

BEFORE THE STATE WATER BOARD OF THE STATE OF OREGON

DESCHUTES COUNTY.

IN THE MATTER OF THE DETERMINATION  
OF THE RELATIVE RIGHTS TO THE USE  
OF THE WATERS OF SNOW CREEK AND  
THREE CREEKS, IN DESCHUTES COUNTY  
OREGON, AND THEIR TRIBUTARIES

FINDINGS OF FACT AND ORDER OF DETERMINATION.

Now on this 14th day of April, 1920, the above entitled matter came on before the State Water Board of the State of Oregon, at a meeting of said Board commenced and held on said date, and it appearing to said Board that all of the evidence and testimony taken in the above entitled proceedings has been duly filed in the office of said Board, and the said Board having carefully considered all of said evidence, proofs and testimony taken, and the information and data gathered by the State Engineer, and being now fully advised in the premises, makes and orders to be entered of record in its office the following

FINDINGS OF FACT AND ORDER OF DETERMINATION.

1.

That on the 5th day of March, 1919, this matter came on for consideration of the State Water Board on the petition filed in the office of said Board on the 9th day of March, 1915, signed by H. A. Scoggin and others, water users upon said streams, requesting a determination of the relative rights of the various claimants to the waters of said stream, and on the decree of the Circuit Court of the State of Oregon for Crook County dated December 28, 1918, in the case of Black Butte Land and Livestock Company et al. vs Harry G. Kennard et al., directing the transfer of such cause to the State Water Board for the determination of the relative rights of all parties to the waters of said streams. That thereupon the said State Water Board made and entered an order in the records of said office, fixing a time and place for the beginning and making of such an examination of said streams by the State Engineer, as would enable the said Board to determine the rights of the said claimants, and also the time and place for the beginning and taking of testimony by the State Water Superintendent. That the said time and place where said State Engineer or his assistant should begin the examination of said streams was set by said Board for Friday, the 12th day of September, 1919, and the time when the State Water Superintendent should attend and take the testimony of the various claimants was set by order of said Board for Friday, the 12th day of September, 1919, in the office of the Project Manager of the Tumalo Irrigation Project, at Tumalo, Deschutes County, Oregon, from the hour of nine o'clock A. M. until twelve o'clock M. and from two o'clock P.M. until five o'clock

P. M. and for a period of sixty days beginning on Monday, the 29th day of September, 1919, in the office of the State Water Superintendent at La Grande, Oregon.

2.

That a notice was prepared by said Board setting forth the date when the State Engineer, or his assistant, would begin the investigation of the flow of said streams and the ditches diverting water therefrom, and the time and place certain when the State Water Superintendent would begin the taking of testimony as to the relative rights of the various claimants to the waters thereof, and said notice was published in four issues of the Bend Bulletin, a newspaper published daily in Bend, Deschutes County, Oregon, and of general circulation in the county of Deschutes, Oregon, said four issues being those of August 1, 2, 3 and 4, 1919.

3.

That on and prior to the 2d day of August, 1919, the State Water Superintendent did send by registered mail to each person, firm and corporation claiming a right to the use of the water of said streams, or any tributary thereof, and to each person, firm and corporation, owning or being in possession of land bordering on or having access to said streams, or their tributaries, insofar as said claimants, owners, firms or corporations in possession, could be reasonably ascertained, a similar notice to such published notice, setting forth the date when the State Engineer would commence the examination of the said streams and their tributaries, and the ditches diverting water therefrom, and the time and place certain when the State Water Superintendent would commence the taking of testimony as to the relative rights of the various claimants to said streams and their tributaries, and the said Superintendent did enclose with each of said notices a blank form upon which the said claimants or persons in possession, should present in writing all the particulars necessary for the determination of their rights to the waters of said streams, or a tributary thereof, under oath. That due proof of publication of said notice and of the sending of said notice by registered mail has been made, and is duly filed and is a part of the record hereof.

4.

That at the time specified in said original notice, a duly qualified assistant of the State Engineer of the State of Oregon, did proceed to make an examination of the said streams and their tributaries, and all of the ditches diverting water therefrom, and of the land irrigated and susceptible to irrigation from said ditches and canals, together with the

measurements thereof, which observations and measurements were made a matter of record in the office of the State Engineer, and the State Engineer did prepare a plat and a map on a scale of measurement of 4 inches to the mile, showing with substantial accuracy the course of said streams and their tributaries and the location of the various ditches diverting water therefrom, and the legal subdivisions of land which had been irrigated or which were susceptible to irrigation from said ditches and canals already constructed, blue prints and copies of the said maps and information duly certified to by the State Engineer being now on file herein, and a part of the records hereof.

5.

That statements and proof of claimants to the use of the waters of said streams and their tributaries were filed with the State Water Superintendent by the following named persons, firms and corporations:

Colfelt, Frank  
Crawford, Mattie A and Geo A  
Edgington, Ellis H  
First National Bank of Pendleton, Oregon.  
McKinney, John M.  
Mortgage Company for America, J. Humfelt, Agent  
Pacey, J. G.  
Pulliam, Louzetta  
Scoggin, Hubert A  
Scoggin, Paul A  
Siegmund, W. M.  
Snow Creek Irrigation Co.  
Thorntwaite, Chas W  
Young, E. H.

6.

That the following named persons, firms and corporations were duly notified by registered mail and by publication of said notice as hereinbefore set forth, and that each and all of them, although so notified, have failed, neglected and refused to appear herein and submit proof of their rights to said streams, if any they have or claim, and that such parties are in default, and that such default should be and hereby is entered against them, to-wit:

Bend Land Company  
Black Butte Land & Livestock Co.  
Clark, W. D.  
Crawford, Thos. H.  
Falmer, Augusta  
Gibson, J. W.  
Gibson, Angie M  
Gibson J. D.

Hartley, H. T.  
McKinney, Isabelle  
Pulliam, G. G.  
Parsons, J. H.  
Silver, J. C.  
Squaw Creek Irrigation Co.  
Strahm, John

That upon the completion of the taking of the testimony by the State Water Superintendent, said Superintendent did on the 27th day of February, 1920, give notice by registered mail to each of the various claimants to the waters of said stream and its tributaries, that at the times and places named in said notice, to-wit: from ten o'clock A. M. until twelve o'clock P. M., and from two o'clock P. M. until five o'clock P. M., of each and every day (Sundays and holidays excepted) at the following times and places: At the court room in the county court house at Bend, in Deschutes County, Oregon, on the 9th and 10th days of March, 1920, and at the office of the State Water Superintendent, at La Grands, Oregon, beginning on Friday, the 12th day of March, 1920, and ending with Tuesday, the 23rd day of March, 1920. all of said evidence would be open to inspection by the various claimants or owners. That said Superintendent did, in accordance with said notice attend at said times and places and keep said evidence open for a period of twenty days and said notice did also state therein the county in which the determination of the State Water Board would be held by the Circuit Court of the State of Oregon, to-wit: The Circuit Court of the State of Oregon for Deschutes County. That due proof of the holding of said inspection and the sending of the said notices by registered mail has been made and filed herein.

8.

That five days have passed since the closing of the public inspection of the statements and proof of claimants of the various claimants, and no notice of contests were filed by any person, firm or corporation herein.

9.

That Snow Creek and Three Creeks arise in the western part of Deschutes County, in the Cascade Mountains, and flow in an easterly and northerly direction. That the water flowing in said streams is not sufficient to thoroughly irrigate all of the lands claimed to be irrigated from said streams; that said streams flow in a well-defined channel, but the water from such channel does not flow into or become tributary to any other stream, and during the spring time have a small flood of water, but during the latter part of the season, the water gets low and the streams in some parts become dry. That the land irrigated from said streams and their tributaries is all arid land, and irrigation is necessary for the raising of profitable crops.

10.

That no claimants to the use of water who hold State Engineer's permits for the appropriation thereof have filed any statement and proof of claim in said proceedings, and these proceedings shall not be held to bar or prevent any such claimants from completing and proving up on their water rights in accordance with the laws governing said permits and the issuing of water right certificates thereunder.

11.

That in the year 1906, the users of water from said Snow Creek and Three Creeks entered into an agreement, of which the following is a copy:

"This indenture witnesseth, that whereas the following named persons have certain interests, which are hereinafter set forth, in the following described water rights, to-wit: Snow Creek, Three Creek and the waters of Big Lake and Little Lake, they have entered into the following articles for the purpose of an equal distribution of the water, and to the end that each shall bear his equal proportion of the expenses of maintenance and improvement.

The names of the parties to this agreement, with their respective holdings, are as follows, to-wit:

Theo. M. Post, a one third interest in Snow Creek, Three Creek, and both Big and Little Lakes;

J. D. Gibson and Angie M. Gibson a two ninths interest in Snow Creek, Three Creek and both Big and Little Lakes;

George B. Pulliam a one eighteenth interest in Snow Creek, Three Creek, and in both Big and Little Lakes;

M. V. Turley a one eighth interest in Snow Creek and Big Lake;

C. L. Gist a one ninth interest in Snow Creek and Big Lake;

Merrill Van Tassel seven seventy seconds interest in Snow Creek and Big Lake;

J. H. Edwards a one third interest in Three Creek, in storage of small lake and one fourth interest in the storage of Big Lake by increasing the levees above their present eight feet, but to have no interest in the water conserved by the present eight foot levees.

Each party to these articles shall deposit with the treasurer of the company, not later than the first Saturday of February of each year, the sum named in these articles as his proportion to be paid towards improvements and maintenance of the ditches, dams, levees and flumes;

Theo M. Post  
J. D. Gibson  
Angie M. Gibson  
Geo. B. Pulliam  
John Falmer

M. V. Turley  
C. L. Gist  
Merrill Van Tassel  
J. H. Edwards

The interests of John Falmer in the waters and irrigation rights omitted above are the same as that of Geo. B. Pulliam, viz: one eighteenth of Snow Creek, of Big and Little Lakes, and of Three Creek.

The parties hereto agree to pay the sums set opposite their names for maintenance and improvement, and the superintendent is authorized to sue in his own name for any sums remaining unpaid on the 15th day of September, in any year. Provided any party hereto may give his note for his assessment, with ten per cent interest from date payable to the order of the

superintendent. The superintendent shall give each party to these articles an opportunity to work out his assessment, provided he will do it at the time and in the manner prescribed by the superintendent and under his supervision. In case any member desires to work out his assessment, he will so notify the superintendent, and shall be paid for his work at the same rate that is ruling at that time in that locality for the same kind of work. In case any member has deposited his promissory note as above provided in lieu of his assessment, and thereafter works out his assessment, his said note shall be returned to him in full payment for such work.

There shall be annual meetings of the parties to these articles on the first ~~Saturday of February of each year~~ at the hour of ten o'clock in the forenoon at the present office of the secretary, and no further notice than the signing of these articles shall be necessary. Each member shall be deemed to have notice of the time and place of the annual meeting upon the signing of these articles.

The President and Secretary may call special meetings at any time upon their own motion or upon written request of three members of this association. In case of special meetings, notice shall be given, either personally by the Secretary or by written notice signed by the President and attested by the Secretary deposited in the U.S. Postoffice addressed to each member at his last known post office address, postage prepaid, at least seven days prior to the time of such special meeting, and the certificate of the secretary of such deposit in the post office shall be deemed service upon the member.

A majority of the members of this association shall be a sufficient quorum for the transaction of all business.

Each member shall have one vote for each one dollar deposited with the treasurer for improvement and maintenance expenses, and no member shall be entitled to vote until he has presented his receipt from the treasurer as evidence that he has paid his proportion of the maintenance fees for the assessment immediately preceding the meeting.

The name of this association shall be Snow Creek Irrigation Company, and there shall be elected at the annual meeting, a President, Secretary, Treasurer, and a Superintendent, each to hold his office for one year unless removed, as hereinafter provided, and until his successor is elected and qualified.

The president, secretary and treasurer shall perform such duties as usually devolve upon such officers in like associations. The superintendent shall have full control of all repairs and improvements upon the property of the company, shall employ and discharge employees at his discretion, whether such employees are members of the company or not, except that he must give members an opportunity to work out their assessments; but his authority to discharge any employee shall not be dependent upon his relations to the company.

The officers, including the superintendent, shall all be members of this organization.

The superintendent's tenure of office shall depend upon the will of a majority of the members, per capita, of the association, and may be superceded at any annual or special meeting of the members.

Dated this first Saturday of February, 1906.

(signed)	J. D. Gibson,	George Pulliam
	C. L. Gist	M. Van Tassel
	T. M. Post	M. V. Turley
	John H. Edwards	A. M. Gibson
	John Falmer	C. C. Bennett."

That the various interests described in said agreement are not now owned by the same parties as owned the land and used the water at the time of entering into said agreement, but from the claims filed appear to be owned as shown in the following tabulation:

INTEREST (name)	SNOW CR	THREE CR.	BIG LAKE	LITTLE LAKE	PRESENT OWNERS
Post, Theo M	1/3	1/3	1/3	1/3	{ Colfelt (80 ac) { Pacey (45.3 ac) { Mortgage Co (160 ac)
Gibson, J. D. & Gibson, Angie M	2/9	2/9	2/9	2/9	{ Crawford (223.4 ac)
Pulliam, Geo. B	1/18	1/18	1/18	1/18	{ McKinney (44.9 ac) { Pulliam (87.8 ac)
Turley, M. V	1/8	---	1/8	---	{ 1st Natl Bk. (64.1 ac) { Young (24 ac)
Gist, C. L	1/9	---	1/9	---	{ Edgington (46.9 ac) { Pulliam (87.8 ac) { Thorntwaite (19.7 ac)
Van Tassell, M	7/72	0--	7/72	---	{ P. Scoggin (81.5 ac)
Edwards, J. H	---	1/3	---	1/3	{ H. A. Scoggin (32.7 a { W. D. Clark { Colfelt (80 ac)
Falmer, John	1/18	1/18	1/18	1/18	{ Siegmund (8.3 ac)

That in the distribution of water the water master shall be governed by said agreement, so long as the same remains in force. . . That no evidence has been presented showing definitely the extent of the interest each present owner holds in the original interests as fixed in said agreement, and in the distribution of water by the water master, the extent of the respective storage rights of the foregoing claimants shall be deemed to be in proportion to the acreage irrigated by each. That is to say, the amount of stored water any water user shall be entitled to receive shall bear such proportion to the total amount stored which the original interest (of which he holds a part) is entitled to receive, as his irrigated acreage as set forth in the foregoing tabulation, bears to the total irrigated acreage of all users holding said original interest. And the extent of the respective rights as to direct diversion from said streams shall be subject to the provisions of Paragraph 12 hereof.

That it appears from the evidence herein that the right to all water stored in said lakes over and above such capacity as is given by eight-foot dams is owned as follows:  
Hubert A Scoggin, W. D. Clark and Frank Colfelt, as successors in interest of J. H. Edwards,

~~one-fourth~~ interest in storage in Big Lake, and the balance of all of the water users hereinafter named have the storage for the balance of the capacity in said lakes in proportion to their acreage.

That in accordance with said agreement, all of the interests in the water are treated as of equal date.

12.

That two and one-half acre feet of water is sufficient amount of water to irrigate said lands, including the loss by seepage from the diversion point to the lands. That the flow of water necessary to make said two and one-half acre feet, if taken continuously, would be at the rate of one-eightieth of a second foot per acre for one hundred days. That in regulating the flow of water, the water master shall increase or diminish the flow in proportion to the number of days used by the water user, and shall arrange suitable and reasonable rotations for the distribution of water, and may give such increased flow of water for such proportionate times as may be necessary to irrigate the land, but in no case shall any water user be entitled to divert more than two and one-half acre feet of water per acre in one season, and the rotation system arranged by the Water Master in the distribution of water shall at all times have due regard to the agreement entered into between the parties and recognized by this decree.

13.

That all claimants herein to water for irrigation shall be entitled to use such water for stock and domestic purposes; that the right to the use of water for stock and domestic purposes is hereby confirmed and entitles the owner of such water right to divert and use such a quantity of water as is reasonably necessary for his household and stock use; the amount so diverted and used shall not exceed the rate of one-fortieth of one cubic foot per second for each one thousand (1000) head of stock and the quantity diverted for irrigation purposes during the irrigation season shall include when it is so diverted, such an amount as may be reasonably necessary for said stock and domestic purposes, and the right to divert and use the waters of said streams and their tributaries for stock and domestic purposes continues throughout the year.

14.

That the rights of appropriation hereby confirmed are appurtenant to the lands herein described for irrigation purposes, and the rights to the use of the waters of said streams and their 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 streams and their tributaries, on the lands other than those specified 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 permit from the State Engineer.

15.

That the order of the rights of the respective appropriators of the waters of said streams and their tributaries, and in which order they are entitled to divert and use the said water, shall be according to the date of relative priority of the rights 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 streams and their 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 in 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 of appropriation, according to the order of their priority rights; and at all times the water shall be beneficially, economically and reasonably used without waste by those having a right to do so by reason of the 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 purpose to which the water is to be put.

16.

That the name and address of each appropriator of water from Snow Creek and Three Creeks, arranged in a tabulated form, together with date of relative priority of such appropriations, the number of acres to which such appropriation is applied, the use or uses

for which said water was applied, and is now applied, and to which said use is limited, the name of the ditch or ditches through which such appropriation is diverted, the name of the stream or streams from which such appropriation is diverted, the description of the land upon which such water is used, the tabulated rights of each appropriator being set opposite and following the name and the post office address of each such appropriator, are 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
14785 Colfelt, Frank Tumalo, Ore.  <i>Part of this right            trsf. Sp. Or. Vol. 6, p 200</i>	1886		80	Irrigation and Storage	Three Creeks	Snow & Three Creeks	16.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12 33.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11 8.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13 21.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14 T 16 S. R. 10 E. W. M.
55738 Crawford, Mattie A and Geo. A. 260 Wygant St. Portland, Ore. Phillip Smith, Agt Tumalo, Ore.  <i>part Canceled - sp. or Rec. Vol. 71 P. 28</i>	1891		223.4	Irrigation and Storage	Gibson	Snow & Three Creeks	40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4 14 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 14.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9 22 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 12.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 T 16 S. R. 11 E. W. M.
14787 Edgington, Ellis H Sisters, Ore.-  <i>Trsf. Sp. Or. Vol. 8, p. 299 Canceled-sp. or Rec. Vol. 17 P. 137            Cert. Canceled</i>	1886		46.9	Irrigation and Storage	Gibson	Snow & Three Creeks	11.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19 T 16 S. R. 11 E. W. M.
55109 First National Bank of Pendleton, Oregon. G.M. Rice, Vice-Pres. Pendleton, Ore.  <i>part cancel v 46 p 53</i>	1897		69.1	Irrigation and Storage	Snow Creek	Snow & Three Creeks	12.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36 T 15 S. R. 10 E. W. M. 27.4 34.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9.8 21.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 T 16 S. R. 10 E. W. M.
14789 McKinney, John M. Tumalo, Ore.  <i>Trsf. Sp. Or. Vol. 8, p. 299 Canceled-sp. or Rec. Vol. 17 P. 137            Cert. cancelled</i>	1886		44.9	Irrigation and Storage	Gibson	Snow & Three Creeks	10.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 13.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 13.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 T 16 S. R. 11 E. W. M.
14790 Mortgage Company for America, J. Humfeld, Agt. 22 Ainsworth Bldg., Portland, Ore.	1891		160	Irrigation and Storage	Gibson	Snow & Three Creeks	40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 T 15 S. R. 11 E. W. M.
14791 Pacey, J. G. 1517 Second Ave., Seattle, Wash. E.O. Stadler, Agt. Bend, Ore.  <i>Canceled-sp. or Rec. Vol. 19 P. 368</i>	1905		45.3	Irrigation and Storage	Parson	Snow & Three Creeks	5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 29.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 11 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T 16 S. R. 10 E. W. M.

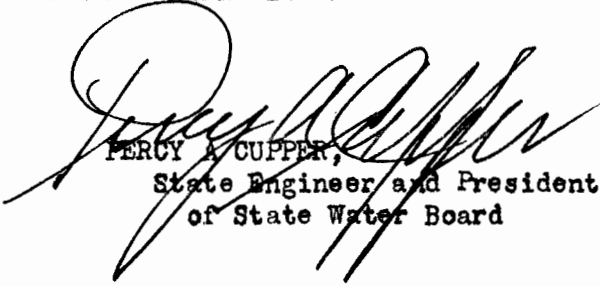
SNOW CREEK AND THREE CREEKS -11-

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
14792 Fulliam, Louzetta Tumalo, Ore.  <i>Trsf: Sp. Or. Vol. 8, p. 299            Cert. cancelled</i>	1886		87.8	Irrigation and Storage	Gibson	Snow & Three Creeks	11.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 28.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 10.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20 T 16 S. R. 11 E. W. M.
14793 Scoggin, Hubert A Tumalo, Ore.  <i>Trsf: Sp. Or. Vol. 8, p. 299            Cert. cancelled.            New cert. to be issued            for 25 ac. in NE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math>, said            25 ac. not involved in trsf.</i>	1891		32.7	Irrigation and Storage	Three Creek Storage in Big and Little Lakes over 8 ft. dam	Snow & Three Creeks	25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13 T 16 S. R. 10 E. W. M. X 7.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18 T 16 S. R. 11 E. W. M.
14794 Scoggin, Paul A Tumalo, Ore.  <i>Trsf: Sp. Or. Vol. 8, p. 299            Cert. cancelled</i>	1886		81.5	Irrigation and Storage	Gibson	Snow & Three Creeks	1.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 24.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 32 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 5.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 T 16 S. R. 11 E. W. M.
14795 Siegmund, W. M. 1496 Lee Street Salem, Ore.  <i>Trsf: Sp. Or. Vol. 8, p. 299            Cert. cancelled.</i>	1891		8.3	Irrigation and Storage	Three & Snow Creeks	Snow & Three Creeks	2.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17 T 16 S. R. 11 E. W. M.
14796 Thornthwaite, Chas. W c/o J. M. Lawrence Bend, Ore.  <i>Trsf: Sp. Or. Vol. 8, p. 299            Cert. cancelled</i>	1891		19.7	Irrigation and Storage		Snow & Three Creeks	6.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 11 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19 T 16 S. R. 11 E. W. M.
14797 Young, E. H. Yakima, Wash. P. J. Young, Agt. Bend, Ore.  <i>When cert. is issued - make            same as provided by Sp. Or            Vol. 1 p. 166</i>	1886		24	Irrigation and Storage	Three Creeks	Snow & Three Creeks	15.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 T 16 S. R. 10 E. W. M.

And the State Water Board of Oregon, being fully advised in the premises it is hereby **CONSIDERED AND ORDERED** that the relative rights of the various claimants to the use of the waters of Snow Creek and Three Creeks and their tributaries are hereby adjudicated, determined and settled in accordance with and as set forth in the foregoing findings.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

  
PERCY A. CUPPER,  
State Engineer and President  
of State Water Board

  
GEO. T. COCHRAN,  
State Water Superintendent

ATTEST:

  
R. W. POTRER,  
Secretary.