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A F F I D A V I T

STATE OF OREGON     )  
County of Klamath    ) ss

I, LLOYD GIFT, being first duly sworn, depose and say:

That I am now and have been a resident and inhabitant of Klamath County, Oregon, since the year 1923; that I first met my former wife, Bobby Tuttle in the year 1925 and that at that time became acquainted with Big Squaw Flat Reservoir which was located in Section 32, Township 38 South, Range 15 EWM, and Section 5, Township 39 South, Range 15 EWM;

That in 1925 I first saw this reservoir and I was married to Bobby Tuttle in 1926 and became very familiar with Big Squaw Flat Reservoir after that time; my first recollection of Big Squaw Flat Reservoir was the fact that in 1926 water was impounded in this reservoir and the embankment and sagebrush growth on the top of the reservoir gave evidence of being old, the sagebrush being approximately two feet or more in height, the lower bank was grassed over where the cattle had knowcked the fences out.

Based upon my experience with range lands in Klamath County I would say the vegetation on the embankments in my judgment would then have been 20 to 30 years old.

In the spring of 1927, the headgate in the dam of Big Squaw Flat Reservoir washed out and in order to retain what water we could, we did some repair work by cutting a large pole and putting in horizontally across the opening where the headgate had washed out and then placed poles vertically against this lodgepole, putting fir boughs against these poles and carried dirt by hand to seal off the flow of water through the bouhg in order to make the dam hold back the water. The reason we used the poles is the fact that the lumber that had previously been in the reservoir had rotted out and was too rotten to be used again.

My experience as an agriculturist in this area tells me that these boards were from 20 to 30 years old and had the appearance of being the original boards that had been placed in the headgate at the time of its construction.

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In the fall of 1927 we replaced the headgate in the opening, tearing out our work of the previous spring and made the headgate so we could control water by merely taking boards out or placing them in,

That since 1927 I have been familiar with the Big Squaw Flat Reservoir and have cut hay and pastured the land ever since that year and know of my own personal knowledge that water has been continuously stored in that reservoir since 1927.

That I was told by the old-timers that the reason that Big Squaw Flat had been given its name was fact the in previous years it had been covered with camas and the Indians harvested camas tubers from the area every year for their winter food supply; that subsequent to building the dam the waters flooded out the camas and there was no longer any camas except around the outer perimeter of the water;

That the history of this area as given to me is the fact that it has been homesteaded several times in the past and had not been finally proved up on until my father-in-law, Mr. Robert Tuttle, had made final proof; that the earliest settlers upon the land had placed a dam in the area so that it could be used to store water and when the water would be turned off later in the spring, they could hay or pasture the land. The purpose of this reservoir being to hold the water until the ground was well saturated, then remove it gradually so that the natural grasses could be grown for livestock feed and for hay.

Robert Tuttle had purchased the buildings and improvements, including fences and the dam from the previous homestead owner and did make final proof based upon the improvements placed on the property by the former owners. The fences and corrals had been repaired by Mr. Tuttle but undoubtedly had been built by previous homestead entrymen.

I make this affidavit for the purpose of establishing the fact that waters were impounded and stored in Big Squaw Flat Reservoir prior to 1905 and that there has been a continuous use of these water ever since the time the dam was originally built and the benefits of the wet ground was

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Lakewood

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accepted by the owner thereof of the homestead entrymen.

I understood from Mr. Tuttle that the original entryman of this lands was the individual who built the dam and that dam was built before 1900.

*Lloyd Gift*

Subscribed and sworn to before me this 23<sup>rd</sup> day of SEPT.

1975.

*Wm D. Ingle*

Notary Public for Oregon

My commission expires: 7-30-77

*Ted Conn  
Lakerin Orr*

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Lloyd Gift

this 23rd day of September 1975 at 4:35 o'clock P. M., and

duly recorded in Vol. M75, of Deeds on Page 11533  
By *[Signature]* County Clerk

Fee \$9.00