

AFFIDAVIT OF WATER RIGHT

STATE OF OREGON)
COUNTY OF MALHEUR) SS:

DEAKINS
ESTHER DEAKINS, a resident of 640 Chucker Drive, Apt.
37, Ontario, Oregon, 97914, being first duly sworn deposes and
says:

1. That she is of legal age, fully competent, and makes this affidavit from personal knowledge.

2. That she and her husband, CHARLES W. ~~DEKINS~~, resided and worked at ranch property known as the Circle Bar Ranch located in Owyhee County, Idaho, and Malheur County, Oregon, during the years 1922 through 1928.

3. That affiant is familiar with and observed the irrigation of the properties during that period of time.

4. That the land included within the Circle Bar Ranch and located within the State of Idaho was irrigated by ditches on the property which were in place at the time the affiant and her husband came on the premises, and such ditches had apparently been there and in use for a number of years prior to that time.

5. That the affiant observed during the times mentioned that irrigation water was beneficially used and applied to crops and pasture growing on the Circle Bar Ranch, including the lands located in Owyhee County, Idaho, using the mentioned ditches which diverted water naturally flowing from a certain canyon and draw known as Little Box Canyon and Dutcher Creek which are tributaries to Squaw Creek located in Owyhee County, Idaho.

6. That such irrigation commenced each year on approximately April 1, and continued as long as water was available for diversion and delivery which was approximately July 1.

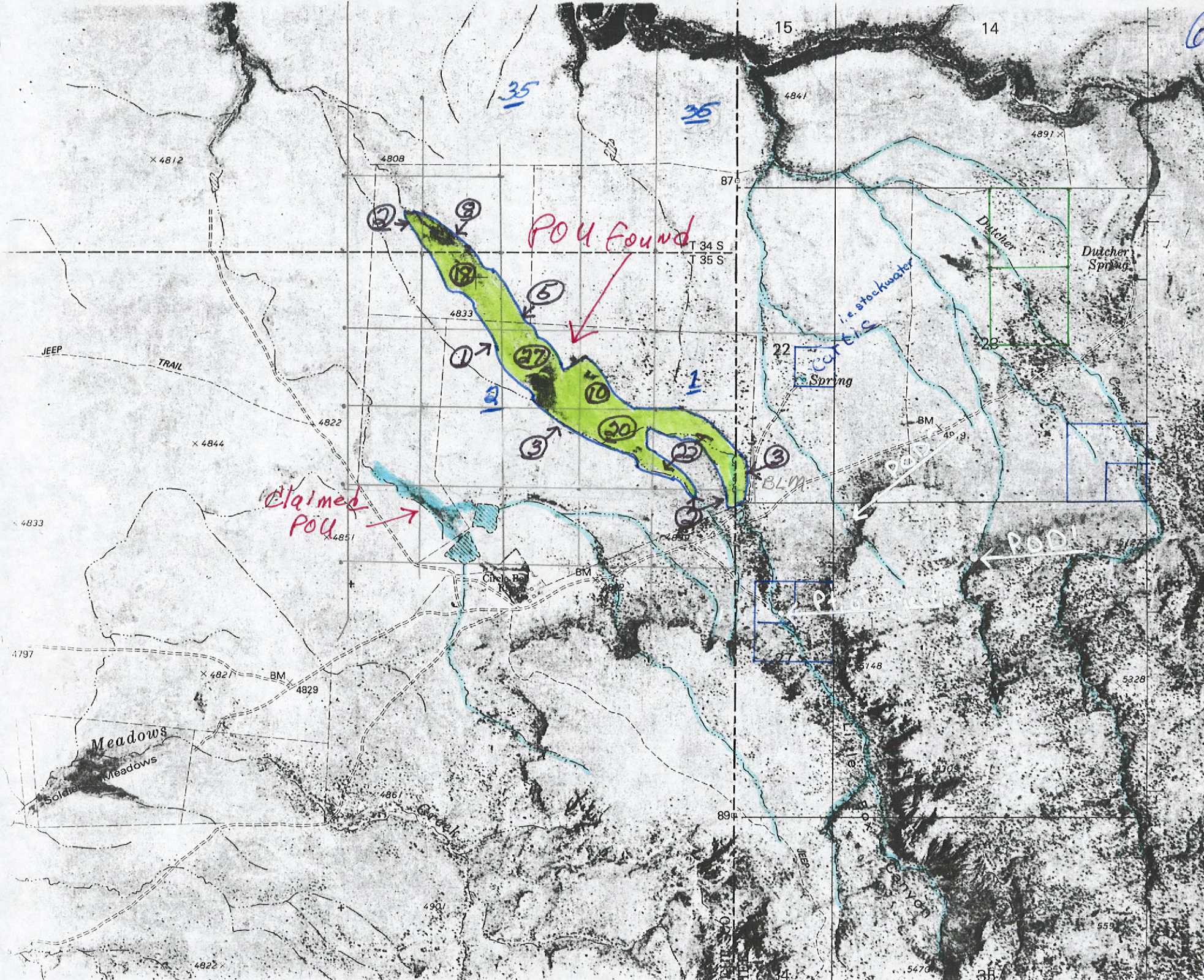
ESTHER DEAKINS

Subscribed and sworn to before me, this 16 day of June, 1983.

Maec K. S. S. S. S.
Notary Public for Oregon
Residing in Ontario, Oregon

MICROFILMED
SEP 29 1992

6a



T10S, R6W, S.23

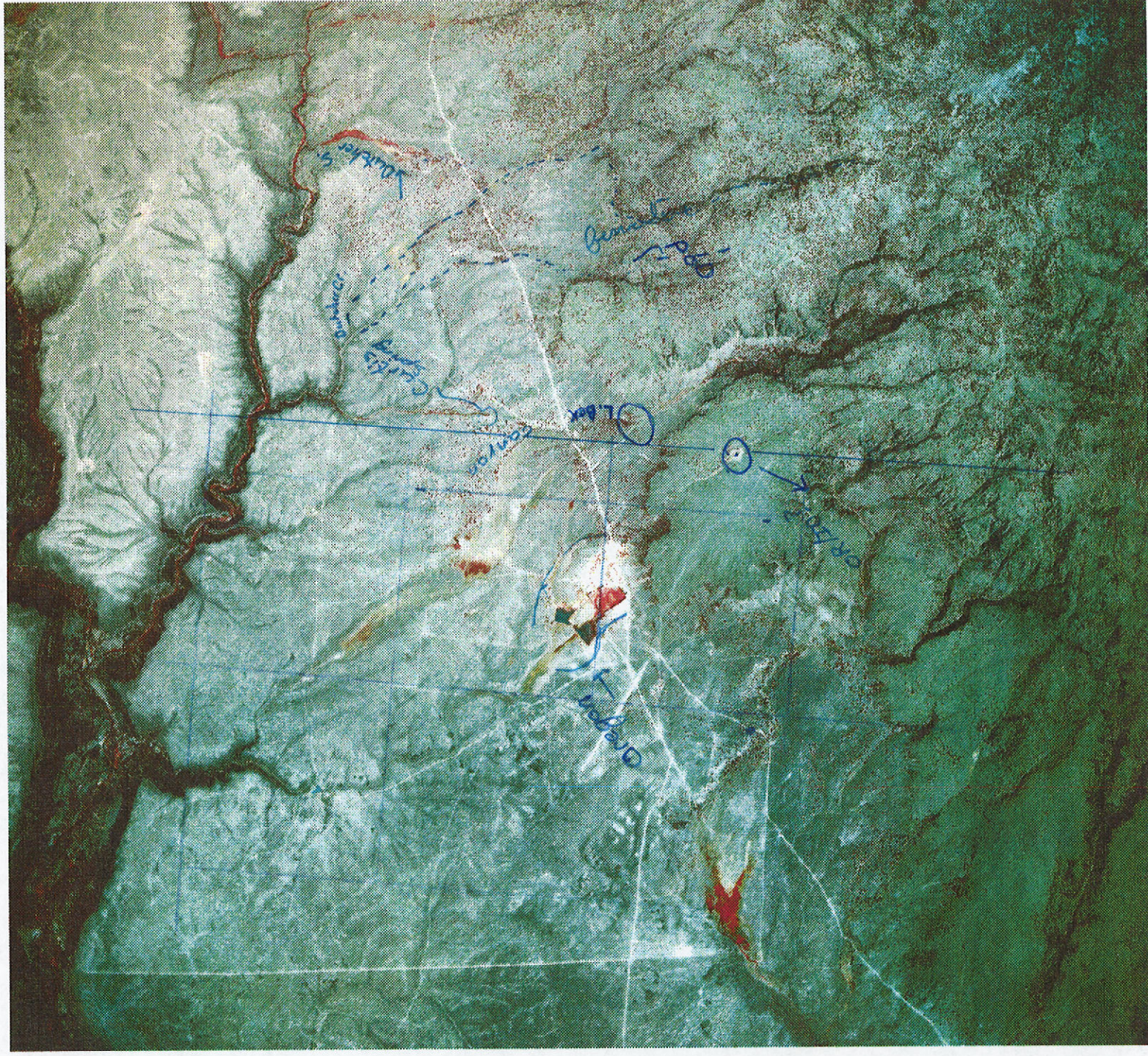
Brown Ridge Ranches (Mendocino)

6b

NAPP 429-138

BB52SE

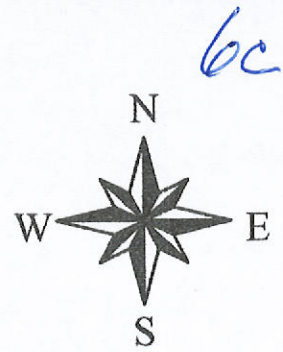
7-31-87



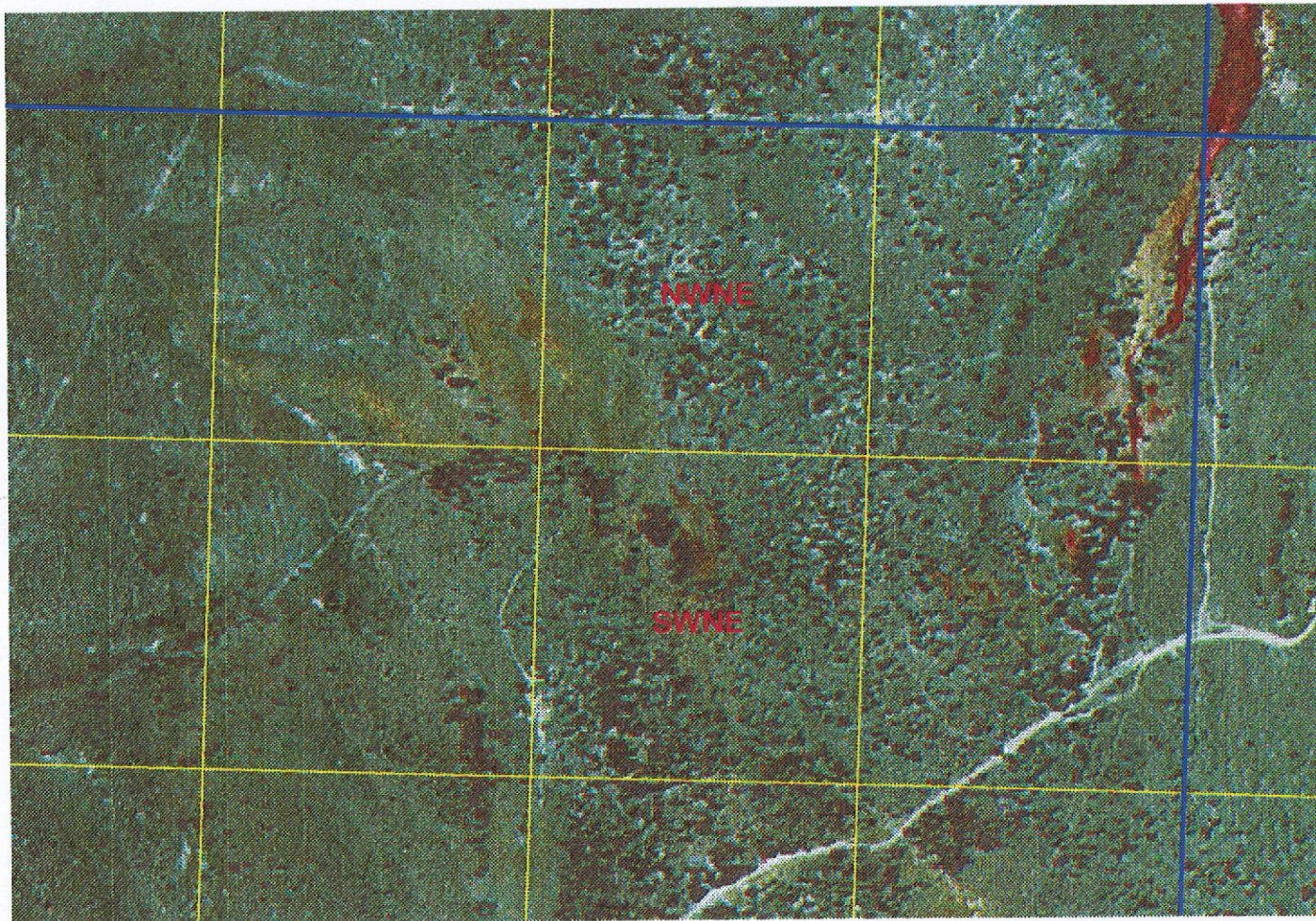
IDAHO DEPARTMENT OF WATER RESOURCES

T10S, R06W, S23

PLACE OF USE CLAIMED IN IDAHO



1987 NAPP PHOTO



 SECTION LINES

 POD

 PLACE OF USE

 1/4 1/4 LINES

6 ACRES

CLAIM(S) : 55-04145

OWNER(S): MENDIETA, LAZARO

Prepared by: Mel Schulte

Date: 2/24/1998

1 Miles

0

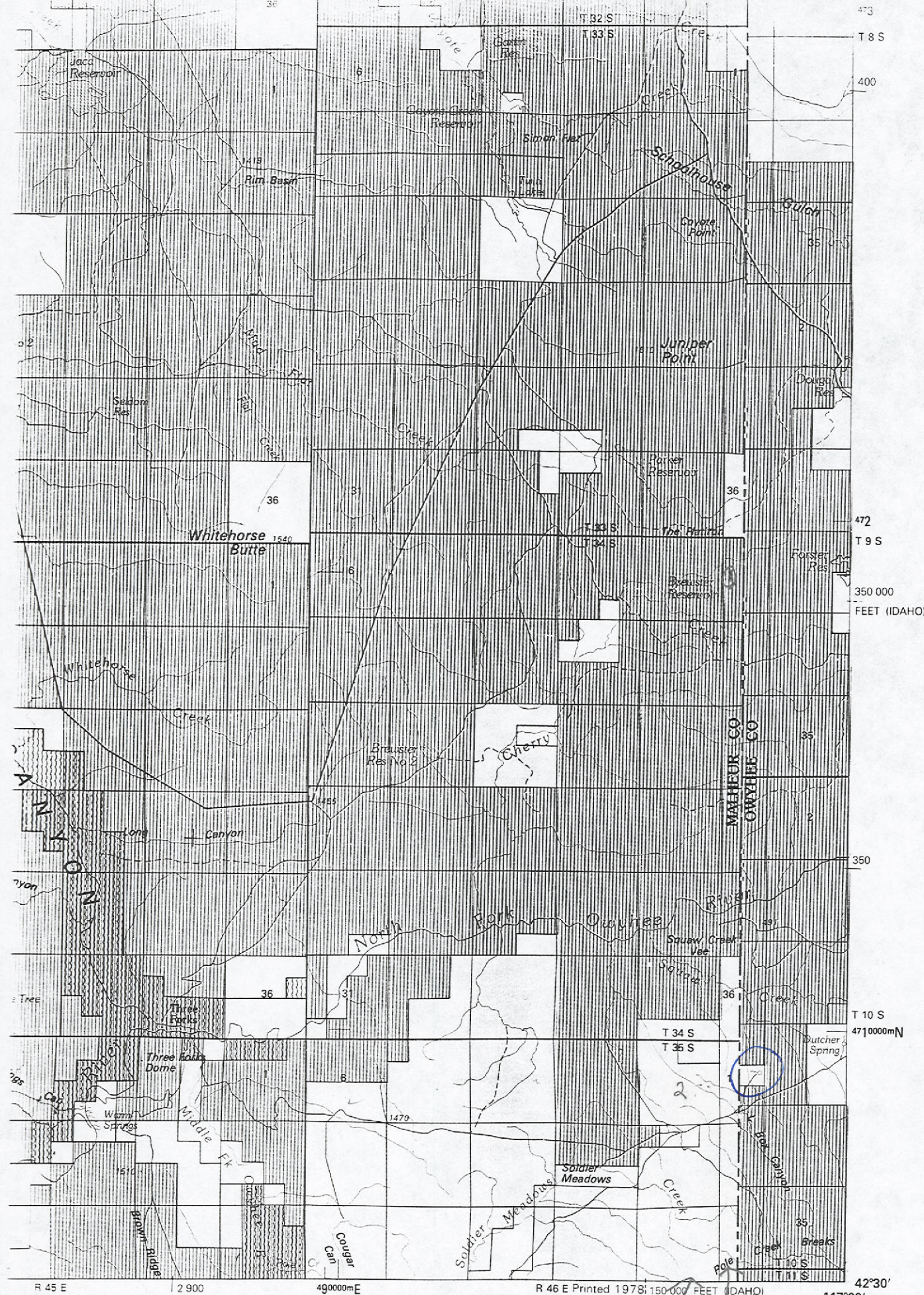
0.25

0.5

0.75

TOTAL ACRES = 0

6e



MINERAL RIGHTS
THE FEDERAL BUREAU OF LAND MANAGEMENT

- Mineral Rights**
- All minerals
 - Coal only
 - Oil and Gas only
 - Oil, Gas, and Coal or
 - Other
 - No symbol indicates Federal minerals

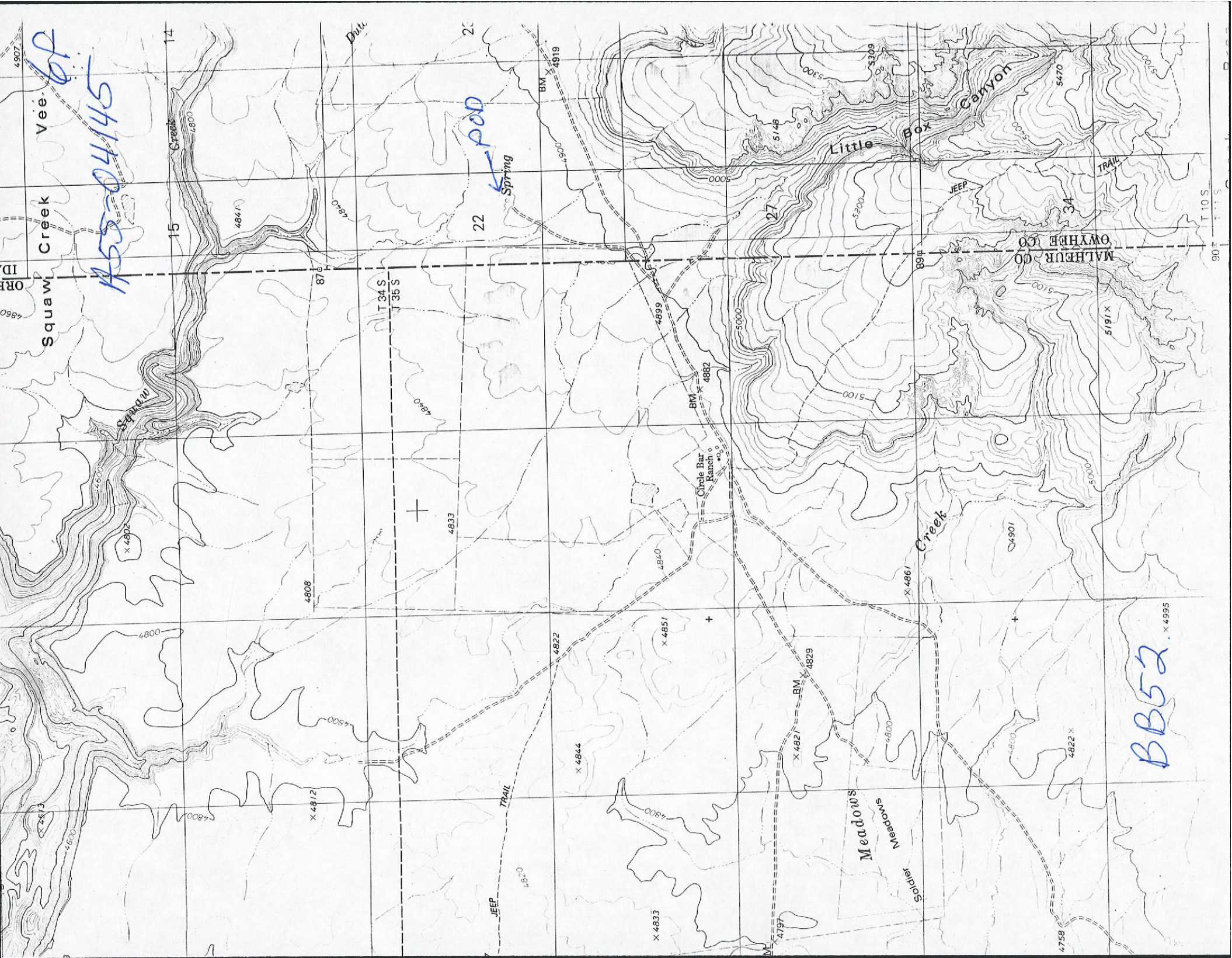
NOTE 1
The surface and mineral rights are public lands and management tools. The surface and mineral rights, patented lands due to be available to BLM with acquisition. Tracts left out because of the private lands may be records in the respective Land Management agencies should be checked on any specific tract. BLM maps should be obtained from the Bureau of Land Management if the maps were obtained from the BLM.

LEGEND

ROAD CLASSIFICATION

46E 47E

(RIDDLE)



Squaw Creek Vee 6P

1755-04145

POD Spring

BB52



9-21-93 LRU

Dutcher spring - Good for stock



9-21-93 LRU

Dutcher spring - Good for stock

A55-04145



9-21-93 Lrw

P.O.D. on Dutchman cr. at fork



9-21-93 Lrw

Looking down canyon at Dutchman cr.

A55-04145



9-21-93 LRU

Looking up canyon at river coming out.

A55-04/45



9-21-93

CRW

P.O.U. from Little Box Canyon draw - looking southwest
northward field ↘



9-21-93

CRW



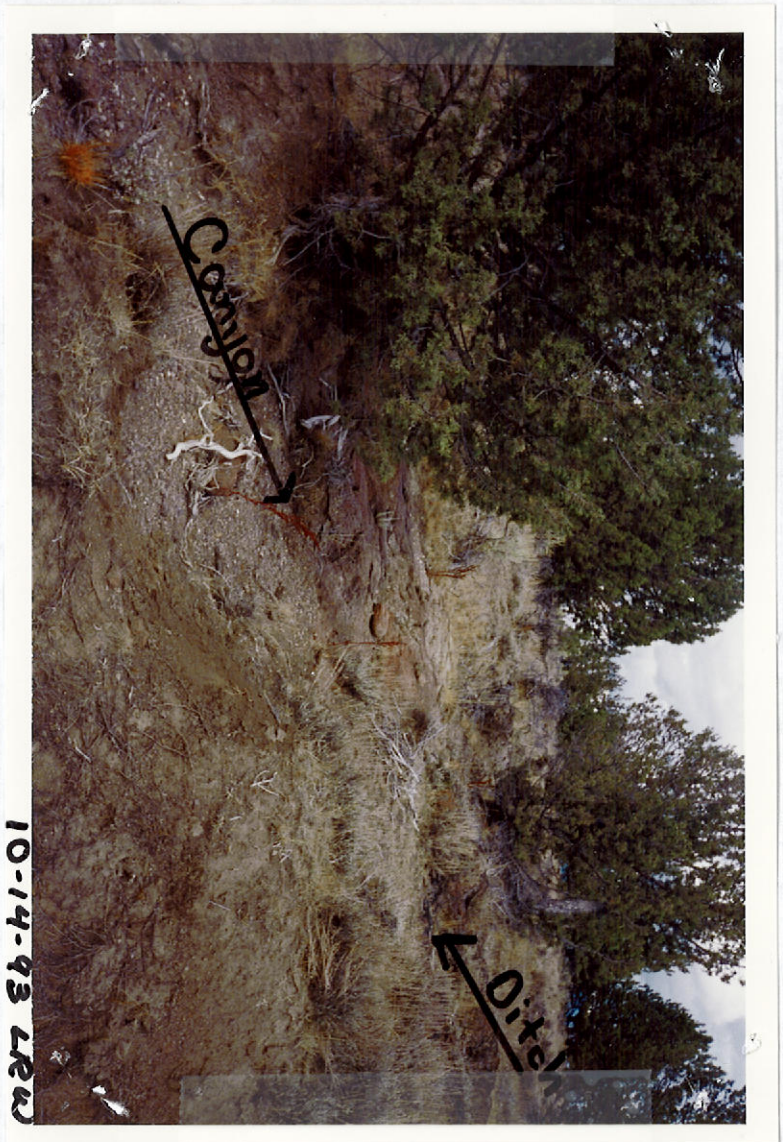
10-14-93 LRM

Division mt. 2 - Unnamed Stream
Dirt dam & ditch. Looking downstream above dam.



10-14-93 LRM

Ditch at measurement site.



Where ditch meets Little Box canyon.

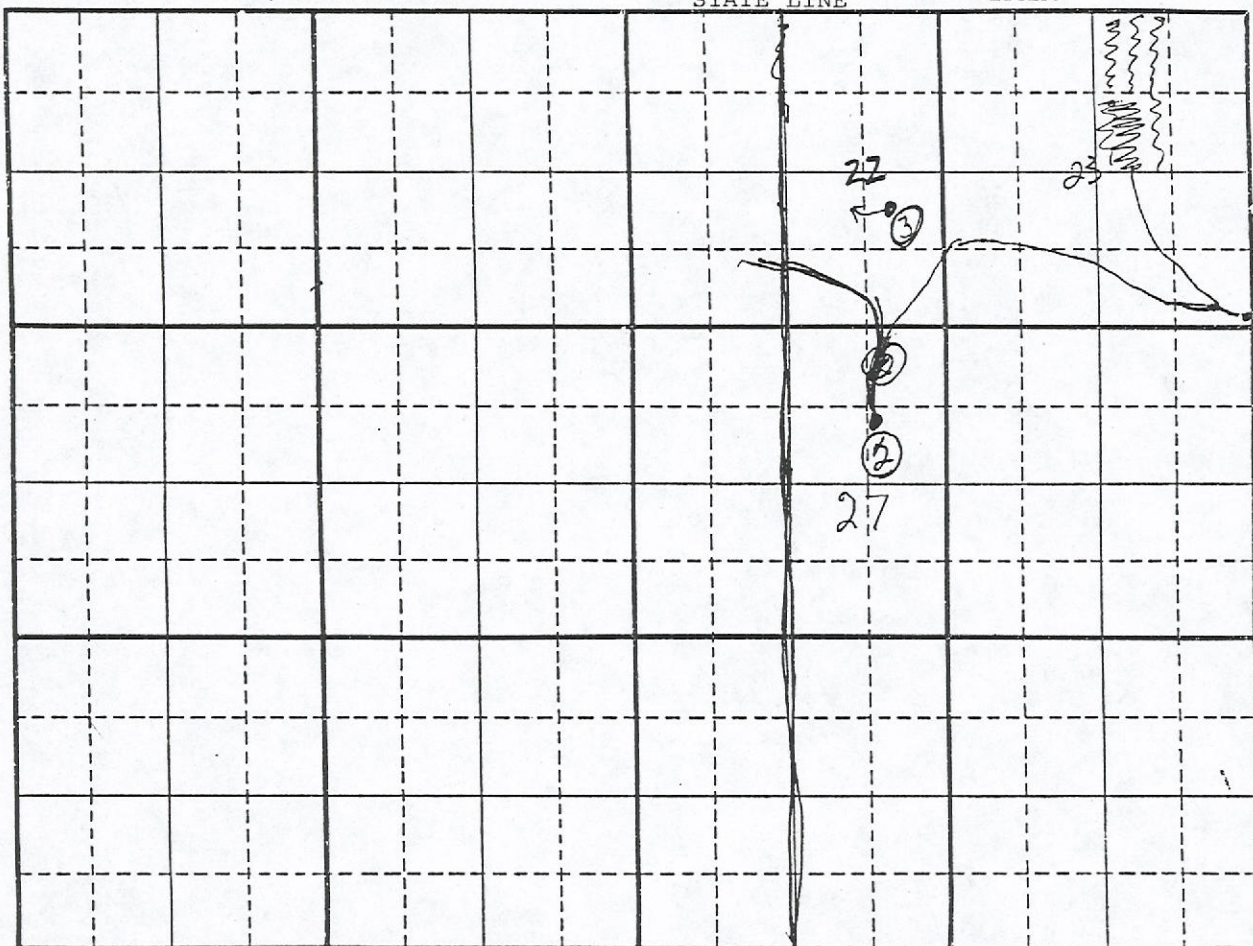
marks

1. Dutcher Creek Diversion
2. Little Box Canyon Diversion
3. Curtis Springs

OREGON T35S

STATE LINE

IDAHO



Scale: 2 inches equal 1 mile.

R46E

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of Canyon)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of June

[Signature]
(Claimant)

[Signature]
Notary Public
Residing at Caldwell, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>DBS</u>	Date <u>6/21/83</u>	Exception filed by:	Forwarded to
Prelim. check by <u>2/6/83</u>	Date <u>6/24/83</u>	<u>11/2/83</u>	claimant by:
\$20.00 fee received by <u>DBS</u>	Date <u>6/21/83</u>	<u>#3104</u>	
Published in <u>Owyhee Register</u>			
Dates <u>12/28/83</u> <u>1/4/84</u>	<u>2/29</u>	<u>4/5/84</u>	

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A55-04145
Date Received: 12/14/1988
Receipt No: 6003919
Received By: Sp

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAZARO MENDIETA 503-586-2414
Address: P.O. BOX 57
CIRCLE BAR RANCH
JORDAN VALLEY, OR 97910
2. Date of Priority: MAR 01, 1922
3. Source: CURTIS SPRING Trib. to: SQUAW CREEK
DUTCHER CREEK SQUAW CREEK
UNNAMED STREAM OWYHEE RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	06W	22	NE	NE	SE		OWYHEE
		23	SE	SE	SE		OWYHEE
		27	NW	SE	NE		OWYHEE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	08/01	2.000		
STOCKWATER	01/01	12/31	0.230		
IRRIGATION STORAGE	01/01	12/31			69.00
IRRIGATION FROM STORAGE	03/01	08/01			69.00
STOCKWATER STORAGE	01/01	12/31			70.80
STOCKWATER FROM STORAGE	01/01	12/31			70.80

7. Total Quantity Appropriated is:
2.230 C.F.S. (and/or) 70.80 A.F.A.

8. Total consumptive use is 250.0 Acre Feet Per Annum.

A55-04145

Page 1

Date: 12/14/88

MICROFILMED

SEP 29 1992

9. Non-irrigation uses:
STOCKWATER FOR UP TO 1000 HEAD BEEF

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	06W	23	NW	NE	IRR	20.0
			SW	NE	IRR	20.0
Section Acres						40.0
Total Acres						40.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
DESCRIPTION OF DIVERSION WORKS: DAM AND DIVERSION DITCH - 3 FT ACROSS AND 3 FEET DEEP AT DIVERSION ON UNNAMED STREAM AND DUTCHER CREEK. FLOW INTO 2 CONNECTED RESERVOIRS - 500' BY 500' BY 6' DEEP FOR EACH. TOTAL CAPACITY OF APPROX. 69 AF STORAGE FOR IRRIGATION AND STOCKWATER. DITCH AT CURTIS SPRING COLLECTS SPRING WATER - 2 FEET ACROSS AND 2 FEET DEEP. FLOW INTO RESERVOIR 200' BY 200' BY 2' DEEP. TOTAL CAPACITY OF APPROX. 1.8 AF STORAGE FOR STOCKWATER.
DESCRIPTION OF PLACE OF USE IN MALHEUR COUNTY, OREGON:
T35S, R46E, SEC 2, 60 ACRES IN SW QUARTER - IRRIGATION (SEE MAP)
T35S, R46E, SEC 2, SW QUARTER FOR STOCKWATER
T34S, R46E, SEC 35, SE QUARTER FOR STOCKWATER

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): * *Lazaro Mendez* Date: *Dec. 14, 1988*
Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14TH day
of DECEMBER 19 88

Jeff Peppercall
Notary Public

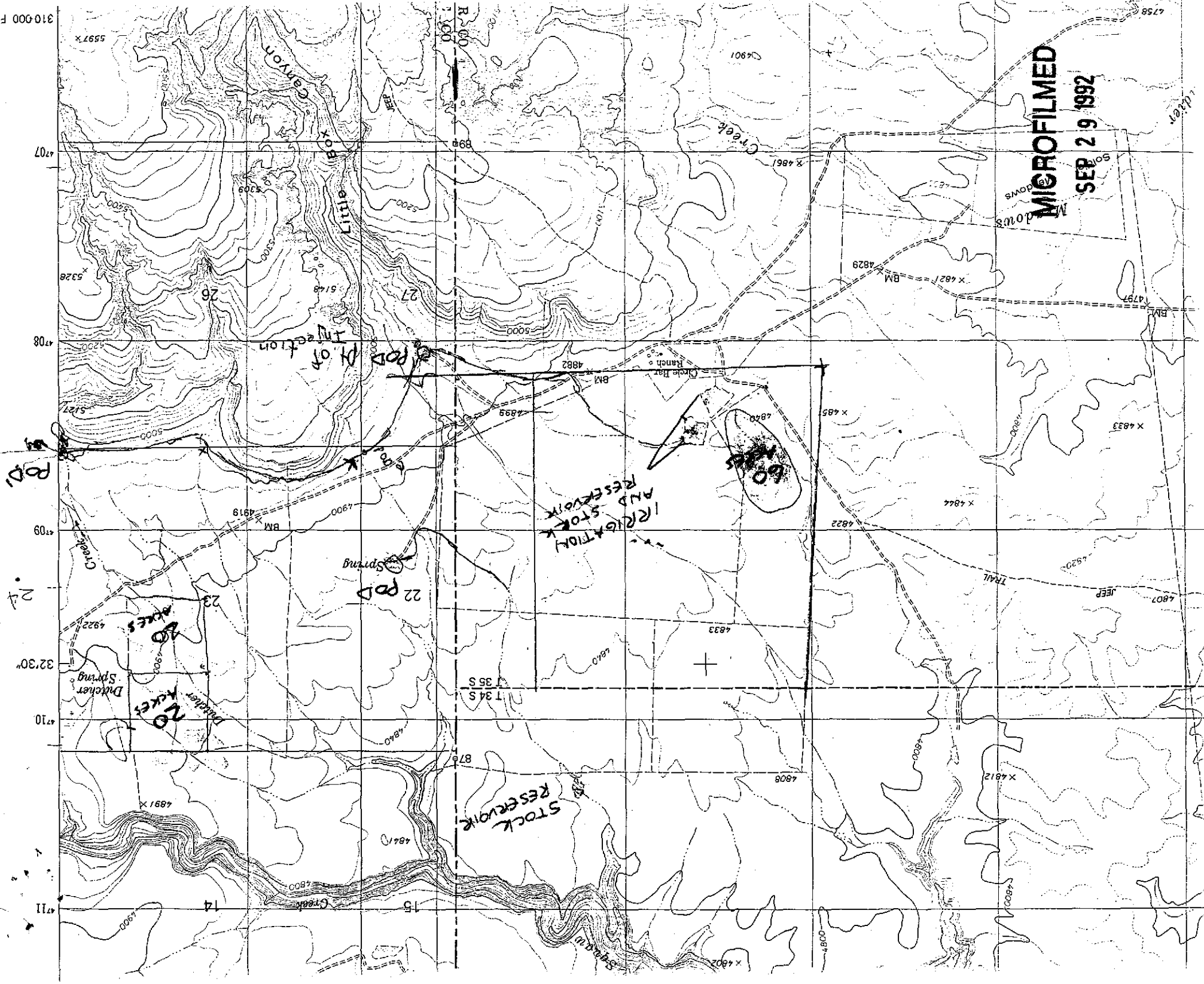
Seal

Residing at BOISE, IDAHO
My Commission Expires 11/8/1994

310 000 FEET

MICROFILMED

SEP 29 1992



DATE: 02/24/98
PAGE: 1

Comments: Date: 02/24/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
DESCRIPTION OF DIVERSION WORKS: DAM AND DIVERSION DITCH - 3 FT
ACROSS AND 3 FEET DEEP AT DIVERSION ON UNNAMED STREAM AND DUTCHER
CREEK. FLOW INTO 2 CONNECTED RESERVOIRS - 500' BY 500' BY 6'
DEEP FOR EACH. TOTAL CAPACITY OF APPROX. 69 AF STORAGE FOR

AJ0749NP
No. R55-04145

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/24/98
PAGE: 2

=====

Comments: Date: 02/24/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
IRRIGATION AND STOCKWATER. DITCH AT CURTIS SPRING COLLECTS
SPRING WATER - 2 FEET ACROSS AND 2 FEET DEEP. FLOW INTO RESERVOIR
200' BY 200' BY 2' DEEP. TOTAL CAPACITY OF APPROX. 1.8 AF
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DESCRIPTION OF PLACE OF USE IN MALHEUR COUNTY, OREGON:
T35S, R46E, SEC 2, 60 ACRES IN SW QUARTER - IRRIGATION (SEE MAP)
T35S, R46E, SEC 2, SW QUARTER FOR STOCKWATER
T34S, R46E, SEC 35, SE QUARTER FOR STOCKWATER

Audit: 02/24/98 MSCHULTE

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

APR 08 1998

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A

NOTICE OF ERROR REPLY IS:

March 30, 1998

Water right number:

55-04145

LAZARO MENDIETA
PO BOX 57
CIRCLE BAR RANCH
JORDAN VALLEY OR 97910

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ **I AGREE with this proposed recommendation; no changes need to be made.**

DATE:

4-8-98

SIGNATURE:

Lazaro Mendieta
Please print your name. LAZARO MENDIETA

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-04145

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>						
PT. OF DIV.	<u>Y</u>						DATA ENTRY COMPLETED
SOURCE	<u>N</u>						BY _____ DATE _____
PL. OF USE	<u>Y</u>						FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF	<u>Y</u>						BY _____ DATE _____
CONSUMPTIVE USE							
NATURE OF USE	<u>Y</u>						
PERIOD OF USE	<u>Y</u>						
BASIS OF CLAIM	<u>stat.</u>						
REMARKS	<u>Y</u>						

BB52SE

VERIFICATION CODES

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ✓ NO .**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

TOPO MAP/ORTHOPHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

COMMENTS: Field exam req'd - KW 6/15/92

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1979/1974</u> IDWR ID NO. <u>BB52</u>	Y(☒) N(☐) <u>6a</u>
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>1980 map</u> IDWR ID NO. <u>BB52</u>	Y(☒) N(☐) <u>6f</u>
☒ NAAPP	DATE OF PHOTO <u>7-31-87</u> IDWR ID NO. _____	Y(☒) N(☐) <u>6b</u>
☒ ASGS AERIAL PHOTO <u>GIS map</u>	DATE OF PHOTO <u>2-24-98 - (Adobo land claimed)</u>	Y(☒) N(☐) <u>6c</u>
☐ ASGS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☒) N(☐) <u>6d</u>
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
☒ OTHER <u>BLM map</u>	DATE _____	Y(☒) N(☐) <u>6e</u>
☒ OTHER <u>Memo to file</u>	DATE <u>2-24-98</u>	Y(☒) N(☐)
☒ OTHER <u>Field exam memo</u>	DATE <u>9-22-93</u> <u>2-10-15-93</u>	Y(☒) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN <u>10-14-93</u>	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>9-21-93</u>	<u>6</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>10-14-93</u>	<u>3</u>	<u>- Pages 8a-c (Not used)</u>
☒ OTHER <u>2 affidavits</u>	DATE <u>6-16-1983</u>	<u>3</u>	<u>Pages 3a & b</u>
☒ OTHER <u>Statutory Claim</u>	DATE <u>6-17-1983</u>	<u>2</u>	_____

MEMORANDUM TO FILE

TO: A55-04145
FROM: MEL SCHULTE 
DATE: 2/24/1998

RE: RECOMMENDATION

The recommendation for claim A55-04145 is Stockwater for 1000 range cattle from Curtis Spring. This recommendation is substantially less than what was claimed and is based on the following information.

The original claim is based on Statutory claim A55-04145 which describes 357.37 acres of irrigation of which 40 acres are in Idaho. It also claims stockwater as a component. The sources listed are Curtis Spring, Unnamed Stream and Squaw Creek.

The SRBA claim describes irrigation in Idaho comprised of the same 40 acres listed in the original Statutory claim and 60 acres of irrigation in Oregon. The Oregon land is not the same as that listed in the Statutory claim. The sources claimed are Curtis Spring, Unnamed Stream and Dutcher Creek instead of Squaw Creek.

Field exams conducted on 9/21/1993 and 10/14/1993 found irrigation uses substantially different than what was claimed in the SRBA claim. First, the 40 acre place of use in Idaho is not irrigated and second, the land in Oregon is not irrigated by water from Idaho sources. The Unnamed Stream source and Curtis Spring provide water for irrigation in Oregon but, to land not described by the SRBA claim. According to the field exam write up, the Idaho water sources cannot physically be diverted to the 60 acres in Oregon described in the claim.

SRBA claim A55-04145 describes irrigation and stockwater storage and uses from the storage. The field exams determined that Idaho water cannot be diverted to the storage facility and the source of water is Oregon water. Therefore, these components cannot be recognized in the recommendation.

It appears the only use found by the field exams that matches the claim is stockwater from Curtis Spring. The other uses comprise a completely different water right than what is described in SRBA claim A55-04145.

MTS

L. MENDIETA
A55-04145
BY LINDA WERNER, FIELD EXAMINER

FIELD EXAM DATED 9/21/93
WRITE-UP DATED 9/22/93

3 SOURCES CLAIMED-2 FOUND.

CURTIS SPRING TRIB TO SQUAW CREEK

POD=T10S, R6W, SECTION 22, NESE. USED FOR STOCKWATERING OF UP
TO 1000 HEAD OF CATTLE-0.23 CFS. 50-100 SEEN AT TIME OF EXAM.

DUTCHER CREEK TRIB TO SQUAW CREEK

DIVERSION IS LOCATED SOUTH OF ROAD IN NENW OF SECTION 26. FROM
THERE WATER IS TAKEN BY DITCH (CONTOUR) WHERE IT EMPTIES TO
LITTLE BOX CANYON DRAINAGE, IS CONVEYED THROUGH RUNOFF DRAINAGE
TO FIELDS OF PASTURE GRASS AND DISPERSED IN THESE VALLEY
MEADOWS. POINT OF INJECTION INTO LITTLE BOX CANYON DRAINAGE IS
IN SECTION 27, SENE.

LITTLE BOX CANYON

WATER FROM LITTLE BOX CANYON IS ALSO TRIB TO TWO RESERVOIRS
FOR WHICH WATER IS USED TO IRRIGATE PASTURE DOWNSTREAM (NORTH
AND WEST). ACTUALLY, THE SOURCE OF THIS IS BETTER CALLED
UNNAMED STREAMS; HOWEVER, SYSTEM IS PART OF BOX CANYON DRAINAGE.

RESERVOIRS ARE SAID TO BACK UP AND FORM ONE RESERVOIR, HOWEVER,
MAPS DO NOT SHOW THAT IS DOES THIS REGULARLY AND THIS IS BETTER
DESCRIBED AS OVERFLOW.

ACREAGE SEEN AS IRRIGATED ON THE NAPP PHOTO AROUND THE RANCH IS
SUB-IRRIGATION.

10/15/93

ON 10/14/93 I CONDUCTED A SECOND EXAM OF THE ABOVE AREA AS THERE
WAS NO TIME TO DO MEASUREMENTS ON SEPTEMBER 21. I WAS
ACCOMPANIED BY JULIE YARBROUGH. DURING THIS TIME I WALKED THE
DITCH SO AS TO BETTER DETERMINE ITS LOCATION IN REFERENCE TO THE
POINT OF INJECTION TO LITTLE BOX CANYON. I ALSO WANTED TO
DETERMINE IF ANY IDAHO WATER IS USED TO FILL THE OREGON
RESERVOIRS.

I DETERMINED THAT THE RESERVOIRS ARE FILLED PRIMARILY FROM
RUNOFF ON THE OREGON SIDE. THIS DETERMINATION WAS MADE FROM
FIELD INFORMATION AND FROM THE USAGE OF A CONTOUR MAP. WE
WALKED WESTERLY FROM THE POINT OF INJECTION OF DUTCHER CREEK
INTO LITTLE BOX CANYON DRAINAGE AND FOUND NO OTHER DITCHES WHICH
WOULD CARRY IDAHO WATER TO THE RESERVOIRS IN QUESTION. THE
IDAHO-OREGON BORDER IS APPROXIMATELY 3/4 MILE FROM THE LITTLE
BOX CANYON INJECTION POINT.

WE ALSO CHECKED FOR DITCHES BY DRIVING THE AREA BETWEEN THE RANCH SITE EAST TO THE LITTLE BOX CANYON POINT OF INJECTION. THERE WAS NO DITCH RUNNING ALONG SIDE THE ROAD NOR WAS THERE ANY DITCH IN THE AREA SOUTH OF THE ROAD UP TO THE 4900' ELEVATION LINE.

POD #1 THE WATER FROM DUTCHER CREEK IS DIVERTED AT A POINT LOCATED IN SECTION 26, NENW. THIS IS DIFFERENT THAN WHAT WAS CLAIMED. THIS DIVERSION LOCATION WAS DETERMINED DURING THE 9/21 EXAM. I DID NOT GO BACK TO THE DIVERSION POINT ON 10/14. INSTEAD I FOLLOWED THE DITCH FROM A POINT WEST OF THE DIVERSION SITE TO THE UNNAMED STREAM SHOWN AS DIVERSION NO. 2 ON THE MAP IN THE CVR. THEN AGAIN IN A WESTERLY DIRECTION TO THE POINT OF INJECTION IN LITTLE BOX CANYON. FROM THIS POINT THE WATER IS TAKEN BY NATURAL RUNOFF TO THE PLACE OF USE IN THE VALLEY BELOW. SOME OF THIS WATER MAY FLOW TO THE RESERVOIR BY WAY OF WASTEWATER FROM THE PASTURE NE OF THE RESERVOIR OR BY RUNOFF.

ONE OF THE SOURCES ON THE CLAIM IS LISTED AS DUTCHER CREEK. IT APPEARS FROM THE CONTOUR MAP AND ORTHO-PHOTO QUAD THAT THESE SOURCES WOULD BETTER BE DESCRIBED AS UNNAMED STREAMS (2) TRIB TO DUTCHER CREEK.

Water Right Number - A55-04145

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MENDIETA

LAZARO

1 - P.O. BOX 57
2 - CIRCLE BAR RANCH
3 -
City- JORDAN VALLEY
Phone - 503-586-2414

State- OR Zip- 97910

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/01/1922 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
CURTIS SPRING - For stock
DUTCHER CREEK
UNNAMED STREAM
SQUAW CREEK
SQUAW CREEK
OWYHEE RIVER, NORTH FORK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
10S 06W 22 NE NE SE (73) OWYHEE
23 SE SE SE (73) OWYHEE
27 NW SE NE (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/01 08/01 2.000
04 - STOCKWATER 01/01 12/31 0.230
02 - IRRIGATION STORAGE 01/01 12/31 69.00
03 - IRRIGATION FROM STORAGE 03/01 08/01 69.00
05 - STOCKWATER STORAGE 01/01 12/31 70.80
06 - STOCKWATER FROM STORAGE 01/01 12/31 70.80+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.230 70.80 250.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 06W 23 NW NE 20.0 01 IRRIGATION (73) OWYHEE
10S 06W 23 SW NE 20.0 01 IRRIGATION (73) OWYHEE

Total Acres: 40.0

+ - - Diversion Means - SEE REMARKS

+ - - Non-Irrigation Use - STOCKWATER FOR UP TO 1000 HEAD BEEF

+ - - Other Rights for Same Use - NONE

H₂O from Dutcher cr. runs from ditch to Little
Box Canyon where its conveyed through canyon
to P.O.U.

Water right number - A55-04145

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - - +

DESCRIPTION OF DIVERSION WORKS: DAM AND DIVERSION DITCH - 3 FT
ACROSS AND 3 FEET DEEP AT DIVERSION ON UNNAMED STREAM AND DUTCHER
CREEK. FLOW INTO 2 CONNECTED RESERVOIRS - 500' BY 500' BY 6'
DEEP FOR EACH. TOTAL CAPACITY OF APPROX. 69 AF STORAGE FOR
IRRIGATION AND STOCKWATER. DITCH AT CURTIS SPRING COLLECTS
SPRING WATER - 2 FEET ACROSS AND 2 FEET DEEP. FLOW INTO RESERVOIR
200' BY 200' BY 2' DEEP. TOTAL CAPACITY OF APPROX. 1.8 AF
STORAGE FOR STOCKWATER.

DESCRIPTION OF PLACE OF USE IN MALHEUR COUNTY, OREGON:
T35S, R46E, SEC 2, 60 ACRES IN SW QUARTER - IRRIGATION (SEE MAP)
T35S, R46E, SEC 2, SW QUARTER FOR STOCKWATER
T34S, R46E, SEC 35, SE QUARTER FOR STOCKWATER

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

00/00/00

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/16/1986	Old Judicial District	-
Claim Received Date	- 12/14/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C003919	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

Old (D) Number -

1 - P.O. BOX 57
2 - CIRCLE BAR RANCH
3 -
City- JORDAN VALLEY State- OR Zip- 97910
Phone -

Remarks	
SOURCES ARE CURTIS SPRING TRIB TO SQUAW CK., DUTCHER CK.	
TRIB TO SQUAW CK., & UNNAMED STREAM TRIB TO OWYHEE R., N.	
FORK. P/U ALSO IN OR. AC. IRR. = 317.37, TOTAL AC. IRR.	
= 357.37.	

MICROFILMED
SEP 29 1992

Water right number - 55-04145

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 05/16/86 04/30/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 05/16/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Microfilm Roll No -	Presumption Flag -

MICROFILMED
SEP 29 1992

Water Right Number - 55-04145 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MENDIETA LAZARO 1 - P.O. BOX 57
2 - CIRCLE BAR RANCH
3 -
City- JORDAN VALLEY State- OR Zip- 97910
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/01/1922 14 WESTERN S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
CURTIS SPRING SQUAW CREEK
DUTCHER CREEK SQUAW CREEK
UNNAMED STREAM OWYHEE RIVER, NORTH FORK

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County			
10S	06W	22	NE SE		(73)	OWYHEE			
		23	SE SE		(73)	OWYHEE			
		27	SE NE		(73)	OWYHEE			

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/01	08/01	7.200	
04 - STOCKWATER		03/01	08/01	7.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
7.200

Place of Use								County
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	
10S	06W	23	NW NE		20.0	01	IRRIGATION	(73) OWYHEE
10S	06W	23	SW NE		20.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 40.0

+ - - Diversion Means - DAM & DIVERSION DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
SOURCES ARE CURTIS SPRING TRIB TO SQUAW CK., DUTCHER CK.
TRIB TO SQUAW CK., & UNNAMED STREAM TRIB TO OWYHEE R., N.
FORK. P/U ALSO IN OR. AC. IRR. = 317.37, TOTAL AC. IRR.

Prefix Translation: WATER RIGHT

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 05/16/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A55-04145	LAZARO MENDIETA P.O. BOX 57 CIRCLE BAR RANCH JORDAN VALLEY OR 97910	03/01/1922	IRRIGATION STOCKWATER	03-01 08-01 01-01 12-31	2.00 CFS 0.23 CFS	STATUTORY CLAIM
			IRRIGATION STORAGE	01-01 12-31	69.00 AFA	
			IRRIGATION FROM STORAGE	03-01 08-01	69.00 AFA	
			STOCKWATER STORAGE	01-01 12-31	70.80 AFA	
			STOCKWATER FROM STORAGE	01-01 12-31	70.80 AFA	
					2.23 CFS TOTAL	
					70.80 AFA TOTAL	

SOURCE: CURTIS SPRING
DUTCHER CREEK
UNNAMED STREAMTRIBUTARY: SQUAW CREEK
SQUAW CREEK
OWYHEE RIVER, NORTH FORKOTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:REMARKS: DESCRIPTION OF DIVERSION WORKS: DAM AND DIVERSION DITCH - 3 FT
ACROSS AND 3 FEET DEEP AT DIVERSION ON UNNAMED STREAM AND DUTCHER
CREEK. FLOW INTO 2 CONNECTED RESERVOIRS - 500' BY 500' BY 6'
DEEP FOR EACH. TOTAL CAPACITY OF APPROX. 69 AF STORAGE FOR
IRRIGATION AND STOCKWATER. DITCH AT CURTIS SPRING COLLECTS
SPRING WATER - 2 FEET ACROSS AND 2 FEET DEEP. FLOW INTO RESERVOIR
200' BY 200' BY 2' DEEP. TOTAL CAPACITY OF APPROX. 1.8 AF
STORAGE FOR STOCKWATER.

DESCRIPTION OF PLACE OF USE IN MALHEUR COUNTY, OREGON:

T35S, R46E, SEC 2, 60 ACRES IN SW QUARTER - IRRIGATION (SEE MAP)

T35S, R46E, SEC 2, SW QUARTER FOR STOCKWATER

T34S, R46E, SEC 35, SE QUARTER FOR STOCKWATER

POINT OF DIVERSION:

T10S R06W S22
S23
S27NENESE
SESESE
NWESE

PLACE OF USE: IRRIGATION

T10S R06W S23

40.0 ACRES TOTAL

NWNE 20.0

SWNE 20.0

PLACE OF USE: STOCKWATER

SAME AS OTHER USE

PLACE OF USE: IRRIGATION STORAGE

SAME AS OTHER USE

PLACE OF USE: IRRIGATION FROM STORAGE

SAME AS OTHER USE

PLACE OF USE: STOCKWATER STORAGE

SAME AS OTHER USE

PLACE OF USE: STOCKWATER FROM STORAGE

SAME AS OTHER USE

SEP 29 1992

MICROFILMED

*also irrigates
Oregon lands -**Locate reservoirs
Arw P.O.U. @ OR @ Circle Bar
Ranch.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:01:28
05/17/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-04145

LAST: MENDIETA FIRST: LAZARO
ADDRESS: P.O. BOX 57
CIRCLE BAR RANCH
CITY: JORDAN VALLEY STATE: OR ZIP: 97910
PHONE NUMBER: 503-586-2414

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: DESCRIPTION OF DIVERSION WORKS: DAM AND DIVERSION DITCH - 3 FT
ACROSS AND 3 FEET DEEP AT DIVERSION ON UNNAMED STREAM AND DUTCHER
CREEK. FLOW INTO 2 CONNECTED RESERVOIRS - 500' BY 500' BY 6'
DEEP FOR EACH. TOTAL CAPACITY OF APPROX. 69 AF STORAGE FOR
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SPRING WATER - 2 FEET ACROSS AND 2 FEET DEEP. FLOW INTO RESERVOIR
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DESCRIPTION OF PLACE OF USE IN MALHEUR COUNTY, OREGON:
T35S, R46E, SEC 2, 60 ACRES IN SW QUARTER - IRRIGATION (SEE MAP)
T35S, R46E, SEC 2, SW QUARTER FOR STOCKWATER
T34S, R46E, SEC 35, SE QUARTER FOR STOCKWATER

9-14-93

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Lisa Mendota
PHONE NUMBER (503) 586-2414 ADJ. AGENT Linda
DATE SET FOR EXAM 9-21-93 9:30
LOCATION/DIRECTIONS _____

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS _____

A. AJ CLAIM: # A55-04145 PRIORITY DATE: 03-01-1922 STAGE: S
B. WR RECORD: # 55-04145 PRIORITY DATE: 03-01-1922 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
X

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

Affidavits by independent parties support the 1922 date
claimed.

RECOMMENDED PRIORITY DATE:
03-01-1922

REVIEWED BY

Neil Schulte

DATE

2-24-98

3a

AFFIDAVIT OF WATER RIGHT

STATE OF OREGON)
) SS:
COUNTY OF MALHEUR)

DEAKINS

ESTHER ~~DEKINS~~, a resident of 640 Chucker Drive, Apt. 37, Ontario, Oregon, 97914, being first duly sworn deposes and says:

1. That she is of legal age, fully competent, and makes this affidavit from personal knowledge.

DEAKINS

2. That she and her husband, CHARLES W. ~~DEKINS~~, resided and worked at ranch property known as the Circle Bar Ranch located in Owyhee County, Idaho, and Malheur County, Oregon, during the years 1922 through 1928.

3. That affiant is familiar with and observed the irrigation of the properties during that period of time.

4. That the land included within the Circle Bar Ranch and located within the State of Idaho was irrigated by ditches on the property which were in place at the time the affiant and her husband came on the premises, and such ditches had apparently been there and in use for a number of years prior to that time.

5. That the affiant observed during the times mentioned that irrigation water was beneficially used and applied to crops and pasture growing on the Circle Bar Ranch, including the lands located in Owyhee County, Idaho, using the mentioned ditches which diverted water naturally flowing from a certain canyon and draw known as Little Box Canyon and Dutcher Creek which are tributaries to Squaw Creek located in Owyhee County, Idaho.

6. That such irrigation commenced each year on approximately April 1, and continued as long as water was available for diversion and delivery which was approximately July 1.

Esther E. Deakins
ESTHER ~~DEKINS~~
DEAKINS

Subscribed and sworn to before me, this 16 day of June, 1983.

Charles K. Takano
Notary Public for Oregon
Residing in Ontario, Oregon

MICROFILMED
SEP 29 1992

RECORDED

36

AFFIDAVIT OF WATER RIGHT

STATE OF IDAHO)
) SS:
COUNTY OF CANYON)

ERNEST C. FENWICK, a resident* of Caldwell, Canyon County, Idaho, being first duly sworn deposes and says:

1. That he is of legal age, fully competent, and makes this affidavit from personal knowledge.*

2. That he is a former owner of, and for many years familiar with a certain ranch property located in Owyhee County, Idaho, and Malheur County, Oregon, known as the Circle Bar Ranch at the times mentioned herein the following facts are true.

3. That your affiant and his wife, HELEN S. FENWICK, were owners of said ranch for the period beginning the year 1942 to the year 1963. Prior to that time, affiant was familiar with the said ranch property and the irrigation of the lands constituting this property for a period commencing approximately 1924 until he acquired an ownership in the property. That a portion of said Circle Bar Ranch is located in Owyhee County, Idaho, and is described as follows, to-wit:

Lot Three (3) or the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section Twenty-two (22) Township Ten (10) South, Range Six (6) West of the Boise Meridian;

The Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Thirty-one (31) Township Ten (10) South, Range Five (5) West of the Boise Meridian.

AND

The East Half (E1/2) of Section Twenty-three (23) Township Ten (10) South Range Six (6) West of the Boise Meridian.

4. That during the period of time the affiant has been familiar or owned the property as described above, he has observed and participated in the application of irrigation water to beneficial use in the growing of crops or pasture upon the properties locatd in the State of Idaho and described above.

5. The lands irrigated in the State of Idaho con-

MICROFILMED

sisted of about 40 acres located within the West 1/2 of the NE 1/4 of Section 23, Township 10 South, Range 6 West of the Boise Meridian, Owyhee County, Idaho. These lands were irrigated from a stream known as Dutcher Creek by use of a diversion ditch located near the SE Corner of said Section 23. The ditch is about 3 feet across and 3 feet deep, and at least 50 inches of water was diverted and applied to the lands described.

6. A portion of the lands constituting the Circle Bar Ranch are located adjacent to the Idaho lands described and are in Malheur County, Oregon. These lands consist of approximately 320 acres irrigated by the irrigation waters which were applied to crops and pasture on said lands coming from a stream in Little Box Canyon located in Owyhee County, Idaho, in Sections 27 and 35, in Township 10 South, Range 6 West of the Boise Meridian. The irrigation water was diverted from the stream with a ditch diversion located in the SE 1/4 of the NE 1/4 of Section 27, Township 10 South, Range 6 West of the Boise Meridian. The ditch is approximately 3 feet wide and 3 feet deep and carries about 200 inches of water.

Said irrigated lands in Malheur County, Oregon, is also irrigated from a stream known as Dutcher Creek in Owyhee County, Idaho, from a diversion ditch located at the SE Corner of Section 23, Township 10 South, Range 6 West of the Boise Meridian. The ditch is about 3 feet wide and 3 feet deep and carries 100 inches of irrigation water.

Circle Bar Ranch lands in Malheur County also were irrigated by waters from a spring known as Curtis Springs located in the NE 1/4 of the SE 1/4 of Section 22, Township 10 South, Range 6 West of the Boise Meridian, Owyhee County, Idaho. The spring develops approximately 20 inches of water.

7. That the streams mentioned are tributaries to Squaw Creek in Oregon.

8. The period of use of such water generally began March 1 and continued until approximately August 1 of the years with which I am familiar or owned the said Circle Bar Ranch.

9. That when I first became acquainted with the property as set forth above, the ditches were in place and it appeared from the condition of the ditches and surrounding foilage, trees, improvements, and the irrigated lands, that irrigation of the property from the sources described herein had gone on for many years prior to that time.

Ernest C. Fenwick
ERNEST C. FENWICK

Subscribed and sworn to before me, this 10th day of June, 1983.

[Signature]
Notary Public for California
Residing at California

AFFIDAVIT OF WATER RIGHT - 2

MICROFILMED

SEP 29 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-04145	10S	06W	22	NE	NE	SE		OWYHEE
A55-04145	10S	06W	23	SE	SE	SE		OWYHEE
A55-04145	10S	06W	27	NW	SE	NE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: CURTIS SPRING
DUTCHER CREEK
UNNAMED STREAM

TRIB: SQUAW CREEK
SQUAW CREEK
OWYHEE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-04145	10S	06W	23		SE	SE		OWYHEE
55-04145	10S	06W	27		SE	NE		OWYHEE
55-04145	10S	06W	22		NE	SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: CURTIS SPRING
DUTCHER CREEK
UNNAMED STREAM

TRIB: SQUAW CREEK
SQUAW CREEK
OWYHEE RIVER, NORTH FORK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>105</u>	<u>6W</u>	<u>22</u>	<u>NE</u>	<u>NE</u>	<u>SE</u>	<u>3</u>	<u> </u>

SOURCE: CURTIS SPRING

TRIB: SQUAW CREEK

REVIEWED BY: _____

DATE: _____

A. ROOT WATER RIGHT NUMBERS: A55-04145

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	06W	23	NW	NE		MENDIETA , LAZARO	A55-04145 /20.0	55-04145 /20.0	2.0		
10S	06W	23	SW	NE		MENDIETA , LAZARO	A55-04145 /20.0	55-04145 /20.0	1.0		
TOTAL ACRES							A55-04145	40.00	40.00	3.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(✓) N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

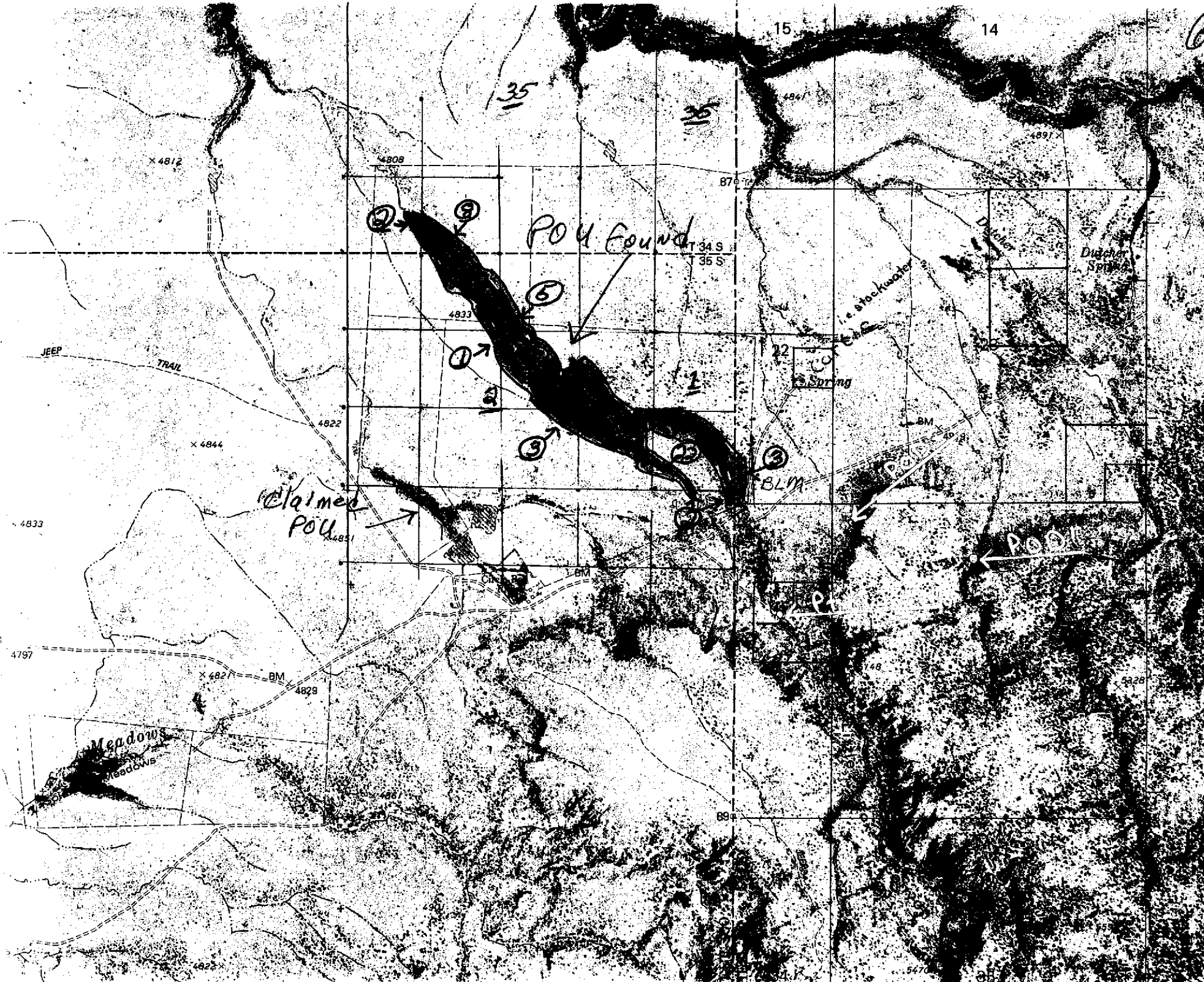
See Memorandum dated 2/24/1998
POU = 10S, 6W, S22, NESE

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: Mel Schulte

DATE: 2-24-98



6a

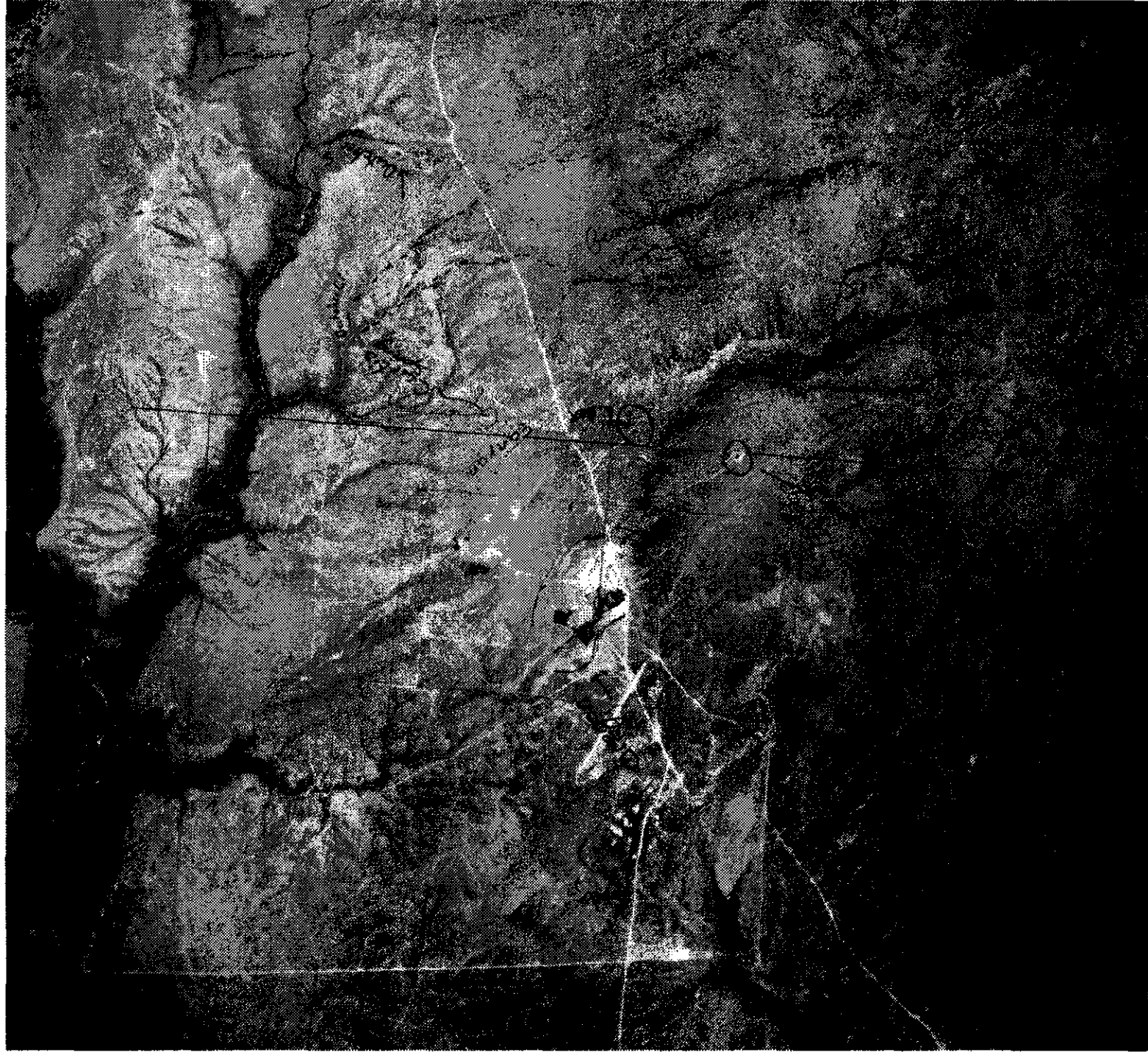
T 10 S, R 6 W, S 23

Brown Ridge Ranches (Mendota)

NAPP 429-138

BB52SE

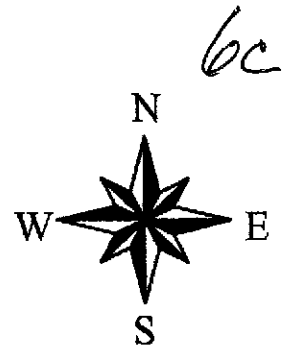
7-31-87



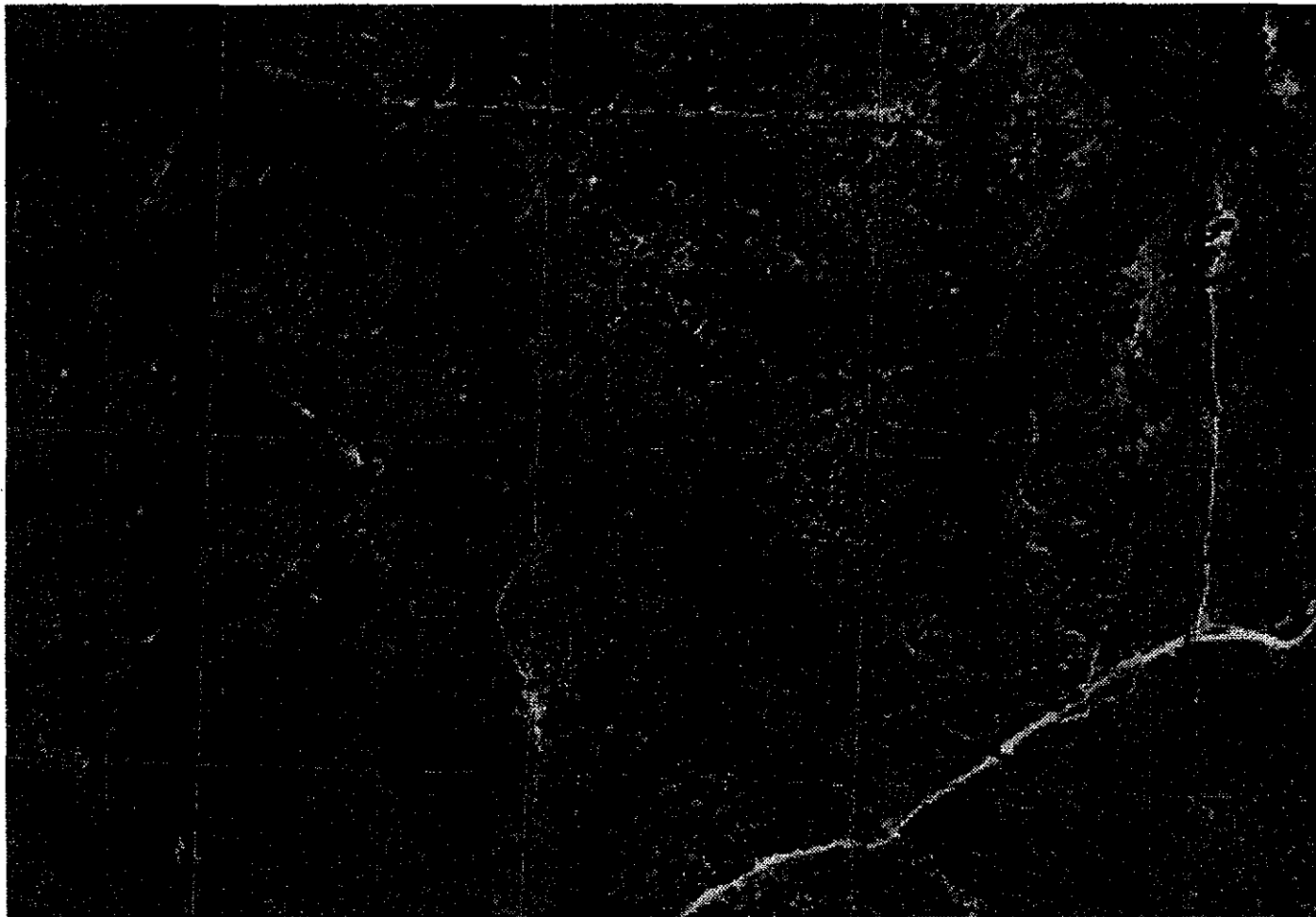
IDAHO DEPARTMENT OF WATER RESOURCES

T10S, R06W, S23

PLACE OF USE CLAIMED IN IDAHO



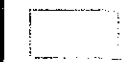
1987 NAPP PHOTO



 SECTION LINES

• POD

 PLACE OF USE

 1/4 1/4 LINES

6 ACRES

CLAIM(S) : 55-04145

OWNER(S): MENDIETA, LAZARO

Prepared by: Mel Schulte

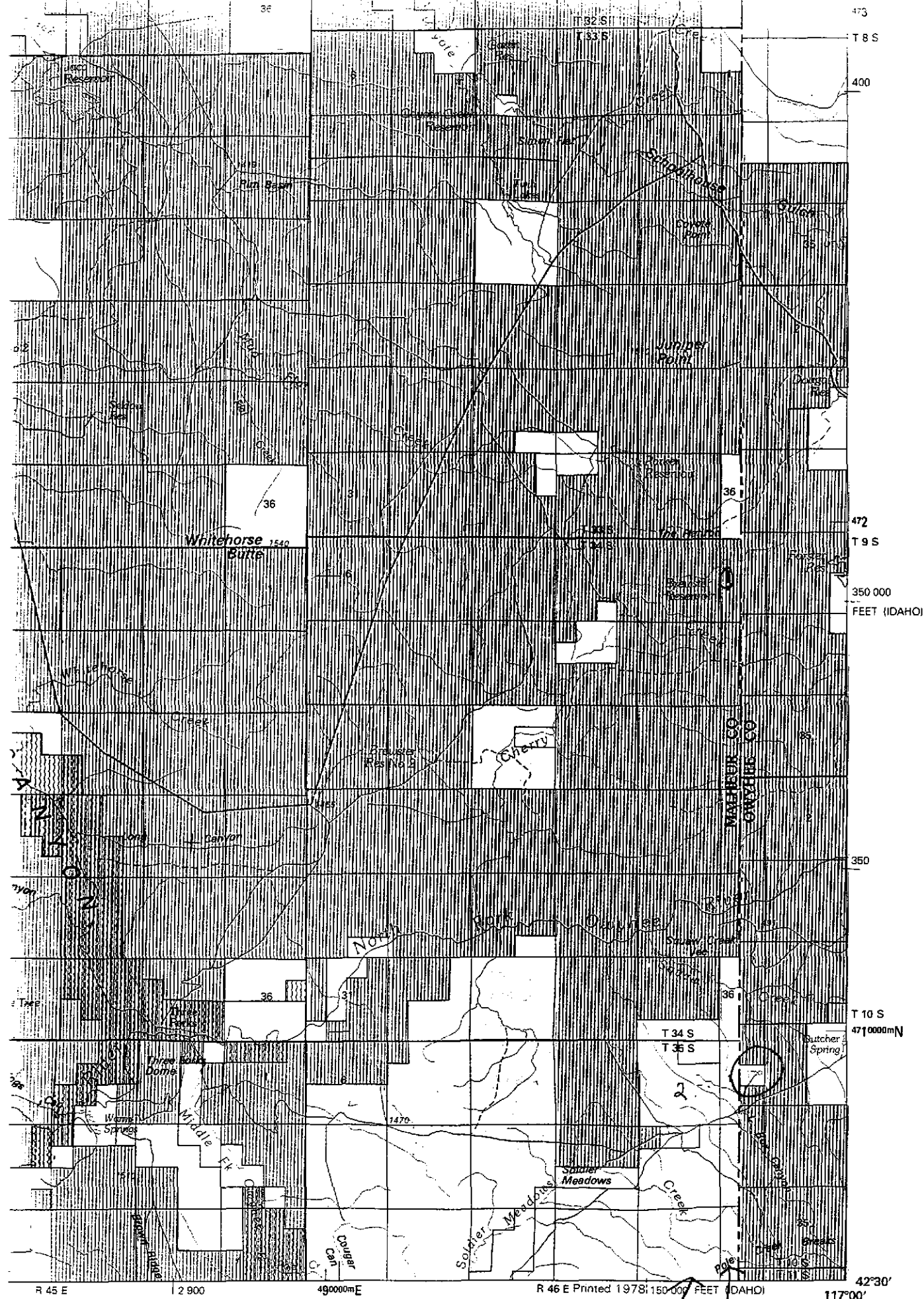
Date: 2/24/1998

1 Miles



TOTAL ACRES = 0

[illegible]



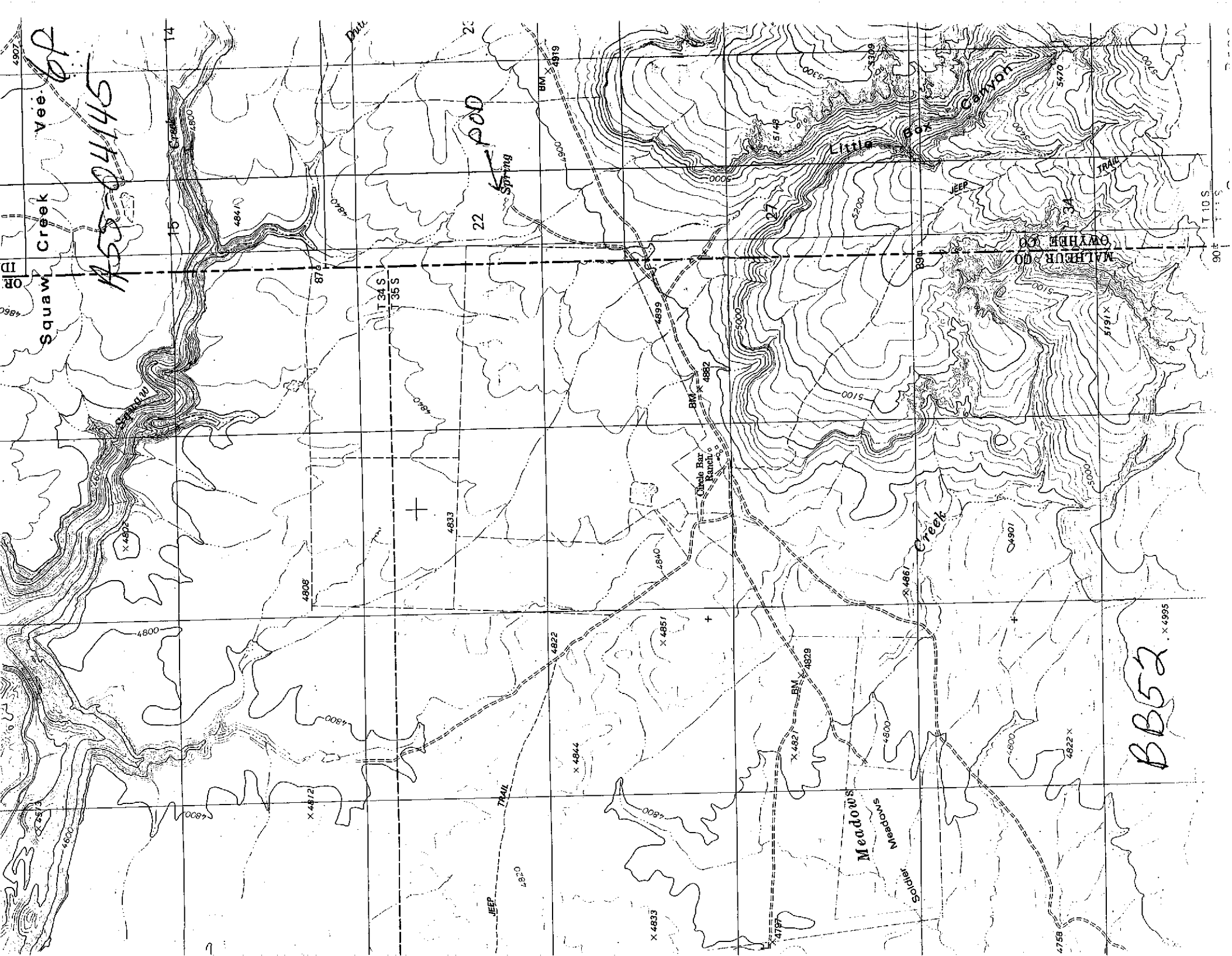
MINER THE FEDE

- Mineral Rights**
- All minerals
 - Coal only
 - Oil and Gas only
 - Oil, Gas, and Coal o
 - Other
 - No symbol indicates Federal minerals

NOTE 1
 The surface and n
 overprints are put
 and management too
 and mineral rights,
 patented lands due
 available to BLM w
 acquisition. Tracts l
 omitted because of t
 private lands may be
 records in the respec
 Land Management
 agencies should be c
 on any specific tract
 BLM maps should t
 Bureau of Land Mar.
 the maps were obtain

LEGEND

ROAD CLASSIFICATION



A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-04145 IRRIGATION	FROM 03-01 TO 08-01	2.000 CFS
A55-04145 STOCKWATER	FROM 01-01 TO 12-31	.230 CFS
A55-04145 IRRIGATION STORAGE	FROM 01-01 TO 12-31	69.00 AF/A
A55-04145 IRRIGATION FROM STORAGE	FROM 03-01 TO 08-01	69.00 AF/A
A55-04145 STOCKWATER STORAGE	FROM 01-01 TO 12-31	70.80 AF/A
A55-04145 STOCKWATER FROM STORAGE	FROM 01-01 TO 12-31	70.80 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.230 CFS 70.80 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
55-04145 IRRIGATION	FROM 03-01 TO 08-01	7.200 CFS
55-04145 STOCKWATER	FROM 03-01 TO 08-01	7.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		7.200 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	☒	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(____) N(____) Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.230 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 7.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-15-1993

89

File Number: A55-04145

Claimant: L MENDIETA

Channel measured: DITCH FROM DUTCHER CREEK DIVERSION

Date of measurement: 10/14/93

Measurement location:

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 243 feet.

The upstream and downstream rod readings are 4.95 and 5.88 feet.

The channel cross section is 1.29 ft-sq.

The wetted perimeter is 3.85 feet.

The hydraulic radius is 0.34 feet.

The slope is 0.0038

The roughness coefficient is 0.0480

The flow velocity is 0.928 ft/sec.

The rate of flow is 1.20 cfs.

CROSS SECTION NUMBER 1

86

For File Number A55-04145 for the DITCH FROM DUTCHER CREEK DIVERSION

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.50	0.50	0.70
3	0.50	0.50	1.60
4	0.50	0.50	2.20
5	0.31	0.31	2.80
6	0.00	0.00	3.60

The area for this cross section is 1.29 square feet
and the wetted perimeter is 3.85 feet.

Claim Number(s): A55-4145- Ditch from Dutchman cr. : 8c

Name of Claimant(s): Mendota

Name of Ditch, Canal, or Stream: _____

Date of Measurement: 10-14-93 Data Collected By: LRW. a/Julie

Measurement Location: SW1/4 SW1/4 Section 23 T10S R6W

Cross Section Data

Basis: high water mark (X) maximum capacity ()

Note: minimum of five depth or rod readings; first and last must be equal or zero

	depth or rod reading	distance from initial point		depth or rod reading	distance from initial point
✓ <u>1</u>	<u>0</u>	<u>0</u>	7.	_____	_____
2.	<u>.50</u>	<u>.7</u>	8.	_____	_____
3.	<u>.50</u>	<u>1.6</u>	9.	_____	_____
4.	<u>.50</u>	<u>2.2</u>	10.	_____	_____
5.	<u>.31</u>	<u>2.8</u>	11.	_____	_____
<u>6</u>	<u>0</u>	<u>3.6</u>	12.	_____	_____

Slope Data

Basis: high water mark (X) channel bottom () land surface ()

Level Readings:	upstream	downstream	
upper stadia	<u>5.73</u>	<u>6.32</u>	
center	<u>4.95</u>	<u>5.88</u>	
lower stadia	<u>4.17</u>	<u>5.45</u>	channel length
stadia difference	<u>(1.56')</u>	<u>+ 87')</u>	$\times 100 = \underline{243'}$

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes ()

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020		(1)	negligible	.000	/	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028	/	(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000		(1)	low	.005		(1)
minor	.005	/	(2)		.010	/	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	/	(1)	minor	1.00	/	(1)
occasional	.005	/	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

NA

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 250.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 70.80 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(4)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04145

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 7.200	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04145	2.230	-		55-04145	7.200
TOTAL CFS		2.230				7.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	_____ _____

REMARKS:

See memo dated 2/24/98

AUTHENTICATION:

SIGNATURE: _____

DATE: 2-24-98

NAME OF FIELD EXAMINER: Jude Werner

TITLE: Sr. Agent

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>Stockwater</u>	<u>H1 12-31</u>	<u>123</u>		

TOTAL FOR THIS RIGHT

123

REVIEWED BY:

Mel Schulte

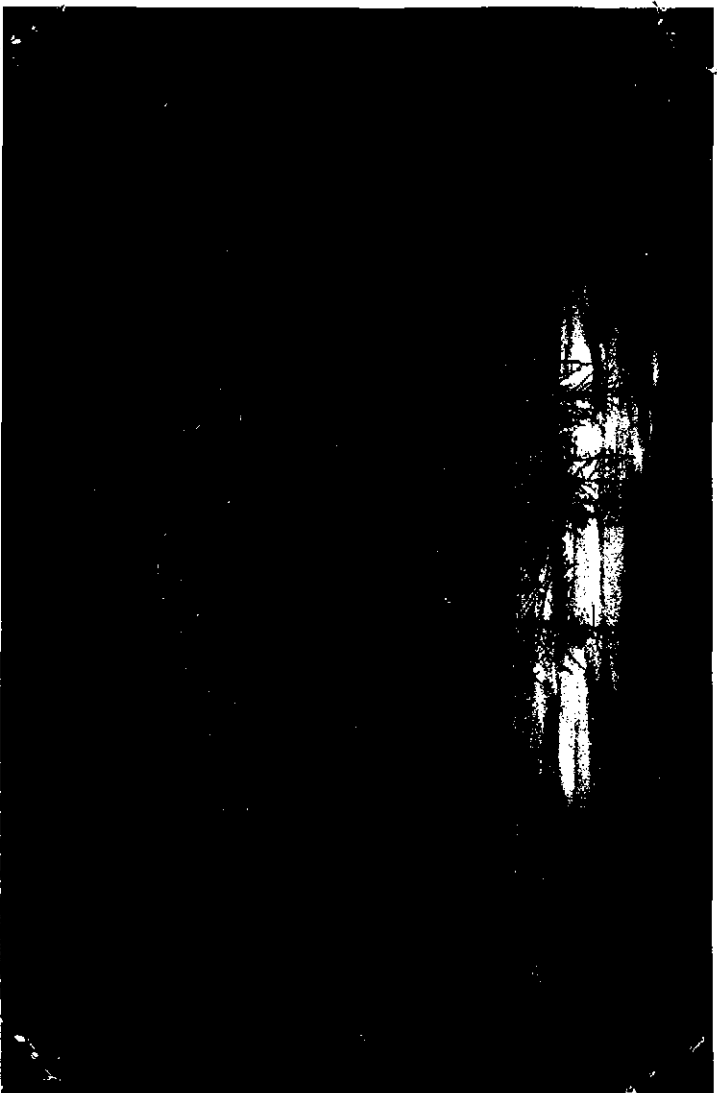
DATE:

2-24-98



9-21-93 LRU

Dutchess spring - Cloud for a look



9-21-93 LRU

Dutch - see from Dutchess spring

A55-04145



4-21-43 LRU

P.O. on Dutchess at fork



4-21-43 LRU

Looking down canyon at Dutchess co

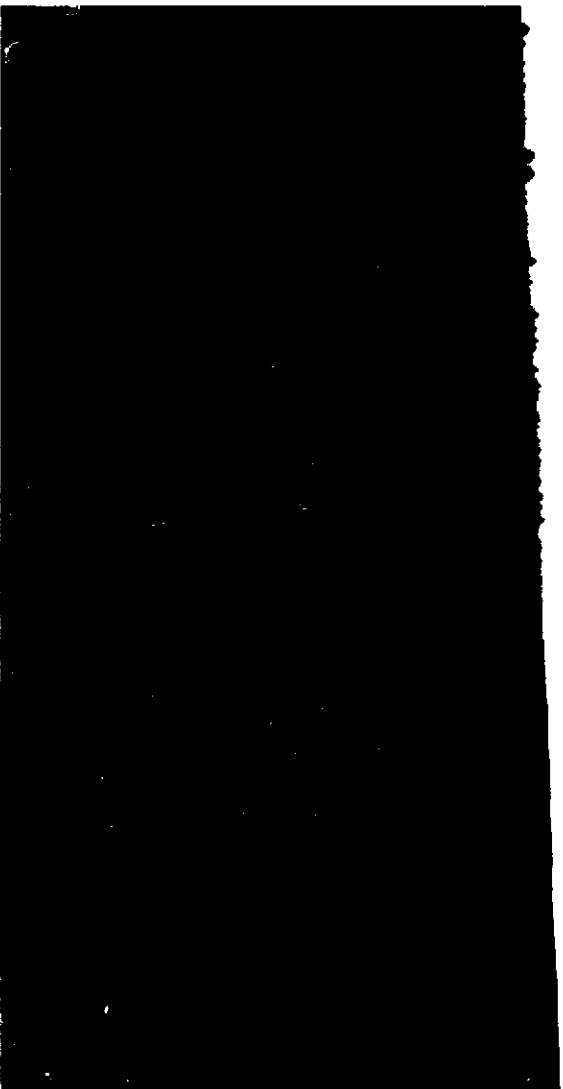
A55-04145



9-21-93 LRCW

Looking up canyon at river coming out.

A55-04145



9:21:43

CRD

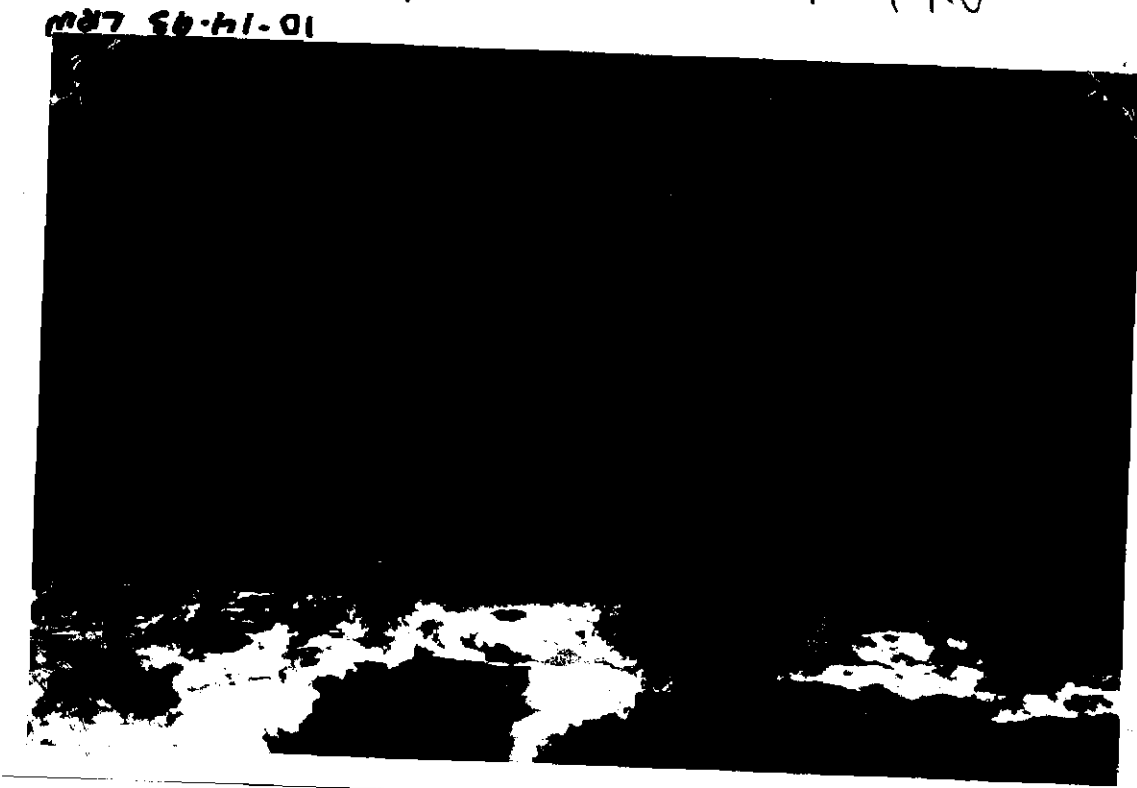
P.O.U. from Little Box Canyon draw - looking southwest

northern field 1



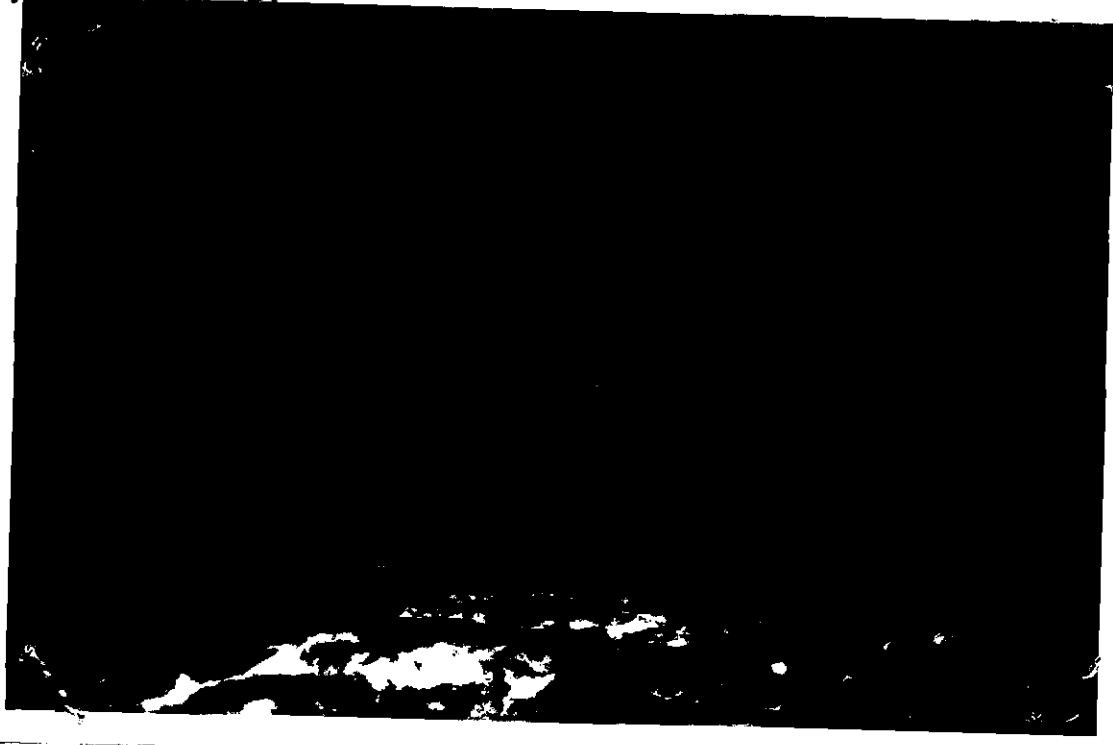
9:21:43

CRD



Ditch at measurement site.

10-14-93 LRM



Division Mt. 2 - Unnamed Stream
Ditch dam & ditch. Looking downstream above dam.

10-14-93 LRM



10-14-93 LRU

where ditch meets Little Box canyon.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that LAZARO MENDIETA

(Name of Claimant) 97910

Box 57, Circle Bar Ranch, Jordan Valley, Oregon / Telephone No. (503) 586-2414

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 1, 1922

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Curtis Spring, tributary to Dutcher Creek, Unnamed Stream in Little Box Canyon, & / A Squaw Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>7.2</u>	<u>Share</u>	Use <u>Irrigation & Stock</u>	Period of Use From <u>3-1</u>	To <u>8-1</u>	
Quantity <u>(360 inches)</u>		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	
Quantity <u>7.2</u>	<u>Share</u>	Use	Period of Use From	To	

- (4) 7.2 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Dutcher Creek SE Corner Sec. 23 Twp. 10S Rge. 6W B.M., County of Owyhee

Additional points of diversion: Little Box Canyon - Diversion in SE1/4 of NE1/4, Sec. 27, Twp. 10S R6W, B.M., Curtis Spring located NE1/4 of SE1/4, Sec. 22, Twp. 10S, R6W, B.M.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Dam and diversion ditch - 3 ft. across and 3 feet deep at diversion on Little Box Canyon and Dutcher Creek. Ditch at Curtis Spring collects spring water - 2 feet across and 2 feet deep.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	6W	23		20	20														40
							IN MALHEUR COUNTY, OREGON												
35S	46E	1	Lot 3			37.37													37.37
35S	46E	2			40	40								40	40	40	40		240
34S	46E	35	Lot 3		40														40
																			317.

No. of acres 357.37

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Not applicable

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

Not applicable

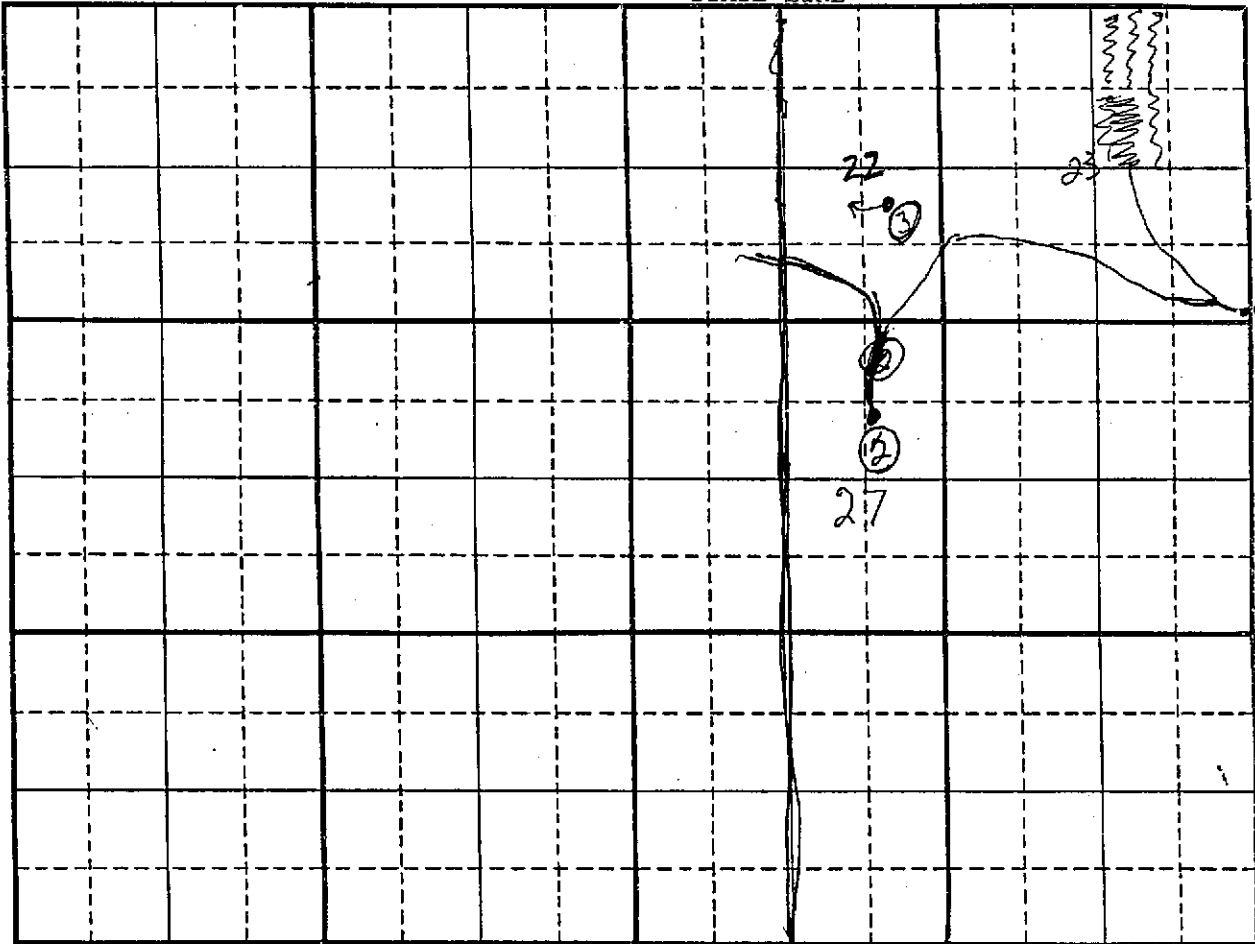
marks

1. Dutcher Creek Diversion
2. Little Box Canyon Diversion
3. Curtis Springs

OREGON T35S

STATE LINE

IDAHO



Scale: 2 inches equal 1 mile.

R46E

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of Canyon)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of June

[Signature]
(Claimant)

[Signature]
1983

Notary Public

Residing at Caldwell, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by DBS Date 6/21/83 Exception filed by:

Prelim. check by [Signature] Date 6/24/83 11/21/83

\$20.00 fee received by DBS Date 6/21/83 # 3104

Published in Owyhee Register

Dates 12/28/83 1/4/84 2/22/84 4/5/84

Forwarded to
claimant by:

Date

FIELD EXAM PHOTO INDEX SUMMARY

Date: 10-14-93

Roll No.: _____

Photographer: LRW

PHOTO NO.

SUBJECT

J. Mendota Ditch Cr.

1

Ditch manning

2

POD 2. Cnn. Stream looking down stream at dam

3

When ditching into box canyon looking up ditch.

ditch runs
E. W in
front of
it

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

FIELD EXAM PHOTO INDEX SUMMARY

Date: 9-21-93 L. Mendieta

Roll No.: _____

Photographer: _____

PHOTO NO.	SUBJECT
1	~~POD @ Bull Basin cr.~~ } new dirt ditch
2	~~POD @ Bull Basin Cr.~~ } "
3	~~POU - mesol side of cr. + on west - flood~~
4	~~ditch from Hd. of Dutch spring~~
5	~~spring rises up from Cow cr. Cr. tonight~~
6	~~ditch from spring going downstream (new ditch) just put in~~
7	~~POU - looking east from Cow cr.~~
8	~~POU - adjacent to Bull Basin cr. - looking south from~~
9	~~" " " east end of field~~
10	~~POU from L. Box Canyon - looking S.W.~~
11	~~POU - northern field - looking NW.~~
12	~~POD on Dutch cr. at Fork~~
13	~~looking down canyon @ Dutch cr.~~
14	~~Looking up canyon & unn. stream coming out~~
15	~~Dutch Spring - used for stock~~
16	~~sub. irr. from Dutch spring~~
17	
18	
19	
20	
21	
22	
23	
24	

Turn left just after long culvert pipe (on the right) to go to POD on Dutch cr.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 20, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

LAZERO MENDIETA
BROWN RIDGE RANCHES
BOX 57
JORDAN VALLEY OR 97910

RE: Claim(s) filed in the Snake River Basin Adjudication.

Dear Mr. Mendieta;

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area beginning in June. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this season, we request that you contact our office at 334-2190 within one week to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be beneficial.

To make an appointment, or if you have any questions or problems with scheduling the exam verification, please contact me as soon as possible.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 24, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LAZERO MENDIETA
BROWN RIDGE RANCHES
BOX 57
JORDAN VALLEY ID 97910

Re: Water Right claims A55-04144, A55-10253, A55-10254, A55-10255

Dear Mr Mendieta:

I've been reviewing the files for the above referenced claims in preparation of making the final recommendations to the court. I find we still need documentation as evidence of priority to confirm when the various sources of water were first applied to a beneficial use. The specifics of each claim are shown below.

A55-04144 The priority date claimed is April 15, 1926 and the sources claimed are Bull Basin Creek, Bull Basin Spring and a Spring known as Head of Ditch Spring. The uses claimed are irrigation and stock water. There is no evidence of priority in the file for any of the sources or uses. Linda Werner's letter to you dated August 2, 1993 requested evidence to confirm the continued usage of the water which we also still need.

A55-10253 The priority date claimed is December 31, 1890 and the source claimed is a Spring known as C-Ranch Spring. The use claimed is irrigation but other uses are domestic and stock water. William Ross's affidavit in the file is not specific as to dates or kinds of use. Additional evidence is needed.

A55-10254 The priority date claimed is December 31, 1890 and the source claimed is Idaho Spring. The use claimed is irrigation of the same land in Oregon irrigated by claim A55-10253. Additional evidence is also required for this claim because Mr Ross's affidavit is not specific enough to confirm the priority date and uses.

A55-10255 The priority date claimed is December 31, 1890 and the source claimed is Cow Creek for the irrigation of 13 acres. We have no priority evidence in file for the date claimed nor the use claimed from this source.

Its imperative we receive the information requested above. Without it are only alternative is to recommend the claims be disallowed. Call me at the number below if you have questions or if I can be of further assistance.