

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON

2 FOR THE COUNTY OF MALHEUR

3 WALTER BOWDEN, substituted
4 for Lula M. Simpson,

5 Plaintiff,

No. 4095-E

6 vs.

7 ALICE D. BANKOFIER, REGINA F.)
8 McCORMICK and DONNIE A.)
9 STEPHENS,

10 Defendants.)

FINDINGS AND DECREE

11 THIS MATTER, coming on before the Court on the
12 Petition of Alice D. Bankofier, for confirmation of an inchoate
13 right recognized by the Court in the Judgment on the Mandate
14 in the case of Lula M. Simpson vs. Joe Bankofier, Juan Jaca,
15 Robert Wade, Alice D. Bankofier, Administratrix of the Estate
16 of George Malkinson, Defendants, and the Answer of Regina F.
17 McCormick and Donnie A. Stephens and the Reply of the Petitioner,
18 together with the written Stipulation filed by the parties
19 herein on the 7th day of January, 1963, the Petitioner Alice
20 D. Bankofier appearing by her Attorney, Robt. D. Lytle, and
21 the Defendants, Regina F. McCormick and Donnie A. Stephens,
22 appearing by their Attorney, Charles W. Swan, and the Court
23 having examined said Stipulation and agreed statement of facts,
24 and having viewed the lands and premises involved in the
25 Petition and being now fully advised in the premises finds
26 as follows:

27 I.

28 That Alice D. Bankofier is the owner of the lands
29 described in the Judgment on the Mandate in the above men-
30 tioned Simpson case as successor in interest to Joe Bankofier
31 and of the water right with a priority date of 1884, which
32 said lands are described as follows: