IPS Form 10-900 Oct. 1990)	OMB-No. 10024-0018 RECEIVED 2280
Inited States Department of the Interior Iational Park Service	JUL 1 1 507
National Register of Historic Places Registration Form	NAT. REPISTER OF HISTORIC PLACES NATIONAL PARK SERVICE
This form is for use in nominating or requesting determinations for individual properties lational Register of Historic Places Registration Form (National Register Bulletin 16A). Con y entering the information requested. If an item does not apply to the property being de rchitectural classification, materials, and areas of significance, enter only categories an ntries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewrite	omplete each item by marking "x" in the appropriate box or locumented, enter "N/A" for "not applicable." For functions, d subcategories from the instructions. Place additional
. Name of Property	
nistoric name Hole in the Ground, Morrison Ranch, Pinna	acle Ranch, Quarter Circle Eleven Ranc
other names/site numberBirch Creek Ranch Historic Rura	al Landscape (preferred)
2. Location	
nity or town <u>Vicinity of Jordan Valley, Oregon</u>	-
3. State/Federal Agency Certification	
As the designated authority under the National Historic Preservation Act, as amerative request for determination of eligibility meets the documentation standards for Historic Places and meets the procedural and professional requirements set forth meets does not meet the National Register criteria. I recommend that this does not meet the National Register criteria. I recommend that this statewide locally. (Difference of additional commendation sheet for additional commendation sheet for additional commendation of certifying official/file Date State of Federal agency and bureau	registering properties in the National Register of in 36 CFR Part 60. In my opinion, the property property be considered significant comments.)
In my opinion, the property is meets does not meet the National Register cric comments.) May 16, 19 Signature of certifying official/Title Oregon State Historic Preservation Office State or Federal agency and bureau	
Actional Park Service Certification hereby certify that the property is: Signature of the K	eeper Date of Action
Image: See continuation sheet.	Jusiji 3/25/97
National Register.	
other, (explain:)	

Birch Creek Ranch Name of Property

5. Classification					
Ownership of Property (Check as many boxes as apply)Category of Property (Check only one box)		Number of Resources within Property (Do not include previously listed resources in the count.)			
🗆 private	🗆 building(s)	Contributing	Noncontributing		
 public-local public-State 	🖌 district ⊡ site	12	6	buildings	
I public-State	☐ structure ☐ object			sites	
		7	1	structures	
				objects	
		19	7	Total	
Name of related multiple p (Enter "N/A" if property is not part	of a multiple property listing.)	Number of cor in the National	ntributing resources pre Register	eviously listed	
6. Function or Use					
Historic Functions (Enter categories from instructions)		Current Function: (Enter categories from			
agriculture/subsistence; storage, agricul-		agriculture/subsistence; agricultural fiel			
tural field, animal facility, horticultural		animal facility, horticultural facility,			
facility, agricultural outbuilding, irri-		agricultural outbuilding, irrigation facili			
gation facility		recreation and culture: outdoor recreation WORK IN PROGRESS			
		EDUCATION: research facility WORK IN PROGRESS			
7. Description		· · · · · · · · · · · · · · · · · · ·			
Architectural Classification (Enter categories from instructions)		Materials (Enter categories from instructions)			
no style		foundation stone: tuff & basalt boulders			
		walls stone: tuff wood: weatherboard			
			ake metal: tin	tarpaper	
		other wood, tin, iron, shake			

Narrative Description (Describe the historic and current condition of the property on one or more continuation sheets.)

See Continuation Sheets

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- □ B Property is associated with the lives of persons significant in our past.
- C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

Property is:

- □ A owned by a religious institution or used for religious purposes.
- □ B removed from its original location.
- \Box C a birthplace or grave.
- □ D a cemetery.
- **E** a reconstructed building, object, or structure.
- □ F a commemorative property.
- □ G less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance (Enter categories from instructions)

[Basque], exploration/settlement

agriculture, engineering, ethnic heritage: European

Period of Significance

1900-1937

Significant Dates

<u>1903, 1937</u>

Significant Person (Complete if Criterion B is marked above)

N/A

Cultural Affiliation

European [Basque]

Architect/Builder

Domingo Lequerica, Simon M. Acordagoitia,

James Morrison

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical Refere	ences
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Bibliography

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67 has been requested
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey
 #
- recorded by Historic American Engineering Record #_____

Primary location of additional data:

- □ State Historic Preservation Office
- Other State agency
- Federal agency Local government
- □ Other

Name of repository:

BLM, Vale District Office

Birch Creek Ran	ich
Name of Property	

10. Geographical Data		
Acreage of Property 293.36 (127.88 Upper Tract, 165.48	8 Lower Tract)	
UTM References (Place additional UTM references on a continuation sheet.) Zone Easting Northing	3 _ _ _ _ _ Zone Easting 4 _ _ _ _ _ _ ⊠ See continuation sh	Northing
Verbal Bourndary Description (Describe the boundaries of the property on a continuation sheet.)		
Boundary Justification (Explain why the boundaries were selected on a continuation sheet.)		
11. Form Prepared By		
name/title_Alice F. Bronsdon, Cultural Resource Specialist		
organization Bureau of Land Management, Vale District, Jo	rdan Resource Area	date <u>10/26/93</u>
street & number 100 Oregon St.	telephone <u>503/473-3144</u>	
city or town_Valestate_Oregon	zip code_97918	
Additional Documentation		
Submit the following items with the completed form:		
Continuation Sheets		
Maps		
A USGS map (7.5 or 15 minute series) indicating the p	property's location.	
A Sketch map for historic districts and properties havir	ng large acreage or numerous	resources.
Photographs		
Representative black and white photographs of the pro	operty.	
Additional items (Check with the SHPO or FPO for any additional items)		
Property Owner		
(Complete this item at the request of SHPO or FPO.)		
name	an a	
street & number	telephone	
city or town	state	zip code

Paperwork Reduction Act Statement: This information is being collected for application to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503.

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COMMENTS OF THE OREGON STATE HISTORIC PRESERVATION OFFICE

The Birch Creek Ranch Historic Rural Landscape consists of two discontiguous ranches in the Owyhee Breaks country of Malheur County in southeastern Oregon. These tracts, the nucleii of separate historic claims, have been managed under single ownership since 1971. The holding was acquired by the USDOI Bureau of Land Management in 1988 and is administered in accordance with the National Wild River Management Plan.

Situated in close proximity on the east bank of the Owyhee River, the nominated areas make up a combined total of nearly 283 acres and encompass some 19 contributing buildings and structures. The unifying elements of the rural landscape in this isolated setting are the Owyhee canyon, which forms the westerly boundary, the native materials used in construction of frame buildings, stone cellars and walls for livestock management, and pole corrals; water transportation developments essential to sustaining livestock pastures, and the poplars and locusts introduced for shade and windbreaks in a harsh climate. These are full functional landscapes enveloping residential and ranch support buildings, irrigation ditches, livestock corrals and historic pasture areas, one of which (on the Birch Creek Ranch unit) has reverted to The landscape units are significant under National sagebrush. Register Criteria A and C in the areas of agriculture (sheepraising, specifically), engineering for water transportation, settlement patterns and ethnic heritage. They represent the earliest Euro-American settlement in the canyon of the Owyhee.

The beginning date of the period of significance 1900-1937 reflects the year Basque sheepherder Domingo Lequerica is believed to have claimed land above the entrance of Birch Creek to the Owyhee. The Birch Creek tract was developed by his heirs and successors in interest. The landscape setting of this unit is a river terrace in a deep canyon -- a peninsular holding created by an oxbow in the river. The arid, rocky tract is demarcated by mature stands of locust and poplar. Locusts line the margins of the river, and poplars the residential and stock management areas. They represent man's effort to adapt to the environment. Extensive, random-range stone walls were stacked without mortar to control livestock, and they represent the rancher's economical use of available material as well as effort to clear areas for cultivation. The historic period ends on departure of Basque landowners from the upper tract. **United States Department of the Interior** National Park Service

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14 contributing features - Birch Creek (Upper) Tract - 127.88 acres

3 stone ruins (root cellar, chicken house, hog shed) outhouse/privy cistern bunkhouse/shop generator shed chicken house tackroom barn corral building foundations (labeled as "Ruins of Lambing Sheds?) stone walls irrigation ditches

2 non-contributing features - Birch Creek (Upper) Tract

ranch house (re-sided with boards and battens after 1968) Martin Rust cottage, 1968

The lower tract was acquired in 1919, sold and resettled in 1923 by James Morrison (1876-1962) a bachelor rancher who had earlier claimed land elsewhere along the Owyhee. Its most noteworthy developed feature is a water wheel which is one of the rare remaining current-driven vernacular engineering features of its kind in the state. The water wheel poured into a ditch which in turn fed the gravity-flow irrigation system.

5 contributing features - Morrison (Lower) Tract - 165.48 acres

water wheel (shown on general area map)
stone root cellar/bunkhouse
frame garage/shop
corrals
stone dugout ruin (labeled "root cellar ruin ---" on map)

5 non-contributing features - Morrison (Lower) Tract

Wright house (remodeled) guest cottage (converted stud barn) (Honeymoon Cottage) hanger outhouse/privy cable way

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DESCRIPTION

The Birch Creek Ranch consists of two discontiguous properties, the Birch Creek and the Morrison Place, two ranches separated by about one-half mile. They were purchased by Martin Rust, II, run as a single operation, and sold by Mr. Rust to the Bureau of Land Management as a single unit.

The Birch Creek Ranch is a complex of plantings, stone walls, buildings, irrigation systems and objects situated at the mouth of Birch Creek on the east bank of the Owyhee River. The Upper Tract is on a peninsula of land; the Owyhee courses along the west, north and east margins of this parcel. The Lower Tract lies downstream along the east bank of the river at the base of steep cliffs.

The Birch Creek Ranch was developed early in the twentieth century as two separate properties. Combined into one unit in 1971 by Martin W. Rust, II, the land has since that date been operated as a single property and has had an integrated program of landscaping, building rehabilitation, and care. Although separate properties for nearly seven decades, the Birch Creek Ranch possesses a strong integrity of historic landscape and visual continuity. The landscape is admittedly vernacular, but the whole of the ranches surely is greater than the sum of the parts. The design is not formal, but has great consistency. The ranch has a serene beauty that contrasts sharply with its arid surroundings, yet seems an integral part of the setting.

The following description enumerates the features within the proposed historic district--a rural historic landscape.

UPPER TRACT

This complex of features is located upstream from the junction of Birch Creek with the Owyhee River. The setting is an old, riverine terrace on the east, north and west banks of the Owyhee where it cuts around cliffs deep in its canyon. The tract is a northerly-directed peninsula and includes both bottom lands as well as steep hillsides which terminate in cliff faces to the south and east.

The setting is demarcated by mature stands of locust and poplar and evokes the feeling of an oasis in a largely arid, indeed barren, desert landscape. The locust line the margins of the Owyhee River, while the poplars dominate the residential and stock management area at the mouth of Birch Creek. The mature plantings of trees confirm the presence of humans in shaping this setting and their efforts to secure shade in a place where summer temperatures often exceed 100°. The setting also includes massive walls of randomly coursed stone, gathered at the site and stacked by hand to control livestock. These ambitious walls stand 4-5 feet high and include one, more than a half mile long, which runs from Birch Creek up the mountainside to the west where it terminates at the base of a cliff. The walls, like the trees, further confirm human activity at this site. United States Department of the Interior National Park Service

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The following features, classified as contributing and noncontributing, are located on the Upper Tract:

Contributing

1. Cellar

This building is constructed of randomly-coursed, dressed stone set with concrete and measures 17' on its east (front) elevation by 23' on its side elevations. The structure has two sets of doors, constructed of vertical boards, to create a "dead" air space. The interior contains wood shelves. The building has a wood, gable roof. The structure is in good repair and is dug part way into the hillside at the base of the mountain west of the rear elevation of the house.

2. Chicken House Ruin

This building has vanished but its massive, stone footings remain and measures 27' on the east (front) elevation by 21' 9" on the side elevations. The structure was partially excavated into the base of the hillside at the base of the mountain west of the rear elevation of the house.

3. Hog Shed Ruin

This building has vanished but is marked by massive, stone footings measuring 27' on the east (front) elevation by 13' on the side elevations. This site is currently used for storing firewood.

4. Outhouse

This structure, presumably the original outhouse, measures 4' wide by 3' 2" deep. It is constructed of vertical boards with a shed roof and faces to the west. It has no door. It is painted white.

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5. Cistern

The concrete and rubble stone cistern is located at the base of the mountainside west of the rear elevation of the house. It is at the termination of a ditch-pipe diversion system which brings water from Birch Creek to the building complex. This gravity-flow system provides both domestic and irrigating water.

6. Bunkhouse-Shop

This wood frame building is located to the west of the rear elevation of the house and has combined use. The front section is a small bunkhouse; the lean-to section to the west (rear) elevation is used as a shop. This building measures 18' 4" on the east (front) elevation by 11' 6" on the side elevations. The building has vertical, board and batten siding, a shake, gable roof and shed roof over the lean-to addition, and is set on a rubble stone foundation. The structure has two rooms and a small wood stove for heating. The fenestration is irregular and includes both four-pane and single-pane slider windows on the front elevation. The building has two Eastlake Style doors, each with a single pane window above three wooden panels. It is possible that these doors were removed from the house which stands nearby. This building is in good condition.

7. Generator Shed

The generator shed is a small, wood frame structure measuring 6' 4" on its east (front) elevation by 4' 2" on its side elevations. The building is covered with vertical board and batten siding and has a shake, shed roof. An open deck or porch of planks extends in front of the structure. The building and porch are set on randomly coursed stones. This building is in good condition.

8. Chicken House

The chicken house is a one story, wood frame building measuring 13' 4" on its east (front) elevation by 12' 8" on its side elevations. The building is semi-subterranean, excavated to a depth of approximately four feet and is set on massive stones. Its exterior was original horizontal shiplap subsequently covered with tar paper and is in poor condition. The east (front) elevation was screened and contains a wood door. This structure is in poor condition.

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9. Tack Room

This wood frame building stands adjacent to the barn and is within the corral area. It measures 8' 3" on its west (front) elevation by 8' 3" on its side elevations. The structure is framed with 2" x 4" boards and is panelled on the inside with horizontal boards. The building is set on an uncoursed rubble stone foundation and has a shed roof. It is in fair condition.

10. Barn

The barn is a two story, wood frame building with a gable covered with shakes. The exterior walls are covered with horizontal boards. The barn measures 32' 5" on its east and west elevations by 16' 6" on the north and south elevations. The building is framed with milled lumber but has juniper posts for internal support of the haymow. A feed trough is situated in the interior on the west elevation and a new tack room has been constructed along the interior of the south elevation. The building has several broken or missing windows but is in good condition. It stands in the corral area.

11. Corral

The corral is a large, irregular enclosure constructed of locust and juniper posts set with cross rails. Sections of the corral have been further enclosed with spaced, vertical boards fastened to wire. The corral is in good condition.

12. Foundation

Piles of uncoursed stones suggest that lambing sheds once occupied the area between the corral and the house. These features today contain young poplar trees.

13. Stone Walls

A number of stone walls run through the residential site at the mouth of Birch Creek. Stacked to a height of 4', these randomly coursed walls are set without mortar. They were probably used to control livestock. One stone wall reaches for nearly a half mile from Birch Creek up the hillside to the base of a basalt flow.

14. Irrigation Ditches

A considerable portion of the irrigation systems at the Upper and Lower Tracts are still in use, or could be repaired. Operating irrigation systems at both ranches were mentioned in the field notes of Collier and Joselyn when they conducted the cadastral survey of the area in 1912.

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The Birch Creek ditch exits Birch Creek above the residential area, holds to the contour of the hill, passes west of the Martin and Dorothy Rust house, flows into a small decorative pond immediately north of the contributing house (#1, this document), and flows by buried pipe to the Owyhee River. It is currently used to irrigate a vegetable garden by gravity flow, and to irrigate the lawns.

The ditch at the Morrison Place is not in use. It begins at the waterwheel south of the residential area and ends at the lower alfalfa field. In general, the ditch is in good condition and could be restored to use by cleaning.

Noncontributing

1. Rust (Martin and Dorothy) Cottage

Constructed in 1968, this one story, wood frame dwelling stands at the base of the hillside in the residential area at the mouth of Birch Creek. The building has a shake-covered, gable roof and an exterior of vertical board and batten siding. The building measures 26' 3" by 28' 2" and consists of a bedroom, bath, living room, and kitchen. It has a fireplace and wood cooking stove. The building is in excellent condition. Several historic artifacts associated with this site--snaffle bits for work horses, an ice saw, traps, and branding irons--are fastened along the exterior south (side) elevation of the building.

2. House

This one story, wood frame building measures 41' 9" on its east (front) elevation by 32' 4" on its north (side) elevation. The structure has two bedrooms, a bathroom, a kitchen, living room, and porches 10' 2" wide on the east and south elevations. The porch on the east (front) elevation is open; the porch on the south (side) elevation is covered and includes an enclosed work area off the kitchen. The building has a hip roof covered with shakes and is set on a rubble stone foundation, partially fixed with mortar. Stone piers support the floor joists. The eaves are boxed. The building originally had horizontal, shiplap siding which was covered with unpainted, vertical boards and battens subsequent to 1968. The fenestration is irregular and includes one-over-one, two-over-one, double hung sash windows and a four-pane casement window. The building has a brick chimney lined with concrete pipes. The house is considered non-contributing in its current condition.

LOWER TRACT

Contributing

1. Water Wheel

This massive object, measuring approximately 30' in diameter, is situated on the east bank of the Owyhee River and is believed to be one of three current-driven water wheels remaining in Oregon. Although presently inoperative and jammed with debris from a freshet, the water wheel is nearly complete and is in fair condition. The wheel is situated

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at a natural shelf at the downstream margin of a slack pond in the Owyhee north of Birch Creek. It was driven by the current flowing over the stone shelf in the bed of the river. The current drove a series of large board paddles and turned the wheel. Fixed to each paddle are pairs of metal scoops which lifted the water from the river, carried it in a high arch, and dumped it on the downward turn into two different systems of metal-lined troughs which, in turn, poured into a ditch to feed a gravity-flow irrigation system along the east bank of the Owyhee. Even though this water wheel is damaged, it is an excellent example of the ingenuity and response to an arid environment to those determined to engage in agriculture and bring water to fields for raising feed for livestock.

2. Root Cellar-Bunkhouse

Constructed of dressed sandstone and rubble stone set with mortar, this building faces west and measures 23' 3" on its front and rear elevations by 10' 9" on its north and south (side elevations). The structure has a new frame, shake-covered gable roof and a new, wood floor. It has a bedroom and a bathroom in its interior. A historic photo confirms that this structure was originally constructed of dressed blocks and rubble stone, presumably because the builder decided to switch materials or add-on to it at an early date. the building is in excellent condition

3. Garage-Shop

This one story, wood frame building has a gable roof covered with cor ugated sheet metal. The building measures 18' 9" square but has a lean-to shed area, used as a shop, on its north (side) elevation. The building is framed with sawed lumber and has the date "1931" painted on an interior wall. The building is set on field stones and is covered on its exterior with vertical boards. A diagonally-braced door suspended from a track encloses a single bay.

4. Corrals

Although some of the corrals have been removed, part of the original corral and loading chute remain north of the residential area. The corrals consist of pole fences and vertical juniper posts set in the ground. The corrals are in good condition.

5. Stone Dugout Ruin

This feature appears to be a stone-lined dugout set at the base of a cliff to the east of the residential area. Presumably once used as a dwelling or storage room, the building is constructed of massive, dressed stone blocks without mortar. An x-braced, wood door remains. The roof is missing. The structure measures $19' \times 14'$.

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Non-contributing

1. Morrison (James) House / Wright House

This building is a nearly total rehabilitation of the original James Morrison house. The alterations are so significant that it is not possible to recognize the original structure or its interior or exterior finishes.

This structure is one story, wood frame building measuring 34' 3" on its east (side) elevation by 25' 20" on its south (front) elevation. The building has a large porch along part of the south elevation and along the full east side. The building contains a kitchendining area, two bedrooms, pantry, and bathroom. The exterior is covered with vertical board and batten siding. The building has a shake, gable roof and double-glazed casement windows. It is in excellent condition.

Many Indian artifacts, including mortars and pestles, are stacked in the yard near this structure.

2. Honeymoon Cottage

Originally the stud barn, this building has been so altered as to have lost its historic integrity. This small building faces west and has an open porch along its west, north and part of its south (side) elevations. It has a living room-bedroom area and a small bathroom. The structure is framed with the original juniper posts but is covered on the exterior with new, redwood siding. It has large, double-glazed casement windows. The porch is set on dressed blocks of stone, presumably salvaged from the dugout ruin on the hillside to the east.

3. Hangar

Constructed after 1968, the hangar measures 32' 5" deep by 60' 5" wide and faces east toward the alfalfa field (and landing strip). The building is set on concrete blocks and has an exterior of vertical board and batten siding and a shake, gable roof. The structure houses two storage rooms, a 2-car garage, and storage for an airplane. The building is in excellent condition.

4. Outhouse

This two-room, wood frame outhouse was constructed after 1968 and measures 8' 3" x 4' 4". It is set on stone blocks and has a stone and mortar patio or porch on its west (front) elevation. The exterior is covered with vertical boards and battens. The gable roof is covered with shakes. The building is in excellent condition.

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5. Cable Way (Bureau of Reclamation)

The cable-way across the Owyhee River is located to the south of the hangar. Constructed in 1941 by the Bureau of Reclamation, this feature is used to reach a gauging station on the west bank. Large frame towers on the east and west banks hold the cable from which is suspended a hand-operated car for crossing the Owyhee. The east cable way tower stands within the nominated area of the Morrison Ranch. Because it was constructed after 19 37, which marks the end of the period of significance, it is a non-contributing element. Note: The 1993 spring flood demolished the tower on the west bank and took out the cable.

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STATEMENT OF SIGNIFICANCE

The Birch Creek Ranch consists of two discontiguous properties, the Birch Creek and the Morrison Place, two ranches separated by about one-half mile. They were purchased by Martin Rust, II, run as a single operation, and sold by Mr. Rust to the Bureau of Land Management as a single unit. These Upper and Lower Tracts form the Birch Creek Ranch, which constitutes a rural historic landscape. It is "a geographical area that has been used, shaped, or modified over time by human activity, occupancy, or intervention" and "possesses a significant concentration, linkage, or continuity of historic landscape features, including areas of land use, buildings, vegetation, roads and waterways, and natural features" (McClelland, J. T. Keller, G. P. Keller, and Melnick 1988).

The Birch Creek Ranch rural historic landscape meets <u>Criterion A</u> because it is "associated with events that have made significant contributions to the broad patterns of history" and <u>Criterion C</u> because it embodies the "distinctive characteristics of a type, period, or method of construction" which represent "a significant and distinguishable entity whose components may lack individual distinction." The "distinctive characteristics" include the spatial organization and collective character of the landscape features, especially the siting of buildings, use of stone for building materials and walls, corrals and stock management features, planting of poplar and locust, and the irrigation systems.

The rural historic landscape at Birch Creek Ranch meets three areas of significance: Agriculture, engineering and settlement. In the first case the site is intimately involved in the development of range use and the livestock industry in southeastern Oregon. In the second instance the water wheel and diversion ditches for the gravity-flow irrigation systems document a unique feature of engineering. Third, Birch Creek Ranch is associated with the earliest Euro-American settlement in the canyon of the Owyhee and, especially, with the role of the Basque immigrants in Malheur County.

PERIOD OF SIGNIFICANCE

Euro-American settlement commenced on the Birch Creek Ranch shortly after 1900. James Morrison, owner and operator of the Lower Tract for more than 60 years and a pioneer cattleman in the Owyhee River Canyon, appeared in Household No. 123 in Red Butte Precinct in the Census of 1900. Born January 4, 1876, in West Virginia, Morrison was a farm laborer. He told the enumerator that he owned his house "free and clear" (Bureau of the Census 1900). About this time Juan Domingo Lequerica, born March 5, 1855, in Spain, settled at the mouth of Birch Creek. Lequerica and a friend, Martin Achavia, were among the first Basques to go to McDermitt, Nevada, in the late 1880s. These men worked for Pick Anderson and later for Bob Wilkinson. Lequerica then selected land about 1900 at the mouth of Birch Creek and encouraged his son, Timothy, to immigrate and join him on his property (Hanley and Lucia 1973:193-195).

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In 1903 Timothy Lequerica left Spain but arrived in southeastern Oregon only to learn of his father's death. Domingo Lequerica was driving a wagon and horse team down the precipitous grade into Birch Creek on or about the last day of July, 1900. Presumably the brake failed, the team ran away, and Lequerica fell from the wagon and was run over. Surviving the accident, Lequerica removed his shirt and stuck a knife through it in the road to mark the place, then dragged himself with two broken legs and other injuries, over the hill in an effort to try to reach the creek. Searchers subsequently found his body on the hillside and fixed his death on August 1. Lequerica was buried in Jordan Valley (Hanley and Lucia 1973:195).

On December 22, 1909, J. R. Blackaby, administrator of the estate of Domingo Lequerica and Timothy Lequerica sold the E½SW¼ NW¼SE¼, Section 18, T. 27 S., R. 43 E., W.M. "with all water rights to said farm" to Donato Uberuaga and Simon Acordagoitia (Malheur County Clerk n.d.e:254). On October 26, 1912, Uberuaga, "a single man, of Jordan Valley", sold his interest in the property for \$1,098.76 to Acordagoitia, "together with all the ditches and laterals used in the irrigation thereof and water rights connected therewith" (Malheur County Clerk n.d.f:246). Thus, sometime between 1900 and 1903 Lequerica settled at the mouth of Birch Creek. Following his death in 1903 Uberuaga and Acordagoitia secured an interest in this ranch and after 1909 it was held entirely by Acordagoitia.

Because of the delay in the cadastral survey of this remote township until the fall of 1912, however, none of the early settlers could secure title. Finally on June 26, 1918, the General Land Office issued a deed in the name of the deceased Domingo Lequerica for 122.63 acres, Desert Land Entry No. 638361, and identified the tract as Lots 18 and 19 in Section 7 and Lots 4 and 9 in Section 18 (BLM, n.d). This was the complete tract claimed by Lequerica. Simon and Mercedes A. Acordagoitia, subsequently the parents of six children, retained ownership of this tract until October 5, 1937, when they sold it to Clyde W. and Sophia Bethel (Malheur County Clerk n.d.g:577). The departure of the Basque landowners in 1937 marks the end of the period of significance.

The Acordagoitias were members of southeastern Oregon's Basque community. Large-scale Basque immigration commenced in the 1880s because of terrible conditions oppressing this minority in Spain. In the 1870s and 1880s the Spanish Civil Guard terrorized the Basques. The Spanish government excluded all Basques from civil service and higher education and ruled that use of the Basque language was a punishable offence. These limitations, a tight hold on land, the prospect of four years of compulsory military service but no chance to become an officer, and a burgeoning population were all factors contributing to immigration (Eiguren 1971:3-4).

Among the first Basques to settle in Jordan Valley in Malheur County were Joe Navarro and Anton Azcuena. These men immigrated to California, traveled to Winnemucca, Nevada, and walked from there for 15 days to McDermitt. Finally about 1889 they settled at Jordan Valley.

Navarro acquired sheep; Azcuena became a partner in a general store. These men sent word to Spain about the opportunities of Malheur County and sparked a steady immigration from about 1900 to 1917 (Eiguren 1971:6). Domingo Lequerica emigrated from Vazcaya, Spain to New

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York in 1886. He worked as a herder in northern Nevada but following the Spanish-American War returned to Spain and subsequently immigrated a second time to the United States and settled in Malheur County (Baker 1972:28).

Simon Acordagoitia (July 16, 1877 - June 14, 1943) was unable to avoid Spanish military service. Acordagoitia served in the Spanish Army in Cuba in the Spanish-American War and then entered the United States and settled in Malheur County. In 1915 Simon and Mercedes Acordagoitia (October 13, 1885 - April 9, 1966) resided with five children in Jordan Valley (Eiguren 1971:7-10). Timothy or Timoteo Lequerica (b. June 10, 1886) and his wife, Josea (Pepita) Lequerica (March 13, 1884 - July 22, 1962) also resided in Jordan Valley (Baker 1972:221-225).

The Basques endured hard work and racist attitudes of their neighbors. The <u>Tribune</u> (Caldwell, Idaho) noted on July 17, 1909: "They are filthy, treacherous and meddlesome. However, they work hard and save their money. They are clannish and undesirable, but they have a foothold and unless something is done will make life impossible for the white man" (Eiguren 1971:Appendix V). The tenacity of the Basques and their commitment to the marginal lands of southeastern Oregon, however, helped them overcome the racism and anti-immigrant bias of other residents. Ione B. Harkness, author of "Basque Settlement in Oregon", noted:

Their method was to take bands of sheep into the hills and stay for years until their accumulated wages could enable them to buy flocks or ranges of their own. Then their friends and relatives would be sent for. Usually a cousin or brother came first; then before many years the whole clan was with him. They arrived in large numbers just before and during the World War. Since the war many of the American ranchers have sold out to the Basques either because their fortunes were made or because of the depression in stock raising (Harkness 1933:273-274).

Harkness added:

The typical Basque has a clear, olive complexion, dark eyes, perfect teeth and very red lips. They are socially inclined and are fond of gathering in the plaza or around the stores, where some will play the accordion or guitar, while others of the group stand in a circle with their hands on each other's shoulders and sing. They dance the American dances, and have also their own Spanish and folk dances. Though they play cards they do not gamble, and though they drink they do not become boisterous (Harkness 1933:275).

The cadastral surveyors of the General Land Office noted the Basques at Birch Creek:

Simon Acordagoitia has a ranch in sections 7 and 18 on the river, with about 40 acres of alfalfa, ½ acre of bearing orchard, and an acre or two of garden. He has a house, barn, sheds, and corrals, in section 18 (Collier and Joselyn 1912).

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The surveyors contrasted the arid mesas above the canyon with their "dry, whitish, friable" soils and bedrock to the fertility of the corridor along the Owyhee:

The valley produces fine fruit vegetables and alfalfa, under irrigation.

Bunch grass grows well every where, though near water it has been pastured almost to extermination. Sagebrush grows in most parts; in some sheltered nooks in the breaks to a height of 10 feet with 6-inch stems.

Along Birch Creek there is a vigorous growth of birch, sometimes as much as 8 or 10 inches diameter, and some willow and cherry brush, and the stumps show that in time past there have been a few juniper trees in the gulches.

The surveyors found that each of three ranches--those of Acordagoitia, James Morrison and William Griffith--utilized the river for irrigation water:

Each of these ranches is irrigated by current wheel pumps with flumes and ditches, each ranch having its own complete plant, the wheels being usually 30 feet in diameter (Collier and Joselyn 1912).

The census enumerator of 1910 found three households in the Owyhee Canyon near the mouth of Birch Creek. On the west bank resided William and Jamshall Griffith, four children, and Griffith's brother. James Morrison, a single male, 34-years-old, and a farmer lived on the west bank. At mouth of Birch Creek lived Donato Uberuaga, a white male, age 29, who immigrated to the United States in 1899. Uberuaga was identified as a farmer and Simon Acordagrites [Acordagoitia], a male who immigrated in 1900, was a "herder in sheep camp" (Bureau of Census 1910).

James Morrison first acquired land at the head of Blue Canyon, 40 acres in the NE¼SE¼, Section 9, T 27 S, R 43 E, W.M., a site known in 1988 as the "Iron Cabin." Morrison, as assignee to the rights of George Kowitz, T. Harvey McKee, and Isaiah Barber, obtained this land on September 20, 1917 (Malheur County Clerk n.d.a:351:). Morrison next secured title to the Lower Tract of Birch Creek Ranch, lots 50-51 in Section 9 and lots 1, 10, 11, and 13 in Section 7, T 27 S, R 43 E, W.M., on January 29, 1919 (BLM n.d.). Morrison apparently decided to leave the area and in the fall of 1919 sold both parcels to Tompie Scoggin. The purchase price for the Owyhee frontage, described in 1912 as possessing a water wheel and irrigation ditches, was \$8,000 for 160.28 acres (Malheur County Clerk n.d.b:538). The Scoggin family failed to pay for the land and Morrison then sued Scoggin, his wife, and Eston and Woodson Scoggin, obtaining a decree that \$8,496.37 was owed to him. Morrison subsequently secured title to the property from Malheur County Sheriff C. W. Glenn on March 5, 1923, a transaction which included the 40 acres in Sec. 9 (Malheur County Clerk n.d.c:518. n.d.d.:541). The 160.28 acres along the Owyhee River and the non-contiguous 40 acres of upland in Section 9 represent Morrison's complete historic holdings.

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James Morrison retained the lands along the Owyhee until his death of pneumonia at Caldwell, Idaho, on April 19, 1962. Morrison, the son of Warren and Prudence (Arnold) Morrison had never married. Born January 4, 1876, in West Virginia, he was identified as a retired rancher from Jordan Valley (Malheur County Clerk n.d.i:401). Morrison's ranch passed next to George Wright of Vale, Oregon, and then to Ken Atwell of Caldwell, Idaho. Atwell reseeded the alfalfa field but made no other improvements. Atwell sold the Lower Tract on November 1, 1968, to Martin W. Rust, II, of Boise, Idaho (Rust 1988).

The Upper Tract, in Basque possession from about 1903 to 1937, passed through a succession of ownerships. Clyde W. and Sophia Bethel obtained the land on October 5, 1937, from the Acordagoitias (Malheur County Clerk n.d.g:577). Fifteen days later the Bethels sold the land for \$10 to the U. S. National Bank in Portland, to settle their debt of \$1,200 owed to the Oregon State Land Board (Malheur County Clerk n.d.g:606). The bank held the land for seven years and sold it on September 13, 1944 to Robert Garrett (Malheur County Clerk n.d.h:369). Subsequently Stan and Lorraine Henry of Arock, Oregon, owned the tract. They sold it to Jean Morcum who on June 2, 1971, sold the parcel to Martin W. Rust, II (Rust 1988).

The period of significance for the Birch Creek Ranch is in the years 1900-37 (for the Upper Tract) ending with the departure of the Basques, and 1900-31 (for the Lower Tract). During the years 1900-37 the Upper Tract was associated with the settlement of Basques in southeastern Oregon. Lequerica, Uberuaga and Acordagoitia are identified in the land records and historical accounts with this property. Contributing features nos. 1-3 date from the era of Basque activity. The massive stone walls, dressed stone cooler, and mature plantings of poplar and locust are intimately associated with their labors and tending of sheep at this site. The gravity irrigation system in the Birch Creek drainage and the abandoned ditches once utilizing a water wheel in an upper field farther upstream from the mouth of Birch Creek are physical features fixed by their work. James Morrison's tenure on the Lower Trace endured nearly 60 years. Contributing features nos. 1-5 were his work. Among these the water wheel and ditches as well as the handsome, dressed stone cooler and the plantings of locust and poplar remain as notable elements of the historic rural landscape.

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HISTORIC INTEGRITY

The original developers of the two tracts which make up Birch Creek Ranch could recognize their properties today, though they might express amazement at the size of the trees they set out decades ago. The field notes of the cadastral surveyors in 1912 confirmed that the Owyhee was then fringed with hackberry and willow. Groves of birch, with individual trees up to 8-10 inches in diameter, willow and cherry grew in the narrow defile along Birch Creek. The first settlers had already felled the junipers in the gulches, though the surveyors saw the stumps where they once stood (Collier and Joselyn 1912).

The pioneers of southeastern Oregon left a heavy imprint on the landscape. Marion Lowe Quackenbush, author of <u>Air, Sagebrush and a Bit of Land</u>, wrote of the consequences of homesteading in Malheur County early in the twentieth century:

Access to water, especially from the Malheur and Owyhee rivers and Willow and Bully creeks, made water distribution possible, which changed homesteads to attractive, productive farms. The scalloped banks of irrigation ditches added their characteristic lines to the topography while miles of Lombardy poplars outlined individual acreages, corrals, or stockyards. Plots of fast-growing, tough and thorny locust provided posts for fencing (Quackenbush 1982:12-13).

These same factors prevailed in the canyon of the Owyhee at Birch Creek. The early settlers had exhausted the juniper by 1912 and, as elsewhere in the region, planted locust for post materials and poplars for shade. Their livestock took a heavy toll on the natural vegetation: The bunchgrass they "pastured almost to extermination" (Collier and Joselyn 1912).

In 1988 Birch Creek showed the impact of strictly controlled grazing perhaps the first time in nearly 90 years. The stream banks were again fringed with grass, willows, and the first of a new generation of hardwoods. The residential site at both the Upper and Lower tracts demonstrated the suitability of Lombardy poplar to the Owyhee. Towering trees provide the much-desired shade longed-for by the homesteaders. Abundant stands of locust, once highly-desired as fence post material, grow along the old irrigation ditches, the Owyhee, and especially along the eastern bank of the river on the Lower Tract. This riparian vegetation has reached full maturity as designed by the earliest historic era settlers on these properties.

Birch Creek Ranch meets several "qualities of integrity". First as a <u>location</u> this riparian setting is confined on old riverine terraces between the cliffs and the Owyhee River. The soil is fertile but its development has been entirely a function of irrigation. The systems to divert the river and Birch Creek have worked with sufficient consistency for most of this century to sustain the growth of introduced species in a largely treeless setting.

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Second, as a <u>design</u> this riparian setting displays a mix of both natural and cultural elements as a rural landscape. The plantings of poplars adjacent to the two residential areas were purposeful and successful. The towering trees mark year-round residential structures as well as ensuring shade, a rare commodity in an open, sagebrush-steppe environment. The locust, probably set out with less purposeful design, have taken advantage of this location and, with water, have multiplied and spread along the eastern bank of the Owyhee, especially on the margin of the old irrigation ditches. Another important design element is the function of the stone walls on the Upper Tract and the corrals on both tracts. The stone walls once helped segregate sheep; today they have lost their purpose but remain prominent features which document laborious hand construction and determination. The corrals, however, survive at their original locations, distant but in view from the residential areas, and are used for holding livestock.

Third, the <u>setting</u> of Birch Creek Ranch is awe-inspiring. Towering monoliths in stone and multicolored cliffs rise along the eastern margin of the property. The deep cleft of Birch Creek cuts nearly 1,500 feet from the mesa to the depths of the canyon and provides, as it did a century ago, the only access by land into the area. The quiet Owyhee flows along the other margin of the ranch between low banks fringed with willow and hackberry and, in a few places, with locusts. On the far bank the bare rock and earth rises again in the western canyon wall.

Fourth, the <u>materials</u> which constitute this rural historic landscape are simple: Earth, stone, wood, and vegetation. The colors are muted browns, tans, greens and grays. Irrigation has for decades enabled the arid land to support vegetation and, though the upper meadow has reverted to sagebrush, the lower pasture--the air strip-alfalfa field--has remained in cultivation since Morrison first began trundling rocks from the course of his plow. The buildings, even those identified as noncontributing, integrate into the setting. Excepting one outhouse and the bunkhouse-shop, all are unpainted, subdued, and natural in appearance. Each is faced with rough-cut, weathered wood. All evoke a feeling of belonging.

Fifth, the <u>workmanship</u> of the building is modest, though the stone coolers on the ranch are remarkable in their craftsmanship and preservation. The fieldstone walls are staggering in terms of the time and energy required for their construction. They document what humans can do with time and limited resources. They link with the frugality of Basque families living on limited lands in Spain and their willingness to wrest from a new land the maximum return. The walls and buildings anchor the human presence on Birch Creek Ranch.

Sixth, the <u>feeling</u> of hard work in a harsh land is confirmed in this place. The buildings and plantings represent an almost defiant response to nature. They were imposed on the land by a generation determined to live there. They have survived because those who changed this riparian setting developed the irrigation systems to sustain their lives and the vegetation they planted.

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Seventh, the <u>association</u> of this landscape and the labors of Basque immigrants is most clearly documented in the stone walls and efforts to secure a living from a harsh land. That men would cope with the loneliness of a new frontier, let alone a site dozens of miles from the nearest community or any of the associations with which they were familiar, is attested to in their handiwork which stands at the mouth of Birch Creek.

Changes and Threats to Integrity

Since 1968 Martin W. Rust, II, the last private owner of the Birch Creek Ranch, has constructed or rehabilitated five of the six features identified as non-contributing and has made alterations, as noted in the descriptions, to some of the 19 contributing features. Rust's alterations have, however, created a visual integrity throughout the property and have utilized rough cut, unpainted, vertical board and batten siding and shakes. The result of the changes or additions to structures is harmonious with the earth-tones which dominate in this place. Rust has also enhanced the oasis atmosphere of the ranch by having his staff hand mow several acres of lawns which he has irrigated 16 hours per day throughout the dry season. Rust's ownership of the property led to the stabilization of buildings and maintenance of major plantings which have given character to this landscape. He left intact the walls, irrigation ditches, and other contributing features.

This site is not threatened with roads, incompatible construction, or other inappropriate uses. Birch Creek Ranch is inaccessible. The caretakers leave the property only once a month to drive nearly two hours to the nearest paved highway. This site, now in federal ownership through purchase, is within the Owyhee River segment of the National Wild and Scenic River System. In 1970 the state of Oregon designated the Owyhee as a State Scenic Waterway. A 1979 study by the National Park Service recommended federal designation. On October 19, 1984, President Reagan signed P.L. 98-494 designating 120 miles of the Owyhee from the Owyhee Reservoir to the Oregon-Idaho boundary, with the exception of the area at Rome Valley, as part of the Wild and Scenic Rivers System. This designation and the BLM <u>National Wild River</u> Management Plan, Owyhee River, Oregon, Final (1985) articulate the protection program (BLM 1985).

The BLM has instituted a variety of efforts along the Owyhee. The BLM has affirmed that it shall:

- Manage the river canyons to protect significant cultural resource sites.
- Negotiate to obtain appropriate easements or land acquisitions on state or private lands when necessary to protect the canyon environment, or preserve recreation use.

• Manage the river canyon to protect its primitive environment, scenic qualities and geologic values. Maintain a natural setting that provides outstanding opportunities for solitude and for primitive and unconfined recreation activities.

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- Manage livestock use in a manner that will not adversely affect the natural, recreational and cultural values of the river canyon.
- As required by the Wild and Scenic Rivers Act, maintain the free-flowing condition of the Owyhee River.
- Manage the river canyon to protect the habitats for fish and wildlife species.
- Develop an interpretative program to aid visitor and resource management, including visitor awareness of natural and cultural resources.

This nomination of the Birch Creek Ranch Historic District--a rural historic landscape--is an integral part of the BLM's management program. The BLM acquired Birch Creek Ranch by purchase on January 20, 1988, from the Trust for Public Land and Martin W. Rust, II. The Department of Interior Solicitor approved this purchase on February 23, 1988.

Note: The district and structures within it appear the same as they did in 1988 when the enclosed photographs were taken.

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Rust, Martin W., II

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Data regarding properties at and below the mouth of Birch Creek, Owyhee River, Malheur County, Oregon

1. Morrison Place, T. 27 S., R. 43 E., Section 7, W. M.

Chain of title:

• Rust purchased land on November 1, 1968, from Ken Atwell who in 1988 resides in Caldwell, Idaho. Atwell's only work on the place was to seed the alfalfa field.

• Atwell purchased the place from George Wright, believed to reside in Vale, Oregon, or Caldwell, Idaho, in 1988. Wright made no improvements to the property. Atwell sold the small grazing permit Morrison held under the Taylor Grazing Act.

• Atwell obtained the property from Morrison who dies in 1962.

Morrison's Background:

• Indian artifacts at Ontario Historical Museum were collected at site by Morrison.

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• Present house on this site is a remodel of Morrison's original structure with shiplap exterior.

- 2. Lequerica Place at mouth of Birch Creek, T. 27 S., R. 43 E., Section 18, W.M.
 - Rust purchased the land on June 2, 1971 from Jean Morcum.
 - Jean Morcum purchased the land from Stan and Lorraine Henry of Arock, Oregon.

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UTM References

Birch Creek - Upper Tract

	Zone	Easting	Northing	
А	11	458 540	4785 620	
В	11	458 920	4785 740	
B^1	11	459 370	4784 600	
С	11	459 140	4784 390	
D	11	458 650	4784 400	
Ε	11	458 240	4785 380	

Morrison Place - Lower Tract

А	11	459	780	4787	320
В	11	460	330	4787	280
С	11	460	340	4786	780
D	11	459	990	4786	780
Е	11	460	010	4785	000
F	11	459	820	4785	000
G	11	459	470	4786	000

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Verbal Boundary Description:

Upper Tract - T. 27 S., R. 43 E., W.M Sec. 7: Lots 18, 19 Sec. 18: Lots 4, 9 Acreage 127.88

Beginning with the southeast corner, at the water tank north of the residential area, the boundary of the Upper Tract runs due north until it intersects the west bank of the Owyhee River. It follows the river upstream for approximately one mile, turning slightly west of due north, then directly west, then south, and then southwest. About 100 feet south of a former island, now attached to the river bank, the boundary follows the north line of Section 18, traveling due east for about 1200 feet. At this point it turns south for one-half mile, bisecting the west side slope of a flattopped hill, or mesa, that is enclosed in the Upper Tract. At the north-south center of Section 18 (not the geographic center, because the section is out-sized), about 1250 feet south of the mesa crest, the boundary turns east to close with the line that runs north from the water tank.

Lower Tract - T. 27 S., R. 43. E., W.M. Sec. 6: Lots 50, 51 Sec. 7: Lots 1, 10, 11, 23 and Sec. 18: NW 1/4, NE 1/4, NE 1/4 Acreage 165.48

Beginning with the southwest corner, at the Owyhee River about 150 feet south of the dam, the west boundary of the Lower Tract follows the river north, then east for a distance of about 1.8 miles to a point approximately 200 feet west of a river channel constriction formed by a former island, now attached to the south bank. From this point the boundary line turns due south, running 1600 feet, and then turning due west along the line between Sections 5 and 8. The boundary runs west for 1320 feet (one-quarter mile). At the north, it follows the side-slope and breaks of the Owyhee River Canyon for about 1800 feet, then descends to the floodplain and continues south through Section 7, then 400 ft. south of the line between Sections 7 and 18. The boundary then runs due west to close at the southwest corner on the banks of the Owyhee River.

Boundary Justification: The nominated areas include the two historic properties in their totality as they passed from public to private ownership early in this century. The boundaries include all contributing features which constitute the rural historic landscape.

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Sec. 6 Sec. 38.82 27.30 98.9 45.96 ni47.47 3.56 46.03 53.98 Yas 83.88з 40 *4* · 5 45.93 39.**9**8 .89 45.60 134.04 7.71 Sec! 45.29 35.41 36.17 46.59 0.83 **.** 44.06 SE.08 30.86 50.1 27.39 39.82 12 Sec 48.46 BU 40 37.9/ 39.83 1912 GLO Plat Showing Location of the Birch Creek Properties T27S, R43E, Sec. 6, 7, 18

VICINITY MAP





Figure 3. Spatial relationship between the two ranch tracts Birch Creek and Morrison.



Figure 4. Birch Creek Ranch (Upper Tract) headquarters site plan (September 1995).



Figure 5. Morrison Ranch (Lower Tract) headquarters site plan (September 1995).

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Figure 6. Morrison Ranch (Lower Tract) site plan of north end (September 1995).

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