

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That L. H. ANDERSON 97754 of Prineville State of Oregon has a right to the use of the waters of Shotgun Creek and Drake Creek, tributary to Crooked River,

for the purpose of the irrigation of forty-seven acres of land, and stock and domestic use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Crook County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 1, at page 449 ; that the priority of the right hereby confirmed dates from the year 1889 for the waters of Shotgun Creek, and from the year 1903 for the waters of Drake Creek

that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a reasonable amount for domestic and stock use, and 59/100 cubic foot per second from July 1st to September 15th of each year for irrigation. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows:

22 acres in the NW 1/4 of SE 1/4; 25 acres in the SW 1/4 of SE 1/4; Section Four (4), Township Seventeen (17) South Range Twenty (20) East of Willamette Meridian, in Crook County, Oregon.

The lands irrigated herein set forth above is the same and should conform to the same as filed in the office. See document filed a facsimile to Oregon, p. 815.

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

WITNESS the seal and signature of the State Water Board, affixed this 21st day of September, 1914.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS State Engineer, President

Attest:

M. F. MERS Secretary

Recorded in State Record of Water Right Certificates, Volume 1, page 515

T-9907 (TEMPORARY) V. 64 p. 262

T-9908

Cancelled due to T-9908, Sp. Or. Vol. 63, P. 261

Superseded by Cert. No. 81673

State of Oregon,  
County of Crook.

I certify that the foregoing Corrections  
has been compared with the original, and that it is a correct transcript  
therefrom, and of the whole of such original, as the same appears of  
record at the Clerk's office in Crook County, Oregon.

1-15  
1915

By Warren Brown Deputy Clerk

Filed  
March 22, 1915.  
Warren Brown,  
County Clerk.

STATE OF OREGON

SECTION NO. 2.

COUNTY OF CROOK

CORRECTION CERTIFICATE.  
OF WATER RIGHT

WHEREAS, certificates of water right have been issued to the follow-  
ing named persons, and recorded in the volume and on the page of the state  
and Crook County records as herein set forth, to-wit:

Name	County Records,		State Records,	
	Vol.	Page	Vol.	Page.
Ammons, R. A.	1	160	1	514
Anderson, L. E.	1	161	1	515
Bennett, B. E.	1	164	1	518
Booten, R & R.H.	1	171	1	524
Brennan, T. H.	1	172	1	525
Carlin, Henry W.	1	177	1	529
Claypool, L. D.	1	180	1	532
Combs, J. D.	1	181	1	533
Compton, Cora	1	182	1	534
Compton, W. C.	1	183	1	535
Connell, Mrs. Mary	1	184	1	536
Connell, L.	1	185	1	537
Cram, James	1	189	1	541
Davis, Caleb,	1	191	1	543
Davis, P. B.	1	193	1	545
DeLore, Margaret E.	1	194	1	547
Dixon Bros.	1	196	1	549
Dunham, C.C. & P.	1	198	1	551
Dunkle, W. K.	1	199	1	552
Faulkner, Henry J.	1	207 <sup>227</sup>	1	557
Faulkner, John T.	1	205	1	558
Foster, W. W.	1	208	1	561
Foster, W. H.	1	210	1	563
Gilchrist, C. A.	1	218	1	573
Gilchrist, F. H.	1	219	1	574
Glen, Sarah P.	1	220	1	575
Glenn, Mary M.	1	221	1	576
Gray, Rebecca A.	1	222	1	577
Gray, J.H. & C.C.	1	223	1	578
Hackleman, F. A.				
Pauline Price, T.P.				
Hackleman, D.D. Hack-	1		1	579
leman & Winona Williams		224		582
Hawley, E. E.	1	226	1	583
Henry, Chas. R.	1	228	1	584
Henry, Lesia R.	1	229	1	585
Hoffman, Frank S.	1	231	1	586
Johnson, C. J.	1	234	1	589
Knock, Roscoe, Dec'd	1	238	1	594
Kooyman, D.	1	240	1	595
Lee, Geo. P.	1	247	1	603
Lister, E. J.	1	249	1	605
Lister, Joseph	1	250	1	606
Logan, A.M. & F.C.	1	251	1	607

Name	Records		Water Records	
	Vol.	Page.	Vol.	Page.
Mayfield, M. S.	1	258	1	614
Merritt, Edward	1	259	1	615
Meyer and Brown,	1	261	1	617
Miles, Geo. W.	1	262	1	618
Mills, I. M.	1	264	1	621
Morgan, Marion	1	266	1	623
Morris, Walter T.	1	267	1	624
Mulholland, Eugenia	1	268	1	625
Noble, A. J.	1	274	1	631
Noble, G. W.	1	273 - Pl 3 p 147-148	1	630
Nye, M. D.	1	275	1	632
Nye, G. H.	1	276	1	633
Parrish, Chas. E.	1	280	1	636
Pickett, Henry W.	1	282	1	639
Post, Wallace	1	287	1	641
Ray, G. B.	1	294	1	648
Ream, C. L.	1	295	1	649
Rice & Baldwin	1	296	1	650
Roba, George	1	297	1	651
Rodman, Seth	1	299	1	653
Schmidt, W. J.	1	301	1	655
Stearns, S. S.	1	310	1	664
Stewart, Olive	1	311	1	665
Stewart, T. J.	1	313	1	667
Throop, L. E.	1	317	1	671
Treichel, Martha,	1	318	1	672
Weberg, Mrs. Mina	1	322	1	677
Wiley, G. W.	1	324	1	680
Heirs of J.W. Bennett	1	328	1	688
Bernard, Chas.	1	329	1	689
Jacobs, W. C.	1	232	1	687

AND WHEREAS, it appears that said water right certificates are in error and not in accordance with the findings of fact and order of determination of the State Water Board in the matter of the determination of the relative rights to the use of the waters of Crooked River and its tributaries, and the decree of the Circuit Court for Crook County dated the 13th day of April, 1914, in that the use of water under said certificates is limited to the months of July, August, and September of each year, now therefore,

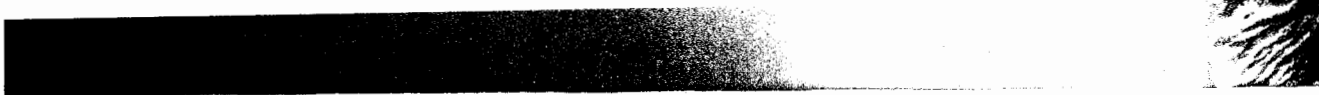
THIS IS TO CERTIFY that the foregoing certificates and each of them, is hereby modified and amended as to the period of use of said water, so that the same shall conform to the general findings of the State Water Board pertaining to or fixing the length of the irrigation season; and the use of the water shall be limited in accordance with said findings, to four acre feet of water per acre during each irrigation season.

WITNESS the seal and signature of the  
STATE WATER BOARD affixed this  
16th day of March, 1916.

Attest:-  
M. E. Mars, Secretary.

By John H. Lewis,  
State Engineer, President.

Recorded in State Record of Water Right Certificates, Volume 1, page 848.



TO:

DATE: January 19, 1968

FROM: Marvin B. Bennett

SUBJECT: Copy of Document as received from Crook County Clerk on this date pertaining to "Correction Certificate of Water Right", purported to be filed in State Record of Water Right Certificates, Volume 1, page 845.

This document is NOT of record in this office, it was brought to our attention by the Boston Ranch Company. These listed certificates as noted on the photocopy from the County Clerk are correct, EXCEPT No. 622, 666, 675, 681 & 682 which contain this limitation, also Correction Certificates No. 1295, 30862 & 30863, which also contain the limitation.

This limitation pertaining to the period July 1 to September 15th pertains to the contest of Wallace Post, et. al. vs. David Stewart and J. W. Carlson, see Findings No. 11, at page 307 of Crooked River Decree, and does not refer to the actual irrigation season as set forth in the findings as Feb. 1st until December 1st. of each year.

This certified document purportedly corrects the listed certificates to conform with the irrigation season in the general findings, however as there is no record in the Record of Water Right Certificates to confirm it, these certificates can only be corrected upon request of the owners of the lands, payment of the recording fee, and the issuance by the State Engineer of a correction certificate for each.

Attached hereto is a list of these certificates which are referred to in the decree as being under Findings No. 11, the certificates as recorded with this Feb. 1 to September 15th. limitation and those as purported to have been corrected by this photo copy obtained from the recorded record of Crook County Clerk.

These certificates with this limitation are to be noted that this is in error and that they should conform with the irrigation season as set forth in the findings at page 308 of the Findings recorded at Volume 1, page 303.

This photo copy is to be filed in the State Record of Water Right Certificates, Volume 1, adjacent to page 845.

Crooked River Decree  
 FINDINGS - Recorded Volume 1, Page 303  
 Certificates which refer to FINDING No. 11

Certificate Number	Name	Certificate Has Limitation	On List From County Clerk
✓ 514	R. A. Ammons	* ✓	* ✓
✓ 515	L. H. Adneron	* ✓	* ✓
✓ 518	B. E. Bennett	* ✓	* ✓
✓ 524	R. and R. H. Booten	* ✓	* ✓
✓ 525	T. H. Brennon	* ✓	* ✓
✓ 529	Henry W. Carlin	* ✓	* ✓
✓ 532	L. D. Claypool	* ✓	* ✓
✓ 533	J. D. Combs (canceled) ✓	* ✓	* ✓
✓ 534	Cora Congleton	* ✓	* ✓
✓ 535	W. C. Congleton	* ✓	* ✓
✓ 536	Mrs. Mary Connell (Decree Vol. 1, P. 449)	* ✓	* ✓
✓ 537	L. Connell	* ✓	* ✓
✓ 541	James Cram	* ✓	* ✓
✓ 543	Caleb Davis	* ✓	* ✓
✓ 545	P. B. Davis	* ✓	* ✓
✓ 547	Margaret E. Delore	* ✓	* ✓
✓ 549	Dixon Bros.	* ✓	* ✓
✓ 551	Claude C. Dunham	* ✓	* ✓
✓ 552	W. N. Dunkle	* ✓	* ✓
✓ 557	Henry J. Faulkner	* ✓	* ✓
✓ 558	John T. Faulkner	* ✓	* ✓
✓ 561	W. W. Foster	* ✓	* ✓
✓ 563	W. H. Foster	* ✓	* ✓
✓ 573	C. A. Gilchrist	* ✓	* ✓
✓ 574	F. H. Gilchrist	* ✓	* ✓
✓ 575	Sarah P. Glenn	* ✓	* ✓
✓ 576	Mary M. Glenn	* ✓	* ✓
✓ 577	Rebecca A. Gray	* ✓	* ✓
✓ 578	J. H. and O. C. Gray	* ✓	* ✓
✓ 579	F. A. Hackleman, et al.	* ✓	* ✓
✓ 582	H. H. Hawley	* ✓	* ✓
✓ 583	Chas. R. Henry (canceled) ✓	* ✓	* ✓
✓ 584	Lesia R. Henry (canceled) ✓	* ✓	* ✓
✓ 586	Frank S. Hoffman	* ✓	* ✓
✓ 587	W. C. Jacobs	* ✓	* ✓
✓ 589	C. J. Johnson	* ✓	* ✓
✓ 594	Estate of Roscoe Knox	* ✓	* ✓
✓ 596	D. Koopman	* ✓	* ✓
✓ 603	George P. Lee	* ✓	* ✓
✓ 606	Joseph Lister	* ✓	* ✓
✓ 605	H. J. Lister	* ✓	* ✓
✓ 607	A. M. and F. C. Logan	* ✓	* ✓
✓ 614	M. S. Mayfield	* ✓	* ✓
✓ 615	Edward Merritt	* ✓	* ✓
✓ 617	Meyer & Brown	* ✓	* ✓
✓ 618	George W. Miles	* ✓	* ✓

✓ 619	Grant Miller	No ✓	No ✓
✓ 621	I. M. Mills	* ✓	* ✓
✓ 622	Orrin C. Mills	* ✓	No ✓
✓ 623	Marion Morgan	* ✓	* ✓
✓ 624	Walter T. Morris	* ✓	* ✓
✓ 625	Eugenia Mulholland	* ✓	* ✓
<del>630</del>		* ✓	* ✓
✓ 30862 &	<i>corr. certs.</i>	* ✓	No ✓
✓ 30863)	G. W. Noble	* ✓	No ✓
✓ 631	A. J. Noble	* ✓	* ✓
✓ 632	M. D. Nye	* ✓	* ✓
✓ 633	G. H. Nye	* ✓	* ✓
✓ 636	Chas. E. Parrish	* ✓	* ✓
✓ 639	Henry W. Pickett	* ✓	* ✓
✓ 641	Wallace Post	* ✓	* ✓
✓ 648	G. B. Ray	* ✓	* ✓
✓ 649	C. L. Ream	* ✓	* ✓
✓ 650	James, Rice, & Harold Baldwin	* ✓	* ✓
✓ 651	George Roba	* ✓	* ✓
✓ 653	Seth Rodman	* ✓	* ✓
✓ 655	W. J. Schmidt	* ✓	* ✓
✓ 664	S. S. Sterns	* ✓	* ✓
✓ 665	Olive Stewart	* ✓	* ✓
✓ 666	David F. Stewart (canceled) (Power Claim)	* ✓	No ✓
✓ 667	T. J. Stewart	* ✓	* ✓
✓ 671	L. E. Throop	* ✓	* ✓
✓ 672	Martha Treichel	* ✓	* ✓
✓ 675	A. J. Washburn	* ✓	No ✓
<del>677</del>		* ✓	* ✓
✓ 1295)	<i>corr. cert</i> Mrs. Mina Weberg	* ✓	No ✓
✓ 680	G. W. Wiley	* ✓	* ✓
✓ 682	H. E. Wooley	* ✓	No ✓
✓ 681	Lyddia L. Wooley	* ✓	No ✓
✓ 688	Heirs of J. W. Bennett	* ✓	* ✓
✓ 689	Chas. Bernard	* ✓	* ✓

(Does not refer to ~~not~~ finding No. 11)

666 was contested in FINDING No. 11