



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

February 21, 2006

Carol DeHaven Skerjanec  
Attorney at Law  
PO Box 220  
Vale, OR 97918

Re: Surface Water Registration Statement 61 (SWR-61)

Dear Ms. Skerjanec:

We received your letter of February 14, 2006, amending the ownership of SWR 61 from Rocky Meadows Land and Investment LLC to Tree Top Ranches LP. Your letter and the accompanying documentation will be placed in the file for SWR 61.

Please do not hesitate to contact us if we may be of further assistance.

Sincerely,

Teri Hranac  
Adjudication Specialist

CAROL DEHAVEN SKERJANEC  
Lawyer

\*Admitted in Oregon and Idaho

Of Counsel  
William F. Schroeder

280 A Street East  
P. O. Box 220  
Vale, Oregon 97918  
Telephone (541)473-3141  
Telecopy (541)473-2651

[Skerjanec@valelawyers.com](mailto:Skerjanec@valelawyers.com)

3854 Hot Springs Road  
New Meadows, Idaho  
(208)347-4474

\*\* Reply to Vale Office

February 14, 2006

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

Re: SWR Statement #61

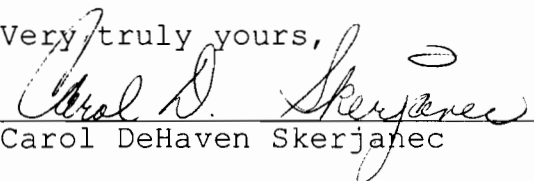
Rocky Meadows Land and Investment LLC to Tree Top Ranches LP, an  
Idaho limited liability partnership

Gentlemen:

We represent Tree Top Ranches LP.

Enclosed is the original Request for Assignment of SWR  
Statement #61 from Rocky Meadows Land and Investment LLC, the  
former owner, to Tree Top Ranches LP, an Idaho limited partnership,  
the current owner of the property. Attached to the Request is the  
Affidavit of Alan B. White, an authorized member of RMLI proving  
continued use of the water during the period of ownership by RMLI.

If you have any questions, please let us know.

Very truly yours,  
  
\_\_\_\_\_  
Carol DeHaven Skerjanec

Enc.  
cc: Tree Top Ranches LP

**RECEIVED**

FEB 16 2006

WATER RESOURCES DEPT  
SALEM, OREGON

# REQUEST FOR ASSIGNMENT

RECEIVED

I, Rocky Meadows Land and Investments LLC  
(Name of Applicant / Permit / Transfer Holder)

FEB 16 2006

WATER RESOURCES DEPT  
SALEM, OREGON

P. O. Box 336                      McDermitt                      NV                      89421  
(mailing address)                      (City)                      (State)                      (Zip)                      (Phone #)

## CHECK ONE

- ...hereby assign **all my interest** in and to application/permit/transfer;
- ...hereby assign **all my interest** in and to a **portion** of application/permit/transfer;  
(You must include a map showing the portion of the application/permit to be assigned.)
- ...hereby assign **a portion of my interest** in and to the **entire** application/permit/transfer;

Application # \_\_\_\_\_, Permit # \_\_\_\_\_, Transfer # \_\_\_\_\_

SWR

-OR-

Statement # 61, GR Certificate of Registration # \_\_\_\_\_

as filed in the office of the Water Resources Director, to:

Tree Top Ranches LP, an Idaho limited partnership  
(Name of New Owner)

P. O. Box 3021                      Princeton                      OR                      97721                      541-493-2706  
(mailing address)                      (City)                      (State)                      (Zip)                      (Phone #)

**NOTE:**      *If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.*

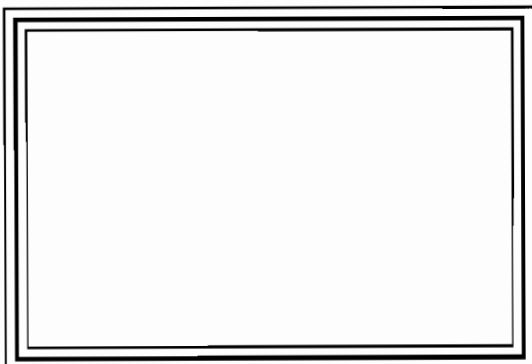
I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 15th day of April, 2005.

Applicant/Permit holder Rocky Meadows Land & Investments

Applicant/Permit holder by Alan White

## DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with the appropriate recording fees:

- ◆ \$25 for the first page, and
- ◆ \$5 for **each additional page.**  
[as required by ORS 536.050(1)(d)]

WATER RESOURCES DEPARTMENT  
725 SUMMER STREET NE, SUITE A  
SALEM, OREGON 97301-1271

Re: SWR#61

AFFIDAVIT OF USE

STATE OF NEVADA )  
County of Humboldt )<sup>ss</sup>

Rocky Meadows Land and Investments L.L.C., by and through member Alan B. White, hereby says:

From April 2, 2002 through April 15, 2005, Rocky Meadows Land and Investment LLC was the owner and operator of lands identified in Surface Water Registration Statement #61. During said period of time water use continued in the same manner and amount as identified in the Surface Water Registration Statement signed by John M. Echave and filed on March 2, 1992, identified as SWR #61 (John M. Echave - Oregon Canyon Ranch, registrant).

The change in registration is requested for the reason that a change in ownership of the underlying land and water rights from Rocky Meadows Land and Investment LLC to Tree Top Ranches LP, an Idaho limited partnership occurred on April 15, 2005.

For the above reasons, a Request for Assignment of SWR #61 is filed herewith.

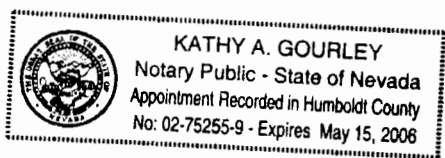
Dated: FEBRUARY 7, 2006.

Rocky Meadows Land and Investments LLC

By: Alan B White  
Alan B. White

STATE OF NEVADA )  
County of Humboldt )<sup>ss</sup>

Personally appeared the above named Alan B. White, Member of Rocky Meadows Land & Investment, LLC, a Utah limited liability company, and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of said Rocky Meadows Land & Investment, LLC, before me this 7 day of February, 2006.



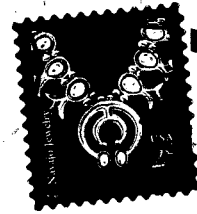
Kathy A. Gourley  
Notary Public for Oregon  
My Commission Expires: 5/15/06

RECEIVED


FEB 16 2006

WATER RESOURCES DEPT  
SALEM, OREGON

Carol DeHaven Skerjanec  
280 A Street East  
P. O. Box 220  
Vale, OR 97918



Oregon Water Resources Department  
725 Summer St NE Ste A  
Salem, OR 97301-1266

97301+1266 0007 

SWR 61 Terry



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

September 23, 2002

Application File Number(s): S80610 and SWR Statement #61, Permit Number(s): 52942

Application file in name of:

JOHN M. ECHAVE  
OREGON CANYON RANCH  
PO BOX 436  
MCDERMITT NV 89421

Agent, representing the Applicant:

STEVE R. TURNER  
J. FREEDMAN & company  
15 COLORADO AVENUE, SUITE B  
BEND OR 97702

FULL Assignment to:

ROCKY MEADOW LAND AND INVESTMENT LLC  
HC 65 BOX 165  
BLUEBELL UT 84007

Original Request for Assignment returned to originator STEVE R. TURNER with original receipt #51942.

cc: Watermaster District #9, RON JACOBS  
WRD Data Center  
File(s) #S80610 and SWR #61

S:\groups\wr\hydro\jan's files\assign draft form2.wpd



# REQUEST FOR ASSIGNMENT

I, John M. Echave - Oregon Canyon Ranch  
(Name of Applicant / Permit Holder)

P.O. Box 436 McDermitt NY 89421 541-586-4007  
(mailing address) (City) (State) (Zip) (Phone #)

### CHECK ONE

- ...hereby assign all my interest in and to application/permit;
- ...hereby assign all my interest in and to a portion of application/permit;  
(You must include a map showing the portion of the application/permit to be assigned.)
- ...hereby assign a portion of my interest in and to the entire application/permit;

Application # \_\_\_\_\_, Permit # \_\_\_\_\_;  
-OR-

SWR  
GR Statement # 61, GR Certificate of Registration # \_\_\_\_\_

as filed in the office of the Water Resources Director, to:

Rocky Meadow Land and Investment L.L.C.  
(Name of New Owner)

HC 65 Box 165 Bluebell, UT 84007 (435) 454-3176  
(mailing address) (City) (State) (Zip) (Phone #)

**NOTE:** If there are other owners of the property described in this Application, Permit or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 2nd day of April, 2002.  
X Applicant/Permit holder John M. Echave  
Applicant/Permit holder \_\_\_\_\_

*OK - ASSIGN  
4/12/2002  
M.S.*

**DO NOT WRITE IN THIS BOX**

This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.  
- Fee receipt # 51942  
- For Director by Jerry Sauter, Program Analyst in Water Rights Division Jerry Sauter

The completed "Request for Assignment" form *must be* submitted to the Department along with the appropriate recording fees:

- ◆ \$25 for the first page, and
- ◆ \$5 for each additional page.  
[as required by ORS 536.050(1)(d)]

WATER RESOURCES DEPARTMENT  
158 12<sup>TH</sup> STREET NE  
SALEM, OREGON 97301-4172

RECEIVED  
APR 10 2002  
WATER RESOURCES DEPT.  
SALEM, OREGON

# REQUEST FOR ASSIGNMENT

I, John M. Echave - Oregon Canyon Ranch  
(Name of Applicant / Permit Holder)

P.O. Box 436 McDermitt NV. 89421 541-586-4007  
(mailing address) (City) (State) (Zip) (Phone #)

### CHECK ONE

- ...hereby assign all my interest in and to application/permit;
- ...hereby assign all my interest in and to a portion of application/permit;  
(You must include a map showing the portion of the application/permit to be assigned.)
- ...hereby assign a portion of my interest in and to the entire application/permit;

Application # S-80610, Permit # 52942  
-OR-

GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_

as filed in the office of the Water Resources Director, to:

Rocky Meadow Land and Investment L.L.C.  
(Name of New Owner)

*OK ASSIGN  
4/11/2002*

HC 65 Box 165 Bluebell, UT 84007 (435) 454-3176  
(mailing address) (City) (State) (Zip) (Phone #)

**NOTE:** *If there are other owners of the property described in this Application, Permit or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.*

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 2nd day of April, 2002  
 Applicant/Permit holder John M. Echave  
Applicant/Permit holder \_\_\_\_\_

### DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.  
- Fee receipt # 51942  
- For Director by Jerry Sauter, Program Analyst in Water Rights Division *Jerry Sauter*

The completed "Request for Assignment" form *must be* submitted to the Department along with the appropriate recording fees:

- ◆ \$25 for the first page, and
  - ◆ \$5 for each additional page.
- [as required by ORS 536.050(1)]*

WATER RESOURCES DEPARTMENT  
158 12<sup>TH</sup> STREET NE  
SALEM, OREGON 97301-4172

WATER RESOURCES DEPT.  
SALEM, OREGON

APR 10 2002

RECEIVED



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **51942**

158 1<sup>st</sup> ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

**580610**

RECEIVED FROM: Steve R. Turner  
BY: \_\_\_\_\_

APPLICATION	<b>SWR-61</b>
PERMIT	
TRANSFER	

CASH:  CHECK: # X 96/602 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ **25.00**

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
VOUCHER # _____	

**0427 WRD OPERATING ACCT**

**66111**

MISCELLANEOUS		
0407 COPY & TAPE FEES	\$	
0410 RESEARCH FEES	\$	
0408 MISC REVENUE: (IDENTIFY) <u>Assign</u>	\$	<b>25.00</b>
(New) TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$	

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) \_\_\_\_\_

**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	

OTHER (IDENTIFY) \_\_\_\_\_

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS	\$
-----------------------	----

**0467 HYDRO ACTIVITY**

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **51942**

DATE 4/10/02 BY Connie Vance

Distribution: White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

# WRD Fees

Stock  
100 ac @ \$2  
1501 @ \$1

200 <sup>00</sup>
200 <sup>00</sup>
1501 <sup>00</sup>
<hr/>
\$1901 <sup>00</sup>

Water Resources Department  
3850 Portland Rd NE  
Salem, OR 97310

RECEIVED  
JAN 18 1993  
WATER RESOURCES DEPT  
SALEM, OREGON

Attention: Don Knauer

Re: SWR 61

Dear Mr. Knauer;

I am sending a notice of my proposed additional point of diversion from Oregon Canyon Creek for SWR 61 and a petition requesting adjudication of this stream.

The adjudication is necessary so that future changes can be approved by the transfer process.

Thank you for all of your help.

John M. Echave

RECEIVED

JAN 12 1993

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
NOTICE

I, John M. Echave of Oregon Canyon Ranch, P.O. Box 436, McDermitt, Nevada, 98421 (702-532-8534) hereby give notice of intention to add a point of diversion to my registration claim #SWR 61.

No change in the existing diversion or use will be made as a result of this addition.

The additional point of diversion will be constructed 20 ft. N and 1,750 ft. W from the SE cor of Sec 35 T38S, R40E.

A pressure pipeline will deliver water during periods of low flow to the irrigated land at or near the existing point of diversion.

The reason for this is to better utilize water during periods of low flow and reduce reliance on public grazing.

Dated and signed January 8, 1993

John M. Echave

Larry's copy

RECEIVED

MAR 02 1932

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

WATER RESOURCES DEPT SALEM, OREGON

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
38S	41E	31		2.0	40.0	39.2	0.5		18.6	30.5	28.1	10.8			32.8			0.3
		32		34.7	37.2	25.5	35.7	28.2	40	40	40	40	11.4	22.3	31.1	35		31.3
		33			27.3	12.5			24.8	14.5	23.6	23.4	26.6	5.0	26.1	16.		31.3
		34								14.0	26.0	36.3	17.9	0.5	1.3			
39S	41E	2			22.7				14.8	1.7	0.1	18			3.7			
		3	1.2	11.2	37.4	32.3	24.5	37	37.8	37.5	19.1	5.5		37.8	23.7		0.2	
		4	36.1	38.8	11.8	10.8	39.1	14.5		3.4								
		5	1.3															
TOTAL ACRES 1,600.8																		

Filed for record

Feb 20 1888

1 October P. M.

E. H. Post

Co. Clerk

by T. Jones  
deputy

Know all men by these presents. That we  
 Ann. W. Riley and James. A. Hardin do  
 hereby certify and declare that we have con-  
 structed, and do maintain, certain water-  
 ditches upon certain Creeks running from  
 a Mountain Range lying west of our land  
 in the County of Malheur State of Oregon  
 under and by virtue of the laws of the  
 United States and the State of Oregon in  
 such case made, and provided. The said  
 ditches six in number are used to convey the  
 water of Oregon Canyon Creek and branches  
 and shall be known by the names of Oregon  
 Canyon Creek, ditches Nos 1 (one) to 6 (six) being  
 the main ditches conveying the water from  
 Oregon Canyon Creek, and branches which  
 are hereafter described and from which  
 ditches many small ditches are constructed  
 Ditch No 1 is taken from the main creek on  
 the western part of Sec 31 running in an  
 easterly direction irrigating the land in said  
 Sec 31 and 32. T. 38 S. R. 41 E. W. M.  
 Ditch No 2 is taken from the main creek in  
 about the centre of Sec 31 running in a  
 north easterly and easterly direction irrigating  
 land in Sec's 31 & 32, as described above  
 Ditch No 3 is taken from the main Creek  
 in the eastern part of Sec 31 running in a  
 south easterly direction irrigating our land  
 in Sect's 31, 32, 33 & 34 T. 38 S. R. 41 E. W. M. and northern  
 part Sec 3 T. 39 S. Same R. & M. as above  
 Ditch No 4 is taken from South branch of said  
 Canyon Creek southwestern part of Sec 32  
 running in a southwesterly direction irrigating  
 our land in said Sec 32 T. 38 S. R. 41 E. W. M. and  
 Sec 5 T. 39 S. R. 41 E. W. M.

RECEIVED

MAR 02 1892

WATER RESOURCES DEPT  
SALEM OREGON

Est  
P. Mc  
H. Post  
Clem  
F. Jones  
deputy

we hereby certify and declare that we have constructed, and do maintain, certain water-ditches upon certain creeks running from a Mountain Range lying west of our land in the County of Malheur State of Oregon under and by virtue of the laws of the United States and the State of Oregon in such case made, and provided. The said ditches six in number are used to convey the water of Oregon Canyon Creek and branches and shall be known by the names of Oregon Canyon Creek ditches Nos 1 (one) to 6 (six) being the main ditches conveying the water from Oregon Canyon Creek and branches which are hereafter described and from which ditches many small ditches are constructed

RECEIVED  
MAR 02 1992  
WATER RESOURCES DEPT.  
SALEM, OREGON

Ditch No 1 is taken from the main creek on the western part of Sec 31 running in an easterly direction irrigating the land in said Sec 31 and 32. T. 38 S. R. 41 E. W. M.

Ditch No 2 is taken from the main creek in about the centre of Sec 31 running in a north easterly and easterly direction irrigating land in Sec's 31 & 32, as described above

Ditch No 3 is taken from the main creek in the eastern part of Sec 31 running in a south easterly direction irrigating our land in Sect's 31, 32, 33 & 34 T. 38 S. R. 41 E. W. M. and northern part Sec 3 T. 39 S. Same R. & M. as above

Ditch No 4 is taken from South branch of said Canyon Creek southwestern part of Sec 32 running in a southwesterly direction irrigating our land in said Sec 32 T. 38 S. R. 41 E. W. M. and Sec 5 T. 39 S. R. 41 E. W. M.

Ditch No. 5, is taken from same branch as ditch no. 4. western part sec 32 running easterly northeasterly, and southwesterly irrigating our land in said Sect 32 & 33 T<sub>38</sub> S. R. 41 E. W. M. and Sects 2, 3, & 4 T<sub>39</sub> S. R. 41 E. W. M.

Ditch No. 6, is taken from the main Canyon Creek about the centre of Sec. line between Sects 33 & 34 running in a southeasterly direction irrigating our land in said Sects 33 & 34 T<sub>38</sub> S. R. 41 E. W. M., and Sects 2 & 3 T<sub>39</sub> S. R. 41 E. W. M. - All of the described ditches are used for the purpose of irrigating lands claimed by us lying on and near the same. We claim all the water of Oregon Canyon Creek and branches above described for irrigating said lands and other purposes a plot of said ditches is hereto annexed and is made a part of this certificate

Amos W. Riley  
James A. Hardin

Subscribed and sworn to before me by the said Amos W. Riley and James A. Hardin this 14<sup>th</sup> day of February 1888.

J. F. Mulgrew  
County Clerk and ex-officio  
Clerk of the Superior Court  
of Sonoma County California

RECEIVED

MAR 02 1882

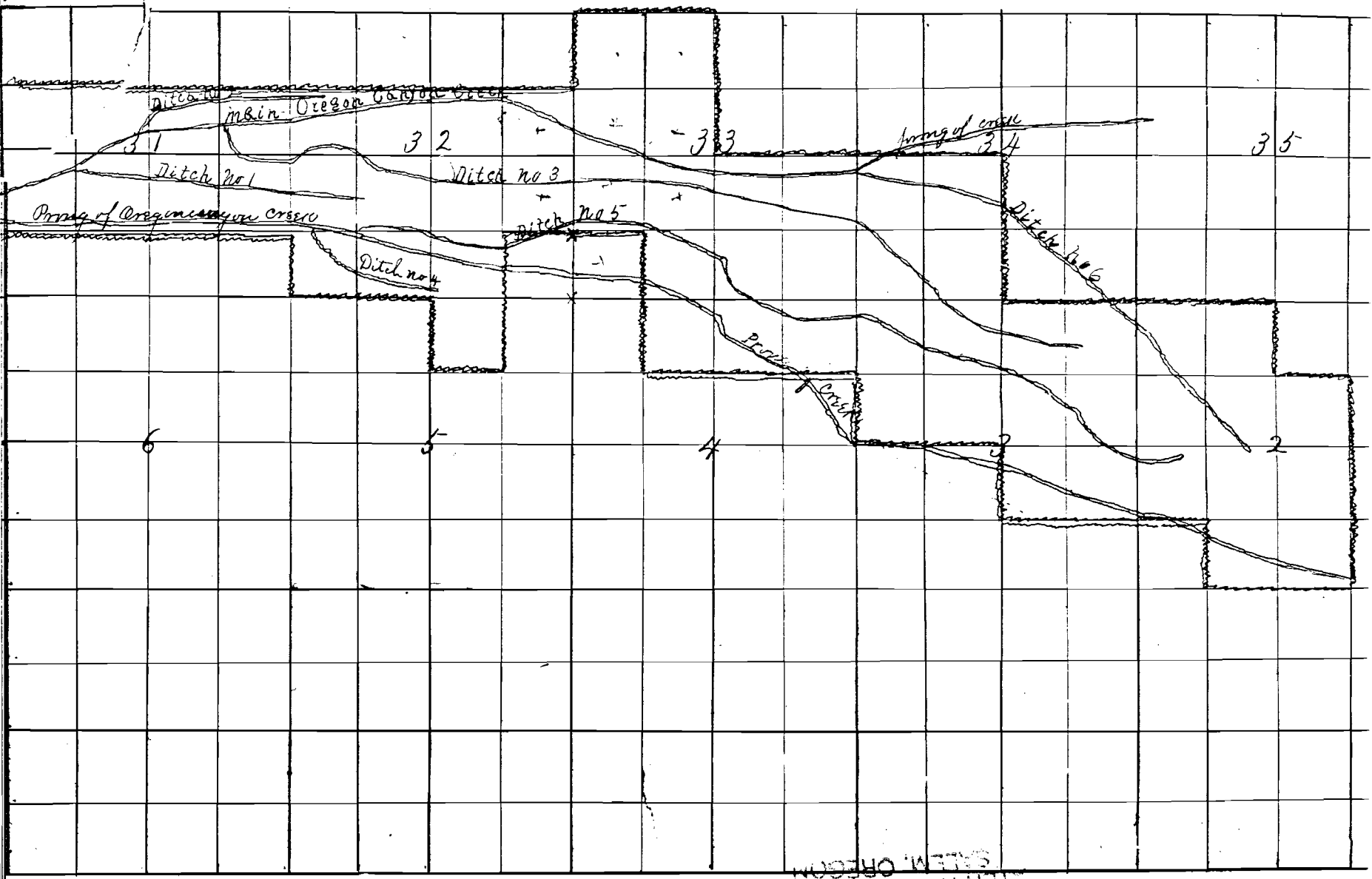
WATER RESOURCES DEP  
SALEM, OREGON



163 Sp 38-S  
of R. 408

Township No. 38 - S. R. No. 41 - E. W. M.

Plat of Oregon Canyon Ditches Nos. 1 to 6



Sp 39. S. R. 41. E. Will. Mer. 15

DEPT. OF AGRICULTURE  
SALMON, OREGON

MAR 02 1992

RECEIVED

No. 39 South

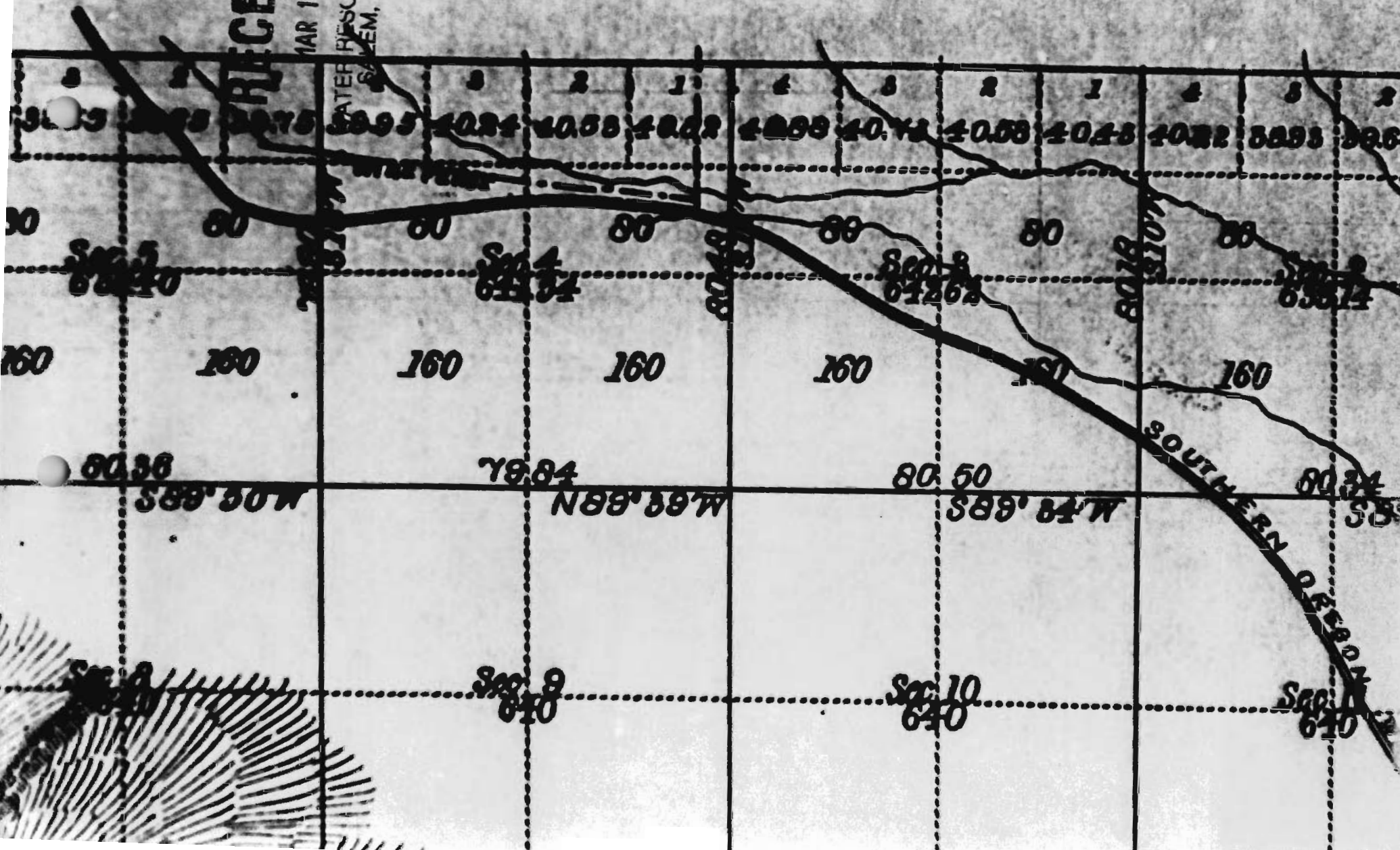
Range No. 41 East

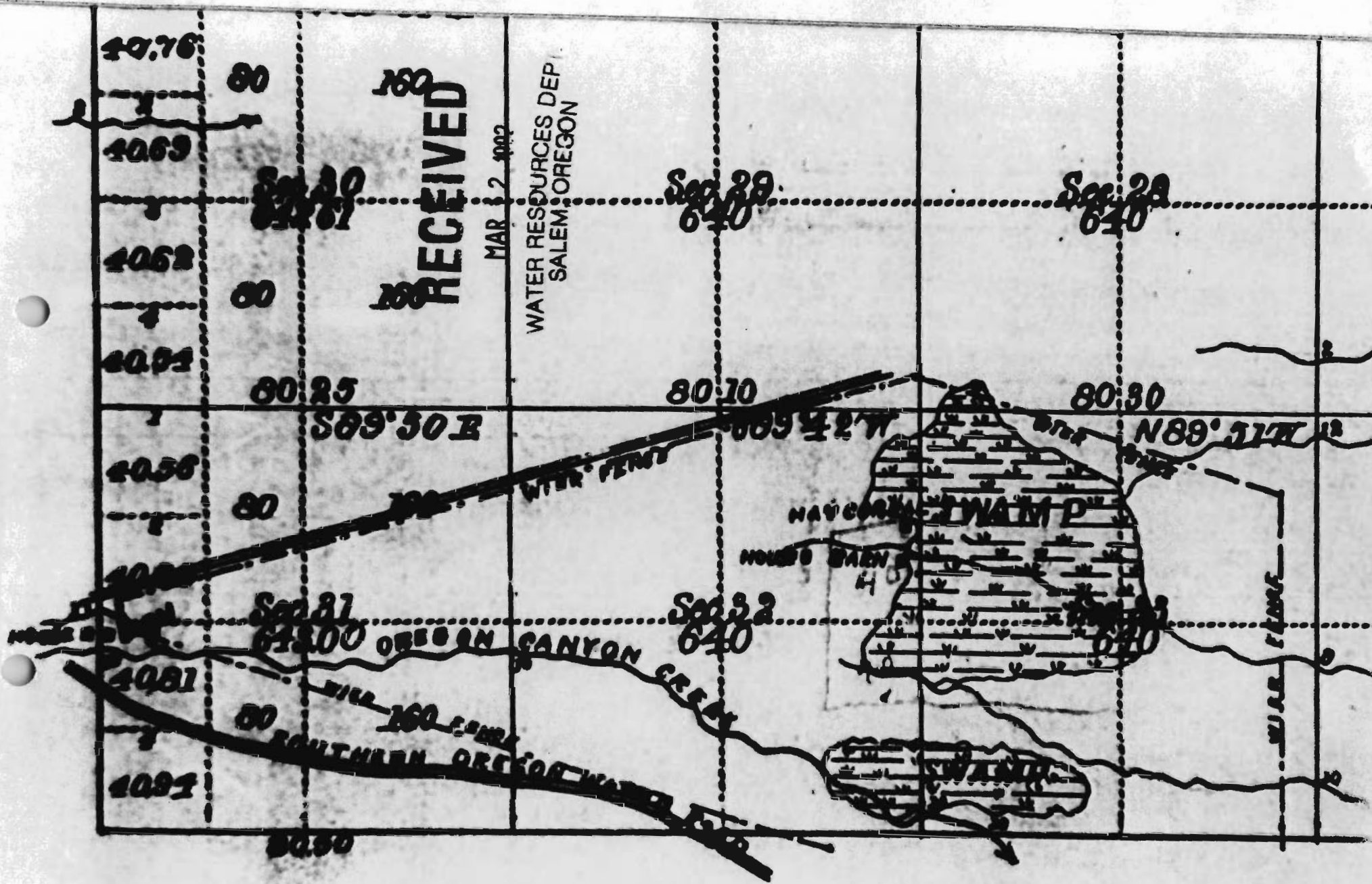
Willamette

RECEIVED

MAR 12 1992

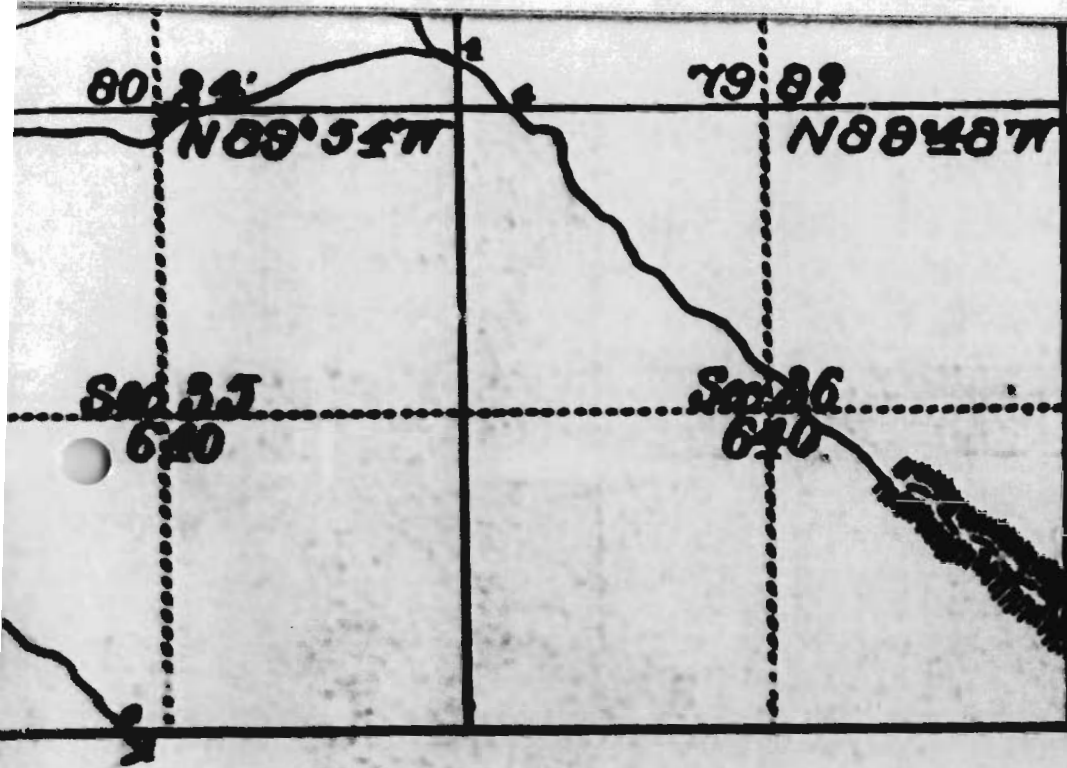
WATER RESOURCES DEPT.  
SALEM, OREGON





Total number of Acres

SERVES DESIGNATED.	BY WHOM SURVEYED.	NO.	DATE OF CONTRACT.	AMOUNT OF SURVEYS.		
				Acres.	Cents.	Fths.
...	F. K. Henderson	303	April, 29 1902			



**RECEIVED**

MAR 12 1892

WATER RESOURCES DEPT.  
SALEM, OREGON

DECLINATION  
45 East



Scale, 60 Chains to an Inch.

*The above Map of the Subdivision  
No. 38 South..... of Range No. 4  
the Willamette Meridian, Oregon, is  
able to the Field Notes of the survey  
this Office, which have been examined  
U. S. Surveyor-General's Office,  
Portland, Oregon,  
.....Feb.....6....., 1882..*

*Jan*

February 2, 1993

WATER  
RESOURCES  
DEPARTMENT

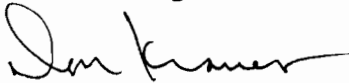
JOHN M ECHAVE  
PO BOX 436  
MCDERMITT NV 98421

RE: SWR-61

Dear Mr Echave,

This will acknowledge the "NOTICE" you sent to the Water Resource Department in regards to an additional point of diversion from Oregon Canyon Creek. I will add the notice to your file.

Sincerely,



Don Knauer  
Adjudication Specialist

C:\WP51\SWR\CLAIMANT\SWR-0061.008



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

February 1, 1993

WATER  
RESOURCES  
DEPARTMENT

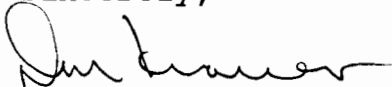
JOHN M ECHAVE  
PO BOX 436  
MCDERMITT NV 89421

Dear Mr Echave,

This will acknowledge you petition for the determination of water rights on Oregon Canyon Creek tributary to Ten Mile Creek.

Your petition was received in this office and filed on January 12, 1993 and will be added to the other petitions awaiting adjudication.

Sincerely,



Don Knauer  
Adjudication Specialist

C:\WP51\SWR\CLAIMANT\SWR-0061.007



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

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 83789 CHECK ENCLOSURES see 8-11-92 NEED A  
CHECK BASIN MAP see 11-10-92 UNADJUDICATED AREA ? N/A  
SURFACE WATER REGISTRATION NUMBER 61 Basin 11  
PRELIMINARY DATA BASE ENTRY AWP  
ACKNOWLEDGEMENT LETTER see ENTER ON STREAM INDEX R  
PUBLIC NOTICE PUBLICATION h WATERMASTER CHECKLIST h  
CHECK QUADRANGLE MAP h CHECK GLO PLATS h

FORM REVIEW

- blanks filled in
- signed
- date received stamped

MAP REVIEW

- source and trib
- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use spot
- scale
- township, range, section
- north arrow
- CWRE stamp
- disclaimer
- date survey was performed
- P.O.B. of survey
- dimensions and capacity of diversion system on the plat
- "beneficial use" type title
- "permanent-quality" paper

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

A: SWRCHECK

12-24-91

## *INTEROFFICE MEMORANDUM*

*Oregon Water Resources Department  
Adjudication Section*

*TO: SWR-61 ECHAVE*

*FROM: Don Knauer*

*DATE: November 4, 1992*

*SUBJECT: FIELD INSPECTION*

*Dwight French and I met with Mr and Mrs Echave and talked about their water use. They explained the history and operation of the ranch. Mr Echave gave us a tour of the irrigated fields and diversion points. The map and use appear to agree. He said he has 1000 head of cows on the property at present. He can go up to 2170 head depending upon feed and water. The livestock drink from the channels and ditches. Everything appears to be ok.*



November 4, 1992

WATER  
RESOURCES  
DEPARTMENT

JOHN M. ECHAVE  
OREGON CANYON RANCH  
PO BOX 436  
MCDERMITT NV 98421

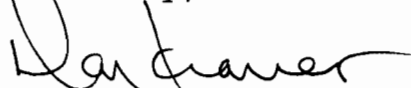
Dear Mr. Echave,

During my visit to your ranch on Oct. 14, 1992 we talked about your interest in adding a point of diversion to your irrigation system. If all you want to do is add the point of diversion and not expand the area you irrigate, this might be accomplished through our transfer application process. The only problem is that your water right has not gone through the actual adjudication process. I think we might be able to get around that. I am sending an application and information about adding a point of diversion.

I spoke with Larry Jebousek the other day about your ranch. He told me that at the time he did the survey for your vested right claim, he also surveyed some "new" land and point of diversion. If you really want to add new land and a new point of diversion you would do that through the application process that Larry talked to you about. In fact he told me that map and form are pretty much ready. I'm not sending that information.

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

Sincerely,



Don Knauer  
Adjudication Specialist

C:\W\SI\SWR-61.005

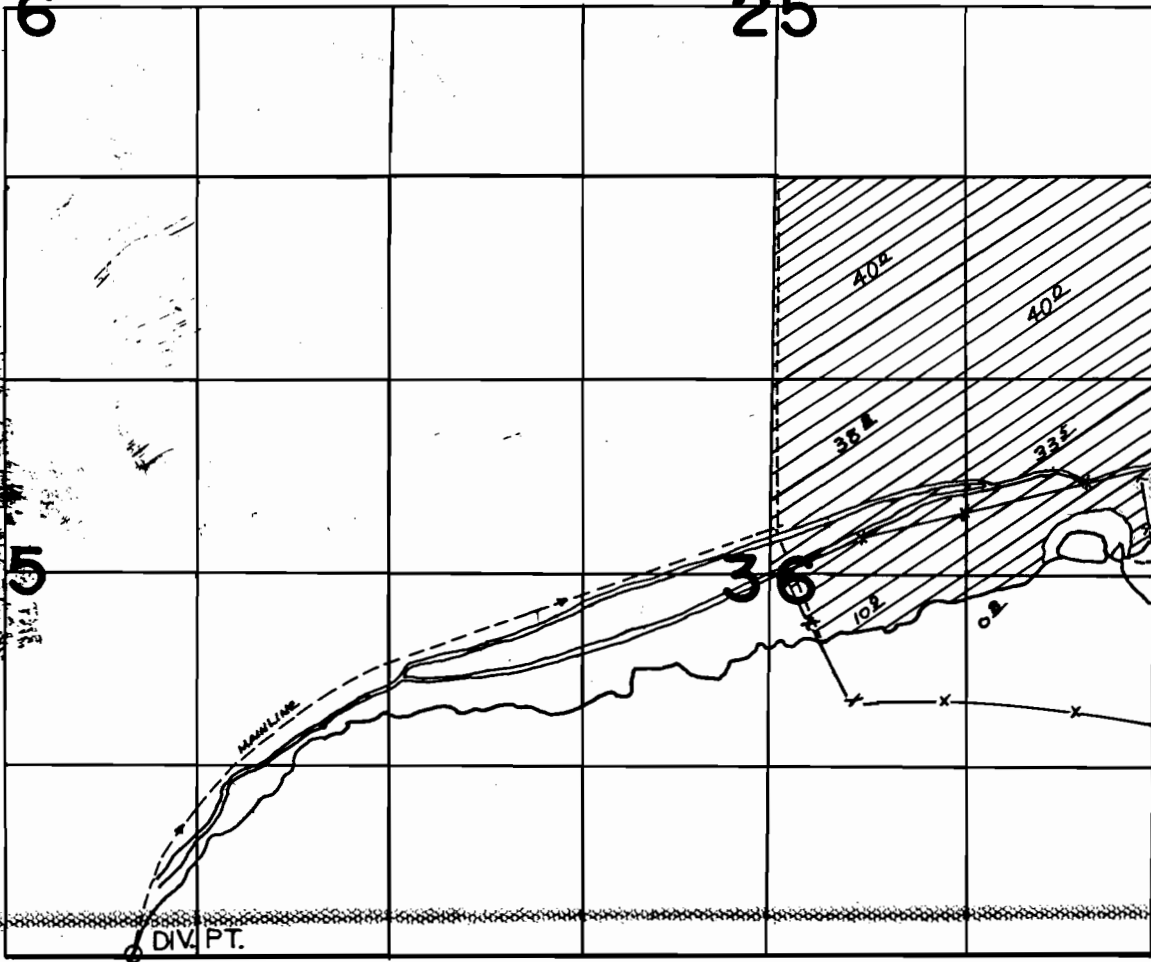


3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

T. 38S., R. 40E.

26

25



DIVERSION POINT - 20' N. & 1750' W. FROM THE S.E. COR. OF SEC. 35

WATER RIGHT MAP FOR  
 JOHN ECHAVE  
 OREGON CANYON RANCH

SURVEYED ON MAY 29, 1991  
 BY: *Larry W. Jreussek*  
 LARRY W. JREUSSEK  
 Dec. 7, 1989  
 STATE OF OREGON

*From  
 Admin. B.B. Bower  
 1205  
 FILED 4/27  
 OCT 22 92  
 DDC*

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

## *INTEROFFICE MEMORANDUM*

*Oregon Water Resources Department  
Adjudication Section*

*TO: SWR-61 FILE, ECHAVE*

*FROM: Don Knauer*

*DATE: October 21, 1992*

*SUBJECT: Field Inspection on October 14, 1992*

*On Oct 14, 1992 Dwight French and I met with Mr and Mrs Echave on this property. We talked about their claim and water use. I suggested I send a them a Petition for Determination of Water Rights so they could notify the department of their interest in having their water rights adjudicated.*

*Mr Echave asked about adding a point of diversion above their present div. pt. I told him I would check with our office about the process he would have to go through to add a div. pt.*

*Mr Echave took us on a tour of the property. We started with the diversion point and he showed us every field that is delivered water. The fields are pasture and hay. He had about 1000 head of cows and calves on the property. He said he can go up to about 2200 head. The stock drink directly from the stream or ditches.*

*The use on the property appears to be shown corectly on the map.*

OREGON CANYON RANCH

15 MILES NORTH OF McDELMITT

GRAVEL PIT ON RIGHT

ABOUT 50-100 YDS MORE

SIGN ON RIGHT

TURN LEFT

5-6 MILES TO FORK

GO RIGHT TO HOME

OCT 15, 1992

THURSDAY

8:00 - 9:30 AM



What You See

To Adjudication Staff  
Date 5/27 Time 3:10

Brent Grasty called  
of Vale Dist Office BLM  
Phone 473-3144



Message <sup>Re: Surface Water Reg</sup>  
# 61 John Echave -  
He saw the notice of this  
on our weekly notice - I  
claim 40 cfs for Irrig.  
He is incredulous  
Taken by Mattick

# INTEROFFICE MEMORANDUM

Oregon Water Resources Department  
Adjudication Section

TO: SWR-61 FILE

FROM: Don Knauer

DATE: May 28, 1992

SUBJECT: PUBLIC NOTICE - BLM INTEREST

On this date I spoke to Brent Grasty, Water Rights Coordinator for the BLM office, Vale District. He had seen the public interest notice dated 4-29-92 sent from our office. He had a number of questions about the claim and about adjudications in general.

He had received a copy of the claim form yesterday from our water rights group. I explained that it is a claim and will be reviewed in the future along with a field inspection. He was concerned about the quantity of water shown in the notice. I explained how the 40.02 cfs was computed.

He asked about the documentation submitted with the claim. I told him what was in the file. He asked if he could get a copy if needed in the future. I told him yes he could.

He was concerned about the impact this water use might have on the BLM's water use. We talked about priority dates. This claim would have a senior right to the BLM's.

He asked if he could submit a protest to this claim. I told him if he had any evidence to show this claim is incorrect or inaccurate he should notify our office as soon as possible. I told him I have tentatively scheduled a field trip to inspect the water use this coming fall. Following that inspection, I would make a recommendation to the director. He should have any information to me before that.

cc: John M. Echave

September 30, 1992

WATER  
RESOURCES  
DEPARTMENT

John M. Echave  
PO Box 436  
McDermitt NV 98421

re: SWR-61

Dear Mr Echave,

I tried to reach you by phone this afternoon but was unsuccessful. I am writing this letter to let you know I will be in the area of the property you are claiming a water right on under the registration statement SWR-61. I have enclosed I copy of the front page. During the course of my trip I will be making routine field inspections of various claims to water use.

I would like to plan on visiting your property ~~the~~ morning of **October 15, 1992**. I will spend wednesday night in McDermitt so would be to your property first thing in the morning. If it is convenient for you to be available, so much the better. This is just a routine inspection.

I will continue to try to reach you on the telephone. If you receive this letter before I do contact you, you could call me at our toll free number 1-800-624-3199 ext 255.

Sincerely,



Don Knauer  
Adjudication Specialist

C:\W\S\C\SWR-0061.003



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

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
ADJUDICATION SECTION

TO: Reed Marbut  
FROM: Don Knauer

DATE:

SUBJECT: Indorsement of SWR-61

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made an inspection of the property identified in the claim and I have reviewed the WRD records. Based on my review and inspection I suggest the following information be included on the " Notice of Proposed Order " under ORS 539.240 (8):

NAME: John M. Echave - Oregon Canyon Ranch  
ADDRESS: PO Box 436  
McDermitt NV 98421

SOURCE: a tributary of .

USE:

PRIORITY DATE:

AMOUNT OF WATER FOR EACH CLAIMED USE:

DIVERSION POINT(s):

PLACE OF USE:

PERIOD OF USE:

C:\WP51\CLAIMANT\SWR-0061.0IM



WATER RESOURCES DEPARTMENT  
3850 PORTLAND ROAD NE  
SALEM, OR. 97310

PHONE: 378-3066  
DATE: 4/29/1992

The following applications for water-use authorizations (water rights) were filed in the office of the Water Resources Director during the week of APR/17/1992 to APR/23/1992. By law, all water within the state belongs to the public (ORS 537.110). With very limited exceptions, a permit from this department is required to use, divert or store the surface and ground waters of the state (ORS 537.130). Permits may be issued only for beneficial use without waste. When a water use is developed within the terms of a permit, a certificate of water right is issued.

Persons, agencies or other interested parties are invited to provide comments on the following list of applications. Comments should address whether the proposed use:

1. Would adversely affect existing rights.
2. Is wasteful, uneconomic, impractical, or unreasonable.
3. Would impede orderly economic development of the water for multiple purposes.
4. Is compatible with local comprehensive land-use plans.
5. Would otherwise have a significant adverse effect on the public interest.

Comments on these applications should be directed to the Water Rights Section of the Department at the above address, and must be received within 60 days from the date of this notice (within 14 days for Limited License requests).

-----  
GROUND WATER  
-----

BAKER

G 12886 IDAHO POWER CO.; ATTN: ROBERT GRIFFIN  
PO BOX 70 BOISE, ID 83707  
TWO WELLS IN PINE CREEK BASIN  
for FISH PROPAGATION.  
130.0 GALLONS PER MINUTE BEING 130.0 GPM FROM EITHER WELL  
SE 1/4 NW 1/4 Section 9 T 7 S R 48 E WM.  
SE 1/4 NW 1/4 Section 9 T 7 S R 48 E WM.

SURFACE WATER REGISTRATION:

The following surface water registrations have been received in the office of the Water Resources Department. Water use begun prior to February 24, 1909, must be covered by a claim on a surface water registration statement before the filing deadline of December 31, 1992. Comments on these registration statements should be directed to the Adjudication Section of the Department at the above address.

Douglas

SWR # 60                    Russell R. & Sandra G. Lyon  
                                  P.O. Box 1216  
                                  Ramona, CA 92065  
                                  FATE CREEK TRIBUTARY TO DAYS CREEK FOR IRRIGATION.  
                                  1.05 CFS. CLAIMED PRIORITY DATE: 1859.  
                                  T29S, R3W, SECTION 31; T30S, R3W, SECTION 6

Malheur

SWR # 61                    John M. Echave - Oregon Canyon Ranch  
                                  PO Box 436  
                                  McDermitt, NV 98421  
                                  OREGON CANYON CREEK AND TRIBUTARIES TO TEN MILE  
                                  CREEK FOR IRRIGATION AND STOCK. 40.02 CFS.  
                                  CLAIMED PRIORITY DATE: PRIOR TO FEBRUARY 6, 1882.  
                                  T38S, R41E SECTIONS 31, 32, 33 & 34; T39S, R41E,  
                                  SECTIONS 2, 3, 4, & 5

Lake

SWR # 62                    William & Ann Tracy  
                                  HC 64 Box 238  
                                  Lakeview, OR 97630  
                                  WITHIN ABERT LAKE BASIN. NATURAL SPRINGS FOR  
                                  IRRIGATION AND STOCK. 1.18 CFS. CLAIMED PRIORITY  
                                  DATE: 1907.  
                                  T33S R22E SECTIONS 4, 5, 9 & 10

Douglas

SWR # 64                    Opal M. Jordan c/o Lee Jordan, Attorney  
                                  385 Sherman Ave., Suite 1  
                                  Palo Alto, CA 94306  
                                  POND, UNNAMED STREAM AND ELK CREEK TRIBUTARY TO  
                                  NORTH UMPQUA FOR LIVESTOCK AND STOCK DIRECT. 0.02  
                                  CFS. CLAIMED PRIORITY DATE:  
                                  MAY 31, 1879  
                                  T22S, R4W, SECTION 19

INTERDEPARTMENT MEMO

TO: Watermaster District # 9 Malheur County  
FROM: Adjudication Section  
RE: Surface Water Registration

Enclosed is a copy of a Registration Statement and accompanying map that has been filed in your district. It has been numbered SWR #61. John M. Echade - OR Canyon Ranch

We are gathering information about this claim to a pre-1909 water use and would like you to assist us by filing out the checklist below and including any comments that you think might be of significance.

(Yes or No)

- 1. Do you know anything about this water use? No
- 2. Have there been any distribution problems relating to this claim? UNKNOWN
- 3. Do you have reason to believe that the claimed priority date is not accurate? No
- 4. Does the quantity of water claimed look unreasonable for the uses named? ~~Yes~~ No
- 5. Does the place of use look to be accurately depicted by the CWRE map enclosed? yes
- 6. Do you know if there has been a period of more than a five years of non-use? UNKNOWN
- 7. Should someone in our section contact you concerning this claim? No

If you answered yes to any of the above questions, please explain below on an additional sheet of paper.

Attach any memo's or correspondence that deal with this water use and return to the Adjudication Section at the address below.

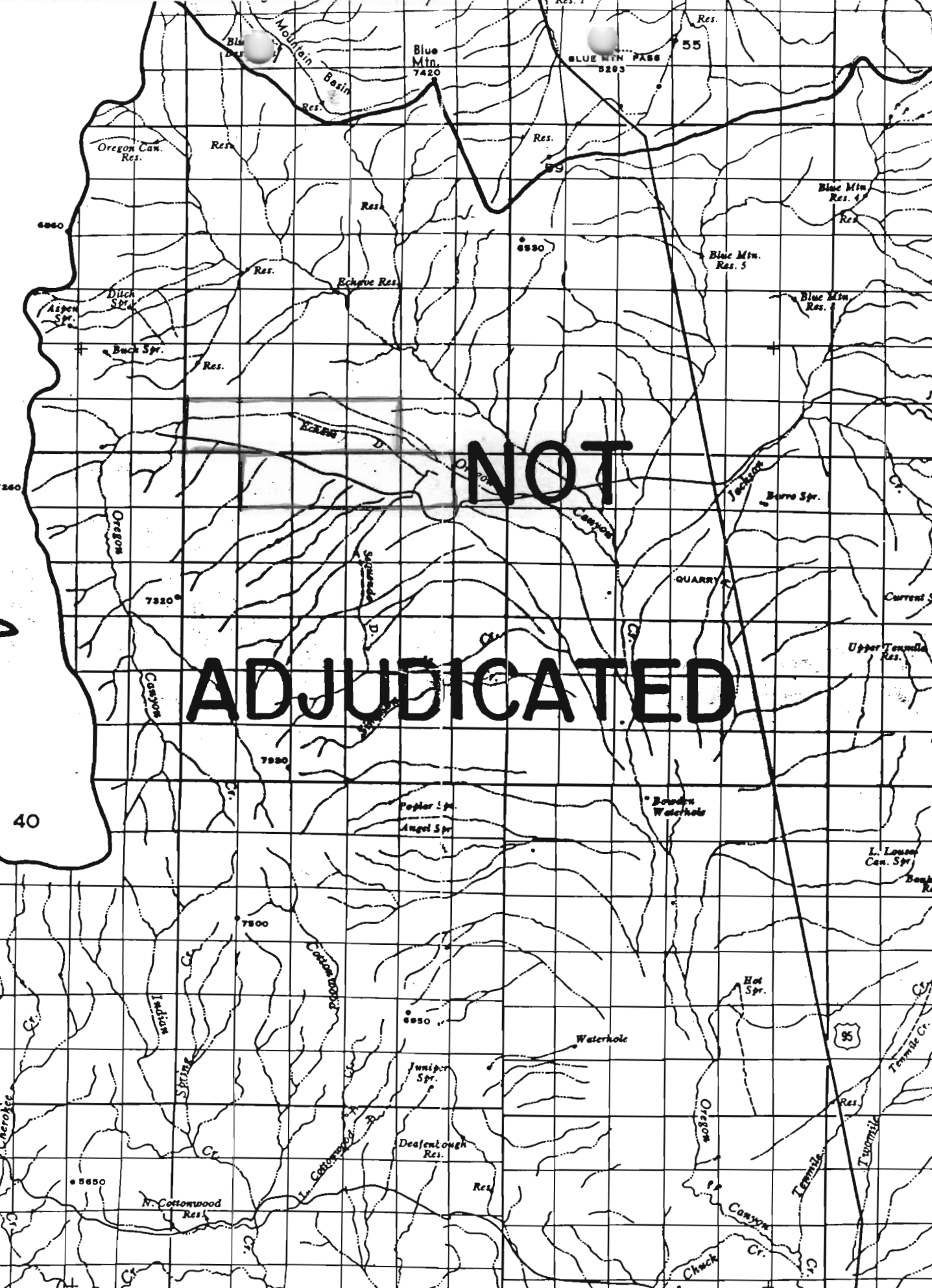
Thank you for your assistance.

Sincerely,  
*Melanie Castle*  
Adjudication Section

Enclosures

T385

T395



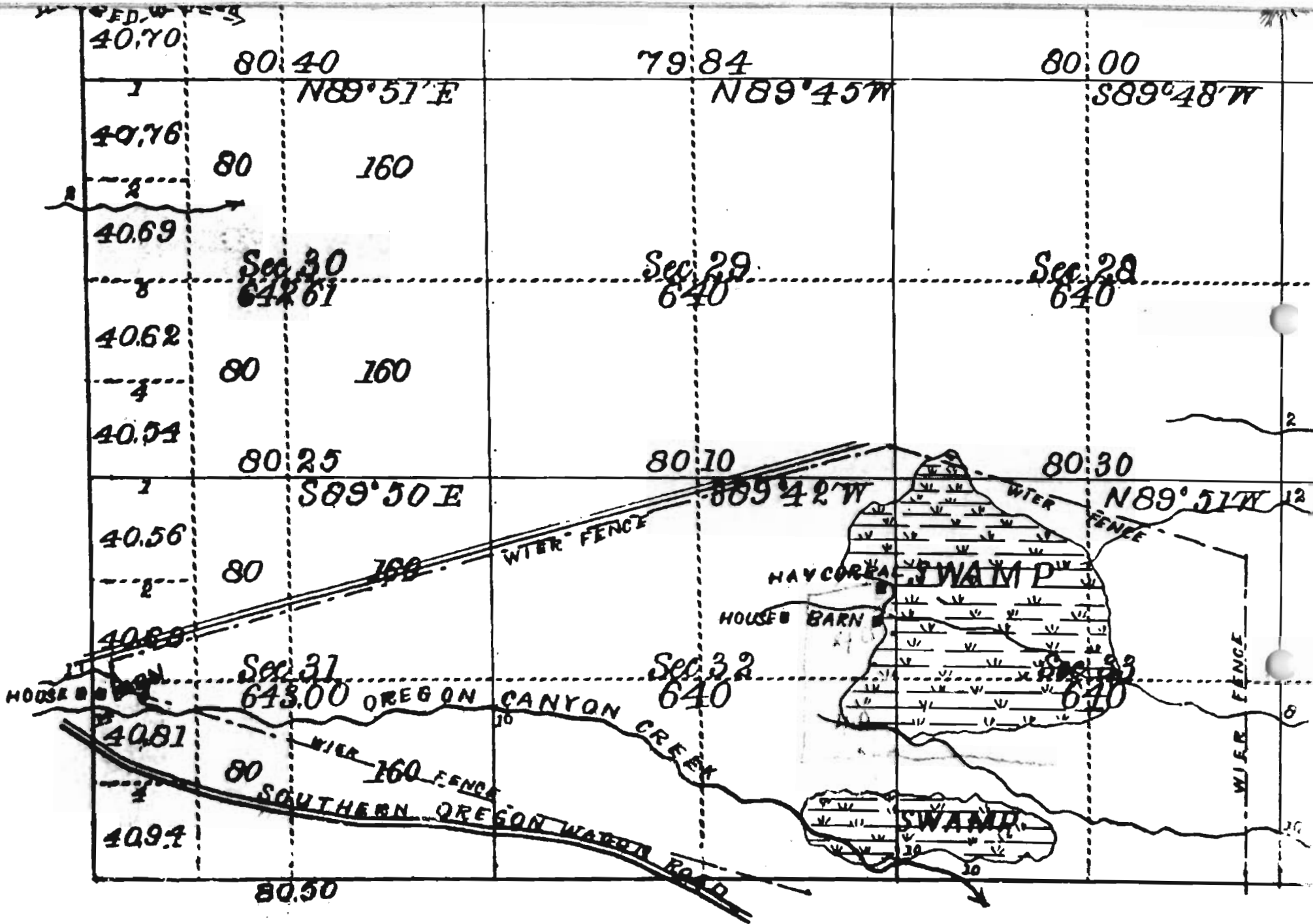
NOT ADJUDICATED

118 00'

R41E

R42E 7 45' To Winnemucca

McDermitt

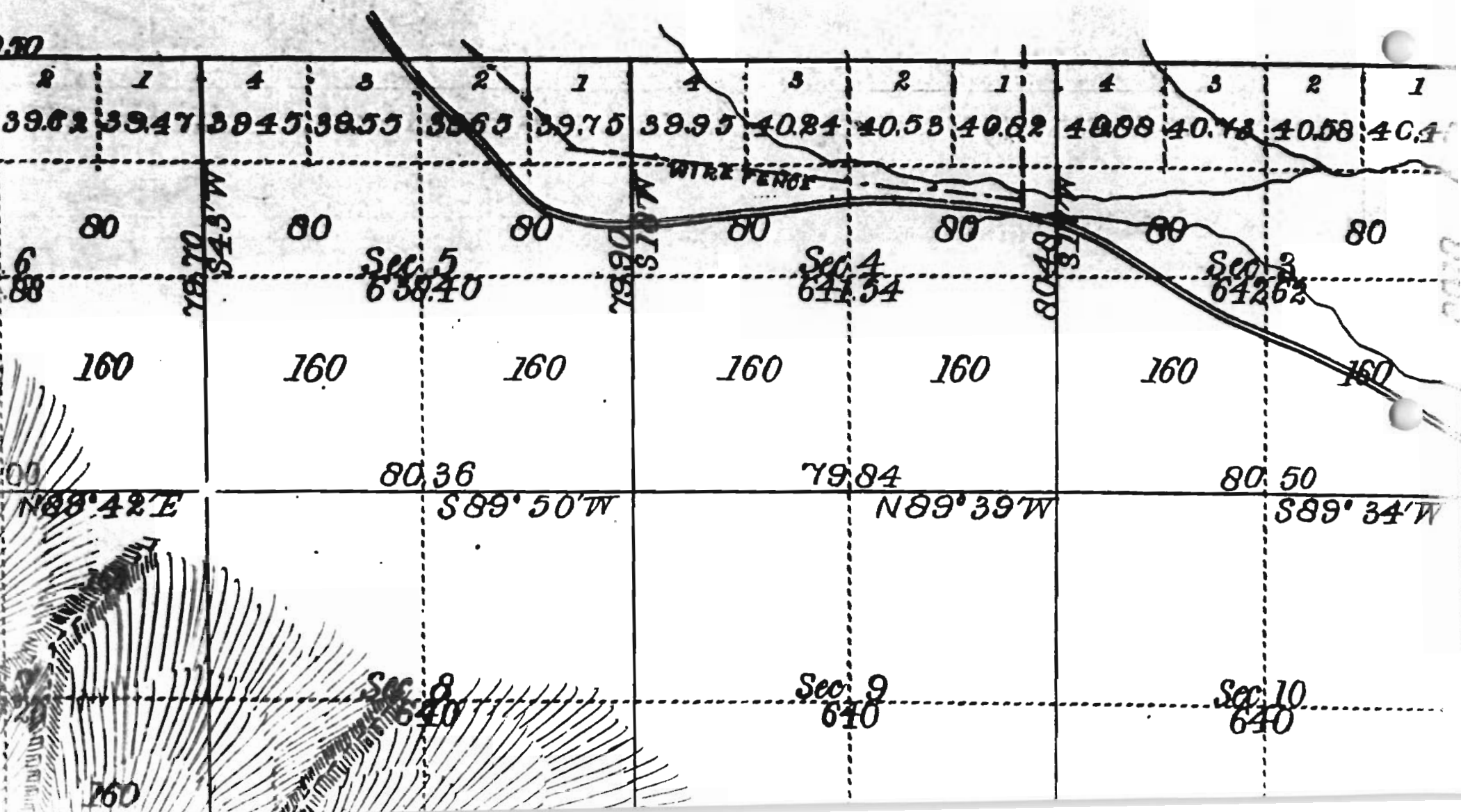


Total number of Acres

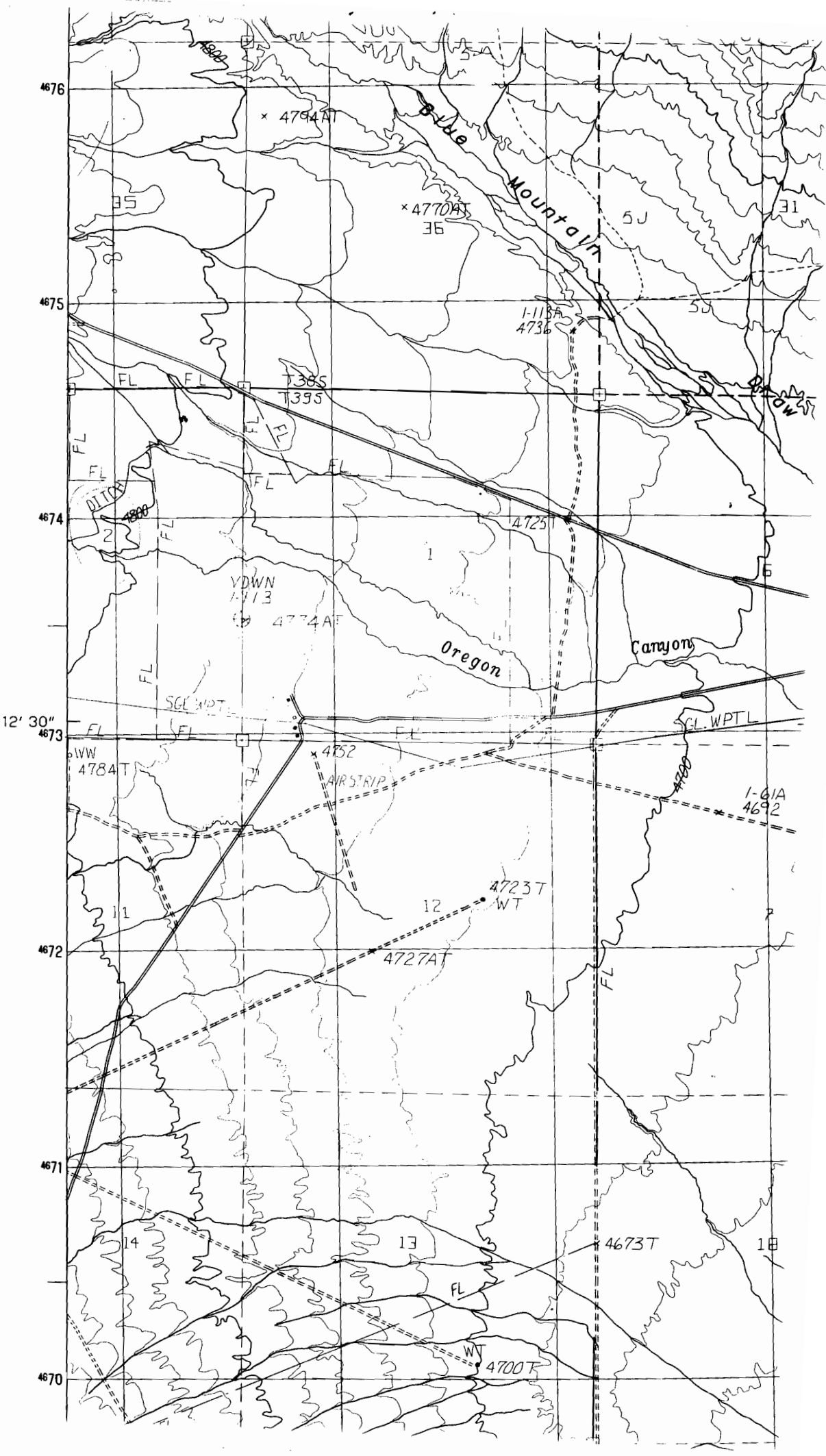
39 S 41 E  
Sec 4, 5

Township No. 39 South

Range No. 41 East









March 11, 1992

John M. Echave  
PO Box 436  
McDermitt NV 98421

RE: Surface Water Registration

Dear Mr. Enchave,

This will acknowledge that your Surface Water Registration Statement in the name of John M. Enchave has been received by our office. The fees in the amount of \$ 1901.00 have been received and our receipt # 83789 was given to Larry Jebousek on March 2, 1991. Your registration statement has been numbered SWR-61.

Our office will review your form and map in the near future. If necessary we will schedule a meeting with you that will include a site inspection. If there are problems with your form we are usually able to take care of them during our visit. We will be able to answer any questions you might have about the adjudication process at that time.

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

Sincerely,



Don Knauer  
Adjudications Section



STATE OF OREGON  
**RECEIPT # 83789 WATER RESOURCES DEPARTMENT**  
 3850 PORTLAND ROAD NE  
 SALEM, OR 97310  
 378-3739/378-8130 (FAX)

RECEIVED FROM: <u>John W. [unclear]</u>	APPLICATION
BY: <u>[unclear]</u>	PERMIT
	TRANSFER

CASH:  CHECK # 3741 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1771.00

<b>01-00-0 WRD MISC CASH ACCT</b>		
842.010	ADJUDICATIONS	\$ <u>1771.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

<b>02-00-0 FEDERAL FUNDS</b>		
	OTHER: (IDENTIFY)	\$

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

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

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

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

RECEIPT # **83789** DATED: 11/2/02 BY: [unclear]  
 Distribution—White Copy-Customer, Yellow Copy-Fiscal, Brown Copy-Fiscal



SWR #61

406 West South Jordan Parkway (10600 South)  
Suite 500 P.O. Box 95850  
South Jordan, UT 84095  
(801) 571-9200  
1-800-824-9198  
Fax (801) 576-0600

May 20, 2005

STATE OF OREGON  
Department of Water Resources  
Water Rights Division  
158 12<sup>th</sup> Street  
NE Salem, Oregon 97310

RE: NOTICE OF RELEASE for: ROCKY MEADOWS LAND AND INVESTMENTS, L.L.C.,  
a Utah Limited Liability Company and AMERICAN  
EXCHANGE SERVICES, INC., a Oregon Corporation.

Dear State Engineer:

Please be advised that Western AgCredit, FLCA **no longer has a security interest in the water rights** described on the attached Notice of Pledge.

Please file this notice with your records as evidence of such. Your assistance in this matter is appreciated.

Sincerely,

Western AgCredit, FLCA

David G. Brown  
Vice President – Credit Services

RECEIVED

JUN 06 2005

WATER RESOURCES DEPT  
SALEM, OREGON

**NOTICE OF PLEDGE**

STATE OF OREGON  
Department of Water Resources  
Water Rights Division  
158 12<sup>th</sup> Street  
NE Salem, Oregon 97310

**COPY** Loan No. 4900049501

Attention: State Engineer

Please be notified that  
**Rocky Meadows Land and Investments, L.L.C., a Utah Limited Liability Company and American Exchange Services, Inc., an Oregon Corporation**  
have this date executed a Deed of Trust in favor of the Western AgCredit, FLCA, covering certain land in **Malheur** County, State of **Oregon**, together with all of the Trustor's right to use the following:

**WATER USER NO. AND PURPOSE OF WATER USE**

- Water Right Certificate #2393 for irrigation purposes
- Water Right Certificate #8283 for irrigation purposes
- Water Right Certificate #31540 for irrigation purposes
- Water Right Certificate #22263 for storage and irrigation purposes
- Surface Water Right filing #61 (SWR #61) for irrigation purposes
- Water Right Permit #52942 for irrigation purposes

The said Deed of Trust, given to secure a promissory note of even date, was recorded


April 8, 2002, in the office of the County Recorder of the above referenced County as

Instrument No 2002-2742

Please file this notice with your records of the above referenced and direct notice of any intended change of the place of use or other change which materially affects the beneficiary's security interest in the said property to the Western AgCredit, FLCA, 406 West South Jordan Parkway (Suite 500), South Jordan, Utah 84097

Dated: March 06, 2002

Western AgCredit, FLCA

By:   
David G. Brown  
Assistant Vice President

**RECEIVED**  
JUN 06 2005  
WATER RESOURCES DEPT  
SALEM, OREGON



