

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-504

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.

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:\W\S\C\5\SWR-0504.002



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

RELATED FILES  
SWR-502 + 503

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME Owyhee # 11 UNADJUDICATED AREA ? of DWF  
 RECEIPT # 95927 see file 502 S W R NUMBER 504  
 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 scn

FORM REVIEW

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

STK 1221  
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> scale

FEEES : ?  
 PAID 695/1568  
 Should have 660  
 OVERPAID \$35  
 (UNDER PAID ON SWR-502 + 503 ??)

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-504.

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

JAWP51NSWR\CLAIMANTS\SWR-0504.001



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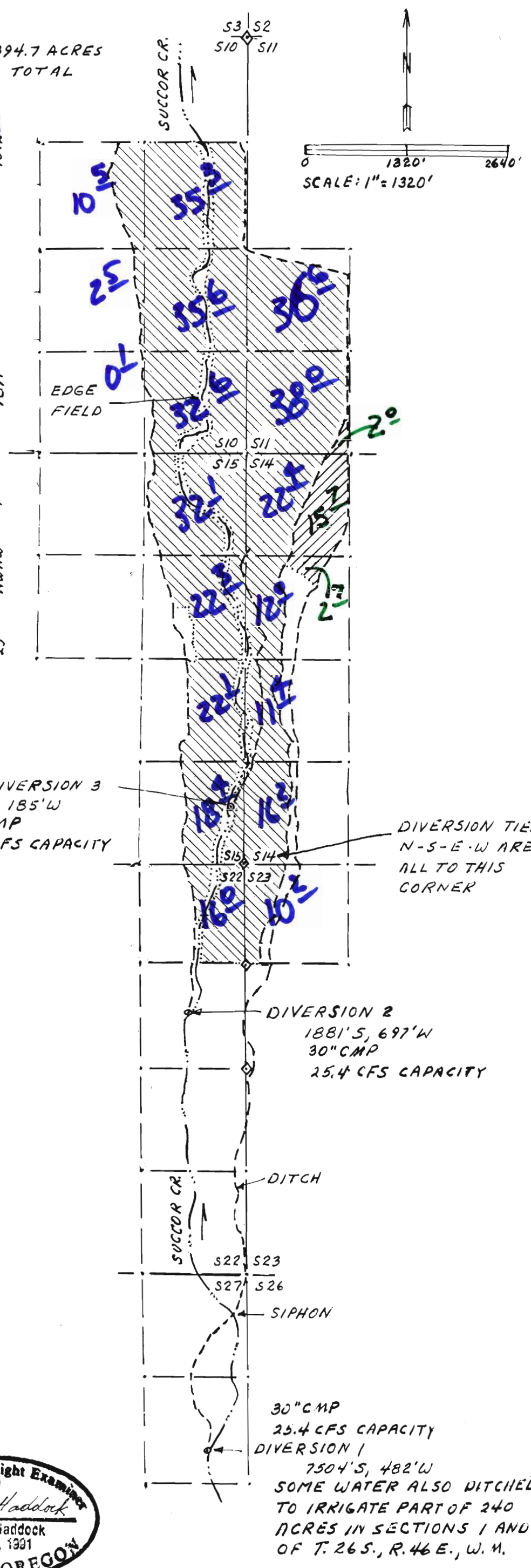
3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

\*F = FIELD, ID = IRRIGATION DITCH

HISTORICAL RECORD OF DEVELOPMENT:

SECTION	FORTY	1882 GLO	HOMESTEAD	WATER	CLAIMED	1899	1992 IRRIGATED ACRES	SUCCESSOR CREEK
		SURVEY	PATENT					
10	SNNE	ID	1910			10.5		
	SENE	ID	1889			35.3		
	NWSE		1910			2.5		
	NESE	ID	1889			35.6		
	SWSE		1910			0.1		
	SESE	F, ID	1889			32.6		
11	NWISW		1889			36.6		
	SWSW	F	1889			38.0	+ 2.0 NEW	
14	NWNE	F	1889			22.4	+ 15.7 NEW	
	SWNW	F	1899			12.0	+ 2.3 NEW	
	NWSW	F	1891			11.4		
15	SWSW	F	1891			16.2		
	NENE	F, ID	1899			32.1		
	SENE	F	1899			22.3		
	NESE	F, ID	1891			22.1		
	SESE	F, ID	1891			18.4		
22	NENE	F, ID	1891			16.0		
23	NWNW	F	1891			10.2		

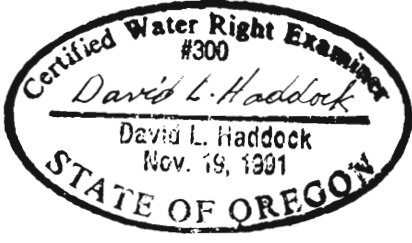
394.7 ACRES TOTAL

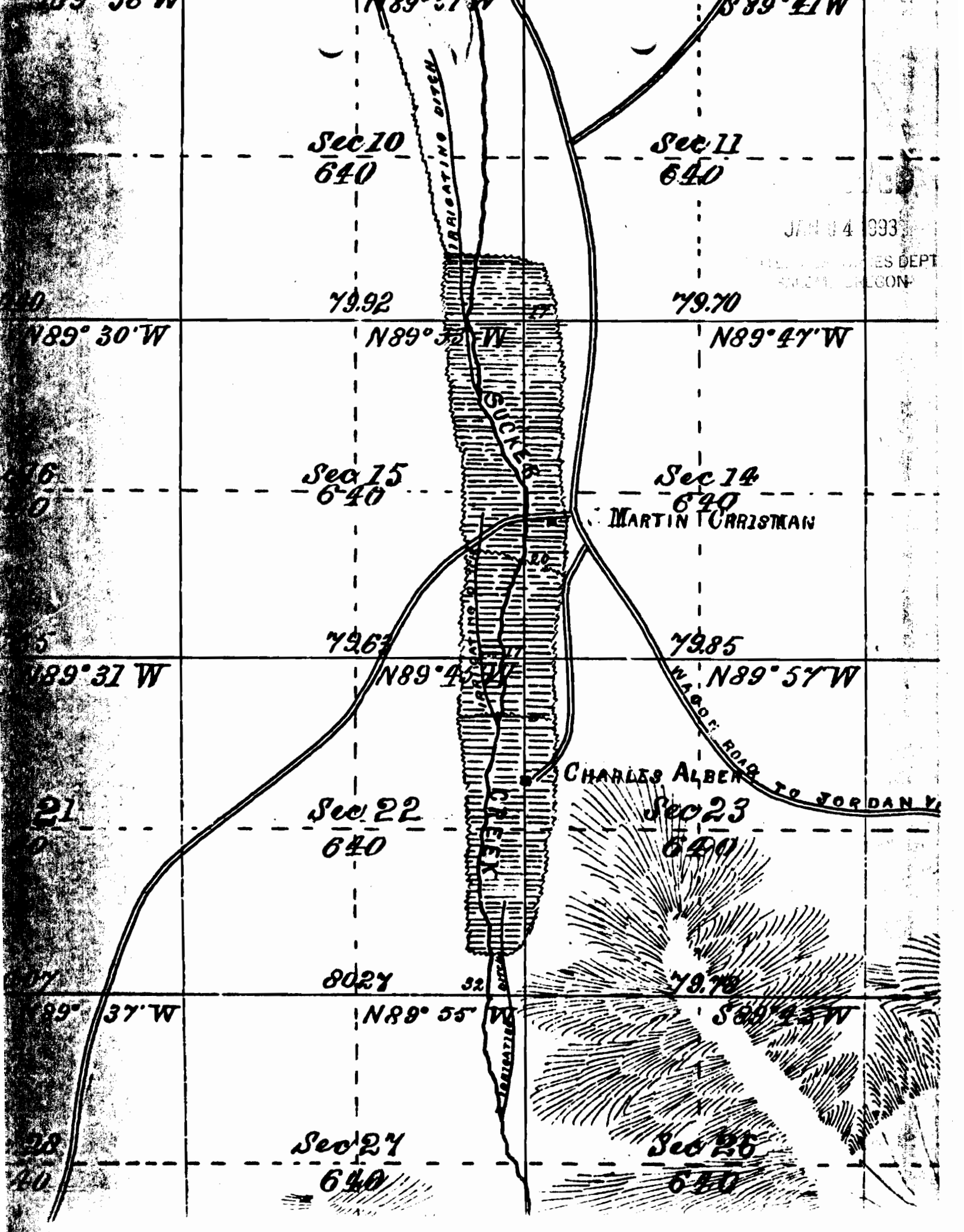


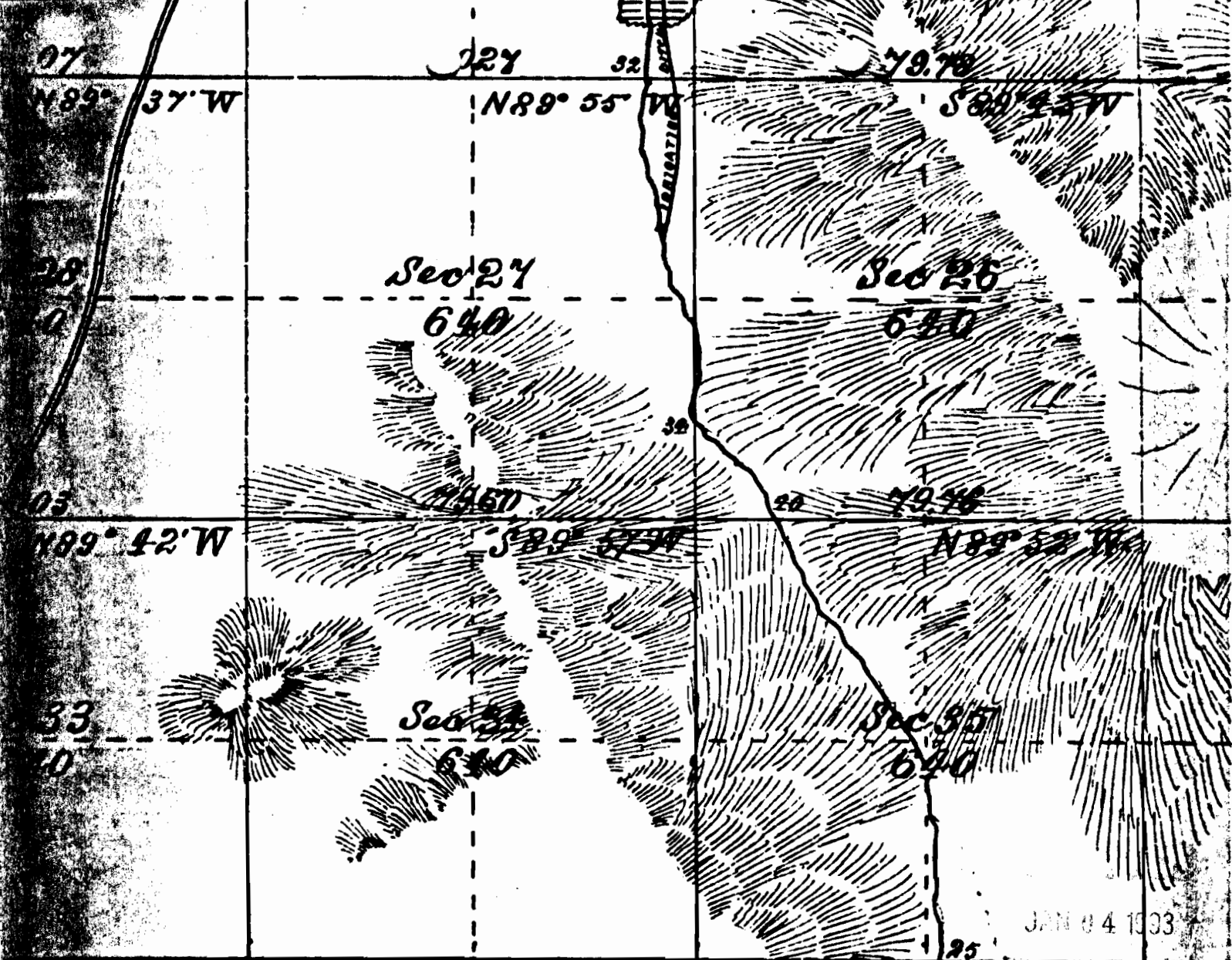
NOTE: THE INFORMATION SHOWN ON THIS MAP IS SOLELY FOR WATER RIGHTS PURPOSES. DATA SHOWN DOES NOT REPRESENT OWNERSHIP INFORMATION.

OWNER:  
 MACKENZIE RANCHES  
 410 SUCCOR CR. ROAD  
 JORDAN VALLEY, OR 97910  
 (503) 339-3229

SURVEY BY: DAVID HADDOCK  
 56 NE MT. HEBRON  
 PENDLETON, OR 97801  
 DATE: DEC. 1992

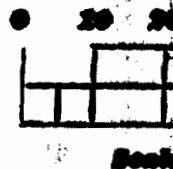






Total number of Acre

AMOUNT OF SURVEYS.			WHEN SURVEYED.	MEAN DECLINATION.
Miles.	Chains.	Links.		
59	76	72	July 20 to 27 1882	19° 00' E
	4	55		



STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELIZABETH MacIVER

of Marsing, State of Idaho, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Sucker Creek

a tributary of Snake River for the purpose of irrigation of 22.0 acres

under Permit No. 29038 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 12, 1963

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 0.55 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 NE 1/4, Section 22, T. 26 S., R. 46 E., W. M. Diversion point located 1680 feet South and 725 feet West from the NE Corner, Section 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

13.2 acres SW 1/4 SW 1/4 Section 14

8.8 acres NW 1/4 NW 1/4 Section 23

T. 26 S., R. 46 E., W. M.

STATE OF OREGON
County of Malheur

In witness whereof, I certify that the within instrument of writing was received, recorded and filed in the office of the County Clerk of Malheur County, Oregon, on the 29th day of January, 1967 at 2:50 P.M.

ROBERT L. MORGON, County Clerk

By Jeanie Stubbs Deputy

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

WITNESS the signature of the State Engineer, affixed

this date, December 29, 1967

[Signature]
State Engineer

The United States of America  
To all to whom these presents shall come Greeting

Whereas there has been deposited in the General Land Office of the United States a Certificate of the Register 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 James C. Ford, has been established and duly consummated, in conformity to law for the South West quarter of the North West quarter of Section Fourteen and the East half of the North East quarter and the North West quarter of the North East of Section fifteen in Township twenty six South of Range Forty six East of Willamette Meridian, in Oregon embracing 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

Now Know Ye that there is therefore granted by the United States unto the said James C. Ford, the tract of land above described.

To Have and to Hold the said tract of land, with the appurtenances thereof unto the said James C. Ford, 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 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 the ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals, constructed by the authority of the United States.

In Testimony Whereof.

J. William M. McKim, President of the United States of America, has 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 Twelfth fifth day of February, in the year of our Lord one thousand eight hundred and ninety nine, and of the Independence of the United States the one hundred and twenty third.

By the President William M. McKim  
By J. M. McKim Secretary  
C. W. Rusb.  
Recorder of the General Land Office



Filed for  
Record  
Apr. 17. 1899  
at  
8 o'clock a.m.  
A. G. King  
Co. Clerk  
By  
H. G. Thomson  
Deputy



The United States of America,

To all to whom these presents shall come greeting:

Filed for Record

Aug. 3<sup>rd</sup> 1896. Certificate

at 10<sup>o</sup> o'clock No. 835

A.M.

C.W. Platt  
County Clerk.

Whereas Martin Chrisman of Malheur County, Oregon, has 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 full payment has been made by the said Martin Chrisman according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act Making further provision for the sale of the Public Lands," and the Acts supplemental thereto, for the North East quarter of the North East quarter of Section Twenty-two, the East half of the South-east quarter of Section Fifteen and the North-west quarter of the South-west quarter of Section Fourteen in Township Twenty-six 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 Lands, returned to the General Land Office by the Surveyor General which said Tract has been purchased by the said Martin Chrisman.

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant, unto the said Martin Chrisman and to his heirs, the said Tract above described:

To Have and To Hold the same, together with all the rights,

JAN 04 1893

privileges, immunities, and appurtenances, of whatsoever nature thereunto belonging, unto the said Martin Christian 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 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 Seventeenth day of March, 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 fiftieth.

By the President: Benjamin Harrison.

By Ellen Macfarland - Asst. Secretary.

Recorded, Vol. 2, Page 396.

J. M. Townsend.

Recorder of the General Land Office.