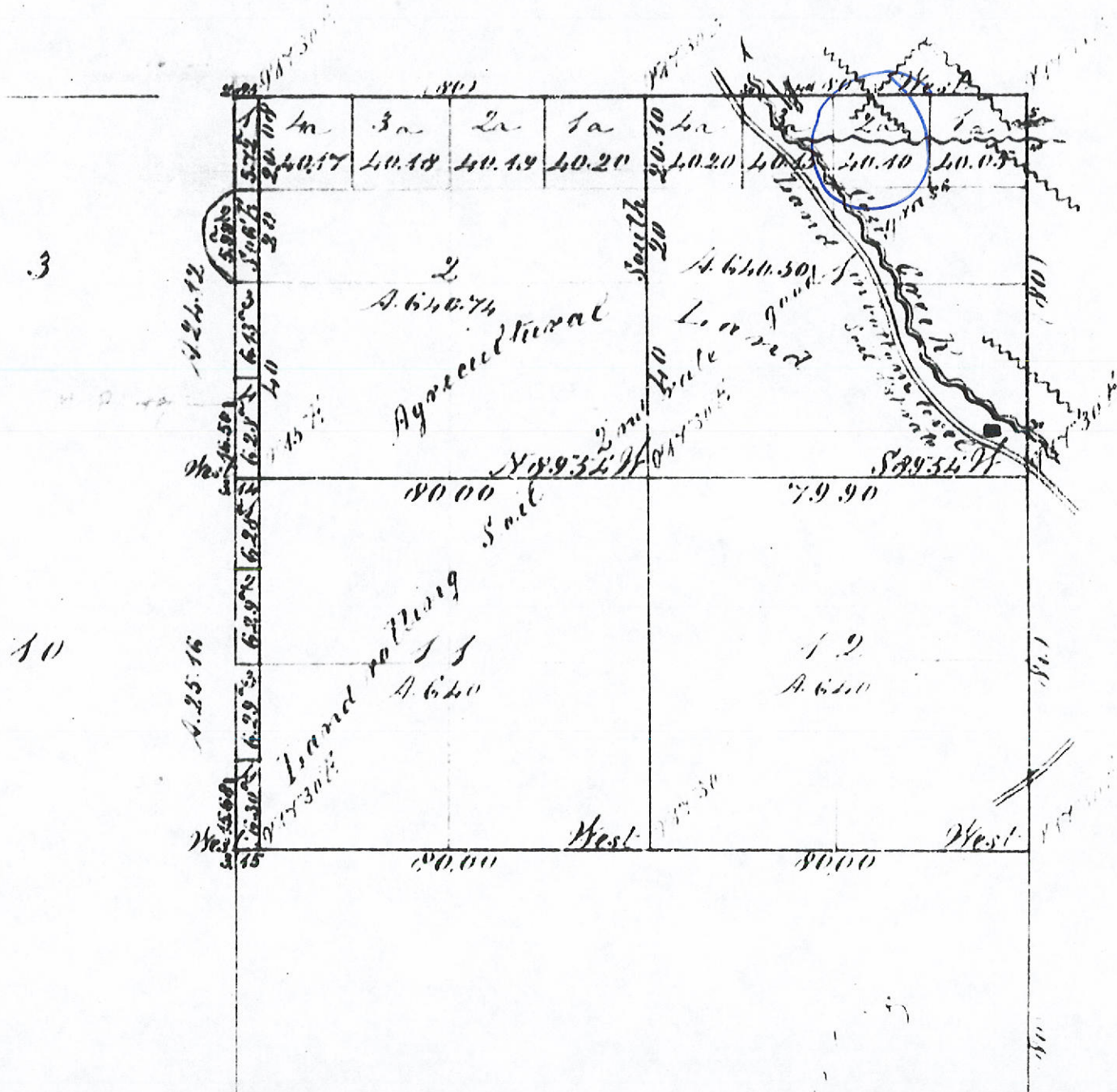
March 15, 1891	102	Irrigation	Goodyear	Cow Creek	35.3 acres in NE 1/4 NW 1/4 8.1 acres in NW 1/4 NW 1/4 34.9 acres in SW 1/4 NW 1/4 Section 13, 1 acre in SE 1/4 NE 1/4 15.9 acres in NE 1/4 SE 1/4 6.8 acres in SE 1/4 SE 1/4 Section 14, T. 28 S. R. 46 E. W. M.
March 1, 1893	40	Irrigation	Haylett	Cow Creek	40 acres in NE 1/4 SW 1/4 Section 13, T. 28 S. R. 46 E. W. M.
July 5, 1887	143.3	Irrigation	Checks, dams, ditches, flooding	East Cow Creek Springs & three other springs	37.5 acres in SW 1/4 SE 1/4 35.4 acres in SE 1/4 SW 1/4 35.9 acres in SW 1/4 SW 1/4 Section 15, 34.5 acres in SE 1/4 SE 1/4 Section 16, 40 acres in NE 1/4 NE 1/4 40 acres in SE 1/4 NE 1/4 Section 21, 33.3 acres in NW 1/4 NW 1/4 31.5 acres in NE 1/4 NW 1/4 acres in SW 1/4 NE 1/4 acres in SE 1/4 NW 1/4 acres in NW 1/4 NE 1/4 acres in NE 1/4 SW 1/4 Section 22,

Jordan Valley Cattle Co.,
a corporation,
224 Idaho Bldg.,
Boise, Idaho.
By: Timeteo Lequerica, Agt.,
Danner, Ore.

3a

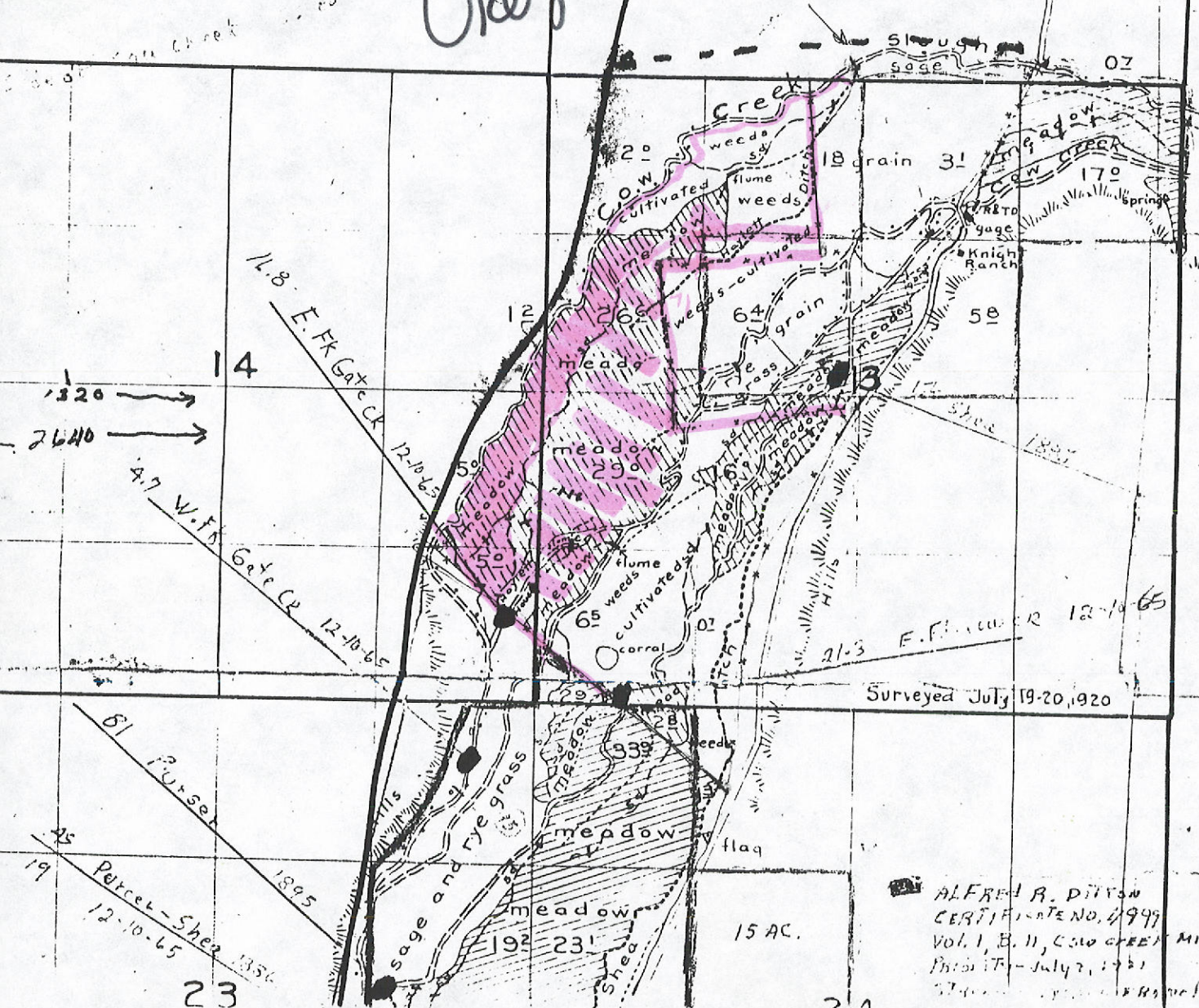
455-10014

Range N^o 6 West Boise Meridian



28S 46E

Page 4a



A55-10014

#1



6-8-92

Point of diversion

#2



6-8-92

Place of use

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Telephone No. 503-586-2291

- (Both dates inclusive)
Day (Mo., Day)

Quantity	0%	TOTAL QUANTITY USED
4.00 cfs		
(4)		

6W B.M., County of Owyhee
Rge.

diversion dam and ditches

change →

- Union.

No. of acres	200
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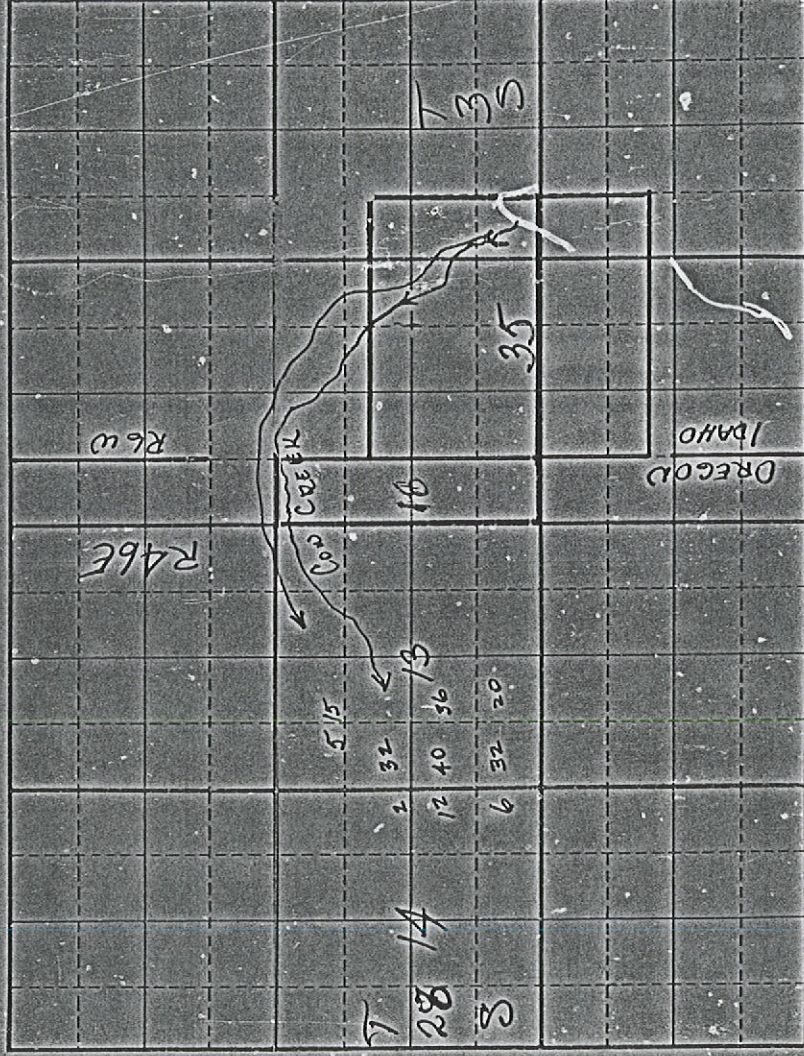
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 200 Head/Range

(7) If you are claiming water as a member of an organization, list name of organization:

(7) If you are claiming water as a member of an organization, list name of organization

(8) Remarks Other points of diversion in Oregon.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water, by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Ada

Be it known that the undersigned, being duly sworn, depose and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts herein are true to the best of the affiant's knowledge.

Deputy J. H. Harnett
(Claimant)

Sworn to before me this 12 day of SEPT 1921.

Donald H. Harnett
Notary Public
Residing at Boise

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by *Ad* Date *9/15/21* Exception filed by

Prelim. check by *Am* Date *9/15/21*

\$30.00 fee received by *Am* Date *9/15/21*

Published in *Spokane Spokesman*

Dates *9/15/21 to 9/15/21*

Forwarded to claimant by:

Date

RECEIVED

OCT 13 1961

Department of Water Resources
Western Regional Office

State of Idaho Dept of Water Resources October 13 1961

I would like to lodge a formal protest against the filing of a water rights claim by R. L. Hardman, Jordan Valley, Ore. The claim is being filed on Section 35 T3 South Range 6 West, priority date 1865.

This protest is filed on the grounds that the character and status required to implement and carry out the water right claim are in my decided hand. Also there is not an existing water right of way or claim which I believe the claimant except our own. And there is not a cooperative agreement, nor has there been a prior agreement.

I would also like to lodge a protest over the amount of water being claimed, 400 cfs. There are no more here a view of what would be required by Mr. Hardman in the past, mainly because I have not met in those places. We for here which center policy - there is creek flow and this year would be it would be impossible to supply in any year.

Also the priority date claim be unworkable as the property was that but to be developed on this creek.

CUTR

for my production - have any to
I believe that would make the
property better than we started.

Doug Burgess
581 Cedar Ave.
Jordan Valley, N.C. 97910

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A55-10014
Date Received 12-6-88
Receipt Number C 3778

AMENDED

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 30 1993

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) James Hayhurst Phone (503) 586-2696
Mailing Address 1455 Hwy 95N Jordan Valley, OR Zip 97910

2. Date of Priority (Only one (1) per claim) March 15, 1891

3. Source of water supply (a) Cow creek
which is tributary to (b) Cow Lakes

4. a. Location of existing point of diversion is: Township 4S Range 6W Section 1,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, 2a B.M., County of Owyhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dam & ditches

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

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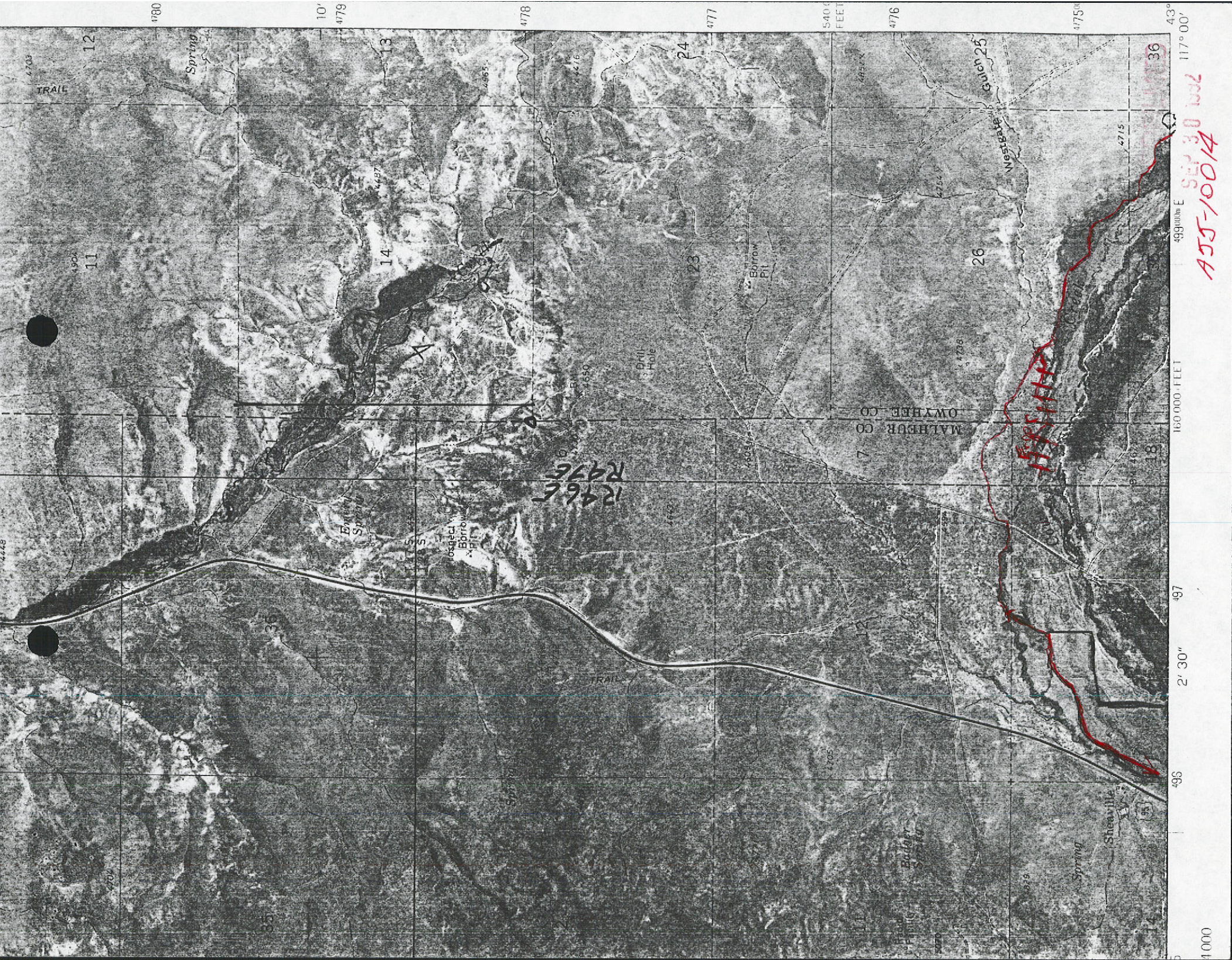
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A55-10014

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A55-10014**
Date Received: 12/ 6/1988
Receipt No: C003778
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES HAYHURST 503-586-2697
Address: 1455 HWY 95 N
JORDAN VALLEY OR 97910

2. Date of Priority: MAR 15, 1891

3. Source: COW CREEK Trib. to: COW LAKES

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	06W	1	NW	NE		2	OWYHEE

5. Description of diverting works:
DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.640		
STOCKWATER	01/01	12/31	0.090		

7. Total Quantity Appropriated is:
1.730 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 HD MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

PLACE OF USE IN OREGON: 82 ACRES
T28S, R46E, SEC. 13, NENW(29), NWNW(4), SWNW(30)
SEC. 14, NESE(13), SESE(6)

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

AJ0749NP
No. R55-10014

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES HAYHURST 1455 HWY 95 N JORDAN VALLEY OR 97910 (503) 586-2696	04/15/1891	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	1.64 CFS 0.09 CFS	
TOTAL DIVERSION:					1.73 CFS	

Water Source: COW CREEK

Tributary to: MAHOGANY CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R06W S01 Lot02(NWNE)

OWYHEE County

POU County:

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: POU1 PLACE OF USE INCLUDES THE IRRIGATION OF 82 ACRES WITHIN THE
STATE OF OREGON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 55-10355
STOCKWATER, 400 RANGE CATTLE & HORSES

Dates: Exam Made Date: 06/09/1992 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/03/1995 User-ID: LWERNER Subject: COPIED FROM REMARKS
PLACE OF USE IN OREGON: 82 ACRES
T28S, R46E, SEC. 13, NENW(29), NWNW(4), SWNW(30)
SEC. 14, NESE(13), SESE(6)

Audit: 02/27/98 LHARRIS

AJ0749NP
No. R55-10014

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES HAYHURST 1455 HWY 95 N JORDAN VALLEY OR 97910 (503) 586-2696	04/15/1891	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	1.64 CFS 0.09 CFS	1.73 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					1.73 CFS	205.00 AFA

Water Source: COW CREEK

Tributary to: COW LAKES

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04S R06W S01 Lot02(NWNE)

OWYHEE County

POU County:

Non-Irrigation Uses: STOCKWATER, 400 CATTLE, HORSES

Remarks: PLACE OF USE INCLUDES THE IRRIGATION OF 82 ACRES WITHIN THE
STATE OF OREGON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 55-10355

Dates: Exam Made Date: 06/09/1992 Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/03/1995 User-ID: LWERNER Subject: COPIED FROM REMARKS
PLACE OF USE IN OREGON: 82 ACRES
T28S, R46E, SEC. 13, NENW(29), NWNW(4), SWNW(30)
SEC. 14, NESE(13), SESE(6)

Audit: 02/03/95 LWERNER

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

MAR 24 1998

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A

NOTICE OF ERROR REPLY IS:

March 30, 1998

Water right number:

55-10014

JAMES HAYHURST

1455 HWY 95 N

JORDAN VALLEY OR 97910

Daytime Telephone Number: 541-586-2699
Evening Telephone Number: //

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3-19-98

SIGNATURE: James Hayhurst

Please print your name: James Hayhurst

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1979</u> IDWR ID NO. <u>252253</u>	Y(☒) N(☐) <u>3b</u>
☒ TOPOGRAPHIC	~~DATE FIELD CHECKED~~ <u>Oregon POW</u> IDWR ID NO. _____	Y(☒) N(☐) <u>4a</u>
☐ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y(☐) N(☐)
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY <u>Page 3a</u>	Y(☒) N(☐)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
☒ OTHER <u>Field exam memo</u>	DATE <u>5-27-92</u> <u>Page 1a</u>	Y(☒) N(☐)
☒ OTHER <u>Cow Creek Prop. Decree</u>	DATE <u>5-14-1932</u> <u>Page 2b (Oregon Decree)</u>	Y(☒) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>11-20-1929</u>	<u>1</u>	<u>Oregon Cert. of Water Page 2a</u>
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>6-9-92</u>	<u>1</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>6-9-92</u>	<u>5</u>	<u>Pages 6a to 6e</u>
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-10014

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	6-8-92		* 6	Received amended claim.			
PT. OF DIV.	L.R.W.		4, 5	N			DATA ENTRY COMPLETED
SOURCE			5, 6	Trib. Cowlakes	Y		BY L.R.W. DATE 2-3-95
PL. OF USE			1, 5	Y	Y		FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF			5	N			BY _____ DATE _____
CONSUMPTIVE USE			Dept. Std.				Z 52 NE
NATURE OF USE			5				
PERIOD OF USE			Dept.	Y			
BASIS OF CLAIM	STAT. B.U. CLAIM		J				
REMARKS							

VERIFICATION CODES

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

* - A OR decreed right

COMMENTS:

Claimant contact for priority date. See pg. 4.

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
☒ Copy of Adjudication Claim
☒ Copies of pertinent files(prev. rts., exams, etc.)
☐ Well Inspection Form (If Needed)
☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap yes ☒ no If yes: copy of claims & water rights incl?
Type of Overlap? Add acres or uses to existing system
 Increase rate of flow or volume
 Other:
- Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
 Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap yes no If yes: copy of claims & water rights incl?
Type of Overlap? Increase rate of flow or volume
 Add P/D's
 Increase number of acres within tracts
 Different source for same acres
 Other:

- ☒ Appointment Letter Sent? 5-22-92 LRW (initial & date)
☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed CVR Form
☒ Photographs of Point(s) of Diversion and Place of Use
☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

Claim No. submitted for weekly exam completed prog. report? ☒ Yes No
Exam completed date data entered on claim LRW 5-24-93 (initial & date)
Claim Verification Report completed LRW 5-24-93 (initial & date)
Was CVR spot-checked by Supervisor? Yes ☒ No (initial & date)
R claim file created LRW 2-3-95 (initial & date)
Recommendations entered on R claim file LRW 2-3-95 (initial & date)

NIA
Oregon
lands

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:30:16
05/22/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-10014

LAST: HAYHURST FIRST: JAMES
ADDRESS: 1455 HWY 95 N
CITY: JORDAN VALLEY STATE: OR ZIP: 97910
PHONE NUMBER: 503-586-2697
OWNER CODE: C
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER
CLAIM REMARKS: PLACE OF USE IN OREGON: 95 ACRES
T 28S R 46E 13 NENW(11) SWNW(32) SENW(07) NESW(02) NWSW(27)
SWSW(01)
14 NESE(10) SESE(05)

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / REMARKS:

See Page 1a

5-27-92

1a

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A55-10014

NAME OF CONTACT Arnon Kasper

PHONE NO (503) 586-2687 ADJ. AGENT J. Warner

DATE SET FOR EXAM 6-9-92 3⁰⁰

LOCATION By D. Burgess's diversion. He will
locate us.

Diverting at full rates? No

Type of measuring devices? No

Places to make measurements? _____

Type of system? (pipeline, ditches) Ditches - Mammings

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS _____

A. AJ CLAIM: # A55-10014 PRIORITY DATE: 04-01-1865 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	Y	

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: Hand copy of OR water right record, substantiating the P.D.
Copy submitted. See pg. 4 regarding priority date & place
of use.

=====

RECOMMENDED PRIORITY DATE:

4-15-1891

REVIEWED BY Linda Wiener

DATE 5-24-93

=====

2a

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This is to Certify, That MAUDE HAYLETT

of Jordan Valley, State of Oregon has a right to the use of
the waters of Cow Creek
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 9 at page 1; that the priority of the right thereby confirmed dates from 1895 for Tract #1; 1895 for Tract #2; March 15, 1899 for Tract #3; March 15, 1891 for Tract #4; March 1, 1893 for Tract #5

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2 acre feet per acre prior to June 1st, and $\frac{1}{2}$ acre foot per acre during any calendar month after June 1st, of each irrigation season from April 1st to October 15th.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

TRACT #1: 9.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M.
(East side of Cow Creek)

TRACT #2: 9.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M.

TRACT #3: 17.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ (West side Cow Creek), 34.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M., being a total of 52.1 acres.

~~TRACT #4:~~ 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M., being a total of 101 acres.

-3-15-1891

~~TRACT #5:~~ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T. 28 S., R. 46 E., W.M.

-3-1-1893

And said right shall be subject to all other conditions and limitations contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 20th day
of November, 192 9.

REMA LUTER,
State Engineer.

	1900	24.2	Irrigation	South Side	Cow Creek	section 25, 4.4 acres in SE 1/4 NE 1/4, 9 acres in NE 1/4 SE 1/4, 11.2 acres in NW 1/4 SE 1/4, Section 26, T. 28 S. R. 45 E. W. M., 18.2 acres in NE 1/4 SE 1/4, 1.5 acres in SE 1/4 SE 1/4, Section 26, 3.5 acres in NE 1/4 SW 1/4, 1 acre in SW 1/4 SW 1/4, Section 25, T. 28 S. R. 45 E. W. M.
8383 Haylett, Maude Jordan Valley, Ore. (See Paragraph 20, page 23)	1885	9.5	Irrigation	Shea	Cow Creek	9.5 acres in NE 1/4 SW 1/4 (East side of Cow Creek)
	1886	9.5	Irrigation	Shea	Cow Creek	9.5 acres in NE 1/4 SW 1/4 Section 13, T. 28 S. R. 46 E. W. M.
	March 15, 1889	52.1	Irrigation	Rock Corral	Cow Creek	17.2 acres in NE 1/4 SW 1/4 (West side Cow Creek) 34.9 acres in SW 1/4 SW 1/4 Section 13, T. 28 S. R. 46 E. W. M.

OWYHEE RIVER - Cow Creek -71-

26

Decree - May 14, 1932

Order Supreme Court

Recorded - Vol. 11, p. 447

Recorded - Vol. 12, p. 395

RECORDED - Vol. 11, p. 447

Haylett, Maude
(Continued)

March 15,
1891

102

Irrigation

Goodyear

Cow
Creek

35.3 acres in NE 1/4 NW 1/4,
8.1 acres in NW 1/4 NW 1/4,
34.9 acres in SW 1/4 NW 1/4,
Section 13,
1 acre in SE 1/4 NE 1/4,
16.9 acres in NE 1/4 SE 1/4,
6.8 acres in SE 1/4 SE 1/4,
Section 14,
T. 28 S. R. 46 E. W. M.

March 1,
1893

40

Irrigation

Haylett

Cow
Creek

40 acres in NW 1/4 SW 1/4,
Section 13,
T. 28 S. R. 46 E. W. M.

8383
Jordan Valley Cattle Co., July 5,
a corporation, 1887
224 Idaho Bldg.,
Boise, Idaho.
By: Timoteo Lequerica, Agt.,
Danner, Ore.

682.8
ac.
total
from
East
Cow
Creek

143.3

Irrigation

Checks,
dams,
ditches,
flooding

East
Cow
Creek
Springs
& three
other
springs

37.5 acres in SW 1/4 SE 1/4,
35.4 acres in SE 1/4 SW 1/4,
35.9 acres in SW 1/4 SW 1/4,
Section 15,
34.5 acres in SE 1/4 SE 1/4,
Section 16,
40 acres in NE 1/4 NE 1/4,
40 acres in SE 1/4 NE 1/4,
Section 21,
33.3 acres in NW 1/4 NW 1/4,
31.5 acres in NE 1/4 NW 1/4,
acres in SW 1/4 NE 1/4,
acres in SE 1/4 NW 1/4,
acres in NW 1/4 NE 1/4,
acres in NW 1/4 SW 1/4,
Section 22,

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-10014	04S	06W	1	SE	NE	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: COW CREEK

TRIB: COW LAKES

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

~~Y~~

REMARKS:

Point of diversion very close to the NE 1/4 NW 1/4, Section 1; however, orthophoto quad shows it on NW 1/4 NE 1/4, Section 1.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
4S	6W	1	SE	NW	NE	2a	OWY

SOURCE: Cow cr

TRIB: Cow lakes

REVIEWED BY: Linda Wimmer

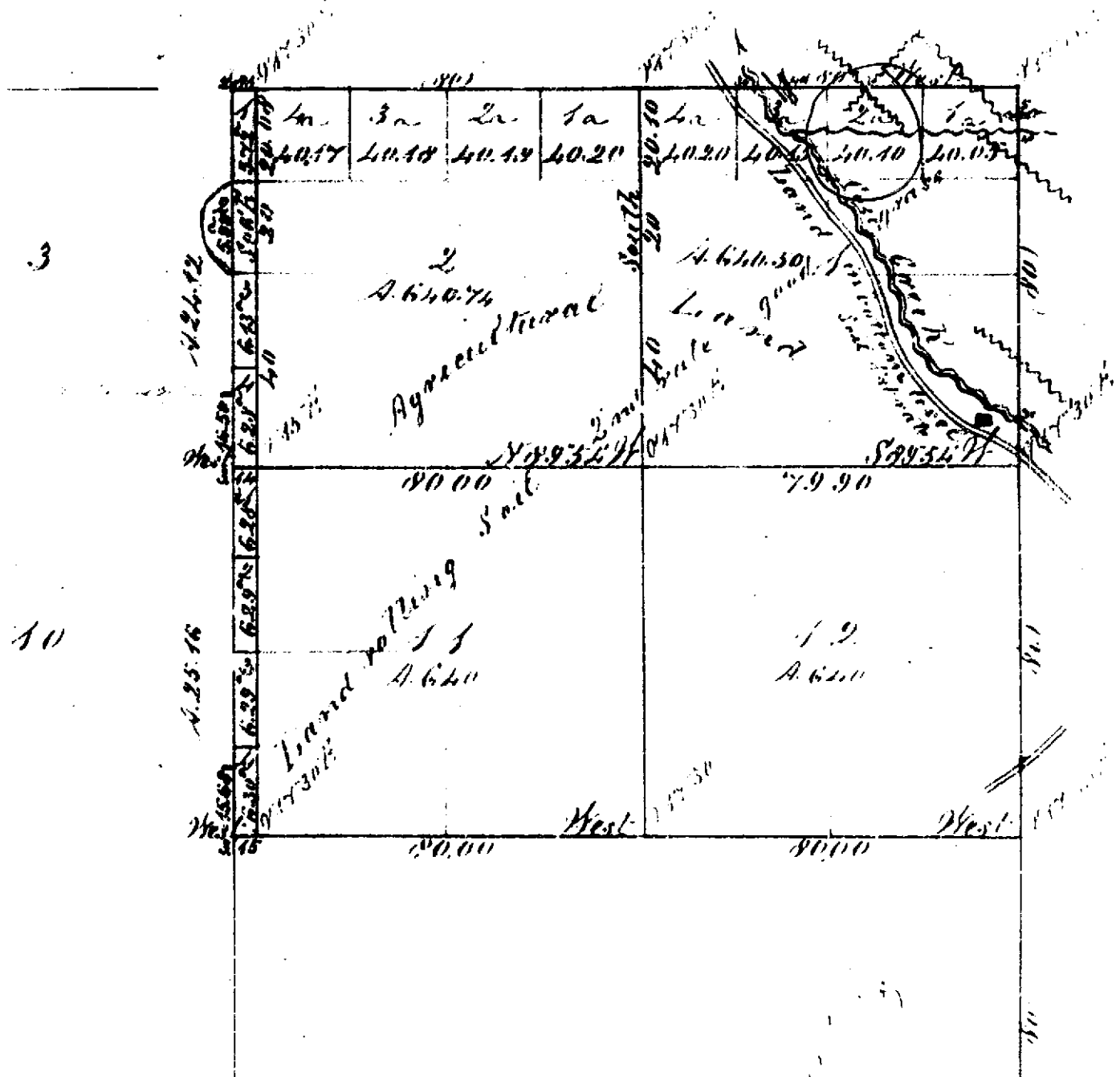
DATE: 5-24-93

T 48, RGW, Sec. 1

455-10014

3a

Range N^o 6 West Boise Meridian ⁴⁵³⁻¹⁰⁰¹⁴



A. ROOT WATER RIGHT NUMBERS: A55-10014

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
01S	01E	1	NE	NW		HAYHURST, JAMES	A55-10014 /11.0	-	/		
TOTAL ACRES							A55-10014	11.00			

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y
FIELD EXAMINER X

PRESUMPTION FLAG:

REMARKS:

Place of use in Oregon. None should be in Idaho. All on west side of
COW CR. T28S R46E

Sec. 13		Sec. 14	
1891	* (NENW = 29; *NWNW = 4)	1893	*NESE = 13
	*SWNW = 30; NWSW = 28		*SESE = 6

RECOMMENDATIONS: Total Oregon acres = 110

TOTAL ACRES: 82
REVIEWED BY: Linda Warner

DATE: 5-24-93

The above acreages were decreed in the Cow cr. decree from Oregon with the corresponding priority dates, ie. 1891 & 1893. (3-15) (3-1)

Since the 28 acres in the NW 1/4 SW 1/4 have a decree of 1893 claimant will have to submit another claim for this separately or this claim will be recommended for all acres with a 1893 date.

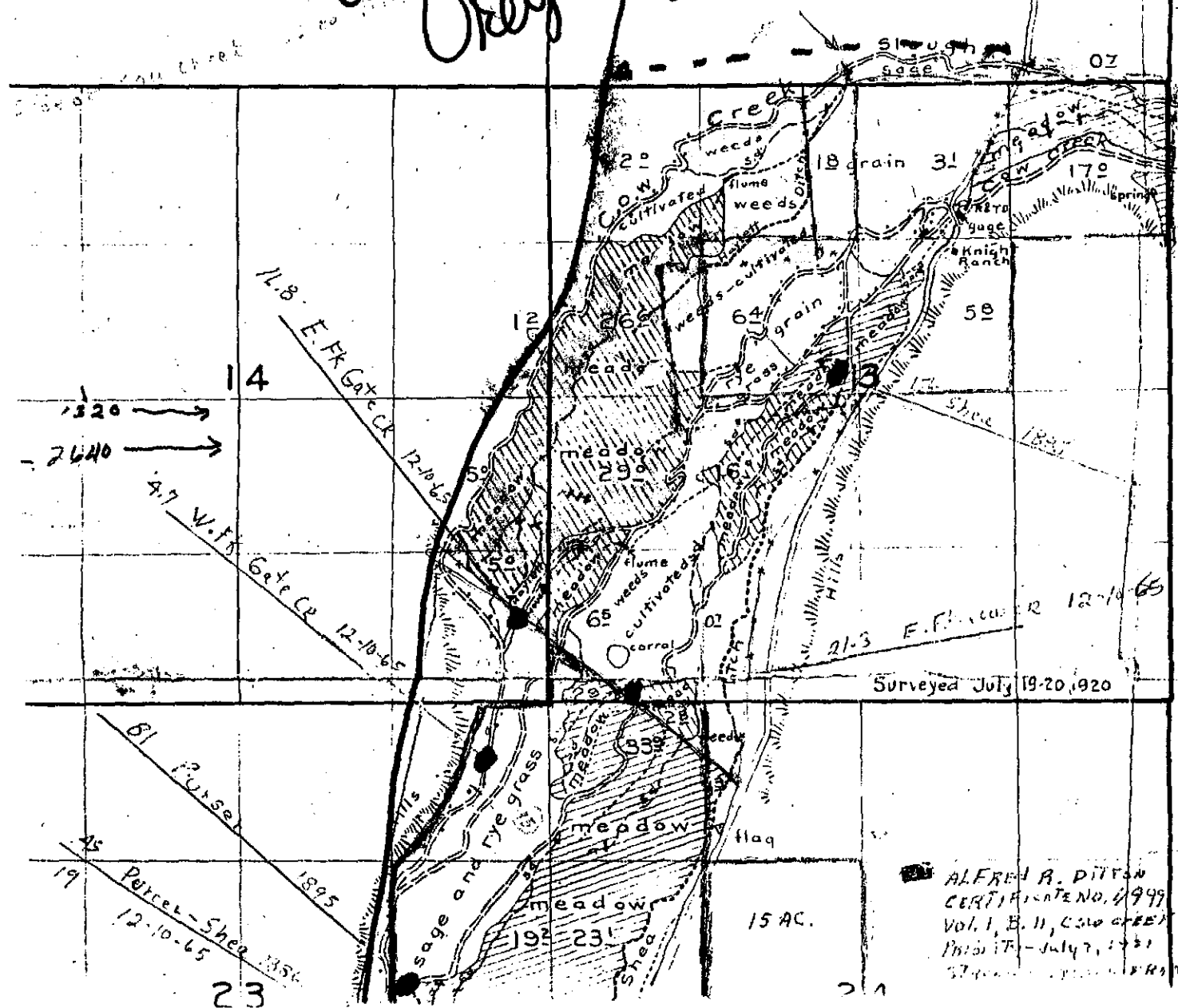
* Amended claim received on 4-30-93. The acreages with custericks have the 1891 priority & are what's recommended.

Place of
use in
Oregon

28S 46E

1871 12
STREAN - COW CREEK
PRESENT OWNER - GROVER C. BAY

Page 4a



A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-10014 IRRIGATION	FROM 04-01 TO 11-01	1.900 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.900 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(~~X~~) N()

Explain in remarks, below.

REMARKS:

4-15 to 10-15

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.900 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD Mannings Channel, SEE ATTACHED CALCULATIONS.

Capacity

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MANNING EQUATION CHANNEL CAPACITY RESULTS

04-21-1993

6a

File Number: A55-04016

Claimant: DOUG BURGESS

Channel measured: COW CREEK

Date of measurement: 06091992

Measurement location:

NORTH DITCH FROM DIVERSION 2

Calculation prepared by: KAY WALKER

Comments about the measurement:

NONE

The results of the calculation are:

The length of the channel measured is 135 feet.

The upstream and downstream rod readings are 6.68 and 7.18 feet.

The channel cross section is 3.02 ft-sq.

The wetted perimeter is 4.47 feet.

The hydraulic radius is 0.68 feet.

The slope is 0.0037

The roughness coefficient is 0.0632

The flow velocity is 1.105 ft/sec.

The rate of flow is 3.34 cfs.

Mann. Pg. 1 of 5

CROSS SECTION NUMBER 1

66

For File Number A55-04016 for the COW CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.99	0.99	0.50
3	1.26	1.26	1.00
4	1.31	1.31	1.50
5	1.33	1.33	2.00
6	1.16	1.16	2.50
7	0.00	0.00	3.00

The area for this cross section is 3.02 square feet
and the wetted perimeter is 4.47 feet.

Mann, Pg. 2 of 4⁵¹

MANNING EQUATION-DATA COLLECTION

Claim No(s):

A55-04016

6c

Name of Claimant: D. Burgess

Name of Ditch, Canal, or Stream Name: N. ditch from div. 2

Date of Measurement: 6-9-92

Data Collected By: Jay & Linda

Measurement Location: 1/4 1/4 Section T R

General Description and Comments

Cross-section Data

Basis: High water mark () Maximum capacity (✓)

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. 0	0 EW	11.	
2. .99	0.5	12.	
3. 1.26	1.0	13.	
4. 1.31	1.5	14.	
5. 1.33	2.0	15.	
6. 1.16	2.5	16.	
7. 0	3.0 EW	17.	
8.		18.	
9.		19.	
10.		20.	

Slope Data

Basis: High water mark () Channel bottom () Land surface (✓)

Channel length from cross section: Upstream 66' Downstream 69'

Total channel length used for slope measurement: 135'

Rod reading at engineers level: _____

Upstream rod reading 6.68 - High Water Mark (if taken from channel bottom) = _____

Downstream rod reading 7.18 - High Water Mark (if taken from channel bottom) = _____

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

Mamm. Pg. 3 of 4

Downstream

T 5.90

M 5.96

B 5.21

Ditch Bottom 7.18

Upstream

T 5.29

M 4.97

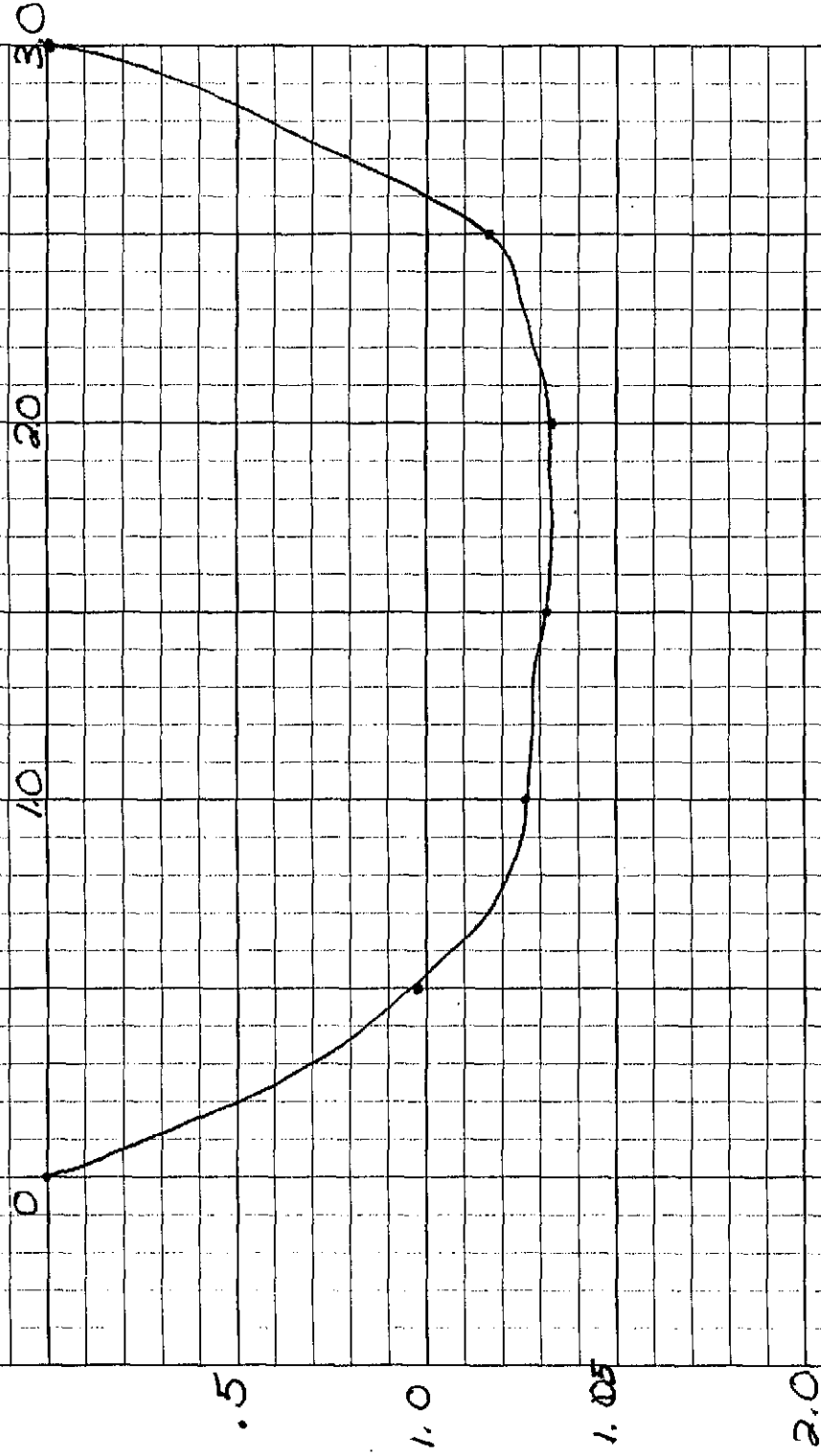
B 4.63

Ditch Bottom 6.68

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	✓	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010	✓	(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005		(2)		.010	✓	(2)
moderate	.010	✓	(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00		(1)
occasional	.005	✓	(2)	appreciable	1.15	✓	(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

W. Ditch from diversion #2

6e



D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 82 x 0.02 CFS/ACRE = 1.64 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 237.5 AF/A

ACRES 82 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 205 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

FOG: 55-10355 - Burgess POD.
JO5: 82 acres, Oregon

1b. CALCULATIONS

Per Cowe co. decree
(Oregon) June 1,
Prior to they're entitled
to .03 cfs/Acre.
After June 1 they get
.00833 cfs/acre.
However, will recommend
quantity per ID standards

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>Irrigation</u>	<u>4-15 10-15</u>	<u>1.64</u>		<u>205</u>
<u>Stockwater</u>	<u>1-1 12-31</u>	<u>0.09</u>		
TOTAL FOR THIS RIGHT		<u>1.73</u>		<u>205</u>

REVIEWED BY:

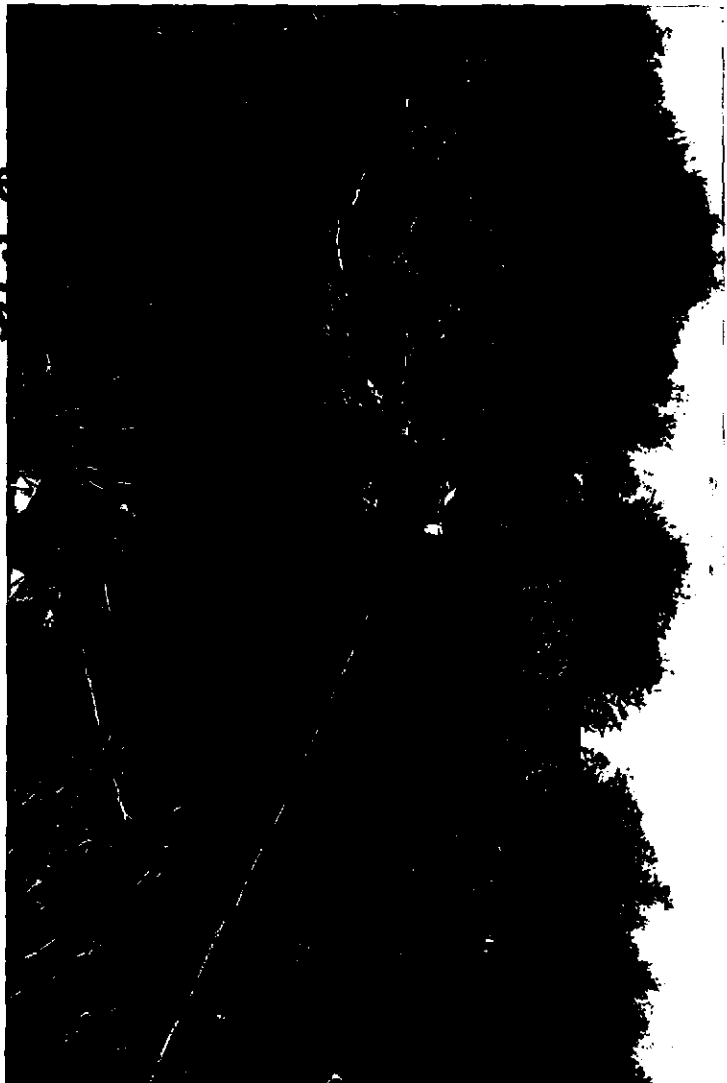
Linda Werner

DATE:

5-24-93

A55-10014

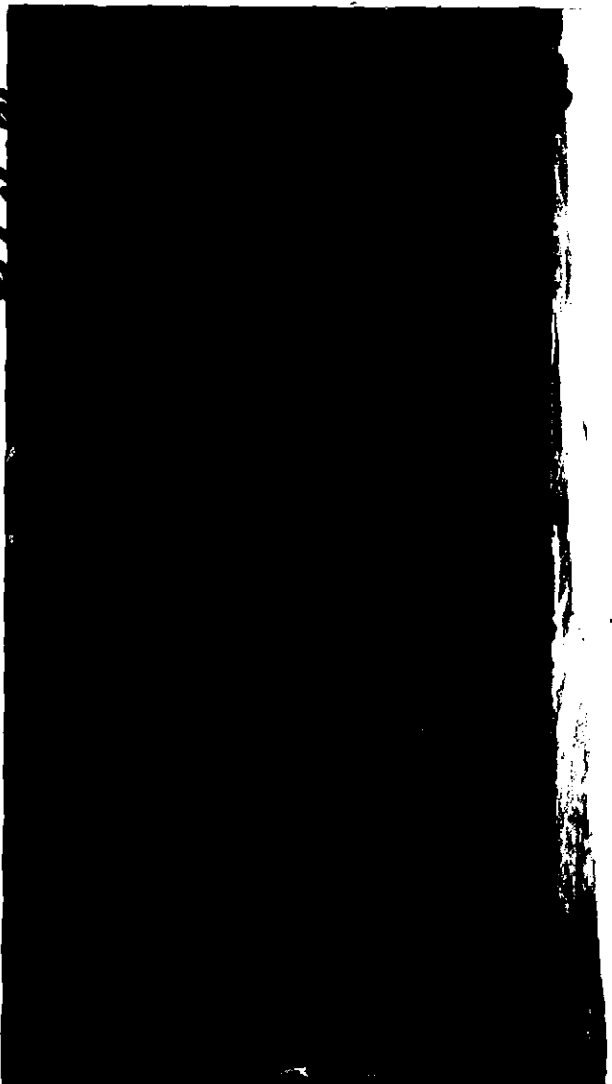
#1



Drive

Point of diversion

#2



Drive

Place of use

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-10014

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
-----------------------------------	----------	----------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-10014	1.900	-		-	
TOTAL CFS		1.900				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: Linda Werner

DATE: 5-24-93 & 2-3-95

NAME OF FIELD EXAMINER: Linda Werner

TITLE: Sr. WR Agent



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 28, 1994

JAMES HAYHURST
1455 HWY 95 NORTH
JORDAN VALLEY OR 97910

Dear Mr. Hayhurst;

Enclosed you will find information relating to my field exam findings regarding the found point of diversion and number and location of irrigated acreage.

You have two Notices of Claim to a Water Right on file with the Department. These are numbered A55-10014 and A55-10355. The water usage relating to each is as follows:

A55-10014

Priority date-4/15/1891
Point of diversion-T4S, R6W, Section 1, NW1/4NE1/4
Place of use-In Oregon at T28S, R46E, Section 13, NE1/4NW1/4-29
acres, NW1/4NW1/4-4 acres, SW1/4NW1/4-30 acres; Section 14,
NE1/4SE1/4-13 acres and SE1/4SE1/4-6 acres
Total acreage = 82 under the 1891 priority date.
Duty of water is 82 inches
Stockwater for 400 cattle on the above lands at 0.09 cfs. (4.5
inches)

A55-10355

Priority date-4/15/1893
Point of diversion-Same as above
Place of use-In Oregon at T28S, R46E, Section 13, NW1/4SW1/4-28
acres
Total acreage = 28 under the 1893 priority date.
Duty of water is 28 inches.
Stockwater for 400 cattle on the above 28 acres at 0.09 cfs.

I am enclosing a map outlining the above diversion and places of use. Remember that the above findings are preliminary recommendations and may be subject to change. Although I do not anticipate any changes, we still have to go through the notification process, notice of error procedure and objection period before these claims are completed and recommended for final court decree.

Page 2
February 28, 1994

Feel free to contact me if you have any comments or questions.

Sincerely,

Linda Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 21, 1993

JAMES HAYHURST
1455 HWY 95 NORTH
JORDAN VALLEY OR 97910

Dear Mr. Hayhurst;

Enclosed please find the two Notices of Claim to a Water Right, which we discussed in our phone conversation Wednesday. Before signing, be sure to look these over to be sure they accurately reflect your usage. I am enclosing a map which shows the place of use. I will also enclose a copy of the document reflecting the priority dates for the lands in question.

Upon receipt I will continue with my field exam write-up and subsequent recommendation. You will be receiving a notice sometime during the winter of 1993 which will outline the preliminary recommendation for the Court. At such time you will then be given a period of time to file a notice of error should there be a problem.

In the meantime, feel free to contact me should you have any questions. Please be sure to return these to my attention as soon as possible.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

4-28-93- J. Hayhurst called, said he was
sending claims in w/ additional fee

CONVERSATION MEMORANDUM

DATE 4-21-93FILE A55-100148
A 55-10355

NAME OF PARTY

James Hayhurst

EMPLOYEE

Linda Wimmer

RE:

Amended claims

Stock - How long are they at P.O. U.? ^{Year} Around
May change season of use. Does he
want to include them as usage? 400 hd = 0.09
Irrigation season of use will be 4-15 to 10-15.

Priority date will be beginning of irr. season -
4-15-1891 * 4-15-1893.

Calculated acreage - more than claimed
106 claimed vs 110 found. Need an
extra \$4.00.

Quantity - did not claim an inch to the acre
Why not? Does he want to?



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: April 13, 1993
RESPONSE DATE: May 13, 1993

James Hayhurst
1455 Hwy 95 North
Jordan Valley, OR 97910

RE: NOTICE OF CLAIM NO: A55-10014

Dear Mr. Hayhurst:

We are currently in the process of preparing the above referenced Notice of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claim listed above. If you filed other claims with yet a different prefix for the claim number, such as A02 or A51, please be advised that these claims will be reviewed at a later date. The following claim requires the information or changes listed:

Priority Date and Place of Use

The date of priority claimed for this usage is April 1, 1865. The information you submitted supporting this date is based on an Oregon decree which supports the dates of 1891 and 1893 for the places of use. On January 2, 1992, we corresponded with Aaron Kasper who indicated that a recommendation of the 1891/1893 priority date based on the decree would be a better representation of the date usage began.

The problem is that there is a portion of the land which is decreed with the 1893 priority date while the rest of the lands have the 1891 priority. We are unable to recommend a water right with two priority dates on the same Notice of Claim. The options would be to file another Notice of Claim for the land that is decreed with the 1893 priority date. Or, the priority of 1893 could be claimed for all the lands listed under place of use.

The places of use and priority dates are as follows:
T28S, R46E, Section 13, NE1/4NW1/4, NW1/4NW1/4, SW1/4NW1/4 and Section 14, SE1/4SE1/4 and NE1/4SE1/4 with a priority of March 15, 1891, and T28S, R46E, Section 13, NW1/4SW1/4, with a priority of March 1, 1893.

Page 2
4/13/93

I am enclosing a copy of the Notice of Claim to a Water Right, A55-10014, previously submitted. Should you prefer to amend the priority date to 1893 for all of the lands. You can make the change on this form under item two.

Should you prefer to retain the priority date of 1891, please contact me for assistance. There will be an additional \$50.00 filing fee should you go this route.

Please contact me by the response date listed above. If I do not hear from you within that date your claim may be recommended with the latest priority date for all acreages. I can be reached at 208-334-2190.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Bureau

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

May 22, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JAMES HAYHURST
1455 HWY 95 N
JORDAN VALLEY OR 97910

RE: Claims filed in the Snake River Basin Adjudication

CLAIM NO. A55-10014-DWYHKE CO.

Dear Claimants:

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area beginning in June. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this summer in your area, we request that you contact our office at (208)334-2190 within two weeks to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be appreciated.

In some cases, the date of priority claimed also needs to be verified. Letters were sent to some claimants notifying them that evidence of the date of first use of their water right(s) was required. If you received one of these letters and have questions, we can address those during our examination.

To make an appointment, or if you have any questions or problems with scheduling the exam, please contact one of the following water resource agents:

LINDA WERNER

KAY WALKER

RON HOWERTON

ROXANNE MCCARTHY

MICROFILMED

SEP 30 1992

MEMORANDUM

DATE: 02-Jan-1992 09:13

TO: FILE A55-10014

FROM: KAY WALKER *KW*

RE: EVIDENCE OF PRIORITY

Mr. Aaron Kasper called me this morning regarding the evidence of priority for this claim. He came into the office last fall and submitted a copy of his decree from the State of Oregon along with a map which the Oregon watermaster gave to him which showed the place of use of the decreed water. He cannot locate any information which would prove use of this water in 1865 which is the date of priority claimed on this right. He wishes to use his copy of the Oregon Decree as his evidence which would establish a priority date of 1891 and/or 1893 on the lands covered under this claim.

In talking with Mr. Kasper we agreed that for Idaho to issue a 1865 priority date on an Oregon Decreed 1891 right would be useless. Oregon will be delivering water based on the 1891 date, as they always have, even if Idaho were to allow an earlier priority.

MEMORANDUM

DATE: 26-Nov-1991 09:32

TO: DAN STECKEL

FROM: KAY WALKER *Kay*

RE: DECREE FOR COW CREEK - IN OREGON

Copy

Hi, Dan...

I have a request for you. Hopefully I have enough information to get what we need. I am looking for a decree issued in Oregon for Cow Creek water which has some Idaho Water Rights filed on it in Basin 55. In August, Lynne sent me a copy of a Cow Creek Decree from Oregon but it does not cover the Cow Creek that I am interested in. I am returning the copy that Lynne sent to me since it is not the one I was looking for.

One of my claimant's came in and left a copy of his Cow Creek Decreed Rights for evidence of priority and on the copy he left there is some information which may help in obtaining a copy of the decree I am in need of. Could you please see if you can get a copy of the decree (from Oregon) which has these rights in it? Thanks... Kay

Called - SALEM

Dave Marco

503-378-3739

Ext. 264

will send copy.

From: DWR02::KROGH HAMPE 25-JUL-1991 14:38:04.20
To: DWR80::WALKER
CC:
Subj: Cow creek decree (oregon)

Hi, just sending this to let you know that your message did not go into the ozone, never to be seen again. I am trying to find a copy of the Cow Creek decree - we evidently had it at one point but I haven't found it so far. Generally, the plan at this time is to recognize decrees of other states that determine Idaho water rights. To what extent the decree will be recognized will depend on the decree. At minimum, it would be appropriate to recognize the decree could be treated in all respects as an Idaho decree - including application of the first presumption. Where in that range a decree will fall will depend on a number of factors - whether there is reason to doubt whether the court had jurisdiction over the Idaho rights to begin with, whether the court properly applied Idaho law in determining the Idaho rights, etc. Once I've had a chance to look over the Cow Creek decree, I should be able to provide some more specific direction as to what to do with these claims, and hopefully I'll be able to get that done shortly. Lynne
P.S. In case you're working on expanding your legal vocabulary, the issue as to whether Idaho will recognize a sister state decree comes under the doctrine of "comity" (the o is pronounced like "ah"). Lynne

From: DWR80::WALKER 19-JUL-1991 13:47:27.06
To: DWR02::KROGH_HAMPE
CC: DWR80::WALKER
Subj: COW CREEK DECREE (OREGON ISSUED)

HI, LYNNE!! HAPPY FRIDAY... I RECEIVED A CALL FROM A GENTLEMAN IN BASIN 55 THIS MORNING REGARDING EVIDENCE OF PRIORITY AND WHILE TALKING TO HIM FOUND THAT THE WATER RIGHTS ON COW CREEK HAVE BEEN DECREED. OREGON ISSUED A DECREE ON THESE RIGHTS... SOME OF THEM ARE DIVERTED IN IDAHO BUT USE THE WATER IN OREGON. IN RESEARCHING OUR RECORDS I FOUND A NOTE FROM DAVE T. WHICH HE WROTE WHILE HAVING A PHONE CONVERSATION WITH JO BEEMAN, WHICH SAID THAT WE CAN RECOGNIZE THE OREGON DECREE. MY QUESTION IS THIS: ARE WE GOING TO RECOGNIZE THE OREGON DECREE IN RELATION TO THE SRBA AND IF SO, DO WE HAVE A COPY OF THE DECREE OR CAN WE GET ONE? IT SEEMS LIKE IT WOULD BE A HELPFUL TOOL FOR MAKING OUR RECOMMENDATIONS ON THESE CLAIMS. LET ME KNOW... KAY

MEMORANDUM

DATE: 18-Jul-1991 16:21

TO: FILE A55-10014

FROM: KAY WALKER *KW*

RE: EVIDENCE OF PRIORITY

Lavonne Hayhurst called the office today in regard to their evidence of priority notice. She stated that they have been trying to get their evidence together but needed more time to submit it. I told her there was no problem and she could submit it anytime prior to October. I told her October because I felt that would be about the time our field work would be completed and we would be preparing our claimant contact letters. I also told her that if she did not submit the evidence in time, we would send a second notice (that it was due) when we got to that stage for Basin 55 and if she received the second notice she should get the evidence in right away.

July 19-'91

Aaron Kasper called in regard to the above-
He wondered if a copy of the Oregon water right on this system would work as evidence - I told him it would as long as the Oregon water right substantiated the priority date claimed. The Oregon water right did not contain a point of diversion description - *KW*

Mr. Kasper also said the 11 acres shown to be irrigated in Idaho is not correct - all land irrigated under this right is in Oregon.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

A55-10014
JAMES HAYHURST
1455 HWY 95 N

June 28, 1991

RE: Claim No(s): A55-10014

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

JORDAN VALLEY

OR 97910

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED

SEP 30 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 16, 1989

Mr. James Hayhurst
P. O. Box 498
Hollister, CA 95023

RE: Snake River Basin Adjudication

Dear Mr. Hayhurst:

Following the instructions of your farm manager in Oregon, the claim forms for water rights diverted in Idaho I assisted Aaron Kasper complete, are enclosed. These water rights should be claimed in Idaho's Snake River Basin Adjudication.

After reviewing the forms, please complete Item #16 on each claim, having your signature notarized. Please return the completed forms to this office to my attention by February 3, 1989 to avoid any late fees.

Thank you for your cooperation.

Yours Truly,

Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures

Claim #A55-10014

Claim #A55-04002

How You Will Receive Notice

MICROFILMED

SEP 30 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 3, 1989

Mr. Aaron Kasper
1455 Highway 95 North
Jordan Valley, OR 97910

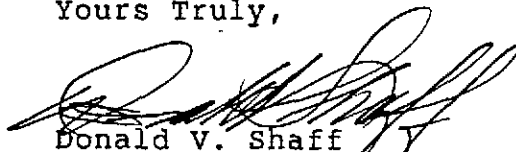
RE: A55-10014, A57-04002

Dear Mr. Kasper:

As the above referenced claims were filed on December 2, 1988, I discussed with you the necessity of a power of attorney for yourself on behalf of James V. Hayhurst. To date a copy of this power of attorney has not been received.

I will look for a copy of the power of attorney on or before February 3, 1989; otherwise the claims will be returned. If this time schedule is inconvenient, please inform me.

Yours Truly,


Donald V. Shaff
Adjudication Section
Supervisor

DVS:db

MICROFILMED

SEP 30 1992

CONVERSATION MEMORANDUM

DATE 3/31/88

FILE _____

NAME OF PARTY Jo BeamanEMPLOYEE Dave Tuthill

RE: _____

1. We can recognize the Oregon decree.
2. We need a request to appoint the watermaster.
3. We need a recitation of facts
 - a. We have received a request / why necessary.

55-4142

4143

4016

4069

4113

4118

Id Water

Rts on

Cow Creek,

Basin 55

To DaveDate 4/7 Time 3:27

WHILE YOU WERE OUT

Larry Powers

of _____

Phone 473-3930

Telephoned	☒	Please call	☒
Called to see you	☐	Will call again	☐
Wants to see you	☐	Returned your call	☐

Message _____

I reported this to
 Bud Bartels (Ore Dept of Wtr Res
 Salem)

and to Larry Powers,

Operator

the watermaster in Vale.

copy
 from
 file
 55-4069

Water Right Number - 55-04069

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GARDNER

DALE L.

1 - RT. 1

2 -

3 -

City- JORDAN VALLEY

State- OR Zip- 97910

Phone -

1 - RT. 1

2 -

3 -

City- JORDAN VALLEY

State- OR Zip- 97910

Phone -

GARDNER

MEXETTA R.

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1865 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
COW CREEK COW LAKES+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03S 06W 35 SE NE (73) OWYHEE

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 4.000
04 - STOCKWATER 01/01 12/31 0.050+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
4.000+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

+ - - Diversion Means - DIVERSION DAM & DITCHES

+ - - Non-Irrigation Use - S/200 RANGE

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
P/U IN OREGON.+ - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

I talked to Mr. Kasper
about this & he does not wish to file on it.

Prefix Translation: WATER RIGHT

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 01/17/86 04/30/88 CONVERT

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|-----|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Tested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 01/17/1986 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Presumption Flag | - | | |

this right
may be an
original filing
on A55-10014.

Kay

STATE OF HAWAII
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

1. I, the undersigned, do hereby claim a right to the use of the water of the State of Hawaii for the purpose of irrigation of the land owned by me, to-wit: the land situated in the County of Maui, State of Hawaii, and containing the following described area, to-wit:

2. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

3. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

4. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

5. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

6. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

7. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

8. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

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10. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

11. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

12. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

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16. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

17. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

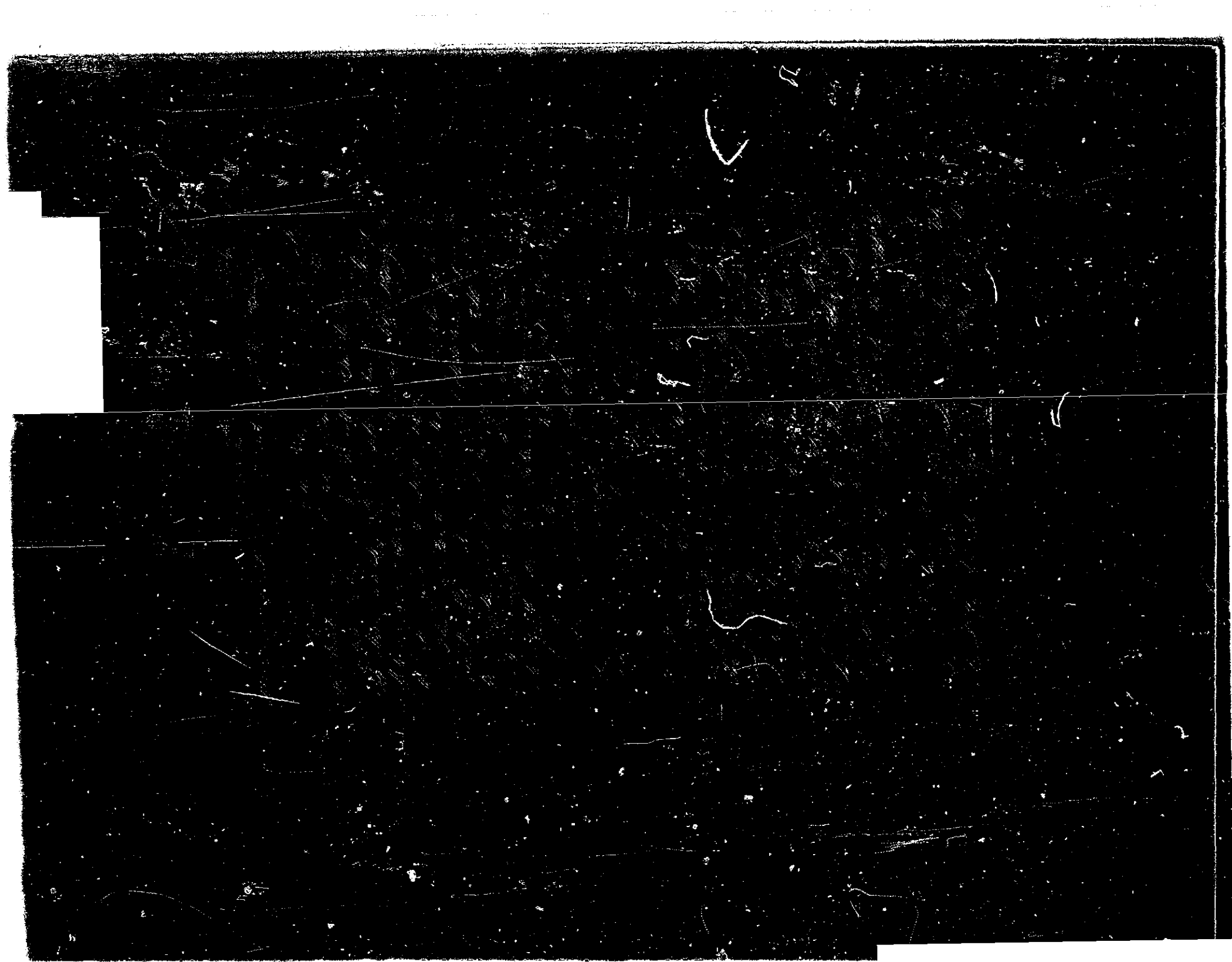
18. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

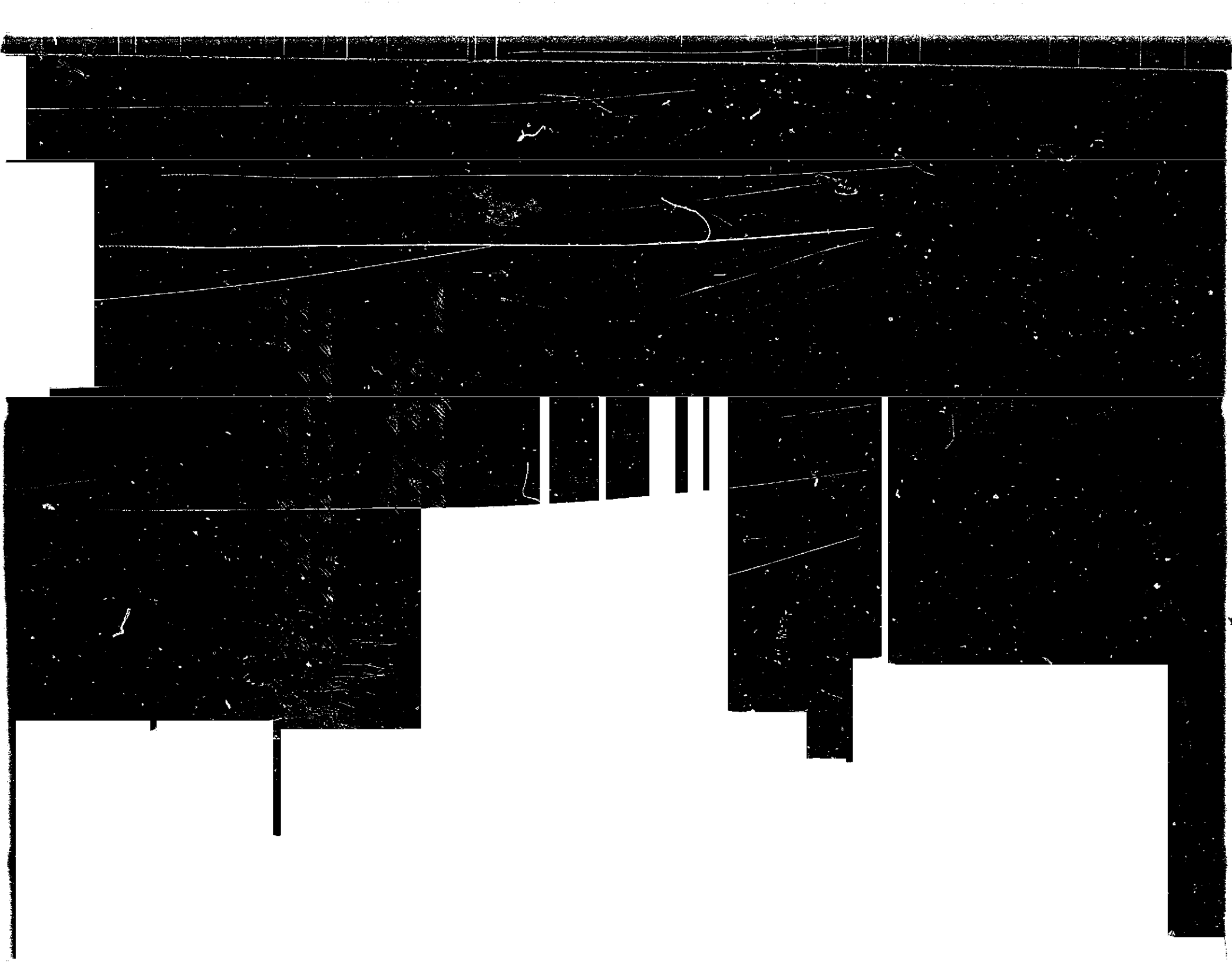
19. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

20. The land is situated in the County of Maui, State of Hawaii, and contains the following described area, to-wit:

| SEC. | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | TOTAL |
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A hand-drawn map on a grid background showing a route. The route starts at a point labeled '37' in the top left, goes right to a point labeled '35', then down to a point labeled '34', and finally down to a point labeled '33'. The route is marked with a line and arrows. Other labels include '36' near the top right, '32' near the bottom left, and '31' near the bottom right. The map is oriented with North at the top.





IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A55-10014
Date Received 12-6-88
Receipt Number C 3778

RECEIVED
APR 30 1993

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

AMENDED

Please type or print clearly

1. Name of claimant(s) James Hayhurst Phone (503) 586-2696
455 HWY 95N Jordan Valley, OR Zip 97910

2. Date of Priority (Only one (1) per claim) March 15, 1891

3. Source of water supply (a) Cow creek
which is tributary to (b) Cow Lakes

4. a. Location of existing point of diversion is: Township 4S Range 6W Section 1,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, 2a B.M., County of Owyhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dam & ditches

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.64 or _____

For Stockwater purposes from 1-1 to 12-31 amount 0.09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.73 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 400 hd mixed

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
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Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: Place of use in Oregon
T28S, R46E, Sec. 13, NE 1/4 NW 1/4 = 29, NW 1/4 NW 1/4 = 4,
SW 1/4 NW 1/4 = 30
Sec. 14, NE 1/4 SE 1/4 = 13, SE 1/4 SE 1/4 = 6
Total acres = 82

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James Haglund Date 4-27-93

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

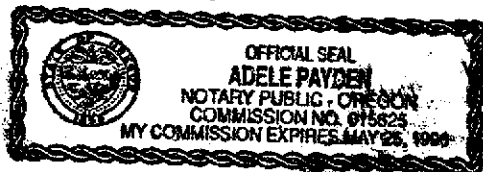
Title and Organization _____ Date _____

State of Idaho/or Oregon)
) SS.

County of Malheur)

Subscribed and sworn (or affirmed) before me this 27th day of April 19 93

SEAL



Notary Public Adele Payden

Residing at Jordan Valley

My Commission Expires 5-25-96

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A55-10014
Date Received: 12/06/1988
Receipt No: C003778
Received By: _____

RECEIVED
JAN 23 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: JAMES HAYHURST 503-586-2697
Address: 1455 HWY 95 N
JORDAN VALLEY, OR 97910

2. Date of Priority: APR 01, 1865

3. Source: COW CREEK Trib. to: COW LAKES

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04S | 06W | 1 | SE | NE | NW | | OWYHEE |

5. Description of diverting works:
DAM AND DITCHES

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.900 | | |

7. Total Quantity Appropriated is:
1.900 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 237.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 400 HEAD MIXED

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 01S | 01E | 1 | NE | NW | | IRR | 11.0 |

Section Acres 11.0

Page 1

Date: 01/10/89

THIS
P/U
NO GOOD
Per Claimant's brother
in law - Kasper.
7/19/91

MICROFILMED
SEP 30 1992

10. Place of Use: Continued

Total Acres 11.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

PLACE OF USE IN OREGON: 95 ACRES

T 28S R 46E 13 NENW(11) SWNW(32) SENW(07) NESW(02) NWSW(27)
SWSW(01)

14 NESE(10) SESE(05)

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ~~not~~ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): James Hayhurst Date: 1-19-89
Date: _____

State of ~~XXXXX~~ California)
County of SAN BENITO) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of January 19 89

Nancy Stafford
Notary Public

Seal



390 Fifth Street
Residing at Hollister, CA 95023
My Commission Expires February 18, 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SAGE RIVER BASIN WATER SYSTEM.

RECEIVED
DEC 06 1988

CIVIL CASE NUMBER: 39576

Ident. Number: A55-10014
Date Received: 12/02/1988
Receipt No: 0003778
Received By: 12/06/88

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES HAYHURST 503-586-2697
Address: 1455 HWY 95 N
JORDAN VALLEY, OR 97910

2. Date of Priority: APR 01, 1865

3. Source: COW CREEK Trib. to: COW LAKES

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04S | 06W | 1 | SE | NE | NW | | OWYHEE |

5. Description of diverting works:
DAM AND DITCHES

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.900 | | |

7. Total Quantity Appropriated is:
1.900 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 237.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 400 HEAD MIXED

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|-------|
| 01S | 01E | 1 | NE | NW | | IRR | 11.0 |
| Section Acres | | | | | | | 11.0 |

A55-10014

Page 1

Date: 12/02/88

MICROFILMED

SEP 30 1992

10. Place of Use: Continued

Total Acres 11.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

PLACE OF USE IN OREGON: 95 ACRES
T 28S R 46E 13 NENW(11) SWNW(32) SENW(07) NESW(02) NWSW(27)
SWSW(01)
14 NESE(10) SESE(05)

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do x do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): James V. Hayhurst for and in Behalf of Date: DEC. 2 1988
James V. Hayhurst Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of December 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

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FEET

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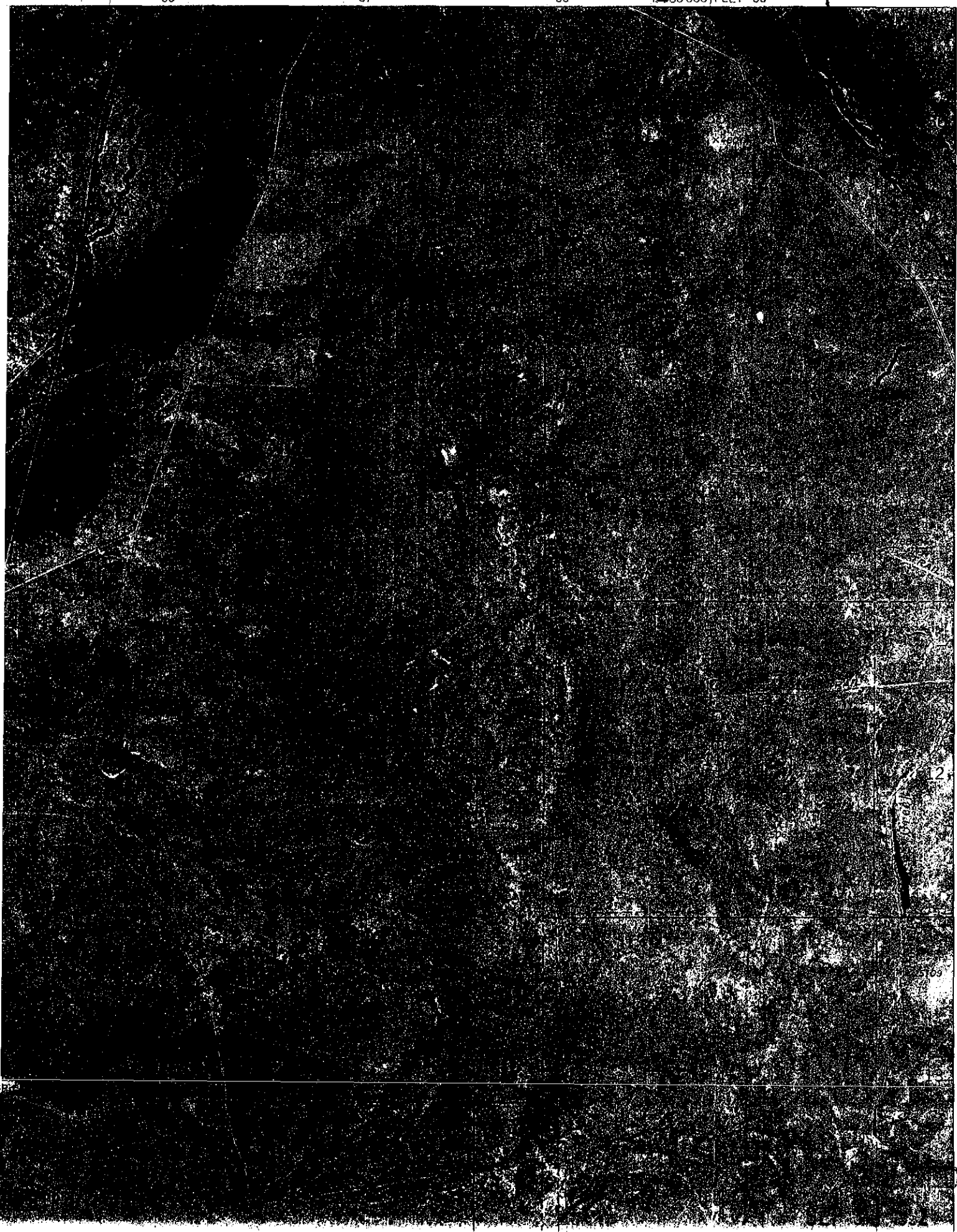
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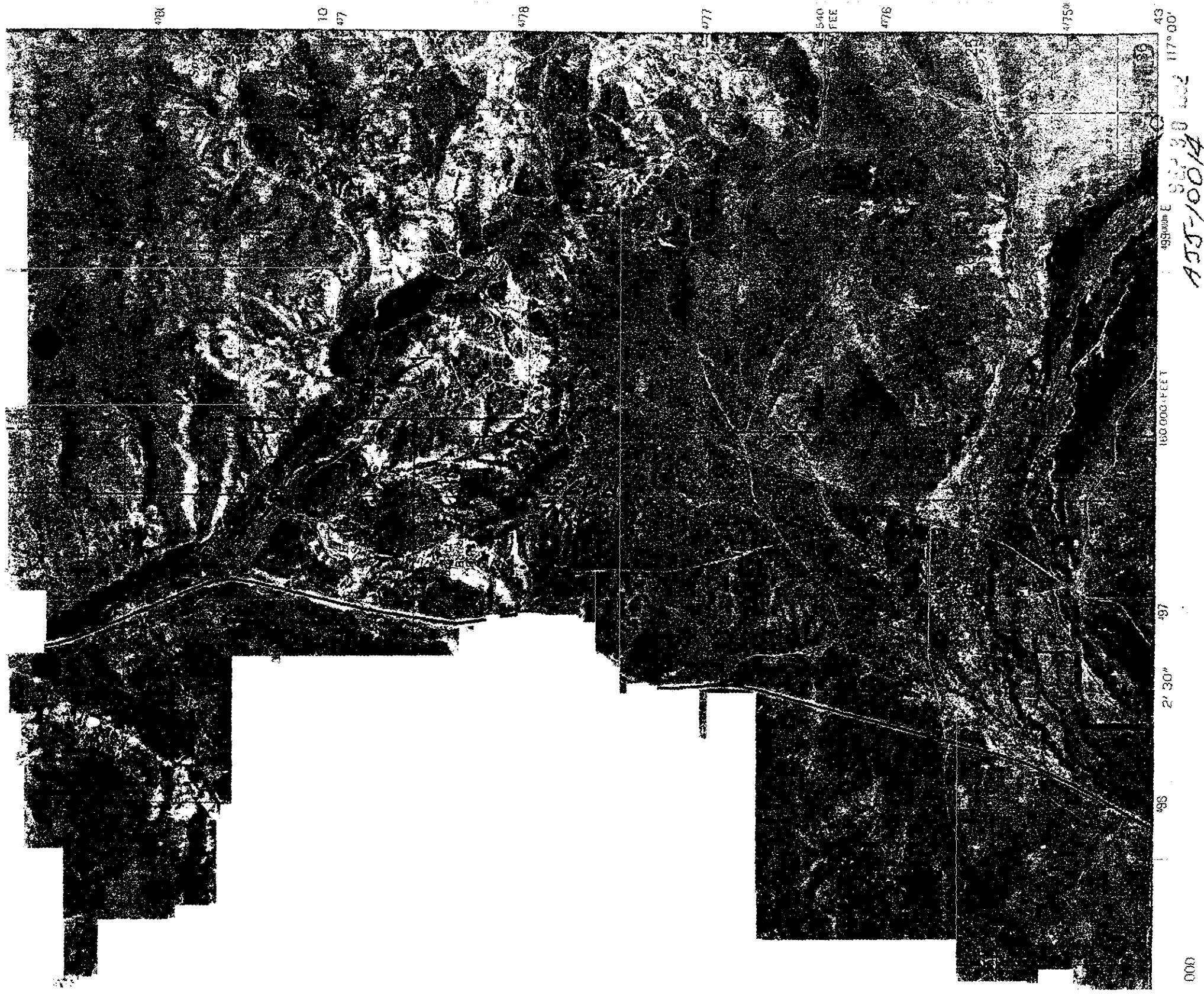
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A55-10014





A55-10014

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AJ55-1001A

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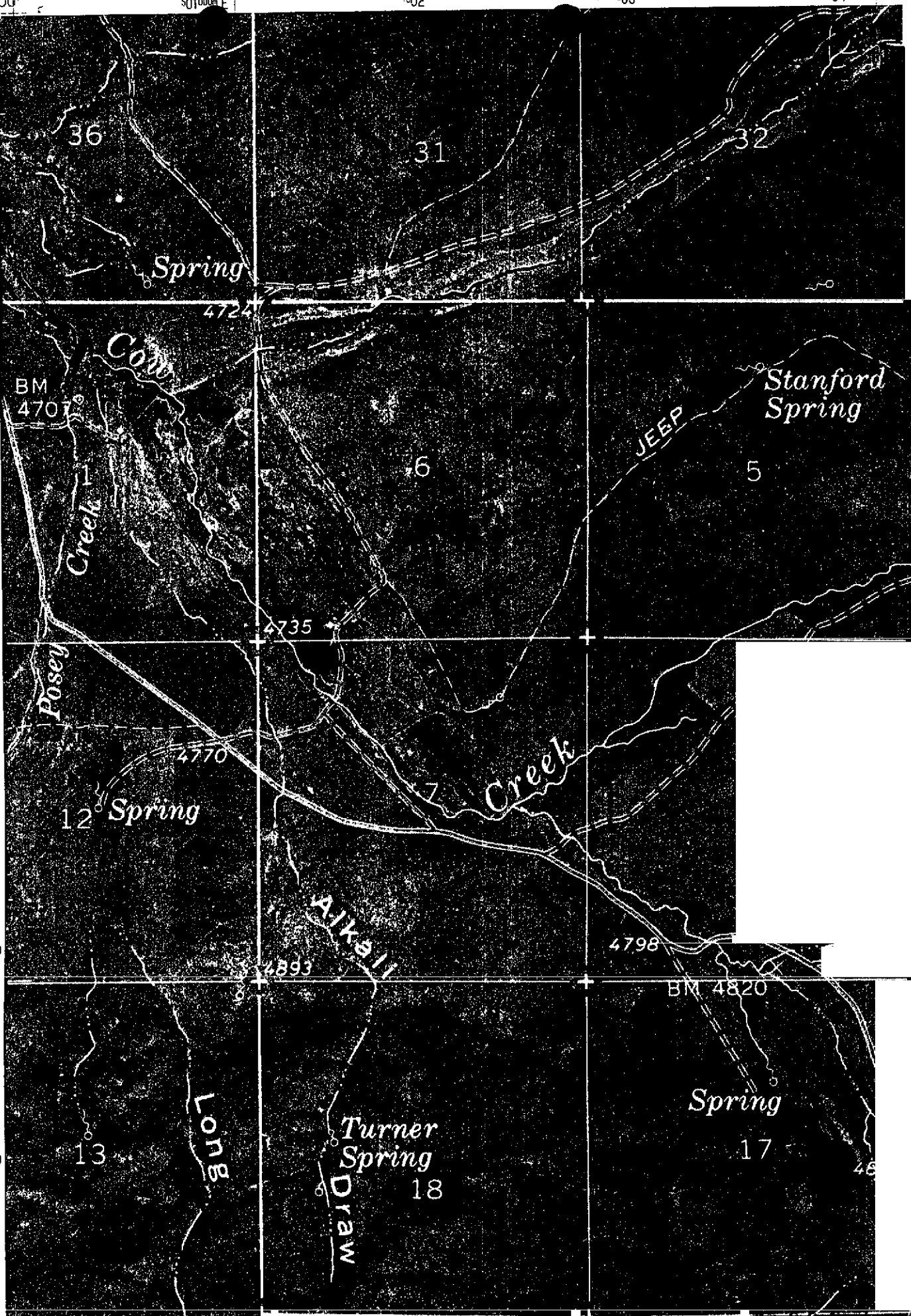
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5'

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TRAIL