

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR BAKER COUNTY.

IN THE MATTER OF THE DETERMINATION)
OF THE RELATIVE RIGHTS TO THE USE ()
OF WATERS OF POWDER RIVER AND ITS ()
TRIBUTARIES, A TRIBUTARY OF SNAKE ()
RIVER, IN UNION AND BAKER COUNTIES, ()
STATE OF OREGON. ()

Now at this time on this 18th day of March, 1918, this matter came on for hearing before the above entitled court upon the exceptions filed to the findings of the State Water Board of the State of Oregon, and it appearing that the following persons had filed exceptions to said findings, and that there were present Hon. Geo. T. Cochran, Superintendent of Water Division No. 2, representing the State Water Board, and the representatives of the various parties herein named who have filed their exceptions to said findings, as follows, to-wit: C. H. McCulloch, Esq; A. A. Smith, Esq; O. B. Mount, Esq; W. L. Patterson, Esq; W. S. Levens, Esq; C. T. Godwin, Esq; J. J. Heilner, Esq; and Frank B. Mitchell, Esq; C. A. Moore, Esq; S. O. Correll, Esq; and W. H. Strayer, Esq; attorneys representing certain exceptors, and the exceptors to the Findings of the State Water Board having arrived at certain settlements to said exceptions, and in the exceptions where settlement should not be arrived at the court has made its decision in the matter, and which appears in the following Findings and Decree, and the court being fully advised in the premises, here, now, makes the following

FINDINGS OF FACT AND DECREE:

I.

It is hereby CONSIDERED, ORDERED and DECREED,-

That Paragraph #109 of the Findings of the State Water Board shall be modified to read as follows:

In all cases in this decree wherein the right to use water out of more than one stream for the same land is confirmed, the amount of water herein determined for said right may be used out of either or both of said streams, so long as the amount of water taken does not exceed the volume named in this decree, and does not interfere

with other rights of priority, and each stream may be used to supplement the other in furnishing said amount of water, provided that any diversion from any stream shall not exceed the amount of the appropriation from that stream.

II.

That paragraph #112 of the Findings of the State Water Board shall be modified to read as follows:

That the rights of appropriation hereby confirmed are appurtenant to the lands herein described for irrigation purposes, and the rights of use of the waters of said stream and its tributaries by virtue of such rights of appropriation, are limited and confined to the irrigation of the lands herein described to the extent of said lands as herein set forth, and the priorities herein confirmed confer no right of use of the waters of said stream, and its tributaries, on the lands other than those specific tracts to which such rights of appropriation are herein set forth as appurtenant, and each and every person shall be and hereby is prohibited, restrained and enjoined from diverting and using water from said stream on such other lands without lawful permit.

III.

That Finding #113 of the State Water Board shall be modified to read as follows:

That the order of the rights of the respective appropriators of the waters of said stream and its tributaries, and in which order they are entitled to divert and use the said water shall be and is according to the date of the relative priority of the right as herein set forth and determined, and the first in order of time according to the date of relative priority shall be and is the first in order of right, and so on, down to the date of the latest priority, and those having prior rights are entitled to divert and use the waters of said stream and its tributaries, when necessary for beneficial use in connection with the irrigation of their respective lands, or other useful and beneficial purposes for which they are decreed a right of use, at all times and against those having subsequent rights, without let or hinderance, and whenever the water is not required by the appropriator having a prior right to its use for the purpose for which said water was appropriated, he must and shall permit it to flow down the natural channel of the stream as it was wont to flow in its natural course, without hinderance or diversion thereof, and those having subsequent rights are entitled to the use of such water and to divert the same to the extent of their

rights or appropriations, according to the order of their priority rights; and at all times the waters diverted shall be beneficially, economically and reasonably used without waste by those having a right to do so by reason of their priority of their rights, and no rights of appropriation are hereby confirmed to divert a greater quantity of water into the head of the ditch or ditches of the appropriator having a valid right to divert the water, than such appropriator can beneficially use for the purposes to which the water is to be put.

IV.

That paragraph #114 of the Findings of the State Water Board shall be modified to read as follows:

That to get a sufficient head of water, the water master of the district in which such water is situated shall arrange such a system or systems of rotation as may be best applicable thereto, either first, by giving a greater amount of water for an appropriator for a proportionately less time, provided that the giving of such greater amount does not infringe upon any of the rights confirmed by this decree, and provided, further, that the amount of water taken by an appropriator does not exceed the amount as found in these findings to be necessary for the irrigation of the land during the irrigation season; second, or in the absence of an agreement between such appropriators arranging for such rotation, the water master of the district in which such stream and its tributaries are situated shall arrange such appropriators in groups or systems of rotation, first giving to the appropriator in such group a quantity of water equal to the combined appropriations as the appropriators in said group or system for the length of time bearing the same ratio to the whole time required to make the complete rotation through the whole group of appropriators, bears to the combined appropriation of said group, and shall next serve another appropriator with a like quantity of water for his proportionate time, and so on, until all the appropriators in said group or system are served, then the distribution of water shall be repeated in the same manner throughout the irrigation season. Provided, that no system of rotation shall be established by the water master without the consent of the water users, except by order of the court, after opportunity to be heard. Third, or, where two or more appropriators agree as between themselves as to the manner of said rotation in the use of water, said water master shall distribute the water in accordance with such agreement, provided, always, that such arrangements into groups or systems of rotation shall not interfere with the prior rights of any appropriator, not a member of such group or system, and provided further, that such agreement shall be in writing, and filed by said appropriators with the water master.

V.

That paragraph #115 of the Findings of the State Water Board shall be modified to read as follows:

That the head of water diverted by the individual appropriators hereinafter in the tabulation named, shall be governed by the number of acres which said appropriators irrigate, and such diversion shall be sufficient in all cases to irrigate the land under irrigation, and where such water is used for other purposes than irrigation, the head of the water shall be limited to the quantity designated in said tabulation; provided, that for Big Creek, Goose Creek, Daly Creek, and all gulches and draws that are not regular flowing streams, and all such tracts not exceeding 10 acres, the head of water to be diverted for the use of irrigation upon any land hereinafter in the tabulation described by the water users, shall be limited to such an amount as shall be necessary to beneficially irrigate the land, not to exceed one-twentieth of a second foot, or its equivalent, two inches under six inch pressure, miners measurement, to the acre, and for all other streams herein adjudicated, the head of water diverted shall be sufficient to beneficially irrigate the lands, not to exceed one-fortieth of a second foot, or its equivalent, one inch under six inch pressure, miners measurement, per acre, continuous flow; provided further, that the court hereby reserves the jurisdiction to at any time in the future make any orders and decrees necessary to cover extraordinary loss by seepage and evaporation; provided further, that in all cases where the capacity of the ditch does not equal the maximum head of flow here allowed, that this finding shall not operate to give any water user or water users using said ditch, more water than their present appropriation, and provided further that no diversion beneficially used shall be limited so long as prior appropriations are not interfered with.

VI.

That the exceptions of R. R. Palmer and H. E. Denham to the decree, filed by R. R. Palmer, and H. E. Denham, are fully settled in the modification of the general Findings of the Board hereinafter set forth.

VII.

That the exception of Fred Lamprecht is settled in the tabulation herein set forth and it appearing that such change would effect only G. L. Bowman, and said G. L. Bowman was duly notified by said exceptions and appeared not in opposition to the same, said amendment as to the date in changing the same from 1883 to 1880 is allowed and

settled as set forth in the tabulation hereinafter set forth.

VIII.

That the exception of S. G. Mann was as to a certain acreage and dates, and such exception is settled as is shown in the tabulation herein set forth.

IX.

That the exception of Walburga Lachner is settled by the general modifications of the general findings of the State Water Board herein set forth.

X.

That as to the exception of J. W. Adams, Finding #29 of the State Water Board shall be modified so as to read as follows:

Contest #19. Harlow J. Evans, Herman E. Jordan, Mary E. Jordan, John Steiger, J. W. Adams, Wm. T. Buchanan, Martha Buchanan, W. A. Buchanan, Pansy Buchanan, and Hattie Baisley, executrix of the estate of Perry Baisley, deceased, contestants, vs. Pocahontas Farmer's Ditch Company, a corporation, contestee, was heard, and the parties hereto offered evidence and all of the testimony was taken down, reported and filed herein, and it appearing that the lands irrigated by the parties hereto are situated at the foot of Powder River mountains, west of the City of Baker, and from the numerous canyons of said mountains and from the bases thereof, flows numerous streams and numerous springs; that Mill Creek is situated farthest north of said Creeks in question, and is sometimes known as Waggle Creek; then Marble Creek in the center of the district, and Salmon Creek the farthest south in said district. That the waters of Mill, Marble and Salmon Creeks, together with the springs that rise along the side hills have heretofore been used by the irrigators in this district; that all of the waters of Mill Creek can be turned into Marble Creek, and all of the water of Marble Creek can be turned into Mill Creek. That the place of turning the waters of Mill Creek into Marble Creek, or the waters of Marble Creek into Mill Creek, as the irrigators may desire, is located below the Nelson Ditch, but above all of the irrigated lands of said stream; that the waters of Marble Creek can be turned into Salmon Creek at what is known as Kelley Slough, and at a point below where said Mill Creek can be turned into said Marble Creek, and just above the Evans place. That such method has been carried on since irrigation began to be followed to any extent in this district. That the contestants, Harlow J. Evans, Herman E. Jordan and Mary E. Jordan, have a water right out of Mill, Marble and Salmon Creeks for

128.7 acres with a priority of 1864; 8 acres with a priority date of 1875, and 6.72 acres with a priority date of 1905. That contestant John Steiger, was a water right out of Salmon Creek, for 80 acres as of a priority date of 1867, and out of Mill or Waggle Creek for 20 acres, of a priority date of 1867, and out of Spring Creek, Landreth Springs and other small springs for 140 acres as of the date of 1867. That the water rights of J. W. Adams for the SW $\frac{1}{4}$ of Section 34, Twp. 8 S. R. 39 E. W. M., are as follows: From Mill and Waggle Creek and a stream which is called Spring Creek, under date of 1867, for 110 acres; from Salmon Creek for 50 acres in said SW $\frac{1}{4}$ with a priority date of 1867, and for the NE $\frac{1}{4}$ of Section 3, Twp. 9 S. R. 39 E. W. M., the water right shall be with a priority date of 1867 from Salmon and Spring Creeks, and certain springs located in the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 3.

That W. A. Buchanan and Pansy Buchanan have a water right from Salmon Creek for 20 acres as of the date of 1871, and 14 acres as of the date 1873. That W. T. Buchanan and Martha Buchanan have a water right from Salmon Creek for 20 acres as of the date of 1871, and 18 acres as of the date of 1873. That the estate of Perry Baisley has a water right from Salmon Creek for 75 acres as of the date of 1864, and from Salmon Creek, sloughs, Waggle or Mill Creek and Spring Creek for 365 acres as of the date of 1867, and 190 acres as of the date of 1898.

That the Pocahontas Farmers Ditch Company delivers water to its stockholders, and such water is taken from Mill, Marble and Goodrick Creeks under date of 1906; that for some of the stockholders the water is used as a supplemental supply, while for others, it is used as of that date; that State Engineer's Permit #1339 for the same lands, does not work an abandonment of the rights theretofore acquired. The stockholders and water users from the Pocahontas Farmers Ditch Company are as follows: A. Caviness has a water right from Salmon Creek and Hibberd Creek for 68 acres as of the date of 1866; 5.28 acres as of the date of 1906, with a supplemental supply from Pocahontas Farmers Ditch with a priority date of 1906 for all the lands. John H. Lew has a water right from Hibberd and Salmon Creeks for 62 acres as of the date of 1866, and 12.28 acres as of the date of 1906, with a supplemental supply from Pocahontas Farmers Ditch with a priority date of 1906 for all the lands. A. N. Young has his whole water right for all of his water from the Pocahontas Farmers Ditch as of the date of 1906. J. M. Masters has a water right for water from certain springs and seepage on his own land and upon the lands of A. N. Young, for 165 acres as of the date of 1872, and 75 acres as of the date of 1906, with a supplemental supply from Pocahontas Farmers Ditch with a priority date of 1906, for all the lands. The lands

of G. F. Gardner and J. W. Adams have all their rights from the Pocahontas Farmers Ditches of the date of 1906. That Fountain Seacat has a water right from Washington Gulch with a priority date of 1867 for 40 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 4 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 38 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 9 S. R. 39 E. W. M., and also a water right through the Pocahontas Farmers Ditch for 120 acres with a priority date of 1906, for the lands described in the tabulation under the Pocahontas Farmers Ditch, 15 acres of which is an original water right and the balance of the 120 acres is supplemental to Washington Gulch. The land of David Lee, coming under the Pocahontas Farmers Ditch, being the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, T 9 S R 39 E W M., use the water from such ditch only as a supplemental supply, under a priority date of 1906. The lands of D. F. Indermuhl use the waters from said ditch for a supplemental supply for that part of the lands described as SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2. T 9 S R 39 E W M., and is an original right for 50 acres as of the date of 1906 as tabulated under the Pocahontas Farmers Ditch.

That Mill Creek is a tributary of Salmon Creek and enters Salmon Creek in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, T 8 S R 39 E W M., which is upon the lands of the estate of Perry Baisley. That Marble Creek is a tributary of Salmon Creek and enters Salmon Creek in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 4, T 9 S R 39 E W M., upon the lands of Evans & Jordan.

That no appropriation of water from Salmon Creek above the point where any tributary joins Salmon Creek appropriated any of the waters of such tributary by reason of the conveyances of waters of such tributary by mining ditches and discharging the water into Salmon Creek above the diversion point of such appropriation. That in the distribution of water, the water master shall establish such a system of rotation as will best serve all the irrigators, having regard for all rights.

XI.

That the exceptions of John H. Lew and E. J. Lew, and the heirs of John Lew, deceased, are settled by the stipulation of the parties interested, which in addition to said Lews, are S. B. Baisley; and it appearing to the court that no other parties are interested in said exception, the court finds that the Findings of the State Water Board #84 should be, and the same is hereby stricken out, and the tabulation of water rights of said exceptors should be as set forth in the tabulation herein.

XII.

That the exceptions of J. M. Polly, J. J. Polly and W. J. Polly, are settled by the general modifications herein.

XIII.

That as to the exceptions of Amos Gard to the Findings of the State Water Board, Finding #20 is modified so as to read as follows:

Contest #10. Amos Gard, contestant, vs. Ross Wilson and H. Van Nordheim, contestees was stipulated to the effect that the contestant have a date of priority for the waters claimant may divert from Beaver Creek or Willow Creek, prior in time to that of the contestees, and the tabulation hereinafter set forth shall so state this in accordance with said stipulation, and it further appearing that the contestant has heretofore used the water in the irrigation of his premises in a manner that such water finds it ^{not} may into the channel of said creek, and said contestant has so agreed to use such water in the future in consideration of this stipulation, the water master shall distribute the water to said contestant under such date of priority so long as the use of such water by said contestant is carried on in said manner. That the modification of the general Findings of the State Water Board settles the objection to Finding #109, and the stipulation between between Amos Gard and George P. Dyke on file, modifies the tabulation, and such tabulation of the water rights of said George P. Dyke, shall be as herein tabulated.

XIV.

That the exception of Cynthia C. Thomason is settled by the modification of the general findings herein.

XV.

That the exception of W. L. Smith is settled by the modification of the general Findings herein.

XVI.

That the exception of Florence Shered is settled by the modification of the general findings herein.

XVII.

That the exception of W. A. Jackson is settled by the modification of the general findings herein.

XVIII.

That Flavius Perkins, A. B. Perkins, Geo. M. Caviness, Emma A. Caviness and J. W. Phillips in settlement of an exception entered into a stipulation wherein it was stipulated that the rights of Flavius Perkins under date of 1864, should be subject to the rights of Geo. M. Caviness, Emma A. Caviness and J. W. Phillips, out of spring creek, save during the month of June, when all of the rights of the stipulators, as between them shall be considered as equal.

XIX.

That A. R. Zeller petitioned to have his water right segregated from the water right of the East Baker Irrigation and Milling Company; that such segregation reduces the 120 acres irrigated by the East Baker Irrigation and Milling Company to the Lots and Blocks in the City of Baker, to 90 acres. The rights are therefore described as in the tabulation herein set forth.

XX.

That as to the exception of Frank L. Kelley, it appears that the tabulation of his water right is in accordance with his claim, but that said claim is erroneous; such tabulation is modified in accordance with the tabulation herein set forth.

XXI.

That the exception of P. A. Moody to Findings #109, 114, 115 and 116, were settled in the modification of said findings herein; that Finding #30 shall be modified so as to read as follows:

Contest #20. Andy Augustus, David T. Allen, C. E. Barber, W. E. Barber, M. E. Beck, W. T. Bennehoff, A. E. Bennehoff, Geo. Binheimer, Susie Binheimer, Rachel Bradford, Eugene Brown, H. T. Babcock, Cora M. Blue, J. W. Carnahan, Eugene Chandler, Bertha Corsen, John Chapman, David H. Conrad, C. H. Craig, Ianthus Chandler, David Clark, Charles Coble, T. A. Cobb, George W. Coble, M. J. Cropp, W. C. Cundiff, G. A. Davis, J. A. Davis, W. J. Densley, Eleanor Duffey, Ascenith Evans, George W. Evans, Eagle Valley Cemetery Association, Eagle Valley Cannery, a corporation, John Fraser, Medora L. Givens, Rebecca Gover, W. L. Gover, Walter A. Gover, O. A. Gover, Julia Gibson, George W. Gordon, Leonard Goss, J. P. Halley, Amelia Hartley, Joseph Hartley, Candace E. Holcomb, Corintha E. Holcomb, J. N. Holcomb, Charles A. Howell, Jennie Healey, L. M. Healey, F. G. Hewitt, Ditch Howell Ditch Company, a corporation, Dry Gulch Company, a corporation, Nash Ditch Company

a corporation, Waterbury and Allen Ditch Company, a corporation, J. G. Jasper, W. C. Jasper, Fannie Jemmings, George W. Jones, Laura A. Jones, Alberta Kendall, Oscar Kendall, Mary Kirby, W. W. Kirby, Paul Knoblauch, Mary Long, Minnie E. Martin, R. A. Masterson, P. A. Moody, Henry Moody, George M. Moody, Orson Moody, T. L. Morris, M. H. Mulvahill, Charles W. Perry, John B. Perry, D. A. Phillips, D. A. Rinard, Laura A. Saunders, G. B. Saunders, Sam Q. Saunders, W. G. Saunders, W. S. Saunders, I. N. Saunders, successor of R. J. Kitchen, School District #44, successor of L. G. Morgan, Charles W. Scott, D. N. Strayer, Pete Sass, C. C. St John, E. N. Shoemaker, Mary J. Simonis, Ella Stone, J. L. Stone, Elmer Schultz, J. W. Sharp, George Sharp, Pearl Siber, Emma Sullivan, Eugene Sullivan, W. E. Summers, heirs at law of Sam Gover, deceased, heirs at law of H. P. Swisher, deceased, Frank Thompson, Emma Thompson, Joel O. Tuttle W. R. Usher, Virginia A. Usher, Mat Welter, Leonard Williams, Henry Williams, W. P. Williams, Fannie H. Wright, J. T. Wright, W. B. Wright, Winter Wright, I. N. Young, Henry L. Ziegler, Sam Summers, successors of heirs at law of Charles and Z arissa K. Zeigler, deceased, A. E. Whittier, Jasper Thompson, and St Elizabeth's Hospital, a corporation, contestants, vs. George Grant, Trustee, Contestee. Was stipulated to the effect that the contestee should take all of the waters awarded it in these proceedings from West Eagle Creek and the natural tributaries thereof flowing into said stream above the head of what is known as the Sparta Ditch, and any and all of the feeders of said Sparta Ditch, heretofore and now feeding said ditch, and that said contestants may be awarded all other waters constituting Eagle Creek, including all waters of what is known as Middle Fork of Eagle Creek, and including all other sources of water supply, save and except as hereinbefore mentioned. And it appearing that the contestee is the successor in interest, and owner of the water right used in connection with the Sparta & Hoagum Ditches; that in 1863 water was appropriated and thereafter used through the Hoagum Ditch, and that in November, 1870, William H. Packwood and Alex Stewart posted a notice on Eagle Creek appropriating 3,000 inches of water for what is known now as the Sparta Ditch. That thereafter the Sparta Ditch was surveyed, and on the 11th day of May, 1871, construction of said ditch was begun and water was run through said ditch to the town of Sparta, Oregon., on the 14th day of October, 1871. That said appropriation was for domestic, mechanical, mining and irrigation purposes. That upon the completion of said ditch there was at one time 800 miners inches of water delivered to the water users out of said ditch, and the diversion of said water into said ditch, at the time same was used to full capacity, was between 1,000 and 1,500 inches. That in 1871 the Hoagum Ditch was extended to empty its waters into the Sparta Ditch, and was purchased by the owners of said Sparta Ditch at said time. That thereafter, and until the present

time, said Hoagum Ditch has been used as a feeding ditch to said Sparta Ditch, and especially for the purpose of running water into said Sparta Ditch which would be picked up by said Hoagum Ditch from the melting snows during the spring thaws, and from the canyons that flowed water during the thaw, and this use was especially made at a time when the head of the Sparta Ditch and of the Hoagum Ditch were not thawed out so as to permit the diversion of water from the creek. That the early flow of the waters picked up in said thaw by said Sparta Ditch and said Hoagum Ditch, furnished a sufficient amount of water to supply said Sparta Ditch, until the heads of the ditches were thawed out, and that thereupon the water would be delivered from the head of said ditch. That from the building of said ditch, until 1914, the water of said Sparta Ditch was sold each year by the owners thereof, for the purpose of domestic, mining, power and irrigation use. That beginning with the year 1915, the owners of said ditch proposed to apply the water from said ditch partly upon the lands described in the tabulation hereinafter, amounting to 1500 acres; that 750 miners inches of water delivered on the land is sufficient to irrigate the lands proposed to be irrigated. That the change of use of water from sale for domestic, mining, power and irrigation use, to an irrigation use, does not infringe upon the rights of any other water user from Eagle Creek, and in making said change said George Grant, Trustee, and the Water Users from said Sparta Ditch have the right to use a reasonable time for making said change without losing their date of priority. That five years is such a reasonable time, and the lands to be irrigated in making such change shall be tabulated herein under the head of Inchoate Rights.

And it further appears that the description of the lands in the tabulation of the findings of the State Water Board is erroneous, and the tabulation shall be modified so as to show the water right of P. A. Moody as tabulated herein.

XXII.

That the exceptions of Fannie H. Lee (Wright) is settled by the modification of the general findings #30, 109, 114, 115 and 116, herein set forth. And it further appears that said Fannie H. Lee irrigates 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 32.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 18 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, through the Kay Young Ditch, and the balance of her land through the Gover Ditch, and it is ordered that said findings shall stand as thus amended.

XXIII.

That as to the exceptions of James Engum (successor of Jos. Couty) it appears that the modification of the general findings hereinbefore set forth settles his objections,

except as to the change of acreage, and such change shall be set forth in the tabulation herein.

XXIV.

That the exception of W. B. Wright is settled by the modification of the general findings, except as to the change of acreage, which is as set forth in the tabulation herein.

XXV.

That as to the exception of David T. Allen, et al, in accordance with the order of this court all of the parties affected were notified and appearances were made by the Dry Gulch Ditch Company, and J. C. Bowen; that the parties appearing consented to the general modification of the general findings as herein set out, and such modifications of said findings #30, 109, 114, 115 and 116, settles said exceptions.

XXVI.

That as to the exception of Iva M. Clarke, et al, the modification of the general findings #30, 109, 114, 115 and 116 settles said exceptions and objections.

XXVII.

That as to the exception of Lovell Gover, successor to W. L. Gover, the modification of the general findings #30, 109, 114, 115, and 116 settles said exceptions, except as to the modification of the acreage and such acreage is hereby modified so as to show 20 acres as irrigated through the Newt Young Ditch, 10 acres through the Moody Ditch and 10 acres through the Kay Young Ditch.

XXVIII.

That as to the exception of Ianthus Chandler the modifications of findings #30, 109, 114, 115 and 116, settles said exceptions, except as to the change of dates and acreage which should be modified so as to decree his water right as in the tabulation herein set forth.

XXIX.

That the exceptions of Ascenith Evans is settled by the modification of finding #30, 109, 114, 115 and 116, herein set out, except as to the acreage, and that acreage shall be modified as in the tabulation herein set forth.

XXX.

That the exception of Virginia A. Usher is settled by the modification of general findings #30, 109, 114, 115, 116/^{herein}contained; it further appears that said exceptor desires the acreage to be segregated among the ditches; that the exceptor irrigated 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 22 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ through the Kay Young Slough; 30 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$; 13 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$; through the Kay Young Ditch, and 15 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ through the Gover Ditch.

XXXI.

That the exception of W. E. Summers is settled by the modification of Findings #30, 109, 114, 115, 116 herein contained; it further appears that the exceptor desires the acreage segregated as irrigated under each ditch, and it further appears that the exceptor irrigates 1.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 2.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ from the Waterbury Ditch, 2.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 7.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ from the Holstine Ditch.

XXXII.

That the exception of I. N. Young is settled by the modification of the general findings herein, except as to the acreage, and that the acreage be as set forth in the tabulation herein, It further appears that W. J. Densley irrigates land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$. Sec. 15, and claimed 5 acres, show 2 acres and his claim shall be modified as in this tabulation shown.

XXXIII.

That the exception of G. B. Saunders is settled by the modification of the general findings herein, except as to the acreage; that the acreage shall be modified in accordance with the tabulation herein set out.

XXXIV.

That as to the exception of T. N. Proffitt the modification of the general findings herein settles the said exceptions.

XXXV.

That the exception of C. A. Tibbs, et al., is settled by the modification of the general findings herein.

XXXVI.

That the exception of George M. Brown is settled by the modification of the general findings herein.

XXXVII.

That the exception of J. W. Phillips is settled by the modification of the general findings herein.

XXXVIII.

That as to the exception of Bessie Palmer it appears that her lands were included in the tabulation under the name of Howell Ditch Company; it further appears that 10 acres owned and irrigated by the exceptor is in the SE¹/₄NE¹/₄ Sec. 35, T 9 S., R 45 E. W. M., and in order to segregate said land from that of the Howell Ditch Company the description of said water rights shall be as in the tabulation herein contained.

XXXIX.

That the petition of intervention of Louella Kissell is allowed and her claim shall be tabulated in the tabulation herein set out.

XL.

That Ed Augustus, successor in interest to Anthony Augustus, filed exception to the description of his land and such description is hereby corrected and is as in the tabulation herein contained.

XLI.

That W. H. Strayer intervenes for himself for the purpose of stock and domestic water and for irrigation upon certain lands; such intervention is allowed, and his right is as in the tabulation herein contained.

XLII.

That the exceptions of Charles A. Harvill to the findings of the State Water Board have been withdrawn, and said exception is settled thereby.

XLIII.

That Mary J. Simonis excepted to the findings of the State Water Board, and it appears that the description of the lands irrigated in the findings of the State Water Board is erroneous, and such description is as in the tabulation herein set forth.

XLIV.

That Geo. D. Simonis filed a petition for intervention. Said petition is allowed and his rights are settled as in the tabulation herein contained.

XLV.

That F. E. Sewall filed a petition for intervention. Said petition is allowed and his rights are settled as in the tabulation herein contained.

XLVII.

That J. F. James and John Campbell filed a petition of intervention to have their rights designated through the New Home Ditch; such petition is hereby allowed, and said rights are tabulated and described in the tabulation herein.

XLVIII.

That the exception of Walter J. Burns, trustee, successor to Baker Irri.Co. is settled by the modification of the general findings herein contained.

XLIX.

That the exceptions of S. O. Correll are settled by the modification of the general findings herein.

L.

That the exceptions of Edgar I Hindman, et al., are settled by the modification of the general findings herein except as to Edgar I. Hindman who is successor in interest to Emma Baldock; the tabulation of the findings of the State Water Board set forth the date of priority of Emma Baldock as 1879, and the same is hereby changed and settled as of the date of 1864.

LI.

That as to the exceptions of Geo. E. Chamler, it appears that the findings of the State Water Board fixed the date of priority for 204.3 acres as of 1879, such date of priority is hereby changed and settled as of the date of 1864. And it further appears that 755 acres, irrigated through ditches #5, 7 and 16 had a date established by the findings of the State Water Board as of 1879, said date is hereby changed and settled as of 1864.

LII.

That as to the exceptions of the Cranston Land Company it appears that the Cranston Land Company is the owner of irrigated lands as follows: 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, T 9 S R 40 E. W. M., 2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 36 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 24 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 18 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, T 9 S. R. 40 E. W. M., that said Cranston Land Company's predecessor in interest has irrigated said lands since 1887 through the Bamberger Ditch under the date of priority of 1887, and that said date of priority for the Cranston Land Company is hereby settled as of the date of 1887. It further appears that this land is tabulated by the State Water Board in its findings under the name of East Baker Irrigation & Milling Company as irrigated through the New Home Ditch, and said irrigation through the New Home Ditch under date of 1904 is a supplemental right to the irrigation of such land by said company. The right of irrigation of said lands by said Cranston Land Company shall at all times be inferior to the rights of Madella E. Reynolds, T. B. Perkins, J. P. Perkins and G. H. Perkins, heirs of E. P. Perkins, to the use of water from Powder River through the Perkins Ditch #2 for the irrigation of 20 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 19 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, T 8 S. R. 40 E. W. M. That said land of the Cranston Land Company and East Baker Irrigation and Milling Company by this finding is changed so as to read as set forth in the tabulation herein contained.

LIII.

That as to the exception of F. W. Eppinger and Charles Eppinger the date of priority of 1879 for 160 acres through the Estes Ditch is hereby changed to 1864, and the date of F. W. Eppinger of 1879 for 80 acres through the #4 ditch is hereby changed to 1865.

LIV.

That as to the exception of Harvey Harrison, the date of 1879 is hereby changed to 1871.

LV.

That as to the exception of J. M. Goble and W. K. Goble it appears that Dunham Wright was the only party interested in said exceptions as contestee in said matter and the exceptors and contestee have filed a stipulation; in accordance with the terms of said stipulation it is found that J. M. Goble and W. K. Goble are entitled to the West Prong of Hot Springs Creek or Warm Springs Creek, a tributary of Big Creek, and that Dunham Wright is entitled to divert waters as designated in the tabulation and the findings of the State Water Board from the East Prong of Hot Spring Creek or Warm Spring Creek only.

LVI.

That as to the exceptions of J. E. Horn the date of priority of J. E. Horn of 1897 is hereby changed to 1871.

LVII.

That as to the exception of Mary Landreth the date of priority of May 6th, 1876 for 60 acres is hereby changed to 1869, and the priority date of 1879 for 157 acres is hereby changed to 1865.

LVIII.

That as to the exception of Thos. Mack and William Pollman, it appears that William Pollman has purchased the interests of Thos. Mack, and that any certificate of water rights should be issued in the interests of William Pollman, and the priority date of 1879 through the Estes Ditch is hereby changed to 1865.

LIX.

That as to the exception of Orrin R. Osborn the priority date of 1879 for 30 acres is hereby changed to 1863, and the date of May 6th, 1876, is hereby changed to 1863.

LX.

That as to the exception of S. Osborn the priority date of May 6th, 1876, for 183.8 acres is hereby changed to 1866, and the priority date of 1879 for 280 acrough the Estes Ditch is hereby changed to 1863.

LXI.

That as to the exception of Armand W. Perkins the priority date of 1879 is hereby changed to read 1866.

LXII.

That as to the exception of G. H. Perkins the priority date of 1879 for 155 acres is hereby changed to 1865.

LXIII.

That as to the exceptions of the E. P. Perkins heirs, the date of priority of May 6th is hereby changed to 1866, and the date of priority of 1879 for 141 acres is hereby changed to 1866.

LXIV.

That as to the exception of Nancy E. Toney, the date of 1879 for 240 acres of land is hereby changed to 1867.

LXV.

It further appears that the foregoing changes of dates modifies Finding #47 of the State Water Board, and said Finding is hereby changed and modified in accordance with said dates; that the following users of water through the Geddes-Osborn & Chambers Ditch being named in the findings of the State Water Board as Clayton Coleman, J. A. Geddes and Wm. Pollman, Mary Landreth, Orrin R. Osborn, S. Osborn and the heirs of E. P. Perkins have stipulated that as between themselves, the water used through said ditch shall be distributed equally in proportion to the acreage, without regard to the dates of priority, and the water master shall so distribute the water from said ditch.

And it further appears that the following water users from the Estes Ditch, Emma Baldock, Rose L. Bowen, Geo. Chandler, F. W. Eppinger, Charles Eppinger, Meda V. Ferguson, J. E. Horn, Mary Landreth, Thos. Mack and Wm. Pollman, Orrin R. Osborn, S. Osborn, Armand W. Perkins, Nancy E. Toney, and E. P. Perkins, heirs G. H. Perkins and

Harvey Harrison, stipulated that the use of water through the Estes Ditch should be equal in proportion to the acreage without regard to the dates of priority, and the water master shall distribute such water in accordance with said stipulation, and finding #47 is hereby modified accordingly.

LXVI.

That the exception of the Powder River Gold Dredging Company is settled by the modification of the general findings herein.

LXVII.

The exception of J. L. Masters, et al, is settled by the modification of the general findings herein.

LXVIII.

That the exception of S. B. Baisley et al, is settled by the modification of the general findings herein.

LXIX.

That as to the exception of M. S. Hughes the dates of priority of said M. S. Hughes are hereby changed to read as follows: 25 acres as of the date of 1878; 110 acres as of the date of 1883 and 25 acres as of the date of 1902.

LXX.

That the exception of the Pocahontas Farmer's Ditch Company is settled by the modification of the general findings herein.

LXXI.

That the exception of the City of Baker, et al., in the nature of an intervention asking that the water right for about 25 acres of said City lots and blocks and the City park be granted to the said exceptors through the east side ditch; that all of said lands are within the corporate limits of the City of Baker, and that the date of priority for such irrigation is November 5th, 1892, and said right is herein so tabulated.

LXXII.

That as to the exception of Harlow J. Evans, Herman E. Jordan and Mary E. Jordan, the acreage of 6.72 acres under date of 1905 is hereby changed to 8 acres and the acreage in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 4, is changed to 8 acres, and the acreage of A. Caviness under date of 1906 is changed from 5.28 acres to 4 acres, and the acreage in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ is changed from 33.28 acres to 32 acres.

LXXIII.

That the exception of Margaret W. Blackburn, et al., settled by the modification of the general findings herein, except as hereinafter set forth, that P. J. Brown is hereby allowed an additional acreage as follows: 18.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and .5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23, T 8 S. R. 42 E. W. M.

LXXIV.

That the priority date of W. H. Colton under the Powder River Ditch, Dam and Construction Company should be changed from 1888, 172 acres; and 1900, ^{for 25 acres} and 1908, ^{for 25 acres} to 1888 for 222 acres. That the priority dates of C. P. Colton under the Powder River Ditch, Dam and Construction Company of 1888, 64 acres; 1900, 35 acres, is hereby changed to 1888 for 99 acres.

That the priority date of J.H.B.Harrington and Grace G.Harrington under date of 1912 for 41 acres is hereby changed to 1888 for 41 acres. That the date of priority of Thomas H. Hewlet of 1888 for 40 acres and 1903 for 171 acres is hereby changed to 1888 for 211 acres.

That there should be added to the tabulation a water right of Geo. W. Hutton under a priority date of 1880 for 9 acres through the Basch Ditch for the following described lands: 9 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 19, T 8 S.R. 42 E.W.M., that the dates of Arthur Oliver of 1888 for 125 acres and 1905 for 202.5 acres is hereby changed to 1888 for 327.5 acres. That the priority date of Melville M. Palmer of 1909 for 20 acres through the Basch Ditch is hereby changed to 1880, and the priority of 1903 for 9 acres under the Duncan Ditch is hereby changed to 1888. That the dates of priority of F. A. Phillipsof 1889 for 174 acres, 1886 for 132 acres and 1902 for 30 acres is hereby changed to 1880 for 336 acres through the Basch Ditch, and the date of priority of 1905 for 105 acres through the Cranston Ditch is hereby changed to 1901. That the date of priority of B. F. Sturgill of 1911 for 57 acres through the Basch Ditch is hereby changed to 1880. That the date of priority of Francis H. Sturgill of 1890 is hereby changed to 1880. That the date of priority of S. D. Sturgill of 1880 for 60 acres. 1890 for 93 acres is hereby changed to 1880 for 153 acres. That the date of priority of Cyrus Turner of 1880 for 15 acres, 1890 for 48.5 acres through the Basche Ditch is hereby changed to 1880 for 63.5 acres. That the date of priority of A. N. Young of 1893 for 60 acres through the Basche and Upper Ditch is hereby changed to 1880.

LXXV.

The exception of Alexander McDougall, et al., is settled by the modification of the general findings herein.

LXXVI.

That as to the exception of S. B. Baisley et al., it appears that A. Caviness and Hattie Baisley are interested in said modifications and that a stipulation was filed and signed by all parties interested; that Hattie Baisley is the successor in interest to John H. Lew for the lands irrigated in the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 4, T. 9 S., R 39 E. W. M., through the Pocahontas Farmer's Ditch Company, and that A. Caviness irrigates land through the Pocahontas Farmers Ditch Company, and in accordance with said stipulation, the rights of Hattie Baisley and A. Caviness for the lands so irrigated through the Pocahontas Farmer's Ditch Company are hereby settled as being subsequent in right to the rights of S. B. Baisley, J. H. Baisley and the Perry Baisley estate, in so far as Hibbard and Salmon Creeks are concerned, and said Hattie Baisley and A. Caviness shall retain their dates of priority in regard to the other streams from which they take water.

LXXVII

That as to the exception of George and Ebenezer Burr the date of priority is hereby changed from 1908 for 240 acres to 1898 for 70 acres and 1908 for 170 acres.

LXXVIII

That the claim of W. F. Hendricks of La Grande, Oregon, to the waters of Antelope Creek were omitted from the findings of the State Water Board, and his water rights are hereby established as in the tabulation herein set forth,

LXXIX

That Arthur Oliver and George F. Johnson filed an agreement wherein Arthur Oliver's date of priority to the use of water from Houghton Creek should be subsequent to the rights of said Geo. F. Johnson, and in accordance with such stipulation the priority date of Arthur Oliver of 1874 for 30 acres is hereby changed to 1876.

LXXX

That the exceptions of John M. Burnside are hereby allowed, and the priority date of May 1st, 1898 is hereby changed to May 1, 1889.

LXXXI.

That D. J. Davis excepted to the findings of the State Water Board as to the water diverted for his irrigation and said findings are modified so as to show that the water diverted for the irrigation of the land of said D. J. Davis through the McEven Valley Irrigation Company's Ditch is diverted from Powder River instead of Ritter Creek,

LXXXII.

That Geo. W. Martin, Troy E. Cox and Emma Cox filed a statement with the Water Ditch Board as to the water used from the Dry Gulch and Waterbury Allen Ditch by said exceptors, and such exception will be satisfied upon the completion of their water right under the State Engineer's permit held by said Dry Gulch Ditch Company and the same is hereby denied.

LXXXIII.

That the exception of J. L. Edmiston shows that his claim was omitted from the findings of the State Water Board, and the same is here now set forth in the tabulation hereto attached.

LXXXIV.

That as to the exception of Earl F. Cranston and A. N. Ingle, it appears that the Sparta Irrigation Company have joined in said exception and ask that the decree of the Circuit Court of the State of Oregon for Baker County, in the case wherein the Sparta Irrigation Company were plaintiffs, and Earl F. Cranston and A. N. Ingle were defendants, be set forth as a part of Finding #31; that said decree is in words and figures as follows:

"IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR BAKER COUNTY."

Sparta Irrigation Company, a)	
corporation,	(
Plaintiff)	
vs	(FINAL DECREE
E. F. Cranston and A. N. Ingle,)	
Defendants.	(
-----)	

This cause comes on this 5th day of November, 1915, upon the amended motion of plaintiff for amendment of the FINDINGS OF FACT, CONCLUSIONS OF LAW, and DECREE heretofore given and made herein, the plaintiff appearing by Messrs. Smith & Smith, their attorneys and the defendants appearing by Messrs. W. S. Levens, W. H. Strayer and James E. Nichols, their attorneys, and all parties to this suit now and here consenting in open court, that the decree heretofore given and made herein, may be amended as hereinafter set forth and that as so amended it may stand as a final judgment and decree of this

court and in lieu of said former judgment and decree, now, therefore, in accordance with said stipulation and consent,

IT IS CONSIDERED, ORDERED, ADJUDGED AND DECREED, that plaintiff is the owner and entitled to the uninterrupted use and possession of the certain ditch or canal known as Sparta Ditch, in the County of Baker, State of Oregon, extending from its head on the W. Fork of Eagle Creek at a point of about $\frac{3}{4}$ of a mile south of the northwest corner of Section 21, township 6 South of Range 43 east W. M., running thence in a generally southerly and southeasterly direction or course a distance of about twenty-five miles for the purpose of conducting water therein from said west fork of Eagle Creek, a natural stream, and for using and letting the use of such water, for irrigation, mining and domestic purposes, and to and upon the lands of the stockholders of said plaintiff hereinafter described, and that plaintiff is also the owner of the right to divert, appropriate and use upon the said lands of the said stockholders, seven hundred fifty inches of the waters of said stream, the same to be measured and delivered under six inch pressure, miner's measurement, at the place of the use of the same, and that F. W. Tallmadge and L. W. Tallmadge, his wife, of said stockholders are to have the use and enjoyment of $376\frac{1}{2}$ inches thereof, the same to be appurtenant to the following described lands, to-wit: The southwest quarter of the northeast quarter, the west half of the northwest quarter, the southeast quarter of the northwest quarter, and the southwest quarter and the west half of the southeast quarter of section 25, Township 8 south, R. 43 E. W. M., and the east half of the southwest quarter, and the southeast quarter of Section 26, same township and range; the northwest quarter of the northeast quarter, and the northeast quarter of the northwest quarter, and the northwest quarter of the northwest quarter of section 36, same township and range.

That Maud E. Boyd of said stockholders shall have the use and enjoy $139\frac{1}{2}$ inches of said water as appurtenant to her lands, to-wit: The northeast quarter of section 35, and the southwest quarter of the northeast quarter and the southwest quarter of the northwest quarter, and the southeast quarter of the northwest quarter of section 36, all in township 8 S. R. 43 E. W. M.

That Arthur S. Boyd of said stockholders shall have, use and enjoy $76\frac{1}{2}$ inches of said appropriation as appurtenant to the southeast quarter of the northeast quarter of section 23; and the southwest quarter of the northwest quarter, and the southeast quarter of the northwest quarter and the northeast quarter of the southwest quarter of section 24, all in township 8 S. R. 43 E. W. M.

That P. T. Wyatt of said stockholders, shall have, use and enjoy 78 inches of said appropriation as appurtenant to the southwest quarter of the northwest quarter, and the northwest quarter of the southwest quarter of section 7, in township 9 S. R. 45 E., W. M., and the southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of section 12, township 9 S. R. 44 E. W. M.

That W. A. Wyatt, of said stockholders is to have, use and enjoy $79\frac{1}{2}$ inches of said appropriation as appurtenant to the northwest quarter of the northwest quarter of section 7, township 9 S. R. 45 E. W. M., and the southwest quarter of the southwest quarter of section 6 in said township and range, and the northeast quarter of the northeast quarter of section 12, and the southeast quarter of the southeast quarter of section 1, township 9 S. R. 44 E. W. M. All of said lands of said stockholders lying in Baker County, State of Oregon.

That the plaintiff is also the owner and entitled to the uninterrupted use and possession of that certain ditch or canal known as the Hogum Ditch conducting water and extending from a point on the west fork of Eagle Creek near the southeast corner of Section 8, Township 6 South, R 43 E. W. M., and running thence in a general southerly and southeasterly direction to a point where the waters conducted in said ditch are diverted therefrom over the mountain side into Glendenning Creek, a small natural stream immediately below said point, and thence into said Sparta Ditch, and that plaintiff has the right to the use and possession of said ditch to said point for the purpose of slumming said Sparta Ditch and to flow into said Sparta Ditch by means of said Hogum Ditch, the additional volume of water incident to said process, and for the aforementioned uses and purposes; and that the portion of said Hogum ditch originally constructed below the aforementioned point of diversion into said Glendenning creek to a point below where defendants claim, has for more than 20 years been abandoned and not operated, except as reconstructed by defendants herein, and that plaintiff has no title to said lower portion.

That defendants are the owners and entitled to the uninterrupted use and possession of that certain ditch, designated and named by defendants as Goose Creek Ditch, extending along the line of the ditch originally constructed and named Hogum Ditch from a point on the Northeast quarter of Section 29, Township 6 South, R. 43 E. W. M., west of the spillway into which the waters conducted in said Hogum Ditch are diverted over said mountain side into said Glendenning Creek, and from said point to a point on said ditch line from which the quarter section corner on the north line of section, township 7 S., R. 43 E. W. M., bears north fifty-six degrees, thirty minutes, west 1401 feet distant and that defendants have the right to build, construct and use said ditch for the purpose of conducting water therein to connect with Goose Creek at or about said land described point, for irrigation and domestic purposes.

It is further considered, ordered, adjudged and decreed, that defendants and each of them, their servants, agents, employees and any and all persons claiming by, through or under them or either of them, be and hereby are, and each is, enjoined, inhibited, and restrained from claiming or asserting any right, title or interest in or to the portion of the hereinbefore described ditch and ditch line herein decreed to be the property of plaintiff, and from interfering with plaintiff in its use, possession or operation of said ditch as herein decreed to be the rights of plaintiff; and the plaintiff, its officers,

agents, or servants and all persons claiming by, through or under it, be and hereby are and each is, restrained, inhibited and enjoined from claiming or asserting any right, title or interest in or to the portion of the hereinbefore described ditch or ditch line decreed to be the property of defendants, and from interfering with defendants in their use, possession or operation of said ditch as herein decreed to be the rights of defendants.

And the said parties now stipulate in open court that this consent decree is based in part upon the agreement and understanding of said parties that no action shall ever be begun by said defendants or their successors in interest for the purpose of exercising the eminent domain in the matter of enlarging or otherwise condemning said Hogun Ditch or any part thereof herein decreed to be the property of plaintiff, and the said parties now in open court consenting hereto.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED; that defendant and any and all persons claiming by, through or under them or acting or assuming to act for them, should be and they are hereby forever enjoined, restrained and inhibited from ever instituting any action or other proceedings for the purpose of enlarging or otherwise condemning said portion of said Hogun Ditch as aforesaid

IT IS FURTHER CONSIDERED, ORDERED and DECREED that neither of the parties to this suit recover costs or disbursements from the other."

(Signed) Gustav Anderson
Circuit Judge.

And the rights of said parties are hereby established in accordance with said decree.

LXXXIV.

That as to the exception of E. F. Cranston and A. N. Ingle, relative to the Love-Cranston & Ingle Ditches it appears that a stipulation was entered into which stipulation refers to the rights of the parties through the Love-Cranston & Ingle Ditch, which are established as follows:

That at low water season said Cranston and Ingle shall have the priority date to the waters of Goose Creek, through the Cranston & Ingle Ditch over and prior to the rights of said W. S. Love and A. N. Ingle, and that said W. S. Love and A. N. Ingle shall have the right to divert the water arising in the Channel of Goose Creek at the head of Cranston & Ingle Ditch; that said W. S. Love and A. N. Ingle shall divide the waters arising below the Cranston & Ingle Ditch, equally until the flow into said Goose Creek is but 20 inches, at which time a full 20 inches shall be distributed by the water master to W. S. Love."

LXXXVI.

That the exceptions of C. L. Scott refer to the division of water under the stipulation filed, and it appears that said stipulation was signed by L. C. Grout, Charles B. Mays and C. L. Scott, and under and by virtue of said stipulation the water from the springs known as Kaylor Springs shall be divided one half to Scott and one half to Mays, and the water from the East Branch of Clover Creek shall be divided one half to Scott and one half to Grout, and each party shall have the use of all the water of the other branches of Clover Creek which comes onto their respective property, without interference from either of the other parties, and this division of water shall only apply to the irrigated lands described in the findings of the State Water Board, and only to that extent.

LXXXVII.

That as to the exception of Davis Wilcox it appears that said findings have left out of the tabulation the Wilcox-Favorite Ditch, and the Wilcox Ditch #2, through which said Davis Wilcox irrigates a part of his lands; that the rights through said ditches are established as follows: Through the Wilcox-Favorite Ditch, under date of 1897, for 80 acres in the $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 8, Township 8 S.R. 39 E.W.M., and through the Wilcox Ditch No. 2 under the priority date of 1905, for 230 acres in Section 7,8,9 and 10, Township 8 S.R. 39 E.W.M.

LXXXVIII.

That as to the exception of Rose L. Brown, her date of priority is hereby changed from 1879 to 1864.

LXXXIX.

That as to the exception of Meda V. Ferguson her date of priority is hereby changed from 1879 to 1864.

LXL.

That as to the exception of Amy Lewis, her date of priority is hereby changed from 1879 to 1868.

LXLI.

That as to the exception of W. L. Patterson, his date of priority is hereby changed from 1879 to 1868.

LXLII.

That as to the exception of Earl B. Stephenson, his date of priority is hereby changed from 1879 to 1872.

LXLIII.

That as to the exception of J. C. Shields the date of priority should be changed from 1872- 50 acres and 1876 - 70 acres, to 50 acres in 1872 through the Moddy Ditch and 50 acres in 1872 through the Lee Bros. Ditch, and 20 acres in 1876 through the Shields Ditch.

LXLIV.

That as to the exceptions of G. I. Bowman the land descriptions given in said findings are erroneous; the tabulation should be changed to read as tabulated herein.

LXLV.

That as to the exception of Josephine Hudspeath, it appears that the said Josephine Hudspeath is successor in interest to Martha J. Jennings for the NE $\frac{1}{4}$ of Section 19, Twp 10 S. R. 38 E. W. M., and that the lands irrigated in said NE $\frac{1}{4}$ should be 17.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 12.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; through the Duck Worth Ditch,

and 22.5 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$; 27.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 14.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, and 32 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 19, and the rights of said Josephine Hudspeath are hereby settled as herein described.

LXLVI.

That as to the exception of Dan D. Jones, et al., Catherine Owens filed a demurrer to such exceptions; that said demurrer was overruled, and said Catherine Owens refused to make further appearance against said exceptions and that said exceptions are settled by the modification of the general findings herein.

LXLVII.

That the exception of W. A. Payton claims a priority of 1864 instead of 1866, and it appearing that such earlier date is the priority, the tabulation shall be changed to give said W. A. Payton the priority date of 1864.

LXLVIII.

That the exception of Elizabeth May is settled by the modification of the general findings herein.

LXLIX.

That the exception of Hattie H. Olson is settled by the modification of the general findings herein.

C.

That the exception of J. P. Atwood is settled by the modification of the general findings herein.

CI.

That as to the exceptions of W. A. Green, Asa L. Brown, John H. Richmond and Blanche Godobook, it appears that said exceptors filed an agreement concerning the use of the water upon their lands in the proceedings, which said agreement is on file at page 402, Volume 17 of the records of the adjudication of Powder River; that said agreement shall be considered as having been filed with the water master, and said water master shall rotate the water between said water users in accordance with said agreement until changed or abolished by agreement by said water users, or their successors in interest.

CII.

The petition of Jennie M. Keist to intervene is hereby allowed as it appears that there are no conflicting rights against her claim and her rights are tabulated herein.

CIII.

The exceptions of Rosa B. Love, executrix of the estate of Walter S. Love appear to be settled by the modification of the general findings.

CIV.

The exceptions of W. S. Bowers have been withdrawn and are therefore denied.

CV.

G. F. Gardner and the heirs of Fountain Seacat have stipulated that when the waters flowing in Washington Gulch above the point of diversion of G. F. Gardner's upper ditch, aggregates or exceeds 200 miners inches, said water shall be divided as provided in the Findings of the Water Board, but when said water at said point is less than 200 miners inches, 21.5 inches shall be given to the lands owned by G. F. Gardner, and the balance shall be divided two-thirds to the lands owned by the heirs of Fountain Seacat and one-third to the lands owned by G. F. Gardner and the water master shall distribute such water in such manner.

CVI.

J. C. Travillion and Louise Koester have stipulated that upon the lands owned by them the water diverted through the Koester-Travillion ditch shall be distributed upon the basis of both parties having the same date of priority and the water master shall distribute the water in such manner.

CVII.

Walburge Lachner has filed a motion to correct the description of the land tabulated under her name in the Findings of the Water Board and it appearing that such correction does not increase the irrigated area and should be made, her rights are tabulated herein.

CVIII.

W. A. Clark filed exceptions to the Findings of the Water Board in so far as the same declared him in default and it appearing that said Clark owns the $E\frac{1}{2}$ of Sec. 24, and the $E\frac{1}{2}$ of Sec. 25, T 10 S.R. 40 E.W.M., and that said lands are riparian to the west fork of Sutton Creek which land was involved in the decree of Palmer & Denham, vs. Richardson et al., and in accordance with said decree said lands so long as they are riparian shall have the right to water for the watering of domestic animals, stock and other domestic purposes including the irrigation of gardens cultivated only for family sustenance and the Findings of the Water Board are so modified.

CIX.

That Finding #15 of the Water Board shall be modified to read as follows:
 Contest #5. The City of Baker, a municipal corporation, contestant, vs. Gardner & Stuchell, Fountain Seacat and Arthur Swift, contestees was called for hearing on the 12th day of May, 1915, and contestees each appeared before the Superintendent of Water Division No. 2, acknowledged the priority right of contestant and refused to appear further in this contest. It further appeared that contestees were each served with notice of the hearing of such contest on the 25th day of March, 1914 and that the City of Baker has the following rights to the use of water. That in the year 1862, water rights for mining purposes were initiated and thereafter the Auburn Canal was constructed for the purpose of utilizing such water right. That the Auburn Canal diverts the waters of a number of streams beginning in the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of Sec. 34, T 8 S. R. 38 E. W. M., at Goodrick Creek, diverting five second feet, thence said canal runs in a southeasterly direction and takes water from the following springs and streams in the following amounts:- Coyote Springs, 0.5 sec. ft; Little Mill Creek 5 sec. ft; Big Mill Creek 5 sec. ft.; Hawk Springs 0.5 sec. ft.; Little Marble Creek 1.25 sec. ft.; Big Marble Creek 5 sec. ft.; Campers Springs 0.625 sec. ft.; Herman Springs 0.5 sec. ft.; Big Salmon Creek 5 sec. ft.; Henry Springs 0.625 sec. ft.; Finley Springs 0.625 sec. ft.; Little Salmon Springs 0.5 sec. ft.; Little Salmon Creek 1.25 sec. ft.; Slum Town Springs 0.625 sec. ft.; Rock Springs 0.5 sec. ft.; North Prong of Washington Gulch 0.5 sec. ft.; Middle Prong of Washington Gulch 0.5 sec. ft.; Spath Prong of Washington Gulch 0.5 sec. ft.; Conn Springs 0.625 sec. ft.; Byam Springs 0.25 sec. ft.; Elk Creek 3.75 sec. ft.; being a total of 39.25 sec. ft. That in the year 1862 and after the appropriation for the Auburn Canal, a water right was initiated through the Kelly Ditch for 6.25 sec. ft. from Mill Creek and 6.25 sec. ft. from Marble Creek.

That in 1868 a water right was initiated through the Nelson or Newton & Sturgill Ditch for 1.25 sec. ft. from Gee Creek, 6.25 sec. ft. from Goodrich Creek, 6.25 sec. ft from Mill Creek and 5 sec. ft. from Marble Creek; that each of said water rights were perfected and the water applied to a beneficial use in placer mining and such use continued until the years 1899 to 1901, during which years the Auburn Canal and the Nelson Ditch together with the water rights connected therewith were transferred to the City of Baker who is the present owner thereof and the Kelly Ditch and the water rights connected therewith were transferred to The Pocahontas Mining & Irrigation Company who is the present owner thereof. That the City of Baker proceeded to change the use and the place of use of the waters under such water rights to municipal purposes. That in making such change it was necessary to expend large amounts of money and time and during such time said city leased some of the ditches and rights for irrigation purposes. That said Pocahontas Mining & Irrigation Company changed the use and place of use of the water through said Kelly Ditch to irrigation. That such changes did not infringe upon any other rights and the transferees of said rights secured by such transfers said water rights with their respective dates of priority.

That since the purchase of the ditches and water rights by the City of Baker as aforesaid and until the decision of the Supreme Court of the State of Oregon in the case of Sherred vs. City of Baker, 63 Ore. 28, said City leased a part of the waters claimed under said water rights to the Pocahontas Farmers Ditch Company; that since said decision of the Supreme Court the City of Baker has not made any use of that part of the waters heretofore leased to said ditch company. That said City of Baker has, since the purchase of said water rights always used a part of said water; that all of the parties using water from said stream have at all times recognized the rights of the City of Baker as being prior to any of said water users and all of the improvements upon all of their farms have been made under conditions created by such recognition in such rights. That the decision of the Supreme Court of the State of Oregon in the case of Bowen et al., vs. Spaulding et al., 63 Ore. 392 and in the case of Sherred vs. Baker City, each recognized the right of the City of Baker as being absolute and prior to all others using water from said streams.

The amount of water as herein set forth as having been appropriated from the several streams for the water rights now owned by said City of Baker is hereby reserved and expressly confirmed unto said City of Baker forever as of the dates of priority as herein set forth.

That heretofore said Pocahontas Mining & Irrigation Company and said City of Baker made and entered into an agreement, in writing, respecting the water rights of Marble and Mill Creeks, wherein and whereby it was agreed that when water was used through said Auburn Canal that all the water rights above the intake of said canal should belong exclusively to said City of Baker. That when the water is not used through said canal when the flow of water in said Marble Creek is under 500 miners inches said water in Marble Creek shall be divided equally and when the flow in Mill Creek is under 500 inches miner's measurement said water in Mill Creek shall be divided equally and so long as the flow in Marble Creek is over 500 inches, said Pocahontas Mining & Irrigation Company shall be entitled to the first 250 inches and said City of Baker to the balance of the flow of said stream, and when the waters of said creeks are used by the City of Baker through said Auburn Canal the said Pocahontas Mining & Irrigation Company shall have the first right to the use of 250 inches of the waters flowing in each of said Marble and Mill Creeks below said Auburn Canal after the same flow past said canal and the right to the use of all above said quantity so flowing shall belong to the City of Baker.

That said stipuation as to the rights of said City of Baker shall be given full force in the distribution of water, provided that in no case shall the amount of water taken from said creeks exceed the amount of the appropriation from said Mill and Marble Creeks as hereinbefore set forth.

CX.

It further appears to the court that the exceptions of W. H. Shoemaker, Trustee, Morini Horn and Thomas B. Marlin vs. Martha E. Harsin, L. S. Wirth and J. D. Wirth as Wirth Brothers, J. F. Kennedy, T. E. Kennedy, J. C. Turner and Robert Wanker are unfounded in fact and that the rights of said Martha E. Harsin, L. S. Wirth as Wirth Brothers, J. F. Kennedy, T. E. Kennedy, J. C. Turner and Robert Wanker are correctly set forth in the Findings of the Water Board as modified by the Court herein and the Court being fully informed in the matter, it is hereby ordered and decreed that said exceptions be and the same are hereby over ruled and denied.

CXI.

It further appears that land tabulated under the name of W. H. Shoemaker, Trustee, has been transferred to W. L. Meyers and J. H. Wanker and that said land was at one time in the name of John G. Hoke and that said Hoke filed exceptions claiming 9 acres as being omitted from the Findings of the Water Board, the said claim of said Shoemaker is retabulated and the rights for said land shall be as herein tabulated.

CXII.

L. S. Wirth filed an exception to the Findings of the Water Board on account of said Findings not recognizing a stipulation filed on page 401, Vol. 17 of the record. From said stipulation it appears that water should be distributed from the Hoke-Robertson ditch, first to Wirth Brothers and second any surplus to the lands owned by W. H. Shoemaker, Trustee, John Hoke, J. F. Kennedy and T. B. Marlin and it further appears in Vol. 12, page 90 of the record that W. H. Shoemaker waived any claim to water through the Robinson Ditch No. 2 and thereby the water right for the land under said ditch so tabulated under the name of said Shoemaker is subject to the water right for the lands owned by said Wirth Brothers, and said rights shall be the same as to the present owners of said lands under whose name the Shoemaker lands are herein tabulated.

CXIII.

Dunham Wright, J. D. Wirth and L. S. Wirth, copartners as Wirth Brothers, J. F. Kennedy, T. E. Kennedy, J. C. Turner, Robert Wanker and Martha Harsin filed objections to the dates tabulated under the names of Morini Horn and W. H. Shoemaker, Trustee, and it is found that said exceptions are well founded and that the date of priority to all land under the Coffman ditch should be 1885 and the claims are re-tabulated herein in accordance with their said rights.

CXIV.

W. H. Shoemaker, Trustee, and Thomas B. Marlin, each filed exceptions to the Findings of the water Board and thereafter filed a stipulation concerning the same and it is found that 20 acres of land was omitted from the claim of Shoemaker as follows: 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, T 6 S. R. 41 E. W. M., and that the dates of priority from Waram Spring Creek should be 1886 and also the date of priority for said Marlin should be 1886 from Warm Spring Creek, it is ordered that said rights be as hereinafter tabulated and that said tabulation be as herein ordered, except the claim of said Marlin shall not be re-tabulated but that his right from Big Creek remain the same and be from Warm Creek as herein ordered.

CXV.

That Findings #117 and #119 of the State Water Board shall remain the same for all lands and names not mentioned herein but for all lands and names tabulated in this decree, said Findings shall be modified so as to describe the rights of said lands and names as herein tabulated and the following tabulation gives the rights as modified for such lands and names under a similar form to that used by the State Water Board so as to show the name of the water user and his address where known, the date of priority, the number of acres irrigated, the use, the name of the ditch, the name of the stream and a detailed description of the land irrigated as follows, to-wit:

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Fred Lamprecht Haines, Oregon	1880 1888 1902		13.5 8.5 20.	Irrigation	Cartmill Ison, Estes Slough & Pine Ck.	Powder and Pine Creek	15.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 26.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 T. 8 S.R. 39 E.W.M.
S. C. Mann Baker, Oregon	1870 1863 1865 1908		110 200 35	Irrigation	Lindley #1 O'Bryant Shaw- Brant	Wolf Creek Wolf Creek	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7
	1863		80		Gilkinson- Vandecar Bridge	Wolf Creek	40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T. 6 S. R. 39 E. W. M.
	1877		50		Bridge	Wolf Creek	40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
	1892		40		Gorham & Gilkinson	Springs in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16	40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 6 S.R. 39 E.W.M.,
	Mar.28 1869		1		McCrary Jackson Stewart		1 acre being portion of Block A, McCrary's Addition to Baker, Oregon.
J. W. Adams, Baker, Oregon	1867 1867		50 110	Irrigation	Adams #1 Adams #2, 3,4	Salmon Creek Mill Creek Spring Creek Waggie Creek	20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34 T. 8 S.R. 39 E.W.M.
	1867		160		Adams #4 5	Salmon Creek and springs in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3. T 9 S., R 39 E. W.M.	160 acres in NE $\frac{1}{4}$ Sec. 3 T 9 S.R. 39 E.W.M.
Heirs of John Lew By John Lew Baker, Oregon	1864		40	Irrigation	E.Hib- bard	E.Hibbard Creek	40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 9 S.R. 39 E.W.M.
E. J. Lew Baker, Oregon	1864		50	Irrigation		E.Hibbard Creek and Springs in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16	40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9 T 9 S.R. 39 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
John H. Lew Baker, Oregon	1864 1903		60 10	Irrigation		E. Hibbard	40 acres in NE ¹ / ₄ NE ¹ / ₄ 30 acres in SE ¹ / ₄ NE ¹ / ₄ Sec. 9 T 9 S. R. 39 E. W. M.
Geo. P. Dyke Baker, Oregon	1882 May 6, 1891		8 85	Irrigation	Beaver Wood-Mc- Pherson	Beaver Creek Powder	8 acres in NE ¹ / ₄ SW ¹ / ₄ 5 acres in NE ¹ / ₄ SW ¹ / ₄ 40 acres in NW ¹ / ₄ SW ¹ / ₄ 40 acres in SW ¹ / ₄ SW ¹ / ₄ Sec. 17 T 10 S. R. 40 E. W. M.
East Baker Irrigation & Milling Co., by Earl F. Cranston Baker, Oregon	1893 1867		90 210	Irrigation	Bamber- ger New Home	Powder	Lots and Blocks in the City limits of Baker not to exceed 90 acres. 40 acres in NE ¹ / ₄ SE ¹ / ₄ 40 acres in SE ¹ / ₄ SE ¹ / ₄ Sec. 9 2 acres in NE ¹ / ₄ NW ¹ / ₄ 36 acres in NW ¹ / ₄ NW ¹ / ₄ 24 acres in SW ¹ / ₄ NW ¹ / ₄ 18 acres in NW ¹ / ₄ SE ¹ / ₄ 40 acres in SW ¹ / ₄ SE ¹ / ₄ Sec. 10 10 acres in NW ¹ / ₄ NW ¹ / ₄ Sec. 28 T 9 S. R. 40 E. W. M.
A. R. Zeller Baker, Oregon	1893		30	Irrigation	Bamber- ger	Powder	30 acres in SE ¹ / ₄ NW ¹ / ₄ Sec. 21 T 9 S. R. 40 E. W. M.
Frank L. Kelley Medical Springs, Oregon	1880 1909		9 46	Irrigation Irrigation & Storage		Ridley Creek Reservoir	9 acres in NE ¹ / ₄ SW ¹ / ₄ 40 acres in NW ¹ / ₄ SW ¹ / ₄ 6 acres in SE ¹ / ₄ SW ¹ / ₄ Sec. 12 T 7 S. R. 41 E. W. M.
P. A. Moody Richland, Oregon	1882 1876		12 121	Irrigation	Newt Young Moody	Eagle Creek	12 acres in SE ¹ / ₄ NW ¹ / ₄ 15 acres in SW ¹ / ₄ NW ¹ / ₄ 25 acres in SE ¹ / ₄ NW ¹ / ₄ 40 acres in NE ¹ / ₄ SW ¹ / ₄ 18 acres in NW ¹ / ₄ SW ¹ / ₄ 6 acres in SW ¹ / ₄ SW ¹ / ₄ 18 acres in SE ¹ / ₄ SW ¹ / ₄ Sec. 14 T 9 S. R. 45 E. W. M.

(Note:- The right through the New Home Ditch was first initiated through the Bamberger Ditch and in 1904 changed to the New Home Ditch)
This right is tabulated herein on account of the exception of the Cranston Land Co.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
James Engum, successor to Jos. Couty Richland, Oregon	1900		50.5	Irrigation	Nash	Eagle Creek	20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 17 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 13.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28
	1870		19.5		Couty- Kirby	Little Eagle Creek	15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27
	1879		113		Nash	Eagle Creek	40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 2.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28 T 9 S.R. 45 E.W.M.
W. B. Wright Richland, Oregon	1886		44.6	Irrigation	Kay Young	Eagle Creek	37.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 T 9 S.R. 45 E.W.M.
	1884		54.5	Irrigation	Holstine	Eagle Creek	1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 28 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 15.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 T 9 S.R. 45 E.W.M.
1879		16			Nash		
1899		49					
Ascenith Evans Richland, Oregon	1887		55	Irrigation	Newt Young	Eagle Creek	25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24 T 9 S.R. 45 E.W.M.
I. N. Young Richland, Oregon	1874		2.5 112	Irrigation	Moody Kay Young	Eagle Creek	2.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 16 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 24 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14 34 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 38 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 T 9 S.R. 45 E.W.M.
W. J. Densley and Margaret L. Densley Richland, Oregon	1885		23	Irrigation	Densley	Eagle Creek	2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22
	1877		40		Moody		40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
	1878		40		Kay Young		40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23
	1879		10		Gover		10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22, T 9 S.R. 45 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
G. B Saunders, for heirs of D.J.Saunders Richland, Oregon	1888		35	Irrigation	Newt Young	Eagle Creek	25 acres in NE ¹ / ₄ NW ¹ / ₄ 7 acres in SE ¹ / ₄ NW ¹ / ₄ 3 acres in SW ¹ / ₄ NE ¹ / ₄ Sec. 14 T 9 S.R. 45 E.W.M.
Bessie Palmer Richland, Oregon	1904		10	Irrigation	Howell	Eagle Creek	10 acres in SE ¹ / ₄ NE ¹ / ₄ Sec. 35 T 9 S.R. 45 E.W.M.
Howell Ditch Company, Richland, Oregon	July 12 1901		332	Irrigation	Howell	Eagle & Daly Creeks	17 acres in SE ¹ / ₄ NE ¹ / ₄ Sec. 35; 17 acres in NE ¹ / ₄ NE ¹ / ₄ 30 acres in NW ¹ / ₄ NE ¹ / ₄ 21.5 acres in SW ¹ / ₄ NE ¹ / ₄ 30 acres in SE ¹ / ₄ NE ¹ / ₄ 20 acres in NE ¹ / ₄ NW ¹ / ₄ 10 acres in NW ¹ / ₄ NW ¹ / ₄ 36.5 acres in SW ¹ / ₄ NW ¹ / ₄ 25.5 acres in SE ¹ / ₄ NW ¹ / ₄ 4.5 acres in NW ¹ / ₄ SW ¹ / ₄ Sec. 36 T 9 S.R. 45 E.W.M. 37 acres in NW ¹ / ₄ SE ¹ / ₄ 27 acres in SW ¹ / ₄ SE ¹ / ₄ Sec. 30 9 acres in NW ¹ / ₄ NE ¹ / ₄ 19 acres in NE ¹ / ₄ NW ¹ / ₄ 28 acres in NW ¹ / ₄ NW ¹ / ₄ Sec. 31 T 9 S.R. 46 E.W.M.
(Note: For other acreage see name of user)							
E. A. Augustus successor to Anthony Augustus, Richland, Oregon	1878 1901		80 120	Irrigation	Kay Young- Alexander	Eagle Creek Powder	40 acres in SW ¹ / ₄ NE ¹ / ₄ 40 acres in SE ¹ / ₄ NW ¹ / ₄ 40 acres in NE ¹ / ₄ SW ¹ / ₄ 40 acres in SE ¹ / ₄ SW ¹ / ₄ 40 acres in NW ¹ / ₄ SE ¹ / ₄ Sec. 25 T 9 S.R. 45 E.W.M.
Mary J. Simonis Richland, Oregon	1879 1879		28 73.6	Irrigation	Simonis Nash	Little Eagle Eagle	12 acres in NE ¹ / ₄ SE ¹ / ₄ 16 acres in SE ¹ / ₄ SE ¹ / ₄ 11.8 acres in NW ¹ / ₄ NE ¹ / ₄ 11.8 acres in SW ¹ / ₄ NE ¹ / ₄ 8 acres in NE ¹ / ₄ SE ¹ / ₄ 29 acres in NW ¹ / ₄ SE ¹ / ₄ 4 acres in SW ¹ / ₄ SE ¹ / ₄ 8 acres in SE ¹ / ₄ SE ¹ / ₄ Sec. 22 T 9 S.R. 45 E.W.M.
Mary Landreth Baker, Oregon	1869 1865 1890		60 157 25	Irrigation	Geddes- Osborn- Chambers Estes	Powder	40 acres in NE ¹ / ₄ NW ¹ / ₄ 20 acres in SE ¹ / ₄ NW ¹ / ₄ Sec. 32 22 acres in NE ¹ / ₄ NE ¹ / ₄ 27 acres in NW ¹ / ₄ NE ¹ / ₄ 20 acres in SW ¹ / ₄ NE ¹ / ₄ 13 acres in SE ¹ / ₄ NE ¹ / ₄ Sec. 31 40 acres in NW ¹ / ₄ NW ¹ / ₄ 40 acres in SW ¹ / ₄ NW ¹ / ₄ 20 acres in SE ¹ / ₄ NW ¹ / ₄ Sec. 32 T 8 S.R. 40 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use	
Heirs of E.P.Perkins, being, T.B.Perkins, J. P. Perkins, G. H. Perkins and Madella E.Reynolds Baker, Oregon	1892		39	Irrigation	Perkins #2	Powder	20 acres in NE 1/4 NE 1/4	
	1866		281				Geddes Osborn Chambers	19 acres in SE 1/4 NE 1/4 30 acres in SE 1/4 NW 1/4 30 acres in NE 1/4 NW 1/4 40 acres in NW 1/4 NW 1/4 40 acres in SW 1/4 NW 1/4 20 acres in NE 1/4 NE 1/4 40 acres in NW 1/4 NE 1/4 40 acres in SW 1/4 NE 1/4 21 acres in SE 1/4 NE 1/4 10 acres in NE 1/4 NW 1/4 10 acres in SE 1/4 NW 1/4 Sec. 20 T 8 S.R. 40 E.W.M.
S. Osborn Baker, Oregon	1898		5	Irrigation	Taggart	Powder	5 acres in NW 1/4 NE 1/4 Sec. 28	
	1866		183.8				Geddes Osborn Chambers	40 acres in NE 1/4 SW 1/4
	1885		20					35 acres in NW 1/4 SW 1/4 40 acres in SW 1/4 SW 1/4 40 acres in SE 1/4 SW 1/4 28 acres in NW 1/4 SE 1/4 40 acres in SW 1/4 SE 1/4 5.8 acres in SE 1/4 SE 1/4 Sec. 29
	1869		70				Osborn	35 acres in NW 1/4 NW 1/4 35 acres in SW 1/4 NW 1/4 Sec. 28
1863		280	Estes	20 acres in NE 1/4 NE 1/4 25 acres in NW 1/4 NE 1/4 30 acres in SW 1/4 NE 1/4 20 acres in SE 1/4 NE 1/4 160 acres in SE 1/4 Sec. 30 T 8 S.R. 40 E.W.M.				
Orrin R. Osborn Baker, Oregon	1863		150	Irrigation	Estes and Geddes- Osborn- Chambers	Powder	40 acres in NE 1/4 NW 1/4 40 acres in NW 1/4 NW 1/4 35 acres in SW 1/4 NW 1/4 35 acres in SE 1/4 NW 1/4 Sec. 29 T 8 S.R. 40 E.W.M.	
Nancy E. Toney Haines, Oregon	1866		240	Irrigation	Estes	Powder	40 acres in NW 1/4 NE 1/4 40 acres in SW 1/4 NE 1/4 40 acres in NE 1/4 NW 1/4 40 acres in SE 1/4 NW 1/4 40 acres in NW 1/4 SE 1/4 40 acres in SW 1/4 SE 1/4 Sec. 18 T 8 S.R. 40 E.W.M.	
	1866 1882		95 65				#1&2	Spring Creeks #1 & 2
G. H. Perkins Baker, Oregon	1902		140	Irrigation	Perkins- Kirby	Powder	15 acres in NE 1/4 SW 1/4 10 acres in NW 1/4 SW 1/4 5 acres in SW 1/4 SW 1/4 10 acres in SE 1/4 SW 1/4 40 acres in NW 1/4 SE 1/4 Sec. 9	

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
G. H. Perkins (Continued)	1865		155		Overflow		30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16 30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 8 S.R. 40 E.W.M.
Amanda W. Perkins Haines, Oregon	1866		120	Irrigation	Estes	Powder	20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 T 8 S.R. 39 E.W.M.
Thos. Mack and Wm. Pollman, Baker, Oregon.	1865		160	Irrigation	Estes	Powder	160 acres in SE $\frac{1}{4}$ Sec. 31 T 8 S.R. 40 E.W.M.
Wm Pollman, suc- cessor in interest	1883		80		Eppinger Lynn		40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6 T 9 S.R. 40 E.W.M.
Fannie H. Lee(Wright) Richland, Oregon	1880 1886		5 85.5	Irrigation	Kay Young	Eagle Creek	40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 18 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26 T 9 S.R. 45 E.W.M. Lots 1 & 2 Usher's West Addition and part of Lot 10 Usher's South Addition Richland, Oregon.
	1886 1887		5 18		Gover		
Lovell Gover, successor to W.L.Gover Richland, Oregon	1885		40	Irrigation	Moody Kay Young Newt Young	Eagle Creek	10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 T 9 S.R. 45 E.W.M.
Virginia A. Usher Richland, Oregon	1881		43.2	Irrigation	Kay Young	Eagle Creek	Lot 2 Block 3, Richland, Ore. 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 13 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 22 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23 T 9 S.R. 45 E.W.M.
	1879		32		Kay Young Slough		
	1879		15		Gover		
W. E. Summers Richland, Oregon	1888		38	Irrigation	Newt Young	Eagle Creek	23 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 9 S.R. 45 E.W.M.
	1891		4		Waterbury		
	1888		9		Holstine		

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
J. L. Edmiston Sumpter, Oregon	May 1908		70	Irrigation	Edmiston	Deer Creek	30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 10 S.R. 38 E.W.M.
G. L. Bowman Medical Springs, Oregon	1882 1885		15 15	Irrigation	Bowman Harsin #1	Beagle Creek Big Creek	15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10 T 7 S.R. 41 E.W.M.
Rose L. Bowen Baker, Oregon	1864		160	Irrigation	Estes	Powder	160 acres in SW $\frac{1}{4}$ Sec. 30 T 8 S.R. 40 E.W.M.
Meda V. Ferguson Los Angeles, Calif.	1864		160	Irrigation	Estes	Powder	160 acres in NW $\frac{1}{4}$ Sec. 30 T 8 S.R. 40 E.W.M.
Amy E. Lewis Los Angeles, Calif.	1868		80	Irrigation	Estes	Powder	40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19 T 8 S.R. 40 E.W.M.
W. L. Patterson Baker, Oregon	1868		60	Irrigation	Estes	Powder	25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25 T 8 S.R. 39 E.W.M.
Geo. E. Chandler Baker, Oregon	1864		204.3	Irrigation	Estes #5-7	Powder	33 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 32.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11
	1864		127		Chandler	Salmon Creek	31 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 16 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 T. 8 S.R. 39 E.W.M.
	1864		55		#14	Powder	40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
	1864		755		#5, 7, & 16		25 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 160 acres in SW $\frac{1}{4}$ 160 acres in SE $\frac{1}{4}$ Sec. 20 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 22 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 11 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Geo. E. Chandler (Continued)							7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 160 acres in SE $\frac{1}{4}$ Sec. 19 T 8 S.R. 40 E.W.M.
F. W. Eppinger and Chas. A. Eppinger Baker, Oregon.	1883 1864		80 160	Irrigation	Eppinger Edwards Estes	Powder	40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5 T 9 S.R. 40 E.W.M.
F. W. Eppinger Baker, Oregon	1865 1889		80 120	Irrigation	#4	Powder	40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 T 9 S.R. 40 E.W.M.
J. E. Horn Baker, Oregon	1871		152	Irrigation	Estes	Powder	40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 T 8 S.R. 40 E.W.M.
Harvey Harrison Baker, Oregon	1871		320	Irrigation	Harrison #20 & 21	Powder	160 acres in NW $\frac{1}{4}$ 160 acres in SW $\frac{1}{4}$ Sec. 17 T 8 S.R. 40 E.W.M.
J. F. James Baker, Oregon	1904		10	Irrigation	New Home	Powder	10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T 9 S.R. 40 E.W.M.
John Campbell Baker, Oregon	1904		23	Irrigation	New Home	Powder	6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 17 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T 9 S.R. 40 E.W.M.
Edgar I Hindman, successor in interest of Emma Baldock Baker, Oregon	1864		160	Irrigation	Estes	Powder	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18 T 8 S.R. 40 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
M. S. Hughes Baker, Oregon	1878		25	Irrigation	Williams	Powder	40 acres in NW ¹ / ₄ NW ¹ / ₄
	1883		20		McDougal		Sec. 9
	1883		75		Eppinger- Lynn		5 acres in NE ¹ / ₄ NE ¹ / ₄
	1883 1902		15 25		Shelley- Hughes		35 acres in NE ¹ / ₄ NE ¹ / ₄
							40 acres in SE ¹ / ₄ NE ¹ / ₄
							Sec. 8
							40 acres in SW ¹ / ₄ NW ¹ / ₄
							Sec. 9
							T 9 S.R. 40 E.W.M.
John M. Burnside Haines, Oregon	May 1 1889		80	Irrigation	Miller	Rock Creek and Killamacue reservoir	40 acres in NE ¹ / ₄ NE ¹ / ₄
							Sec. 35
							40 acres in SE ¹ / ₄ SE ¹ / ₄
							Sec. 26
							T 7 S.R. 38 E.W.M.
Dan J. Davis Sumpter, Oregon	1900		120	Irrigation	McEwen Valley Irrigat- ion Co.	Powder	30 acres in NE ¹ / ₄ SW ¹ / ₄
							2.5 acres in SE ¹ / ₄ SW ¹ / ₄
							40 acres in NE ¹ / ₄ SE ¹ / ₄
							40 acres in NW ¹ / ₄ SE ¹ / ₄
							7.5 acres in SW ¹ / ₄ SE ¹ / ₄
							Sec. 24
							T 10 S.R. 37 E.W.M.
Earl B. Stephenson Baker, Oregon	1872		160	Irrigation	Estes	Powder	160 acres in NW ¹ / ₄
							Sec. 5
							T 9 S.R. 40 E.W.M.
J. C. Shields Baker, Oregon	1872 1872 1876		50 50 20	Irrigation	Moody	Wolf Creek	40 acres in NE ¹ / ₄ SW ¹ / ₄
					Lee Bros		40 acres in NW ¹ / ₄ SW ¹ / ₄
					Shields		Sec. 17
							40 acres in NE ¹ / ₄ SE ¹ / ₄
							Sec. 18
							T 6 S.R. 39 E.W.M.
George Burr and Ebenezer Burr Baker, Oregon	1898 1908		70 170	Irrigation Storage of 720 ac.ft.	Jeffrey- Ison, Pine Creek reservoir	Pine Creek	160 acres in SE ¹ / ₄
							80 acres in NE ¹ / ₄ NE ¹ / ₄
							Sec. 29
							T 8 S.R. 39 E.W.M.
							(Note: The tabulation of this claim takes the place of the tabulation in the Findings of the Water Board of this claim under Inchoate Rights)
P. J. Brown Baker, Oregon	1880		285	Irrigation	Basche	Powder	4 acres in SE ¹ / ₄ NW ¹ / ₄
							20 acres in NE ¹ / ₄ SW ¹ / ₄
							32 acres in SW ¹ / ₄ SE ¹ / ₄
							3 acres in SE ¹ / ₄ SE ¹ / ₄
							Sec. 22
							8 acres in NW ¹ / ₄ NW ¹ / ₄
							Sec. 26
							(Note: Claimant has a supplementary supply for 159 acres lying under the Perkins ditch with a priority date of 1898 and for 259 acres lying under the Duncan Ditch with a priority date of 1888 and these acreages overlap and are included in the 285 acres under the Basche Ditch).

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
P. J. Brpwn (Continued)	1901		201		Cranston		30 acres in NE ¹ NE ¹ 40 acres in NW ¹ NE ¹ 40 acres in SW ¹ NE ¹ 40 acres in NE ¹ NW ¹ 35 acres in SE ¹ NW ¹ 33 acres in NW ¹ SE ¹ Sec. 27 11 acres in NE ¹ NW ¹ 27.5 acres in SE ¹ NW ¹ 18 acres in NE ¹ SW ¹ 15 acres in NE ¹ SE ¹ 31 acres in NW ¹ SE ¹ 6 acres in SW ¹ SE ¹ 35 acres in SE ¹ SE ¹ Sec. 22 19 acres in SW ¹ SW ¹ 0.5 acres in SW ¹ NW ¹ Sec. 23 30 acres in NW ¹ NW ¹ Sec. 36 8 acres in NE ¹ NE ¹ Sec. 27 T 8 S.R. 42 E.W.M.
W. H. Colton Baker, Oregon	1888		91	Irrigation	Duncan	Powder	4 acres in SE ¹ SW ¹ Sec. 35 T 7 S.R. 41 E.W.M. 28 acres in SW ¹ NE ¹ 10 acres in SE ¹ NE ¹ 34 acres in NE ¹ NW ¹ 15 acres in NE ¹ SE ¹ Sec. 2 T 8 S.R. 41 E.W.M.
	1885		185		Emele		6 acres in SW ¹ NE ¹
	1888		222		Powder River, Dam Ditch & Cons. Co.		17 acres in SE ¹ NW ¹ 35 acres in SE ¹ SW ¹ 1 acre in NE ¹ SE ¹ 40 acres in SE ¹ SE ¹ Sec. 35 25 acres in SW ¹ SW ¹ 1 acre in SE ¹ SW ¹ Sec. 36 T 7 S. R. 41 E.W.M. 40 acres in NE ¹ NE ¹ 10 acres in SW ¹ NE ¹ 28 acres in SE ¹ NE ¹ 5 acres in NE ¹ NW ¹ 23 acres in NE ¹ SE ¹ Sec. 2 36 acres in NE ¹ NW ¹ 40 acres in NW ¹ NW ¹ 40 acres in SW ¹ NW ¹ 40 acres in SE ¹ NW ¹ 20 acres in NW ¹ SW ¹ Sec. 1 T 8 S.R. 41 E.W.M.
C. P. Colton Baker, Oregon	1888		5	Irrigation	Duncan	Powder	5 acres in NW ¹ NE ¹ Sec. 2
	1885		80		Emele		T 8 S.R. 41 E.W.M.
	1888		99		Powder River, Dam Ditch & Cons. Co.		40 acres in NE ¹ SW ¹ 29 acres in NW ¹ SW ¹ 8 acres in SW ¹ SW ¹ 28 acres in NW ¹ SE ¹ 40 acres in SW ¹ SE ¹ Sec. 35 T 7 S.R. 41 E.W.M. 34 acres in NW ¹ NE ¹ Sec. 2 T 8 S.R. 41 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
J.H.B.Harrington and Grace B.Harrington Keating, Oregon	1885 1868		91 41	Irrigation	Emele Powder River Dam Ditch & Cons.Co.	Powder	40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 8 S.R. 41 E.W.M. 15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 32 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 8 S.R. 42 E.W.M. 3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T 8 S.R. 41 E.W.M.
Thomas H. Hewlett Keating, Oregon	1888		211-	Irrigation	Powder River Dam Ditch & Cons. Co.	Powder	39 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 38 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 12 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21 T 8 S.R. 42 E.W.M.
Geo. W. Hutton	1880		9	Irrigation	Basche	Powder	9 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 19 T 8 S.R. 42 E.W.M. <i>NW see order record vol. page 444. order of correction</i>
Arthur Oliver Keating, Oregon	1876 1888		30 327.5	Irrigation	Powder River Dam Ditch & Cons.Co.	Houghton Creek Powder	20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18 39.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 29 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17
	1876		125			Tucker Creek	40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 T 8 S.R. 42 E.W.M.
				(Note: This land is also irrigated from Powder River and included above for supplementary supply)			
Melville M. Palmer Baker, Oregon	1890 Aug.14 1889 1888 1880		10 17 9 20	Irrigation	Second Creek Palmer Duncan Basche	Second Creek Rickle Creek Powder	5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 14 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7 T 9 S.R. 42 E.W.M. 29 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 T 8 S.R. 42 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
F. A. Phillips Baker, Oregon	1879		100	Irrigation	Phillips	Balm Creek	39 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
	1893		50				30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
	1905		61.5				30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 39.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26
	(Note: Claimant has supplementary supply from Powder River through Cranston Ditch for 105 acres thereunder with a priority date of 1901)						
	1880		336		Basche Duncan	Powder	T 8 S.R. 42 E.W.M. 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
	1888		95	31 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 19 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13 T 8 S.R. 41 E.W.M. 29 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18 37.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 29 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19 39 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 39 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 39 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26 8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T 8 S.R. 42 E.W.M. 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 23.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 45.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31			
	Apr. 19 1898		378.7		Perkins		8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T 8 S.R. 42 E.W.M. 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 23.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 45.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31
	1901		105	Irrigation	Cranston	Powder	14 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 17 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 28 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31 T 8 S.R. 43 E.W.M.
B. F. Sturgill Keating, Oregon	1880		57	Irrigation	Basche Duncan	Powder	40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
	1888		159				40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20 T 8 S.R. 42 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Francis H. Sturgill	1880		48.5	Irrigation	Basche	Powder	26 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 22.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20 T 8 S.R. 42 E.W.M.
S. D. Sturgill	1880		153	Irrigation	Basche	Powder	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 38 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 20 T 8 S.R. 42 E.W.M.
Cyrus Turner Medical Springs, Oregon	1880		63.5	Irrigation	Basche	Powder	3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34
	1888		40		Duncan		10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35
	1871		28		Harsin	Big Creek	28 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11
	1883		37		Barnes- Brannan		8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 23 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2 6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T 7 S. R. 41 E.W.M.
W. A. Payton Baker, Oregon	1903		98	Irrigation	Payton	Salmon Creek	8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3 37 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 18 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 12 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10
	1864		108		Payton-	Spring	160 acres in NE $\frac{1}{4}$
	1876		27		Osborn	Creek &	Sec. 27
	1902		15			Pine	T 8 S.R. 39 E.W.M.
	1908		10			Creek	
Luella Kissell Baker, Oregon	1884		80	Irrigation	Welch	Powder	40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 T 10 S.R. 38 E.W.M.
Geo. D. Simonis Richland, Oregon	1908		25	Irrigation	Schultz	Waste water in a draw	25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30 T 9 S.R. 45 E.W.M.
F. E. Sewell Baker, Oregon	1908		16.5	Irrigation	Schultz	Waste water in a draw	8.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20 T 9 S.R. 45 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
W. H. Strayer Baker, Oregon	1891		30	Irrigation Dom & Stock		Baldy Gulch & Springs	30 acres in SE $\frac{1}{4}$ Sec. 10 T 8 S.R. 44 E.W.M.
W. F. Hendricks La Grande, Oregon.	1906		17	Irrigation		Antelope Creek Spring on SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.34 T 5 S.R. 40 E.W.M.	14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34 T 5 S.R. 40 E.W.M.
Josephine Hudspeath Sumpter, Oregon	1887 1888		30 96.6	Irrigation	Duckworth Farmers	Powder	17.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 27.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 14.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19 T 10 S.R. 38 E.W.M.
Martha J. Jennings, R.H. Williams, and L. R. Williams Sumpter, Oregon	1894		35.4	Irrigation	Jennings	Spring Creek Clear Creek	9.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20 10.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29 T 10 S.R. 38 E.W.M.
Jennie M. Keist Sparta, Oregon	1897		25	Irrigation	Hank Duboise	Town Gulch	20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14 T 8 S.R. 44 E.W.M.
Walburga Lachner Baker, Oregon	1887 July 5 1902 1887		11.5 80 10	Irrigation	Baldock Slough Williams- McDougal	Powder	11.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16 T 9 S.R. 40 E.W.M. 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34 T 8 S.R. 40 E.W.M. 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34 T 7 S.R. 40 E.W.M.
Morini Horn Union, Oregon	1885		74.5	Irrigation	Coffman	Big Creek	3.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 23 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T 6 S.R. 41 E.W.M.
J. H. Wanker, successor to W.H. Shoemaker, Trustee	1892 1876		55 19	Irrigation	Wright Hoke- Robinson	Big Creek	30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35 T 6 S.R. 41 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
W. L. Meyers, successor to W. H. Shoemaker, Trustee	1885		60	Irrigation	Coffman	Big Creek	17 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 12 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 24 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26
	1886 from Warm Ck. 20 1892 from Big Ck.				Marlin	Warm Creek & Big Creek	10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 T 6 S.R. 41 E.W.M.
A. N. Young Baker, Oregon	1898		69.5	Irrigation	Brent- Perkins	Powder	35.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 33 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26
	1880		60		Basche- Upper		4.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 T 8 S.R. 42 E.W.M.
Harlow J. Evans, Herman E. Jordan Mary E. Jordan Baker, Oregon	1864		128.7	Irrigation	Pocahontas	Marble Ck.	23.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
	1875		8		Mining &	Mill. Ck.	40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
	1905		8		Irrigation Co.	Salmon Ck.	40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4 T 9 S.R. 39 E.W.M.
A. Caviness	1866		68	Irrigation	Pocahontas	Salmon &	32 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
	1906		4		Farmers Ditch Co.	Hibbard Creeks	40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4 T 9 S.R. 39 E.W.M.
(Note: This land has a supplementary right from Marble, Mill and Goodrich Creeks under date of 1906)							
City of Baker, Oregon	1892 Nov. 5		25	Irrigation	East Side	Powder	25 acres in lots and blocks and City park within the City limits of Baker as the individual interests may appear.
				Municipal			For municipal rights see Findings of State Water Board #15 and 97 and their modifications.

And the Court being fully advised in the premises and that said Findings of the State Water Board as modified are in all particulars correct,

IT IS HEREBY CONSIDERED, ORDERED and DECREED that the Findings of the State Water Board be and the same are hereby modified in the several respects herein set forth and as modified said Findings of the State Water Board are hereby in all respects confirmed and approved, and

IT IS FURTHER ORDERED that the County Clerks make the aforesaid modifications to the Findings of the State Water Board and enter the same as so modified in the Journal of this Court, and

IT IS FURTHER ORDERED that in as much as the State is a party to these proceedings no fees should be collected by the County Clerk for the filing of any exceptions to the Findings of the State Water Board and that said Clerk should draw his several warrants for the return of said filing fees to the several exceptors.

(Sgd) Gustav Anderson

Circuit Judge.

State of Oregon

ss

County of Baker

I, the undersigned, County Clerk and ex-officio Clerk of the Circuit Court of the above named County and State, hereby certify that the foregoing copy of Decree in the matter of the Adjudication of the Waters of Powder River in Baker County, Oregon, has been by me compared with the original Decree, and that the same is a direct transcript thereof and the whole of such original Decree as the same appears on file and for record in my office and in my official care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 18th day of March, 1918.

A. B. Combs, Jr.

County Clerk, Baker County, Oregon.

STATE OF OREGON)
 (ss
County of Marion)

I, R. W. POTTER, Secretary of the State Water Board of the State of Oregon, do hereby certify that the above copy of Decree of the Circuit Court for the County of Baker, was received in the office of the State Water Board and entered of record herein on the 20th day of March, 1918.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State Water Board of Oregon, this 20th day of March, 1918.


Secretary of the State Water Board.