

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 80911

CHECK ENCLOSURES DeK

CHECK BASIN MAP DeK

BASIN 11

UNADJUDICATED AREA ? Yes

SURFACE WATER REGISTRATION NUMBER 45

ACKNOWLEDGEMENT LETTER DeK

Prelim Data h Awyars
Energy
pub No 100. 20

ENTER ON STREAM INDEX DWF

CHECK QUADRANGLE MAP DWF

CHECK GLO PLATS ~~done by claimant~~ DeK

FORM REVIEW

- blanks filled in PRIORIT DATE (TYPO?)
- signed
- date received stamped
- date received filled out on back

MAP REVIEW

- source and trib - NO TRIB O.K. DeK
- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use Confusing. Can use form to understand O.K. DeK
- scale
- township, range, section
- north arrow none
- CWRE stamp
- disclaimer none
- date survey was performed
- P.O.B. of survey
- dimensions and capacity of diversion system (ON Form too)
- "beneficial use" type title "Water Rights Application"
- "permanent-quality" paper

EXISTING WATER RIGHT RECORD CHECK DWF

ENTER ON PLAT CARDS DWF

A:SWRCHECK

10-15-91

INTEROFFICE MEMORANDUM

*Oregon Water Resources Department
Adjudication Section*

TO: SWR-45 FILE, KNOX

FROM: Don Knauer

DATE: October 21, 1992

SUBJECT: Field inspection on October 13, 1992

On October 13, 1992 Dwight French and I met with Ms. Knox and Mike Mitchell who is buying the property. They showed us the fields and water use. The fields are pasture, hay and grain. A neighbor is leasing from Mitchell and doing the irrigating. The property is within a USBR Project. Some fields under contract get water from the Owyhee Reservoir. The fields on this claim do not get contract water.

The fields in this claim appear to be the lowest in elevation and probably were the first irrigated. Mitchell said there is only about 18 feet of fall in the delivery ditch from the diversion point. It appears that some changes have been made in the system and that probably occurred after the USBR project. At present the ditch is used by this property and a neighbor between this property and the diversion point. The neighbor may have a claim also.

The field east of the ditch is quite dry. They said this is due to the drought and lack of water. This is the only questionable area but I couldn't argue against a claim.

September 30, 1992

WATER
RESOURCES
DEPARTMENT

Cleathel Knox
1113 Stateline Road
Adrian OR 97901

re : SWR-45

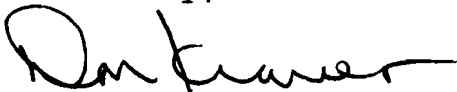
Dear Ms. Knox,

The Water Resources Department recieved your registration statement claiming a use of water on your property from Succor Creek. I will be passing through your area on October 13, 1992 and would like to make a routine field inspection of your water use. I have not been able to contact you on the telephone which is why I am writing this letter.

I plan to spend monday night in Burns, Oregon and travel to your property tuesday morning the 13th of October. I'm not sure just when I would arrive but I think sometime before noon.

I would appreciate you contacting me as soon as possible to confirm this date for a meeting. You can call our toll free number, 1-800-624-3199.

Sincerely,



Don Knauer
Adjudication Specialist

C:\WISIC\SWR-0045.002



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

BUENS TO HOMEPALE 2 hrs⁺

MIKE MITCHELL
BOUGHT FROM
Ms. Knox

ADRIAN

SOUTH on Hwy 19

GO TOWARDS^{POSS} HOMEPALE, ID (20[±] mi)¹⁵⁻

CROSS STATE LINE
(STATE LINE STORE)

GO TWO MILES

THEN RIGHT ON SOUTH SIDE RD.
(S. SIDE)

TURN LEFT?
(~~PAST~~ SAGE ROAD)

2 miles[±] TO SACRED CR RD.

RIGHT TURN 1¹/₂ - 2 MILES

TO DRIVE WAY

1113 ON POST AT DRIVEWAY

ON STATE LINE ORR/IDAHO

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut
FROM: Don Knauer

DATE:

SUBJECT: Indorsement of SWR-45

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: Cleathel Knox
ADDRESS: 1113 Stateline Rd.
Adrian OR 97901

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-0045.0IM

TOWNSHIP 23 S. RANGE 47 E. W. M.

SECTION 6

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			
1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																		
3092				3100				3103				3115						
17 35								9 1 15 13								11709	8171	24707
								15 265 7.1								51525	withdrawn	
																SWR.45		

(SEE BACK OF CARD FOR PLAT OF SECTION)

Del
 Owyhee
 I.D.
 NOT ON
 PROPERTY
 CLAIMED
 ON
 SWR-45

From Application Received
AT THE SAME TIME AS SWR

Cleathel Knox
1113 Stateline Road
Adrian, Oregon 97901

RECEIVED
NOV 13 1981
WATER RESOURCES DEPT.
FALLS, OREGON

4. Description of Water Delivery System:

The diversion dam is an existing gravel dam across Succor Creeck. It feeds an earth ditch with a top width of approximately 10-12 feet and a depth of 3 feet. This ditch traverses the property of 3 other owners prior to reaching the Knox property approximately 2 miles away. Water is delivered through a culvert under Desert Glen Road into a concrete ditch running eastward along the south boundary of Section 6. This ditch leads to a small ravine in the SW/SW quarter of Section 6. The ravine is the central point of the present irrigation system. All of the head ditches, both earth and concrete, are fed from this channel.

Water from the Ridgeview Irrigation District flows onto the property from the south in Lot 4. A ditch circles around a small knoll to the west and delivers water to the ravine mentioned above. This ditch is approximately 3 feet in width and 1 foot deep.

All the concrete ditches on the property are of the same size:
Top width - 3.3 ft.
Bottom width - 1.0 ft.
Depth - 1.2 ft.

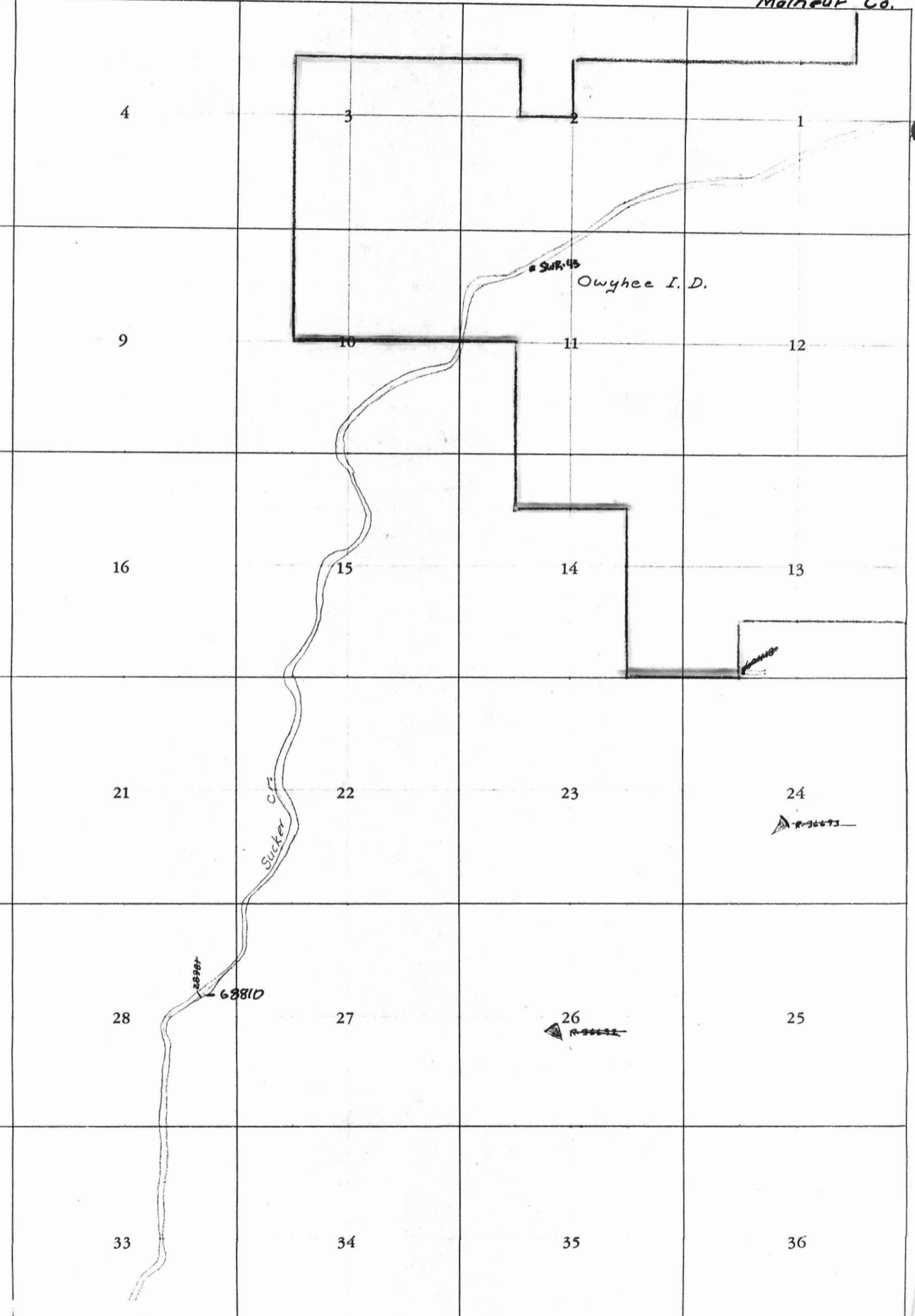
The earth head ditches on the property are similar in size:
Top width - 3 ft.
Bottom width - 1.5 ft.
Depth - 1 ft.

Two distinct methods of water use are included in this application. First is furrow irrigation of 3 parcels: 1) the 2.2 Ac. north of the concrete ditch in the SW/SW of Sec. 6; 2) the 3.2 Ac. north of the same ditch on Lot 4, and the 2.4 Ac. in the SE corner of Lot 4.

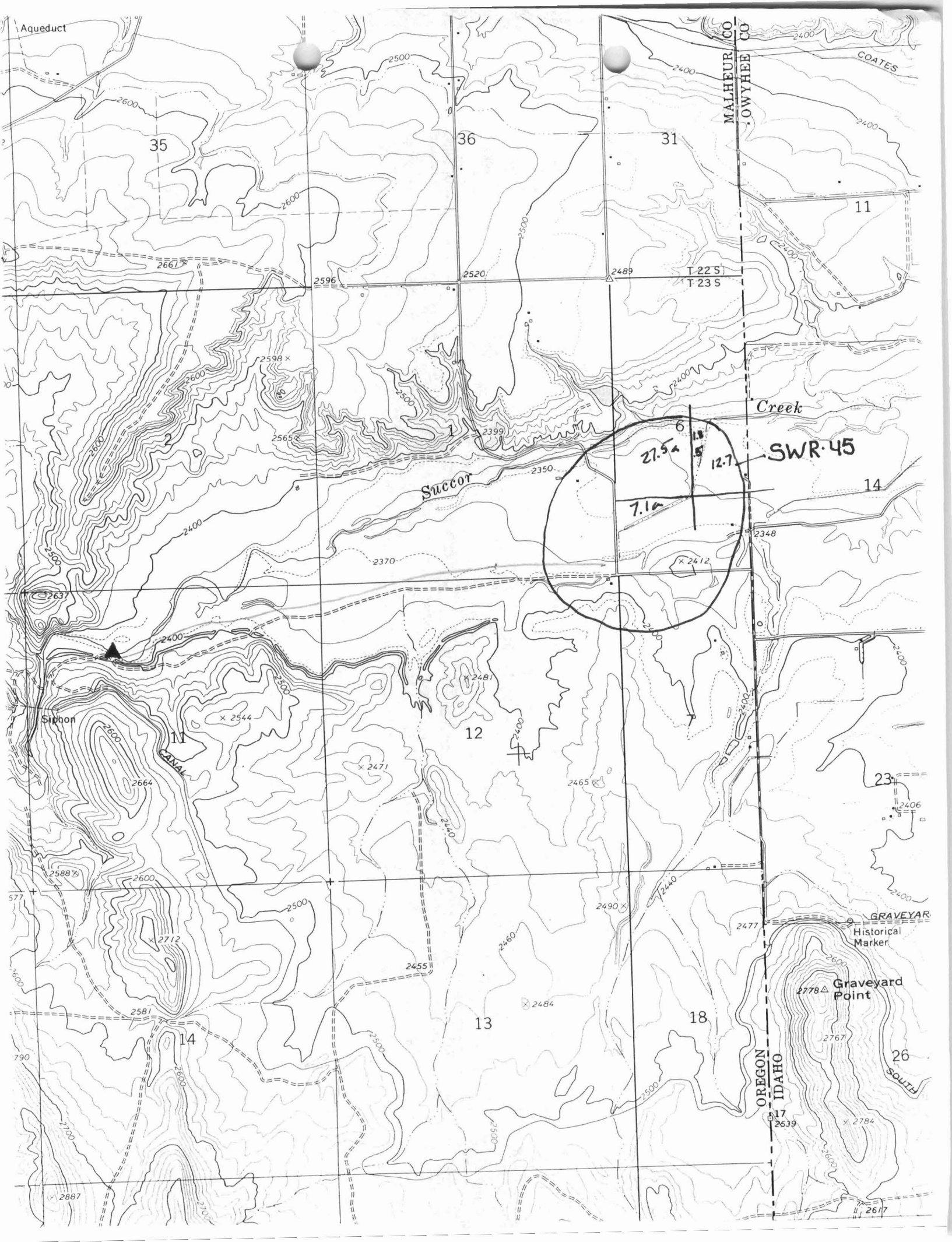
The rest of the acreage proposed is the area shown as small black dots on the application map. These areas will be sprinkler irrigated using aluminum mainline and handlines. Two 10 hp. pumps are proposed, one located in a pump pit in the ravine in the SW/SW of Sec. 6, and the other at the wastewater recovery site in Lot 3. A 6-inch PVC pipe will carry this water from the pump site to the distribution ravine.

Water Right Filings in Township 23 S, Range 46 E

Malheur Co.



NOTIFY: Irrigation 1
 Regional Director, U. S. Bureau of Reclamation, Regional Office, Region 1, Boise, Idaho
 Paul House, Manager, North Board of Control, Nyssa, Oregon
 (Letter to District with copies to others setting out what & where - giving 30 days to protes



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

RECEIPT # **80911**

RECEIVED FROM: Cleather M. Knox
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # X 92-1 OTHER: (IDENTIFY)

TOTAL REC'D \$ 416⁰⁰

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>100⁰⁰</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

02-00-0 FEDERAL FUNDS

_____	OTHER: (IDENTIFY)	\$
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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
842.003	GROUND WATER	\$	\$
842.005	TRANSFER	\$	842.006
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023
842.016	WELL DRILL OPERATOR	\$	842.019
	LANDOWNER'S PERMIT		842.024

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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69001 SUSPENSE ACTIVITY

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

RECEIPT # **80911**

DATED: 11/13/91 BY: J.A.

November 15, 1991

Cleathel Knox
1113 Stateline Rd
Adrian OR 97901

RE: Surface Water Registration

Dear Ms. Knox,

This will acknowledge that your Registration Statement Claiming a Right to Appropriate Surface Water in the name of Cleathel Knox has been received by our office. The fees in the amount of \$416.00 have been received. Our receipt # 80518 is enclosed. The fees for your registration statement are \$ 100.00. I understand the remaining \$ 316.00 will be applied to the application for surface water permit you have also submitted. Your registration statement has been numbered SWR-45.

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,



Don Knauer
Adjudications Section

enc

cc: William F. Schroeder, Attorney



A:SWR-0045.001

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

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMORANDUM

MEMORANDUM OF PERSONAL OR TELEPHONE CONTACT

TO: SWR-45 DATE: 3/4/98
FROM: DW Kramer
SUBJECT: CHANGE IN DIV PT NAME: Mike Mitchell
H- 541-339-3028
O- 208-332-8550

LEFT HIM A PHONE MESSAGE - RECOMMENDED
WE CONTINUE TO USE ORIGINAL DIV PT -
NO STATUTORY AUTHORITY TO TRANSFER UNDER
AN SWR.

JK

3/3/98

Mike Mitchell
Home - 541-339-3028
Work - 208-332-8550

CALL ABOUT MOVING
DIV POINT.

IN THE NEXT
DAY OR SO
peck

Forty Five Corp
1113 Stateline Rd
Adrian, OR 97901



REED MARBUT

~~Don Krauer~~

Adjudication Specialist

Oregon Water Resources Dept.
3850 Portland Rd NE
Salem, OR 97310



August 16, 1995

Forty-Five Corp.
1113 Stateline Rd
Adrian, OR 97901

RECEIVED

AUG 22 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Don Knauer
Adjudication Specialist
Oregon Water Resources Department
3850 Portland Rd NE
Salem, OR 97310

Dear Mr. Knauer,

I am writing you regarding the status of a registration statement filed by Cleathel Knox on the property that we purchased (SWR-45).

I have had several discussions with the ASCS office regarding on and off farm delivery system improvement ideas. One of the items that we have discussed is changing our point of diversion for the Succor Creek water that the registration statement was filed on. The water is currently diverted across Mr. Markley's property, approximately a mile through a virtually flat, unlined ditch. We are considering installing a pump at the northwest corner of our property to take the water from Succor Creek and deliver it to the high point in our concrete ditch system at the southwest corner of our property. Do we have to amend the registration statement which Cleathel filed or will changing the point of diversion make any difference?

I can probably complete the design of the pumping system, but I can not begin discussing cost share with ASCS until I have a finding from Water Resources. We are also discussing some improvements to our on-farm and irrigation district delivery systems. Again ASCS doesn't want to talk about the particulars until we can prepare an overall development plan for the site. Can you give me any idea how the claim process is progressing and how long it might be until any decisions are made?

If you have any questions or if I can be of any assistance, please feel free to give me a call at work (208) 334-3730 or at home at (503) 339-3028.



Michael Mitchell, Forty-Five Corp

Township No 23 South Range

5127

G

F

E

e

E

Sec. 5.

Sec. 6.

g

O

Sec. 8.

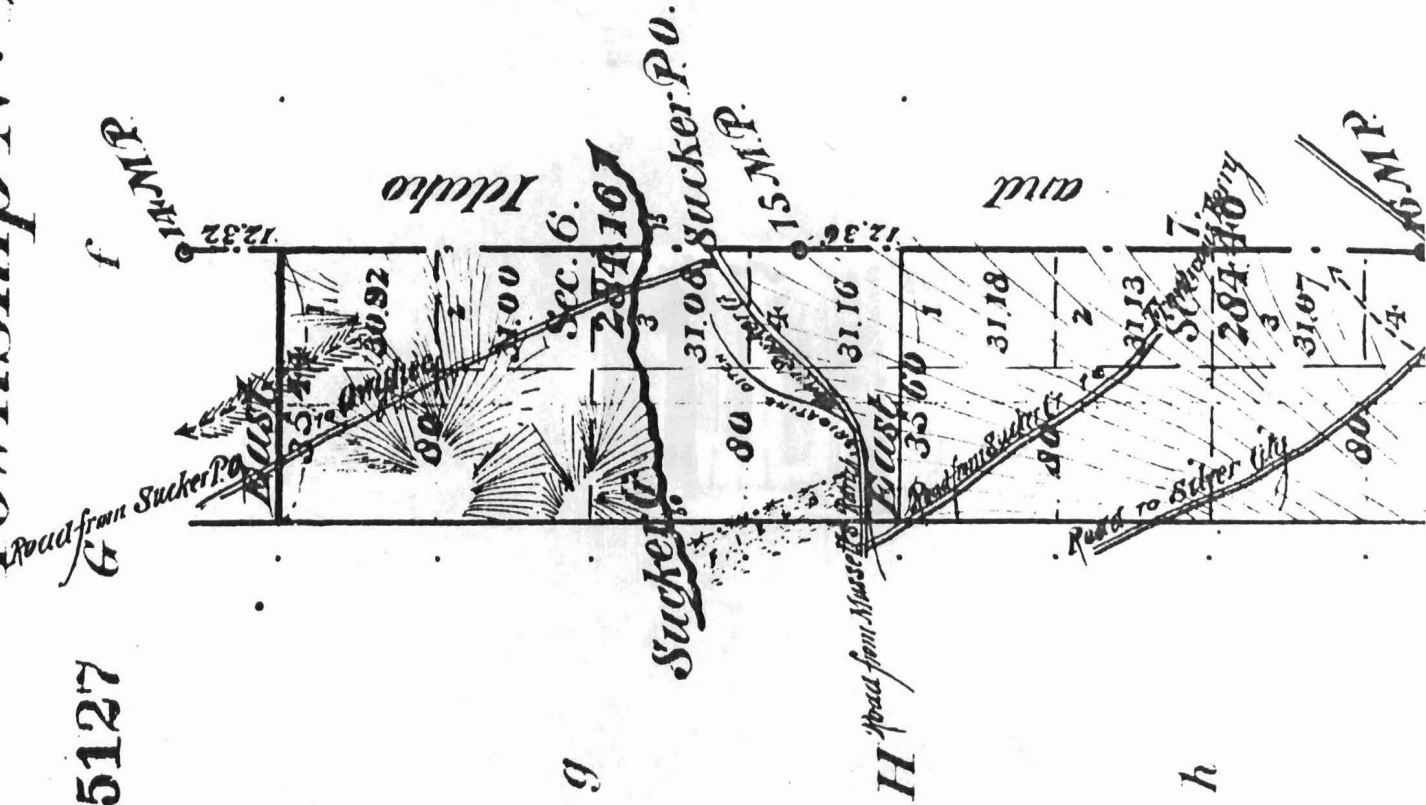
RECEIVED

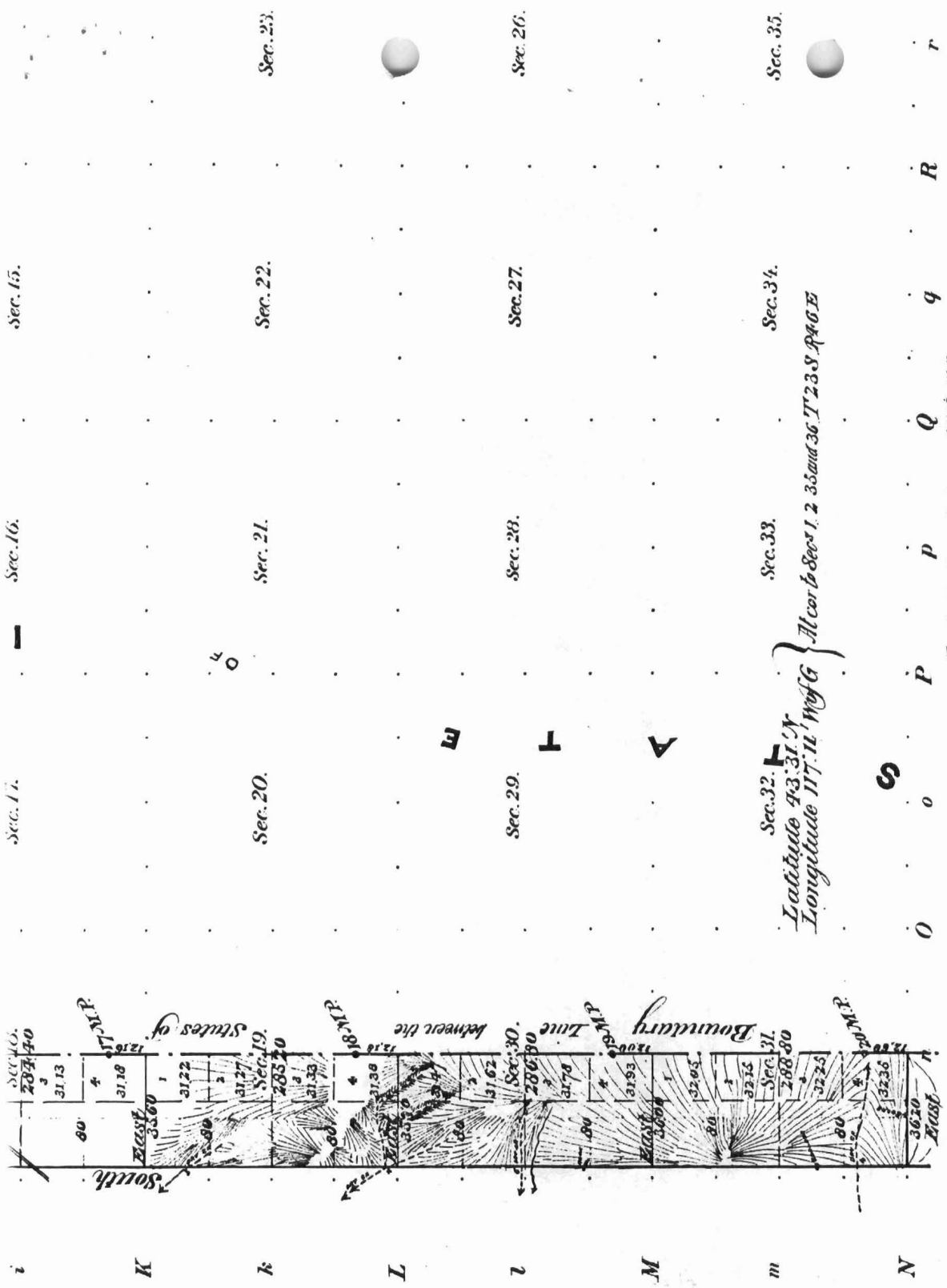
NOV 13 1931

WATER RESOURCES DEPT.
SALEM, OREGON

H

A





Survey Designated	By Whom Surveyed	Date of Contract	Amount of Survey M. Ch. Lk.	When Surveyed	No. of Contract
Township Bigges Subdivisions (Connections to Beg of TP or State Line	Ernest P. Raulds	May 13, 1897	2 18 90	July 10th, 1897	977
	D. G. Major		67 11	1867	
Total number of Acres 1713.76					

RECEIVED
NOV 13 1897
WATER RESOURCES DIV
SALEM, OREGON

The above
William
notes of the
S. J.
Rd

Sec. 32. Latitude 43.31 N
Longitude 117.11 W } Meridian Secs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

19 102

West Pdy. of T. 23 S., R. 46 E. Will. Mer.

Chains

Ca
Cha

Ditch impracticable.

Sand, mountainous.

Soil, rocky, & th. water

No timber.

Mountainous sand 80.00 chs.

June 17th., 1897

RECEIVED

NOV 13 1931

WATER RESOURCES DEPT.
SALEM, OREGON

24

32

36.

40.

105 ²⁰
RECEIVED

NOV 13 1931

WATER RESOURCES DEPT.
SALES OREGON

East Bdy of T. 23 S., R. 46 E. Will. Mer.
Chains

From the cor. of Tps. 22 & 23
S., R. 46 & 47 E., which is a
basalt stone 7x9 ins., 8 ins.
above ground marked and
witnessed as described by
the Surveyor General

Thence I run
South bet. secs 1 & 6.
Over level ground, through
stunted sage and grease-
wood.

- 24.00 Top of steep rocky descent
bears E. & W.
- 32.80 Foot of descent bears
E. & W. about 60 ft. below
top and ascend about 40 ft. to
- 36.00 Top of ascent bears E. & W.
Thence over level ground to
- 40.00 Set a basalt stone 16x8x6 ins.,
12 ins. in the ground for
1/4 sec. cor., marked 1/4 on
W. face, and raised a
mound of stone 2 ft. base
1 1/2 ft. high, W. of cor.
Pits impracticable.

21 101

East Bdy. of T. 23 S., R. 46 E. Hill. Mer.
Chains

RECEIVED

NOV 13 1951

60
70
80

WATER RESOURCES DEPT.
SALEM, OREGON

- 40.30 Descend 45 ft. to
- 43.40 Edge of Sucker Creek bottom, bears E. 30° W. Thence over level bottom covered with dense sage and greasewood.
- 48.75 Edge of gravel bar, bears E. 30° W.
- 50.30 Sucker Creek 50 lks. wide, course N. 75° E.
- 50.86 Ascend steep bank 10 ft. high. Over level bottom land covered with dense undergrowth.
- 56.00 Sucker Post Office bears E. 85 chs. dist.
- 58.20 Barbed wire fence, bears N. 15° W. 30° E. and enter field.
- 73.25 Barbed wire fence bears E. 30° W. Leave field and enter stunted sage and greasewood.
- 75.00 Wagon road, leading from Mr. Mussell's Ranch, down Sucker Creek, bears E. 30° W.

East Bdy. of T. 23 S., R. 46 E. Hill. Mer. ²²

NOV 13 1931

WATER RESOURCES DEPT.
SALEM, OREGON

Chains

75.60 Irrigating ditch, course E.
Ascend about 30 ft. to

80.00 Set a hard sand stone
20 x 9 x 9 ins., 15 ins. in
the ground for cor. of
sect. 1, 6, 7th & 12 marked
25 on N. E. ²
47 E. on S. E. and
46 E. on N. W. faces with
1 notch on N. and 5 notches
on S. edges.

Dug pits 18 x 18 x 12 ins., in
each sec. 5 1/2 ft. dia., and
raised a mound of earth,
4 ft. base, 2 ft. high, W. of cor.

Sand, level and hilly.
Soil, sandy 2nd. & 3rd. rates.
No timber.

Undergrowth, sage and
greasewood.
Sand, covered with dense
undergrowth, 12. 69 chs.

14

RECEIVED

NOV 13 1897

WATER RESOURCES DEPT.
SALEM, OREGON

General Description.

The land in this tract Tp. is rolling and mountainous.

The soil ranges from 2nd. to 4th. rate.

Sucker Post Office is located in the house of Mrs. McConnell, who has made settlement on the tract S. W. 1/4 of sec. 6.

There are no other settlers in the Tp.

Ernest P. Searle
U. S. Deputy Surveyor

July 11, 1897.

William F. Schroeder P.C.
Lawyers
A Street East at Glenn

W. F. Schroeder
Carol Skerjanc
Legal Assistant

Larry A. Sullivan
David D. Powell
Of Counsel

NOV 13 1991
WATER RESOURCES DEPT.
SALEM, OREGON
P. O. Box 220
Vale, Oregon 97918
(503) 473-3141
Telecopier (503) 473-2651

November 11, 1991

Water Resources Dept.
3850 Portland Road N.E.
Salem, Oregon 97310

RE: Cleathel Knox

Registration Statement (49.6 ac.)
Fee: \$99.20

Surface Water Application (18.4 ac.)
Examination Fee: \$200.00
Recording Fee: \$116.80

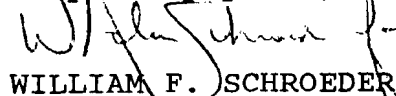
Dear Sir or Madam:

I enclose a check totalling \$416.00 to pay the above noted fees.

I also enclose the Registration Statement and Surface Water Application for Cleathel Knox.

If you have any questions, please call, otherwise, please send me a receipt for the payment of the fees.

Very truly yours,


WILLIAM F. SCHROEDER

cc: Cleathel Knox
1113 Stateline Rd.
Adrian, Oregon 97901

SCHROEDER & LEZAMIZ LAW OFFICES
P. O. BOX 267
BOISE, IDAHO 83701

Water Resources Dept.
3850 Portland Road N.E.
Salem, Oregon 97310