

July 21, 1993

WATER
RESOURCES
DEPARTMENT

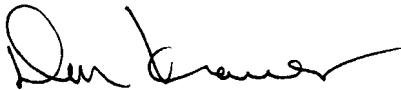
ROBERT O DODGE
C/O DEPARTMENT OF FISH AND WILDLIFE
PO BOX 59
PORTLAND OR 97207

RE: SWR-41

Dear Bob,

This will acknowledge the receipt of the copy of the map you are working on to support the pre-1909 vested water right claim by the Dept of Fish & Wildlife. I have used my check list and it appears the map will be in an acceptable form. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\W\SI\C\O\SWR-0041.009



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

June 1, 1993

TO: SWR-41 FILE

FROM: DON KNAUER

SUBJECT: CWRE MAP

I met with Bob Dodge & Marty St Louis of the ODF&W to talk about the map required to support the claim. We discussed their water use and what ORS & OAR requirements cover the map. I gave Bob copies of all the map requirement information. They said they will work on this project in the next few months and I might expect something by the first of October of this year.

May 21, 1992

WATER
RESOURCES
DEPARTMENT

Bob Dodge, CWRE
Oregon Dept. Fish and Wildlife
2501 SW First Av.
Portland OR 97207

RE: SWR-0041

Dear Bob,

I met with Marty St. Louis at the Summer Lake Wildlife area and we inspected the "River Ranch". I suggested he contact you for a meeting here in Salem when you both can make it. I have sketched some overlays of the maps covering the claim. I think we can work out the particulars when we get together.

Sincerely,



Don Knauer
Adjudication Specialist

C:\WIS\CIS\WR-0041.005

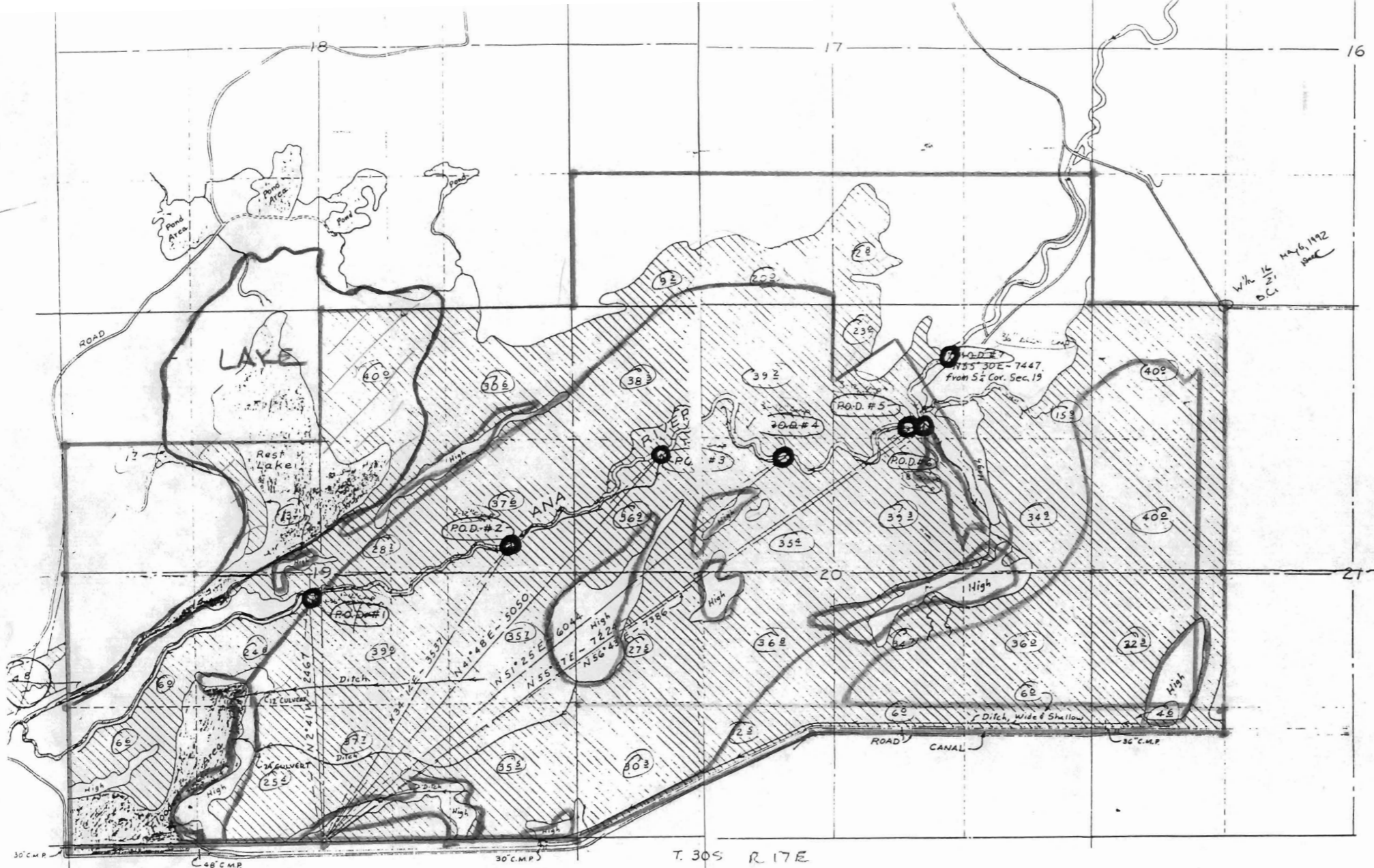
May 24, 1993

Phone call - Bob Dodge & Marty St Louis
will meet here June 1, 1993 1:00 TO
Discuss what is required TO
FINISH map & claim.

WJK



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



APPL 64516 PER 47611

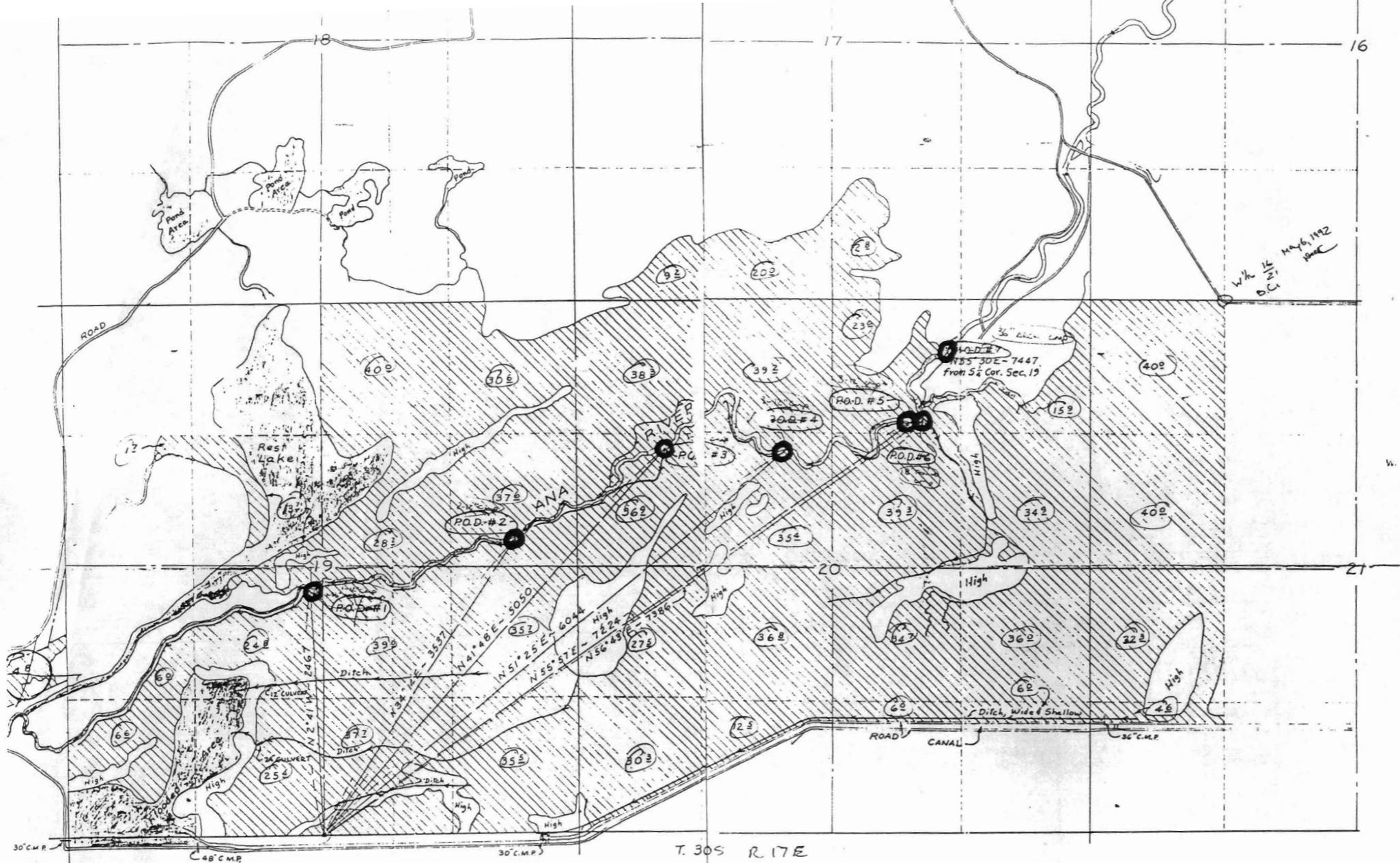
LAKE FROM PHOTO

HIGH FROM PHOTO

D.L. NICOL DEED

T. 30 S R. 17 E

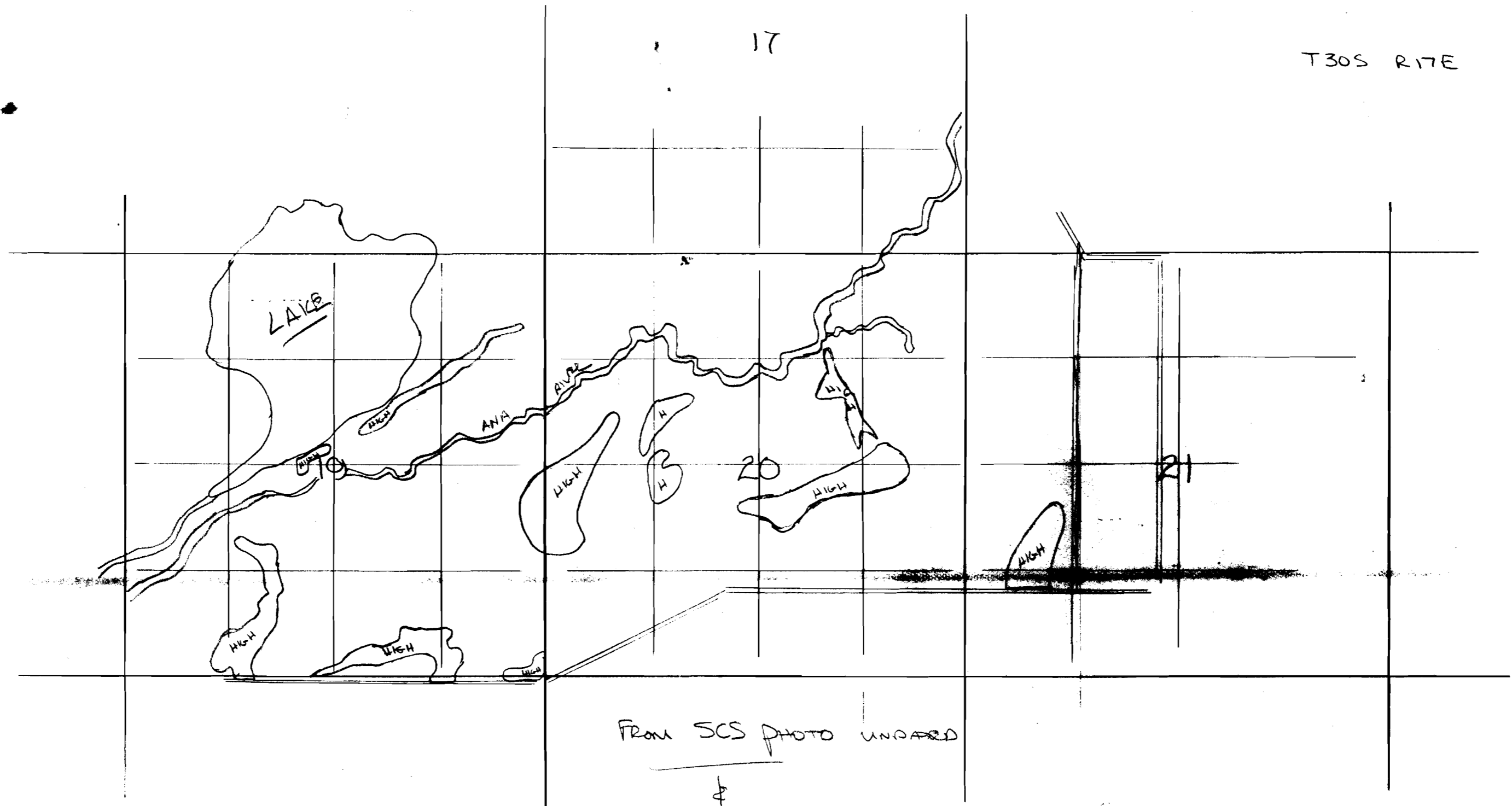
[Handwritten signature]



SECTION 19, T. 30S. R. 17E.

17

T30S R17E



FROM SCS PHOTO UNDATED

+

FROM SCS PHOTO 5-1965



STATE OF OREGON

County of LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 64516 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Oregon Department of Fish and Wildlife of 506 Southwest Mill Street, Portland, Oregon 97208, phone 229-5701, for the use of the waters of Ana River, a tributary of Summer Lake, for the PURPOSE of for maintaining potholes and marsh areas for waterfowl and wildlife use and habitat.

that the PRIORITY OF THE RIGHT dates from November 1, 1982

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 43.0 cubic feet per second

The POINT OF DIVERSION is to be LOCATED Diversion 2 - North 34 degrees 14 minutes East 3537 feet, being within the SE 1/4 NE 1/4 of Section 19; Diversion 3 - North 41 degrees 48 minutes East 5050 feet, being within the SW 1/4 NW 1/4; Diversion 4 - North 51 degrees 25 minutes East 6044 feet, being within the SE 1/4 NW 1/4; Diversion 5 - North 55 degrees 57 minutes East 7224 feet, being within the NW 1/4 NE 1/4; Diversion 6 - North 56 degrees 43 minutes East 7386 feet, being*
A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

- * within the NW 1/4 NE 1/4; Diversion 7 - North 55 degrees 30 minutes East 7447 feet, being within the NW 1/4 NE 1/4, all of Section 20, in the County of Lake. All bearings and distances are measured from the S 1/4 Corner of Section 19, Township 30 South, Range 17 East, WM.

SEE NEXT PAGE

Township 30 South, Range 17 East, WM	Section 17	SW 1/4	SW 1/4	1.2 acres
		SE 1/4	SW 1/4	6.6 acres
	Section 19	NE 1/4	NE 1/4	4.6 acres
		SW 1/4	NE 1/4	12.3 acres
		SE 1/4	NE 1/4	37.6 acres
		NE 1/4	SW 1/4	10.2 acres
		SW 1/4	SW 1/4	2.1 acres
		SE 1/4	SW 1/4	36.0 acres
		NE 1/4	SE 1/4	40.0 acres
		NW 1/4	SE 1/4	39.0 acres
		SW 1/4	SE 1/4	40.0 acres
		SE 1/4	SE 1/4	40.0 acres
	Section 20	NE 1/4	NE 1/4	2.0 acres
		NW 1/4	NE 1/4	27.4 acres
		SW 1/4	NE 1/4	40.0 acres
		SE 1/4	NE 1/4	11.0 acres
		NE 1/4	NW 1/4	40.0 acres
		NW 1/4	NW 1/4	32.0 acres
		SW 1/4	NW 1/4	40.0 acres
		SE 1/4	NW 1/4	40.0 acres
		NE 1/4	SW 1/4	34.0 acres
		NW 1/4	SW 1/4	40.0 acres
		SW 1/4	SW 1/4	30.4 acres
		SE 1/4	SW 1/4	4.0 acres
		NE 1/4	SE 1/4	35.0 acres
		NW 1/4	SE 1/4	25.0 acres
	Section 21	NW 1/4	NW 1/4	16.0 acres
		SW 1/4	NW 1/4	32.1 acres
		NW 1/4	SW 1/4	32.1 acres

AVERAGE VARIES FROM
 REGISTRATION STATEMENT
 MAP

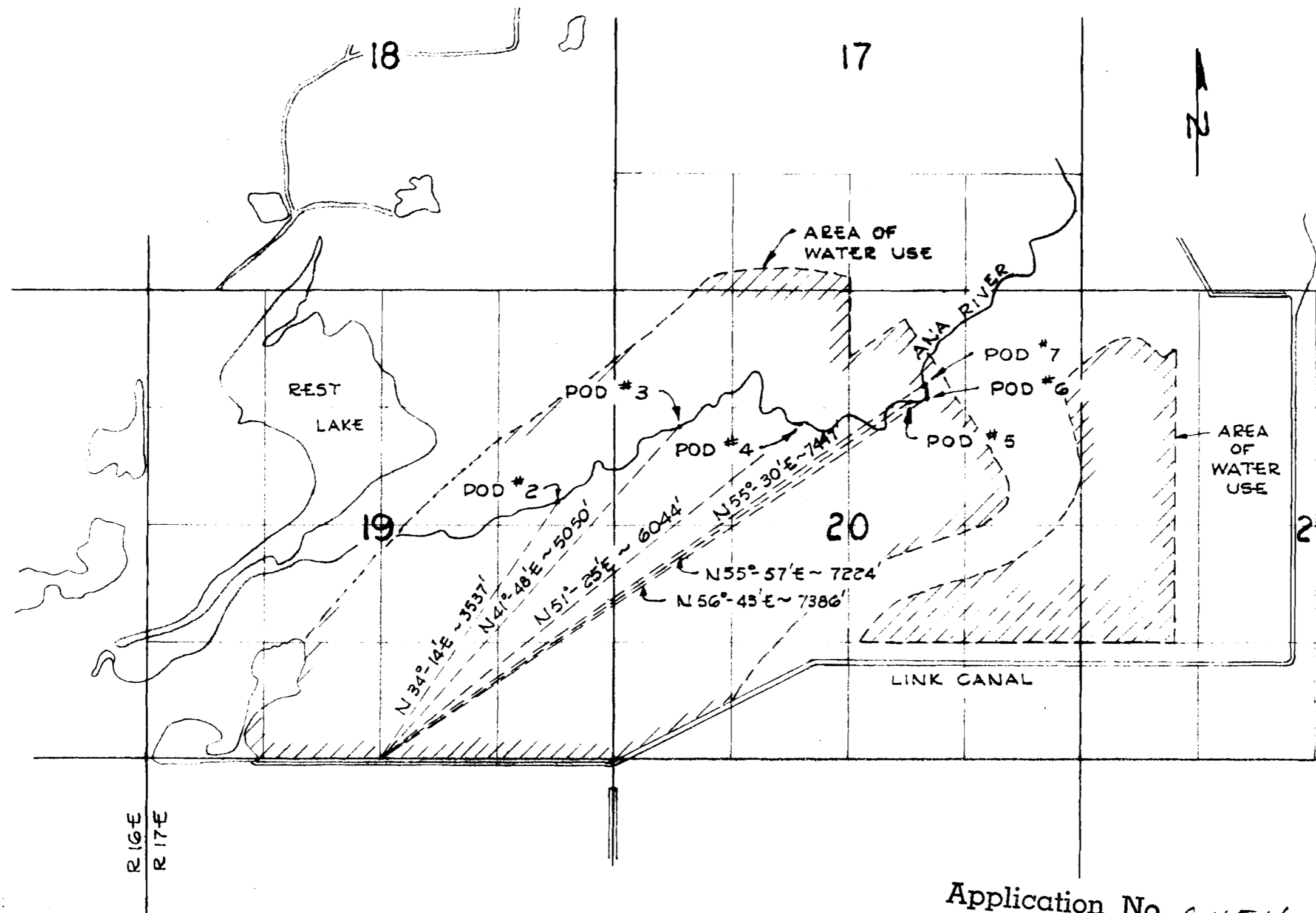
Actual construction work shall begin on or before August 25, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 85 .

Complete application of the water to the proposed use shall be made on or before October 1, 19 86 .

Witness my hand this 25th day of August, 19 83 .

/s/ CHRIS L. WHEELER
 DEPUTY WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

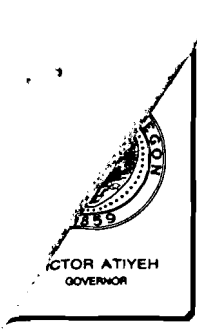


RECEIVED
 JUL 15 1983
 WATER RESOURCES DEPT.
 SALEM, OREGON

Application No. 64516
 Permit No. 47611

OREGON DEPT. OF FISH & WILDLIFE
 WATER RIGHTS MAP
 SUMMER LAKE WMA
 T 30S, R 17E
 LAKE COUNTY
 4" = 1 MI.

SWR-41



Department of Fish and Wildlife
506 S.W. MILL STREET, P.O. BOX 3503, PORTLAND, OREGON 97208

June 23, 1983

RECEIVED
JUN 24 1983
WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Wayne J. Overcash
Water Resources Dept.
Water Rights Division
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

Dear Mr. Overcash:

Enclosed is Application 64516 with revisions requested in your correspondence of June 9, 1983.

The attached drawing has been revised by eliminating overlapping existing water rights in Certificates 3496 and 9783 issued, respectively, to Kittredge and Williams. The application has been amended in Item 5 to indicate the specific water uses. There will be no irrigation use.

Should you desire additional information in this matter please contact me at 229-5685.

Sincerely,

Robert O. Dodge, P.E.
Project Engineer

Enc. 4 copies dwgs.

cc File 8308
Water Right File

dg

SWR-41

SWR-41

378-3066

June 9, 1983

Robert O. Dodge, PE
Project Engineer
Department of Fish and Wildlife
506 Southwest Mill Street
Portland, OR 97208

Dear Mr. Dodge:

REFERENCE: File 64516

This is to acknowledge return of Application 64516 along with the attachment for Item 3 and the print of a map to support the application.

Before this application can be considered for approval, it will be necessary to clear our records of existing rights involved and clarify the use or uses to be made of the water.

There are existing rights evidenced by Certificate 3496 issued to William Kittridge and the Certificate 9783 issued to Carl Williams appurtenant to part of the lands illustrated on the map supporting the Application 64516. These certificates evidence rights to the use of water from the Ana River for irrigation purposes. I have illustrated the location where they conflict with your filing on the enclosed copy of the map you submitted. If these existing rights have been intentionally abandoned or forfeited through nonuse and you now intend to establish a new right for the same lands, it will be necessary for you to provide for clearing our records of that part of the existing rights involved. We can prepare the necessary affidavit of abandonment if you will furnish the legal description of the properties.

It will be necessary for you to further complete Item 5 on the application to indicate the specific types of uses that will be within the wildlife management as to whether there will be irrigation use and or restoring and maintaining potholes and marshlands for wildlife habitat.

If the two uses will be made of the water, we will need additional information supplied in the various items of the application and on the supporting map.

I am returning the Application 64516 along with the attachment sheets for Items 2 and 3 for completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before August 9, 1983.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJO:wpc
enclosures

SWR-41

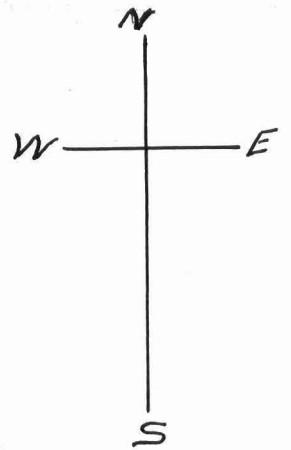
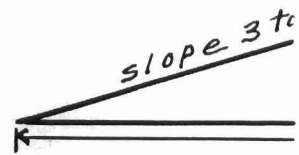
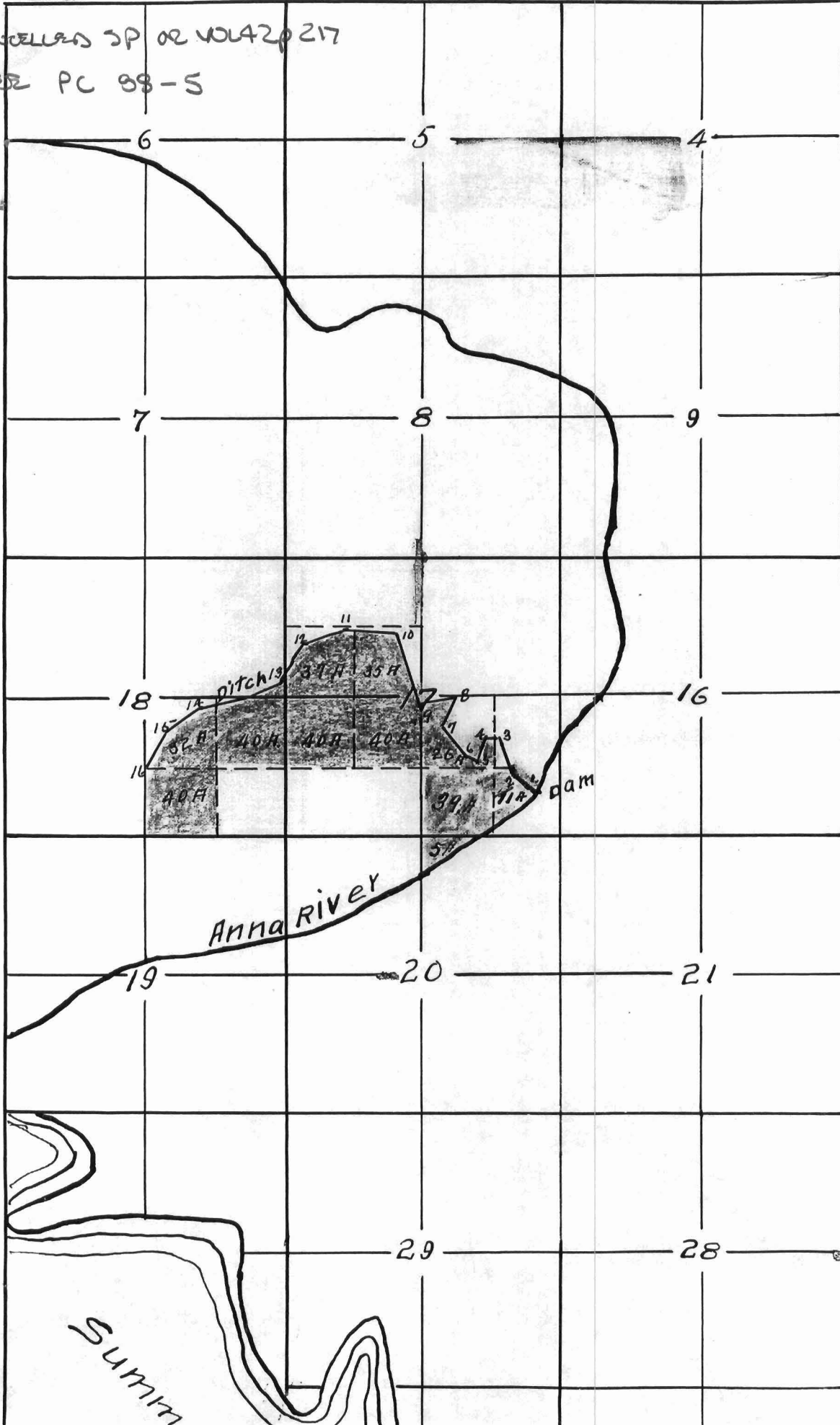
A- 4660
P- 3479
C- 3496

Township 30 South Range 17 East

CANCELLED SP OR VOL 2 p 217
SPR PC 98-5

Map S1
project
with loc

Scale 2" =



Ge

I. Curtis
Oregon, d
was made
actual SU
Y 26 1915
the works
application.
Streams a
immediat

Cancelled - sp. or Rec. Vol. 42 p. 217-218

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That Wm. KITTREDGE

of Silver Lake, State of Oregon 91638, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of

of Ana River a tributary of Summer Lake for the purpose of irrigation

under Permit No. 3479 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 421, on the 16th day of November, 1921 that the priority of the right hereby confirmed dates from November 30, 1915

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 4.3 cubic feet per second, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

40 acres in the Southwest quarter of Southeast quarter; 32 acres in the Northwest quarter of Southeast quarter; 40 acres in the Northeast quarter of Southeast quarter of Section Eighteen; 37 acres in the Southwest quarter of Northwest quarter; 35 acres in the Southeast quarter of Northwest quarter; 40 acres in the Northwest quarter of Southwest quarter; 40 acres in the Northeast quarter of Southwest quarter; 26 acres in the Northwest quarter of Southeast quarter; 11 acres in the Southeast quarter of Southeast quarter and 39 acres in the Southwest quarter of Southeast quarter of Section Seventeen; and 5 acres in the Northwest quarter of Northeast quarter of Section Twenty, Township Thirty South, Range Seventeen East of Willamette Meridian, in Lake County, Oregon. Containing in all 345 acres of land.

Handwritten notes in a box: CHECK, 30TH, MARY ST LOUIS, ODF&W, OWNERSHIP?

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the seal and signature of the State

Water Board, affixed this 16th day of November, 1921

STATE WATER BOARD (Seal of State Water Board)

By PERCY A. CUPPER, State Engineer, President

Attest: R. W. POTTER, Secretary

Recorded in State Record of Water Right Certificates, Volume 4 N, page 3496

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF CANCELLATION OF) PC 88-5
A WATER RIGHT IN THE NAME OF WILLIAM) ORDER CANCELING
KITTREDGE FOR USE OF WATERS OF THE) WATER RIGHT
ANA RIVER)

On March 25, 1988, pursuant to ORS 183.415 and 540.631, notice was given to Dan Stewardson, Bureau of Land Management, U.S. Department of the Interior, as the owner and/or manager or occupant of certain lands which are part of the public lands of the United States under the jurisdiction of the Bureau of Land Management, Department of the Interior, of the proposed cancellation of a certain water right for irrigation of the said lands.

The water right in question is for appropriation of not to exceed 4.31 cubic feet per second of water from the Ana River under a date of priority of November 30, 1915, for irrigation of certain lands as follows:

37 acres in the SW1/4 NW1/4	40 acres in the NE1/4 SE1/4
35 acres in the SE1/4 SW1/4	32 acres in the NW1/4 SE1/4
40 acres in the NE1/4 SW1/4	40 acres in the SW1/4 SE1/4
40 acres in the NW1/4 SW1/4	
26 acres in the NW1/4 SE1/4	Section 18
39 acres in the SW1/4 SE1/4	5 acres in the NW1/4 NE1/4
11 acres in the SE1/4 SE1/4	Section 20
Section 17	T30S, R17E, WM
T30S, R17E, WM	

The right was established under the terms of water right Permit 3479 in the name of William Kittredge and is described by the certificate recorded at page 3496, Volume 4, State Record of Water Right Certificates.

ORS 540.641(1) provides: "If the legal owner or the occupant receiving notice as provided in ORS 540.631 fails to protest the proposed cancellation of the water right within the 60-day period prescribed in the notice, the Water Resources Commission may enter an order canceling the water right." The Water Resources Commission has delegated to the Director the authority to initiate a proceeding under 540.610 to 540.650 and to issue a final order if no protest is filed.

No protest has been filed against the proposed cancellation of the water right in question within the time provided by law.

NOW, THEREFORE, it is ORDERED that the water right in question, described at page 3496, Volume 4, State Record of Water Right Certificates, in the name of William Kittredge, be and the same is hereby canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled.

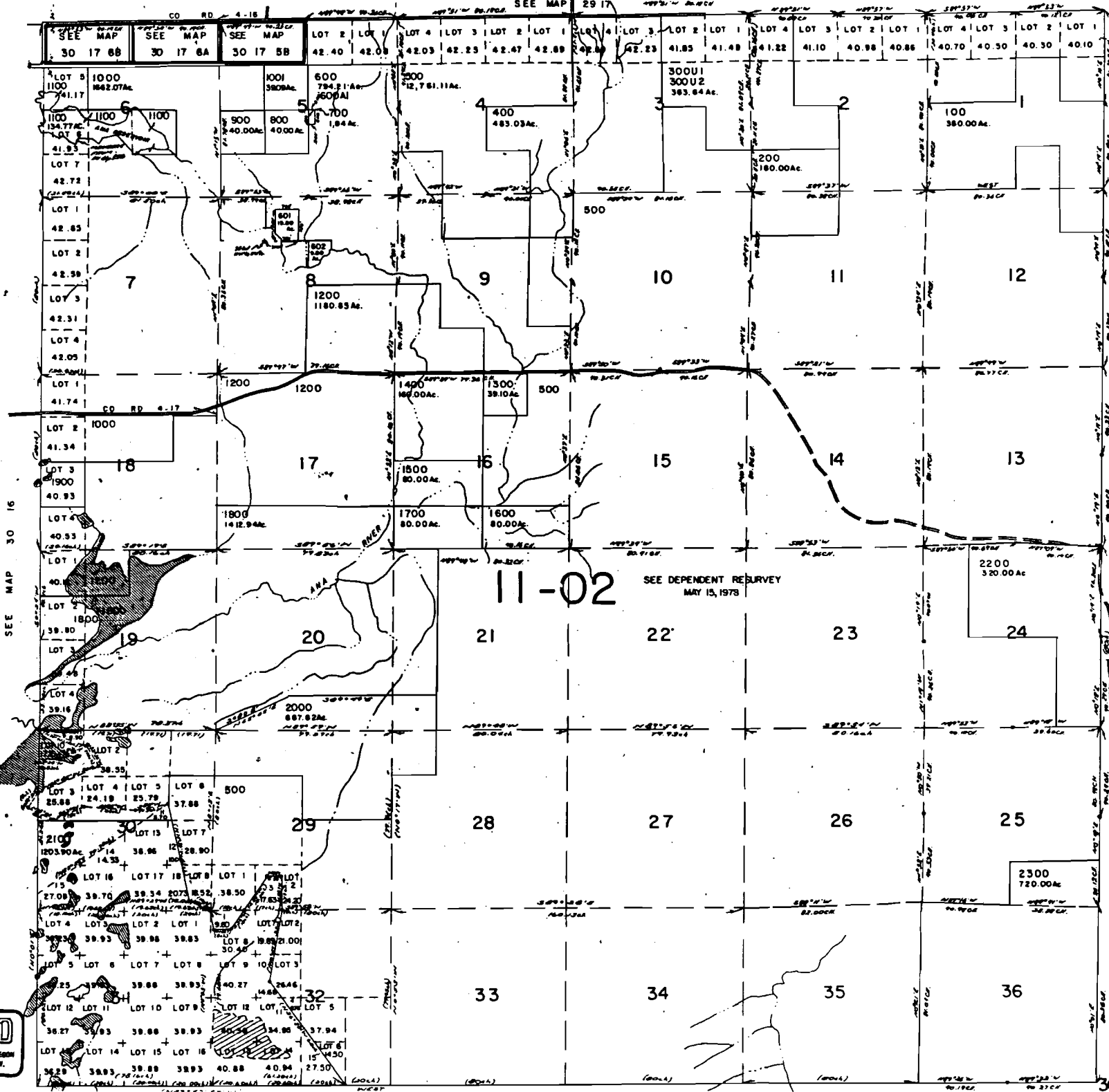
DATED at Salem, Oregon this 31~~st~~ day of May, 1988.

William H. Young
WILLIAM H. YOUNG
Director

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the service (date of mailing) of this Order. Judicial review is pursuant to the provisions of ORS 536.075.

LAKE
30 17

SCALE 1:48000



SEE MAP 30 18

RECEIVED
JUN 8 1990
DEPT. OF REVENUE STATE OF OREGON
ASSESSMENT & APPRAISAL DIV.

30 17

INTEROFFICE MEMORANDUM

*Oregon Water Resources Department
Adjudication Section*

TO: SWR-41 FILE

FROM: Don Knauer

DATE: May 15, 1992

SUBJECT: FIELD INSPECTION

On May 6, 1992 Dwight French and I met with Marty St. Louis of the Dept. Fish and Wildlife and Dennis Glender Watermaster Dist. 12 at the Summer Lake Wildlife Management Area. We talked about the water use and the SWR program. We drove around the "River Ranch" as it is called. This is the portion of the refuge which was originally homesteaded and then the refuge took it over.

The map submitted by Robert Dodge, CWRE # 40 titled Ana River Water Right Map accurately locates the diversion points. The area of use will need to be adjusted.

I suggested to Marty the Dept of F & W might make a claim for irrigation on that portion of the property that is being irrigated and then claim wildlife use and habitat on any areas where the use has changed from irrigation to wildlife. If the wildlife use weren't allowed then they could rely on the permitted right established.

I think they have a claim to irrigation without question and wildlife on those small areas which has changed from irrigation to wildlife if the change will be allowed.

I suggested he contact Bob Dodge and arrange a meeting with us in Salem in the next few months. This will give me time to review all the maps and photos Marty loaned me in preparation for my recommendation to Bob.

April 8, 1992

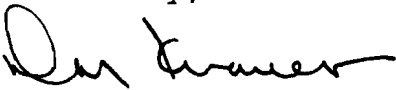
Marty St. Louis, Manager
Summer Lake WMA
HC 64 Box 7
Summer Lake OR 97640

re: SWR-41

Dear Marty,

This letter is to confirm the meeting date for our visit to the Summer Lake WMA to inspect the water use and mapping. We intend to be at your office on wednesday, May 6, 1992 at 8:00 am. If our plans change we will let you know.

Sincerely,



Don Knauer
Adjudication Specialist

(C:\W\S\C\SWR-0041.003)



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

INTEROFFICE MEMORANDUM

Oregon Water Resources Department
Adjudication Section

TO: SWR-41 FILE

FROM: Don Knauer

DATE: January 28, 1992

SUBJECT: meeting with ODFW representative

Dwight French and I met with Bob Dodge and Marty St. Louis on January 23, 1992 at the WRD office and reviewed SWR-41. After discussion Bob Dodge made a couple of changes to the Registration Statement Form. We agreed that a field inspection is necessary before a final map be prepared and submitted. Once the field inspection and map are completed we can figure out the fees for their claim.

Marty St. Louis suggested we arrange a field inspection following May 5, 1992. This is after the irrigation district turns on the main canal above the property involved in this claim.

Marty St. Louis asked for copies of definitions of various terms used in water rights. I told him I would copy our Administrative Rules definitions and send them to him.

Bob Dodge asked for copies of the transfer rules which cover the limitations in moving a point of diversion without going through a transfer application.

943-3152

1-23-91
Bob Dodge
Mazzy Saint Louis
Don Knauer
Dwight French

INTEROFFICE MEMORANDUM

Oregon Water Resources Department
Adjudications Section

TO: Don Knauer *DK*
FROM: Dwight French
x268
DATE: October 15, 1991
RE: PROBLEMS WITH SWR-41

FEES:

✓ Fees paid = \$851.00. They figured this on 984 acres of irrigation - \$233.00 paid on A64516. It appears as though no fees were included for their claim of 1 CFS of stock water. I pulled A64516 and found that they paid \$233 but the use listed on the application was not irrigation but "wildlife management."

✓ In looking through the correspondence in the A64516 file I came across a letter from Mr. Dodge to Wayne Overcash dated June 23, 1983 in which Mr. Dodge wrote "There will be no irrigation." This leads me to believe that there was a transfer of use from irrigation to wildlife management in the mid 1980's. By claiming irrigation as the use on this SWR, this filing could be a move to transfer the use back to irrigation.

✓ Possibly ODFW will want to change their form so that the use listed is "wildlife management." If this is done then we could without question acknowledge a credit. Also, I think their water use is more accurately represented as "wildlife management" instead of irrigation. This is a point that should be clarified by Mr. Dodge and the ODFW.

The fee accounting of a 25 CFS wildlife management claim with 1 CFS for stock water is as follows.

25 CFS wildlife management	\$1400.00
1 CFS stock water	200.00
Paid 10-15-91	- 851.00
Credit on A64516	- 233.00

Fees Still Due	\$516.00

✓ **STOCK WATER:** NO USE by F&W

The map shows no diversions labeled for stock. This wouldn't necessarily be a problem if the form in question #7 made reference to the location and conveyance of the stock use. The

attachment for question #7 merely lists the acres claimed for the named use "irrigation."

HISTORICAL DOCUMENTATION:

There is an affidavit that explains that there was evidence of water use before 1912. I see no mention in the attachments about the claimed date of 1893. This raises some doubt on their claim but we aren't in the business of challenging priority date based on a lack of historical documentation. Maybe Mr. Dodge would like to attach more information to ward off any potential contests of his claim.

MAP:

See checklist for inadequacies.

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 79858

CHECK ENCLOSURES DWF / DOK

CHECK BASIN MAP DWF

BASIN # 13
Goose & Summer Lakes

UNADJUDICATED AREA ? O.K. DWF

SURFACE WATER REGISTRATION NUMBER SWR-41

ACKNOWLEDGEMENT LETTER DWF -

Pub Not. Pub E

ENTER ON STREAM INDEX _____

CHECK QUADRANGLE MAP DWF -

CHECK GLO PLATS DWF -

FORM REVIEW

- blanks filled in
- signed
- date received stamped
- date received filled out on back

MAP REVIEW

- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use stock water not listed on map
- scale
- township, range, section
- north arrow
- CWRE stamp
- disclaimer NONE
- date survey was performed ? 11/16/70
- P.O.B. of survey
- dimensions and capacity of diversion system
- "beneficial use" type title ±
- "permanent-quality" paper

EXISTING WATER RIGHT RECORD CHECK DWF (see plat cards)

ENTER ON PLAT CARDS _____

A:SWRCHECK

4-26-91

Check application files on
cancelled certificates 3498
and ~~9783~~

December 9, 1991

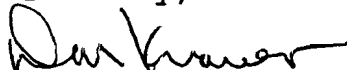
WATER
RESOURCES
DEPARTMENT

Bob Dodge, CWRE
Oregon Dept. Fish and Wildlife
2501 SW First Av.
Portland OR 97207

Dear Bob,

This letter is to confirm the phone conversation we had today. I will wait to do anything with SWR-41 in the name of the Oregon Department of Fish and Wildlife. As we talked on the phone, it will be best to get together with the manager of the Summer Lake Wildlife Area and go over the registration statement and map. I will wait for you to arrange the meeting. We can do it here in Salem at my office.

Sincerely,



Don Knauer
Adjudication Specialist

SWR-0041.001



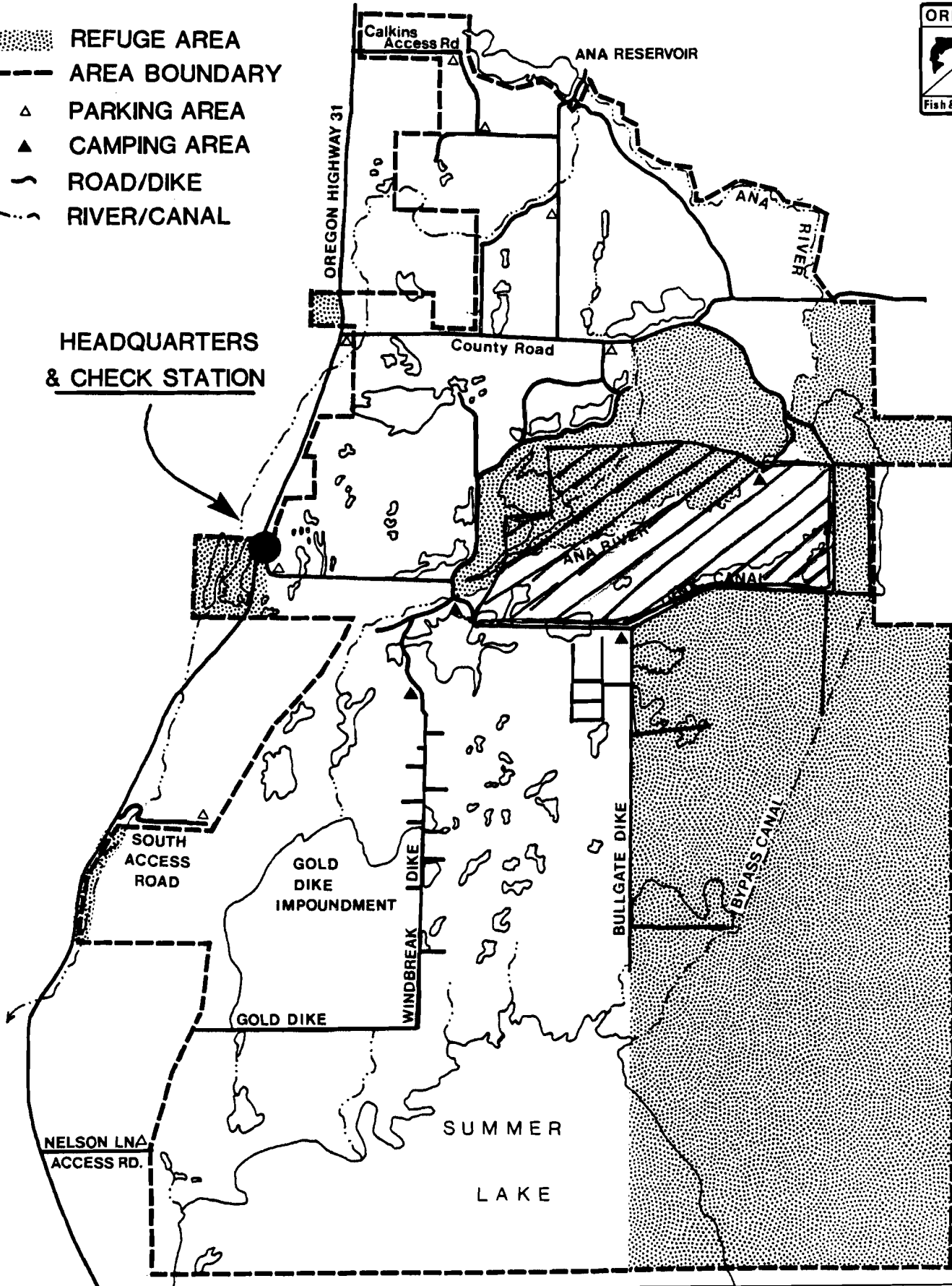
3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

SUMMER LAKE WILDLIFE AREA



- REFUGE AREA
- AREA BOUNDARY
- PARKING AREA
- CAMPING AREA
- ROAD/DIKE
- RIVER/CANAL

HEADQUARTERS
& CHECK STATION



RECEIVED

NOV 11 1982

DEPT. OF WATER RESOURCES

378-3739

STATE OF OREGON
WATER RESOURCES DEPARTMENT
Mill Creek Office Park • 555 13th. Street N.E.
Salem, Oregon 97310

RECEIVED FROM OR. Dept of Fish & Wildlife Application Permit Transfer 64516
TOTAL REC'D. \$ 233.00 CASH CHECK MONEY ORDER
By _____

EXAMINATION FEES: RECORDING FEES:
Surface Water \$ 40.00 \$ 193.00
Ground Water \$ _____ \$ _____
Transfer \$ _____ \$ _____

MISCELLANEOUS FEES:

Copying
Certification
Misc. Recording \$ _____
Protest
Extension of time ...

ADJUDICATION FEE \$ _____

POWER LICENSE FEE \$ _____

HYDROELECTRIC LICENSE FEE .. \$ _____

EXAM FEE \$ _____

WATER WELL CONSTRUCTION:

Driller's Exam Fee Driller's Lic. Fee
Contractor's Exam Fee \$ _____ Contractor's Lic. Fee \$ _____

ALL OTHER: _____ \$ _____

SUSPENSE TOTAL \$ 233.00

BASIN MAPS \$ _____

QUADRANGLE ACCOUNT \$ _____

RECEIPT NO.

JANCO BUSINESS FORMS SUPPLY PORTLAND OREGON 315769 D

33461

Dated

11-1-82

By

Meiss

TOWNSHIP 30 S RANGE 17 E W. M.

SECTION 16

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
								X							13918	10982		
								X							15510	11407	11974	
								X							19044	14648		
								X							19045	14649		
								X							19057	14657		
								X							19058	14658		

TOWNSHIP 30 S RANGE 17 E W. M.

SECTION 17

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
						3795	4040	CANCELED						26	39	11	4660	3479	3496
						40	40	40	40	40	40						14427	10447	
														X			13689	10981	11241
														X			13918	10982	11242
														X			15510	11407	11974
																	64516	47611	4
																	G-10414	G 10433	
																	SWR 41		

CHECKED
MAY 18-92 SWK

MAY 18-92 SWK

TOWNSHIP 30 S RANGE 17 E W. M.

SECTION 18

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT				
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
																	4660	3479	3496
																	14427	10447	48155
																	U-188	U-174	
																	G-10414	G 10433	
																	68294	49352	

Canceled - sp. or Rec. Vol. 38 - P. 425

Wildlife

Wildlife

4174 4134

4093 4053

40 32 40

TOWNSHIP 30 S RANGE 17 E W. M.

SECTION 21

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Cancelled - sp. or Rec. Vol. 38 P. 483				40				40				40				12723	9015	9783
40				40				40				40				19045	14649	CANCELLED
wildlife mgmt				wildlife mgmt				wildlife mgmt				wildlife mgmt				64516	47611	4
wildlife mgmt				wildlife mgmt				wildlife mgmt				wildlife mgmt				64518	48953	6
40 40				32 34 6				SWR.41										

TOWNSHIP 30 S RANGE 17 E W. M.

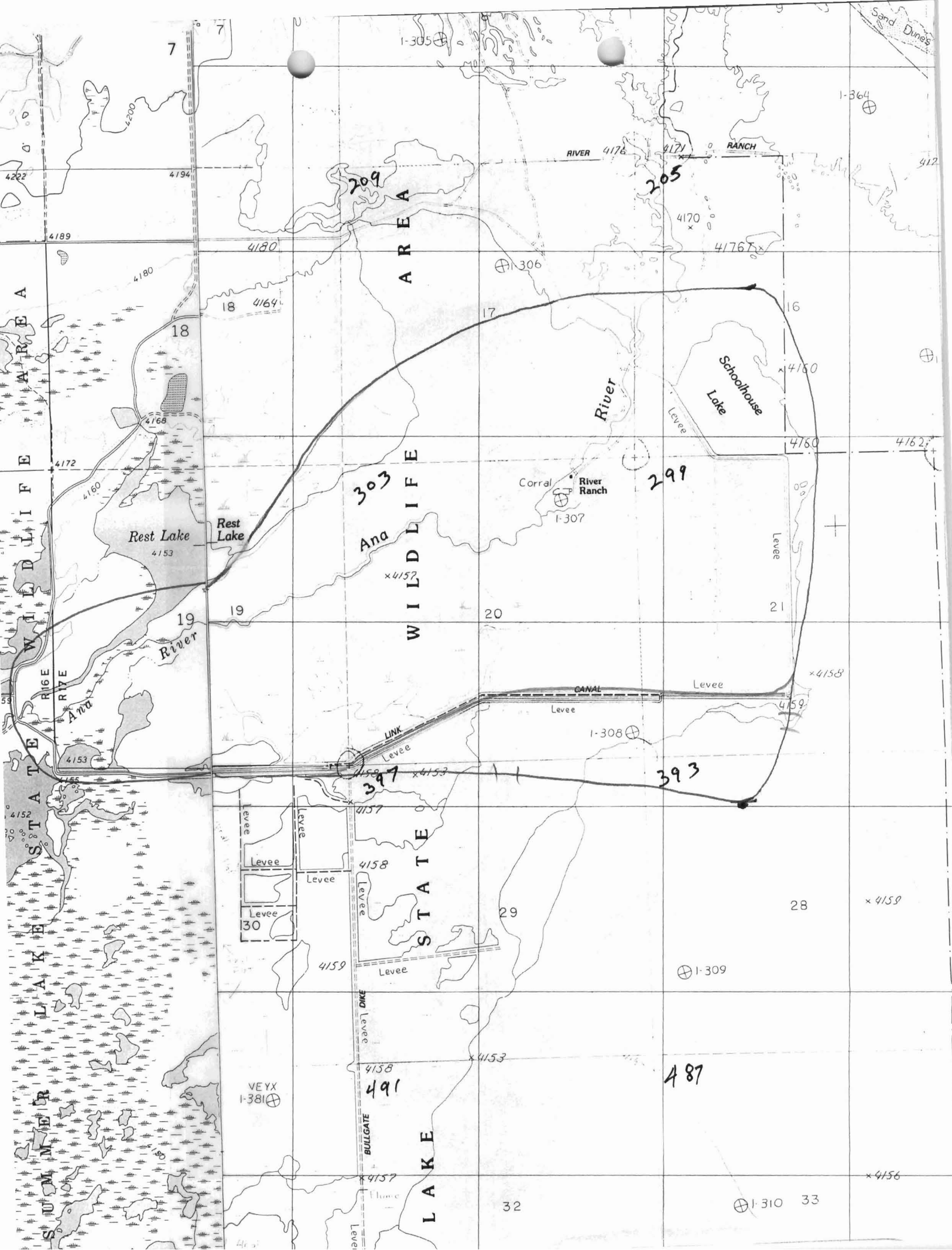
SECTION 20

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER																	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE																				
5 CANCELED				Cancelled - sp. or Rec. Vol. 38 P. 483				40 40				40 40				4660	3499	3496																	
wildlife mgmt				wildlife mgmt				wildlife mgmt				wildlife mgmt				12723	9015	9783																	
wildlife mgmt				wildlife mgmt				wildlife mgmt				wildlife mgmt				64516	47611	4																	
wildlife mgmt				wildlife mgmt				wildlife mgmt				wildlife mgmt				64518	48953	6																	
15° 23' 39"				34° 37' 38"				36° 33' 36"				35° 34' 30"				21° 30' 30"				12° 30' 30"				36° 34' 6"				6 6				SWR.41			

TOWNSHIP 30 S RANGE 17 E W. M.

SECTION 19

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER					
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT								
ACREAGE IN LOT 0				LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																			
40 40				40 40				40 40				40 40				14427	10447						
wildlife mgmt				wildlife mgmt				wildlife mgmt				wildlife mgmt				64516	47611	4					
24° 6' 28"				17° 13' 24"				6° 16' 25"				35° 39' 37"				35° 35'				SWR.41			
30° 40' 28"				31° 6'																			



YET

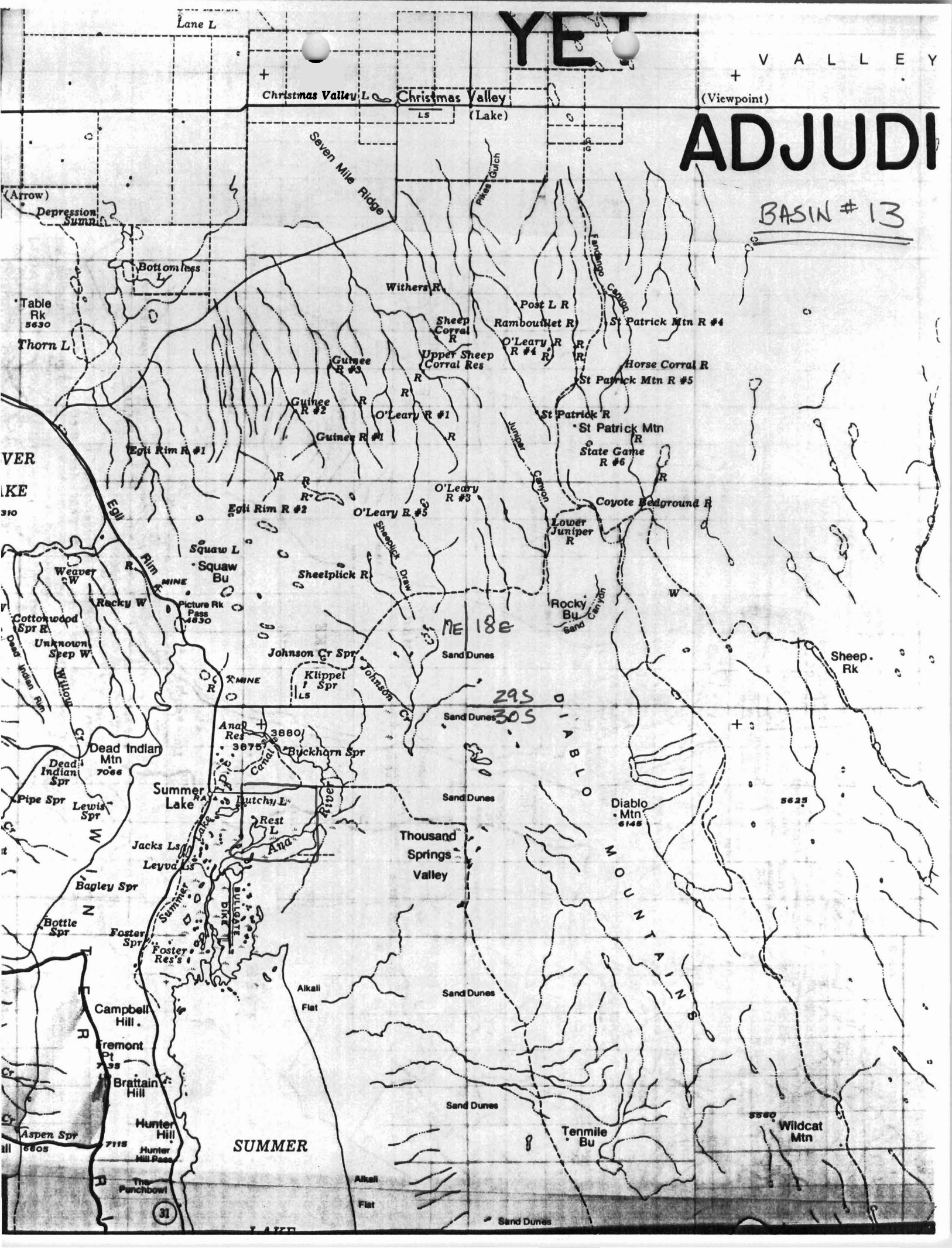
V A L L E Y

Christmas Valley L Christmas Valley (Lake)

(Viewpoint)

ADJUDI

BASIN # 13



Lane L

(Arrow) Depression Summit

Table Rk 5630

Thorn L

VER

KE

310

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

W

Bottomless L

Seven Mile Ridge

Withers R

Sheep Corral R

Post L R

Rambouillet R

St Patrick Mtn R #4

Upper Sheep Corral Res

O'Leary R #4 R

Horse Corral R

St Patrick Mtn R #5

Guinee R #3

Guinee R #2

Guinee R #1

O'Leary R #1

St Patrick R

St Patrick Mtn R

State Game R #6

Egli Rim R #1

Egli Rim R #2

O'Leary R #5

O'Leary R #3

Coyote Bedground R

Lower Juniper R

Squaw L

Squaw Bu

Sheeplick R

Sheeplick Draw

Rocky Bu

Sand Dunes

Sand Dunes

Sand Dunes

Sand Dunes

Sand Dunes

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Sand Dunes

Johnson Cr Spr

Klippel Spr

Ana Res 3880

3675

Byckhorn Spr

Canal

Butchy E

Rest L

Ana

Thousand Springs Valley

Diablo Mtn 6145

5625

Summer Lake

Jacks Ls

Leyva Ls

Bagley Spr

Bottle Spr

Foster Spr

Foster Res's

Campbell Hill

Fremont Pt 735

Brattain Hill

Hunter Hill

Hunter Hill Pass

The Punchbowl

31

SUMMER

Sand Dunes

5500

Wildcat Mtn

Tenmile Bu

Alkali Flat

Alkali Flat

Alkali Flat

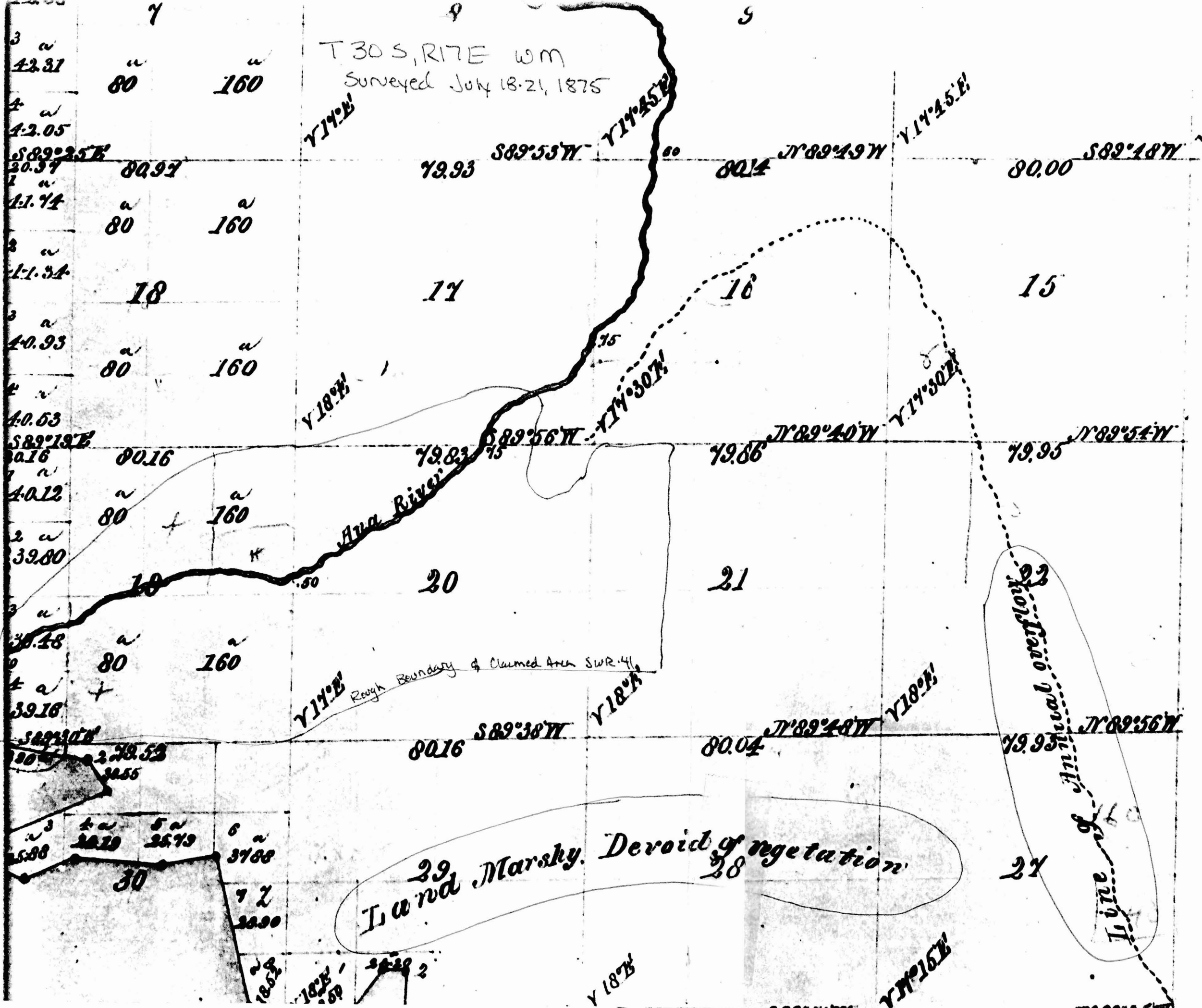
DIABLO MOUNTAINS

ME 18E

29S

30S

T 30 S, R 17 E W M
Surveyed July 18-21, 1875



Land Marshy. Devoid of vegetation

St. Ignace Mission boundary

Rough Boundary of Claimed Area SW R. 41

Ana River

3 a 42.37
4 a 42.05
5 a 41.74
6 a 41.54
7 a 40.93
8 a 40.53
9 a 40.12
10 a 39.80
11 a 38.48
12 a 39.18
13 a 39.10
14 a 39.53
15 a 39.55
16 a 39.58
17 a 39.20
18 a 35.79
19 a 37.88
20 a 37.00
21 a 36.50
22 a 36.50
23 a 36.50
24 a 36.50
25 a 36.50
26 a 36.50
27 a 36.50
28 a 36.50
29 a 36.50
30 a 36.50

N 17° 25' E

N 17° 45' E

N 17° 45' E

N 18° 00' E

N 17° 30' E

N 17° 30' E

N 17° 00' E

N 18° 00' E

N 18° 00' E

N 16° 00' E

N 18° 00' E

N 18° 00' E

N 18° 00' E

N 18° 00' E

79.93

80.14

80.00

80.97

80

160

18

17

16

15

80

160

80

160

80

160

79.83

79.66

79.95

18

20

21

80.16

80.04

79.95

39.53

30

37.88

37.00

36.50

36.50

29

28

27

October 16, 1991

Robert O. Dodge
Oregon Department of Fish and Wildlife
2501 SW First Avenue
PO Box 59
Portland, Or 97207

RE: Surface Water Registration

Dear Mr. Dodge:

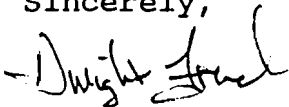
This will acknowledge that your Registration Statement Claiming a Right to Appropriate Surface Water in the name of Oregon Department of Fish & Wildlife has been received by our office. The fees in the amount of \$851.00 have been received and our receipt # 79858 is enclosed. The form you have submitted meets the requirements necessary for us to file it. It has been numbered SWR-41.

Your file has been referred to Don Knauer and awaits his review.

Our office will contact you in the future to advise you as to the next step in the proceedings. 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,



Dwight French
Adjudications Section

enc

A:ALETTER.002



STATE OF OREGON
WATER RESOURCES DEPARTMENT
 3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-3739/378-8130 (FAX)

RECEIPT # 79858

RECEIVED FROM: Dept. of Fish + Wildlife

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 96-10 OTHER: (IDENTIFY)

TOTAL REC'D \$ 851.00

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>851.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

02-00-0 FEDERAL FUNDS		
	OTHER: (IDENTIFY)	\$

03-00-0 WRD OPERATING ACCT		
MISCELLANEOUS:		
840.001	COPY FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$
WATER RIGHTS:		
842.001	SURFACE WATER	EXAM FEE \$ 842.002 RECORD FEE \$
842.003	GROUND WATER	EXAM FEE \$ 842.004 RECORD FEE \$
842.005	TRANSFER	EXAM FEE \$ 842.006 RECORD FEE \$
WELL CONSTRUCTION		
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$ 842.023 LICENSE FEE \$
842.016	WELL DRILL OPERATOR	EXAM FEE \$ 842.019 LICENSE FEE \$
	LANDOWNER'S PERMIT	842.024 LICENSE FEE \$

06-00-0 WELL CONST START FEE		
842.013	WELL CONST START FEE	\$
	MONITORING WELLS	\$
		CARD #
		CARD #

45-00-0 LOTTERY PROCEEDS		
864.000	LOTTERY PROCEEDS	\$

69001 SUSPENSE ACTIVITY		
842.115	POWER LICENSE FEE(FW)	LIC NUMBER \$
842.115	HYDRO LICENSE FEE(FW)	LIC NUMBER \$
832.009	HYDRO EXAM FEE(GF)	LIC NUMBER \$

RECEIPT # 79858 DATED: 10-15-91 BY: K. Acheson

MEMO

OREGON STATE GAME COMMISSION

To: Mr. Frank Graves
1007 Bear Creek Road
Bend, Oregon 97701

Date: Dec. 7, 1970

From: A. Boyd Claggett
Summer Lake, Oregon

RECEIVED

JUN 0 1 1993

Subject: Water and irrigation conditions on the River Ranch

WATER RESOURCES DEPT
SALEM, OREGON

Dear Frank:

As I recall you spent several years working on the River Ranch, located in the Summer Lake Valley on the lower Ana River, as an employee of Mr. William Kittridge. I would like to tax your memory on a few pertinent points about the ranch during your years of tenure.

*From Sept 1924
to August 1926*

- 1- During what years were you employed on the ranch?
- 2- How many water control weirs, dams, or water diversions were located in the main channel of the Ana River at the beginning of your employment? *one*
- 3- At what location were these structures located in the river in relation to the present house and barn? *about a mile downstream*
- 4- Did you help or construct any other controls where one did not exist before in the main channel of Ana River during your employment? *yes*
- 5- How much of the main Ana River flow during the non-irrigation season, the time during which the Summer Lake Irrigation District was not using any water was carried in the river channel through the River Ranch proper? *about 1/2 was diverted into Link Creek* *entire River*
- 6- If there were structures at the time your employment began for the purpose of diverting water from the main river channel for irrigation purposes during the spring, fall, and summer months; was this diverted water carried in ditches over much of the ranch or was the majority of the water backed-up over the river banks and allowed to run or spread with the fall of the land? *the latter*
- 7- At the beginning of your employment do you have any idea how much of the ranch was being irrigated by the efforts of man? ~~was there any irrigation on the north-west side of the river?~~ *no*
- 8- Do you remember any other factors on water distribution while you were employed at the ranch that might be of historical interest?

Thank you for your time and effort in shedding some light on the above subjects.

Respectfully,

A. Boyd Claggett
A. Boyd Claggett

over

There was a channel out of the main
was just below the Dam that took off
in an easterly direction out on to the
alkali flats, which was called Link creek
which had a head gate where it left the
main stream. In irrigation season this
head gate was closed and all the water
was forced down the main stream
at other times of the year this head-
gate was opened and about $\frac{1}{2}$ of the
water was released to go down Link Creek

Hope this answers your question

Best wishes

Frank

Wishing you & all
Happy Holidays

RECEIVED Oregon

OCT 16 1991

WATER RESOURCES DEPT.
SALEM, OREGON DEPARTMENT OF



FISH AND
WILDLIFE

September 12, 1991

Water Resources Department
3850 Portland Road, NE
Salem, OR 97310

Re: Registration Statement, Summer Lake WMA

Gentlemen:

Enclosed is a Registration Statement claiming a right to appropriate surface water at Summer Lake Wildlife Area, a Proof of Claim, a water rights map, and Deeds of Ownership. *Affidavit?*

Also enclosed is a check for \$851.00 to cover examination and recording fees, as follows: *FILING FEES!*

100 acres @ \$2.00	= \$200.00
884 acres @ \$1.00	= 884.00
Credit for fees for Permit 47611	= <u>-233.00</u>
	\$851.00

Sincerely,

Robert O. Dodge
Robert O. Dodge, C.W.R.E.
Project Engineer

Enc.

c Water Rights File, Summer Lake WMA

dg



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400

RECEIVED

OCT 18 1991

KNOW ALL MEN BY THESE PRESENTS, That DONOVAN LEE NICOL

, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by State of Oregon, acting by and through its Oregon State Game Commission, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Lake and State of Oregon, described as follows, to-wit:

Township 30 South, Range 16 East of the Willamette Meridian
Section 24: That part of Government Lot 1 described as: Beginning at the east quarter corner of Section 24, Township 30 South, Range 16 East of the Willamette Meridian, and running south to an iron pipe at the intersection of the north meander line of Summer Lake and east line of said Section 24; thence South 69°55' West a distance of 749.2 feet to a point on the South line of Section 24; thence North 297.35 feet to a point; thence North 28°35' East a distance of 177.2 feet to a point; thence North 73°16' East a distance of 264.4 feet to a point; thence North 41°9' East a distance of 297.3 feet to a point; thence North 13°19' East a distance of 605 feet, more or less, to the point of beginning.

Township 30 South, Range 17 East of the Willamette Meridian
Section 20: Beginning at the southwest corner of Section 20, Township and 30 South, Range 17 East of the Willamette Meridian
Section 21: running North 65°5' East 2,480.8 feet to a point; thence South 89°49' East to the East line of the West Half of the West Half of Section 21; thence North along said East line to the North line of the S½S½ of Section 21; thence westerly along the North line of the SW¼SW¼ of Section 21 and the north line of the S½S½ of Section 20 to the west line of Section 20; thence south along said West line to the point of beginning.

Section 17: S½S½
Section 19: Government Lots 2, 3 & 4, E½, SE¼NW¼, E½SW¼
Section 20: N½, N½SW¼, N½SE¼
Section 21: W½NW¼, NW¼SW¼

SUBJECT to location of power and telephone lines and public roads as they may now exist.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances.

Subject to an existing lease to Colahan Enterprises expiring April 1, 1972.

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 200,000

⁽¹⁾ However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 20th day of April, 1971.
Donovan Lee Nicol

519
RECEIVED

OCT 15 1991

WATER RESOURCES DEPT.
SALEM, OREGON,

STATE OF OREGON,

County of Lake

} ss.

BE IT REMEMBERED, That on this 2nd day of April before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Donovan Lee Nicol

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Richard J. ...
Notary Public for Oregon.

My Commission expires June 18, 1971

WARRANTY DEED

(FORM No. 703)
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

STATE OF OREGON,
County of Lake } ss.

I certify that the within instrument was received for record on the 2nd day of April, 1971, at 9:00 o'clock P.M., and recorded in book 157 on page 574 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Zane Gray
County Clerk Title.
By *John S. ...* Deputy.

AFTER RECORDING RETURN TO
John S. ...

1910.039

1936-1 286

RECEIVED

OCT 11 1937

WA. ... FORCES DEPT.
... OREGON

A F F I D A V I T

STATE OF CALIFORNIA,)
County of Riverside.) ss.

I, Oscar Kittredge, being first duly sworn, depose and say: That I am the son of William Kittredge, one-time owner of what is known as the River Ranch, located in Sections 17, 19 and 20 and 21, Township 30 South, Range 17 East of the Willamette Meridian.

That I first came to the River Ranch with my father in July of 1912, and being about 12 years of age. The family moved in to the ranch at that time for the purpose of haying. Later we lived on the premises during the years 1915 and 1916 and I went to school at the Ana River School. C.K.

The properties known as the River Ranch are very level and, prior to the construction of the Summer Lake Irrigation District Dam on Ana River, the water was diverted by placing a dam in the river in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20. This dam made the river overflow the lands, irrigating substantially all of the land shown to be irrigated on the Ana River Water Right Map of November 16, 1970, a copy of which is hereto attached. Up to this point of time all of the lands shown as irrigated are hayed or pastured by livestock and my best recollection is that with this ranch we put up approximately 600 tons of hay and would winter approximately 1,000 head of cattle from December 1st to about April 1st of each year.

After the construction of the dam on Ana River by the Summer Lake Irrigation District, which occurred in the early 1920's, it was then necessary to construct downstream diversions as there was not a sufficient volume of water to permit the overflow of the lands and, to the best of my recollection, there were probably five or six downstream diversions in the river, thus causing irrigation of all the lands except the high spots. There was a low spot in the

RECEIVED

OCT 13 1967

WATER RESOURCES DEPT.
SACRAMENTO, CALIFORNIA

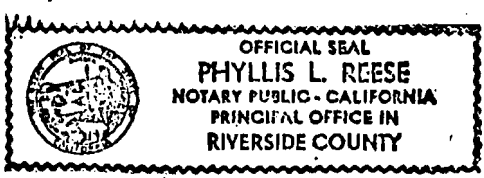
S $\frac{1}{4}$ of Section 19 and there were some ditches and dikes built to accelerate the drainage, thus getting the water off the land.

At the time I went upon the land in 1912 there were evidences of the old diversion in the river and old stockyards and a house on the property located on the ^{RIVER BANK} high ground, as shown on the attached map, located in the ^{SW $\frac{1}{4}$} of the ^{SW $\frac{1}{4}$} of Section 20, Township 30 South, Range 17 E.W.M. The appearances were that this land had been used and lived on for a good many years prior to the time I came to this place in July of 1912. C.K.

That this affidavit is made in support of the contention that the lands known as the River Ranch, shown on the attached map, have long been irrigated and used for livestock grazing and for the purposes of haying.

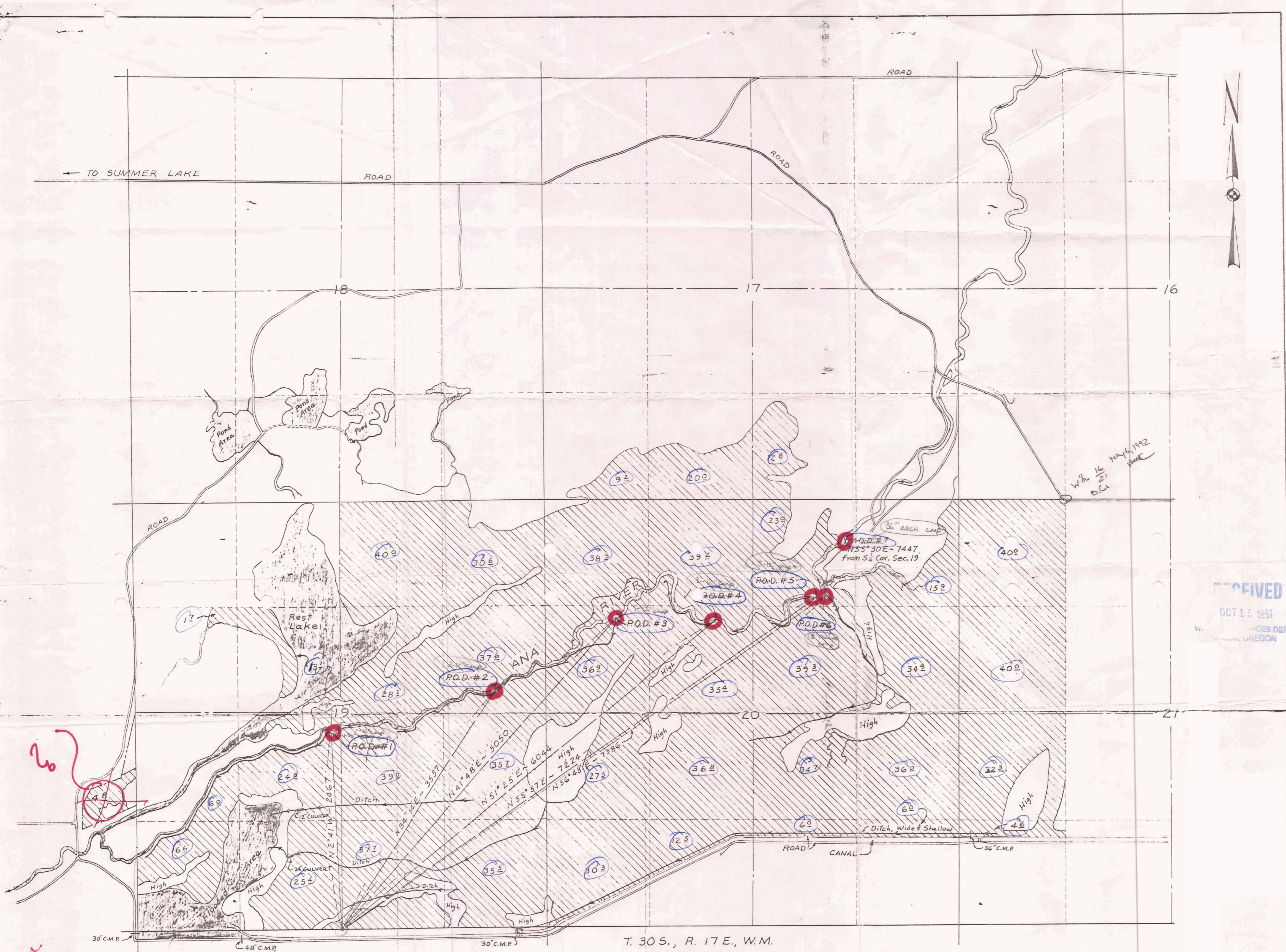
Cesar Kittredge

Subscribed and sworn to before me this 1st day of December, 1970.



Phyllis L. Reese
Notary Public for California

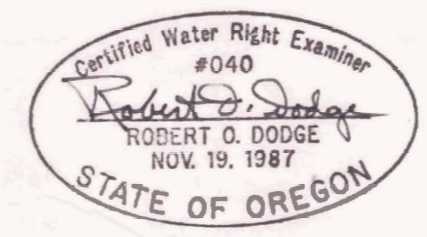
My Commission Expires:
My Commission Expires January 13, 1971



SIZES OF CULVERTS IN CHECKS IN ANA RIVER IMMEDIATELY DOWNSTREAM FROM POINTS OF DIVERSION

- ALL CULVERTS ARE PIPE-ARCHES UNLESS OTHERWISE NOTED.
- | | |
|-----------------------|-------------------------------|
| NEAR P.O.D. #1 | NEAR P.O.D. #5 |
| 1- 72" X 42" X 30 FT. | 1- 72" X 42" X 30 FT. |
| 1- 44" X 28" X 30 FT. | 1- 44" X 28" X 30 FT. |
| NEAR P.O.D. #2 | NEAR P.O.D. #6 |
| 1- 72" X 42" X 30 FT. | 1- 20" X 20 FT. ROUND CULVERT |
| NEAR P.O.D. #3 | WITH HEADGATE |
| 1- 72" X 42" X 30 FT. | NEAR P.O.D. #7 |
| NEAR P.O.D. #4 | 1- 44" X 28" X 30 FT. |
| 1- 72" X 42" X 30 FT. | |

Scale: 1" = 660'



ANA RIVER
WATER RIGHT MAP

11/16/70

PRELIMINARY