A. Property Details (Questions 1-10)

1. Please provide a title for this LMP and basic property information, including: project site or management area name, date property was acquired, duration of this plan, land management entity name (i.e., sponsor), preparer's name, affiliation, contact information, and key on-the-ground staff (e.g., property manager; list all that apply). Please include a map.

Malheur River Wildlife Mitigation Site Management Plan
BPA Project 2000-027-00- Tract ID MALRIVER-WL-2

In 1998, the Burns Paiute Tribe (BPT) submitted a proposal to Bonneville Power Administration (BPA) for the acquisition of the Malheur River Wildlife Mitigation Site (aka Jonesboro or MRWMS for short). The proposed mitigation site was for the Denny Jones Ranch and included Bureau of Land Management (BLM) and Oregon Division of State Lands (DSL) leases and grazing allotments. The approval process and acquisition negotiations continued until BPT and BPA entered into a Memorandum of Agreement, which allowed for purchase of the MRWMS in November 2000. The purchase was meant to compensate, in part, for the loss of fish and wildlife resources in the Columbia and Snake River Basins.

The 31,781-acre Project is located eleven miles east of Juntura, Oregon and is adjacent to the Malheur River. The Project includes 6,385 deeded acres owned by the Burns Paiute Tribe, 4,154 acres leased from the Department of State Lands (DSL), and 21,242 acres leased from the Bureau of Land Management (BLM) (Figure 1). It is the largest private landowner holding along the river between Juntura and Vale, OR. In total two grazing allotments with eleven different pastures are leased between the two agencies. Deeded land stretches for seven miles along the Malheur River. It is the largest private landholding on the river between Riverside and Harper, Oregon. Approximately 938 acres of senior water rights are included with the ranch.

Staff have taken steps to address trespass and vandalism issues on the property; these have included additional signage, pad locking or dead bolting fuel tanks, gates, sheds, and facilities, limiting number of public access permits issued at one time or during certain times of the year and where needed, installing game cameras to monitor for illegal activities. Staff will need to continue to monitor and enhance these restrictions depending on their perception of potential or occurring illegal activities.

Another element necessary for protection of the property and its resources is planning for wildfire response. BPT have enrolled the MRWMS in the Juntura Rural Fire Protection Association as a way of ensuring that local, private fire response units, as well as the Bureau of Land Management fire crews will arrive to fight fire on the property in response to our call. This enrollment has been beneficial during several instances of fire both in 2019 and 2020. BPT will continue to coordinate with our local district fire professionals during unplanned ignitions that start on the property as well as incidents that start off-site but threaten the property.

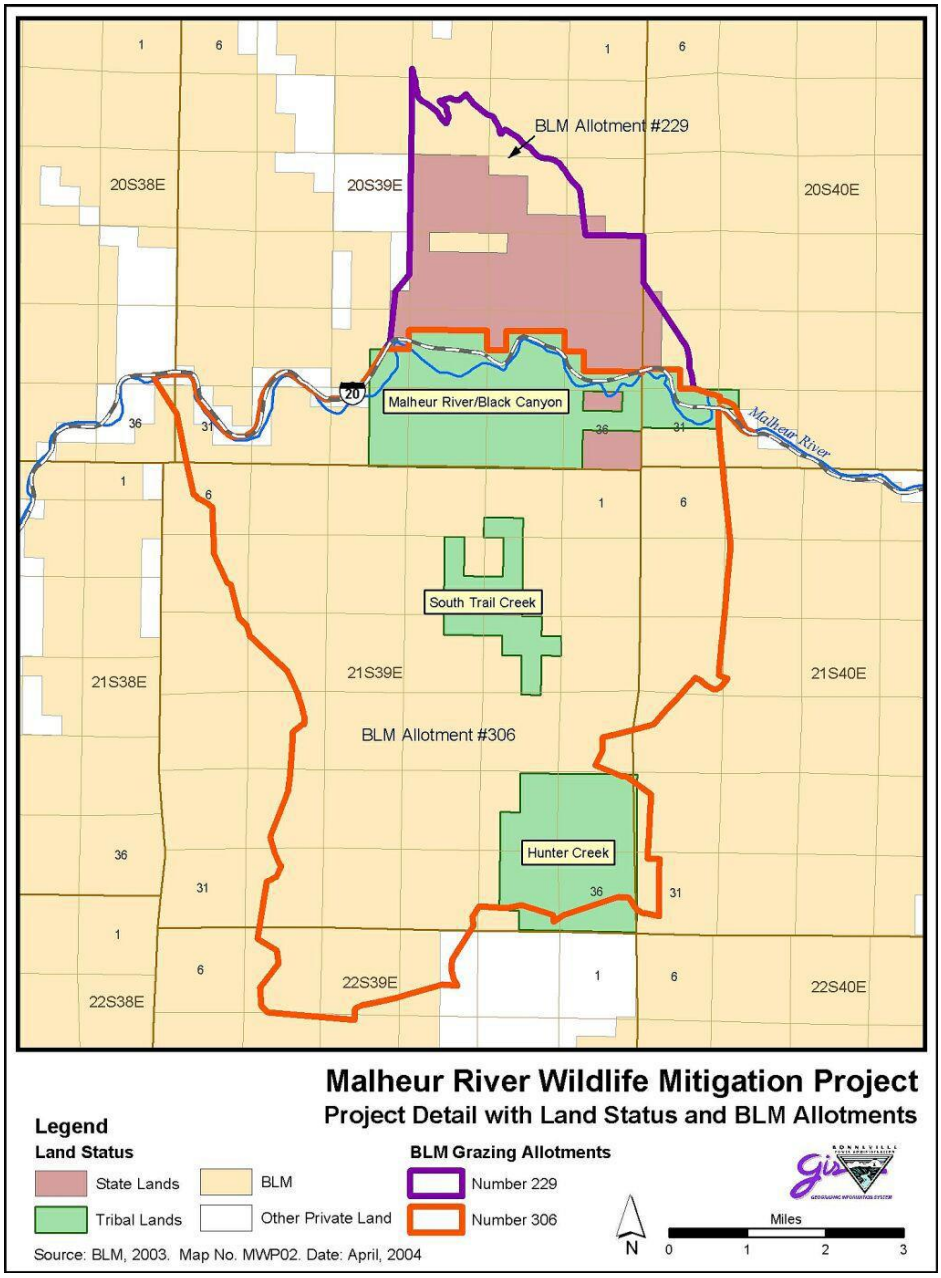

Figure 1. MRWMS and surrounding land ownership. The three Tribally owned sections, BLM allotment 306, BLM allotment 229, and the DSL lands are included in the MRWMS.

This plan was written in 2020 with plans to implement in 2021–2026. BPT acknowledges that changes can and are likely to arise in 5 years, and the Project Manager requires the flexibility to change direction and adapt to changing conditions. If any **major** differences in BPA funded management are planned to occur, a revision to this land management plan will occur. The authors of this management plan are the current Wildlife Program Manager, Carter Crouch, Ph.D., the Natural Resources Director, Calla Hagle, and the Wildlife Biologist, Brandon Palmer. Other key staff that will implement this management plan are Lucas Samor, the Site Manager, and Eric Hawley, the Seasonal Habitat Technician (Table 1). In a typical year, BPT can expect additional seasonal staff (Habitat Technicians and Youth Outreach Program Technicians). Typically, BPT can hire

1 of each of these additional staff, but if BPT is able to obtain supplemental funds, we would likely hire 1-2 additional habitat technicians.

Table 1. Key Staff with contact information in 2021

Title	Name	Email	Office Phone
Natural Resources Director	Calla Hagle	Calla.Hagle@burnspaiute-nsn.gov	(541) 573-8021
Wildlife Program Manager	Carter Crouch	Carter.Crouch@burnspaiute-nsn.gov	(541) 573-8086
Wildlife Biologist	Brandon Palmer	Brandon.Palmer@burnspaiute-nsn.gov	(541) 573-8019
Rangeland Ecologist	John McNelly	John.Mcnelly@burnspaiute-nsn.gov	TBD
Site Manager	Lucas Samor	Lucas.Samor@burnspaiute-nsn.gov	(541) 277-3375
Lead Habitat Technician	Eric Hawley	Eric.Hawley@burnspaiute-nsn.gov	NA
Seasonal Habitat Technician (1-2)	Seasonal		
Youth Outreach Program Technician	Seasonal		

2. Does this LMP cover multiple properties? Please include a map and table of land parcels making up the current management area. Include tract ids, acreage, date acquired and whether the parcels are contiguous and being managed similarly.

This LMP covers multiple properties and applies to Tribally owned land, as well as DSL and BLM land that BPT subleases for cattle grazing (Figure 2). See Table 2 for more information on BLM pasture size, trend, and combined management goals. However, management activities will focus on the Tribally owned sections of the MRWMS. In most figures, the MRWMS boundary is the Tribally owned property boundaries. Unless specified otherwise, all goals, objectives, and actions in this LMP refer to Tribally owned land only.

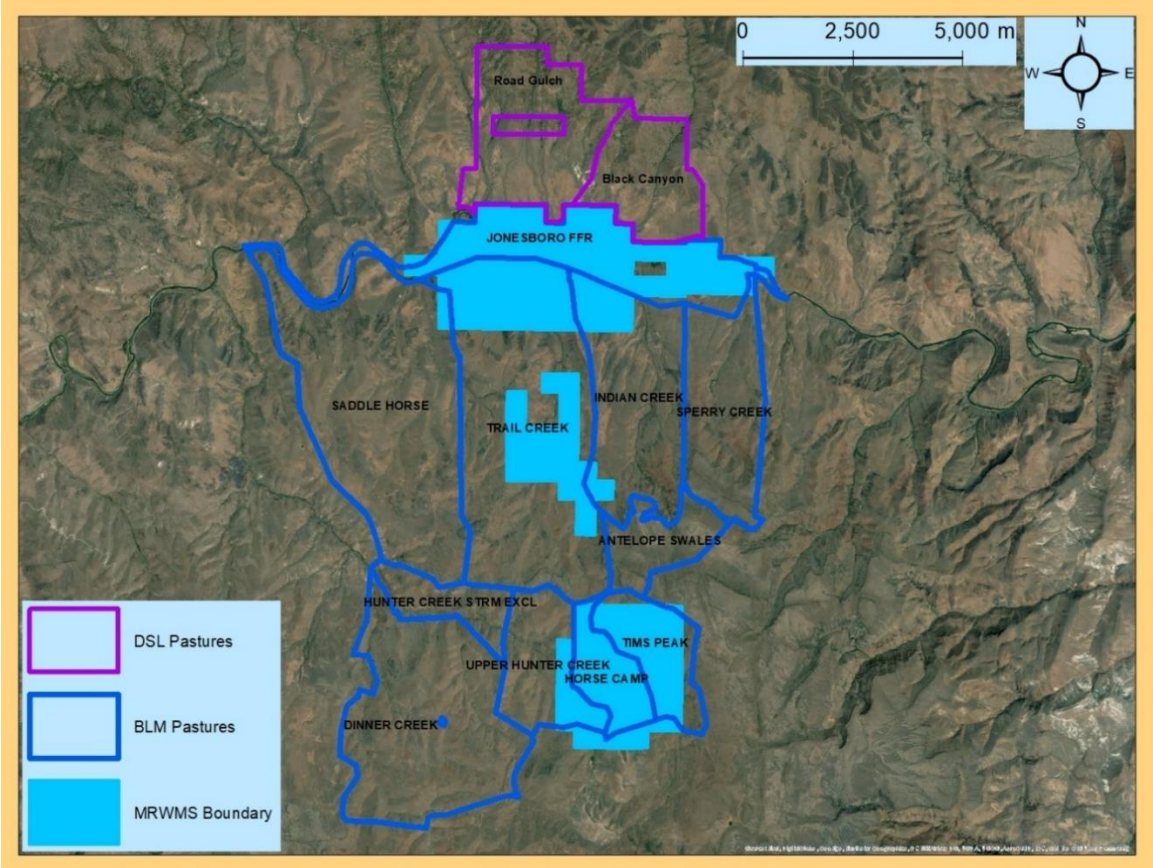

Figure 2. DSL and BLM pastures that BPT subleases for cattle grazing. MRWMS Boundary in the Legend represents Tribally owned land for this Figure.

Table 1. Information on BLM Pastures South of the Malheur River.

Pasture	Acres/Owner	Shrub-steppe Trend	Combined Objectives (BPT and BLM)
Sperry Creek	2,020 BLM	Down	Improve ecological condition and deer, elk, antelope winter range/sage grouse habitat
Indian Creek	2,715 BLM, DSL, and BPT	Unknown	Improve ecological condition and deer, elk, antelope winter range/sage grouse habitat
Trail Creek	5,611 BLM and BPT	Static	Improve ecological condition and deer, elk, antelope winter range/sage grouse habitat
Saddle Horse	5,381 BLM	Up	Improve ecological condition and deer, elk, antelope winter range/sage grouse habitat
East Horse Camp	900 BLM and BPT	Static	Improve ecological condition and deer, elk, antelope winter range/sage grouse habitat
Upper Hunter Creek	1,184 BLM and BPT	Static	Improve ecological condition of plant communities and manage riparian restoration of Hunter Creek—improve sage grouse habitat
Antelope Swales	911 BLM	Static	Improve ecological condition and deer, elk, antelope winter range/sage grouse habitat
Dinner Creek	3,903	Up	Improve ecological condition of plant communities and sage grouse habitat
Tim's Peak	1,087 BLM and BPT	Unknown	Improve ecological condition and deer, elk, antelope winter range/sage grouse habitat

BLM = Bureau of Land Management; BPT = Burns Paiute Tribe; DSL = Department of State Lands

3. Briefly summarize the purpose and Conservation Values of this property/acquisition.

The purpose of this property is to protect, mitigate, and enhance wildlife habitat through project implementation. The principal mission of conservation work at MRWMS is to restore and enhance aquatic and terrestrial habitat while providing for Tribal cultural preservation and wildlife-oriented public access and recreation.

The three management objectives and associated actions are:

1. Maintain known viable populations of all high-priority species and functional examples of all high priority habitats
    - Monitor populations of high-priority species
    - Improve water quality
    - Enhance shrub-steppe, wetland, floodplain meadow and riparian habitat
    - Control noxious weeds
    - Protect springs and seeps
    - Manage grazing on BLM and DSL allotments to meet wildlife objectives
2. Preserve cultural resources
3. Provide public bird hunting and recreation opportunities

4. Is this a new LMP or an update? If this is an update to an existing plan (e.g., to address changes in habitat, adding additional property, or including more or different activities), please provide the original plan duration.

This is a new LMP. Since it was developed in 2004, the BPT has used the Draft Malheur River Subbasin Assessment and Management Plan for Fish and Wildlife Mitigation: Management Plan for the MRWMS. This plan was developed by the Malheur Watershed Council and the Burns Paiute Tribe. While this plan has been useful for going on 16 years, when BPT started to update the plan in early 2020, it became clear that a management plan specific to the MRWMS property would be more beneficial.

5. Does this property provide connectivity to other conservation properties, or is it uniquely related to other habitat/species in the vicinity? If this is a Willamette Wildlife Mitigation Program (WWMP) acquisition, please answer the following: Is your site located in a Conservation Opportunity Area (COA)?

The MRWMS is surrounded by both private and public land. Public land includes DSL and BLM owned land. BLM makes up most of the adjacent land. The BPT also manages Logan Valley Wildlife Mitigation Site (BPA Project 2000-009-00) in conjunction with the MRWMS. Logan Valley is a 1,760 acres wildlife mitigation site at the headwaters of the Malheur River located approximately 44 miles from the MRWMS. BPT shares equipment, staff, and management goals between the two properties.

6. What is the current land use? Is there a history of land use on the property covered by this LMP that may be relevant to future land management activities?

The current land use for the property is a Wildlife Mitigation site. The BPT manages the property to provide habitat for fish and wildlife. The property also provides hunting and foraging opportunities for Tribal members as well as public access. BPT also utilizes cattle grazing to help manage fuel loads and invasive species. Historically this property was utilized for cattle production. The property has a history of high stocking rates that likely led to increases in invasive plants and loss of some perennial bunch grasses.

7. Describe interim management activities between the time of acquisition and present.

Management has varied throughout the years, but since acquiring the property typical annual management includes the following:

1. Irrigation of the agriculture fields and management of wetland levels

This irrigation requires frequent checks and work on the ditches and culverts, as well as installation and takedown of the diversion dam each year. It also includes annual cleaning and clearing of ditches and culverts (Figure 3).

Figure 3. Irrigation Ditches Located on the MRWMS.

2. Weed/invasive species management

BPT has utilized chemical controls, mechanical control, and biological controls. Herbicide used include Roundup, 2,4-D Weedmaster, Milestone, Plateau, Telar, Escort, and the surfactant Syltac, and is usually spot-sprayed. Mechanical control includes mowing, weed-eating, and hand pulling. Cattle grazing is also utilized to help control weeds and decrease continuity of invasive annual grasses. BPT has also treated medusahead with broadcast spraying in 2007 by helicopter and in 2020 with UTV's. The concentration and effort on weed control varies from year to year based on staff time and funding availability.

3. Grazing and haying

BPT uses grazing and haying to manage vegetation, avoid thatch build up, and aid in controlling invasive species. BPT grazes DSL and BLM allotments as well as some of the Tribally owned land with a local producer (See Figure 2). We use the recommended AUM's for both the DSL and BLM allotments, but typically only utilize about half of the allotted Animal Unit Months (AUM's) on the BLM allotments. This conservative approach allows us to utilize forage without overgrazing. Haying and grazing in the productive hay fields and wet meadows, allows for removal of older vegetation and allowing for new growth. Haying is done after July 15th, and the hay is sold to Tribal members at a reduced cost. In most years, BPT grazes the Meadow and North fields and hays the Wetland field, Triangle field, and Field 2. The remaining fields are left uncut. (Figure 4).

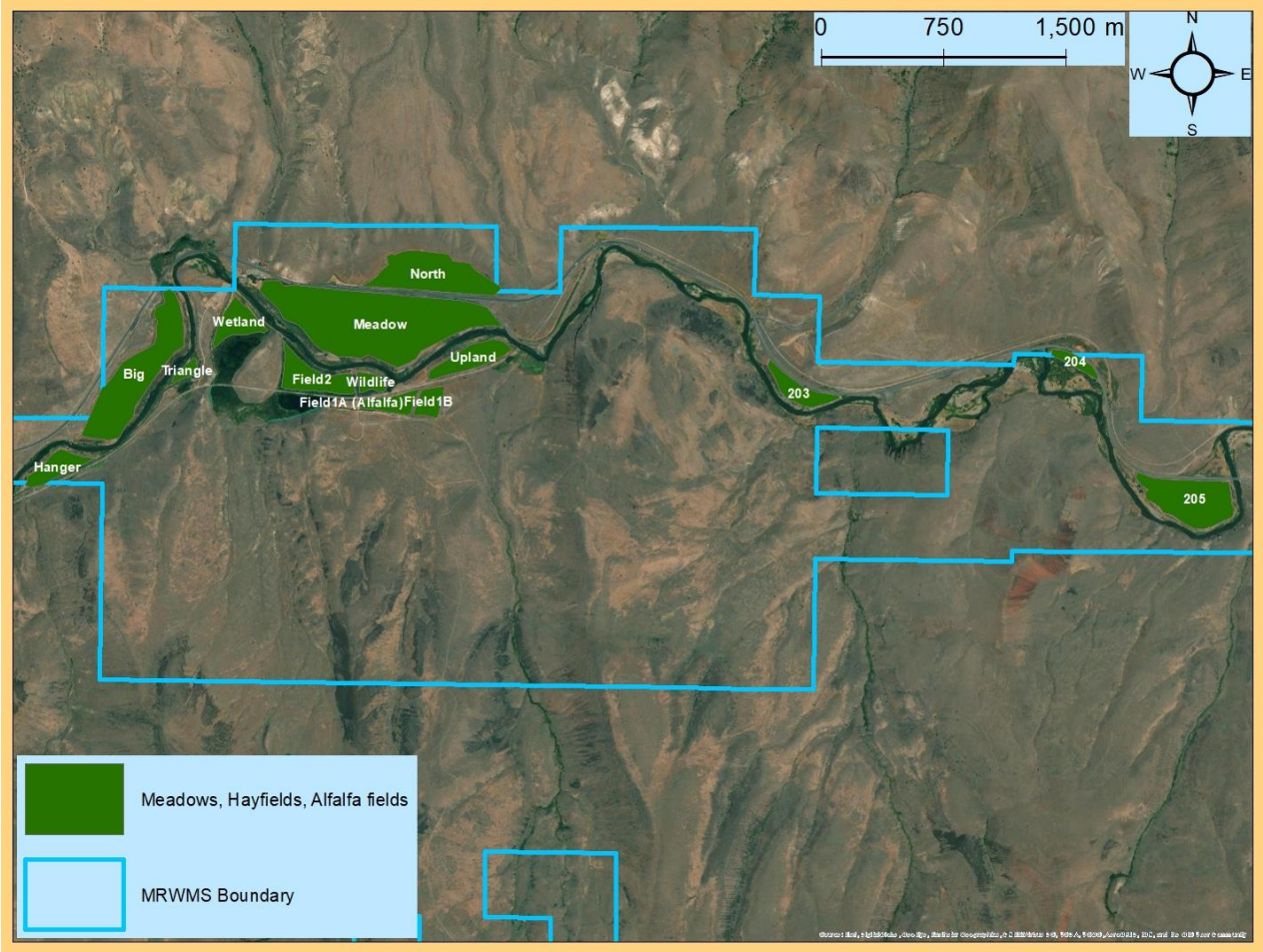

Figure 4. Field names on the MRWMS. MRWMS Boundary in the Legend represents Tribally owned land for this Figure.

4. Fence maintenance

Due to the grazing on and adjacent land to the MRWMS, BPT checks and maintains fences annually. Cattle lessees also contribute to fence maintenance as per their lease agreement.

5. Property and road maintenance

BPT also maintains and upkeeps the buildings, roads, and other infrastructure on the property each year and as needed. However, many of the buildings and structures are considered historic structures and cannot be altered with routine upkeep. In 2018, the Jonesboro Ranch Historic Resources Report and Determination of Eligibility was prepared to identify the significance and integrity of the resources associated with the Property. Due to historic eligibility of many structures and several known cultural resources sites on the Property, proposed undertakings of infrastructure and road improvements were found to require extensive coordination between BPT project staff,

BPA archeologists and historians, and the Oregon SHPO. The necessary timelines and complex consultation processes have delayed many work elements (in BPA's internal contracting system) from being achieved, even with years of pre-assessment for those proposed actions built into the planning process. BPT hopes that in the future, consultation for more routine annual maintenance might be addressed through programmatic agreements. However, to-date improving and maintaining these property elements has proven to be challenging due to necessary environmental compliance requirements on an incredibly culturally artifact rich property. See Appendix 1 for the full Jonesboro Ranch Historic Resources Report & Determination of Eligibility.

8. List any and all current/existing Land Use Agreement. Include copies of the agreements.

BPT has land use agreements for the DSL and BLM grazing allotments. The BLM allotment agreement is attached as Appendix 2 and the DSL allotment agreement is attached as Appendix 3. As part of these agreements, BPT will graze these allotments with appropriate rest periods.

9. Are there any access issues affecting management on the property?

Some of the roads to the higher elevation sites (South Trail Creek and Hunter Creek) only allow access by four-wheelers or UTV's, getting there by a truck is difficult and dangerous. Road work to allow access with vehicles would improve access. Maintenance of these roads will likely be a continuing job due to erosion on the steeper slopes. BPT will be working on this approved section of road in the coming years (Figure 5).

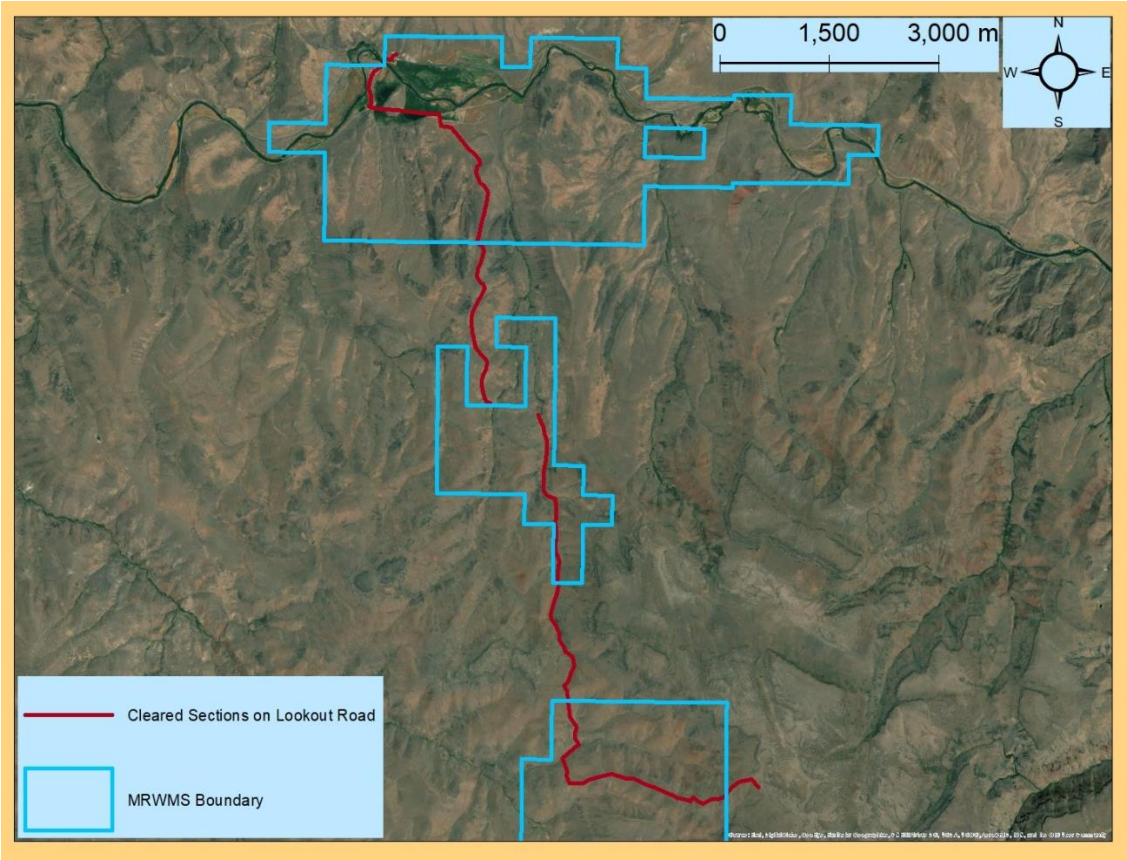

Figure 5. Section of Lookout Road approved by BPA for work at the end of 2019. MRWMS Boundary in the Legend represents Tribally owned land for this Figure.

Additionally, the bridge that allows access to the property (Figure 6) is old and will likely require work in the future. It was inspected on August 29, 2017, by River Structures Consulting, LLC. The inspection showed that most of the bridge components were in good condition, but some components were in fair condition and will likely need addressing. Some of the concrete slabs were found to be in poor condition. The inspection report is attached as Appendix 4.

Figure 6. Bridge Location at MRWMS.

10. Are there water rights on the property? If there are water rights, list them, include the water right certificates, and answer the following questions:

- How have water rights been used to present?

The water rights are used to irrigate many of the meadow fields. The fields provide nesting habitat for waterfowl and other birds. They also provide foraging habitat for ungulates. The water is also used to supplement the wetlands, raising the water levels during the growing season, thus providing additional wetland habitat for brooding waterfowl. Most of the water utilized for supplementing the wetlands is incidental due to leaky ditches, but it is providing a benefit for wildlife. Once the culverts and ditches are repaired and no longer leaking, BPT should still use irrigation water to fill the south wetland.

- Have you complied with all usage requirements? If not-explain

BPT has complied with all priority dates and allocated quantities per its water rights agreement.

- Describe how you plan to use the water rights?

  BPT plans to continue irrigating meadow fields and the wetlands.

- Do you anticipate any changes to your water rights?

No anticipated changes to water rights. In 2014 the BPT filed an application to change the place of use, change the character of use from supplemental irrigation to primary irrigation and partial cancellation of a water right under Certificate 49067. In 2016, these changes were made. See Appendix 5 for the Water Rights Transfer.

B. Current Ecological Setting (Questions 11-19)

11. List habitat and cover types, including special status habitats, and briefly describe habitat conditions. Please include a map. If this is a WWMP project, please use definitions found in Oregon Conservation Strategy (2016), and briefly describe habitat conditions. Please include a map.

The MRWMS is comprised of agriculture, wetland, shrub-steppe, and riparian habitat (Figure 7). The BLM grazing allotment, located south of the ranch, is largely shrub-steppe habitat punctuated by springs and seeps. Hunter Creek, a perennial stream, flows through Tribal, private, and BLM lands. The DSL grazing allotment, which lies north of the ranch, is predominantly shrub/juniper steppe habitat with springs and seeps dispersed throughout the upper end of draws. Elevation on MRWMS ranges from approximately 2731–5374 ft (Google, Inc.). Most of the property was historically grazed under heavy grazing intensities, and this has contributed to the expansion of invasive grasses and forbs on the property.

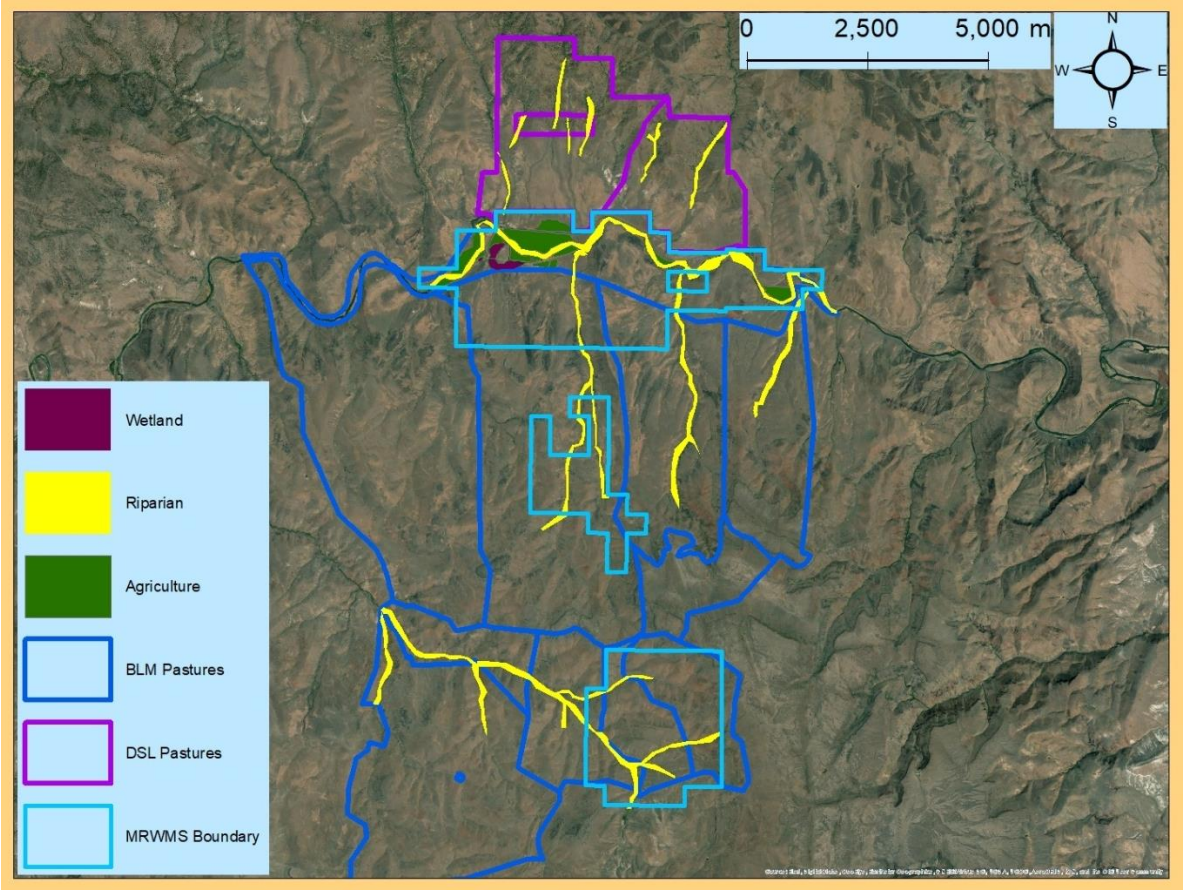

Figure 7. Cover types and vegetation communities on the MRWMS. This figure includes the wetland community, riparian community, and the agriculture fields. The remainder of the property is considered shrub-steppe. MRWMS Boundary in the Legend represents Tribally owned land for this Figure.

Agriculture: The agriculture on the property consists of managed meadows, hayfields, and alfalfa fields. These fields are composed of a mix of native and non-native grasses and forbs. Basin Wildrye (*Leymus cinereus*) dominates many of these fields, while Meadow foxtail (Alopecurus pratensis), Reed canary grass (*Phalaris arundinacea*), and smooth brome (*Bromus inermis*) dominate other fields. The alfalfa field is grown as a forage field for ungulates. Invasive grasses and forbs are common in these fields. The species composition in these fields varies primarily due to the amount of water each receives from irrigation during the growing season. The wetter meadows provide nesting habitat for waterfowl broods, foraging habitat for Long-billed Curlews (*Numenius americanus*) and Wilson's Snipe (*Gallinago delicata*), foraging habitat for aerial insectivores such as swallows, and hunting habitat for Northern Harriers (*Circus hudsonius*). The drier grassland fields provide foraging habitat for Mule Deer (*Odocoileus hemionus*) and nesting habitat for California Quail (*Callipepla californica*). Managing invasive forbs and grasses is the primary management concern for these fields.

The wetland field also includes an orchard started in 2018. The fruit trees planted there are meant to provide fruit for wildlife and Tribal members. In the coming years, we aim to expand this orchard.

Wetland: There are two wetlands on the property. The north wetland is a perennial wetland that is spring fed. The south wetland is an ephemeral wetland that is

filled primarily by leaky irrigation ditches when irrigation begins annually. The north wetland is far more vegetated, with cattails (*Typha* sp.) and tules (*Schoenoplectus acutus*) common throughout the wetland. When it is full the south wetland has more open water. These wetlands provide nesting habitat for Greater Sandhill Cranes (*Antigone canadensis tabida*), foraging and loafing habitat for waterfowl and waterbird species, breeding habitat for Yellow-headed Blackbirds (*Xanthocephalus xanthocephalus*), Red-winged Blackbirds (*Agelaius phoeniceus*), Marsh Wrens (*Cistothorus palustris*), Virginia Rails (*Rallus limicola*), and Common Yellowthroats (*Geothlypis trichas*). The north wetland also has a small breeding population of Columbia Spotted Frogs (*Rana luteiventris*). Maintaining water levels and, in the future, expanding water levels are the primary management objective for this vegetative community.

Shrub-steppe: The shrub-steppe vegetation community is dominated by species of sagebrush. Low sagebrush (*Artemisia arbuscula*) dominates the high elevation sites, while Wyoming big sagebrush (*Artemisia tridentate*) dominates the lower elevation sites. The property includes both low density habitat and high priority areas for conservation for Greater Sage-grouse (*Centrocercus urophasianus*). This community has a diverse mix of native bunchgrasses and forbs, but also has a lot of invasive annual grasses, particularly in the lower elevations. Western Juniper (*Juniperus occidentalis*) encroachment into historically unoccupied areas is also a concern. Invasive annual grass and western juniper encroachment are the primary concerns in this vegetative community. The risk of wildfire is also a major concern, as it can lead to loss of the shrub community and more dominance by invasive annual grasses.

Riparian vegetation: The MRWMS includes over eight miles of the Malheur River and its associated riparian habitat. Redband rainbow trout (*Oncorhynchus mykiss newberrii*) live in both the Malheur River and many of the smaller drainages that run into this system. They are particularly abundant in the higher elevation smaller drainages. Willow species (*Salix* spp.) dominate the riparian vegetation along the river. Yellow Warblers (*Dendroica petechia*), Song Sparrows (*Melospiza melodia*), and Yellow-breasted Chats (*Icteria virens*) breed in this vegetation community. The smaller streams and drainages contain various species of vegetation. Lazuli Buntings (*Passerina amoena*) are common in these smaller drier drainages. Managing invasive forbs and grasses is the primary concern for this vegetative community. Keeping cattle out of these riparian habitats is also a management priority, as they can congregate near water and negatively affect riparian vegetation. Both Hunter Creek and the Malheur River are enrolled in CREP (Conservation Reserve Enhancement Program) and fenced off to keep cattle away from the riparian vegetation of these two drainages.

12. List special status, focal fish and wildlife, and/or Oregon Conservation Strategy species. Provide a brief description of their occurrence on the property and their relevance to Conservation Values. Is the list different from the baseline or the last LMP?

Greater Sandhill Crane nest on the MRWMS wetlands most years. However, due to their large habitat needs, there is typically only 1 pair that utilize the property through the breeding season. They typically nest on or adjacent to the wetlands and forage around the same area. Greater Sandhill Cranes are an Oregon Conservation Strategy

Species in the Northern Basin and Range ecoregion. BPT has monitoring data on this species from migratory bird surveys but does not plan on continuing these monitoring efforts for this management plan.

Black-necked Stilts (*Himantopus mexicanus*) and American White-Pelican (*Pelecanus erythrohynchos*) are both Oregon Conservation Strategy Species in the Northern Basin and Range, and both species utilize the wetlands at MRWMS. It is unclear if either species nests on the property or just utilizes the wetlands for foraging and migratory stopover sites. BPT has monitoring data on these species from migratory bird surveys and brood surveys but does not plan on continuing these monitoring efforts for this management plan.

Columbia Spotted Frogs are an Oregon Conservation Strategy Species in the Northern Basin and Range. Columbia spotted frogs breed in the northern wetland and may use other areas of the property. Increasing the north wetland and management to convert the south wetland to a perennial wetland would likely benefit this species but is not contemplated within the timeline of this management plan with BPA funding BPT has monitored Columbia spotted Frogs for the past few years and will continue monitoring them for this management plan.

Long-billed Curlews are an Oregon Conservation Strategy Species in the Northern Basin and Range ecoregion. A low density of curlews utilizes the property nearly every year. The wet meadow fields provide foraging habitat, and the adjacent sage-steppe or field edges may provide nesting habitat. BPT has monitoring data on this species from migratory bird surveys but does not plan on continuing these monitoring efforts for this management plan.

Yellow Warblers and Yellow-breasted Chats are interior riparian habitat focal species in the Malheur River Subbasin Assessment and Management Plan for Fish and Wildlife Mitigation (2004). On the MRWMS, both species are abundant in the riparian vegetation along the Malheur River. The Willow Flycatcher is an Oregon Conservation Strategy Species in the Northern Basin and Range ecoregion. This species does utilize the property in the Malheur riparian vegetation along the Malheur River, but it appears there is a very low density of Willow Flycatchers on MRWMS. BPT has monitoring data on these species from migratory bird surveys and brood surveys but does not plan on continuing these monitoring efforts for this management plan.

Greater Sage-grouse, Ferruginous Hawk (*Buteo regalis*), Burrowing Owls (*Athene cunicularia*), and Swainson's Hawk (*Buteo swainsoni*) all use the shrub-steppe vegetation on and near the MRWMS. All three species are Oregon Conservation Strategy Species in the Northern Basin and Range ecoregion, however Ferruginous Hawks, Burrowing Owls, and Swainson's Hawks all appear to be uncommon on and around MRWMS. Greater Sage-Grouse is also a shrub-steppe focal species in the Malheur River Subbasin Assessment and Management Plan for Fish and Wildlife Mitigation (2004). Juniper cutting and invasive annual grass treatments are management priorities that should benefit this species. Greater Sage-grouse are a species BPT has monitored since acquiring the MRWMS and BPT will continue monitoring leks near the property for this management plan. The lek data is shared with Oregon Department of Fish and Wildlife and contributes to their statewide monitoring effort. BPT will count all ravens and birds

of prey in collaboration with OSU for this management plan to tie in with their Greater-Sage grouse research.

Monarchs (*Danaus plexippus*) are a Conservation Strategy Species in the Northern Basin and Range. Monarchs use the property, but in recent years Tribal Staff have seen few on the property. This is unsurprising given the decline across the Western United States. Showy milkweed (*Asclepias speciosa*) is abundant in many of the fields and along the ditches on the MRWMS. Management to protect and expand Showy Milkweed on the property will benefit Monarchs on the MRWMS. Monarchs are a species BPT has monitored on MRWMS in the past but are not currently actively monitoring. BPT currently does not plan on monitoring monarchs for this management plan.

Caspian Terns (*Hydroprogne caspia*) are an Oregon Conservation Strategy Species in the Northern Basin and Range. This species uses the Malheur River and occasionally the wetlands for foraging. BPT has monitoring data on this species from migratory bird surveys but does not plan on continuing these monitoring efforts for this management plan.

Hoary Bats (*Lasiurus cinereus*), Long-legged myotis (*Myotis volans*), Pallid bats (*Antrozous pallidus*), and Silver-haired bats (*Lasionycteris noctivagans*) are all Oregon Conservation Strategy Species in the Northern Basin and Range and have been detected on the property during bat surveys. Spotted bats (*Euderma maculatum*), Townsend's Big-eared Bats (*Corynorhinus townsendii*), and Fringed Myotis (*Myotis thysanodes*) are also Conservation Strategy Species in the Northern Basin and Range and may occur on the property. While BPT has surveyed for bats in the past, there is no current plan to monitor bats during this management plan.

13. What are the most significant invasive species issues on the property? Please include a map of their distributions.

The most significant invasive species found on the MRWMS include cheatgrass (*Bromus tectorum*), Medusahead rye (*Taeniatherum caput-medusae*), Rush skeletonweed (*Chondrilla juncea*), Field bindweed (*Convolvulus arvensis*), houndstongue (*Cynoglossum officinale*), perennial pepperweed (*Lepidium latifolium*), puncturevine (*Tribulus terrestris*), Tumble mustard (*Sisymbrium altissimum*), flixweed (*Descurainia sophia*), prickly lettuce (*Lactuca serriola*), white top (*Lepidium draba*), kochia (*Kochia scoparia*), poison hemlock (*Conium maculatum*), Scotch thistle (*Onopordum acanthium*), Canada thistle (*Cirsium arvense*), and Russian knapweed (*Rhaponticum repens*). Of these, perennial pepperweed, Canada and Scotch thistle, Russian knapweed, Rush skeletonweed, poison hemlock, puncturevine, cheatgrass, and Medusahead are classified as noxious weeds in Malheur County (https://www.malheurco.org/wp-content/uploads/Departments/Weed/Weed-list2019.pdf).

While we do not have extensive maps of any of these species' distributions on the property, we provide locations of where many of the invasive species were found and treated in 2020. While these figures do not represent all the locations on the property,

they do serve as a reference for where to start for future treatments (Appendix 6).

14. Are there known Endangered Species Act -listed or candidate species on the property?

The population of Columbia spotted frogs on the MRWMS is likely in the northern population but likely near the border of the range of the Great Basin Distinct Population Segment (DPS). In October of 2015, the USFWS announced that the Columbia spotted frog Great Basin DPS was not-warranted for additional protection under the Endangered Species Act.

In October of 2015, the USFWS also announced that the Greater Sage-grouse was not-warranted for additional protection under the Endangered Species Act.

On December 15, 2020, the U.S. Fish and Wildlife Service announced that listing the monarch as endangered or threatened under the Endangered Species Act is warranted but precluded by higher priority listing actions. The decision is the result of an extensive status review of the monarch that compiled and assessed the monarch's current and future status. The monarch is now a candidate under the Endangered Species Act, and its status will be reviewed annually until a listing decision is made.

15. Are there hydrologic considerations **relevant to property management or desired future conditions**?

Springs, drainages, and rivers in this dry landscape are prone to degradation from cattle. The sections of the MRWMS along the Malheur River and Hunter Creek have been enrolled in CREP and fenced off. The aspen stand on sidehill spring has also been fenced off to exclude cattle and allow for healthy suckering of the aspens to insure long term health of this stand. In 2015 this stand was assessed and found to be in great ecological health—it included a mature, healthy, well-stocked overstory with heavy to moderate aspen regeneration in the understory. There was only one documented western juniper growing in the middle of the stand. The stand has a steady source of water and low numbers of Canada and Scotch thistle. Springs should be fenced off where possible, and cattle use should be limited or eliminated.

16. Are there historical and cultural resources and traditional use resources **relevant to property management**?

The abundance and wide-distribution of cultural and historic resources located on the Property have necessitated a high-degree of coordination with BPA Environmental Compliance and Cultural Resources/Archaeology staff, Tribal government and staff, and the State Historic Preservation Office.

There are many cultural and traditional use resources on the Project. This is relevant to property management from both the importance of the Tribe's re-acquisition

of a site of traditional use as well as the continuous Section 106 consultation required for management of the property's resources. Since time immemorial, the Wadatika (waada-eaters) band of Paiute Indians lived in southern and central Oregon, they are the ancestors of the Burns Paiute Tribe. The area would have seen regular seasonal use of hunting, fishing and gathering edible plants, harvesting their diet from rivers, streams, wetlands. The first white people the Wadatika encountered were beaver trappers, beginning in the 1820s, this had increased substantially by the late '40s, due to the west-bound settlers from Oregon Trail and the discovery of gold in the area. Conflicts arose, the situation eventually induced the Paiutes to negotiate with the federal government for a reserved area. Accordingly, on September 12, 1872, the federal government signed off on the 1.8 million-acre Malheur Reservation, whose size was quickly diminished. Numerous Paiutes were fatally caught in the middle of an 1878 war between the government and the Bannock tribe, even though the majority of Paiutes did not get involved in the fighting. By war's end, the remaining Paiutes were forced to move off the reservation via their own Trail of Tears and relocated to Fort Simcoe in Washington. In the 1880s, the empty Malheur Reservation was thrown open to cattlemen and homesteaders.

In 1928, Denny Jones bought and began to develop the Jonesboro Ranch. He developed the ranch over the ensuing years, with a particular focus on the years 1928 to about 1938. By 1945, it had achieved the appearance it has today. The end of the period of significance is 1960, when Denny Jones constructed a substantial new ranch house on the property on the north side of the highway. This is the last contributing building to be added to the ranch complex. It represents the completion of the ranch as it exists today. In 2018, the Jonesboro Ranch Historic Resources Report and Determination of Eligibility (Appendix 1) was prepared to identify the significance and integrity of the resources associated with the Property. Jonesboro Ranch was found eligible under Criterion A, at the local level, for its association with long-time owner and manager Denny Jones. Jonesboro was owned and managed by members of the Jones family for 115 years. From this evaluation it was determined that the historic ranch complex retains a high level of integrity, with all but five of sixteen resources contributing to the significance of the ranch. Further, with the exception of the horse corrals on the south side of the river, all resources are located in close proximity and share strong associations both historically and aesthetically, linked by landscape features, working open spaces, and linear structures that convey the reasons for the ranch's significance. Due to multiple features eligible for listing in the National Register of Historic Places (NRHP), proposed undertakings have proven to be extremely difficult to proceed with.

17. Is there public access to the property? Provide a description of access and activities and its relevancy to the property management. If there is no public access, explain why it is not allowed. How will you monitor access and identify potential impacts to Conservation Values should they arise?

Under an agreement with BPA, BPT is committed to ensure the public has reasonable access to the fish and wildlife mitigation properties BPA has funded the Tribe to purchase and manage. The Tribe's Natural Resource Department has conferred with BPA's Office of General Counsel and Office of Environment, Fish and Wildlife to explore how to ensure the public reasonable access to the Tribe's BPA mitigation sites safely and in a manner that respects the Tribe's rights to manage the properties and use them for cultural practices, such as hunting. These opportunities are especially important

to the Tribe because its members have limited access to large game hunting opportunities. Public access is allowed through a permit system.

In light of these concerns, and after conference and agreement with BPA's Office of General Counsel and Office of Environment, Fish and Wildlife, staff will prohibit all non-member access—whether for hunting, fishing, or other purposes—during the dates established each year by the Oregon Department of Fish and Wildlife for the duration of the big game hunting seasons. Staff will continue to allow nontribal access through permits from the end of the elk season until the end of game bird season (set by state regulations). Staff will continue to restrict non-member access through permits to one-two hunting parties per day to minimize hunting conflicts, enhance safety, and ensure protection of natural resources. In recent years, BPT has typically limited bird hunting to weekends to avoid overharvesting upland birds on the property and to not interfere with management activities. BPT will continue to track hunter success and hunter hours (Table 3). BPT will continue to allow fishing access for the entire year excluding those dates the properties are closed for Tribal big game hunting. These new access rules were enforced beginning in 2017.The change will substantially improve the safety and quality of the big game hunting opportunities for Tribal members.

Table 3. Access permits issued for MRWMS from 2005–2019 (calendar year, not hunting season).

Year	Permits Issued	Returned Reports	Hours Hunting Waterfowl	Hours Hunting Upland	Waterfowl Harvest	Upland Harvest	Avg. Birds/Hunter Hour
2005	47	24		230		200	0.87
2006	58	36	51.5	225.25	61	238	1.08
2007	35	29	73	205	66	122	0.68
2008	30	15	45.5	105	35	63	0.65
2009	19	12	25.5	74.5	54	101	1.55
2010	18	13	57	152	32	78	0.53
2011	12	8	22.5	48	36	32	0.96
2012	21	19	11.5	62.5	19	35	0.73
2013	14	10	11.5	20	14	7	0.67
2014	16	11	76.5	34.5	30	40	0.63
2015	20	20	36	26.5	57	39	1.54
2016	27	23	49.5	68.5	98	138	2.00
2017	6	6	4	10.5	7	5	0.83
2018	5	5	4	6	7	0	0.70
2019	6	*	3	14	4	6	0.59
2020	**10**	**8****	**13**	**34.5**	**16**	**54**	**1.47**

*One hunter only traveled through the property, one hunter cancelled their hunt due to an emergency, another hunter ended up hunting somewhere else, and one hunter didn't respond to emails.
** One hunter only traveled through the property so didn't fill out a report.

18. Is there fire history or planned burns **relevant to property management or desired future conditions?**

The BPT uses prescribed fire to help manage vegetation along irrigation ditches on the property. The BPT also uses prescribed fire to manage vegetation and weeds in the lower elevation meadow, hayfield, and alfalfa fields. We will continue to use fire as needed in the lower elevation fields and along ditches. Prescribed fire in combination with herbicide can be an effective tool for managing invasive annual grasses. However, due to the risk of the fire spreading and the increased risk of annual grass spread following fire, fire should be used sparingly and with extreme caution.

In October 2020, BPT utilized prescribed fire contractors as part of our NRCS CIG grant. BPT burned some of the intended medusa plots, but the fire also got outside of the burn lines and burned 90 total acres. BPT treated approximately 40 acres with herbicide shortly after the burn and will reseed those acres in 2021. BPT still needs to treat the remaining 50 acres with herbicide in 2021.

Wildfire is also a concern on the MRWMS, and many acres on and near the MRWMS have burned in the past few years (Figure 8).

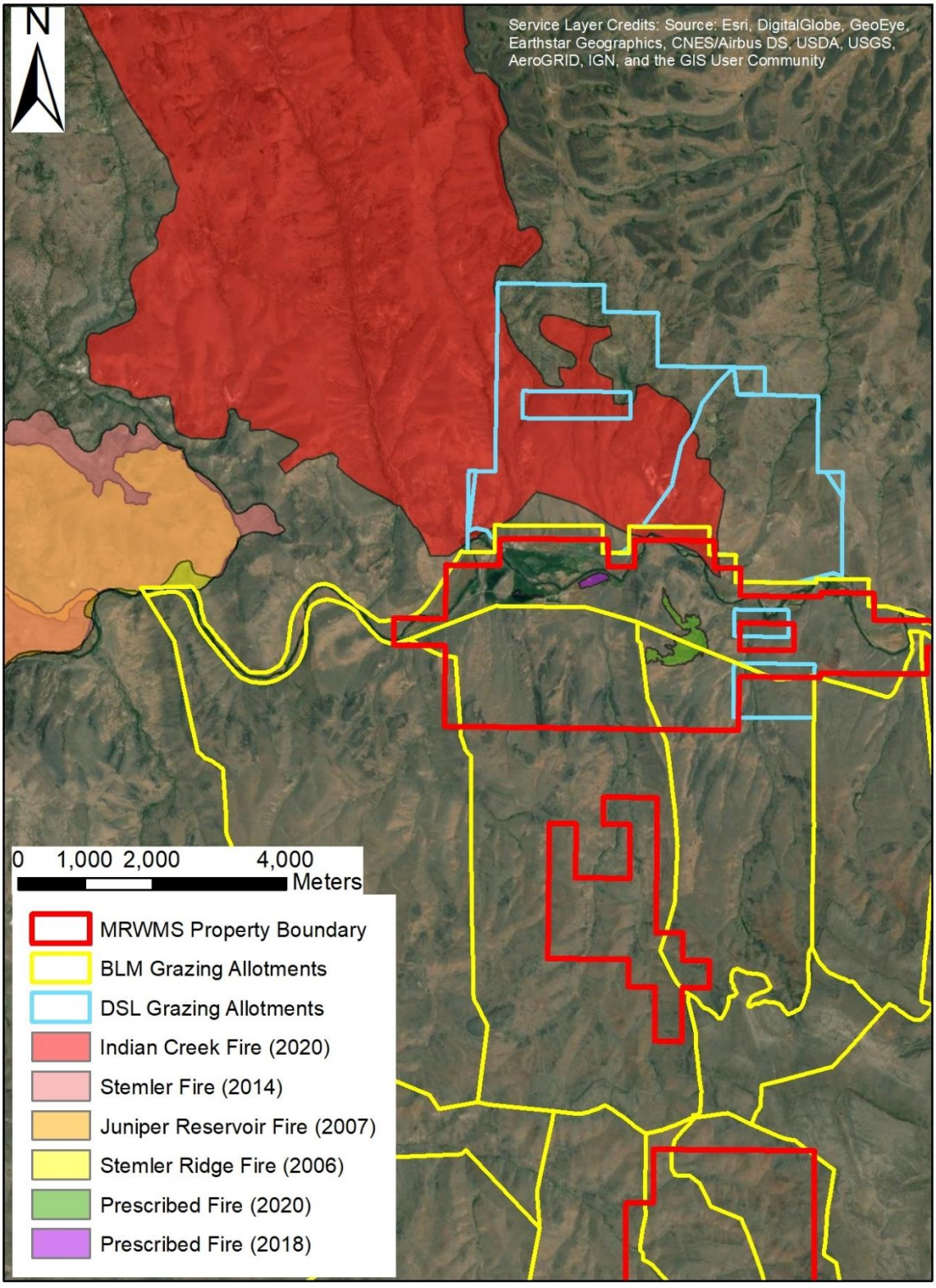

Figure 8. Fire History Map on and near the MRWMS from 1984-2020. Obtained from BPT data, BLM data, and https://www.mtbs.gov/. This excludes some fires between 1984-2020 that were less than 1,000 acres. MRWMS Property Boundary in the Legend represents Tribally owned land for this Figure.

19. Are there threats to any of the Conservation Values or other attributes of the Conservation Easement (e.g., boundary issues)? If so, what are the plans to abate those threats?

There are many site-specific features that make the property valuable mitigation habitat. However, there are threats to the property in the form of invasive species encroachment and expansion, juniper encroachment, and wildfire. These threats are addressed on number 20 and number 30.

C. Goals, Objectives and Actions (Questions 20-26)

20. Describe the present and desired future condition and/or abundance for each habitat type and/or target species (e.g., now a degraded farm field, later will be a high value oak savannah). Describe the overarching goals, objectives (using **SMART** criteria; Specific, Measurable, Achievable, Relevant, Time-specific), and the actions you plan to take to achieve your goals and objectives. Provide an expected timeframe in which these actions will be executed. Include O&M and restoration activities and timelines for each planned activity. Indicate with an * if BPA funds will be used to execute the activity.

Goal 1: Improve the shrub-steppe habitat for Greater Sage-Grouse, mule deer, elk, pronghorn and other sagebrush species.

- Objective 1 – BPT aim to remove 858 acres of Western juniper (Appendix 7, is currently 1 year behind schedule due to Covid-19). Funding is secured through an EQIP grant that runs 2021-2024.
    - Action 1.1- Remove 166 acres of juniper with volunteers and staff (2021).
    - Action 1.2- Remove 231 acres of juniper with volunteers and staff (2022[a]).
    - Action 1.3- Remove 178 acres of juniper with volunteers and staff (2023[a]).
    - Action 1.4- Remove 283 acres of juniper with volunteers and staff (2024[a]).
    - Action 1.5- Pursue a new EQIP contract to cut additional acreage (2025-2026)
    - Action 1.6- Start cutting juniper acres under new EQIP contract **if** awarded (2026)

[a] *Will try to complete these acres earlier if possible.*

- Objective 2 – Control medusahead/cheatgrass and replace with perennial bunchgrasses on ≥600 acres (Figure 9).
    - Action 2.1- Range-seed drill acreage sprayed in 2020, approximately 40 acres as part of a secured State Conservation Innovation Grant (2021).
    - Action 2.2- Apply herbicide aerially on 500 acres of medusahead dominated site with a United States Fish and Wildlife Service (USFWS) Partners agreement (2022-2023[b]).
    - Action 2.3- Seed approximately 50 acres of medusahead that was grazed by cattle (2021-2022)*
    - Action 2.- Apply seed aerially on 510 acres of medusahead dominated sites with a USFWS Partners Agreement 2023-2024[b]).
    - Action 2.5- Pursue additional funding for additional acres of medusahead

treatments.

- Action 2.6- Plant greenhouse grown seedlings on to establish forbs, shrubs, and perennial grasses on ≥ 10 acres (2022-2026)*

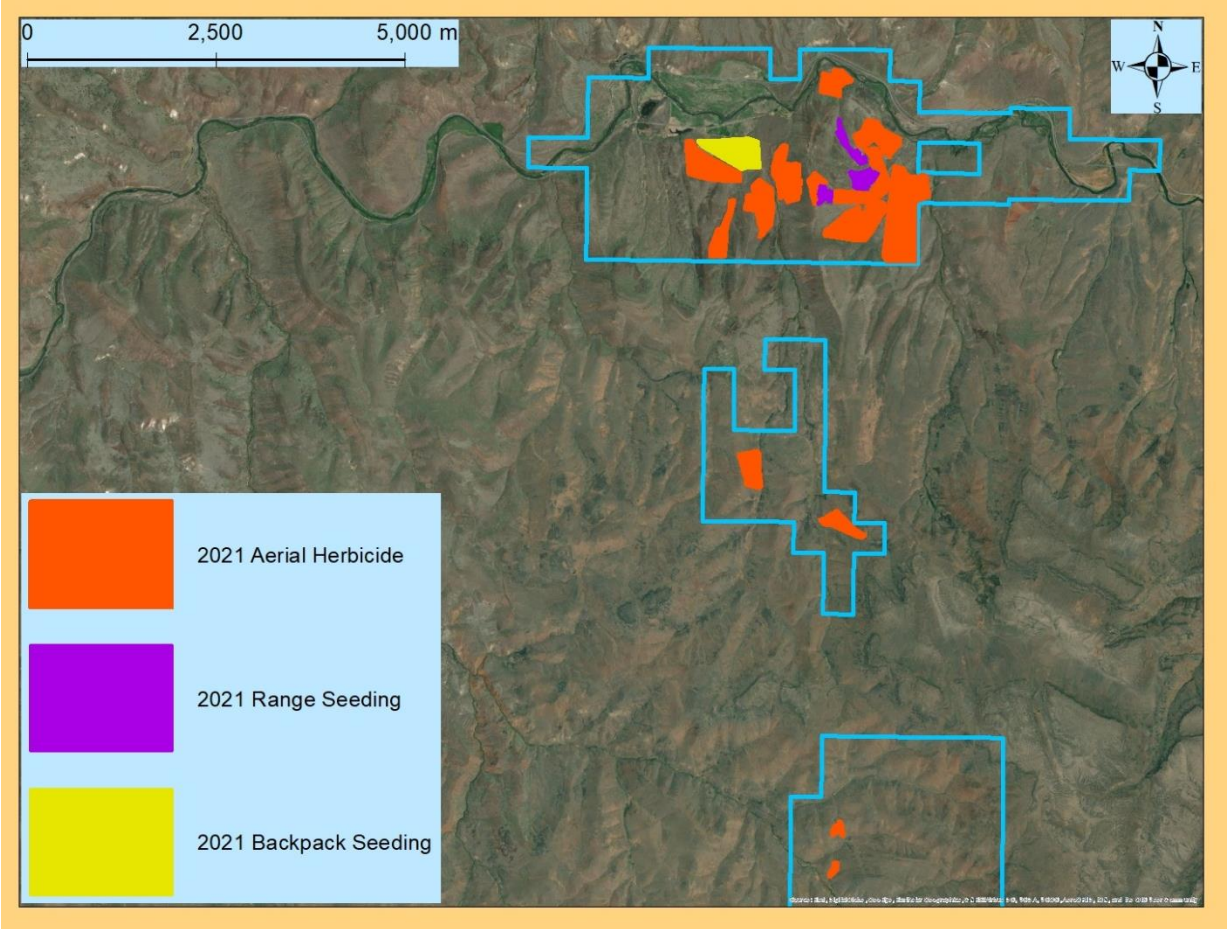

Figure 9. Planned Medusahead treatment areas. Tribally owned land in blue.

[b] *These actions are dependent on BPT securing outside funding through the Secretary's Order 3362-FY2020 Round 3 funding pool or alternative funding sources.*

- Objective 3 – Restore areas affected by wildfire.
  - Action 2.1- Re-seed, herbicide, and plant seedlings as needed (2022-2026)*.
  - Action 2.2- Secure additional funds for restoration work as needed) 2022-2026)

Goal 2 : Slow the spread and dominance of invasive forbs on approximately 500 acres on the MRWMS.

- Objective 1 – Treat herbaceous weeds with chemical, biocontrol, and/or mechanical treatments through entire MRWMS.
  - Action 1.1- Monitor and treat weeds on approximately 500 acres annually with a focus of treating kochia, perennial pepperweed, Canada and Scotch thistle, Russian knapweed, Rush skeletonweed, poison hemlock, and puncturevine (2021-2026)*.

- Action 1.2- Treat additional acres as funding and staff time become available (2021-2026).

Goal 3: Protect springs and seeps and restore and protect the associated vegetation.

- Objective 1 – Protect springs and seeps from overgrazing by cattle.
  - Action 1.1- Monitor and maintain the fencerow on sidehill spring to keep cattle out of the aspen stand (2021-2026)*.
  - Action 1.2- As part of a NRCS Environmental Quality Incentives Program (EQIP) contract, add a water development adjacent to the spring at Little Hunter Creek (2021-2022).
  - Action 1.3- As part of our NRCS EQIP contract, add an approximately 650 ft fence around the spring at Little Hunter Creek (2021-2022).
  - Action 1.4- Maintain the fence around Little Hunter Creek (2022-2026).
- Objective 2 – Re-vegetate lost vegetation at Little Hunter Creek.
  - Action 2.1- **Through NRCS** CSP, plant grasses, forbs, and shrubs within the fenced in area (0.4 acres) around the spring at Little Hunter Creek (2021-2023).

Goal 4: Manage grazing to remove thatch, stimulate growth, and decrease fire risk.

- Objective 1 – Implement a rest period in the sage-steppe community.
  - Action 1.1- Rest grazing on the DSL allotments and adjacent Tribally owned land in conjunction with the DSL/ODFW/BPT bunchgrass seeding (2021-2023).
  - Action 1.2- Rest grazing on the BLM allotments and adjacent Tribally owned land (2022-2023).
- Objective 2 – Resume rotational grazing in the sage-steppe community.
  - Action 2.1- Through a producer, BPT will winter graze the DSL allotments and adjacent Tribally owned land following rest years with up to 484 Animal Unit Months (AUM's) (2024-2026).
  - Action 2.2- Through a producer, BPT will graze the BLM allotments and adjacent Tribally owned land following rest years utilizing <36% of the BLM allowed AUM's (2024-2026).
- Objective 3 – Graze the meadow field to meet remove thatch and stimulate vegetation growth.
  - Action 3.1-Graze the meadow field in the fall or winter to remove much of the previous growing season's growth to prevent thatch build-up (2021-2026).

Goal 5: Manage the lower fields for wildlife objectives.

- Objective 1 – Implement a wildlife friendly haying operation.
  - Action 1.1- Defer haying in the meadow field (2021-2026)*
  - Action 1.2- Hay the Wetland Field, Triangle Field, and Field 2 after July 15th
    - Using NRCS approved haying methods to remove thatch and provide new growth vegetation for ungulate forage (2021-2026)*.
  - Action 1.3- Utilize prescribed fire in the un-hayed fields as necessary (2021- 2026)*
  - Action 1.4- Re-plant alfalfa and grasses in the areas as needed. NRCS CSP will cover 6.2 acres. Additional acres planted as necessary (2022-2023).*

Goal 6: Provide public hunting and recreation opportunities and track property use on Tribal Property.

- Objective 1 – Manage and track public access through a permit system.
    - Action 1.1- Allow access (on weekends after the big game season as determined by ODFW) for 5-20 waterfowl and upland bird hunter parties through a permit system (2021-2026)*.
    - Action 1.2- Allow access to the public for bird watching, photography, hiking, or other non-consumptive uses through a permit system (2021-2026).*.
    - Action 1.3- Allow access to ODFW, DSL, BLM, power companies, or other agencies and companies that need to access the property through a permit system (2021-2026).*

Goal 7: Expand the previously planted fruit trees into a larger orchard (0.3 acres) for wildlife and Tribal Members.

- Objective 1 – Increase the number of fruit producing trees and shrubs in the orchard.
    - Action 1.1- Continue to monitor and water established fruit producing trees in the orchard, and address any issues that arise (2021-2026)*.
    - Action 1.2-Though NRCS CSP, plant an additional 0.3 acres with fruit producing shrubs and trees near the previously established fruit trees in the wetland field (2021-2024).

Goal 8: Maintain and improve property infrastructure and irrigation system.

- Objective 1 – Maintain and improve roadways.
    - Action 1.1- Complete needed road work on Lookout Road (Figure 5, 2021-2026)*.
    - Action 1.2- Complete road improvements on road to the Indian Creek BLM unit (2022-2026)*.
    - Action 1.3- BPA Engineers to assess bridge (2022-2025)
    - Action 1.4- Develop a plan to repair or replace if necessary (2022-2025)
- Objective 2 – Maintain fence lines for cattle pastures and for cattle exclusion.
    - Action 2.1- Maintain CREP fences along Malheur River and Hunter Creek (2021-2026)*.
    - Action 2.2- Maintain DSL, BLM, and BPT boundary and pasture fences (2021-2026)*.
    - Action 1.3- Maintain corrals when needed (2021-2026)*.
- Objective 3 – Maintain buildings.
    - Action 3.1- Maintain and upkeep buildings as needed (2021-2026)*
- Objective 4 – Maintain functionality of irrigation system.
    - Action 4.1- Clear ditches each year using fire and mechanical methods as needed (2021-2026)*
    - Action 4.2- Replace and repair culverts as needed (2021-2026)*

Goal 9: Improve habitat for cavity nesting birds.

- Objective 1 – Provide nesting habitat for cavity nesting birds.

- Action 1.1- Clean, check, and maintain nest boxes on the property (Figure 8, 2021-2026)*.
- Action 1.2- Replace boxes if they break (2021-2026)*.

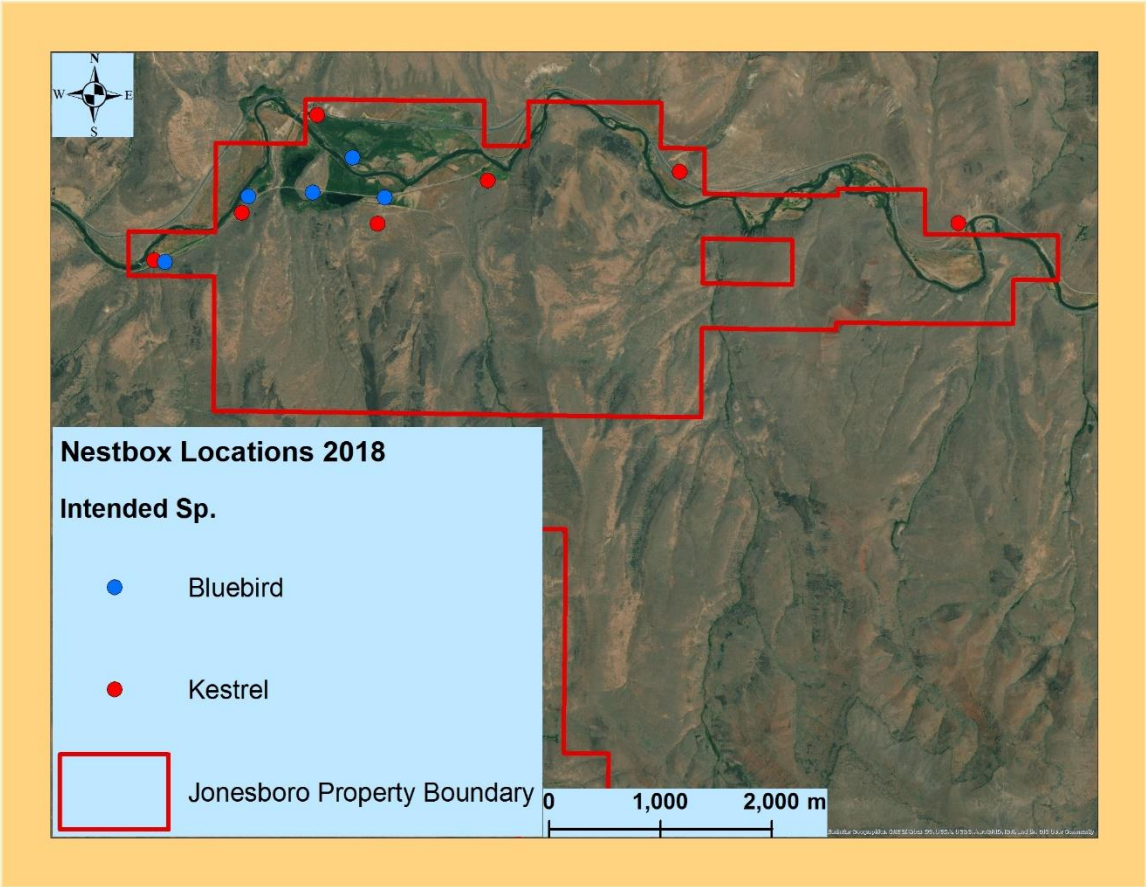

Figure 8. Nest box locations on the MRWMS. Boxes were installed in 2018 and have been monitored since. Jonesboro Property Boundary Represents Tribally owned land in this Figure.

Goal 10: Improve habitat for pollinators.

- Objective 1 – Provide pollinator habitat for Monarchs and other pollinators.
  - Action 1.1- Protect established milkweed and other native forbs from herbicide drift (2021-2026)*.
  - Action 1.2- Through the CSP contract, plant additional milkweed, other forbs, and shrubs in plantings on 0.4 acres within the Little Hunter Creek water development (2021-2023).
  - Action 1.3- Through the CSP contract, plant shrubs on 0.6 acres in the 205 field (2021-2023).

Goal 11: Monitor wildlife habitat and wildlife populations on and near MRWMS.

- Objective 1 – Monitor habitat and wildlife populations using sound scientific protocols.
  - Action 1.1- Monitor Greater Sage-grouse leks and share data with ODFW (2021-2026)*.

- Action 1.2- Monitor Columbia Spotted Frog egg masses on the MRWMS wetlands (2021-2026)*.
- Action 1.3- Monitor nest boxes to track occupancy and success. Provide kestrel box data to the American Kestrel Partnership (2021-2026)*.
- Action 1.4- Conduct vegetation sampling for the medusahead CIG project to document treatment effects (2021-2023 with possible extension).*
- Action 1.5- Assist research partners at the Agricultural Research Service in vegetation sampling for the USFWS Partners medusahead project to document treatment effects (2021-2026)*
- Action 1.6- Conduct point count surveys in collaboration with OSU (2021-2022 with possible extension)*.
- Action 1.7- Conduct Yuma Skipper surveys (2021 with possibility of extension)*.
- Action 1.8- Take photo monitoring points (2021-2026)*.

Action 1.9- Add vegetation and wildlife monitoring as the need arises (2021-2026)*.

Goal 12: Protect and restore riparian vegetation for riparian health, riverbank stabilization, and river shading on 306 acres.

- Objective 1 – Protect the Malheur River riparian vegetation.
  - Action 1.1- Monitor fence lines surrounding the Malheur River CREP acres and ensure cattle stay outside of fenced area (2021-2026)*.
  - Action 1.2- Repair fences as needed (2021-2026)*.
  - Action 1.3- Re-enroll the 245.7 acres of the Malheur River in CREP (2022)*.
- Objective 2 – Protect the Hunter Creek riparian vegetation.
  - Action 2.1- Monitor fence lines surrounding the 60 acres of Hunter Creek CREP and ensure cattle stay outside of fenced area (2021-2026)*.
  - Action 2.2- Repair fences as needed (2021-2026)*.

Goal 13: Provide educational opportunities to the Tribal Community and the general public.

- Objective 1 – Provide educational opportunities for Tribal Youth.
  - Action 1.1- Provide job training through the Youth Outreach Program (2021-2026)*.
  - Action 1.2- Organize educational field days and activities for Tu-Wa-Kii Nobi (2021-2026)*.
  - Objective 2 – Provide educational opportunities for the general public and contribute to meetings and conferences.
  - Action 2.1- Organize educational field days and activities for the general public (2021-2026)*.
  - Action 2.2- Attend and contribute to meetings and conferences (2021-2026)*.

Goal 14: Monitor trespass and regulate access.

- Objective 1 – Allow public hunting and access through permits.
  - Action 1.1- Allow public access to the property through a permit system (2021-2026)*.

- Action 1.2- Allow bird hunting access (after the big game seasons) to the property through a permit system (2021-2026)*.
- Action 1.3- Monitor the sites for trespassing and address as needed (2021-2026)*.

21. Briefly provide details regarding past and planned future restoration funding efforts (i.e., to whom, for what, when, success rate, etc.)? To whom do you plan to apply to in the future (e.g., OWEB, PCSRF)? If this is a management plan update, provide funding information (as described above) for the duration of the last plan to present.

National Resources Conservation Service (NRCS) has been an important partner since BPT acquired the property. BPT has accomplished a great deal of work through enrollment in the CREP, the CSP, and the Environmental Quality Incentives Program (EQIP). The CREP and CSP programs have allowed us to fund plantings and other work with NRCS cost-share. The EQIP program has allowed us to cut many acres of juniper and create water developments with NRCS cost-share. The NRCS Conservation Innovation Grant (CIG) funded the BPT medusahead management project in August of 2019, for $36,294. The CIG program would be a great grant program to pursue funding for innovative management projects. These projects provide cash as cost-share for many of BPT's habitat projects.

USFWS has provided funding for Greater Sage-Grouse research in the past. In early 2021, we were awarded $149,261 for medusahead treatments and re-seeding to be spent in 2021-2022 through a Partners (Improving Habitat Quality in Wester Big-Game Winter Range and Migration Corridors) grant.

Oregon Natural Desert Association coordinates volunteer trips on BPT properties. In the past these trips typically involved planting, juniper cuts, or other types of management activities. This work provides a large amount of in-kind work each year.

Oregon Watershed Enhancement Board funded BPT's wetland expansion work in 2016. This work was completed in 2019 and the monitoring part of that grant was completed in 2020. They awarded $101,933 for the wetland work and $5,686 for the monitoring work. They are a potential funder for future work in the wetland.

Malheur County Weed/Vector Control has taken the lead on Rush skeletonweed treatments on and adjacent to the property for many years. In 2020, they assisted with herbicide treatments for the medusahead CIG project. This work provides a large amount of in-kind work each year.

In 2019, BPT requested $31,529 from the Bureau of Indian Affairs (BIA) Invasive Species Program for medusahead treatments. This funding request was unsuccessful.

In January 2020, BPT unsuccessfully requested $149,988 from the Secretary's Order 3362: Improving Habitat Quality in Western Big-Game Winter Range and Migration Corridors for large scale medusahead treatments. In December 2021, BPT resubmitted this request for $149,261.

The Nature Conservancy and the Agricultural Research Service have assisted with our medusahead CIG project and will continue to assist with this project in the coming years. This in-kind work has been immensely helpful. We have partnered with another researcher at ARS to help with the monitoring of our upcoming USFWS surveys.

Portland Audubon has assisted with many monitoring projects and educational activities over the last few years. This in-kind work has been very helpful for BPT.

BPT has pursued funding for a wildlife crossing feasibility study. In 2018, BPT pursued this project with an OWEB grant in the amount of $73,875. This funding request was unsuccessful. In 2019, BPT applied for the Landscape Conservation Catalyst Fund, but the $25,000 requested was not awarded. In 2019, BPT also applied for the BIA Tribal Resilience Program and was awarded $73,875. In 2020, BPT was awarded $15,800 from the PEW Charitable Trust for enhanced stakeholder engagement on this project. These funds paid for a connectivity assessment, alternatives feasibility assessment, countermeasure selection with partners, and workshops with interested parties to raise awareness of the issue and work to address solutions.

22. Are parts or all of the property historically, currently, or planned to be enrolled in other conservation programs (e.g., CRP, WHIP, USFWS Partners)?

BPT has enrolled 245.7 acres bordering the Malheur River and 60 acres around Hunter Creek in the Conservation Reserve Enhancement Program (CREP). Many of the remaining acres of the MRWMS are included in the Conservation Stewardship Program (CSP).

23. Describe the evaluation criteria or monitoring techniques that you will use to determine progress toward desired future conditions. Include timelines.

Staff time is limited for monitoring activities. In the past, BPT has monitored many things simultaneously. The quality of those data sets has suffered due to a lack of focus and limited time, and thus had limited utility in informing management. Moving forward, BPT believes it is prudent to limit the number of indicators actively monitored. BPT began making this shift in 2020 and will continue to move in this direction. For monitoring projects, BPT will prioritize:

1. Projects that have a strong experimental design, a clear research question, quantifiable results, and ideally provide publishable results. A good example of this is the NRCS Conservation Innovation Grant funded medusahead project. BPT replaced our other vegetation monitoring points with this project, and it has a stronger experimental design, clear research question, quantifiable results, and should have publishable results.

2. Projects that incorporate management and research. The medusahead project is also a good example of this type of project, as it is a research project but simultaneously accomplishes a primary management goal for the property.

3. Projects where BPT can collaborate with other agencies or organizations, or

projects where BPT shares the results with other partners. With these projects, BPT is contributing to important data sets that are larger and more meaningful than anything BPT could produce on its own. A good example of this type of project are the lek surveys BPT has done with ODFW for years. In 2020, BPT phased out their long-term avian point count monitoring and partnered with Oregon State University to assist them with some of their avian point counts. These data provide a regional look at avian abundance compared to our previous limited site-specific data set. BPT will retain our old data set for looking at species distributions and abundance. The OSU work is a good example of collaborative work. A last example is our kestrel nest box monitoring program. Data from this project is shared with the American Kestrel Partnership for inclusion in their international kestrel monitoring data set.

This list is not exhaustive, and in the future, there may be the need to collect data that informs management, that may not fit these descriptions.

For vegetation monitoring, BPT's focus for this management plan is collecting data for the CIG medusahead treatment project. BPT will evaluate the vegetation response to prescribed fire, pre-emergent herbicide, and range-seed drilling. BPT is using a randomized block design to compare the effectiveness of indaziflam and imazapic in this treatment combination. BPT established 30 random points in each side of the block and collected 2 years of pre-treatment data before the prescribed fire and herbicide applications were completed. This data will allow BPT to compare the frequency and canopy coverage response of species or species groups to treatments. BPT has also taken vegetation photo points for this project to assist in documenting the vegetation response to treatments. BPT will also partner with ARS researchers in documenting the effects of the USFWS Partners medusahead treatments.

In addition to the medusahead projects, BPT will continue taking riparian stream photo points.

For juniper removal and water developments, NRCS will certify these cuts and developments. This certification process can serve as a crude monitoring of these management activities.

Wildlife monitoring on and near the MRWMS will help inform management on what species are utilizing the property and how their populations are doing. For wildlife monitoring we will continue Greater Sage-Grouse lek surveys, Columbia spotted frog surveys, bird surveys, and nest box monitoring. Greater Sage-grouse lek surveys will contribute to ODFW's statewide population monitoring, but also will give BPT insight to how the population on and near the MRWMS is doing. BPT has been tracking the Columbia spotted frog breeding population at MRWMS through egg mass surveys each spring. Continuing these surveys for this management plan will provide information on the MRWMS as it changes through time and can help direct wetland management. BPT has been monitoring nest boxes on the MRWMS since 2018. BPT will continue monitoring these boxes for this management plan and can use occupancy rates and nest success to monitor cavity nesting species on the property. Additional surveys such as the Yuma skipper survey, will allow BPT to check for rare species on the property and map their distribution.

24. List your partners or potential partners for management activities.

NRCS will continue to be one of BPT's most important partners, through CREP, CSP, and EQIP. Once we have completed our current CIG project, BPT will consider applying for additional CIG funded projects.

Oregon Natural Desert Association will continue to be a crucial partner through volunteer trips and in-kind work on BPT properties. For this management plan timeframe BPT will likely rely on them to assist in NRCS EQIP juniper removal, NRCS CSP plantings, and other projects as needed.

Oregon Watershed Enhancement Board is potential funder for future work in the wetland or riparian areas, but as of now BPT does not have any projects in mind.

Malheur County Weed/Vector Control will continue to be a project partner on Rush skeletonweed treatments on and adjacent to the property.

The Nature Conservancy and the Agricultural Research Service will continue to assist in the medusahead CIG project. There is the potential for additional collaborative work in the coming years.

Portland Audubon will continue to be a project partner on monitoring activities and will likely partner on habitat work, through volunteer plantings or juniper cuts.

ODFW, ODOT, and other stakeholders can be project partners in future years for addressing wildlife vehicle collisions along Highway 20.

25. Do you have, or do you plan to have, income generating activities occurring on the property? Provide details. If you have, or plan to have, a lessee or other income generating activities occurring on the property (e.g., grazing and agriculture leases, timber harvest, grazing etc.) please describe how the funds will be used. Will administering these activities be a cost to the project? Will there be proceeds?

BPT has grazed the MRWMS for many years, and we will continue to graze the Tribally owned property and the DSL and BLM allotments. BPT will rest grazing on the north side of the highway (DSL and adjacent Tribally owned land) in 2021-2022, with the possibility of resting into 2023 as well. Once the bunchgrass seedings are established enough to bring cattle back, BPT will return to grazing the DSL allotments and adjacent Tribally owned land during the winter November-April with a maximum of 484 AUMs each year (DSL grazing season runs from March 1-February 28). We rotate grazing between the Winter grazing is a good way to utilize and limit the growth of invasive annual grasses, while reducing negative effects to the native vegetation community during the growing season.

BPT will graze the south side of the highway (BLM and adjacent Tribally owned land) side in 2021 with ≤950 AUMs. We will rest the Indian Creek pasture in 2021, due to herbicide applications at the end of 2020. In 2022 and possibly into 2023 and 2024,

BPT will rest all the BLM pastures while simultaneously treating medusahead and reseeding. During this rest period, BPT may still graze the Meadow Field in the fall or winter to remove thatch and promote new growth with up to 150 AUMs. After the rest period, BPT will return to grazing the BLM allotments and adjacent Tribally owned property with ≤950 AUMs each year until 2026. We are conservative with the grazing pressure on these acres, and use <36% of the 2,661 allowed AUMs on the BLM allotments. We typically don't use every pasture each year, and we can implement rest years as needed. A planned rest year every 3-5 years should be planned on these allotments in the future.

We also hay the Triangle Field, Wetland Field, and Field 2 in most years. Hay is sold to Tribal Members at a discounted rate. All Project generated proceeds are re-invested into the management of the Property including paying DSL and BLM for our grazing leases, property maintenance, supplies, and emergency costs.

26. Are you taking a different restoration and/or management approach than what was outlined in the pre-acquisition discussions (i.e., application or intake call) about the property?

No, all activities planned in this management plan should fit well within the MOA and the Malheur River Subbasin Assessment and Management Plan for Fish and Wildlife Mitigation (2004).

Appendix 1.

JONESBORO RANCH

HISTORIC RESOURCES REPORT

& DETERMINATION OF ELIGIBILITY

Juntura vicinity, Malheur County, Oregon

Prepared for

Bonneville Power Administration
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Prepared by

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January 2018

SUMMARY OF FINDINGS

Project Description

This Historic Resource Report (HRR) and Determination of Eligibility (DOE) is being prepared to identify the significance and integrity of the resources associated with Jonesboro Ranch in Malheur County, Oregon. At this time, a roof replacement is planned for the ca 1900 barn on the site, which is the property's most prominent building. Interior renovations are also planned for the Bunkhouse and 1960 House.

Because Federal funding will be used for a portion of this work, this HRR is also being prepared in order to satisfy requirements of Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended August 5, 2005); and its implementing regulations, 36 CFR Part 800.

Purpose and Scope

The purpose of this HRR and DOE for Jonesboro Ranch is to identify any historic resources, defined as resources eligible for listing in the National Register of Historic Places (NRHP), that may be present on the property and that may be affected by current and future undertakings. In the course of making this determination, individual elements on the property were surveyed, including buildings, structures, objects, sites, and landscape features. Secondly, a historic context was prepared in order to respond to the Criteria for Evaluation for NRHP, which include the following:

> **Criteria A:**
> Properties that are associated with events that have made a significant contribution to the broad patterns of our history;
>
> **Criteria B:**
> Properties that are associated with the lives of persons significant in our past;
>
> **Criteria C:**
> Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
>
> **Criteria D:**
> Properties that have yielded, or may be likely to yield, information important in prehistory or history.

The historic context also allowed for the identification of the Area of Significance, the Period of Significance, Level of Significance, and for identifying an appropriate boundary for this potential historic district. Defining these parameters allows the integrity of each individual resource to be evaluated and assigned contributing or non-contributing (or out of period) status. The identification of any resources that may be individually eligible for listing in the NRHP was also a part of this process.

The ranch was evaluated as a district, which is defined by the National Park Service (NPS) "possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objected united historically or aesthetically by plan or physical development." As a potential historic district, a majority of the individual resources within the proposed boundaries of the district must possess integrity and contribute to its character. They must also share the historic associations of the district.

Project Results

The following table summarizes the findings of this Historic Resources Report and Determination of Eligibility.

Table 1: Contributing and non-contributing resources

Name of Resource	Resource Type	Location	Status	Map Ref. #
The following resources were determined contributing to a potential historic district that is found eligible for listing in the National Register as a result of this study.				
Barn	Building	Main complex	Contributing	1
Windlass	Structure	Main complex	Contributing	2
Corrals & loading chutes (north)	Structure	Main complex	Contributing	3
Shop	Building	Main complex	Contributing	4
Bunkhouse	Building	Main complex	Contributing	5
Chicken coop	Building	Main complex	Contributing	6
Bridge	Structure	Main complex	Contributing	7
Irrigation ditches (within ranch complex)	Structure	Main complex	Contributing	9
Outhouse	Building	Main complex	Contributing	11
1960 house	Building	Main complex	Contributing	12
Horse corrals	Structure	Original ranch	Contributing	15
The following resources were determined non-contributing to a potential historic district that is found eligible for listing in the National Register as a result of this study.				
Middle corrals	Structure	South of river	Non-contributing	8
Early ranch house	Building	Main complex	Non-contributing	10
Log cabin	Ruin	Original ranch	Non-contributing	13
Original house site	Site	Original ranch	Non-contributing	14
Railroad r-o-w	Structure	Original ranch	Non-contributing	16

Jonesboro Ranch was found eligible under **Criterion A**, at the **local level**, for its association with long-time owner and manager Denny Jones. Jonesboro was owned and managed by members of the Jones family for 115 years. Founder William Jones' great nephew Denny Jones, however, made the ranch what was until its abandonment as an active cattle ranch in the mid-1990s, and what it remains today in terms of its appearance. He moved to the ranch in 1928 and between then and about 1938 he moved the extant buildings from the original ranch site on the railroad to its current location on the highway, which was established in this location in 1932. Most of the buildings and structures on the ranch site today are directly associated with Denny Jones and reflect his development of the ranch as a modern cattle ranching enterprise in Malheur County.[1]

[1] For a more in-depth discussion of Jones' contribution to the ranch and the results of this study, see Section 5, Findings and Conclusions.

Jonesboro Ranch is a discontiguous district. The main historic ranch complex is separated by a large open space from the horse corrals that are south of the ranch complex and the Malheur River. This resource is highly significant. All other resources (the log cabin, original house site, and railroad track) in the vicinity of the horse corrals are no longer intact, and therefore preclude including them within a larger historic district boundary. The main portion of the district includes all those elements listed as contributing or non-contributing above in Table 1.

The Area of Significance for Jonesboro Ranch is Agriculture. Its significance is as a modern, 20th century cattle ranching operation, as developed by Denny Jones.

The Period of Significance for Jonesboro Ranch is 1928 to 1960. Nineteen twenty-eight (1928) is the year Denny Jones came to the ranch and the year he started to move the main ranch buildings to their current location adjacent to the Central Oregon Highway. He developed the ranch over the ensuing years, with a particular focus on the years 1928 to about 1938. By 1945, it had achieved the appearance it has today. The end of the period of significance is 1960, when Denny Jones constructed a substantial new ranch house on the property on the north side of the highway. This is the last contributing building to be added to the ranch complex. It represents the completion of the ranch as it exists today.

As can be seen above, Jonesboro Ranch retains a high level of integrity, with all but five of sixteen resources contributing to the significance of the ranch. Further, with the exception of the horse corrals on the south side of the river, all resources are located in close proximity and share strong associations both historically and aesthetically, linked by landscape features, working open spaces, and linear structures that convey the reasons for the ranch's significance.

Historic Resources Report
& Determination of Eligibility
Jonesboro Ranch
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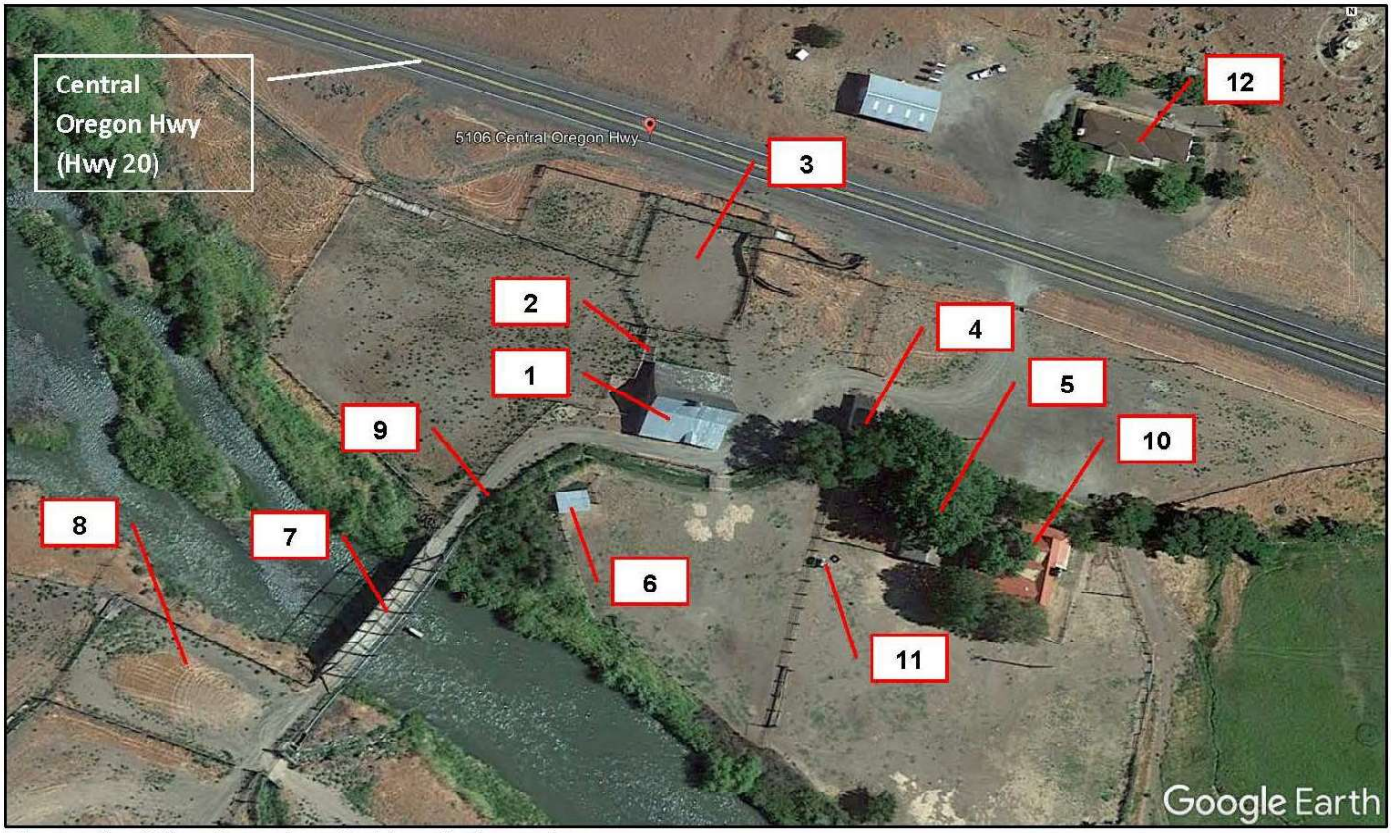

Figure A: Site plan of main Ranch Complex
(For sites south of the main complex see Figure 9 in Historic Resources Report)

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LIST OF HISTORIC MAPS AND PHOTOGRAPHS

1. Introduction

The purpose of this Historic Resources Report and Determination of Eligibility for Jonesboro Ranch is to identify any historic resources, defined as resources eligible for listing in the National Register of Historic Places, that may be present on the property and that may be affected by present and future undertakings. At this point in time, the only undertakings that have been identified are the replacement of the barn roof and interior renovation of the Early Ranch House and 1960 House.

This report has been prepared to accomplish the above tasks. Accordingly, the following report sections are included here. This Introduction outlines the report sections and their purpose. The Research and Field Methods outlines the methods used to research the historic context, including resources used and institutions visited, and interviews of people with knowledge of local history and the history of the ranch. Field Methods documents how recordation of the individual resources and property was accomplished. Section 3, Resource Descriptions, includes descriptions of the physical qualities of each resource, a brief discussion of its history, and an analysis of its integrity. The Historic Overview provides the historic contexts that inform the evaluations in this report, including various phases of development of the ranch under different ownership/management. The Findings and Conclusions outline in additional detail the findings discussed in the introductory Summary of Findings. Finally, resources used in preparing this report appear in Section 6, the Bibliography.

Exhibits for the report appear in Attachments A and B and a comprehensive set of photographs for each resource, as well as photos of the setting, appear in Attachment C. Maps and a series of aerial photographs for the site at varying levels of detail are found in Attachment A. Historic maps and photographs of the area are in Attachment B. In addition to the sets of photographs in Attachment C, representative current photos of each resource appear in Section 3, Resource Descriptions. Limited historic maps were available, but are helpful when they occur. No historic photos of the property were available at the time this report was prepared.

2. Research and Field Methods

Research Design

Research methods for this project included conducting a records search on the Oregon State Historic Sites Database, which revealed one historic property in the vicinity of Juntura. This is the Old Horseshoe Bend Bridge No. 1548, which is about six miles west of Jonesboro Ranch, as the crow flies, and along the old alignment of Highway 20. Research was conducted at the Oregon Historical Society on October 5th and 6th, 2017. A vertical file on the history of the town of Juntura was available, as was a 1918 photo of William Jones in front of his cabin on the ranch and correspondence between Jones and Bill Hanley, another rancher in the region with whom Jones had business dealings. Research was conducted at the Harney County Library Western History Room and the Harney County Museum in Burns, and the Malheur County Public Library in Ontario on September 15th, 2017. The Malheur County Public Library contains the book collection of the Malheur County Historical Society, which includes major regional histories. The Oregon Digital Newspaper Collection provided early information on the Jones family; modern newspaper articles were available in historical society collections.

General histories on Malheur County and Juntura that provided background on Malheur County, the town of Juntura, and William Jones, included the 1902, *An Illustrated History of Baker, Grant, Malheur and Harney Counties;* Jacob Gregg's 1950 *Pioneer Days of Malheur County;* a booklet called *Juntura Then, Historical Snapshots of Juntura, Oregon* (n.d.), and Malheur County Historical Society's 1988 *Malheur County History*, *Malheur, Oregon*.

Two historic maps, an 1899 General Land Office map of Jonesboro and a 1935 Metzker map showing the ranch, confirmed ownership and land use patterns, as well as identifying the location of William Jones cabin. US census data confirmed family residences and relationships.

General research on topic areas relevant to the history of the ranch include two histories of cattle ranching, as well as the historic contexts of National Register nominations relevant to the area or topic. A general historic context on Oregon's agricultural history, prepared for the State Office of Historic Preservation, was also utilized.

Interviews were conducted with Karen Dinsmore, sister of owner Eugene Jones, and Greg Jones, son of Eugene Jones, on September 16th, in conjunction with a site visit. Follow-up emails and telephone calls clarified family relationships and provided additional history of the ranch and buildings. A brief profile of William Jones, written by great nephew Denny Jones, was incorporated in the family history. Denny Jones obituary, which includes information on his early life and civic and political life, was incorporated. An oral history of Denny Jones from 1992 also provided insight into his life.

Field Methods

Fieldwork was conducted on September 16th, 2017. It followed on a site visit earlier in the year by Bonneville Power Administration (BPA) staff, who initially identified the subjects for this survey of historic resources. The full extent of the Area of Potential Effect to be documented was identified by BPA staff in consultation with the Oregon State Historic Preservation Office. The individual buildings, structures, sites, and objects were documented on September 16th with photography, sketches, and written descriptions. Greg Jones, son of former ranch owner Eugene Jones, and Karen Jones, sister of Eugene Jones, both of whom grew up on the ranch, were present at the September 16th site visit and were able to answer questions about construction dates and related topics. Follow-up questions on the resources were answered by Greg Jones, who lived on the ranch until 1995. The fieldwork was conducted by Diana Painter of Painter Preservation.

3. Resource Descriptions

INTRODUCTION

Jonesboro Ranch is a complex site with three main developed areas: the original homestead that is south of the Malheur River; the main building complex directly adjacent to the river on the north side; and the newer house (1960) and metal shop (1980) on the north side of the Central Oregon Highway (US Highway 20). Most of the 3116.89-acre parcel (Parcel 900) is located on the south side of the Malheur River but some smaller land areas are located on the north side of highway, which is roughly parallel to the river in this location. The built environment resources on the parcel include buildings, structures, sites, and objects. Collectively, the ranch is a district.[2]

LOCATION AND SETTING

Location

Jonesboro Ranch is located approximately 11 miles northeast of Juntura, along the route of the Central Oregon Highway, or 8-1/2 miles as the crow flies. It is also approximately 15 miles east of the border between Harney and Malheur counties. The unincorporated town of Juntura, Malheur County, is significant to the history of the Jonesboro Ranch because William Jones, along with fellow rancher William Hanley and other investors, helped to found Juntura through their promotion of the railroad and founding of the Juntura Townsite Company to plat and develop the town. Jones also established the Bank of Juntura. Jonesboro Ranch is also the location of Jonesboro, historically a stop on the Oregon Short Line (a subsidiary of the Union Pacific), on Jones' homestead site.[3] Today the ranch is a 3,116-acre property that spans the Central Oregon Highway and former railroad site.

Setting

The Jonesboro Ranch is located within the Malheur River Valley, which trends east-west in this location. The hills of the valley rise sharply on the north side of the ranch lands, whereas the meander of the Malheur River, associated wetlands, and flat, irrigated farmland characterize the area to the south of the main building complex. The original railroad bed, which is now used as a road, extends east-west on the south side of the river, paralleling the highway on the north side, before it curves toward the northeast, terminating at the former Malheur River crossing at about the center of the ranch parcel, on the north side. The original homestead was along this alignment. The Central Oregon Highway, which travels east-west, is directly north of the cluster of buildings that make up the main ranch complex today.

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[2] Andrus, Patrick W., *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation.* Washington DC: US Department of the Interior, National Park Service, Cultural Resources, 1995, 4-5. A district is defined as follows: "A district possesses a significant concentration, linkage, or continuity of sites, buildings , structures, or objects united historically or aesthetically by plan or physical development."

[3] This rail line was decommissioned in early 1990s.

The hills that characterize the walls of the valley rise to the north and south, with north-south trending ridgelines that are a major character-defining feature of the setting. The banks of the Malheur River are marked with vegetation. The flat valley floor, which is the main irrigated portion of Jonesboro Ranch, is also marked by green vegetation. To the south of the entry road into the site is the Jonesboro Canal.

The wetlands that are located directly south of the developed portion of the property are south of the Central Oregon Highway but are on either side of the Malheur River. An older oxbow is located north of the highway today, northwest of the ranch complex. Today the river in this location is retained by the highway.

Parcel

The land owned by the Burns Paiute tribe today is irregular in shape and 3,116.89 acres in size. A small portion of the land is located north of Highway 20, in two sections. Most of the parcel is south of Highway 20 and the Malheur River; here is fairly rectilinear in shape, with three separate parcels carved out of it. The right-of-way of Highway 20 divides the north and south portions of the parcel. The developed portion of the site is primarily in the northwest portion of the parcel. Additional Bureau of Land Management Oregon Division of State Lands leases and grazing allotments have increased the size of the usable area to 6,385 acres[4] (see Figure 3).

BUILDINGS AND STRUCTURES – MAIN COMPLEX

A few assumptions are made here about the building dates for the buildings and structures on the ranch, based on design and the history of the resource, Assessor data and information from family members, including Denny Jones' 1992 oral history, supplied additional information. The date of the original house is estimated at ca 1900, although it could be earlier, based on design details and materials (this house now forms the core of the Early Ranch House). The date of the barn is estimated at ca 1900. The date of the steel bridge is estimated at ca 1900. The house and barn were moved to the present site between 1928 and about 1938, according to Greg Jones and Denny Jones' oral history. Outbuildings that were likely constructed as support structures for the ranch complex include the shop and chicken house. They are assumed to date from within this span of time. The date the Early Ranch House was moved to its current location is assumed to be 1936, based on Assessor records. Other construction dates are known from information in the concrete pads that front them or from the family. The bunkhouse dates to 1944. Additions to the Early Ranch House include 1958 and 1970.

[4] Calla Hagle, Benjamin Cate and Jason Kesling, *Malheur River Wildlife Mitigation Project 2016 Annual Report.* Prepared by Burns Paiute Natural Resource Department. Prepared for Bonneville Power Administration, 2016.

Barn

East (front) and north facades, looking southwest

Exterior. The barn at Jonesboro Ranch is the most prominent building on the site. It is located on the west side of the main building complex on the ranch site. It is approached by the entry drive, which - after entering the site from Highway 20 - travels northeast to southwest in front of the barn, and west along its south side façade, before continuing in a southerly direction to the bridge that crosses the Malheur River and continues into the interior of the ranch. A shop, the bunkhouse, and the older residence are east of the barn. South of the barn is a small building historically used as a chicken coop. Paralleling the road on the south side of the barn is the Jonesboro Canal, which crosses the Malheur River in a pipe that is fastened to the bridge. The series of corrals west and north of the barn, which were constructed in the late 1930s and early 1940s to include larger enclosures, smaller enclosures, loading chutes, and other equipment to work cattle. Close to the northeast corner of the barn is the Windlass or Butcher Wheel.

The two-story barn (the main floor and a loft) has a rectangular footprint and a steeply pitched central gable with two long, moderately sloped wings to each side. The form of the barn is simple but unusual, as is the fact that a retained earth loading dock is located along the entire length of the north side. The central ridge projects forward, covering the open hay mow under it, the opening of which extends to the eaves. A metal industrial lamp extends from the ridgeline, lighting

the ground directly below. Eaves are narrow and open, revealing the skip sheathing of the roof, covered by a narrow fascia. A cupola with wood louvers and a hip roof with eaves is located at about the center of the ridgeline. Slightly off-set on the south façade is a small gabled wall dormer. Door latches and other hardware are simple.

The barn has a milled timber frame and is clad with boards and particularly wide, somewhat irregular battens. The central aisle is framed with seven bents, of which two are incorporated into the end walls. The timber sill of the barn is supported in some locations by stones and chunks of concrete, with the exception of the north side, which has a concrete foundation. The roof is clad in corrugated metal on the south side, and wood shingles over skip sheathing on the north side. The floor of the barn is mostly dirt, mixed with small rocks. The floors of the workroom and the granary are finished in wood.

East (front) façade, looking west

East façade. The front, east façade of the barn is made up of a double-hinged door centered gable and the open hay mow. A small concrete pad leads to the door. To the right, on the north side of this façade, is a wide, hinged door adjacent to the northeast corner of the building. To the left, close to the southeast corner, is a two-over-two-light, wood-frame, fixed light window that is set back from the wall plane, with a simple wood surround. This lights an interior

workroom. What would traditionally be a lintel above the door is a white-painted board. The southeast corner of the barn is raised above the ground. The sill here is partially supported by a piece of concrete.

South side façade, looking west

South façade. The south, side façade of the barn features a two-over-two-light window similar to the window on the east façade, just around the corner. The afore-mentioned dormer is accessed by a short wood ladder, affixed to the exterior wall of the barn. To the left of the ladder is a small, rectangular opening within the wall, four-to-five feet above the ground, which appears to be a chute. On the dormer faces are paired openings with hinged doors, each featuring cut-outs of the flying Y that is the ranch's brand. The side of the barn along this facade is raised above the ground, due primarily to rotted siding, with occasional stones or concrete that help support the timber sill.

West (rear) and south side facades, looking east

West façade. The rear, west façade of the barn largely echoes the composition of the front façade. A large opening at ground level is centered below the ridgeline. The right leaf of this door has been replaced with a plywood sheet. Above this, at the second level, is a single, wide hinged door, also centered below the ridgeline. On the right side is wide, hinged, single door that opens from the southwest corner. A similar door is located at the northwest corner. Boards painted white extend across the top of all openings, like lintels. The southwest corner of the building is raised above the ground; the timber frame here is supported by a large rock.

North façade. The north, side façade of the barn has few features, as it is built-up to form a loading dock, added in 1978, parallel to the building face that is entered from the east and extends to the west side, where the building meets the pasture. It is covered with grass. The loading chute is retained by a concrete wall on the south, east and north sides and is topped by a horizontal pole gate on the east end.

Central aisle, facing west, showing timber bents

Interior. The Jonesboro Ranch barn has a central aisle whose structure is made up of simple timber bents with angle brackets facing the interior. The bents sit on a timber sill that runs the length of the barn. The overhead horizontal members abut the vertical, which extend into the loft space to support the roof. Large rafters sit on the horizontal beams of the bents and extend east-west through the barn and support the solid wood floor of the loft. The centered, double-hinged doors allow for movement from the front of the barn to the rear or west of it. The north aisle of the barn is accessed by the single hinged door on the east, matched by another single hinged door on the west.

Interior bents, looking northwest

On the right side of the central aisle is an opening to the north aisle, which contains a series of stalls enclosed with metal gates that held two animals each, facing the center aisle, where they could be fed through openings in the wall. This aisle has a longitudinal 'hall' on the north wall, which aligns with the hinged doors on the front and back of the barn. The rear walls of the stalls open onto this aisle. There is an alley with a head catch entering this portion of the barn that allows for working on animals here.

In the east half of the north aisle, angled timbers hold the horizontal boards that divide the stalls, while

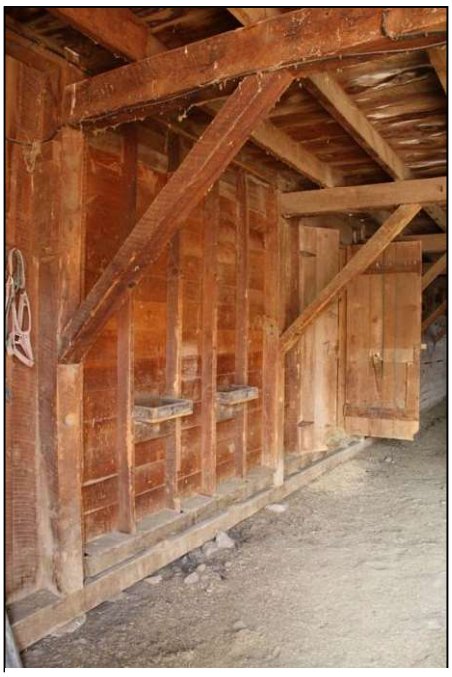
North aisle, looking east, metal gates for stalls to the right

minimizing interference at the rear of the stalls. The outside wall of the north aisle is finished with a four-foot-high concrete retaining wall, which retains the loading dock on the north side of the barn. Above, the walls are finished in vertical wood.

North aisle, stall with manger, looking south

Mangers, central aisle, north side, west end, looking northwest

On the west end of the center aisle on the north side wall are continuous mangers with hay drops from the loft above. These are solid wood, held in place with knee brackets fastened to the interior bents. Willow poles extend from the hay drops to the mangers, creating informal internal divisions. Wide vertical boards with openings access the mangers on either side of this wall.



Central aisle, south wall

The south side aisle of the barn is divided into a number of rooms, with different purposes. The floors of two rooms on the left, at the front of the barn, are raised and have wood floors. Framing here sits on two stacked timbers running east-west the depth of the barn. These allow for solid internal divisions that make up the various rooms within this side aisle.

Toward the front is an enclosed, raised workroom that was used for making saddles and tack. In the center is a small raised room that was used as a granary. This room is framed on the exterior, along the central aisle, with full dimension two-by-fours and finished with medium-width, horizontal boards on the room side. Four small wood chutes empty into

this room from peripheral rooms. A ladder is affixed to the wall in this small room. That accesses the double doors in the gable above. Toward the back of the south aisle is a large stall with no openings to the interior of the barn. It is enclosed with wide, horizontal boards on the interior. This stall is accessed from the southwest door to the barn.

History, integrity, and condition. The barn is over 100 years old, according to Greg Jones; this study estimates a date of ca 1900. It was moved from the original homestead site by the horse corrals in circa 1931. The timbers of the barn still display the numbers used to re-assemble the framing once it was moved to the present site. The significance of the barn is described as follows by Greg Jones:

> *This barn is special. Not only to our family but also to the large community of Southeastern Oregon. I was shoeing my own horses in this barn by the age of 12. I have saddled horses in early morning before light and unsaddled late at night after a long day. My Dad as a boy would harness the work teams before breakfast in this barn. It is in great shape except for the roof. The roof, especially the north side, is in need of immediate repair. New tin would preserve this barn for all the ages.*[5]

The barn is remarkable for the number of different functions it served (tack room, workroom, granary, stalls and enclosures for several different purposes and animals, and different feeding stations) and the degree to which it is intact and still conveys those functions. The loading dock along the north side of the barn is unique. The barn has excellent integrity and is in remarkably good condition, with the exception of the roof.

[5] Greg Jones, personal communication with Calla Hagle, October 1, 2017 (email).

Windlass

Windlass looking northwest

The wood Windlass or Butcher Wheel is located on the north side of the barn close to the northwest corner. It was built for butchering cattle. The windlass has much the appearance of a ship's wheel. It is composed of a wheel with 16 pointed spokes, held in place by wood stakes arranged in a circle and fastened to the spokes at about the two-thirds point, to create a wheel for turning the shaft. The stakes are located on each side of the spokes, with short stakes maintaining the spacing between the spokes and long stakes create additional stability. The shaft itself is about 18 feet above the ground. The shaft itself is mounted on two upright juniper posts. A small, squarish enclosure of horizontal poles the width of the shaft is located around the base, to confine the animals. A cable with a hook fastened to the shaft allowed the animal to be lifted to a height appropriate for the butchering, cleaning and quartering process.

History, integrity, and condition. The windlass was built about 1937 by Denny Jones, according to his grandson Greg Jones. In the 1970s, it was thought to be the last working windlass in the United States.[6] In 1978 electricity was brought to the windlass for lighting. According to Greg Jones, it was always painted white. The windlass has excellent integrity and is in good condition. At this time, however, it is unpainted and in need of repair.

[6] Greg Jones, personal communication with Calla Hagle, October 1, 2017 (email).

Corrals and Loading Chutes

Main loading chute, looking north

General layout. Directly north of the barn is a small corral that encloses the raised loading dock adjacent to the barn. At the northwest corner of the barn and within this area is the windlass or butcher wheel, which is within a small, three-sided fenced enclosure. North of this is a five-sided corral that extends as far as the highway. An alley is located on the west and north sides of this corral. On the far north side of this alley is another small, rectilinear pen. At the northeast corner of this larger corral are two loading chutes. At about the center of the east side of this corral, a curved chute leads from this corral into the main yard to the east, terminating with a squeeze chute and head catch. To the west of the larger corral is a rectangular, .14-acre, wood-fence-enclosed corral. To the south of this corral is a large, 1.12-acre, irregular corral that is also west of the barn.

Materials. Most of the corrals in this area of the ranch are constructed of juniper posts or later replacements of telephone poles, and willow, horizontal poles. The squeeze chutes are enclosed with solid, horizontal boards. The floor of the chutes is composed of older timbers and sometimes railroad ties. The sides of the east-facing loading chute are retained with stones.

Corral gate, typical

History, integrity, and condition. The corrals were built in the 1930s and 1940s by the Jones family. As they were working corrals, they continue to be maintained and improved upon over the years.

Shop

The ca 1900 Shop is located directly east of the barn. This one-story building has a steeply pitched, side gable roof with the ridgeline oriented north-south, and narrow eaves with exposed rafters. It is oriented toward the west and the barn. The building is in alignment with a north-south fence that separates the 'working portion' of the ranch complex with the residential portion. The fence extends north and south of the east front façade of the building. A gate is located on the southwest corner of the building, connecting to the fence on the north side of the canal. The walkway here between the building and the irrigation ditch is about six feet wide.

Shop, north and west (front) facades

The wood-frame building is clad in vertical wood boards that are approximately 10” to 12” wide. The roof is finished in wood shingles. The foundation is post-and-pier with some stone infill, and the floor is a combination of concrete slab and wood boards. A double-leaf, hinged door of vertical wood is located at about the center of the west-facing, front façade.

The north side façade has one horizontally oriented window opening at the center that is boarded up. This building façade is reinforced with a horizontal board below this opening that is braced by four substantial timbers that extend from the ground to this board.

The east, rear façade of the building has a wide, single-leaf hinged door on the north side. The remains of the framing of a shed-roof structure that was open on the north is evident on this façade. This was a long, three-sided Carriage Shed, later used to park vehicles, that extended east of the shop. The stone foundation of this multi-bay building, which paralleled the irrigation ditch, is still evident today, There are no openings on the east façade of the shop.

Directly south of the south façade of this building is the irrigation ditch or canal that runs east-west through this portion of the parcel. The south façade of the building has a two-over-two-light and a three-over-three-light fixed window on each side of this façade. The ground slopes away here toward the canal, which has the appearance of a small creek. As a result of the slope, stones are placed under the posts of the foundation; dry-laid stones also reinforce the foundation here, filling the gap between the south side of the building and the ground. The bottoms of the boards on this façade are uneven, echoing the height of the stones.

The interior of the building is one large open space, with no internal divisions. The floor is a combination of concrete and wood. The simple, open trusses are used for additional storage.

History, integrity, and condition. There are no known changes to this building, but for the removal of the east wing. This building did not open onto the equipment shed but was attached to it. The integrity of this building is good, in spite of the missing east wing. According to Greg Jones, the roof collapsed on this wing in the 1990s and it was not rebuilt. The foundation remains. The shop is in moderate condition; its roof is in poor condition. It is believed to have been moved from the original house site to its present location, along with the barn and a portion of the Early Ranch House.

Bunkhouse

Bunkhouse, west and south facades

The bunkhouse is located between the shop and the older residence. It is a one-story building with a rectangular footprint and a moderately pitched, gable roof whose ridgeline runs north-south. Eaves are narrow, with exposed rafter ends. The wood-frame building is clad in channel rustic (novelty), horizontal wood siding. The roof is finished with wood shingles and the foundation is post-and pier. The vernacular building was constructed in 1944 after the previous bunkhouse burned down.[7]

[7] Personal communication, Karen Dinsmore, September 2017.

Main entry from enclosed porch, looking east

West façade. This façade appears to be the main entry façade for the building, although it has entries on all four facades. The door on this facade, which is accessed via one step, has one light in the upper portion (boarded up), and three panels below. It is flanked by two, one-over-one-light, wood-frame, double-hung windows. This opens onto an enclosed entry porch. Within the enclosed porch, on the south side, is the entry to the root cellar. To the left or north of this entry is a second, broader entry with no door that leads to a storeroom. It formerly served as a woodshed and now stores irrigation equipment.

South façade. The south façade of the building is made up of one centered door composed of three panels, accessed via one concrete and one wood step. It is flanked by two, one-over-one-light, wood-frame, double-hung windows, whose top edges align with the door opening. A smaller, single-light, fixed window is located close to the west corner here.

East façade. The west façade of the building has a pedestrian entry with no door on the south side, with a one-over-one-light, wood-frame, double-hung window to its right, and a smaller, nearly square, fixed-light window to its left. A brick chimney is visible roughly above the double-hung window. This entry leads to the washroom/laundry room.

North façade. The north entry faces the main yard of the ranch complex. The north façade is composed of a pedestrian entry that is slightly offset from center and accessed via one concrete step, flanked by two windows. The door has three panels, while the windows are one-over-one-light, wood-frame, double-hung sash. This door opens into the living room, which was apparently used for the bunks. Under the gable end is a vent. To the left or west of the entry is a double-leaf, hinged door of horizontal wood.

Interior. The west entry leads to an enclosed porch, which in turn leads to a kitchen entry that is raised one step above the porch. To the right of the kitchen door are wood steps to a root cellar constructed of concrete. The kitchen leads to the main room, accessed via the north entry, which was a bunk room. On the opposite wall from the kitchen entry is a door to the washroom and laundry, which was accessed via the door on the west side of the building. The interior of the bunkhouse is in poor condition.

History, integrity, and condition. The bunkhouse was constructed in 1944 after the previous bunkhouse burned down. Its integrity is good, although its condition is poor. No known changes have taken place to the Bunkhouse.

Chicken Coop

South and east (entry) facades, looking northwest

The ca 1936 Chicken Coop is a small, one-story building with a rectangular footprint. It is located southeast of the bend in the road that leads to the steel bridge. The building faces onto a pasture that is enclosed on the west, south and east sides by a horizontal pole fence supported by large posts, and on the north side by an irrigation ditch, which is located between the building and the interior roadway. The south side of the road is also fenced; a simple wood bridge leads from the road to the fenced area in which the chicken coop is located. The building has a steeply pitched shed roof with very narrow eaves that slopes down to a height of about four-to-five feet in the back, on the north side of the building. It has a pedestrian opening on the east side, near the front of the building, but no door. It has a smaller opening on the south side. Framing is unknown. The building is finished in two types of horizontal wood siding. The channel rustic siding on the side and rear façades is likely the original siding. The wide wood siding on the south side, which appears to be salvaged wood, was added later. The roof is corrugated metal; the slight overhang on the front (south side) of the building has exposed rafters.

History, integrity, and condition. The fourth wall of the chicken coop/ice house was added later. A south-facing shed where the laying boxes for the chickens was removed in 1971. The present building appears to have good integrity and be in good condition.

Bridge

East side of bridge, looking west

The bridge at Jonesboro Ranch is a pinned, Parker-style, steel through-truss bridge. A Parker truss is a type of Pratt truss, which is defined as a bridge where the vertical members are in compression and the diagonal members are in tension. The estimated date for the bridge is ca 1900.

It has a wood timber deck, with wood laid laterally and then longitudinally, at the wheel tracks. The approaches to the bridge are coarse gravel. A concrete pad covers the timbers at about the center of the bridge. The railing for the bridge is composed of steel strapping in a lattice pattern. The panels that make up the railing are suspended from a perpendicular channel that is fastened to the vertical truss.

A corrugated metal pipe carries water from the Jonesboro Canal across the bridge to the irrigation ditch that then carries it north and east. It is fastened to the bridge by an “L” shaped metal piece that is fastened to the side rail of the bridge.

History, integrity, and condition. According to Greg Jones, the grandson of Denny Jones, the bridge at Jonesboro Ranch came from the town of Weiser, Idaho and was already disassembled and in storage. Denny Jones procured it and then re-assembled on site, with the assistance of Hugh Humphries, a retired highway worker. The bridge was re-installed in 1945 at Jonesboro Ranch.

North approach to bridge, looking south

According to Oregon Department of Transportation historian Robert Hadlow, evidence of how the bridge was re-assembled provides clues as to the date of its re-assembly, as do the methods used. The bridge is a pinned bridge, with rivets providing the connections between the various elements. It can be seen here that nuts and bolts with square nuts were used to re-assemble the bridge where the rivets were removed for dis-assembly. Again according to Bob Hadlow, this makes sense for the time. The bridge would have been dis-assembled in sections, and then re-assembled on site. The sections that remained intact in the move display rivets. The sections that were re-assembled display square nuts. Square nuts were in common use before World War II; after the war, hexagonal nuts became the norm. A remote location like Juntura would likely not have access to skilled craftsmen with the proper equipment necessary to re-install the bridge rivets, so it makes sense that nuts and bolts were used.

The bridge appears to be in very good condition and has excellent integrity.

Middle corrals

There are an additional four corrals south of the bridge. A rectilinear, .24-acre, wood-fenced corral is located at the southwest corner of the bridge and extends west. It is accessed via the drive that is an extension of the road that leads from the highway, through the ranch complex, and across the bridge to the interior of the ranch. To the west of this corral is a gate to a large, approximately 6-acre, barbed-wire-fence-enclosed pasture that extends further west, occupying the bend in the river. To the south of the wood corral is a 2.5-acre corral with a wood fence that is enclosed on the west, north and east sides; the south side is open. Today this is used as an equipment yard The north-south drive to the interior of the ranch extends through this corral on a diagonal. To the east of this corral is another wood-fence-enclosed corral that is irregular in shape and approximately .54-acres in size. It encloses a corral that begins at the southeast corner of the bridge and extends south. The west fence of this corral parallels a road that parallels the irrigation ditch, and the east fence is directly parallel to the ditch or canal.

History, integrity, and condition. The corrals were built in the 1930s and 1940s by the Jones family. As they were working corrals, they continue to be maintained and improved upon over the years. They appear to be in moderate condition and have moderate integrity.

Irrigation Ditch

Irrigation ditch as it emerges from pipe on north side of bridge, looking north

Irrigation canals appear as early as the 1899 GLO map of Jonesboro Ranch, winding north and south of what apears to be an early east-west road within the ranch, following what would become the railroad tracks in 1913/1914. This ditch appears to largely coincide with one of the ditches on the property today.[8] A flume at the Malheur River where the ranch complex is today is also noted on this map, presumably irrigating a rectalinear field in this location. A tule swamp is located about halfway between the two, where a wetland is located today.

The 1990 USGS map shows the presence of the Jonesboro Canal, which runs east-west south of the former railroad bed, then turns north and continues in a north-south direction, crossing the Malheur River in a pipe, as can be seen fastened to the bridge that crosses the river today (see Figure 2). Thereafter the canal continues in an east-west trajectory, on the south side of Hwy 20, before it crosses the highway just east of the ranch complex, thereafter running east-west on the north side of the highway, following the toe of the slope of the hills to the north.

Within the ranch complex today, the irrigation ditch is is most apparent in the wiers at the south end of the bridge, its continuation in a corrugated pipe over the bridge, its northerly

[8] For a full map of the irrigation ditches on the property, see figure 3.1 in the 2016 Annual Report for the Malheur River Wildlife Mitigation project., BPA project #2000-027-00).

Irrigation ditch continuing east, south of Shop

direction in an open concrete-lined ditch, and then its continuation in a west-east direction to the south of the shop and bunkhouse and north of the residence. According to Karen Dineson, the water was historically used for flood irrigation in the fields on the east side of the house. The creek-like appearance of the irrigation ditch as it passes by the ranch complex buildings is reinforced by the presence of mature trees planted on either side. Within the ranch complex, north of the bridge and east of the house, where it formerly irrigated gardens and an orchard, the ditch is an integral part of the ranch complex landscape.

History, integrity, and condition. Only the irrigation ditches or canals at the main Ranch Complex, north of the Malheur River, are considered contributing landscape features in this study. They appear to be in good condition and have good integrity, according to Karen Dineson.

Early Ranch House (aka Bunkhouse)

The original residence on the site, which is located on the far east side of the building complex, is a one-story building with an irregular footprint and a series of gabled and cross gable roofs with narrow-to-moderate eaves and exposed rafter ends. The older portions of the building feature moderately pitched roofs, whereas the newest portion exhibits a shallow-sloped, side gable roof. The original portion of the house, which may date to as early as ca 1900, sits forward from the newer portions, and features a cross

Overview of Early Ranch House, looking southeast

gable roof and recessed three-quarter-width porch.[9] It is oriented toward the front of the parcel, facing the Central Oregon Highway. The newest wing sits substantially back from the front of the house and extends into the west side yard. It exhibits mid-century, Ranch-style design features and materials. The wood-frame house has channel rustic (novelty) siding on the original portion and aluminum siding in a wide clapboard pattern on the newer portion. The roof is finished in red corrugated metal and the foundation is concrete. Additional materials include brick veneer on the chimney on the east façade and wood-frame and aluminum-frame windows.

North façade. The left or east side of the north façade is the original portion of the house. It consists of a ten-light French door under a forward-facing gable, flanked by two, two-over-two-light, wood-frame single-hung windows with original glass. The door is one tall step above the porch floor, which is at grade. To the left is a sunroom with four ganged, six-light casement windows (these windows are painted). This projection wraps around the corner and continues with more casement windows. A side entry exists to the sun porch from the entry porch, consisting of a two-leaf, 15-light French door. To the right of the central entry is another two-over-two-light window of the same design as the others, under the side gable portion of this cross gable roof. The porch of this original wing of the house is covered by a shallow-sloped roof, supported by five simple posts. The open porch is finished in concrete brick pavers (note that screening for the porch and the wood floor was removed during an early remodel of the house).

[9] Note that the Assessor's Office has a date of 1936 for the building, which may be the date that it was moved to this site.

At the center of the north façade, set back from the main plane, are two short, side gable projections. The westerly one contains an exterior door with one light in the upper portion, accessed via two concrete steps. The side gable of the rear, west wing contains two, two-light, aluminum-frame, sliding windows.

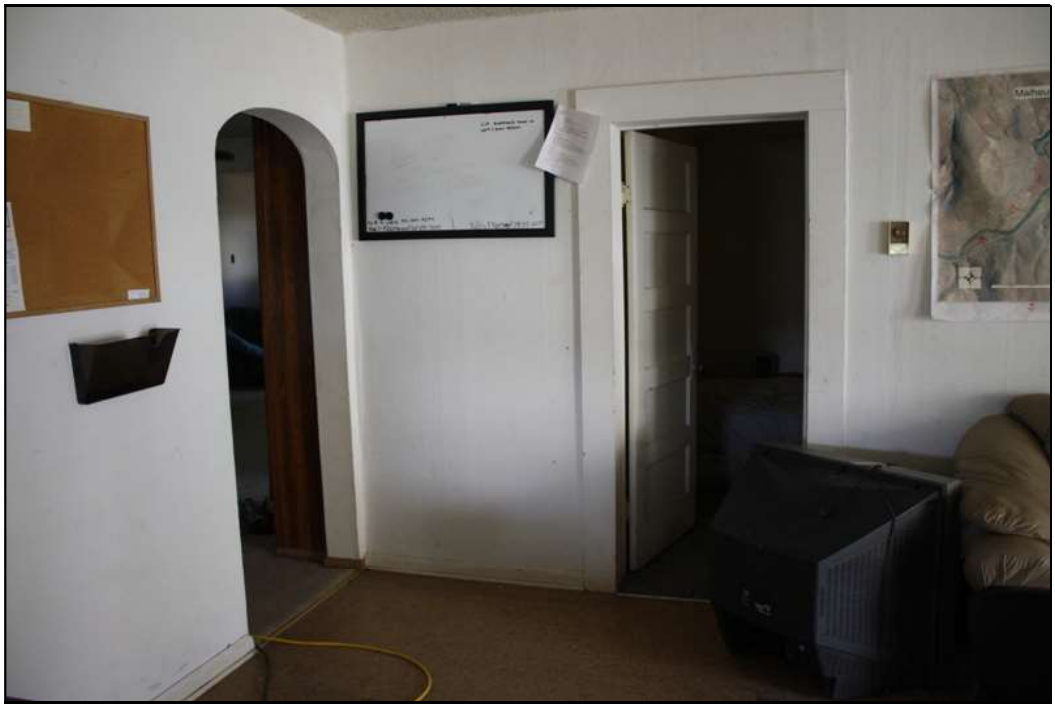
North (front) façade, east end, looking south

East façade. The east facade of the house displays the newer portion of the house on the south side and the original portion on the north side. The far rear portion has a large, two-light, aluminum-frame, sliding window. This lights the rear porch addition on the interior. In the center is a two-light, aluminum-frame, sliding window and two, one-over one-light, aluminum-frame, double-hung windows flanking a broad chimney that is finished in brick veneer. Perpendicular to the north, double-hung window, on the south-hung window, similar to all those on the original portion of the building. The two-light, aluminum-frame window lights the kitchen. On the north end is a projecting wing with a very shallow sloped shed roof that covers the sunroom that wraps around from the north façade. Toward the south side of this projection is a small, three-light, awning-style window with wood frames and a wood surround.

South façade. The west end of the south façade is the mid-century wing of the house. It displays four, two-light, aluminum-frame, sliding windows. Toward the east end of this wing is an entry accessed by concrete steps leading to an open stoop on the west, south and east sides. There are three steps on the south side, as the site slopes away slightly on this side of the house. These steps were constructed in 1970, according to an imprint in the concrete, which likely indicates the date of this wing as well. On the east side of this façade is the rear of the addition to the original building. It is set back toward the north from the main plane of the 1970 addition. This façade is characterized by a

centered door under the gable end, flanked by two, two-light, aluminum-frame, sliding windows. Three concrete steps lead to an open stoop here, which is covered by a small, enclosed gable supported by two simple posts. According to an imprint in the concrete, this addition was constructed in 1958, although it contains the same horizontal siding as the older portion of the house and has a steeply pitched, gable roof.

West façade. The west façade of the original portion of the building, which is on the north side of this façade, reveals some original fabric. Slightly offset from center, toward the north, is a two-over-two-light window similar to those on the front façade. Near the rear of this face is a small, eight-light, glass block window. The short projecting wing here contains a large, fixed-light window, adjacent to the previously mentioned exterior door. Both of these small projecting wings are clad in the same horizontal wood siding as the original building. The north façade of the large, mid-century wing is clad in the wide, aluminum clapboard siding mentioned earlier. It has two, two-light, aluminum-frame sliding windows placed close to each corner. All gable ends have louvered vents under the ridgeline.



Main entry room, looking south

Interior. The interior of this house is relatively unconventional, due to the number of additions over time. The front entry accesses an open room that was the original living room for the house. To the left is an entry to the sun porch and a small den. To the right is a door to a bedroom in the northwest corner of the house. In the center of the house is a long room that runs east-west. It was apparently expanded toward the west and a fireplace added about mid-century. Toward the rear of the hose on the east side is the kitchen. It was expanded with an additional room toward the south in 1958. In 1970, the large addition that makes up the southwest wing was added. It is accessed via a central

hall that extends from the northwest corner of the kitchen toward the west, before turning into a small hallway that extends toward the south, until it reaches the secondary entry on the southwest corner of the house. Features in the original portion of the house include the open doorways within arched openings. The newer portions of the house feature mid-century materials and finishes.

History, integrity, and condition. The construction date for the original ranch house is ca 1900. William Jones moved to the property in 1882 and occupied a log cabin on the site. The details (materials and windows) of the portions of the early ranch house that remain are consistent with the ca 1900 date for the house or earlier. According to Assessor records, the house was moved to the present site in 1936, which is consistent with other changes to the site in that time frame. Additions to the house were made as noted in the text. Although the changes to the house and the time frame in which they were made preclude its consideration as a historic resource, the house maintains much of the character of its early appearance. This is due to the fact that major character-defining features remain on the front of the house, and the new additions, as viewed from the street side of the house are set back and relatively plain. In other words, they do not have the same level of detail as the earlier portion. The house retains fair integrity and appears to be in good condition. Planned changes include: demolishing and replacing interior finishes, including ceilings, floors, and walls; kitchen and bathroom fixtures; exterior windows and doors; and the roof.

Yard. In front of the older house is a narrow yard of untended grass (dirt). Leading to the front porch and entry is a gravel path bordered by thick wood planks. Leading up to this path is a bridge of wood planks over the narrow irrigation ditch that runs parallel to the house, the bunkhouse, and shop. The yard to the east is enclosed with an old wire fence and gate. The yard to the west has tall grass, bordered by the drive that leads to the river. The narrow rear yard also has tall grass, enclosed by a board fence, painted white. A small gate here leads to the rear pasture. On the west side of the house is an open grassy area leading to the bunkhouse.

Outhouse

East and north sides, looking southwest

The outhouse is located within a fenced area that is south of the main building complex. It is adjacent to a north-south fence on the west side of this pasture. The outhouse has a somewhat rectangular footprint and a moderately pitched, gable roof whose ridgeline is oriented east-west. The building has moderate eaves with exposed rafter ends. The wood building is finished in channel rustic (novelty) siding and has corner boards and a plain frieze. The roof is composed of wide boards covered with wood shingles. There is no foundation. On the interior of the outhouse are two seats, a low one and a high one.

History, integrity, and condition. This building has reputedly been moved. It has good integrity and is in moderate condition, needing a new roof.

1960 House

Front (south) façade, looking northeast

Exterior. The Denzil Eugene (Denny) and Mildred Jones house is a one-story residence with a largely rectangular footprint. The 1960 house is 1,890 square feet in size with a 1,890 square foot basement. It has a shallow-sloped, hip roof and moderate boxed eaves with an extended hip roof over the entry bay which projects forward from the main plane of the house. A large, endwall chimney is located on the west side façade, near the front of the house; on its west face is the ranch's Flying Y brand in stone.

Entry

The house is located just north of the Central Oregon Highway on a slight rise, and faces south, overlooking the road. To the west is a contemporary pole barn. The house and accessory structure are accessed via a continuous entry drive paved in dirt/gravel. A driveway encircles the house accessing the garage, which is located on the northeast corner of the house and faces north. The front yard is enclosed with a chain link fence. A large deciduous tree is located within the front yard; several additional trees encircle the house outside the fence.

The wood-frame house is finished in sandstone veneer and wood clapboard siding. The chimney is also sandstone. The foundation is concrete and the roof – which was originally composition shingle – is now clad in red, corrugated metal. The original windows were all recently replaced with vinyl

windows, apparently in the same openings. On the wood portion of the house, these have new, narrow frames of synthetic wood. This is a classic Ranch-style house that exhibits a number of custom touches inside and out.

South façade. The main entry to the Jones residence is slightly right of center on the portion of the house that is clad in stone veneer, in contrast to the wood-clad east wing. It is recessed within the projecting bay at this location. To the right on the entry door is a two-part, sliding sash window on the wall that is perpendicular to the door. To the left is a sandstone-clad planter within which is a metal pole supporting the porch roof. The porch is accessed by three concrete steps. The flush wood door displays the ranch's brand, composed of textured glass set in the door. To the right of the entry, within the projecting bay, is a large, three-part, horizontally oriented window which lights the dining room. To the left, lighting the living room is a large, three-part window placed high under the eaves. The windows are separated by wide mullions; each is made up of a one-over-two-light sash (according to Karen Dinsmore, the living room window always had three separate sections). Sills are composed of a narrow, projecting stone strips. The middle portion of this façade has two, two-light, sliding sash windows. The third bay on this façade, which is set back slightly from the middle bay, has a second entry on the west or left side, flanked by two small, two-light, sliding-sash windows placed under the eaves. This entry is accessed via three concrete steps and has a wide, open stoop. To the right on this entry is a large, horizontally oriented, fixed sash window.

East façade. The east, side façade of the house has no openings. The integrated garage is located on this end of the house.
North façade. On the north, rear façade of the house an original paneled wood, overhead garage door is located on the east or left side. Adjacent to the garage is a slightly recessed rear entry, which is accessed via three concrete steps and a broad, open stoop. This façade features three large and three small, two-part, sliding sash windows.

West façade. The west, side façade of the building has one, two-part, sliding sash window on the north end and the chimney on the south end. There are no other openings on this façade.

View of living room fireplace wall, looking west

Interior. The interior of the house features a separate living room, dining room and kitchen; three bedrooms and two bathrooms; a large laundry room; and the two-car garage. The public portion of the house has a floor plan in which one room flows to the next, whereas in the private portion the bedrooms and bathrooms open off a central hallway that terminates at the laundry room. The house features its original materials, finishes, built-in cabinetry, special features such as the built-in ironing board in the laundry room, light fixtures, and built-in appliances. The large, handsome fireplace is finished in the same sandstone as seen elsewhere on the house. It is flanked by wood bookshelves that extend from floor to ceiling and from one side wall to the other. Additional features include a wall of built-in cabinets and glass-enclosed china cabinets in the dining room. Original materials are still intact throughout the house. They include hardwood floors, the aforementioned sandstone fireplace, flush wood doors, flush wood cabinetry in the kitchen, tiled walls in the bathrooms, and Formica countertops in the kitchen. One bathroom has pink fixtures and the other has green fixtures, both popular colors at mid-century. All the finishes are typical of a Ranch-style house of the era but are particularly good quality.

Gold Medallion Home button in sidewalk

Gold Medallion Home. A bronze button is embedded in the sidewalk on the approach to 1960 Jones house indicates that it is a "Gold Medallion" home. The full name of a medallion home was a "Live Better Electrically Medallion Home." This was a popular program that began in October 1957 and continued through 1970. It was a nation-wide program used by local utilities to promote the "all electric" house. As noted in a period advertisement, "This new Medallion assures you a home has been inspected by the local electric utility . . . meets modern standards for wiring, appliances, and lighting. Look for the Medallion. It means a wonderful new way of life for you and your family." The "Gold" in the Jones' house was an indication that this house additionally had electric heat. The "Live Better Electrically" campaign was initiated by a consortium of 300 electric utilities and 180 electrical manufacturers in March 1956 to boost demand for electricity. The campaign was represented in the media by then-actor Ronald Reagan, host of the "General Electric Theater" television show. Reagan even televised a tour of his and Nancy's all-electric home in Pacific Palisades. To earn a gold medallion, such as seen at the Jones' house, a home had to have an electric clothes washer and dryer, waste disposal, refrigerator and all-electric heating.[10]

The program was advertised in such publications as *Better Homes & Gardens* and represented by such television actors as Betty Furness on behalf of Westinghouse, Ronald Reagan, on behalf of General Electric, and Fran Allison, for Whirlpool.

History, integrity, and condition. Denny Jones built the 1960 house and lived there through the 1970s. Dan Jones lived in the house from 1980 to 1982, at which time he left the ranch. Greg Jones moved into the house in 1982 and lived there until 1995, when he left the ranch. The house is in very good condition and has moderate integrity.

Changes to the house that are known to have taken place include replacing the composition shingle roof with corrugated metal roofing and replacing the original window frames with vinyl and window surrounds with synthetic wood. According to Karen Dinsmore, the entry was originally finished in stone. Planned changes to the house interior include demolishing and replacing interior bathroom finishes and fixtures; removing and replacing kitchen countertops; replacing all flooring in the house with vinyl; retiling the stone hearth with slate; and finishing the interior of garage.

[10] Andre Weltman, 2001, in "Live Better Electrically MEDALLION HOME," Southwest Museum of Engineering, Communications and Computation. https://www.smecc.org/, accessed October 2017.

Contemporary Shop

The corrugated metal shop that is west of the Denny and Mildred Jones house was constructed in 1980 and is not recorded here due to age.

SITES AND STRUCTURES – HOMESTEAD SITE

Log Cabin

Log cabin site, looking north

The remains of the original log cabin for the homestead site are still evident. Still in place are the hearth stones and a few pieces of wood. A photograph of the cabin take in 1918 can be seen in Figure 13.[11] In Denny Jones' oral history of 1992, he says that the remains were Jones' cabin and he "did not have the heart to remove the remains."[12]

History, integrity, and condition. Today the building is a ruin. A few stacked chimney/hearth stones remain, and a few pieces of wood that appear to be from the log cabin (see Figure 13 for a 1918 photograph of the log cabin).

[11] The caption on the 1918 photo of cabin states that William Jones constructed it in 1882.
[12] Oral history interview with Denzil E. Jones (sound recording), July 27-30, 1992. On file, Oregon Historical Society. Greg Jones believes the remains may be of a root cellar or similar building.

Original House Site

The early house site consists of just a small embankment and some stones at this time. There are no built environment resources nor a cohesive visible layout for the original house.

History, integrity, and condition. This building – whose original construction date is estimated at ca 1900 - was moved to the main building complex about 1931[13] and is today incorporated into the main house. The older portion of the house is primarily evident in the sun porch, the configuration of the porch, and the front windows and doors, as well as the channel rustic siding, on the front of the house at the main entry.

Horse Corrals

Overview of horse corrals, looking south

General layout. The oldest corrals on the ranch are located south of the river and west of the original homestead site, on the south side of the former railroad bed. On the north side of the corral complex is a small, .1-acre, nearly round corral; used for working horses. The round corral, called a Round Pen, is .1-acre in size and roughly octagonal in shape. At the center of the east side is a loading chute leading from the open area to the east. At the center of the west side of this corral is an opening to the rectangular corral to the west; this corral has faceted corners and is approximately .17-acre in size. The main north-south road runs through this corral on the east side and circumnavigates the corral complex in a clock-wise fashion on the exterior and also continues east. Accordingly,

[13] Note that according to the Malheur County Assessor, it was 'constructed' in 1936.

gates are located at the northeast and southeast corners. The beginning of an outside alley or narrow fenced enclosure is located between the corral and the 1.28-acre corral to the south. The latter corral was constructed ca 1976-77. The alley continues along the west and south sides of the large corral, terminating in a crowd tub or work area near the southeast corner of the larger corral. There are gates at southeast corner of this corral accessing the corral and the open area to the south.

Materials. The horse corrals are made up of pens enclosed with horizontal willow poles, some nearly solid; upright posts consisting of round poles fastened to larger, square timbers; chutes enclosed with solid, horizontal boards; and gates constructed of juniper posts and willow horizontal poles.

Horse corral fence detail

History, integrity, and condition. The following description of the history and condition of the Horse Corrals is contributed by Greg Jones.[14]

> *These are located on the south side of the river at the original home site. These are the original corrals that help start the ranch. Horse corrals are very unique. They are built so that a horse's leg can't get through the poles and cause injury. They are built with enough height so that a horse will not attempt to jump over them. They are always built without any corners so that horses do not crash into a corner or keg up in a corner with their heads away and back quarters out towards you. The structure of this type of corral allows for basically zero*

[14] Greg Jones, personal communication with Calla Hagle, October 1, 2017 (email).

maintenance and long life. Hence, they are still standing today in their original form.

Railroad Right-of-Way

Sign post along railroad right-of-way for former Jonesboro sign

The railroad right-of-way that passed by the original homestead and corrals is still evident and used today a road to access this area of the ranch (see Figure 11 for 1935 map of the railroad and photo below for an aerial view of the route today). It consists of a relatively narrow dirt/gravel roadway today elevated slightly above the ground plane. As a road, it is accessed from the curved roadway that comes across the bridge, where it makes a T-intersection with the old railroad right-of-way. It extends from the property line on the west side of the parcel to the edge of the river on the east side. The railroad was abandoned in the 1980s and the rails removed in the 1990s, which allowed the ranch to make use of the former rail bed for a road.[15] The bridge piers at the Malheur River, where the railroad bridge was once located, are still in place. The sign for the Jonesboro stop is gone, but the signpost is still in place.

[15] According to Greg Jones, the railroad rails and bridge were sold to China, to put in a new railroad there. Note that dates are approximate.

History, integrity, and condition. The rails and railroad bridge are no longer extant. Only the right-of-way is intact, as well as the prism of the raised bed. It is used for a road within the ranch and beyond, to the west.

Route of former railroad, now a ranch road

Raised roadbed of former railroad (right)

4. Historical Overview

A BRIEF HISTORY OF JONESBORO RANCH

Jonesboro Ranch was established in 1882 when William Jones traded a property he owned for the 80 acres owned by Jim Currey that became the heart of Jonesboro Ranch. Over time, he added to the initial property through "squatter's rights, shotgun possession."[16] He also bought other settler's properties south of Jonesboro as they proved their homesteads. Many real estate transfers were recorded over time. Today the core property, which was sold to a private party in 1997 and then the Burns Paiute Tribe in 2000, is 3,116.89 acres in size.[17] Jonesboro Ranch, in its various configurations, was held in the Jones family from 1882 to 1997 or 115 years.

The core of the residence and the barn that is now located on the north side of the Malheur River are dated ca 1900.[18] These buildings, as well as the horse corrals and private stockyards, were originally located at the Jonesboro stop on the railroad, south of the Malheur River. The log cabin that was on the homestead site, and where William Jones initially lived, is still on the site in the form of a ruin.[19] The area where the house was located is noted by the existence of a small embankment and some stones. The location of the railroad stop is noted by the post that once held the Jonesboro sign. The corrals are still extant.

According to grandson Greg Jones, Denny Jones' grandson, Denny Jones moved the house and barn to its present site between 1928 and about 1938. As a young man, he worked on Jonesboro Ranch, which he gained possession of in 1941, and made many improvements in these early years. The Central Oregon Highway or Highway 20 from Vale to Juntura was completed in 1932, making it logical to locate the ranch buildings adjacent to the highway, rather than the railroad.[20] The ca 1900 steel bridge that is located on the site was moved from Weiser, Idaho and re-constructed in its current location about 1945 by Hugh Humphries and Denny Jones.

The shop, which is directly west of the barn, was constructed about 1931, the same time that the barn was relocated to the present site. Additional improvements on this side of the river include the construction of the bunkhouse (the original bunkhouse burned in 1944 and was rebuilt), additions to the house, the construction of the chicken coop and outhouse in this location, and the corrals and loading chute here. Irrigation improvements that were used to irrigate gardens and crops on the north side of the river were also constructed at this time. According to Karen Jones Dinsmore, the area directly south of the house was used for orchards and gardens. About 350 acres were under cultivation at Jonesboro Ranch in the twentieth century. The early crop of silage corn was later replaced by alfalfa.

[16] Denny Jones, 2009, 1.
[17] Malheur County Assessor. Tax lot 900, address 5106 US Hwy 20.
[18] A precise construction date was not available. Note that the Assessor's office has a construction date for the house of 1936.
[19] The location of the house or cabin can also be seen on the 1901 GLO map for the property.
[20] Malheur County Historical Society,1988. The remainder of the route between Juntura and Burns was completed in 1939. Burrell Ranch is located in the vicinity of Bully Creek.

On the north side of the highway are the 1960 Ranch house, which was built by Denny Jones, and a 1980 corrugated metal shop.

HISTORIC CONTEXT

The history of Jonesboro Ranch and the Jones family is integral with the history of Malheur County as a stock-raising center and a place whose destiny became intimately tied to its transportation history. It is also closely tied to the history of the town of Juntura and William Jones' founding of the Bank of Juntura, which was the town's only bank and whose 1914 building was a center of mercantile activity in the young town. Jones' settled in the region at an auspicious time in Malheur County history, when the cattle and sheep industries were booming, range land was readily available, and the railroad had just arrived in eastern Oregon.

The Founding of Malheur County

Malheur County was carved from the south part of Baker County in 1887 and named for the Malheur River, which was in turn named by a Hudson's Bay Company trader, Peter Skene Ogden after his property and furs were discovered and stolen from the area in 1825-26.[21] The county is bordered by the State of Idaho on the east, the State of Nevada on the south, and Harney and Grant counties on the west. At 9,874 square miles in size, it is the second largest county in the State of Oregon.[22] Known historically as a center for agriculture and livestock, its economic base today still revolves around these industries, but today also encompasses food processing and tourism.

The first visitors to Malheur were trappers and hunters dating from about 1818 to the collapse of the fur trade around 1840.[23] The first three wagon trains that are known to have followed the Malheur River passed through in 1845, 1853 and 1854 to get to central Oregon. It was the discovery of gold, however, that lead to the eventual establishment of settlements and stock ranches. Gold was discovered in Idaho in 1862 and 1863, which brought miners eastward over the Blue Mountains and through the Malheur Valley.[24] Eldorado was established as a mining camp in Malheur County in 1865 and Malheur City, also a mining camp was founded nearby in 1870.[25] This, in turn, led to the establishment of stock ranches to supply the minors with food and other stock, which transported needed goods to the burgeoning mining centers.

Yet this era did not result in any substantial settlement in Malheur County; it was nearly the last area to be settled in the state of Oregon. An opening statement in the 1902

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[21] Lewis A. McArthur, *Oregon Geographic Names*. Fifth Edition revised by Lewis L. McArthur. Portland, OR: Western Imprints, Press of the Oregon Historical Society, 1981, 467.
[22] McArthur, 1981, 467.
[23] Old Fort Boise at the mouth of the Boise River was a Hudson's Bay Company post. It closed in 1852. *An Illustrated History of Baker, Grant, Malheur and Harney Counties*. Western Historical Publishing Co., *1902, 518*.
[24] Malheur County Historical Society, *Malheur County History*, *Malheur, Oregon*, Dallas, TX: Taylor Publishing Company, 1988.
[25] *An Illustrated History of Baker, Grant, Malheur and Harney Counties.* Western Historical Publishing Co., 1902:517.

edition of *An Illustrated History of Baker, Grant, Malheur and Harney Counties* noted that, "Extreme eastern Oregon was not yet ripe for settlement. . . It so long remained fettered by external appearances and by natural disadvantages that its very name was at once a synonym for desolation and loneliness."[26] Many years intervened between the era of exploration and that of settlement.[27]

Early Cattle Ranching in Malheur County

Missionaries brought cattle to Fort Boise in the 1830s, preceded by the cattle belonging to the Hudson's Bay Company, which was based at Fort Boise.[28] These early small herds were followed by cattle that came to Oregon with the settlers immigrating via the Oregon Trail in the 1840s. Cattle first came to Malheur County in great numbers, however, to feed the miners in the Idaho gold fields. Placer mines were founded on the John Day and Powder Rivers in eastern Oregon in 1861 and in 1863 mines were opened in the country drained by the Owyhee River.[29] Cattle and other stock from Malheur County and locations throughout the Pacific Northwest, including Canada and Montana, were driven to the Boise Basin in spring of 1863 through the mid-1860s to supply fresh meat to the miners.[30] Pack trains transported needed supplies to the mines from steamboat landings on the Columbia River, taking advantage of this source of transportation, and ox teams and mule teams pulled freight wagons on roads, where available.

The grasslands between the Cascades and the Rockies were particularly attractive to stockmen from western Oregon, as well as those from California, who drove their cattle to the mining destinations in the decade of the 1860s. They needed plentiful grass for grazing along the way to destinations that included the Salmon River, Owyhee River, and the Boise Basin. "The men who owned these herds … came upon spacious pastures where their cattle could graze, without cost to their owners, the year through in preparation for their final journey to markets either northward or eastward."[31] The areas east of the Cascades were reported to be "blessed with a salubrious climate and widely distributed pasture lands made beautiful by waving grasses. From these luscious pastures, bands of cattle were driven to whichever mining market seemed to be the most attractive at the moment."[32]

Prices were excellent and trade was brisk in the 1860s. In the spring of 1863, for example, eighty-two pack mules left The Dalles for the Boise mines with freight valued at six thousand dollars. That same year, several teams traveled from Walla Walla and from Umatilla, also with freight destined for the Boise mines.[33] In 1867, the *Oregonian*

[26] *An Illustrated History* . . . , 1902, 519.
[27] *An Illustrated History* . . . 1902, 518.
[28] Malheur County Historical Society, 1988. Fort Boise was abandoned by the Hudson's Bay Company in 1852.
[29] J. Orin Oliphant, *On the Cattle Ranges of the Oregon Country.* Seattle: University of Washington Press, 1968.
[30] Oliphant, 1968, 60.
[31] Oliphant, 1968, 62.
[32] Oliphant, 1968, 69.
[33] Oliphant, 1968, 70.

reported weekly on the thousands of cattle, sheep, horses, and hogs that were traveling via steamer to points east. The federal government reported that in 1867, "From the first of March to the 15th of July there were shipped on steamship boats from Portland to [The] Dalles 12,191 head of cattle and horses, 6,284 head of sheep, and 1,594 head of hogs. There has no doubt been an equal number driven across the Cascade Mountains during the months of July and August, all intended for feeding, accumulating, and marketing … in the different mining camps of Idaho, Montana, Washington, eastern Oregon, and British Columbia.[34] Herds were even driven from as far away as Texas in the late 1860s.[35]

The demand of the mines spurred the growth of the cattle industry in Malheur County. But other factors were in place that continued to spur this industry in Malheur County. Settlement, in general, was facilitated by the 1850 and 1862 Homestead Acts, as it was elsewhere in the state. The first "commercial" herd of cattle is said to have been established by L. B. Rinehart in 1868 in what was then Baker County.[36] In the early 1870s cattle raising spiked in Eastern Oregon as a result of open ranges and ready markets. Ranchers migrated from California, the Willamette Valley, and from the east over the Oregon Trail. As regional herds grew, many drove their stock to Winnemucca to reach national markets via the transcontinental railroad, which was established in this location in 1869. "By 1875 an organized system of corporate and personal drives had been set in place and the [cattle] rush was on."

By the 1870s placer mines in the Pacific Northwest had abandoned to Chinese gleaners.[37] Nonetheless, the cattle industry continued to flourish in Malheur County. Three reasons were given for this in the 1988 *History of Malheur County*: cattle from eastern Oregon and Washington impressed cattle feeders in the Midwest, who had been importing longhorn cattle from Texas; the Indians and buffalo had been forcibly removed from the rangelands, freeing them up for the settlers; and investors, even from overseas, were buying animals to stock the newly opened ranges.[38] Horses raised in the west were also sought after. In the mid-1870s extensive drives were taking place, heading east.

Another factor influencing the growth of the cattle industry at this time was diversified farming in the Willamette Valley, which was displacing the cattle industry there, leading ranchers to seek ranges in eastern Oregon.[39] At the same time, northern California ranchers were immigrating to eastern Oregon with their stock, as open range opportunities diminished in that state. Many took up range land in the Burns area, in Harney County.[40]

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[34] Oliphant, 1968, 74.
[35] Malheur County Historical Society, 1988.
[36] James T. Post, *Hart, Moses and Mary, Stone House and Ranch Complex, National Register of Historic Places Registration Form.* Westfall, Malheur county, OR, July 15, 2000.
[37] Oliphant, 1968, 61.
[38] Malheur County Historical Society, 1988.
[39] Peter K. Simpson, *The Community of Cattlemen, A Social History of the Cattle Industry in Southeastern Oregon, 1869-1912.* Moscow, ID: University of Idaho Press, 1987.
[40] Simpson, *The Community of Cattlemen,* 1987.

In this era, the region also continued to attract homesteaders. Some took out a homestead claims, some took out a preemption, and some did both. After 1873, they could take out an additional quarter section under the Timber Culture Act, if they planted and cultivated trees. The Desert Land Act of 1877 gave title to an entire section of desert land to anyone who could reclaim it within two years.[41] Additional programs were available in Oregon. The Swampland Act of 1870 offered un-reclaimed swampland at a dollar an acre with ten years to pay. This was land that the federal government had granted to the state. According to historian Peter Simpson, this land was of high quality in southeast Oregon: "There were abuses of these laws, but they made some good land available to early settlers in the Harney Country. The difficulty lay in whether they would be able to make anything out of it.[42]

In these years the closing of the free range was not as wide a phenomenon in Malheur County as elsewhere because the county was not as attractive for farming as other places.[43] The 1988 *History of Malheur County* states that prior to the coming of irrigation, 96% of the terrain in the county was considered unsuitable for farming: "When irrigation made agriculture possible in the fertile river bottomlands, raising livestock in watered and fenced pastures greatly added to the numbers and value of animals shipped out to market."[44]

Changes in Ranching Practices

Beginning in the 1880s, cattle ranching was to change dramatically, due to the recognition that supplemental feed was necessary to support the cattle, especially as land areas for open grazing diminished, which would drive the introduction of irrigation to Malheur County and the region. The presence of irrigation, in turn, attracted more settlers, which also diminished land area. At the same time, large-scale cattle ranchers continued actions to increase land holdings and available range feed over the next two decades. This is the era in which William Jones came into the cattle ranching business.

In speaking of the early ranching habits, historian Peter Simpson quoted pioneer Harney County rancher David Shirk as saying that the methods of the cattle ranchers at the time were, 'simple in the extreme'. "Cattle were rounded up in the spring, branded, and turned loose on the range until fall when they were rounded up again and shipped to market. Naturally, there were subtleties of management. The nature of the country, the size of the herd, and the exigencies of weather had to be reckoned with. Shirk himself admitted the need for experienced hands and adherence to some general rules of the Oregon rangeland . . . Little or no hay was put up for either cattle or saddle horses, and although southeastern Oregon range barons took greater care in feeding and breeding cattle than most of their contemporaries elsewhere, the business was essentially speculative and the methods were those best suited to bringing the largest return at least expense . . . Cattle were wagered against weather, disease, and a fluctuating market."[45]

[41] William Jones took advantage of this act in his allotment of 440 acres recorded by the GLO in 1904.
[42] Simpson, *The Community of Cattlemen,* 1987, 22.
[43] Simpson, *The Community of Cattlemen,* 1987, 22.
[44] Malheur County Historical Society, 1988.
[45] Simpson, 1968, 25.

The author of the 1902 *History of Malheur County* noted that the county possessed an unexcelled [excellent] stock range and one of "immense proportions," summer and winter ranges, and good access to water. The issue, however, was that increased settlement meant that the open range was less able to adequately support livestock. The winter of 1873-74 was severe and many of the stock – an estimated 10-15% - died, as no supplemental feed was provided for them. Another hard winter occurred in 1879-80 and another estimated 15% of the ranchers' stock died. The winter of 1880-81 was another bad year. When Fort Harney reduced its military presence in Harney County, thereby eliminating this market for cattle, a surplus in cattle resulted, with a secondary result of overgrazing. This added to the impact of the cold winters.[46] Cattlemen learned that stock-raising must go hand-in-hand with farming, specifically farming for cattle feed.[47]

This situation disproportionately affected the smaller cattle raisers, which led to homestead sales as the smaller operators sold out to larger operators, who were trying to secure land to ensure future grazing. "Thus began a period of unprecedented land purchase and consolidation that helped give the large owners of the region nearly complete dominance over the production and marketing of cattle during the 1880s." At the same time, a large in-migration of settlers occurred in the decade from 1880 to 1890s, leading to clashes between settlers and cattle barons.[48]

After the winter of 1879-80, it became common practice to give supplemental feed to range grass in the cold weather. Prior to this time, farming was not prevalent in Malheur County. In the decade of 1880-90 "agriculture began to assume an important place among the industries of the county, and several irrigation projects began to create considerable interest . . . "[49] Two major irrigation canals were constructed in the area in 1883, the Owyhee, from the Owyhee River, and the Nevada, from the Malheur River, intended to irrigate the lower Malheur Valley. Additional smaller irrigation projects were also developed. "The importance and general effect of this important canal construction during the early and middle 'eighties on the growth and interests of the county at large can hardly be overestimated."[50] [51] By this, the author meant that investing in irrigation canals expressed a commitment to settlement in the county and that land once used for ranching could be rehabilitated and used for farming once the range was depleted. It also meant that alfalfa could be grown to supplement range feed; alfalfa was introduced to the area in 1881.[52] By 1897, an estimated 35,000 tons of alfalfa hay were harvested in Malheur County.[53]

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[46] Simpson, 1968, 31.
[47] *An Illustrated History . . .* 1902.
[48] Simpson, 1968, 31.
[49] *An Illustrated History . . .* 1902, 523.
[50] *An Illustrated History . . .* 1902, 523.
[51] Congress appropriated funds for to start work on the Vale and Owyhee projects in 1924 and 1925. By 1935, 16,000 acres of land were served by the Vale project. In 1934, $1,500,000 were allotted from the PWA toward completion of the Vale project.
[52] James T. Post, *Hart, Moses and Mary, Stone House and Ranch Complex, National Register of Historic Places Registration Form.* Westfall, Malheur County, OR, July 15, 2000.
[53] Post, 2000. In 1902, the estimated number of stock sold in Malheur County was: sheep, 50,000 head; cattle, 20,000; horses and mules, 5,000; hogs, 500. In 1901, the Malheur County assessment roll gave the value of stock in the county: cattle, $312,605; sheep, $201,870; horses and mules, $80,975; hogs, $970.

The cattle industry continued to boom in the early 1880s, just when Jones settled in Jonesboro. There continued to be conflicts, however. The arrival of homesteaders who sought land increased land competition, although this was less the case in Malheur County. As prices for livestock in the mid-1880s grew, homesteaders and ranchers built up their herds, increasing competition for land: "Everyone felt they had as much right as the next guy to graze the government acres."[54] Lastly, adding to the competition between the cattle barons and the small homesteaders and stockman, were the sheepmen.[55] All were competing for use of the public domain lands for grazing.[56]

The Indian Wars

The influx of miners in the 1860s, following on the earlier fur trade that nearly exterminated the beaver, alarmed the Paiute and Bannock Indians, who responded with raids. Taking livestock was a common tactic, which could escalate conflict when settlers then sought to recover their property.[57] In order to minimize conflicts between the Indians and the settlers, the federal government drew up a treaty in 1868 that reserved 1,792,000 acres of land on the north fork of the Malheur River in the extreme northwestern corner of the county for the Malheur Reservation, which was within the Burns Paiute tribe's traditional grounds.[58] They were moved to the reservation in 1872. This became known as Agency Valley.[59]

"Thus the coveted valleys of Juntura and Agency were reserved for the use of the Paiutes . . ." Many ranchers solved their need for more grass by trespassing on Indian lands. Under pressure from settlers, President Grant ordered the lands on the northern shores open for settlement in 1876, which was a blow to the Paiutes, as this was a traditional food gathering ground. In 1878, the Bannocks left the Fort Hall Reservation in southern Idaho and headed west toward the Paiute Reservation in northwestern Malheur County and engaged in what became the last major Native American armed resistance in the Pacific Northwest.[60] This became known as the Bannock War of 1878. This and armed conflicts between the tribe and settlers over their encroachment on reservation lands caused the Federal government to terminate the 1868 treaty.

The Paiute tribe, as well as some Bannock that were captured that year, were removed to the Yakima Valley, and in 1879 the Agency Farm and buildings were sold to the Pacific Livestock Company (PLC), and the rest of the valley lands were opened to

[54] *An Illustrated History . . .* 1902.
[55] Basques, who were primarily engaged in sheep raising, settled in the region in the 1890s.
[56] Malheur County Historical Society, 1988. This was not resolved until the Taylor Grazing Act of 1934.
[57] Malheur County Historical Society, 1988.
[58] Calla Hagle, Benjamin Cate and Jason Kesling, *Malheur River Wildlife Mitigation Project 2016 Annual Report.* Prepared by Burns Paiute Natural Resource Department. Prepared for Bonneville Power Administration, 2016, 5.
[59] The Indian agent's headquarters is now under the Beulah Reservoir (1988 history).
[60] Toso, John and Sherry Nelson, Bureau of Land Management, with Ian Johnson, Oregon State Historic Preservation Office*, National Register of Historic Places Registration Form, Shirk, David L., Ranch,* November 1, 2008, Section 8, Page 6.

settlers.[61] By this time the settlers already had their homesteads picked out and the valley of Juntura was taken up in ranches.[62]

The Town of Westfall

William Jones, who established the Jonesboro Ranch, got his start in Malheur County in the town of Westfall. This area was first settled in 1872 by Levi Westfall when he "took up a settlement on Bully Creek." Thus the area was originally known as Bully. Westfall was 25 miles west of Vale and at first, consisted of a post office and small trading post. The Westfall region prospered in agriculture and livestock and supplied miners living in the Mormon Basin and other gold sites. Sheep and cattle, and various crops were exported to other regions.[63]

Historically Westfall was a stop on the east-west route between Vale and Burns. The route went from Vale through Westfall, Beulah, Drewsey, and Harney City to Burns.[64] There was no access to the Harper Valley, south of Westfall and east of Vale, except by way of Westfall. When a station for the Oregon Short Line was constructed at Ontario in 1883, the Bully Creek settlers decided to build a wagon road to Ontario via Cottonwood Canyon, ten miles east of Westfall, to facilitate the movement of supplies and access to markets. After this road was constructed, most supplies to the interior traveled through Vale and Westfall.[65]

The presence of the wagon road brought a period of prosperity to Westfall. The traffic from interior eastern Oregon shifted to the new road and Westfall boomed as a center on the route between Ontario and Burns. Its population increased and finally supported three general stores, two hotels, a bank, three saloons, a blacksmith shop, two livery barns, a schoolhouse, church, dancehall, garage, and candy store. William Jones established the second store in Westfall, with his nephew Frank Jones.

The town was soon to be abandoned, however, a victim of transportation improvements elsewhere. When the railroad was constructed from Ontario to Vale to Harper, by-passing Westfall, most of the town – buildings and people - moved to Harper, twelve miles away, the location of the new railroad station on what would be the route between Ontario and Burns. The PLC had acquired most of the land in the Harper basin about 1880. After the railroad came through and the Vale Irrigation project was built, the cattle company divided the land into small tracts that were sold to settlers.[66]

[61] Today the Burns Paiute Reservation is located on 760 acres along the Silvies River, just north of Burns.
[62] Later Agency Valley was sold to Tom Overfelt with money supplied by Henry Miller, and it became another ranch in the great PLS empire. Jonesboro Ranch is within this original land area.
[63] Post, 2000.
[64] Jacob Ray Gregg, *Pioneer Days of Malheur County.* Los Angeles, CA: Lorrin L. Morrison, 1950, 330. Before the railroad supplies for the upper country as far inland as Harney Valley were brought in from the west, from Portland via the Umatilla Landing on the Columbia River and hauled from there via team and wagon.
[65] Gregg, 1950, 330.
[66] Gregg, 1950, 337.

At the same time that the railroad arrived in Juntura, William Jones was divesting himself of his interests in Westfall. In 1912, Jones sold his interest in the Jones Mercantile Company to Mr. J. D. Fairman, the manager at the time and part shareholder. Fairman had acquired an interest in the store ten years earlier.[67] According to the *Malheur Enterprise,* "The store is the strongest in Eastern Oregon and the amount involved must have been very large."[68]

The *Malheur Enterprise* also reported in 1912 that William Jones of Jones & Company, the company that held the bank of Westfall, sold part of his stock in his Westfall bank to W. R. Lamberson, who subsequently followed Jones as the bank president. Lamberson, a "wealthy stockman" and a judge, had sold his farm on Bully Creek to the Vale-Oregon Irrigation Company, which was building the Bully Creek irrigation project (he Lamberson ranch was used as the main reservoir of the project). The paper also reported that Jones was planning to open a bank at Juntura.[69]

The newspaper also reported, however, that the Jones & Company bank had been moved from Westfall to Harper and re-named the Bank of Harper, with J.D. Fairman – who had formerly been the cashier at the Bank of Westfall - as president.[70]

The Railroads

According to the author of the 1902 *History of Malheur County*, the greatest influence on the productive development of the Malheur County in the late nineteenth century was the railroads. The Oregon Short Line railroad, which was being constructed along the Snake River in Idaho, crossed the border near Nyssa and built a station about ten miles south of Ontario in 1883. Up until that point, Baker City had been the commercial hub for the area, but once a station was established at Ontario, dynamics changed. Ontario was more accessible from Malheur and Harney County, as well as portions of Grant County. This had the effect of encouraging farming and ranching, due to greater access to markets, and made both more profitable, raising the value of land and "ditch values." In 1900, the Oregon Short Line purchased 80 acres of land adjacent to Ontario and built a stockyard, considered "the most extensive stockyards in eastern Oregon," that could be used for shipping cattle, horses, and sheep from the ranges of Malheur, Harney, Grant and Crook counties. All this had the effect of increasing Ontario's influence as a shipping point. It was about this time – 1887 – that Malheur County decided to partition itself from Baker County, with Vale as the county seat.[71]

The Oregon Eastern Branch eventually extended from just south of Ontario, in Malheur County, for 156 miles to Burns, in Harney County, approximately 58 miles east of Jonesboro as the crow flies. The concept of a railroad line from the Ontario area to Coos Bay was envisioned by railroad man E. H. Harriman, who had grand plans to connect

[67] "New Marshall for Westfall," *Malheur Enterprise,* May 25, 1912, 6.
[68] "Important business transaction in Westfall," *Malheur Enterprise,* May 25, 1912:6.
[69] *Malheur Enterprise*, November 2, 1912, 2.
[70] As Harper grew and prospered, Fairman served as the mayor, a position he had also held in Westfall, for 20 years. He also served two terms as county commissioner and was known as the father of the Vale Irrigation project.
[71] *An Illustrated History . . .* 1902, 524.

inland Oregon to Coos Bay, which was an important west coast port at the time. The first 15-1/2 miles were constructed by the Malheur Valley Railway in 1906-07.[72] Once the line was constructed from Vale to Malheur Junction, the company turned the project over to the Oregon Short Line, a subsidiary of Union Pacific. After the track was extended to Brogan in 1910, both sections were sold to Oregon Washington Railway & Navigation Company, another Union Pacific subsidiary. Work resumed in 1912 to reach Milepost 56, just west of Riverside. It would reach Juntura in late 1913/early 1914. The large obstacle in the way of this milestone, however, was the presence of Malheur Canyon.

The canyon was vital to any plan for a railroad through central Oregon to the Pacific coast. The Union Pacific railroad, under the leadership of Harriman, was not interested in blasting through Malheur Canyon. His rival James J. Hill of the Northern Pacific, however, had an interest in diverting trade along his line to the port of Portland. When Harriman saw this interest on the part of his rival, his company blasted through Malheur Canyon in 1913. “Meanwhile the local promoters who started the activity (William Hanley, William Jones, and others, mainly wealthy stock growers from Harney County), seized the opportunity to build a town at the strategic site of Juntura.[73]

Railroad building continued and by 1916 it had reached Crane, Oregon and in 1924 it made it to Burns.[74] The important milestone for this account, however, is the fact that the railway reached Juntura by late 1913/early 1914, passing through Jonesboro on the way, where the Jonesboro railroad stop was established and where William Jones had his homestead and built a private stockyard.

The Central Oregon Highway (Highway 20)

The railroad was supplanted by the highway in the 1920s and 1930s, following the route of an old wagon road.[75] The Central Oregon Highway or Highway 20 was extended from Vale to Juntura in 1932, joining an earlier segment that was completed in 1928.[76] The remainder of the route between Juntura and Burns was completed in 1939. As in most locations in the American West, the roads replaced the railroads, with the exception of freight trains, often resulting in a re-orientation of towns and settlements, as occurred at Jonesboro Ranch.

The Town of Juntura

The source of the name for the town of Juntura is described as follows in Lewis McArthur’s *Oregon Geographic Names*. The name of the town means “junction,” which comes from the Spanish word for junction and refers to the fact that it is located at the junction of the Malheur River (also seen as Middle Fork) with the North Fork of the Malheur River. It is located on the former ranches of early pioneers Ed Sizemore and

[72] Malheur Valley operated a line from Ontario to Vale and Brogan. It was leased to the Oregon Short Line in 1907, and in 1910 became part of the Oregon & Northwestern line.
[73] Malheur County Historical Society, 1988.
[74] Malheur County Historical Society, 1988.
[75] For an in-depth history of construction of the wagon roads, and the corruption that accompanied it, see Greg’s *Pioneer Days in Malheur County.*
[76] Malheur County Historical Society,1988.

Fred Currey, according to *Pioneer Days in Malheur County.* The name is said to have been selected by B. L. Milligan, who settled there in the early 1880s, the same years as William Jones.

The town was founded by William Jones and his colleagues, who formed Juntura Townsite Company and platted the town. It was the closest town for the ranches in that area. After the railroad reached Juntura, it became the closest connection to the railroad temporarily, until the next segment of the railroad was constructed.

The *Ontario Argus* reported on October 2, 1913, that, "The last two bridges and a small tunnel are about completed and trains will be running into Juntura this week." William Jones and Bill Hanley were big promoters of the railroad. According to the 1988 *History of Malheur County*, after its arrival, the town then experienced the usual boom that results from being the 'end of the line …' "Immense herds of cattle, horses, and sheep were shipped out, and supplies for the inland country were shipped in. Stage lines radiated in all directions and long lines of freight carried supplies to the inland towns…"[77]

When it was founded, the town was described by Patrick J. Gallagher, the publisher of the Juntura Times Publishing Company and the city's first lawyer, as "a group of tents and some newly begun business houses" in the middle of an alfalfa field. A photograph labeled "Fall 1913" shows just that, with a windbreak of poplar trees.[78] A 1913 article in the *Malheur Enterprise* entitled, "Juntura's Gigantic Growth" continued with the account, "With Advent of Railroad a New Town Is Laid Out and Its Growth Is Phenomenally Rapid." The author noted that at that time, the incorporated town included "hotels, restaurants, lodging houses, stores carrying huge stocks of good, and four saloons."[79]

Several investors, including Bill Hanley, William Jones, C. E. S. Wood, J. W. McCulloch, and others, organized the Juntura Townsite Company. They hired a "veteran town builder" from Texas by the name of George W. Cater, who laid out six miles of street. The *Malheur Enterprise* reported at the end of 1913 that a stone hotel was being constructed, a bank had been incorporated [William Jones' Bank of Juntura] and a store opened by "a veteran trader of the country, W. D. Huffman," and a weekly newspaper was started. The town was incorporated and licensed for four saloons. The train ran daily, connecting Juntura with the country seat of Ontario, and stage lines were routed to connect Juntura with the surrounding area, to facilitate Juntura's growth as a trading center. By 1914-15, several substantial buildings had been constructed and the town included a number of frame houses.[80]

[77] See also Gregg, *Pioneer Days in Malheur County,* 1950, 342.
[78] *Juntura Then, Historical Snapshots of Juntura, Oregon* (annotated booklet). On file, Oregon Historical Society.
[79] "Juntura's Gigantic Growth," *Malheur Enterprise,* December 20, 2013, Section 2, 20.
[80] The Juntura post office was established in 1890. The town voted to disincorporate ion November 2, 1976.

FAMILY HISTORY

William Jones (1856-1928)

William Jones, who founded Jonesboro Ranch and was instrumental in establishing the town of Juntura, was born in Eola, Polk County, Oregon in October 1856.[81] In his youth, William Jones went to Heppner, Morrow County, with his parents. He left Heppner about 1880 and went to the middle fork of the John Day River, in Grant County. In 1882, he left the John Day River and moved about eleven miles below Juntura on the Malheur River, where he established Jonesboro Ranch.[82]

Jones was often referred to as a pioneer stockman and banker in the newspapers of the day. In *Pioneer Days of Malheur County,* he is referred to as a prominent stockman, pioneer banker, and capitalist, as businessmen were known in the early twentieth century."[83] While he primarily resided at the ranch in Jonesboro, he also had businesses in Westfall and later Harper and Juntura.

In 1887, William Jones married Hattie (Harriet) Sinkey, the daughter of C. F. Solders, a well-known pioneer of Malheur County. After traveling to Oregon from Missouri on the Oregon Trail, the Sinkeys settled in Eldorado, a mining camp, then in Westfall, and finally in Juntura.[84] The Jones had three sons, Benjamin, Forrest, and James, and a daughter, Katherine. They later divorced and in 1908 Jones married Mary Caviness. Mary was the widow of George Caviness, who along with Wes W. Caviness, arrived in Malheur County in the 1880s.[85] George Caviness died in 1899. After their marriage, Mary and William, as well as Mary's son Bert, lived on the ranch at Jonesboro. About 1920, William Jones built a two-story house in Ontario and moved there with his wife and daughter Katherine.[86]

Jones' great-nephew Denny Jones reported in a manuscript dated 2009 that Jones bought 80 acres from Jim Currey to establish Jonesboro Ranch.[87] "Then he took up the rest of the ranch through squatter's rights, shotgun possession."[88] An article reporting on the 90th birthday of Anne Sizemore Currey, a pioneer of Juntura, said that Billy Jones traded a property with her father-in-law and Jones got the original Currey holdings. The reporter quoted Anne Currey as stating, "At the time Currey [her father-in-law] said he could only go that far up the valley because of Indians. After the Indians settled down, he made the property trade."[89] A newspaper article reported that Jones constructed the

[81] Find A Grave, https://www.findagrave.com/cemetery/, accessed November 2017.
[82] Note that dates differ slightly in various accounts.
[83] Gregg. 1950, 333.
[84] Gregg, 1950, 333.
[85] Wes Caviness was an irrigation and railroad engineer. He promoted irrigation and was active in locating homesteaders on government land. He was appointed surveyor general for Oregon in 1921. Pioneers 333.
[86] Gregg, 1950, 334. The *Malheur Enterprise,* noted that William Jones bought three lots in Ontario for $4,000 on October 5, 1918. "Real Estate Transactions," *Malheur Enterprise,*
[87] Jones, Denny, "On or about 1880 . . . ., " (mss), March 2009. Courtesy Karen Jones Dinsmore. Note that another source stated that he traded another property with Currey to obtain the 80 acres.
[88] Denny Jones . . . .
[89] In an article entitled, "Juntura Pioneer Celebrates 90 Years," about the 90th birthday of Anne Sizemore Curry…..

cabin at Jonesboro and showed a photo of Jones in front of the cabin, taken in 1918 (see Figure 13).[90]

According to Denny Jones, "When he left Heppner my grandfather, James Jones, staked him [William] a band of sheep which he brought over to the Malheur with him. After a while, he disposed of the sheep and started raising cattle."[91] Cattle raising was a lucrative business in the region in the latter half of the nineteenth century, as has been seen. Jones added to his land holdings over time, increasing his range area and ability to raise cattle. The *Malheur Enterprise* reported in 1909 that William Jones had 2800 head of cattle.[92] This same article referred to Jones as being one of the first men "to embark on the sheep industry in the county on extensive and successful lines, and among his various valuable holdings today are some 3000 head of cattle. His model ranch . . . is at Juntura." According to Denny Jones, "At one time, when the sons were grown, Bill Jones had four ranches, 1500 head of cattle and $36,000 in the bank."[93]

As noted earlier, William Jones was also among the several investors who formed the Juntura Townsite Company and platted the new town. In 1913, the *Malheur Enterprise* reported that "Mr. Jones is one of the promoters of the Juntura Townsite Co., and banker of Westfall and Ontario." [94] He subsequently formed a company to establish the Bank of Juntura.[95] Construction of the building, which also housed a mercantile store and post office, was begun in 1913. In writing about the bank building in 1919, a writer for the *Malheur Enterprise*, said, "It is so city-like in its fixtures and appearance that it seems strangely out of place amid the wilds of the untamed country that stretches away unsightly and seemingly arid for miles and miles and then more miles on each side of the Malheur canyon."[96]

Jones was very involved in the banking business in Malheur County. His first venture was to found the Bank of Westfall, owned by Jones & Company. This bank later moved to Harper and its name was changed to the Bank of Harper. Jones established the Bank of Juntura in 1913 and served as its president. In 1922, he was among those who signed a charter for a new Vale National Bank in Vale. He was also among those who established First National Bank of Ontario. Jones was also interested in the mercantile business, evidenced by his establishment of the second general store in Westfall, which he eventually sold to the store's manager, J.D. Fairman.[97]

Jones died in 1928, at the age of 72, attributed to a heart condition.[98]

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[90] Note that in Denny Jones' oral history he says that the log cabin was there when Jones' purchased the property.
[91] Denny Jones' obituary, courtesy Karen Jones Dinesmore. According to the author of *Pioneer Days in Malheur County,* "William 'Billy' Jones, James S. Stingle and other sheepmen drove their herds from Grant county in 1883" (1950, 332.).
[92] Malheur Enterprise, December 18, 1909.
[93] Denny Jones, "On or about 1880 . . . ., "March 2009. Courtesy Karen Jones Dinsmore.
[94] *Malheur Enterprise*, Vale, OR, July 19, 1913, 3.
[95] *Pioneer Days in Malheur County,* 1950, 96. Note that other accounts state that the bank was formed in 1913.
[96] "Bill Jones Visits," *Malheur Enterprise,* Vale, OR, August 2,1919, 1.
[97] Fairman moved the store to Harper when that town was established on the new rail line.
[98] "William Jones was Pioneer Stockman," The *Gate City Journal,* Nyssa, OR, July 6, 1928.

Jones' oldest son Ben filed for his own homestead in the Juntura area in 1913, which was proved up in 1916, where he raised cattle. In 1922, the *Ontario Argus* reported that Ben Jones, "formerly of Juntura and now of Ontario," bought the Carter Garage from C. C. Carter, which included a brick and a concrete building, and which he would be using as a garage, Buick dealership, and residence. It was reported that it would be called the Oregon Trail Garage and would be one of the largest "automobile establishments" in southeast Oregon.[99] He was married to Pearl Jones and had three children.

Jones' son Forrest also ranched with his father. He married and divorced twice, and died in 1930. His two former wives sued the estate of William Jones, contesting the fact that William Jones left the ranch to son James N. Jones. In response to a challenge to William Jones' will, the court ruled that Jones' estate would be divided between son James and the heirs of son Forrest, who was deceased by that time. This was a change from a previous decision that bequeathed the estate to James Jones. The Jones' estate included several ranches, cattle and sheep and interest in the Bank of Juntura.[100] Research did not reveal the final disposition of William Jones' estate, but the 1935 Metzker maps show that the ranch, which included additional lands to the east along the Malheur River, belonged to James N. Jones (see Figure 11).[101]

Denny Jones (1910-2012)

Denzil Eugene (Denny) Jones was the great nephew of William Jones and the son of Eugene Sullivan Jones (1879-1951); his grandfather James and William Jones were brothers. He was born September 10, 1910, in Ione, Morrow County, Oregon to Eugene Sullivan Jones and Ruth Baker.[102] When Denny was five, his mother died, leaving his older brother Harlan and younger sister Mae "to fend for themselves" as his father worked on various ranches in the Spray area, on the John Day River, Wheeler County. Denny and Harlan lived with the buckaroos in the bunkhouse when their father was gone. Two years later, Denny's father re-married into a family where he endured an abusive relationship with his step-mother.

Denny worked hard and had a great deal of responsibility at an early age. When he was 14, the family moved to Prineville, Oregon, in Crook County. One story that was told is that at the age of 14 he was tasked with moving 37 head of cattle from the family home in Spray to the new location in Prineville, a distance of some 85 miles. Denny attended high school in Prineville. He was responsible for milking 32 cows in the morning and then riding seven miles to school. He left school in the 10th grade and began riding on the racing circuit, caring for the horses.

The racing circuit extended from Vancouver, British Columbia to Tijuana, Mexico. Denny road in the boxcars with the horses, caring for them while traveling and exercising them. He eventually started riding the horses as a jockey, but within a couple of years he grew too heavy to do this and moved back to Oregon. Denny herded sheep in 1927 and 1928,

[99] *Ontario Argus,* May 25, 1922.
[100] "Court Ruling Changes Will of Wm. Jones," *Gate City Journal*, June 30, 1932.
[101] Note however that it was reported that James Jones had to sell his cattle in an estate settlement.
[102] The following profile is taken largely from Denny Jones' obituary, written in 2012. An oral history of Denny Jones, created in 1992, is on file at the Oregon Historical Society.

and then at about 18 moved to Jonesboro Ranch to work as a buckaroo and to care for the horses. That summer, however, he broke his leg and had to take a leave from this work.[103]

He soon resumed ranch work, however, and began to slowly relocate the ranch buildings and functions from their location at the Jonesboro Ranch railroad site to the site on the north side of the Malheur River, adjacent to the highway. According to his grandson Greg Jones, he was occupied by this endeavor for about ten years. In a 2012 interview with Jones, a journalist for the *Oregonian* reported that he became partners with his relative James Jones after James Jones was forced to sell all the cattle in an estate settlement. "Jones put up a small herd and spent ten years working without wages, for room and board only. When part of the herd was sold, Jones used his share to begin buying the ranch."[104] Denny Jones took over the ranch in 1941.[105]

Denny married Mildred Altnow in 1931 and had two children, Eugene (1932-2017) and Karen (1938 -).[106] Jones and his wife were married for 67 years, before her death in 1999. Near the end of his life, he lived with his daughter Karen.

Denny Jones was a state representative for the State of Oregon from 1972 to 1999 and served on many committees over the course of his political career. He represented Lake and Malheur counties in the Oregon House of Representatives in the 1973-75, 1977, and 1979-83 sessions. He represented Harney, Lake, and Malheur counties in the sessions in 1983, 1985, 1987, and 1989-93.[107] He served as co-chair of the Joint Ways and Means Committee in the mid-to-late 1990s and "was among the most powerful figures in the Capitol."[108] He was a member of the Emergency Board and Ways and Means Committee for 18 years and led the Natural Resources Subcommittee. He also served as president of the Malheur County and state cattlemen's associations. He retired from politics in 1999.

Jones stated in his 2012 interview in the *Oregonian*, when he was 101, that his biggest error in judgment was selling his ranch when his family "worried that he might be getting too old to run it."[109]

Denny Jones died in 2012. About 1997 the ranch was sold to a private party from Vale. In 2000 it was sold again to the Burns Paiute tribe.

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[103] Greg Jones personal communication with Diana Painter, November 17, 2017.
[104] Cockle, Richard, "At 101, Denny Jones is Oregon's oldest former state lawmaker and says Legislature 'could use me again,'" *The Oregonian,* January 27, 2012, http://www.oregonlie.com/paicifc -northwest-news/index.ssf/2012/01/at_101_denny_jones_is_oregons.html, accessed October 2017.
[105] Oral history interview with Denzil E. Jones (sound recording), July 27-30, 1992, 3, #257. On file, Oregon Historical Society.
[106] US Census, 1940.
[107] Oral history interviews with Denzil E. Jones, Oregon Historical Society.
[108] Cockle, 2012.
[109] Ibid.

Gene Jones (1932-2017)

Albert Eugene (Gene) Jones was born in Drewsey to Denny and Mildred Jones.[110] In 1939 the family moved to Juntura and then to Jonesboro; Gene grew up on the ranch, graduated from Burns High School, and returned to the ranch.[111] He later married Tina Blankenship and had three boys. Son Dan was born in 1958; he left the ranch in 1982. Son Greg was born in 1960; he ran the ranch from 1982 through 1995. Son Wes was born in 1964; he left the ranch in the mid-1980s. In 1984 Gene married Miriam Stephen. In addition to ranching, Gene was able to hone his mechanical skills in his lifetime. He founded Jones Ford Tractor and developed Firecon, a ground fuel ignition system that is used throughout the country.

Denny Jones' brand was the Quarter Circle J, which dates back to the origin of the ranch.[112] When Denny and Gene incorporated the ranch, the brand became the Flying Y, which is seen on the chimney and front door of the 1960 house, and in the poured concrete in various places around the ranch complex.

Greg Jones (1960-)

Greg Jones is the middle son of Gene Jones. Born in 1960, Greg ran the ranch from 1982 to 1995, when he moved away. Today he works for the USDA Animal and Plant Health Inspection Service. He spent 18 years working for the service in Malheur County and four in Idaho. Greg married Teresa, who also worked on the ranch, keeping the books for the corporation as well as working alongside Greg. They have two sons, Chris and Paul.

[110] According to the 1930 census, Denny was living with the Goodman family and other boarders three miles from Juntura.
[111] Much of this information was taken from Gene Jones' obituary, which was published in the Argus Observer in Ontario on February 5, 2017.
[112] Personal communication, Greg Jones. Greg Jones, personal communication with Diana Painter, November 17, 2017.

5. Findings and Conclusions

Evaluation process

The purpose of this HRR and DOE for Jonesboro Ranch is to identify any historic resources, defined as resources eligible for listing in the National Register of Historic Places (NRHP), that may be present on the property and that may be affected by future undertakings. In the course of making this determination, individual elements on the property were surveyed, including buildings, structures, objects, sites, and landscape features. Secondly, a historic context was prepared in order to respond to the Criteria for Evaluation for NRHP, which include the following:

Criteria A:
Properties that are associated with events that have made a significant contribution to the broad patterns of our history;

Criteria B:
Properties that are associated with the lives of persons significant in our past;

Criteria C:
Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criteria D:
Properties that have yielded, or may be likely to yield, information important in prehistory or history.

The ranch was evaluated as a district, which is defined by the National Park Service as "possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objected united historically or aesthetically by plan or physical development." As a potential historic district, a majority of individual resources within the proposed boundaries of the district must possess integrity and contribute to its character. They must also share the historic associations of the district.

The historic context also allowed for the identification of the Area of Significance, the Period of Significance, Level of Significance, and assessing an appropriate boundary for this potential historic district. Defining these parameters allowed the integrity of each individual resource to be evaluated and assigned contributing or non-contributing (or out of period) status. The identification of any resources that may be individually eligible for listing in the NRHP was also a part of this process.

Evaluation results

The following is a response to the Criteria for Evaluation for the Jonesboro Ranch Historic District.

Criteria A:
Properties that are associated with events that have made a significant contribution to the broad patterns of our history;

Jonesboro was owned and managed by members of the Jones family for 115 years. Jonesboro Ranch was established in 1882, according to accounts of William Jones' purchase of the core 80-acre ranch property. Jones' career as a merchant, banker and stockman was not uncommon among enterprising settlers in early Malheur County history, when businesses and even towns were established nearly overnight and raising cattle was the most important and profitable industry. Jones helped found the town of Juntura, was active in several banking ventures, and was a successful rancher. He also promoted railroad access to the region, which ensured its continuing success as a ranching center. Although William Jones tenure at Jonesboro was important, very few resources are still extant from his time on the ranch.

Jones' great nephew Denny Jones made the ranch what was until its abandonment as an active cattle ranch in the mid-1990s, and what it remains today in terms of its appearance. He moved to the ranch in 1928 and between then and about 1938 he moved the extant buildings from the original ranch site on the railroad to its current location on the highway, which was established in this location in 1932. Jones is significant as an area rancher and in later years, as a state representative who served in many important positions for nearly 30 years, from 1972 to 1999. He continued, through political influence, to affect the history of the Juntura area, just as his great uncle did through private initiative and his business ventures. Most of the buildings and structures on the ranch site today are directly associated with Denny Jones and reflect his development of the ranch as a modern cattle ranching enterprise in Malheur County.

Criteria B:
Properties that are associated with the lives of persons significant in our past;

While Jonesboro Ranch is associated with four generations of the Jones family, the importance of the ranch for its association with any one individual during the Period of Significance did not rise to the level of significance to meet Criterion B. Further, while Denny Jones' ranching life is associated with the ranch, he continued a productive career in state politics beyond his career and tenure at the ranch.

Criteria C:
Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high

artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Jonesboro Ranch is a good example of a ranch property with most of its elements intact. Further, the site illustrates the evolution of the ranch from its second iteration as a stop on the railroad to its third phase as accessed via the Central Oregon Highway. Nonetheless, changes to the property over time preclude its consideration under Criterion C.

Criteria D:
Properties that have yielded, or may be likely to yield, information important in prehistory or history.

This criterion is typically associated with archaeological sites. No archaeological investigations were done in conjunction with this project.

Jonesboro Ranch is considered a discontiguous district. A discontiguous district is a district composed of two or more definable significant areas separated by nonsignificant areas.[113] In this instance, the main ranch complex is separated by a large open space from the horse corrals that are south of the ranch complex and the Malheur River. This resource is highly significant. All other resources (the log cabin, original house site, and railroad track) in the vicinity of the horse corrals are no longer intact, and therefore preclude including them within a larger historic district boundary. The main portion of the district includes all those elements listed as contributing or non-contributing below in Table 2.

The Area of Significance for Jonesboro Ranch is Agriculture. While it could have been considered significant for Exploration/Settlement, most of the resources associated with this era are no longer intact. Its more significant era is the 20th century, when it was developed as a modern cattle ranching operation by Denny Jones.

The Period of Significance for Jonesboro Ranch is 1928 to 1960. The year 1928 is the year Denny Jones came to the ranch, where he worked for William Jones' son James, and the year he started to move the main ranch buildings to their current location adjacent to the Central Oregon Highway. He developed the ranch over the ensuing years, with a particular focus on the years 1928 to about 1938. By 1945 it had achieved the appearance it has today. The end of the period of significance is 1960, when Denny Jones constructed a substantial new ranch house on the property on the north side of the highway. This is the last contributing building/structure to be added to the ranch complex. It represents the completion of the ranch as it exists today.

The Level of Significance for Jonesboro Ranch is local.

The following is a table of the resources at Jonesboro Ranch, with their contributing/non-contributing status, based on the above conclusions about the Area of Significance, Period of Significance, and its boundary as a discontiguous historic district.

[113] Andrus, 1995, 6.

Table 2: List of survey properties

Resource name	Resource type	Construction date	Major changes	Contributing-non-contributing
Barn	Building	ca 1900	Moved 1931	Contributing
Windlass	Structure	1937	None	Contributing
Corrals & loading chutes (north)	Structure	ca 1938	None known	Contributing
Shop	Building	ca 1900	Moved ca 1931; wing removed 1992	Contributing
Bunkhouse	Building	1944	None	Contributing
Chicken coop	Building	ca 1930	Altered 1971	Contributing
Bridge	Structure	ca 1900	Moved 1945	Contributing
Middle corrals	Structure	ca 1945	Unknown	Non-contributing
Irrigation ditches (within ranch complex)	Structure	ca 1930	None known	Contributing
Early ranch house	Building	ca 1900	Moved 1936; additions 1948, 1959, 1970	Non-contributing
Outhouse	Building	ca 1930	Moved, n.d.	Contributing
1960 house	Building	1960	ca 2017	Contributing
Log cabin	Ruin	ca 1882	Ruin; as of 1992	Non-contributing
Original house site	Site	ca 1900	Ruin; house moved ca 1931	Non-contributing
Horse corrals	Structure	ca 1900	None known	Contributing
Railroad r-o-w	Structure	1913	Abandoned 1980s; tracks removed 1990s (estimate)	Non-contributing

Jonesboro Ranch retains a high level of integrity, with all but five of sixteen resources contributing to the significance of the ranch. Further, with the exception of the horse corrals on the south side of the river, all resources are located in close proximity and share strong associations both historically and aesthetically, linked by landscape features, working open spaces, and linear structures that convey the reasons for the ranch's significance.

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Appendix 2.

Jonesboro Allotment Management Plan (0306)

Introduction

The allotment lies approximately 6 miles east of Juntura, Oregon. The allotment consist of 19936 federal acres, 208 acres of state land and 4552 of private land. The allotment has 8 pastures and one operator. Map 1 shows the allotment with the pastures. The following table identified pastures and acres.

Pasture	BLM Acres	State	Private
Sperry Creek	2025	2	12
Indian Creek	2005	190	426
Trail Creek	~~3616~~	0	~~2066~~ 953
Saddle Horse	5157	16	153
Horse Camp	~~4674~~ 1518	0	103 894
Antelope Swales	994	0	0
Dinner Creek	~~4674~~ 1018	0	1047
Tims Peak	784 ~~316~~	0	41 ~~745~~
FFR	131	0	0
Totals	~~19936~~ 21548	208	4552

The topography consist of steep hills, and long rocky ridges with drainages running north into the Malheur River.

II. AMP Objectives

A. Guidance from the Land Use Plan

1. Grazing systems will be determined on the ecological condition of the pastures and wildlife habitat requirements.

2. For native range pastures in this allotment which are in late (good) condition should be managed to maintain this condition. For native range pastures which are to be managed for general ecosite condition improvements the long term objective (more than 15 years) is to attain late (good) or climax (excellent) condition on the majority of the area in pastures that are now in middle (fair) condition.

3. Indian Creek and Sperry Creek Pastures is included in the Sperry Creek (3-35) Wilderness Study Area and no increase in AUMs will be allowed in this area until compliance with the Bureau's Interim Management Policy and Guidelines for Lands Under Wilderness Review is assessed.

B. Specific Allotment Objectives

1. Saddle Horse, Trail Creek, Indian Creek, Sperry Creek, Antelope Swales and ~~Twin~~ Peak.

tm

Present condition class: middle
Short Term Objective: Improve to late condition class within 15 years. Improve winter browse.

2. Horse Camp, Dinner Creek

Present condition class: early
Short term objective: Improve to middle condition class within 15 years.

III. Key Species and Phenology

The key species for the allotment will be bluebunch wheatgrass for native range fields. Shown below are the important phenological dates:

Begin growth	3/15-4/1
6 " leaf growth	4/15-5/1
Flower	5/15-7/1
Seed Set	7/1-7/15
Seed Dissemination	7/1-8/1

IV. Planned Grazing Use

A. Grazing System

The grazing system for the allotment will be deferred rotation system. The season of use for the allotment 3/15-11/15. The season of use applied to the pasture is as follows:

Pasture	1st Year	2nd Year	3rd.
Saddle Horse	4/1-6/30	4/1-6/1	4/1-6/15
Trail Horse	4/1-6/1	4/1-6/30	4/1-6/15
Indian Creek	4/1-6/30	4/1-6/1	4/1-6/1
Sperry Creek	4/1-6/1	4/1-6/30	4/1-6/1
Antelope Swale	4/1-6/1	6/1-10/31	4/1-6/1
Horse Camp	6/30-10/31	6/1-10/31	9/1-10/31
Dinner Creek	6/1-10/31	9/1-10/31	6/1-10/31
Tims Peak	6/1-10/31	6/1-10/31	9/1-10/31

After three years an evaluation will be made to determine if this grazing system is working.

B. Authorized Use

The preference for the allotment 2661 AUMs.

C. Flexibility

The normal grazing season starts 4/1 and ends 10/31. Turnout can be anytime after 3/15. The number of days you turnout prior to 4/1, you will take your cattle off the same number of days before 10/31.

The operators will be allowed to determine how many cattle are put in each pasture. The operators should inform the BLM prior to the grazing season the approximate number of cattle to be put in each pasture, and when they are planning to turnout. This will be done at a user meeting each year with the BLM prior to turnout.

The critical grazing period for the vegetation is 5/1-7/1. The operators can adjust their grazing systems to meet their needs anytime after 7/1, as long as they inform the BLM prior to such action.

V. Range Improvements

Proposed Projects (Refer to Attached Map)

Project Name	Location
Creek Reservoir	T. 21 R. 39 sec. 16
Rock Reservoir	T. 21 R. 39 sec. 9
Tails Reservoir	T. 21 R. 39 sec. 4
Swales Reservoir	T. 21 R. 39 sec. 5
Heads Reservoir	T. 21 R. 39 sec. 14
Survey Reservoir	T. 21 R. 39 sec. 15

VI. Billing Procedures

The Allotment Management Plan is the annual authorization to graze livestock. Therefore, no billing or receipt will be issued prior to use.

The operator's actual use record must be forwarded to the BLM District Office, Vale, Oregon, within 15 days after closure of the authorized grazing period. One billing notice, based on the operator's actual use record, will be prepared and issued within two weeks after the operator's actual use record is received. Payment of grazing fees must be made within 15 days after receiving the billing.

If grazing use is to be made different that specified in this plan, a timely application must be filed in accordance with standard billing procedures.

The operator has the maintenance responsibility for all new projects.

VII. Monitoring Evaluation

A. Condition

The present condition class designation for each pasture was determined in 1980 by using an inventory based on range site classification. For each pasture the condition class designated is the condition class representing the majority of the pasture. In order to determine if a pasture has met a condition class objective at any given time the condition classes for each range site in a pasture will have to be redetermined using appropriate methodology.

B. Trend

Trend data will be gathered from permanently established studies in each key area. this information will give some indication whether the vegetation condition is moving toward or away from our ecological condition objectives.

Use adjustment is partially based on utilization limits of 50% on all native pastures. Trend data will be the main criteria for use adjustment.

C. Utilization

Utilization will be gathered on the key species in each grazed pasture after the livestock have been moved. The Key Forage Plant Method will be used and appropriate records maintained.

D. Actual Use

Actual use records will be kept by the operators on forms furnished by the BLM. These records will be given to the BLM within 15 days of the end of the authorized grazing season.

E. Climate

The Juntura weather station will be the source of climatic data used in the allotment evaluations.

Range Forage Index from Squaw Butte Experiment Station will be used to adjust utilization levels.

F. Evaluation

Periodic evaluations of monitoring data will be done to determine if resource objectives are being met and if any changes should be made.

AGREEMENT

We, the undersigned, do hereby agree to and accept the Allotment Management Plan. We understand that the grazing privileges so authorized herein are subject to the provisions of the Code of Federal Regulations (CFR 4110) which deal with grazing use on the public lands. It is also agreed that the terms and conditions of this agreement shall be binding upon the permittee, their respective heirs, executors, administrators, successors in interest or assigns.

This plan may be updated or modified periodically to accomplish the objectives set forth in the plan. All changes will be made with the concurrence of the range users and Bureau of Land Management.

D.E. Jones & Son, Inc. by Greg Jones — Name
2-20-85 — Date

Conrad P. Battmer — Name
Acting Area Manager
3-8-85 — Date

Form 4130-2a
(September 1987)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

GRAZING PERMIT

STATE	OR
OFFICE	034
OPERATOR NUMBER	363066
PREFERENCE CODE	03
DATE PRINTED	12/02/99
TERM	03/01/2000 TO 02/28/2004

CCPD, INC.

TED CARNER
PO BOX 203
PENDLETON, OR 97801

BUREAU OF LAND MANAGEMENT
MALHEUR R.A.
100 E. OREGON ST.
VALE, OR 97918

HIS GRAZING PERMIT IS OFFERED TO YOU BASED ON YOUR RECOGNIZED GRAZING REFERENCE ON THE PUBLIC LANDS AND/OR OTHER LANDS ADMINISTERED BY THE BLM. OU ARE AUTHORIZED TO MAKE GRAZING USE TO THE EXTENT OF YOUR ACTIVE GRAZING REFERENCE AS SHOWN BELOW UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS NCORPORATED HEREIN AND YOUR PAYMENT OF GRAZING FEES.

LLOT PASTURE	LIVESTOCK NUMBER	KIND	GRAZING PERIOD BEGIN	END	%PL	TYPE USE	AUM"S
0229 ROAD GULCH ALLOT.							
	2	CATTLE	04/01	09/30	100	ACTIVE	12
0306 JONESBORO ALLOT.							
	3	CATTLE	04/01	09/30	100	ACTIVE	18
	442	CATTLE	04/01	10/31	85	ACTIVE	2643

TERMS AND CONDITIONS:

1) GRAZING USE AUTHORIZED IN JONESBORO ALLOTMENT WILL BE IN ACCORDANCE WITH THE ANNUAL TURNOUT STATEMENT.
2. THE FIELD MANAGER MUST BE NOTIFIED AND GRANT APPROVAL FOR ANY CONSTRUCTION OR MAINTENANCE OF RANGE IMPROVEMENTS OR ANY SURFACE DISTURBING ACTIVITIES WITHIN SPERRY CREEK WILDERNESS STUDY AREA.
3. LICENSEE WILL PROVIDE BLM WITH AN ACCURATE ACTUAL USE STATEMENT WITHIN 15 DAYS OF THE CLOSE OF THE GRAZING SEASON.
4. GRAZING USE AUTHORIZED IN LINES 1 AND 2 IS MANAGED CUSTODIALLY IN CONJUNCTION WITH PRIVATE AND STATE LAND. THE SEASON OF USE AND NUMBERS OF LIVESTOCK WILL NOT BE RESTRICTED UNLESS DAMAGE TO PUBLIC LAND RESOURCES OCCURS.
5. BLM IS NOW IN THE PROCESS OF IMPLEMENTING THE STANDARDS FOR RANGEALND HEALTH AND GUIDELINES FOR LIVESTOCK MANAGEMENT. THIS PERMIT IS SUBJECT TO MODIFICATION AS NECESSARY TO ACHEIVE COMPLIANCE WITH THESE STANDARDS AND GUIDELINES (43 CFR 4180).

AS OF APRIL 28, 1988, THE REGULATIONS REGARDING THE PAYMENT OF GRAZING FEES HAVE CHANGED. AS IN THE PAST, THE PAYMENT OF YOUR GRAZING FEES

CASE FIL

Form 4130-2a
(September 1987)

OPERATOR NUMBER: 363066

IS DUE ON OR BEFORE THE DUE DATE SPECIFIED IN THE GRAZING BILL. THE DATE IS GENERALLY THE OPENING DATE OF YOUR ALLOTMENT.
IF YOUR PAYMENT IS NOT RECEIVED WITHIN 15 DAYS OF THE DUE DATE, YOU WILL BE CHARGED A LATE FEE ASSESSMENT OF $25.00 OR 10 PERCENT OF THE GRAZING BILL, WHICHEVER IS GREATER, NOT TO EXCEED $250. FAILURE TO MAKE PAYMENT WITHIN 30 DAYS OF THE DUE DATE MAY RESULT IN ADDITIONAL INTEREST PENALTIES.
AS OF MARCH, 1999, BLM WILL ACCEPT MASTERCARD AND VISA FOR PAYMENT OF BILLINGS. YOU MAY CONTACT THIS OFFICE FOR MORE INFORMATION.

ALLOTMENT SUMMARY (AUM'S)

ALLOT		PREFERENCE ACTIVE	SUSP	TOTAL
00229	ROAD GULCH ALLOT.	12		12
00306	JONESBORO ALLOT.	2661		2661

THIS PERMIT ; 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES AND 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS REQUIRED BY LAND PLANS AND APPLICABLE LAW; (B) ANNUAL REVIEW AND TO MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED:
SIGNATURE OF PERMITTEE: _____ DATE 1/6/00

Acting
AREA MANAGER: x Tom Dabbs DATE 2-2-2000

CASE FILE

07/24/2000

Jonesboro Allotment (00306)
Road Gulch Allotment (00229)

Pasture	Acreage	Percent Public	RPS Management Objective*	Additional Resource Values
Sperry Creek (01)	2,020	99	E	WSA**
Indian Creek (02)	2,715	77	E	WSA
Trail Creek (03)	5,611	65	E	WSA
Saddle Horse (04)	5,381	97	E	
Horse Camp (05)	2,891	56	A	Riparian
Antelope Swale (06)	911	100	B	WSA
Dinner Creek (07)	3,571	100	A	Riparian Redband Trout Sage Grouse Nesting
Tims Peak (08)	688	20	B	
Canyon Creek Stream Exclosure	90	100		Riparian Redband Trout
Canyon Creek Reservoir Exclosure	3	100		Riparain
Hunter Creek Riparian Exclosure	564	100		Riparian Redband Trout
Horse Camp FFR	766	14		
Jonesboro FFR	2,595	7		Riparian

* A) Improve Ecological Condition
B) Maintain Ecological Condition
E) Maintain or improve winter range for mule deer and/or antelope
** Camp Creek Group Wilderness Study Area

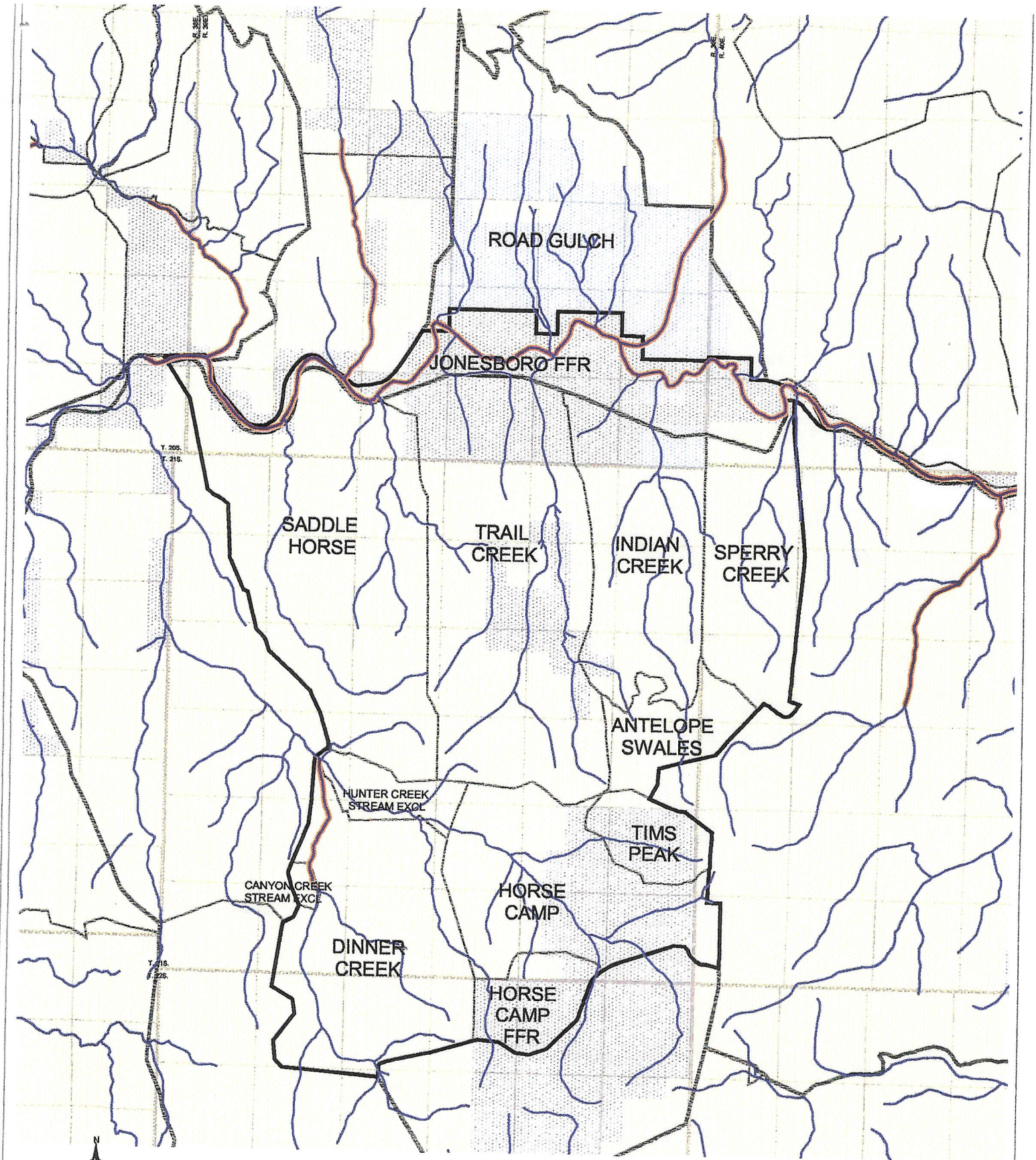
1995 Jonesboro Allotment Evaluation Recommendations

1) Through coordination with all affected interests, develop and implement revisions or rewrite the current AMP to implement livestock grazing within Jonesboro Allotment which is compatible with sustaining resource values and forage production without compromising future opportunities. The following constraints will define options available:

- Grazing of native plant communities will be deferred during the active growing season (5/1 to 7/1) in at least two of every three years or as necessary to allow bunchgrass plants and other native vegetation to improve and maintain vigor and function within a healthy ecosystem.
- Livestock access to riparian communities during mid-summer (5/15 to 9/30) will be limited to maintain riparian habit improvement and attain functioning systems. Additionally, fall grazing use of riparian vegetation communities will need to leave woody and herbaceous material necessary to stabilize stream channels with heavy spring runoff. In accordance with BLM policy, actions authorized by BLM will not contribute to the need to list redband trout, a Category 2 species.
- The implemented livestock grazing schedule will provide for the maintenance or improvement of winter range for mule deer and/or pronghorn antelope within Sperry Creek, Indian Creek, Trail Creek and Saddle Horse pastures.
- Livestock management actions will comply with WSA Interim Management Policy when constructing or maintaining rangeland improvements or implementing changes to season of use or numbers of livestock grazing within WSA's.

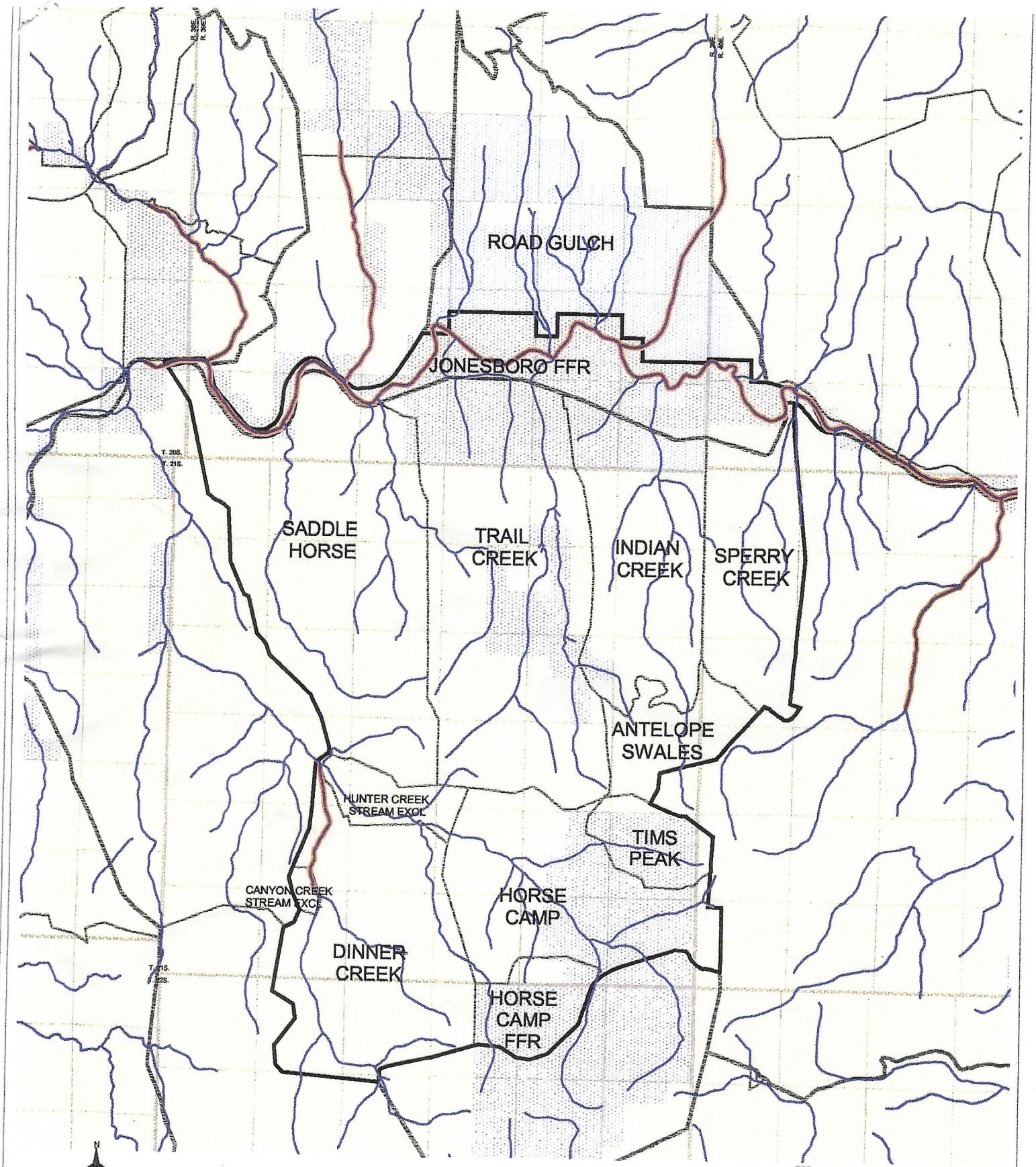
2) Establish an upland trend plot and browse studies in Indian Creek Pasture.

3) Until new wildlife habitat management objectives are developed in the RMP, maintain sufficient shrub cover and browse to provide for the needs of wildlife species with emphasis for those needs of special status species. Maintaining the vigor and availability of bitterbrush from August through March is important for wintering big game species.



No warranty is made by the Bureau of Land management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

Jonesboro (00306)/ Road Gulch Allotments (00229)
Redband Trout Streams



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Jonesboro (00306)/ Road Gulch Allotments (00229)
Redband Trout Streams

Appendix 3.

STATE OF OREGON
DEPARTMENT OF STATE LANDS
Rangeland Forage Lease FL-16513

The State of Oregon, acting by and through the Department of State Lands (LESSOR), hereby leases to:

(LESSEE):
BURNS PAIUTE TRIBES

ADDRESS:
100 Pasigo Street
Burns, OR 97720

lands located in the State of Oregon, County of Malheur, and described in Exhibit A (the "Premises"), consisting of 4,139 acres, more or less, subject to the following terms:

SECTION 1 – LEASE TERM, RENEWAL, RENT

1.1 Capitalized Terms: Terms that are capitalized but not defined in this Lease have the meanings ascribed to them in the Oregon administrative rules adopted by LESSOR governing rangeland forage leases.

1.2 Term: This Lease is for a period of twenty years commencing on March 1st 2015 and expiring on February 28th 2035 (the "Expiration Date"), unless sooner terminated or renewed as provided below.

1.3 Renewal: LESSEE shall have an option to renew this lease for an additional term of twenty (20) years after the original and each renewal lease term provided that LESSEE has submitted a completed lease renewal application form to the LESSOR. Upon receipt of such application, this lease shall be renewed by the LESSOR unless:

a) LESSOR determines that LESSEE has not complied with the terms of this Lease, applicable statutes and administrative rules, and any applicable Leasehold Management Plan; or

b) LESSOR determines that renewal of this Lease for all or portions of the leasehold would be contrary to local, state, or federal law, or would be inconsistent with LESSOR's fiduciary responsibilities, or would not obtain the greatest public benefit consistent with the conservation of the resource under sound techniques of land management, as required by Article VIII, Section 5 of the Oregon Constitution; or

c) LESSOR determines, pursuant to Subsection 4.1 of this Lease and applicable statutes and administrative rules, that the lands for which this Lease is issued, or a portion of them, should be reclassified to a land classification other than rangeland. Unless the renewal of this Lease is contrary to law, LESSOR shall provide LESSEE two (2) years

advance written notice of its intent to not renew this Lease for all or portions of the leasehold pursuant to the provisions of this Subsection (1.3(c)).

d) The Lessor shall report all proposed rangeland reclassifications to the State Land Board for review and final approval.

If reclassification of the rangelands subject to the leasehold has been initiated but not completed by the Expiration Date, this Lease will be extended on a month-to-month basis until the review is completed, but in no event will this Lease expire any earlier than two years after LESSEE has been notified that the land will be reclassified and this Lease is to be terminated as to the reclassified land.

1.4 Rent: Rent is due annually in advance within 30 days after receipt of LESSOR's invoice, or by **February 28th** of each year, whichever is later. LESSOR shall calculate the rent due by multiplying the carrying capacity (in AUMS) established by LESSOR pursuant to Subsection 2.2 by the annual AUM rental rate as established and adjusted pursuant to the provisions of applicable Oregon administrative rules. Rent amount will be the greater of this calculation or the minimum compensation amount as established in Oregon administrative rules. LESSOR shall send an invoice to LESSEE each year notifying LESSEE of the rent due for the Premises. Until LESSOR provides notice of a change in address, LESSEE shall deliver all rent payments to:

Dept of State Lands
775 Summer St NE Ste 100
Salem, OR 97301-1279

If LESSEE has not paid rent in full within 30 days after the date the payment is due, LESSEE shall pay a late fee equal to five percent of the amount due. In addition, all amounts due and owing under this Lease, including late fees, will bear interest at the highest interest rate allowable by law.

SECTION 2 – AUTHORIZED FORAGE USES AND CAPACITY

2.1 General Usage: LESSEE shall use the Premises only for grazing livestock in accordance with the terms of the Lease, applicable local, state and federal laws, the applicable Leasehold Management Plan, and applicable Oregon administrative rules. LESSEE shall not exceed the carrying capacity established in section 2.2.

2.2 Forage Production Capacity And Adjustment: The average annual base carrying capacity presently established by LESSOR for the Premises is 484 AUM's. LESSOR reserves the right to redetermine the average annual base carrying capacity at any time during the term of this Lease.

SECTION 3 – OPERATION OF PREMISES

3.1 Leasehold Management Plan: LESSOR may adopt Leasehold Management Plans for the Premises in accordance with applicable Oregon administrative rules. LESSEE shall manage the land in strict accordance with the approved Leasehold Management Plan for the Premises, as it may be revised by LESSOR from time to time after consultation with LESSEE. If a Leasehold Management Plan applies to the Premises, the parties shall incorporate it as an exhibit to this Lease.

3.2 Reporting: LESSEE shall report in writing to LESSOR, on a form provided by LESSOR, the actual forage use by pasture in terms of AUM's within 45 days after the last use has been completed each grazing year (March-February) Reporting of actual use is for those leaseholds determined by the LESSOR to be blocked leaseholds with accompanying management plan, leasehold which is billed based on actual use or other leased area determined by the LESSOR.

3.3 Weed Control: LESSEE shall control noxious weeds, plant pests and diseases on the Premises as directed by LESSOR, the local county weed control district, the Oregon Department of Agriculture and any other governmental authority which may now or in the future have authority with regard to the prevention or control of noxious weeds, plant pests or diseases.

SECTION 4 – RECLASSIFICATION

4.1 Reclassification: LESSOR may reclassify land leased under this Lease as unsuitable for grazing if LESSOR determines the land is:

(i) isolated or uneconomic to manage;
(ii) zoned for a use other than exclusive farm use, exclusive grazing use, or similar exclusive agricultural use;
(iii) required for public infrastructure use, community expansion or economic development purposes;
(iv) surrounded by land dedicated to another use that precludes grazing, such as critical habitat for threatened or endangered species; or
(v) incapable of supporting sustained forage yields under proper rangeland practices.

4.2 Effect of Reclassification: LESSOR shall limit reclassification of lands under lease to the minimum acreage necessary to meet the purpose of and need for the reclassification. If reclassification occurs, LESSOR shall:

(i) work with LESSEE to minimize and, wherever practicable, offset the loss of AUM's of grazing capacity on the Premises;

(ii) give priority to grazing lands remaining under this Lease (to the extent feasible) for rangeland improvement funding; and

(iii) notify LESSEE of any opportunity to lease vacant rangelands in LESSEE's operating area.

SECTION 5 – DEFAULT, REMEDIES, TERMINATION

5.1 Default: The occurrence of any of the following events is a default and may lead to termination of the Lease:

(a) Failure to Pay Rent or Other Charges. LESSEE's failure to pay rent or other sums due under this Lease within the later of 30 days after they become due and payable or 10 days after LESSOR provides written notice of payment default.

(b) Failure to Perform Other Obligations. LESSEE's failure to perform any other obligation under this Lease for a period of 30 days (or such shorter time as provided in this Lease) after delivery of notice from LESSOR; except that LESSOR may designate a shorter time period for the performance of the obligation if LESSOR in good faith believes that failure to perform constitutes an immediate threat to persons or property.

(c) Unauthorized Use. LESSEE's use of the Premises in a manner not authorized under the Lease.

(d) Abandonment. LESSEE's abandonment or failure to occupy the Premises or any substantial portion of them.

5.2 LESSOR's Remedies Upon Default:

(a) LESSOR'S Remedies. Upon the occurrence of any event of default and after giving written notice to LESSEE, LESSOR may terminate this Lease and recover damages, or LESSOR may seek any other remedy provided by applicable law. In addition to other remedies, LESSOR may elect to perform LESSEE's obligation and recover from LESSEE the costs of performance plus interest at the rate specified in Section 1.4.

(b) LESSOR's Right to Enter Premises to Prevent or Cure Damage. If any default by LESSEE is causing damage to the Premises, or if LESSEE allows debris, garbage, refuse, pesticides or other pollutants to accumulate on the Premises or fails to cooperate with LESSOR in the removal of such materials, or if at any time the Premises are in danger of suffering significant damage from any cause, LESSOR may immediately enter upon the Premises and take such action as necessary to prevent or mitigate or stop such damage, including removing debris, garbage, refuse,

pesticides or other pollutants. LESSEE shall reimburse LESSOR for all costs incurred by LESSOR under this subsection.

(c) Termination of Lease. If LESSEE fails to cure a default, LESSOR may terminate this Lease by giving written notice of termination to LESSEE by certified mail. Upon termination, LESSOR may re-enter and re-let the Premises. LESSOR may recover from LESSEE all costs arising out of the reentry and all costs of re-letting the Premises. If LESSOR elects to terminate this Lease, LESSEE shall immediately vacate the Premises. All improvements located on the Premises must be disposed of as provided in Section 9 of this Lease.

(d) Remedies Cumulative. Termination of the Lease under this section will not relieve LESSEE from the obligation to pay any sums that then or thereafter are due and payable to LESSOR under the Lease, and any such termination will not prevent LESSOR from enforcing LESSEE's obligation to pay such sums by any means provided by law. All rights, options and remedies of LESSOR contained in this Lease are to be construed and held to be cumulative and not exclusive, and LESSOR may pursue any one or all of these remedies, or any other remedy or relief which may be provided by law, whether or not stated in this Lease.

SECTION 6 – RESERVATIONS, AND RESTRICTIONS

6.1 Access: LESSOR reserves the right to enter upon the Premises at all reasonable times to inspect and manage LESSOR's interest in the Premises and to evaluate and ensure compliance with the terms of this Lease. LESSEE shall maintain records of LESSEE's grazing activities and LESSOR may examine these records for the purpose of ensuring compliance with the Lease.

6.2 Minerals: To the extent not previously conveyed to or reserved by a third party, LESSOR reserves all rights to coal, oil, gas, geothermal resources and other minerals, and all deposits of clay, stone, gravel and sand valuable for building, mining, or commercial purposes including, without limitation, the right to explore, mine, develop, produce and remove such minerals and other deposits, along with the right of ingress to and egress from the Premises for these purposes, and LESSOR may terminate this Lease as to all or any portion of the Premises when required for these purposes with 120 days prior written notice to LESSEE or as otherwise provided by law.

6.3 Easements: LESSOR reserves the right at any time to grant easements across the Premises for tunnels, telephone and fiber optic cable lines, pipelines, power lines, or other lawful purposes, along with the right of ingress to and egress from the Premises for these purposes, subject to the inclusion in any such grant of easement of a requirement that the easement holder take all reasonable

precautions to ensure that exercise of their easement rights does not unreasonably interfere with LESSEE's use(s) authorized in the Lease.

6.4 Public Access and Recreational Use Reservation: The Premises must remain open and available to the public for recreational uses unless restricted or closed by LESSOR to public entry pursuant to the applicable Oregon administrative rules. This right of access does not include any right of the public to use or occupy, without LESSEE's permission, LESSEE-owned property or structures authorized under this Lease. LESSEE may request in writing that LESSOR close the lands to public entry or restrict recreational uses by the public on all or portions of the Premises in order to protect: (a) crops, (b) other land cover, (c) improvements on the land, (d) livestock, (e) LESSEE, or (f) the general public.

6.5 Adjustment of Premises: With 45 days prior written notice to LESSEE, LESSOR may authorize the use of the Premises or any part of them by a third party for any purpose not inconsistent with the rights and privileges granted by this Lease. If, during the term of this Lease, LESSOR determines that it is desirable to authorize use of any portion of the Premises for a purpose not otherwise reserved to the LESSOR in this Lease, and such a lease or license substantively impairs the rights and privileges granted by this Lease, then LESSOR and LESSEE shall amend the Lease to modify the leasehold description to delete the substantively impaired portion of the leasehold and shall adjust the permitted AUM level accordingly. The LESSOR shall then compensate the LESSEE for liquidated damages with a one-time payment of fifty dollars ($50) per AUM for any and all substantively impaired forage production capacity.

6.6 Restriction on Use: LESSEE shall:

(a) take all reasonable precautions to protect the Premises from fire and report any fires observed on or adjacent to the Premises to LESSOR as soon as possible and be prepared to make reasonable efforts to contain or suppress the fire if requested;

(b) properly dispose of all waste pesticides and other pollutants and not allow debris, garbage or other refuse to accumulate on the Premises;

(c) not cut, destroy or remove, or permit to be cut, destroyed or removed, any material that may be upon the Premises except with written permission of LESSOR or in accordance with an approved Leasehold Management Plan, and promptly report to LESSOR any cutting or removal of material by other persons;

(d) conduct all operations on the Premises in a manner that protects long-term soil fertility, forage production, and water quality, and does not contribute to soil erosion or noxious weeds;

(e) maintain all buildings, wells, dams, windmills, fences, and other improvements located on the Premises in a good state of repair; and

(f) not remove gravel or other valuable material from the Premises without LESSOR's prior written authorization.

6.7 Hazardous Substances; Indemnity:

(a) LESSEE shall not use, store, or dispose of, or allow the use, storage, or disposal on the Premises, or the release from the Premises, of any material that may pose a threat to human health or the environment, including hazardous substances, pesticides, herbicides, or petroleum products (a "Hazardous Substance") except in strict compliance with applicable laws, regulations and manufacturer's instructions, and LESSEE shall take all necessary precautions to protect human health and the environment and to prevent the release of any Hazardous Substance on or from the Premises.

(b) LESSEE shall maintain accurate and complete records of the amount of all Hazardous Substances stored or used on the Premises, and shall immediately notify LESSOR of any release or threatened release of any Hazardous Substance on or from the Premises or otherwise attributable to operations or activities on the Premises.

(c) If any Hazardous Substance is released, and the release arises from or is attributable, in whole or in part, to any operations conducted or allowed by LESSEE on the Premises, LESSEE shall promptly and fully remediate the release in accordance with state and federal regulations and requirements. If LESSEE fails to so remediate, LESSOR may remove and remediate any release of a Hazardous Substance on or from the Premises or attributable to operations or activities conducted or allowed by LESSEE on the Premises and collect the cost of removal or remediation from LESSEE either as additional rent or as damages.

(d) In addition to any duty to indemnify specified elsewhere in this Lease, LESSEE shall indemnify LESSOR to the fullest extent allowed by Oregon law against any liability, damage, loss, costs, or expense arising from or related to a release of a Hazardous Substance arising from or attributable, in whole or in part, to any operations conducted or allowed by LESSEE on the Premises. However, LESSEE is not obligated to indemnify LESSOR against any liability, damage, loss, costs, or expense suffered by LESSOR and resulting from Hazardous Substances present in or on or under the Premises as of the commencement date of the Lease, unless caused by LESSEE or its employees, agents, sublessees or invitees during any previous lease of the Premises by LESSEE. This obligation to indemnify survives expiration or termination of the Lease

6.8 Termination for Sale or Exchange: This Lease is granted upon the express condition that if LESSOR hereafter finds it to be in the best interest of LESSOR to sell or exchange the lands subject to this Lease, then LESSOR may terminate this Lease upon giving LESSEE two years advance written notice, unless LESSOR and LESSEE determine an earlier termination date by mutual consent.

6.9 All rights not expressly granted to LESSEE by this Lease are reserved by LESSOR.

SECTION 7 – ASSIGNMENTS AND SUBLEASES

7.1 LESSOR Consent Required: LESSEE may not assign the Lease or sublease the Premises or enter into any third party agreement respecting the Lease or the Premises without first obtaining the prior written consent of the LESSOR pursuant to applicable Oregon administrative rules.

7.2 Conditions on Consent: Requests for LESSOR's consent must be submitted in writing using an application form prescribed by LESSOR. LESSOR reserves the right to condition its consent to an assignment or sublease as it deems reasonably prudent, including the right to require changes to the terms of this Lease. Each assignee, sublessee, and third party interest must comply with all of LESSEE's obligations under this Lease, the applicable Leasehold Management Plan and applicable Oregon administrative rules. LESSEE remains liable for the performance of all obligations under this Lease unless LESSOR's written consent expressly releases LESSEE from further liability.

7.3 Corporate Transfers: If LESSEE is a corporation or partnership or limited liability company the transfer of any corporate stock or partnership interest or membership interest (including by operation of law) is deemed an assignment subject to the provisions of this Section if the result of the transfer is a change of management control or controlling interest of LESSEE.

7.4 Mortgages: LESSEE may not grant a mortgage or security interest in this Lease without prior written consent of LESSOR, which consent may not be unreasonably withheld. Any subsequent assignment by the creditor will require the prior written consent of LESSOR.

SECTION 8 – INDEMNIFICATION

LESSEE shall defend (with counsel appointed by LESSOR), indemnify and hold LESSOR, the State of Oregon and its boards, commissions, agencies, officers, employees, contractors, and agents, harmless from and against all claims, demands, actions, suits, judgment, losses, damages, penalties, fines, costs, and expenses (including expert witness fees and costs and attorney's fees in an administrative proceeding, at trial, or on appeal) arising from or attributable, in whole or in part, to the Lease or any operations conducted or allowed by LESSEE on the Premises. This obligation to indemnify survives expiration or termination of the Lease

SECTION 9 – IMPROVEMENTS

9.1 Condition of Premises and Improvements: LESSEE represents that LESSEE has inspected the Premises and its improvements and LESSEE accepts them "AS IS" in their present condition. LESSOR has made no oral representations concerning the condition of the Premises or their fitness or suitability for any purpose, including the grazing of livestock. LESSEE shall keep the Premises and all improvements in good condition, and in using the Premises and improvements shall employ best management practices so as not to cause damage to the land or deterioration in the amount, type, or quality of forage, as determined by LESSOR. LESSEE shall maintain the Premises in accordance with the applicable Leasehold Management Plan. LESSEE shall be responsible for all maintenance expenses unless otherwise agreed upon in writing by LESSOR and LESSEE or as designated in the Leasehold Management Plan.

9.2 Authorized Improvements: LESSEE shall not erect or install any improvements on the Premises except as authorized in writing by LESSOR and permitted by applicable Oregon administrative rules. Improvements on the property as of the effective date are listed in Exhibit B.

9.3 Unauthorized Improvements: LESSEE shall promptly remove at LESSEE's sole expense any unauthorized improvements unless LESSOR, in LESSOR's sole discretion, authorizes the improvement to remain on the Premises. Any improvements placed upon the premises without prior authorization may, at the option of LESSOR, immediately become the property of LESSOR.

9.4 Removal of Improvements Upon Termination: Unless otherwise agreed by the parties, LESSEE shall remove all LESSEE owned improvements within 60 days after termination of the Lease and restore the Premises by re-grading, reseeding, or other actions directed by LESSOR. LESSEE is responsible for any damage done to the Premises as a result of the removal of the improvements. Any improvements remaining on the Premises after the 60-day period become the property of LESSOR, unless otherwise agreed by the parties.

9.5 Liens: LESSEE shall not allow any person to file or place any lien of any kind or character upon the Premises or its improvements without the prior written consent of LESSOR. LESSOR may not unreasonably withhold such consent. If any lien or other charge is placed on the Premises or improvements as a result of LESSEE's direct or indirect actions, LESSEE shall immediately cause the lien or charge to be discharged. LESSOR may terminate this Lease if LESSEE fails to discharge such liens or charges after 30 days' notice to do so by LESSOR. LESSEE shall pay for and shall indemnify the LESSOR against all costs, damages or charges of whatsoever nature, including attorney's fees, necessary to discharge the lien or charge whether such costs, damages or charges are incurred prior or subsequent to any cancellation of this Lease.

SECTION 10 – MISCELLANEOUS

10.1 Holdover: If LESSEE does not vacate the Premises when required, LESSOR may treat LESSEE as a tenant from month to month, subject to all of the terms of this Lease except those relating to term, renewal, and rental. LESSOR may unilaterally establish a new rent for the month-to-month tenancy, with rent payable in advance. If a month-to-month tenancy results from holdover by LESSEE under this section, the tenancy will be terminable at the end of any month upon written notice from LESSOR given not less than ten days prior to the termination date specified in the notice. LESSEE waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

10.2 Governing Law; Venue: This Lease and all matters related to the rights and responsibilities of the parties under it are governed by and subject to the laws of the State of Oregon and the administrative rules of the Department of State Lands and the State Land Board, as they may change from time to time. The Oregon administrative rules contain terms that relate to the rights and responsibilities of the parties under this Lease, and all such terms (as they may change from time to time) are hereby incorporated by reference and made a part of this Lease. Any claim, action, suit or proceeding (collectively, a "Claim") between State and Lessee that arises from or relates to the Lease must be brought and conducted solely and exclusively within the Circuit Court of Marion County for the State of Oregon; except that, if a Claim must be brought in a federal forum, then unless otherwise prohibited by law it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. However, in no way is this section or any other term of this Lease to be construed as a waiver by the State of Oregon of any form of defense or immunity, whether it is sovereign immunity, governmental immunity, immunity based on the Eleventh Amendment to the Constitution of the United States, or otherwise, from any Claim or from the jurisdiction of any court. LESSEE, by execution of this Lease, hereby consents to the personal jurisdiction of all such courts.

10.3 Binding on Successors: This Lease is binding on and inures to the benefit of the successors and assigns of the parties to it, but nothing in this section may be construed as a consent by State to any disposition or transfer of the Lease or any interest in it by Lessee except as otherwise expressly provided in this Lease.

10.4 Nondiscrimination: LESSEE shall use the premises in a manner, and for such purposes, that assure fair and nondiscriminatory treatment of all persons without respect to race, creed, color, religion, handicap, disability, age, gender, or national origin.

10.5 Exhibits: All exhibits to which reference is made in this Lease are incorporated in this Lease by the respective references to them, whether or not they are actually attached.

10.6 Water Rights: Any water right initiated or established on the Premises that, pursuant to applicable state law governing the use and appropriation of water, is an appurtenance of the premises, remains with the Premises and may be transferred only with written permission of the LESSOR. Any new water rights established on the premises must be in the name of the State of Oregon.

10.7 No Partnership or Joint Venture: LESSOR is not a partner nor in a joint venture with LESSEE in connection with the business carried on under this Lease and has no obligation for LESSEE's debts or other liabilities.

10.8 Non-Waiver: Waiver by either party of strict performance of any term of this Lease will not be a waiver nor prejudice the party's right to require strict performance of the same provision in the future or of any other provisions.

10.9 Attorney Fees: If suit or action is instituted in connection with any controversy arising out of or in connection with this Lease, the prevailing party is entitled to recover all costs and disbursements incurred, including such sums as the court may adjudge reasonable as attorney fees at trial and on any appeal of the suit or action, and in any bankruptcy case or proceedings. LESSOR's obligation under this section is subject to the limitations of Article XI, section 7 of the Oregon Constitution.

10.10 Notices:

(a) Any communication required by this Lease to be given in writing (a "Notice") must be given or be served by:

i) depositing it in the United States mail, postage prepaid, certified mail, with return receipt requested; or

ii) personal delivery service with all charges billed to shipper; or

iii) expedited delivery service with all charges billed to shipper; or

iv) facsimile;

and addressed to the party for whom the Notice is intended at the address set forth below or at such other address as the party may designate from time to time.

For Notices to LESSEE:
BURNS PAIUTE TRIBES
100 Pasigo Street
Burns, OR 97720

For Notices to LESSOR:
Department of State Lands
1645 NE Forbes Rd. Suite 112
Bend, OR 97701

(b) Notice is deemed received:
i) upon receipt if sent by facsimile or if personally delivered, as long as delivery is confirmed by the receiving facsimile operator, including electronic confirmation of receipt, or by the courier delivery service, as the case may be; or
ii) three business days after deposit in a post office or other official depository under the care and custody of the United States Postal Service, if sent by United States mail; or
iii) on the date of delivery by any expedited delivery service, or
iv) on the date any party declines to accept any Notice given as provided in this section.

(c) Each party shall have an address, for Notice purposes, that is within the continental United States and, if any party resides outside the continental United States, the party shall designate an agent for the purpose of receiving Notices whose address is within the continental United States. Any party may change its address for the purpose of receiving Notices by delivering a Notice of the change of address to the other party as described in this section.

(d) Communications between the parties that are not required by this Lease to be in writing may be by any mutually acceptable method.

10.11 Termination Upon Mutual Consent: This Lease may be terminated by mutual written consent of LESSEE and LESSOR

10.12 Taxes and Assessments: LESSEE shall pay all taxes and assessments levied against the Premises, whether or not such taxes or assessments have been levied against the Premises or LESSOR by the assessing agency.

10.13 ENTIRE AGREEMENT: This Lease, together with the attached exhibits, constitutes the entire agreement between the parties. No waiver, consent or modification of any term of this lease binds either party unless in writing. Any such waiver, consent or modification, if made, is effective only in the specific instance and for the specific purpose given, and is valid and binding only if it is signed by each party. There are no understandings, agreements or representations, oral or written, regarding this lease that are not specified in this document. LESSEE, by the signature below of its authorized representative, hereby acknowledges that LESSEE has read this Lease, understands it and agrees to be bound by its terms. This Lease supersedes all prior or existing lease or rental agreements between the parties.

LESSOR:
DEPARTMENT OF STATE LANDS
1645 NE Forbes Rd Suite 112
Bend, OR 97701

Larry R Swarkenbl
Authorized Signature

March 10, 2015
Date

LESSEE:

(Charlotte) Rodrigue
Signature/Title

February 26, 2015
Date

EXHIBIT A
Legal Description of the Premises

FL-16513

Township	Range	Section
20 South	39 East	13: S½SW¼
		14: S½SE¼, SW¼, S½NW¼
		15: All
		21: SE¼SE¼
		22: S½, S½N½, NW¼NW¼
		23: S½, S½N½, N½NE¼, NE¼NW¼
		24: All
		25: N½, N½SE¼, NE¼SW¼
		26: N½N½, SW¼NW¼
		27: N½N½
		28: NE¼NE¼, SE¼NE¼ less R/W
		36: SE¼, E½SW¼, NE¼NW¼, NW¼NE¼
	40 East	19: Lot 4
		30: Lots 1,2,3

EXHIBIT B
Authorized Improvements

Division fences and boundary fences located on state lands

CERTIFICATE OF COMPLIANCE WITH OREGON TAX LAWS

I, the undersigned, hereby certify under penalty of perjury that (check one):

☒ to the best of my knowledge, I am not in violation of any Oregon Tax Laws.

☐ I am authorized to act on behalf of the LESSEE, named below, that I have authority and knowledge regarding the payment of taxes, and that LESSEE is, to the best of my knowledge, not in violation of any Oregon tax laws.

For the purposes of this certificate, "Oregon Tax Laws" means those programs listed in ORS 305.380(4) which is incorporated herein by this reference. Examples include the state inheritance tax, personal income tax, withholding tax, corporation income and excise taxes, amusement device tax, timber taxes, cigarette tax, other tobacco tax, 9-1-1 emergency communications tax, the homeowners and renters property tax relief program and local taxes administered by the Department of Revenue (Lane Transit District Self-Employment Tax, Lane Transit District Employer Payroll Tax, Tri-County Metropolitan Transit District of Oregon ("Tri-Met") Employer Payroll Tax, and Tri-Met Self-Employment Tax).

Signature: Charlotte Rodrigue

LESSEE: Burns Paiute Tribe

Date: February 25, 2016

Printed Name: CHARLOTTE RODRIGUE

Title: TRIBAL COUNCIL CHAIR

Appendix 4.

Draft Inspection Report

Bridge No:	Bridge Across the Malheur River
Location:	5106 Hwy 20, Juntura, Oregon
Date:	8/29/17
By:	C. Boyd

1.0 Executive Summary

River Structures Consulting, LLC (River Structures) performed a visual inspection of the above referenced bridge on August 17, 2017. The bridge superstructure, including the trusses, floor beams, and stringers were in fair to good condition. The timber deck was in fair condition, and the concrete deck condition ranged from good to poor.

While we have identified several repairs and maintenance activities as outlined below, we did not observe any damage or conditions which require immediate attention or the need to limit traffic on the bridge. The following is a summary of recommended repairs or maintenance activities:

- Excavate, expose and inspect the northeast, southwest and southeast bridge bearings and attached bridge members.
- Divert canal and pipe leakage away from the southeast bridge bearing.
- Repair or replace the damaged portions of the concrete deck slab and timber wear boards.
- Perform a Fracture Critical inspection and Load Rating to determine the safe load carrying capacity of the bridge.

2.0 Background

The Burns Paiute Tribe (BPT) owns and maintains a 130-ft, 8-inch long steel truss bridge across the Malheur River. The bridge provides vehicle access to rural lands to the south of the river. The bridge is primarily used to carry passenger vehicles and agricultural equipment, including tractors and trucks, across the river.

The bridge has undergone various maintenance activities and improvements, including the construction of a concrete deck over three of the seven panels, and replacement of timber stringers with steel stringers to support the timber and concrete deck. The structural steel truss, including the top and bottom chords, hangers, and floor beams appear to be original members.

The BPT retained River Structures to perform a visual inspection of the bridge. The services included a visual inspection of the superstructure from the top of the deck and beneath the bridge at the abutments. The upper truss members and mid-span deck members were observed to the extent which they could be seen from the deck and the abutments, but not all members or components were accessible. This inspection

report provides a summary of the inspection observations, as well as recommendations for future repair and maintenance.

3.0 Inspection Summary

River Structures met with a representative of the BPT on August 17, 2017 at the bridge site to perform a visual inspection of the bridge. Due to budgetary constraints, the inspection was limited to the components which could be observed from the bridge deck or from the ground near the abutments. Inspection vehicles or bridge climbers were not used during the inspection.

Table 1 includes a summary of the bridge components and their condition.

Table 1. Inspection Summary

Component	Description	Summary
Bridge Approach	Gravel Road	Road and approach are in good condition
Number of Spans	1	
Bridge Length	130-feet, 8 inches	Approximate measurement
Bridge Panel Length	18-feet, 8-inches	Approximate measurement
Bridge Width	18-feet, 3-inches 15-feet, 3-inches	Out to out Inside of rails
Truss Components	Riveted built-up posts and top chord members	Good condition
	Riveted built-up vertical hangers	Good condition
	(2) 5/8”x2” eyebar tension diagonals	Good condition, some members were taught, others were loose
	1” square eyebars diagonals with turnbuckles	Good condition, some members were taught, others were loose
	(2) 3/8”x2-1/2” eye bar bottom chords	Good condition, only inspected members near the abutments. Not all bearings were visible
	Wide flange floor beams attached to vertical truss hangers with rivets	Good condition, only inspected members near the abutments.
	1” square horizontal deck bracing with threaded ends	Good condition, bracing at panel 1 (north end) is loose and bowed
Deck Components	15”x5-1/2” S-Shape stringers	Good condition, appear to be a different age (newer) than the truss components, one stringer at the southeast corner of the bridge is sagging and not supported at the abutment, number of stringers varies from 4 to 6 depending on the panel (most panels have 5)

Component	Description	Summary
	Panel 1 includes an 8”x16” timber stringer at the northwest corner of the bridge	Good condition
	3-1/2”x11” timber deck boards	Fair condition, deck panels 1, 2, 6, and 7 with wear boards along the wheel line
	6” concrete deck slabs	Good to poor condition, deck panels 3, 4, and 5. Concrete panels include ’90 and ’94 date stamps on separate slabs which appear to indicate the date of the deck construction
Railing	Riveted steel angles	Good condition
Girder Bearing	Pin bearing on riveted base plate and embedded anchor bolts.	Northwest bearing in fair condition, other bearings were not visible
Abutment Foundations	Concrete abutments on unknown foundations	Abutments are spalled at the corners, but are generally in good condition

The bridge superstructure is uncoated, exhibiting light rust. No pack rust or section loss was observed. No missing bolts or rivets were observed. Bridge tension members, including the bottom chords and tension diagonals were typically constructed from square or rectangular eyebars. Not all of the eyebars were accessible, but no damage or cracking was observed. One of the eyebars at Panel 1 is bent and one of the horizontal braces is bowed and buckled (see Photo 5). In addition, the vertical diagonals and turnbuckles were under various degrees of tension without any live loads on the bridge.

The bridge deck includes a combination of timber and concrete deck segments. The timber deck is generally in good condition. Most of the wear boards are in good condition, but a few have begun to deteriorate. The concrete deck segments appear to have been constructed during different years based on date stamps in the concrete. The concrete deck at Panel 2 has some light cracking and spalling. The concrete deck at Panel 3 is heavily deteriorated with deterioration up to 3-inches deep. The concrete deck at Panel 4 has some spalling in the wheel paths and at the south end of the panel. #3 longitudinal reinforcing was observed at the south end of Panel 4.

The decking is supported by steel stringers (see Photos 9, 11, and 15). The stringers are partially coated with paint which is heavily deteriorated and peeling. The number of stringers varies between 4 and 6 stringers in each panel. Based on the condition of the stringer coating, torch cut ends, and the supports at the abutments, the steel stringers appear to have been part of a past bridge remodel.

The stringers are supported at the north abutment by steel beams bolted to the top of the concrete abutment (see Photo 16). A timber stringer supports the timber deck on the west side of Panel 1 (see Photo 7). The bearing at the northwest corner of Panel 1 appears to have shifted and rocked at the abutment (see Photo 18). The northeast bearing was not visible at the time of the inspection.

The south abutment is buried beneath the approach roadway fill (see Photos 12 and 13), so we were unable to inspect the bearings and the ends of the posts and bottom chords. The canal and irrigation pipe has significant leakage at the southeast corner of the bridge, flowing against the buried edge of the bridge and bridge bearing. The deck stringers at the south abutment are supported by timbers and the southeast stringer is not supported at the abutment (see Photo 12 and 13).

A 21-inch diameter corrugated metal irrigation pipe is supported on the east (downstream) side of the bridge.

4.0 Conclusions and Recommendations

No damage or significant deterioration to the steel truss structure, including the posts, top chords, vertical hangers and diagonals, bottom chords, floor beams, and deck bracing, was observed during the inspection. Three of the bearings were buried or otherwise obscured by vegetation. We recommend cutting back vegetation and removing any soil which is in contact with the steel portions of the bridge. In addition, we recommend diverting the canal leakage away from the bridge. The bearings and buried bridge members should be inspected for cracking or corrosion after removal of the soil and vegetation.

The east stringer in Panel 7 (south abutment) should be raised and supported to provide additional support to the timber deck at this location.

The concrete deck in Panels 3, 4, and 5 is heavily deteriorated and should be repaired or replaced. Two options have been considered:

- The bridge deck may be overlayed with new concrete to restore the wearing surface. This would include removing all of the loose or deteriorated concrete to an elevation at least 1-inch below the driving surface, then overlaying the deck with a silica-fume concrete overlay. Alternatively the concrete could be removed to 3-inches below the driving surface and overlayed with a conventional concrete overlay.

- The concrete bridge deck increases the load on the bridge compared to the timber deck, effectively reducing the vehicle carrying capacity of the bridge. It is estimated that the 6-inch concrete deck in panels 3, 4, and 5 weighs approximately 64,000 pounds, whereas the equivalent 3-1/2-inch timber deck weighs approximately 7,800 pounds. By replacing the concrete deck with a timber deck, it would significantly increase the capacity of the bridge.

Whichever deck option is selected, we recommend retaining a Professional Engineer to assist with the design of the deck replacement. We also recommend that any damaged or deteriorated wear boards be replaced at the same time as the concrete deck repairs.

While the bridge has successfully carried local traffic for many decades, the capacity of the bridge is unknown. In addition, the eyebar connections can be prone to brittle failure due to cracking at the member eye. We recommend that the BPT consider budgeting for a Fracture Critical inspection which would provide a detailed inspection of each connection and potential failure point. In addition, a Load Rating could be performed which would provide an estimate of the safe load carrying capacity of the bridge.

The bridge was inspected from the top of the bridge deck and from beneath the bridge abutments, but not all of the members, connections, and bearings were accessible at the time of the inspection. The inspection consisted of visual observations, and non-destructive testing techniques and underwater inspections were not included. The conclusions and recommendations included in this report are based on our observations at the time of the inspection. The condition of the inaccessible members, connections, and bearings are assumed to be comparable to those which we observed, but we cannot guarantee nor be held liable for the areas which were not accessible during our inspection.

5.0 Inspection Photos

Photo 1. Bridge South Approach

Photo 2. Typical Steel Condition

Photo 3. Timber Deck

Photo 4. Concrete Deck

Photo 5. Deterioration of Concrete Deck

Photo 6. Deterioration of Concrete Deck

Photo 7. Bridge Bottom Chord

Photo 8. Irrigation Pipe Suspended From Bridge

Photo 9. Bridge Deck Bracing

Photo 10. Bridge Pin/Eyebar Connection

Photo 11. Bridge Floor Beam and Stringers

Photo 12. South Abutment

Photo 13. Buried End Post (Southwest Corner)

Photo 14. South Abutment Stringer Supports

Photo 15. Dropped Stringer at Southeast Corner

Photo 16. North Abutment

Photo 17. Typical Pin Bearing (NW Corner)

Photo 18. Rotated Bearing Plate (NW Corner)

Appendix 5.

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-11924, Harney and Malheur County	)	FINAL ORDER APPROVING A CHANGE IN PLACE OF USE , A CHANGE IN CHARACTER OF USE, AND PARTIAL CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications. ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

Burns Paiute Tribe
100 Pasigo Street
Burns OR 97720

Findings of Fact

1. On November 20, 2014, Burns Paiute Tribe filed an application to change the place of use, change the character of use from supplemental irrigation to primary irrigation and partial cancellation of a water right under Certificate 49067. The Department assigned the application number T-11924.

2. Notice of the application for transfer was published on December 2, 2014, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. On July 29, 2015 the Department emailed the agent notifying them of the deficiencies in the application and map.

4. On August 11, 2015, the agent submitted a revised application and map correcting the deficiencies.

5. On March 22, 2016, the agent submitted a revised application and map.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. On April 29, 2016, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-11924 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2016, for the applicant to respond. The applicant requested that the completion date be extended to October 1, 2020 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

7. On November 21, 2016, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11924 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on November 29, 2016, and in the Burns Times-Herald newspaper on November 30 and December 1, 2016, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

8. The portion of the right to be transferred is as follows:

Certificate: 49067 in the name of D E JONES (confirmed by Malheur River decree)
Use: IRRIGATION OF 46.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 25.5 ACRES
Priority Dates: SEPTEMBER, 1888 AND 1901
Limit/Duty: 1.5 ACRE FEET PER ACRE IN ANY 30 DAY PERIOD PRIOR TO JUNE 1ST, 1.0 ACRE FOOT PER ACRE IN ANY 30 DAY PERIOD AFTER JUNE 1ST OF EACH YEAR, OR 3.0 ACRE FEET PER ACRE DURING ANY SEASON, DIVERTED AT A RATE NOT TO EXCEED ONE-TWENTIETH OF A CUBIC FOOT PER SECOND PER ACRE
Sources: MALHEUR RIVER AND POLE CREEK, tributary to the SNAKE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	TRACT
20 S	39 E	WM	25	SE SW	TRACT 3
20 S	39 E	WM	33	NE NW	TRACT 3
20 S	39 E	WM	33	SW NW	TRACT 3
20 S	40 E	WM	31	NE NW	TRACT 3

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Priority Date	Acres
20 S	39 E	WM	28	SE SW	1888	1.5
20 S	39 E	WM	28	NE SE	1888	10.0
20 S	39 E	WM	28	NW SE	1888	9.0
20 S	40 E	WM	31	SW NE	1888	12.3
20 S	40 E	WM	31	SE NE	1888	11.5
20 S	40 E	WM	31	NE NW	1888	2.2
					Total	46.5

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Priority Date	Acres
20 S	39 E	WM	28	SW SE	1901	22.5
20 S	39 E	WM	33	NE NW	1901	3.0
					Total	25.5

9. Certificate 49067 does not accurately describe the location of the points of diversion. Transfer application T-11924 gives a more accurate location description for the points of diversion. The points of diversion are described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	39 E	WM	25	SE SW	TRACT 3 - 1900 FEET SOUTH AND 7100 FEET EAST FROM THE E¼ CORNER OF SECTION 27
20 S	39 E	WM	33	NE NW	TRACT 3 - 630 FEET SOUTH AND 5870 FEET WEST FROM THE S¼ CORNER OF SECTION 27
20 S	39 E	WM	33	SW NW	TRACT 3 - 1820 FEET SOUTH FROM THE S¼ CORNER OF SECTION 27
20 S	40 E	WM	31	NE NW	TRACT 3 - 2900 FEET SOUTH FROM THE E¼ CORNER OF SECTION 27

10. Transfer Application T-11924 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Priority Date	Acres
20 S	39 E	WM	26	NW SW	1888	3.5
20 S	39 E	WM	26	SW SW	1888	5.0
20 S	39 E	WM	27	SW NE	1888	11.5
20 S	39 E	WM	27	SE NE	1888	15.5
20 S	39 E	WM	27	SE SW	1888	4.0
20 S	39 E	WM	27	NE SE	1888	3.5
20 S	39 E	WM	27	NW SE	1888	0.5
20 S	39 E	WM	28	SW SE	1888	0.5
20 S	39 E	WM	28	SE SE	1888	2.5
20 S	39 E	WM	27	SW SW	1901	11.5
20 S	39 E	WM	28	SE SE	1901	14.0
					Total	72.0

11. Transfer Application T-11924 also proposes to change the character of use from supplemental irrigation to primary irrigation for a portion of the lands identified in Finding of Fact #7, pursuant to OAR 690-380-2320.

Partial Cancellation of a Water Right

12. Pursuant to OAR 690-380-2320, an affidavit was received from Charlotte Roderique, authorized agent for the Burns Paiute Tribe, requesting to cancel the underlying primary right. The right to be cancelled upon approval of transfer T-11924 is as follows:

Certificate: 49067 in the name of D.E. JONES (confirmed by Malheur River decree)
Use: IRRIGATION OF 25.5 ACRES
Priority Date: 1901

Limit/Duty: 1.5 ACRE FEET PER ACRE IN ANY 30 DAY PERIOD PRIOR TO JUNE 1ST, 1.0 ACRE FOOT PER ACRE IN ANY 30 DAY PERIOD AFTER JUNE 1ST OF EACH YEAR, OR 3.0 ACRE FEET PER ACRE DURING ANY SEASON, DIVERTED AT A RATE NOT TO EXCEED ONE-TWENTIETH OF A CUBIC FOOT PER SECOND PER ACRE

Source: POLE CREEK, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	TRACT
20 S	39 E	WM	29	SE SE	TRACT 4

Authorized Place of Use to be Cancelled:

Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	39 E	WM	28	SW SE	22.5
20 S	39 E	WM	33	NE NW	3.0
				Total	25.5

Transfer Review Criteria [OAR 690-380-4010(2)]

13. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

14. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-11924.

15. The proposed changes would not result in enlargement of the right.

16. The proposed changes would not result in injury to other water rights.

Conclusions of Law

The change in place of use and character of use proposed in Transfer Application T-11924 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. The portion of the right requested to be cancelled pursuant to OAR 690-380-2320 should be cancelled.

Now, therefore, it is ORDERED:

1. The change in place of use and change in character of use from supplemental irrigation to primary irrigation proposed in Transfer Application T -11924 are approved. The portion of the right that has been abandoned is cancelled.

2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 49067 and any related decree.

3. Water right Certificate 49067 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.

4. Water use measurement conditions:

   a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).

   b. The water user shall maintain the meters or measuring devices in good working order.

   c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

5. The former place of use of the transferred right shall no longer receive water under the right.

6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022.** A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

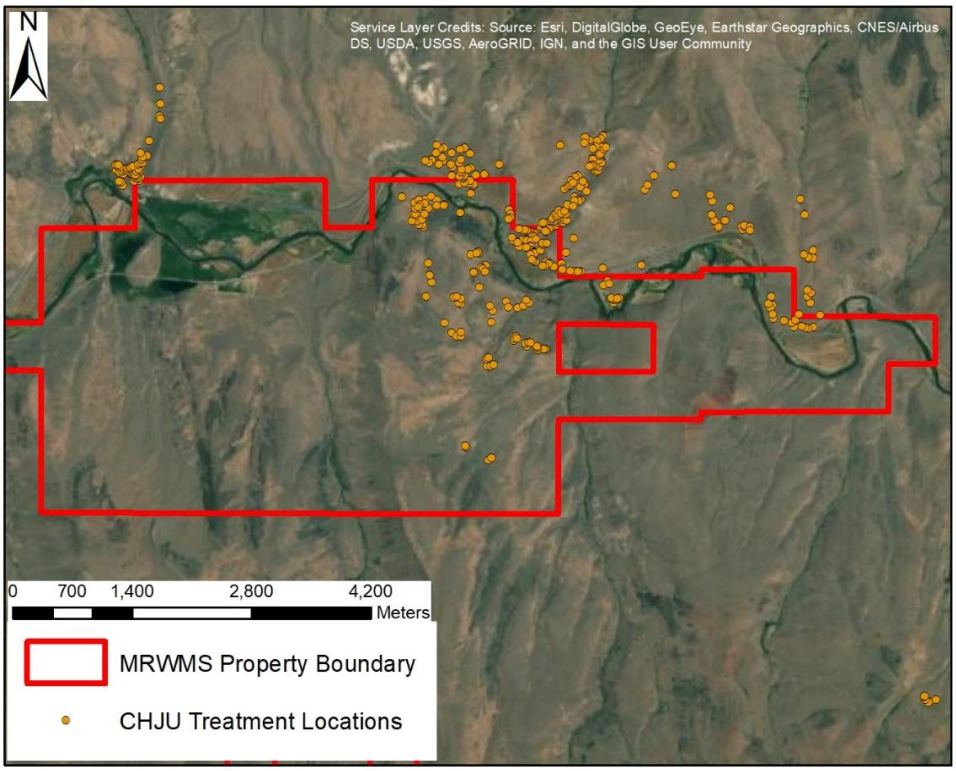
7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 13 day of January, 2017.

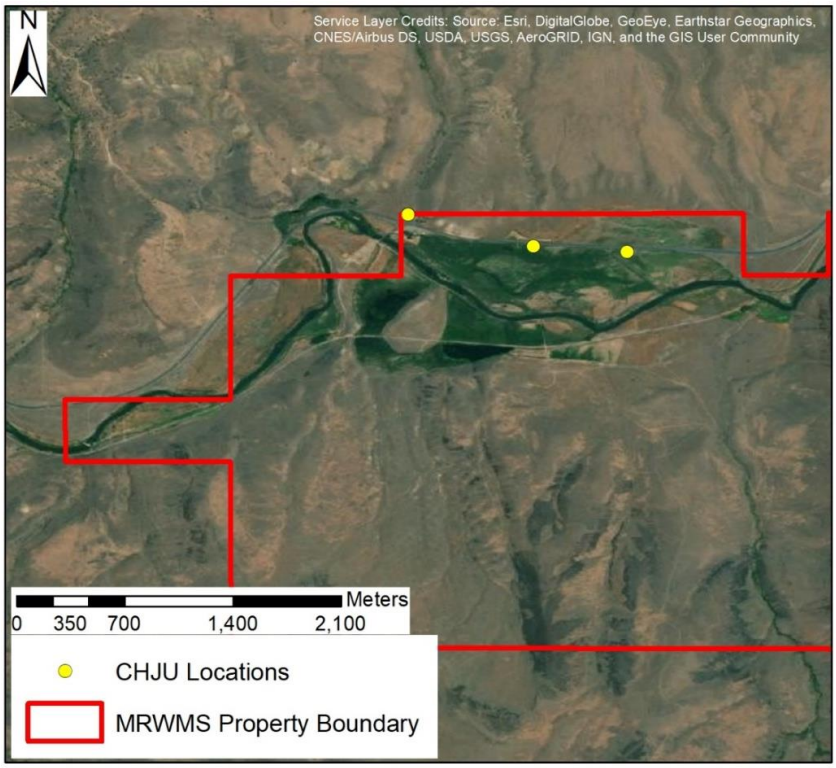
Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing date: JAN 19 2017

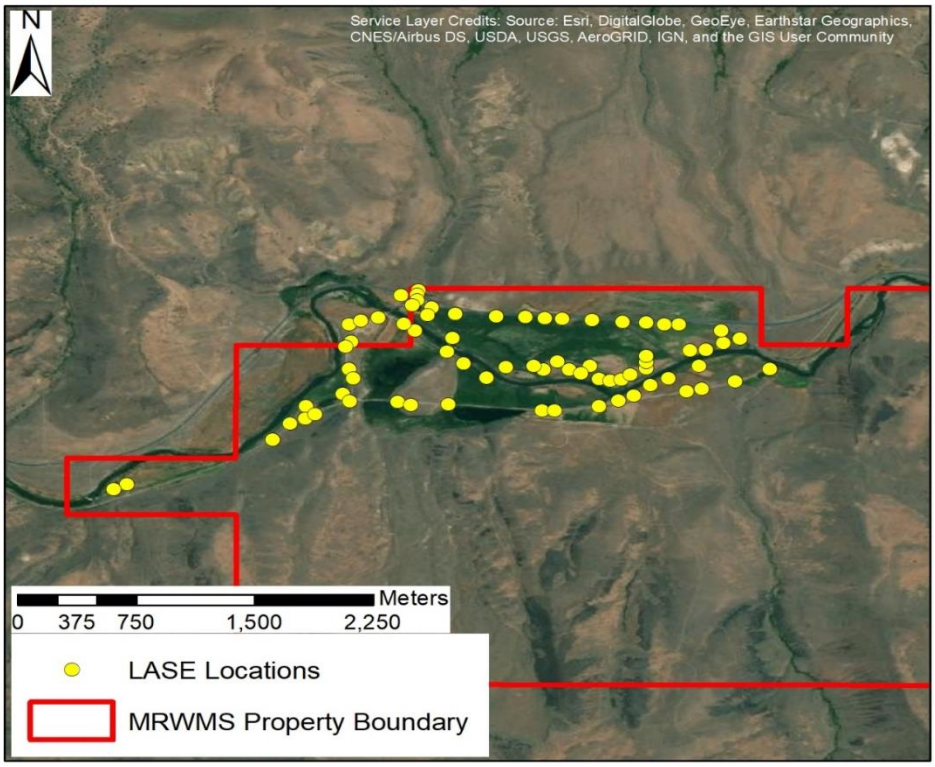
Appendix 6.



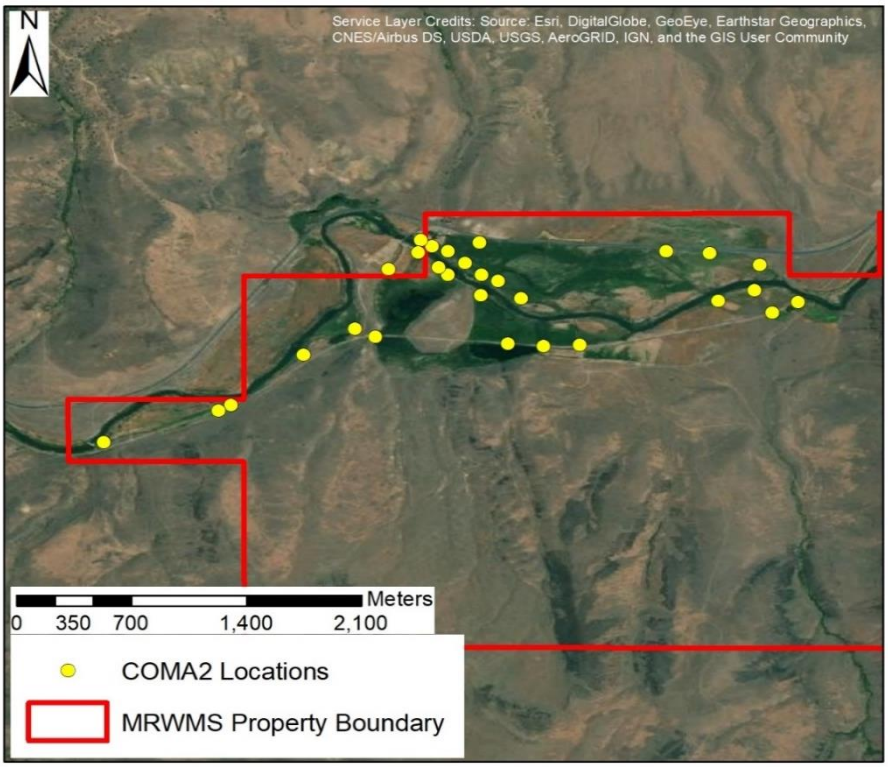
Locations of Rush skeletonweed treated by Malheur County Weed/Vector Control on and near MRWMS in 2020.



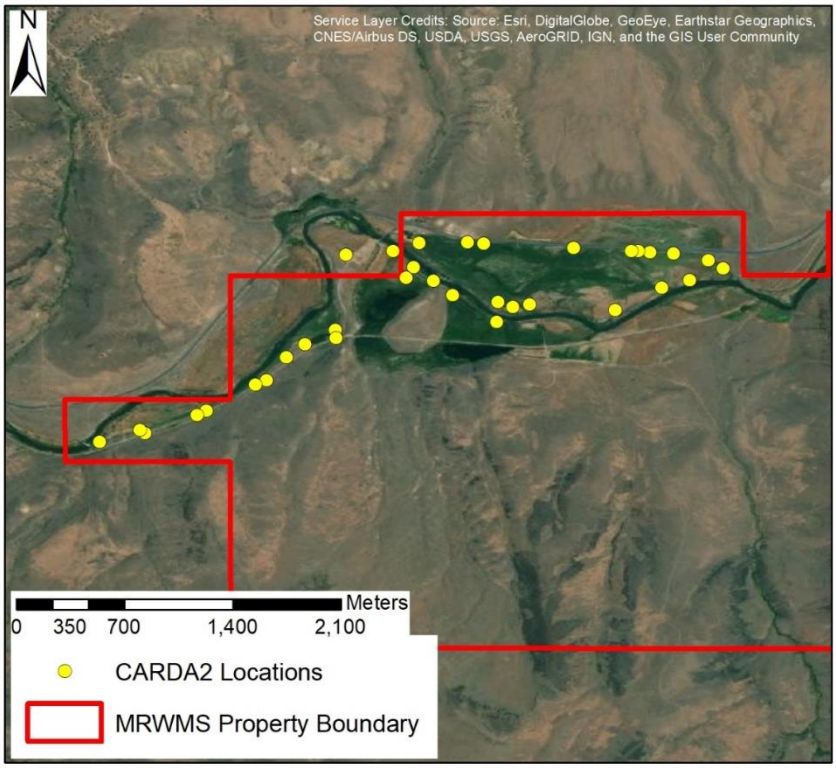
Locations of Rush skeletonweed treated by BPT on MRWMS in 2020.



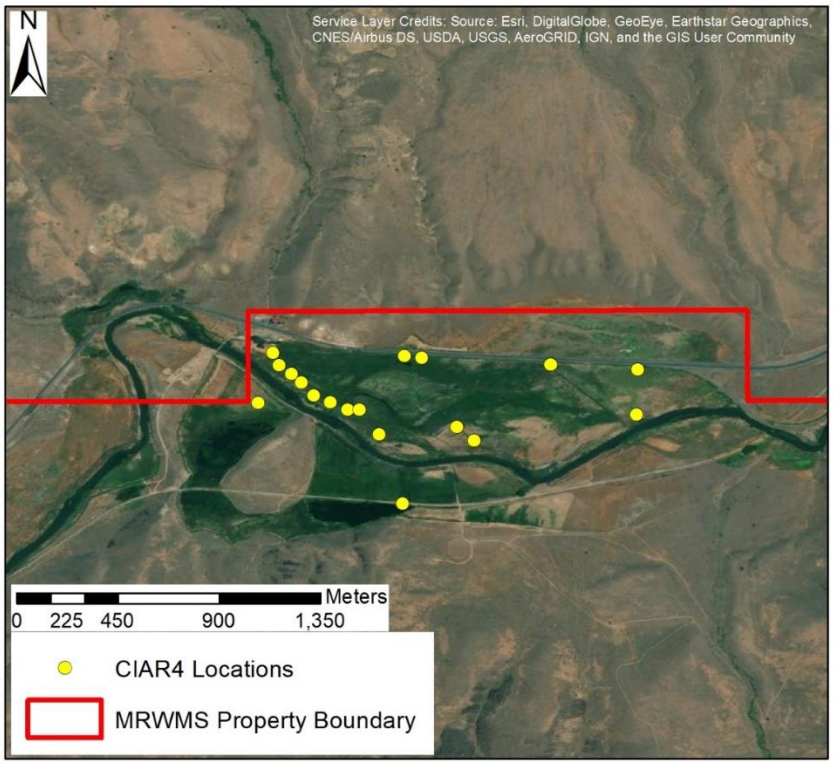
Locations of Prickly lettuce (LASE) treated on MRWMS in 2020.



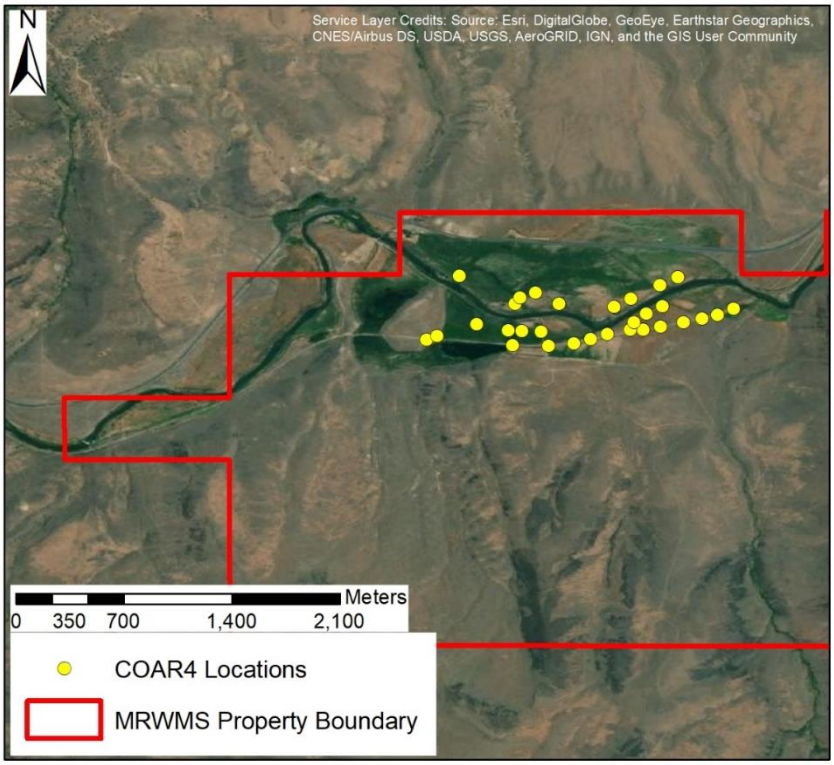
Locations of Poison hemlock (COMA) treated on MRWMS in 2020.



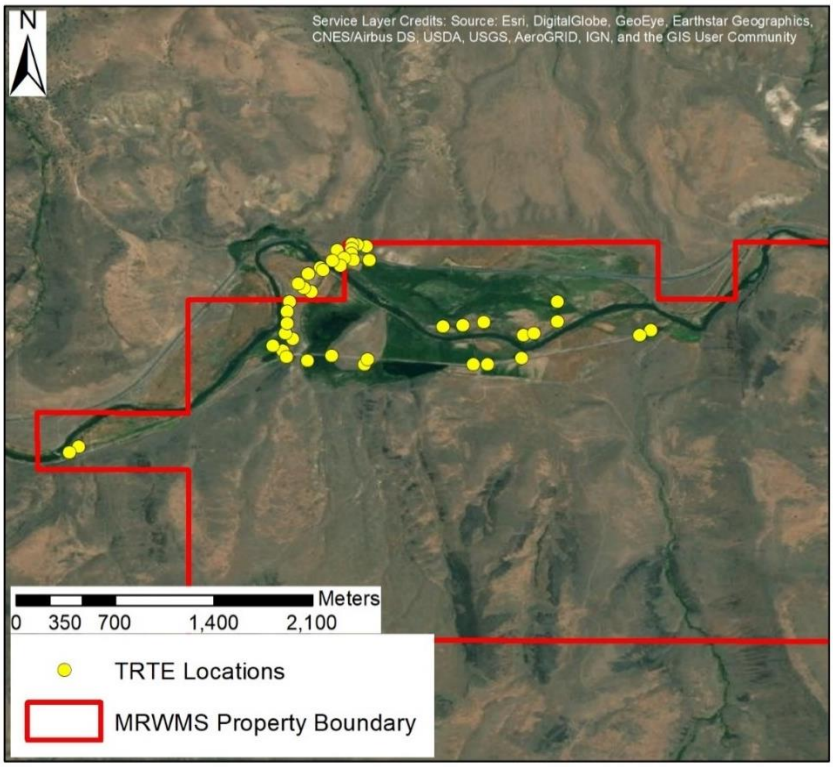
Locations of Whitetop (CARDA2) treated on MRWMS in 2020.



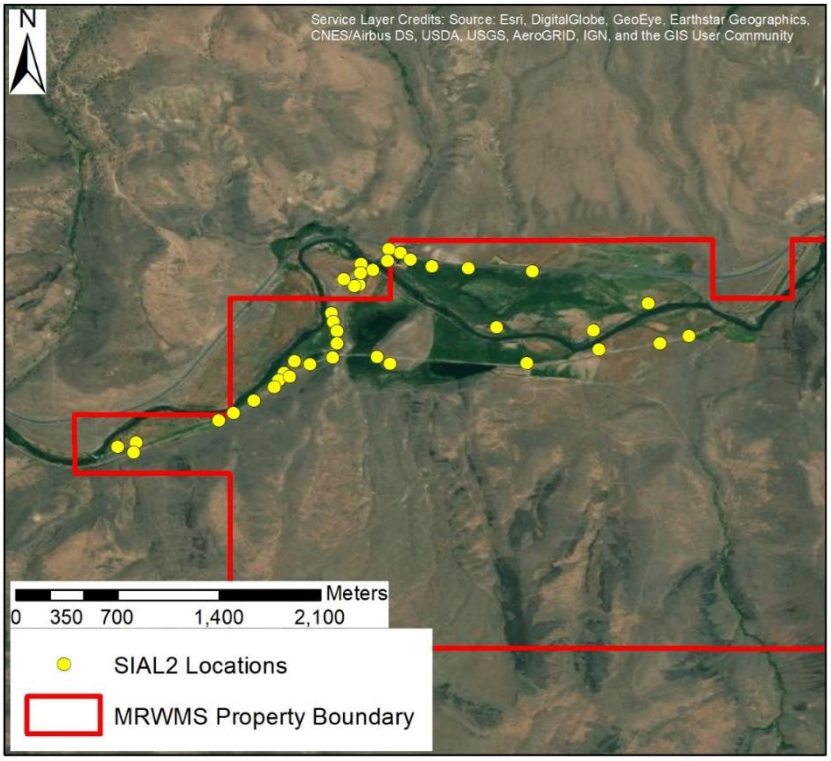
Locations of Canada thistle (CIAR4) treated on MRWMS in 2020.



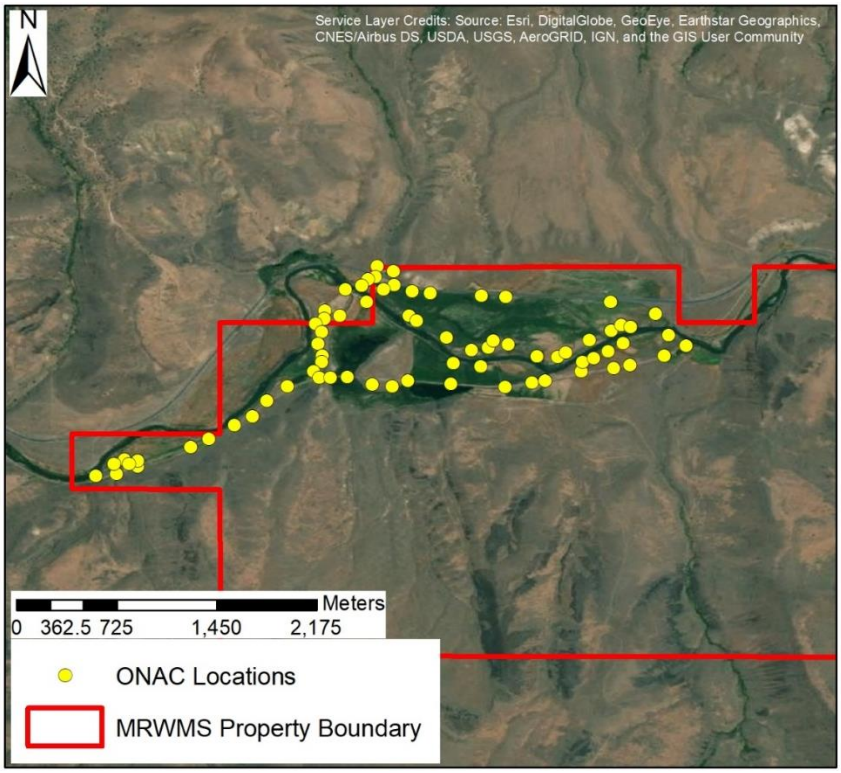
Locations of Field bindweed (COAR4) treated on MRWMS in 2020.



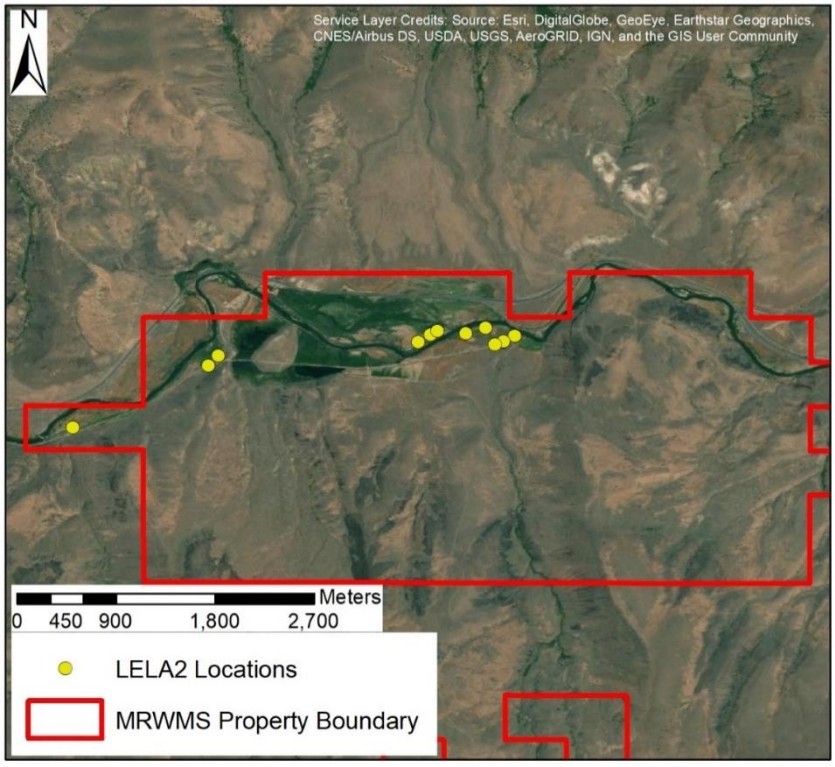
Locations of Puncturevine (TRTE) treated on MRWMS in 2020.



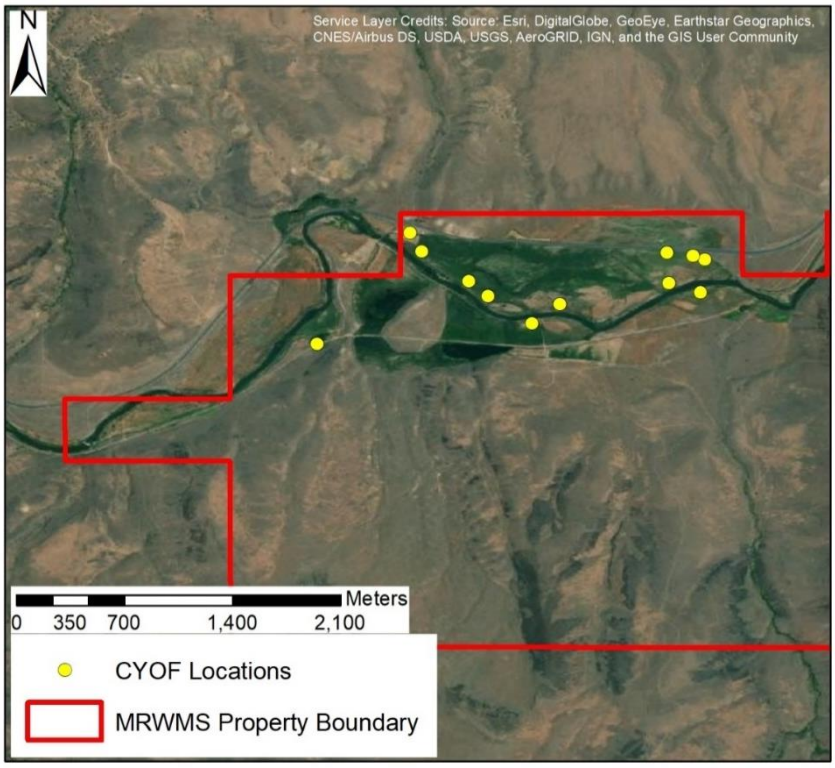
Locations of Tumble mustard (SIAL2) treated on MRMWS in 2020.



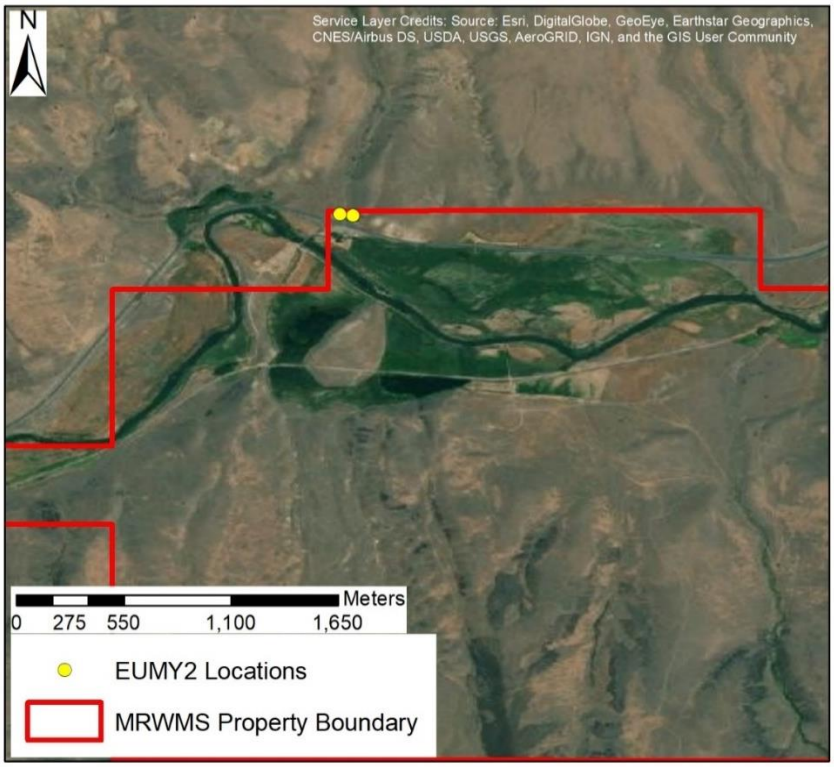
Locations of Scotch thistle (ONAC) treated on MRWMS IN 2020.



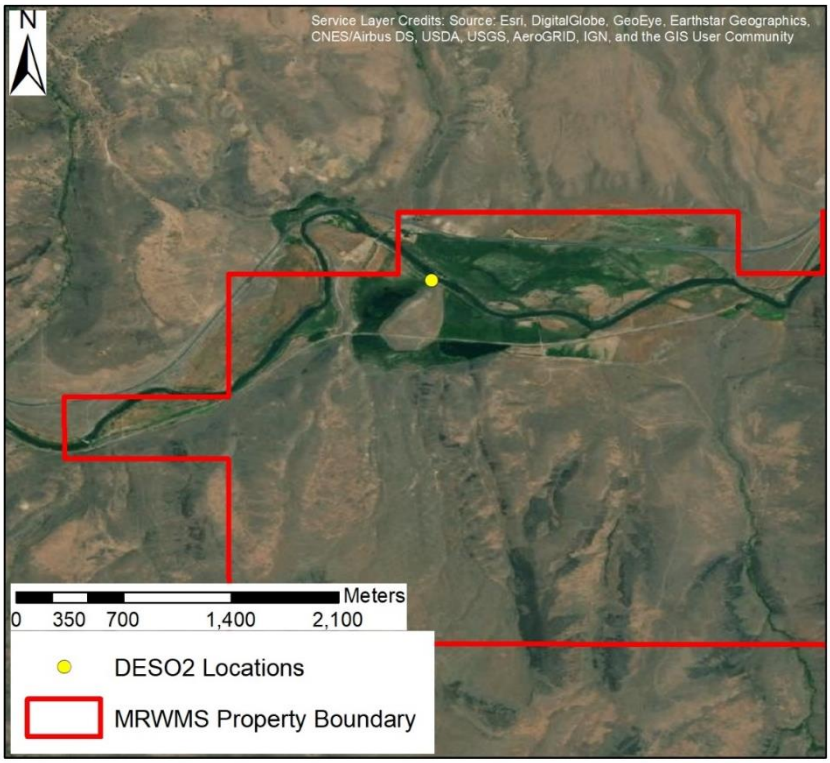
Locations of Perennial pepperweed (LELA2) treated on MRWMS IN 2020.



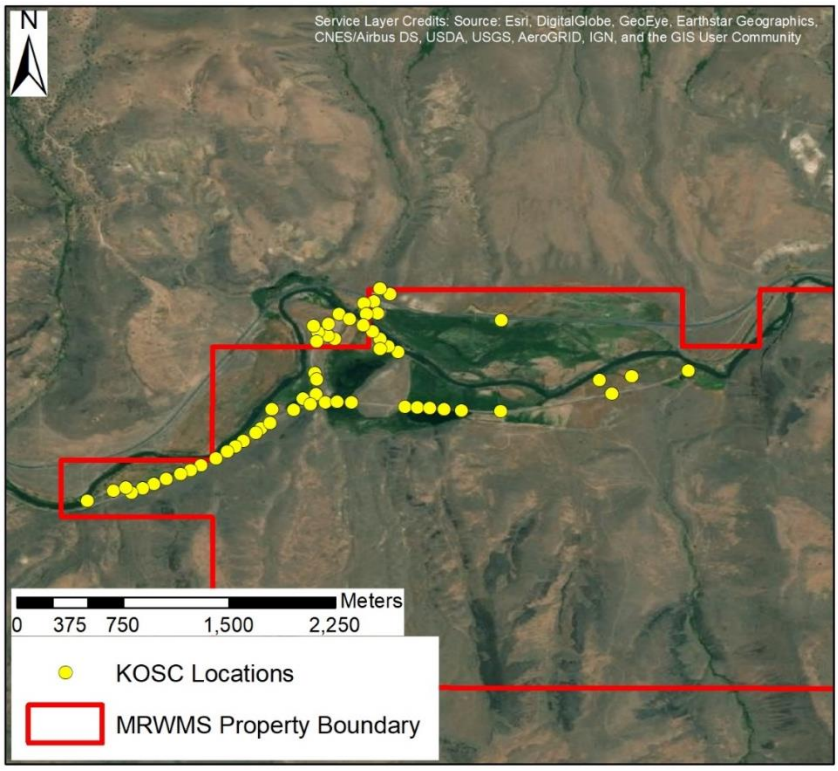
Locations of Houndstongue (CYOF) treated on MRWMS in 2020.



Locations of Myrtle spurge (EUMY2) treated on MRWMS in 2020.



Locations of Flixweed (DESO2) treated on MRWMS in 2020.



Locations of Kochia (KOSC) treated on MRWMS in 2020.

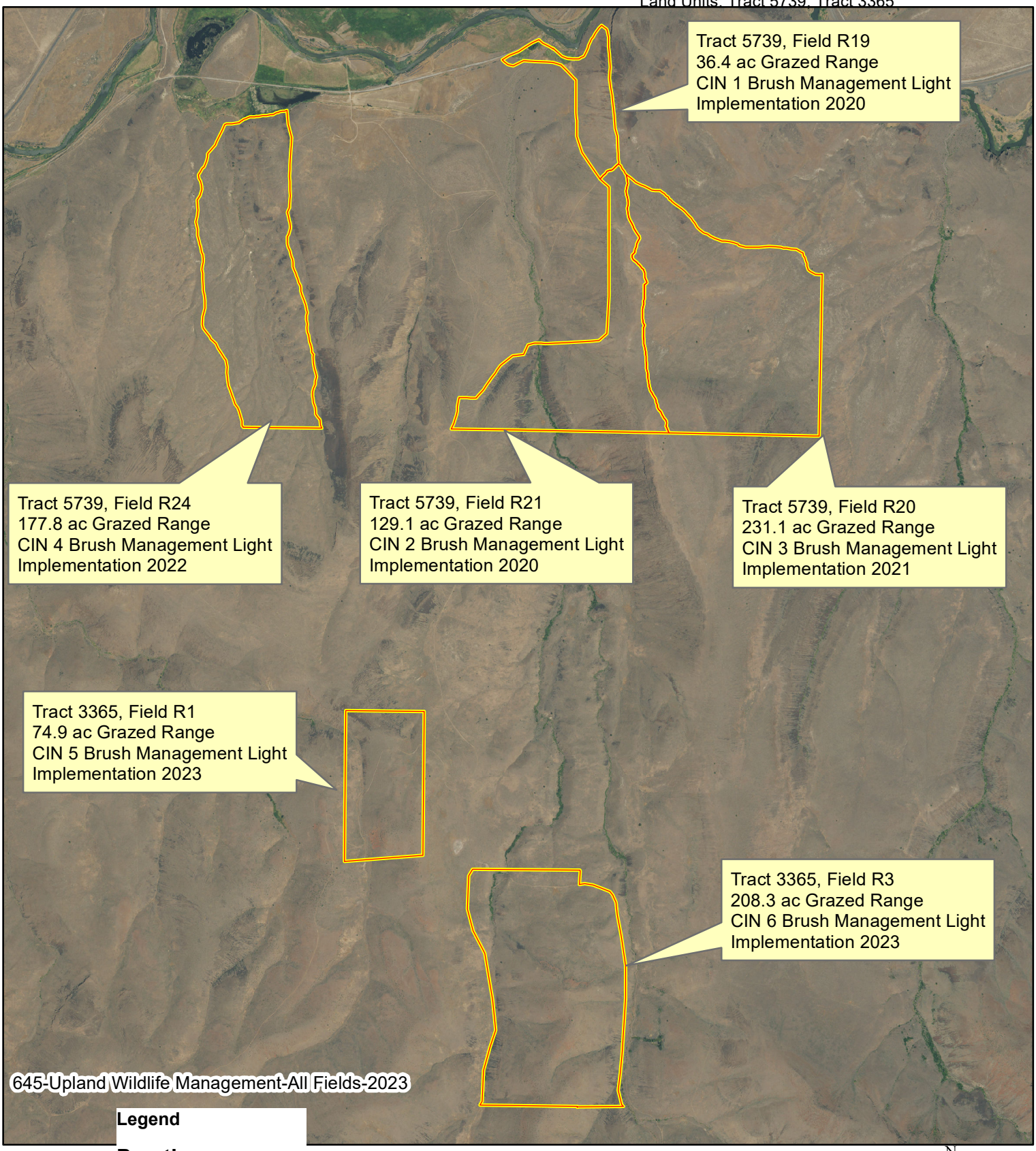
Appendix 7.

Conservation Plan Map

Date: 6/17/2019

Customer(s): BURNS PAIUTE TRIBE
District: MALHEUR SOIL & WATER CONSERVATION DISTRICT
Legal Description: T:21S R:39E Sec:10, 11, 14, 15
T20S R39E Sec 26, 34, 35

Field Office: ONTARIO SERVICE CENTER
Agency: USDA/NRCS
Assisted By: CATIE KERSHNER
Land Units: Tract 5739, Tract 3365



645-Upland Wildlife Management-All Fields-2023

Legend

Practice name

- Brush Management
- SGI_2019

1,250 0 1,250 2,500 3,750 5,000 Feet

N

Prepared with assistance from USDA-Natural Resources Conservation Service

ONTARIO SERVICE CENTER
2925 SW 6TH AVE
ONTARIO, OR 97914-4632
(541) 889-9689

CATIE KERSHNER
SOIL CONSERVATIONIST

Conservation Plan

BURNS PAIUTE TRIBE
100 PASIGO ST
BURNS, OR 97720

Brush Management(314)

Remove all encroached junipers and other conifers by mechanical means to restore habitat for sage-grouse. Downed tree slash will be removed or reduced to less than 4 feet tall to minimize the vertical structure threat to sage-grouse. Retain shrubs to the maximum extent possible. See specifications and plan map for more information.

Tract	Field	Planned Amount	Month	Year	Applied Amount	Date
5739	R19	36.4 ac	5	2020		
5739	R21	129.1 ac	5	2020		
5739	R20	231.1 ac	10	2021		
5739	R24	177.8 ac	10	2022		
3365	R1	74.9 ac	10	2023		
3365	R3	208.3 ac	5	2023		
	Total:	857.6 ac				

Upland Wildlife Habitat Management(645)

Enhance and maintain habitat for sage-grouse by reducing the extent of juniper encroachment. Treat secondary threats or limiting habitat factors as needed. Manage livestock grazing sustainably to meet the seasonal needs of sage-grouse. Retain shrubs to the maximum extent possible. See specifications and plan map.

Tract	Field	Planned Amount	Month	Year	Applied Amount	Date
3365	R1	74.9 ac	10	2023		
3365	R3	208.3 ac	10	2023		
5739	R19	36.4 ac	10	2023		
5739	R20	231.1 ac	10	2023		
5739	R21	129.1 ac	10	2023		
5739	R24	177.8 ac	10	2023		
	Total:	857.6 ac				