

December 20, 1993

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WATER  
RESOURCES  
DEPARTMENT

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DUNCAN MCKENZIE  
410 SUCCOR CR ROAD  
JORDAN VALLEY OR 97910

RE: SWR-503

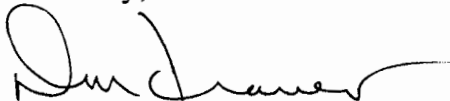
Dear Mr McKenzie,

I am in the process of reviewing the maps submitted in support of the pre-1909 vested water right claims. I am reviewing the map prepared by David Haddock for your claim. Your claim form lists stockwater uses in addition to the irrigation. The only beneficial use shown on the map is irrigation. I am sending a copy of the map and form. Would you please send me a letter describing any beneficial use other than irrigation. It may be necessary to have Mr Haddock add any other uses to the map.

The map shows four different priority dates for different areas on the map. You may be required to submit other claim forms because the Oregon Administrative Rules allow only one priority date per form. We can take this up following any completions or corrections to the map.

Thank you for your attention to this matter. If you have any questions, please give me a call. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer  
Adjudication Specialist

J:\WS\C\5\SWR-0503.002



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

RELATED FILES  
SWR-502+504

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME OWYHEE # 11 UNADJUDICATED AREA ? of DWF  
 RECEIPT # 95927 (see SWR-502) S W R NUMBER 503  
 CHECK ENCLOSURES DWF PRELIMINARY DATA BASE ENTRY DWF  
 ACKNOWLEDGEMENT LETTER DWF ENTER ON STREAM INDEX \_\_\_\_\_  
 CHECK QUADRANGLE MAP \_\_\_\_\_ CHECK GLO PLATS \_\_\_\_\_  
 WATERMASTER CHECKLIST \_\_\_\_\_ PUBLIC NOTICE PUBLICATION ScW

FORM REVIEW

\_\_\_\_\_ blanks filled in  
 \_\_\_\_\_ signed  
 \_\_\_\_\_ date received stamped

STK TRPT  
MAP REVIEW

✓ source and trib  
 ✓ diversion point location  
 ✓ conveyances (pipes, ditch, etc.)  
 ✓ place of use  
 ✓ scale  
 ✓ township, range, section  
 ✓ north arrow  
 ✓ CWRE stamp  
 ✓ disclaimer  
 ✓ date survey was performed  
 ✓ P.O.B. of survey  
 ✓ dimensions and capacity of diversion system  
 "beneficial use" type title  
 ✓ "permanent-quality" paper  
 ✓ 1/10<sup>th</sup> acre

FEES : ?  
 PAID 563/1568  
 Should have 625  
 OWE \$62.00  
 ? STOLK WATER NEEDED?

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

April 14, 1993

DUNCAN & ADEAN MACKENZIE  
410 SUCCOR CREEK RT  
JORDAN VALLEY OR 97910

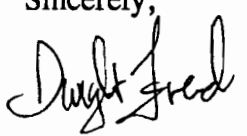
Dear DUNCAN & ADEAN MACKENZIE,

This will acknowledge that your Surface Water Registration Statement in the name of DUNCAN & ADEAN has been received by our office. The fees in the amount of \$1,568.00 have been received and our receipt #95927 was written. Your registration statement has been numbered SWR-503.

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,



Dwight French  
Adjudication Section

Enclosure



JAN 04 1898

WATER RESOURCES DEPT.  
SALEM, OREGON

## Notice of Water Location

Filed for  
Record  
at

12 o'clock A.M.

Nov 28<sup>th</sup> 1898.

Albion  
Co. Clerk.

Notice is hereby given to whom it may concern that I the undersigned Charles Smith a citizen of the United States over the age of 21 years do hereby locate and claim all of that certain Spring of water situated in Malheur County State of Oregon. To be taken from said Spring by means of a ditch commencing on the NE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Sec 17. Twp 25<sup>th</sup> S. R 46<sup>th</sup> E. W. M. To be used for agricultural and domestic purposes and especially for the purposes of watering domestic animals

Chas Smith

Dated this 26<sup>th</sup> day of November A.D. 1898.

Filed for  
Record  
January 13<sup>th</sup> 1894  
at  
8 o'clock a.m.  
E. A. Test  
Co. Clerk

Homestead Certificate No 14 }  
Application 344 }  
Upsetting: Whereas there has been deposited in the  
General Land Office of the United States a certificate of the  
Registrar of the land office at Burns Oregon, whereby it  
appears that, pursuant to the Act of Congress approved  
20th May 1862, "To secure homesteads to actual settlers on the  
public domain" and the acts supplemental thereto, the  
claim of Alvin S Moss, has been established and duly con-  
summated, in conformity to law, for the North east quar-  
ter of Section Twenty nine in Township twenty five, South  
of Range Forty six east of Willamette Meridian in Oregon  
containing one hundred and sixty acres, according  
to the official plot of the survey of the said land re-  
turned to the General Land Office by the Surveyor General

The United States of America  
To all to whom these presents shall come  
in the  
JAN 04 1894  
FILED RESOURCE  
OFFICE, OREGON

Now know ye, that there is, therefore, granted by the  
United States unto the said Alvin S Moss, the tract  
of land above described,  
To have and to hold, the said tract of land, with  
the appurtenances thereof, unto the said Alvin S. Moss  
and to his heirs and assigns forever, subject to any  
vested and accrued water rights for mining ag-  
ricultural, manufacturing or other purposes, and rights  
to ditches and reservoirs used in connection with  
such water rights, as may be recognized and  
acknowledged by the local customs, laws and  
decisions of courts, and also subject to the right of  
the proprietor of a vein or lode to extract and re-  
move his ore therefrom, should the same be  
found to penetrate or intersect the premises  
heraby granted, as provided by law.

In Testimony Whereof, I Benjamin Harrison  
President of the United States of America, have caused these  
letters to be made patent, and the seal of the Gener-  
al Land Office, to be hereunto affixed.

Given Under my hand at the City of Washington  
the second day of November, in the year of our Lord  
one thousand eight hundred and ninety one, and of  
the Independence of the United States, the one hundred  
and sixteenth

notices posted by me at the time and place and in the presence of the witnesses therein mentioned

A. Q. Murray

Subscribed and sworn to before me this 27<sup>th</sup> day of July 1889

E. N. Test

County Clerk



Pole Creek Springs

Filed for record  
Aug 12<sup>th</sup> 1889  
at  
11<sup>o</sup> o'clock A.M.  
E. N. Test  
County Clerk  
1889  
Dann Jones  
Deputy

Know all men by these presents, That I A. S. Moss of Succor Creek Malheur County State of Oregon have this day appropriated and hereby claim and record, all of the waters of Pole Creek springs. Said springs situated on the east side of Succor Creek in Malheur County Oregon and the water to be used for domestic irrigating and stock purposes.

Dated at Succor Creek Malheur County State of Oregon this 10<sup>th</sup> day of August A. D. 1889  
A. S. Moss

## NOTICE.

IS HEREBY GIVEN that I, Thomas B Ramsey, do claim a ditch right of five hundred inches of water to be taken out of succor creek, Baker Co. Oregon, at or near the center of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of section three Township 26 S R 46 E Said Ditch is for the purpose of conveying water for irrigating purposes on my land. Said ditch was commenced on or about the 10 of February 1882, and I turned the water in the ditch about the first of March 1882 and was finished on or about the 12 of June 1882, and is in length from the head to where I appropriate the water about one half mile and has been in constant use from the time of completion up to the present time, July 31, 1882.

Thos. B. Ramsey.

(Endorsed on the back: Notice of Thos. B. Ramsey Water Right. filed for record August 1st, 1882 at two o'clock P M. Recorded in Baker Co. Record of water Rights Book "B" Page "28". T D Parker, Co. Clerk.)

Filed for record Sept 2, 1908,  
At 1- o-clock P M  
B W Mulkey, County Clerk,  
By Thos. E. McKnight, Deputy.

THE UNITED STATES OF AMERICA.

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING.

Homestead Certificate No. 201.

Application 323.

WHEREAS, There has been deposited in the GENERAL LAND OFFICE of the United States a certificate of the Register of the Land Office At Lakeview Oregon, whereby it appears that, pursuant to the Act of Congress approved 20th, May 1862, " TO SECURE HOMESTEADS TO ACTUAL SETTLERS ON THE PUBLIC DOMAIN," and the acts supplemental thereto, the claim of Charles R. Smith has been established and duly consummated in, conformity to law, for the:

West half of the South East quarter of Section Seventeen and the West half of the North East quarter of Section twenty in Township *Five south of* Range forty six East of Willamette Meridian, in Oregon containing one Hundred and sixty acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor General:

KNOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said CHARLES R. SMITH, the tract of land above described;

TO HAVE AND TO HOLD, The said tract of land, with the appurtenances, thereof, unto the said Charles R. Smith, and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with the such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted as provided by law.

IN TESTIMONY WHEREOF, I, Benjamin Harrison, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN UNDER MY HAND, At the City of Washington, the second day of April, in the year of our Lord one thousand eight hundred and Ninety, and of the Independence of the United States one hundred and fourteenth.

By the PRESIDENT BENJAMIN HARRISON

(SEAL)

BY M. SO KRAH, SECRETARY.

J. M. TOWNSEND,  
Recorder of the General Land Office.

Recorded Vol 1, page 178.

Filed for Record Mar. 11, A.D. 1910,  
At 1 O'Clock P.M.  
B. W. Mulkey, County Clerk,  
By J. P. Houston, Deputy.

RECEIVED

JAN 04 1893

WATER RESOURCES DEPT.  
SALEM, OREGON



KNOW ALL MEN BY THESE PRESENTS: That Charles R. Smith and Mary E. Smith husband and wife, of Rookville, County of Owyhee State of Idaho, the parties of the first part, in consideration of Twenty five hundred (\$2500.00) dollars to them paid by J. C. Ford, of Caldwell, County of Canyon, State of Idaho, the part of the second part, have bargained and sold, and by these presents do GRANT BARGAIN SELL AND CONVEY unto the said J. C. Ford, his heirs and assigns, all the following described real property situated in the County of Owyhee, and State of Idaho. to-wit:

The West half of the Southeast quarter of Section Seventeen and the West Half of the Northeast quarter of Section twenty, township twenty-five South of Range Forty six East of the Willamette Meridian, in Oregon, containing one hundred sixty acres; together with all water rights, ditches and canals used in irrigating the same.

TOGETHER WITH ALL AND SINGULAR, the Tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and also all their estate, right, title and interest in and to the same.

TO HAVE AND TO HOLD, the above described and granted premises unto the said J. C. Ford his heirs and assigns forever, And Charles R. Smith, his heirs and assigns forever. And Charles R. Smith and Mary E. Smith, the granters above named, do covenant to and with J. C. Ford, the above named grantee, his heirs and assigns, that the above granted premises are free from all incumbrances and that they will, and their heirs and assigns shall WARRANT and FOREVER DEFEND the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whatsoever.

IN WITNESS WHEREOF, These presents are signed and sealed the 22d day of May, A. D. 1909.

Signed, sealed and delivered  
in the presence of

Charles R. Smith, {SEAL}  
Mary E. Smith, {SEAL}

R. B. Scatterday,  
G. V. Smith,

RECEIVED

JAN 04 1933

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF IDAHO, }  
COUNTY OF CANYON. } ss

BE IT REMEMBERED, That on this 22d day of May, A. D. 1909, before me, the undersigned, a Notary Public in and for Said County and State, personally appeared the within named Charles R. Smith and Mary E. Smith, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

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

(Notl Seal)  
My commission expires March 19<sup>th</sup> 1910.

R. B. Scatterday,  
Notary Public.

Filed for Record Mar. 11, 1910.

At 1 O'Clock P.M.

E. W. Mulkey, County Clerk,

By J. P. Houston, Deputy.

# Notice of Water Location

Filed for  
Record  
at

8 o'clock A.M.  
on 28th 1898.  
Albion  
Co Clerk.

Notice is hereby given to whom it may concern that I the undersigned Charles Smith a citizen of the United States over the age of 21 years do hereby locate and claim all of that certain spring of water situated in Malheur County State of Oregon. To be taken from said spring by means of a ditch commencing on the NE 1/4 of Sec 17. Twp 25 S. R 46 E. W. M. To be used for agricultural and domestic purposes and especially for the purposes of watering domestic animals

Chas Smith

Dated this 26th day of November A.D. 1898.

RECORDED

JAN 04 1893

WATER RESOURCES DEPT.  
SALEM, OREGON