

said J. B. Barnett.

That Mary Ellen Leonard is deceased, and that R. S. Leonard is the administrator of her estate, and the water right certificate will be issued to the Estate of Mary Ellen Leonard.

That G. J. Lind has succeeded to the interest of J. R. White.

That H. B. Reed of Kerby, Oregon, has succeeded to the interest of Samuel Miller and Hattie Miller.

That D. G. Twidwell has succeeded to the interest of Frank O. Meeker and L. A. Burnett to that part of their lands situated in the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 33, T. 39 S. R. 7 W.

That Alex White is deceased and that his estate has been duly administered and the interest is now vested in the heirs at law of said Alex White, deceased.

That E. D. Stephenson has succeeded to the interest of E. H. Wise.

That the names of the successors in interest as hereinbefore set forth shall be substituted hereinafter in this proceeding for the persons succeeded, and the water right certificates will be issued to such successors in interest.

2.

It further appears that in an order filed and entered May 31, 1913, Volume 9, Circuit Court Journal for Josephine County, pages 555 and 556, the order of determination in the above entitled matter, in so far as it affects the rights of Ora Smith, was set aside and the matter was referred to the State Water Board for further proceedings and the said Ora Smith was granted the privilege of filing an amended proof of claim for consideration by said Board.

In accordance with said order, said Ora Smith filed his amended claim on July 2, 1910 and it is hereby found, ordered, adjudged and decreed that the water rights of said Ora Smith shall have the date of priority of the year 1858 for the use of not to exceed one second foot of water from Sucker Creek, through the White ditch for the irrigation of the following described lands: 7.55 acres $SW\frac{1}{4}NE\frac{1}{4}$; 2.99 acres $SE\frac{1}{4}NE\frac{1}{4}$; 1.12 acres $SE\frac{1}{4}NW\frac{1}{4}$; 6.40 acres $NE\frac{1}{4}SW\frac{1}{4}$; 8.64 acres $NE\frac{1}{4}SE\frac{1}{4}$ and 22.48 acres $NW\frac{1}{4}SE\frac{1}{4}$ of Section 25, T. 39 S. R. 8 W., and that said Ora Smith is entitled to a certificate of water right in accordance therewith.

Cert. #7153

3.

It further appearing that A. J. Fulk filed an affidavit with the State Water Board on April 3, 1919, wherein it is shown that the description of his lands, as set forth in the order of determination in the above entitled proceeding, is not correct, due to an error in the adjudication survey, which was not discovered until the resurvey of the inchoate lands had been made by the State Engineer. That an examination of said lands has been made by a representative of the State Water Board and the facts stated in said affidavit found to be true, it is therefore ordered, adjudged and decreed that the water right of said ^{Cert. #11179} A. J. Fulk is appurtenant to the following described lands:- 4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$; 37 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$; 5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$; 26 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 30 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 39 S. R. 8 W.) and that he is entitled to a water right certificate in accordance therewith.

*Total
102 acres -*

*Ch. in pt. of div.
Sp. Or. Vol. 9, p. 66*

Superseded by
Cert. No.

Trs. Sp. Or. V. 14 p. 220

4.

That the following named claimants to the waters of Sucker Creek or its tributaries are entitled to a decree and to a certificate of water right in accordance therewith, determining, establishing and confirming their several rights to the use of the waters of said stream as of the date of relative priority, and in the quantity of water in cubic feet per second, and for the irrigation of the number of acres, through the ditch or ditches, as set forth in the following tabulation, 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
7122 (also Vol. 1, p. 252) Baldwin, G. W. Holland, Oregon	1908	0.08	6.2	Irrigation	Baldwin	Sucker Creek	2.8 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24 3.4 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 T. 39 S.R. 7 W.W.M.
(This right is supplemented by water from Little Grayback Creek under date of 1907)							
7123 (also Vol. 1, p. 252) Barrett, Francis E. Kerby, Oregon	1908	0.05	4	Irrigation	Wells-Barrett	Sucker Creek	1 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 T 39 S.R. 7 W.W.M. 3 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25 T. 39 S.R. 8 W.W.M.
445-30828 5736 d Beagle Bros. Holland, Oregon (Successor in interest to Frank O. Meeker and L. A. Burnett)	1908	0.06	5	Irrigation	Seyferth	Sucker Creek	5 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 T. 39 S.R. 7 W.W.M.
chg. pt. div. Sp. Or. V. 15 p 227 AMENDED V. 15 p 266 T-3197 A POD C#49102							
7128 (also Vol. 1, p. 252) Fetterly, Guy Kerby, Oregon (Successor in interest to J.B. Barrett)	1908	0.16	12.65	Irrigation	Gates-McCann	Sucker Creek	12.65 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33 T. 39 S.R. 7 W.W.M.
33032 Fulk, A. J. (also Vol. 1, p. 252)	(See paragraph 3 hereof) pt. of div. change - Vol. 9, p 156						
7128 Garner, H. M. (also Vol. 1, p. 252) Kerby, Oregon	1908	0.09	7.5	Irrigation	Chapman	Sucker Creek	1.5 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 6 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 T. 39 S.R. 7 W.W.M.
7131 (also Vol. 1, p. 252) Gates, M. W. and Lampton, Dora M. Kerby, Oregon.	1908	0.09	7	Irrigation	Gates-McCann	Sucker Creek	6 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32 T. 39 S.R. 7 W.W.M.
7139 (also Vol. 1, p. 253) Leonard, Mary Ellen (Estate of) Kerby, Oregon. R.S. Leonard, Admr.	1908	0.42	33.55	Irrigation	Mill Race	Sucker Creek	27.25 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.3 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31 T. 39 S.R. 7 W.W.M.
ch. in pt. of div. - Sp. Or. Vol. 8, p. 168							
Leonard, Mary Ellen (Estate of) R.S. Leonard, Admr. (Successor in interest to Ada Erb)	1908	0.07	5.8	Irrigation	Caldwell	Sucker Creek	3.2 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.2 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 0.6 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.8 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 28 T 39 S.R. 7 W.W.M.
Leonard, Mary Ellen (Estate of) R.S. Leonard, Admr. (Successor in interest to Ada Erb)	1908	0.04	3.25	Irrigation	Wise-carver	Sucker Creek	3.25 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 T 39 S.R. 7 W.W.M.

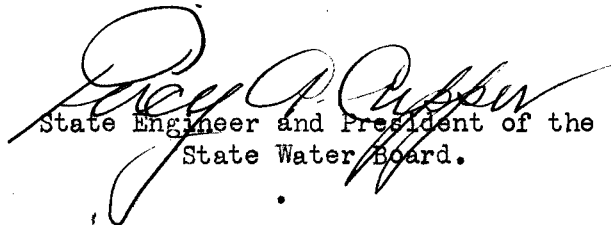
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
7146 (also Vol. 1 p. 253) Lewis, J. E. Holland, Oregon	1908	0.12	9.95	Irrigation	Gilmore-Lewis	Sucker Creek	1.45 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.50 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32 T. 39 S.R. 7 W.W.M.
7147 (also Vol. 1 p. 254) Lind, G. J. Kerby, Oregon. (Successor in interest of J.R.White)	1908	0.38	30	Irrigation	White	Sucker Creek	14 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T. 39 S.R. 7 W.W.M. 16 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T. 39 S.R. 8 W.W.M.
7147 (also Vol. 1 p. 253) Redlands Ditch and Irrigation Co., Melvin H. Gates, Secretary. Kerby, Oregon.	1908	0.24	18.8	Irrigation	Redlands	Sucker Creek	8 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31 T. 39 S.R. 7 W.W.M. 1 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.8 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 T. 39 S.R. 8 W.W.M.
7148 (also Vol. 1 p. 252) Reed, H. B. Kerby, Oregon. (Successor in interest to Samuel Miller and Hattie Miller)	1908	0.19	15.5	Irrigation	Trumble	Sucker Creek	2 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36 T. 39 S.R. 8 W.W.M. 12 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 T. 40 S. R. 8 W. W. M.
7150 (also Vol. 1 p. 252) Sawyer, F. W. Kerby, Oregon	1908	0.42	33.6	Irrigation	Chapman	Sucker Creek	2.3 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.4 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 9.3 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.6 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T. 39 S.R. 8 W.W.M.
7153 (also Vol. 1 p. 253) 42706 Smith, Ora Kerby, Oregon UD T-4478 A POU 102 ac SpOr V 33, P 218 Superseded by 49706 Cert. No. 7392	1908	1.41	38.74	Irrigation	White	Sucker Creek	12.45 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$; (1) 19.51 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.08 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.7 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T. 39 S.R. 8 W.W.M.
(see also Paragraph 2 hereof)							
4157 54971 Sowell, J. G. Kerby, Oregon.	1908	0.19	15	Irrigation	Sowell from Braggs skough	Bragg slough	15 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T. 39 S.R. 8 W.W.M.
4155 (also Vol. 1 p. 254) 43764 & 55698 Stephenson, E. D. Kerby, Oregon. (Successor in interest to E.H.Wise) T# 3101	1908	0.11	9	Irrigation	Middleworth	Bear Creek	9 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 T. 39 S.R. 7 W.W.M.
Ch. P. of Div. Sp. D. Vol. 13, p. 513							

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
7156 (also Vol. 1 p. 253) Superseded by 3446 Trefethen, Christiana Holland, Oregon.	1908	0.11	8.4	Irrigation	Holland- Beach & Platter	Sucker Creek	8.4 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T. 39 S.R. 7 W.W.M.
7157 (also Vol. 1 p. 253) Superseded by 5765 Cart. No. 44722 Twidwell, D. G. Holland, Oregon (successor in interest in part to Frank O. Meeker and L. A. Burnett)	1908	0.20	16	Irrigation	Seyferth	Sucker Creek	8.50 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7.50 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 T 39 S. R. 7 W. W. M.
7158 (also Vol. 1 p. 253) Wells, Geo & Roy Kerby, Oregon.	1908	0.79	63.11	Irrigation	Wells- Barrett	Sucker Creek	4.3 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 9.25 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.55 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 14.55 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 16.34 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30 0.75 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.37 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29 T. 39 S.R. 7 W.W.M.
7159 (also Vol. 1 p. 254) White, Alex (estate of) Ralph White. Admr. Kerby, Oregon.	1908	0.37	29.7	Irrigation	White	Sucker Creek	3 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10. ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.7 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T. 39 S.R. 7 W.W.M. 5 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T. 39 S.R. 8 W.W.M.
7160 (also Vol. 1 p. 254) Williams, Chas. R. Holland, Oregon	1908	0.20	16	Irrigation	Gilmore	Sucker Creek	16 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32 T 39 S.R. 7 W.W.M.
7161 (also Vol. 1 p. 254) Wimer, J. D. Holland, Oregon T-3197 A POD C-49102 57359	1908	0.21	16.63	Irrigation	Wimer and Johnson and Leonard	Sucker Creek	1.6 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.08 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27 8.65 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.3 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28 1 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 T. 39 S.R. 7 W.W.M.
4464 (also Vol. 1, p. 254) 49704+63810 Wisecarver, W. H. Holland, Oregon	1908	0.66	53.1	Irrigation	Wise- carver	Sucker Creek	8.1 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 14 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27 31 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 T. 39 S.R. 7 W.W.M.

(42 certificates issued
on Sucker Cr. 4/1/27)

SUCKER CREEK -6-

And the State Water Board being fully advised in the premises, it is hereby CONSIDERED AND ORDERED, that the above named parties have completed their inchoate rights to the use of the water of Sucker Creek and its tributaries, a tributary of the Illinois River, in accordance with, and as set out on the foregoing Findings, and the same are hereby ADJUDICATED, DETERMINED AND ESTABLISHED in accordance therewith, subject to the provisions of the Findings of Fact and Order of Determination heretofore entered in the above entitled matter.


State Engineer and President of the
State Water Board.


State Water Superintendent.

ATTEST:



Secretary of the State Water Board.