

BEFORE THE STATE WATER BOARD OF THE STATE OF OREGON

WASCO COUNTY.

IN THE MATTER OF THE DETERMINATION OF
THE RELATIVE RIGHTS OF THE VARIOUS
CLAIMANTS TO THE USE OF THE WATERS OF
WHITE RIVER AND ITS TRIBUTARIES, A
TRIBUTARY OF THE DESCHUTES RIVER.
-----)

FINDINGS OF FACT
AND
ORDER OF DETERMINATION.

Now at this time, the above entitled matter coming on before the State Water Board of the State of Oregon, and it appearing to said Board that all of the evidence and testimony taken in the above entitled proceeding has been duly filed in the office of said Board, and the said Board having carefully considered all of the 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 18th day of November, 1909, there was filed in the office of the State Water Board of the State of Oregon a petition signed by L. B. Haines and others, water users upon said stream, requesting a determination of the relative rights of the various claimants to the waters of said stream. That thereupon the said State Water Board, after a full investigation and due consideration of said petition, finding the facts and conditions such as to justify the making of a determination of the relative rights of the various claimants to the waters of said stream and its tributaries, 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 stream by the State Engineer as would enable the said Board to determine the rights of 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 assistants should begin the examination of said stream was set by said Board for Tuesday, the 9th 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 Tuesday, the 9th day of September, 1919, in the Circuit Court room of the County Court House in the city of The Dalles, Wasco County, Oregon, and on Wednesday the 10th day of September, 1919, at Tygh Valley, Wasco County, Oregon, and for a period of

sixty days beginning on Monday, the 29th day of September, 1919, in the office of said State Water Superintendent, in the City of La Grande, Union County.

2

That a notice was prepared by said Board setting forth the date when the State Engineer, or his assistants, would begin the investigation of the flow of said stream 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 two issues of the The Dalles Chronicle, a newspaper published daily in the City of The Dalles, Wasco County, Oregon, and of general circulation in the County of Wasco, State of Oregon, said two issues being those of July 30th and August 2nd, 1919, the date of the last publication of said notice being more than thirty days prior to the date fixed for the making of said examination and measurement of said streams and ditches by the State Engineer, and for the beginning of the taking of testimony by the State Water Superintendent.

3

That prior to the 3rd 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 stream, 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 stream or its tributaries, insofar as said claimants, owners, firms or corporations in possession could be reasonably ascertained, a similar notice to said published notice, setting forth the date when the State Engineer would commence the examination of said stream and its 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 stream and its 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 stream, 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 stream and its 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 four (4) inches to the mile, showing with substantial accuracy the course of said stream and its 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 record hereof.

5.

That statements and proofs of claim to the use of the waters of said stream and its tributaries were filed with the State Water Superintendent by the following named persons, firms and corporations:

Badger Ditch Company	Wamic, Oregon.
Balzer, Gustav	Tygh Valley, Oregon
Bargenholt, Geo. W	Wamic, Oregon
Beatty, J. W.	Hood River, Oregon
Bennett, A. S.	1625 Court St. Salem, Oregon
Bennett, S. T., et al	Wamic, Oregon
Bernhagen, Albert F	Wamic, Oregon
Bielsel, Fred	Wamic, Oregon
Blanchard, J. F.	Wamic, Oregon
Bradway, J. C.	Wamic, Oregon
Bonney, A. A.	Tygh Valley, Oregon.
Brittian, O. C.	Wamic, Oregon.
Brown, Geo. W .	Vernonia, Oregon
Campbell, J. D.	Wamic, Oregon
Chastain, J. O.	Wamic, Oregon
Craft, Mrs. E. L.	Wamic, Oregon
Davidson, J. W.	Tygh Valley, Oregon
Disbrow, Blaine	Wamic, Oregon
Duncan, Marion A	Wamic, Oregon
Endersby, U. S.	Wapinitia, Oregon
Farlow, C. N.	Wamic, Oregon
Farlow, J. M. & G. N.	Wamic, Oregon
Farlow, J. W.	Wamic, Oregon
Farlow, T. E.	Wamic, Oregon
Felch, Frank T	Wamic, Oregon
Fitzpatrick & Son	Tygh Valley, Oregon
Fitzpatrick, J. H.	Tygh Valley, Oregon
Fowler, F. M.	Wamic, Oregon
French Estates, c/o E.H.French	The Dalles, Oregon
Gate Creek & Rock Creek Ditch Co.	Wamic, Oregon
Gavin, John	The Dalles, Oregon
Gilles, A. H.	Wamic, Oregon
Gish, Ernest J	Wamic, Oregon

Haines, Roy B	Tygh Valley, Oregon.
Hardin, S. T.	Tygh Valley, Oregon
Harth, Charles	Tygh Valley, Oregon
Hauser & Dahl	Tygh Valley, Oregon
Hauser, K. L.	Tygh Valley, Oregon
Highland Ditch Company-	Wamic, Oregon
Hill, C. A.	Wamic, Oregon
Isbell, James P	Tygh Valley, Oregon
Johnson, Floyd	Wamic, Oregon
Keep, Joseph R	Portland, Oregon
Komody, J. E.	Wamic, Oregon
Kennedy, J. L.	Wamic, Oregon
Kinney, Miles L	Wamic, Oregon
Largo, Etta	Wamic, Oregon
Ledford, S. G.	Wamic, Oregon
Lost & Boulder Ditch Company	Wamic, Oregon
Lucas, W. E.	Wamic, Oregon
Magill, J. B.	Wamic, Oregon
Mayfield, Malinda	Wamic, Oregon
Mayfield, W. H.	Wamic, Oregon
Mays, F. P.	Tygh Valley, Oregon
McCabe, Andrew	Tygh Valley, Oregon
McCartney, Alex	Tygh Valley, Oregon
McCorkle, F. E.	Tygh Valley, Oregon
Miller, J. H. et al	Wamic, Oregon
Morgan, B. W.	Wamic, Oregon
Morrow, F. A.	Wamic, Oregon
Nickerson, W. N.	Tygh Valley, Oregon
Norval, W. R.	Wamic, Oregon
Norval, W. T.	Wamic, Oregon
Pacific Power & Light Company	
Lewis A. McArthur, Agent	Gasco Bldg., Portland, Oregon
Patison, A. M.	Wamic, Oregon
Patison, B. M.	Wamic, Oregon
Pitcher, Bert	Tygh Valley, Oregon
Purcoll, Will T	Wamic, Oregon
Ronno, Mintie G	Camas Valley, Oregon
Round Prairie Water Ditch Company,	Wamic, Oregon
Seufert, Mrs. T. J. Jr	Wamic, Oregon
Shadley, Abraham T	Wamic, Oregon
Simms Harry	Wamic, Oregon
Southern Wasco County Fair Association,	Tygh Valley, Oregon
Spath, Mrs. J	The Dalles, Oregon
Stancliffe, D. M.	Edinburg, Pa
Steers, V. P.	Tygh Valley, Oregon
Stilwell, W. C.	Tygh Valley, Oregon
Three Mile Creek Water Ditch Company	Wamic, Oregon
Tygh Valley High Line Ditch Company	Tygh Valley, Oregon
Van Duyn, C. J.	Tygh Valley, Oregon
Wapinitia Irrigation Company	412 Fonton Bldg., Portland, Oregon
Wing, C. W.	Tygh Valley, Oregon
Wing, Elsie Savage	Wamic, Oregon
Wing, Henry	Wamic, Oregon
Wing, Joe	Wamic, Oregon
Wing, Steve	Wamic, Oregon
Wing, Wilbur	Wamic, Oregon
Woodcock, J. E.	Wamic, Oregon
Young, A. M.	Kuna, Idaho
Zumwalt, W. E., et al	Wamic, Oregon.

That the following named persons, firms and corporations were duly notified by registered mail and by publication of said notices 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 stream, 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:

Ayers, J. W.	W amic, Oregon
Bargenholt, C. A.	W amic, Oregon
Brown, J. S.	W amic, Oregon
Crabtree, Charles	Tygh Valley, Oregon
Enbankor, J. H.	W amic, Oregon
Farlow, W. H.	W amic, Oregon
Foster, C. G.	Tygh Valley, Oregon
Garn, Mrs.	Imbler, Oregon
Gibbs, A. D.	Tygh Valley, Oregon
Haines, L. B.	Tygh Valley, Oregon
Haines, Gay	Boyd, Oregon
Hill, T. J.	W amic, Oregon
Jones, M. L.	Brooks, Oregon
Jones, Mrs. N. J.	W amic, Oregon
Kennedy, L.	W amic, Oregon
Kennedy, M	W amic, Oregon
Konyon, S. A.	Tygh Valley, Oregon
Kinyon, Mrs. M. S.	Tygh Valley, Oregon
Lake A. E.	W amic, Oregon
Lodford, G. R.	W amic, Oregon
Lodford, W. A.	W amic, Oregon
Mayfield, John	W amic, Oregon
Mays Brothers	Tygh Valley, Oregon
McGill, F. E.	W amic, Oregon
McGill, J. J.	W amic, Oregon
Morrow, J. E.	Tygh Valley, Oregon
Palmater, M. B.	W amic, Oregon
Patterson, Bud	W amic, Oregon
Rooker, Mrs. R. T.	Tygh Valley, Oregon
Savage D	W amic, Oregon
Shaw, Chas.	W amic, Oregon
Spath, J. H.	W amic, Oregon
Spoor, F. E.	W amic, Oregon
Willingsworth, J. L.	W amic, Oregon
Thornton, M. P.	W amic, Oregon
Thompson, J. L.	Tygh Valley, Oregon
Vanderpool, W. T.	Tygh Valley, Oregon
Westfall, E.	W amic, Oregon
Whaite, R. J.	W amic, Oregon
Wilson, Leonard D	Wapinitia, Oregon
Wing, Ed	W amic, Oregon
Wing, George	Tygh Valley, Oregon
Woodcock, Ed	W amic, Oregon
Woodcock, J. R.	W amic, Oregon

7.

That upon the completion of the taking of the testimony by the State Water Superintendent, said Superintendent did, on the 24th day of June, 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: Beginning on Tuesday, the 6th day of July, 1920, and ending on Saturday, the 10th day of July, 1920, from 9:00 to 12:00 o'clock A. M., and from 2:00 to 5:00 P. M. at the Court House in The Dalles, Wasco County, Oregon, and beginning on Monday the 12th day of July, 1920, and ending on Saturday, the 31st day of July, 1920, at the office of the State Water Superintendent, at La Grande, Union County, Oregon, 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 said periods, and said notice did also state therein the county in which the determination of the State Water Board would be heard by the Circuit Court of the State of Oregon, to-wit: Wasco County, Oregon. 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 within five days after the closing of the public inspection of the statements and proofs of claim of the various claimants, notices of contest were filed by the following named contestants against the following named contestees:

Contest No. 1

Pacific Power & Light Company
a corporation
vs
T. E. Farlow

Contestant

Contestee

Contest No. 2

Pacific Power & Light Company,
a corporation,
vs
B. W. Morgan

Contestant

Contestee

Contest No. 3

Pacific Power & Light Company
a corporation
vs
S. G. Ledford,

Contestant

Contestee

Contest No. 4

Pacific Power & Light Company
a corporation,
vs
Etta Largo

Contestant

Contestee

Contest No. 5

Pacific Power & Light Company
a corporation, Contestant

vs

J. M. Farlow and
C. N. Farlow Contestees

Contest No. 6

Pacific Power & Light Company
a corporation Contestant

vs

C. N. Farlow Contestee.

Contest No. 7

Pacific Power & Light Company,
a corporation Contestant

vs

C. N. Farlow Contestee

Contest No. 8

Pacific Power & Light Company
a corporation Contestant

vs

Marion A. Duncan Contestee

Contest No. 9

Pacific Power & Light Company
a corporation Contestant

vs

Blaine Disbrow Contestee

Contest No. 10

Pacific Power & Light Company
a corporation Contestant

vs

Mrs. E. L. Craft Contestee

Contest No. 11

Pacific Power & Light Company,
a corporation, Contestant

vs

G. W. Bargenholt,
Contestee

Contest No. 12

Pacific Power & Light Company
a corporation, Contestant

vs

J. W. Batty, Jr
Contestee

Contest No. 13

Pacific Power & Light Company,
a corporation Contestant

vs

Mrs. J. Spath
Contestee

Contest No. 14

Pacific Power & Light Company,
a corporation Contestant

vs

D. M. Stancliffe
Contestee

Contest No. 15

Pacific Power & Light Company,
a corporation Contestant

vs

J. F. Blanchard
Contestee.

Contest No. 16

Pacific Power & Light Company,
a corporation Contestant

vs

J. C. Bradway
Contestee

Contest No. 17

Pacific Power & Light Company
a corporation
Contestant
vs
J. W. Farlow
Contestee

Contest No. 18

Pacific Power & Light Company,
a corporation
Contestant
vs
J. E. Woodcock
Contestee

Contest No. 19

Pacific Power & Light Company
a corporation
Contestant
vs
W. H. Mayfield
Contestee

Contest No. 20

Pacific Power & Light Company
a corporation
Contestant
vs
J. E. Kennedy
Contestee

Contest No. 21

Pacific Power & Light Company,
a corporation
Contestant
vs
Albert Hill
Contestee

Contest No. 22

Pacific Power & Light Company,
a corporation
Contestant
vs
Frank T. Foltch
Contestee

Contest No. 23

Pacific Power & Light Company
a corporation
Contestant
vs
Stevie Wing
Contestee

Contest No. 24

Pacific Power & Light Company,
a corporation
Contestant
vs
C. W. Wing
Contestee

Contest No. 25

Pacific Power & Light Company,
a corporation
Contestant
vs
J. B. Magill
Contestee

Contest No. 26

Pacific Power & Light Company,
a corporation
Contestant
vs
J. B. Magill
Contestee

Contest No. 27

Pacific Power & Light Company
a corporation
Contestant
vs
F. H. Fowler
Contestee

Contest No. 28

Pacific Power & Light Company
a corporation
Contestant
vs
Badger Ditch Company,
Contestee

Contest No. 29

Pacific Power & Light Company
a corporation
Contestant

vs

Round Prairie Water Ditch Company
Contestee.

Contest No. 31

Pacific Power & Light Company
a corporation
Contestant

vs

Will T. Purcell
Contestee

Contest No. 33

Pacific Power & Light Company,
a corporation
Contestant

vs

A. M. Patison
Contestee

Contest No. 35

Pacific Power & Light Company,
a corporation
Contestant

vs

W. N. Nickerson
Contestee

Contest No. 37

Pacific Power & Light Company,
a corporation
Contestant

vs

Gustav Balzer
Contestee

Contest No. 39

Pacific Power & Light Company,
a corporation
Contestant

vs

Henry Wing
Contestee

Contest No. 30

Pacific Power & Light Company
a corporation
Contestant

vs

Mintie G. Renno
Contestee

Contest No. 32

Pacific Power & Light Company
a corporation
Contestant

vs

Bert Pitcher
Contestee

Contest No. 34

Pacific Power & Light Company
a corporation
Contestant

vs

A. P. Patison
Contestee

Contest No. 36

Pacific Power & Light Company,
a corporation
Contestant

vs

A. A. Bonney
Contestee

Contest No. 38

Pacific Power & Light Company,
a corporation
Contestant

vs

A. M. Young
Contestee

Contest No. 40

Pacific Power & Light Company,
a corporation
Contestant

vs

C. W. Wing
Contestee

Contest No. 41

Pacific Power & Light Company,
a corporation
Contestant

vs

F. E. McCookle
Contestee

Contest No. 42

Pacific Power & Light Company,
a corporation
Contestant

vs

Andrew McCabo
Contestee

Contest No. 43

Pacific Power & Light Company,
a corporation
Contestant

vs

Abraham T. Shadley
Contestee

Contest No. 44

Pacific Power & Light Company,
a corporation
Contestant

vs

J. H. Fitzpatrick
Contestee

Contest No. 45

Pacific Power & Light Company,
a corporation
Contestant

vs

Steve Wing
Contestee

Contest No. 46

Pacific Power & Light Company,
a corporation
Contestant

vs

Steve Wing
Contestee

Contest No. 47

Pacific Power & Light Company,
a corporation
Contestant

vs

Joseph R. Koop
Contestee

Contest No. 48

Pacific Power & Light Company,
a corporation
Contestant

vs

Wapinitia Irrigation Company
Contestee

Contest No. 49

Pacific Power & Light Company,
a corporation
Contestant

vs

Tygh Valley High Line Ditch Company
Contestee

Contest No. 50

Pacific Power & Light Company,
a corporation
Contestant

vs

The Gate and Rock Creek Ditch
Company
Contestee

Contest No. 51

Pacific Power & Light Company,
a corporation
Contestant

vs

Lost & Boulder Ditch Company
Contestee

Contest No. 52

Pacific Power & Light Company,
a corporation
Contestant

vs

The Three Mile Creek Water
Ditch Company
Contestee

Contest No. 53

Pacific Power & Light Company,
a corporation
Contestant

vs

French Estates
Contestee

Contest No. 54

Wapinitia Irrigation Company,
a corporation
Contestant

vs

F. P. Mays
Contestee

Contest No. 55

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Stove Wing
Contestee

Contest No. 56

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Tygh Valley High Line Ditch
Company
Contestee

Contest No. 57

Wapinitia Irrigation Company
a corporation
Contestant

vs

J. D. Campbell
Contestee

Contest No. 58

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Fred Bicksel,
Contestee

Contest No. 59

Wapinitia Irrigation Company,
a corporation
Contestant

vs

A. A. Bonney
Contestee

Contest No. 60

Wapinitia Irrigation Company,
a corporation
Contestant

vs

W. N. Nickerson
Contestee

Contest No. 61

Wapinitia Irrigation Company,
a corporation,
Contestant

vs

W. T. Norval
Contestee

Contest No. 62

Wapinitia Irrigation Company,
a corporation
Contestant

vs

A. P. Patison
Contestee

Contest No. 63

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. W. Batty
Contestee

Contest No. 64

Wapinitia Irrigation Company,
a corporation
Contestant

vs

G. W. Bargenholt
Contestee

Contest No. 65

Wapinitia Irrigation Company,
a corporation
Contestant

vs

B. M. Patison
Contestee

Contest No. 66

Wapinitia Irrigation Company,
a corporation
Contestant

vs

W. R. Norval
Contestee

Contest No. 67

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Pacific Power & Light Company,
Contestee

Contest No. 68

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Joseph R. Keep
Contestee

Contest No. 69

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. R. Keep
Contestee

Contest No. 70

Wapinitia Irrigation Company,
a corporation
Contestant

vs

W. C. Stilwell
Contestee

Contest No. 71

Wapinitia Irrigation Company,
a corporation
Contestant

vs

C. B. Dahl
Contestee

Contest No. 72

Wapinitia Irrigation Company,
a corporation
Contestant

vs

V. P. Speers
Contestee

Contest No. 73

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Henry Wing
Contestee

Contest No. 74

Wapinitia Irrigation Company,
a corporation
Contestant

vs

W. E. Lucas
Contestee

Contest No. 75

Wapinitia Irrigation Company,
a corporation
Contestant

vs

George W. Brown
Contestee

Contest No. 76

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Blaine Disbrow
Contestee

Contest No. 77

Wapinitia Irrigation Company,
a corporation
Contestant

vs

C. N. Farlow
Contestee

Contest No. 78

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Marion A. Duncan
Contestee

Contest No. 79

Wapinitia Irrigation Company,
a corporation
Contestant

vs

C. J. Van Duyn
Contestee

Contest No. 80

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Etta Largo
Contestee

Contest No. 81

Wapinitia Irrigation Company,
a corporation
Contestant

vs

B. W. Morgan
Contestee

Contest No. 82

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Malinda Mayfield
Contestee

Contest No. 83

Wapinitia Irrigation Company,
a corporation,
Contestant

vs

Harry Simms
Contestee

Contest No. 84

Wapinitia Irrigation Company,
a corporation
Contestant

vs

F. M. Fowler
Contestee

Contest No. 85

Wapinitia Irrigation Company,
a corporation
Contestant

vs

The Badger Ditch Company
Contestee

Contest No. 86

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Round Prairie Water Ditch Company,
Contestee

Contest No. 87

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Gustav Balzer
Contestee

Contest No. 88

Wapinitia Irrigation Company,
a corporation
Contestant

vs

A. S. Bonnett
Contestee

Contest No. 89

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. W. Farlow
Contestee

Contest No. 90

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. F. Blanchard
Contestee

Contest No. 91

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. C. Bradway
Contestee

Contest No. 92

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. E. Woodcock
Contestee

Contest No. 93

Wapinitia Irrigation Company,
a corporation
Contestant

vs

French Estates
Contestee

Contest No. 94

Wapinitia Irrigation Company,
a corporation
Contestant

vs

The Three Mile Water Ditch Company
Contestee

Contest No. 95

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Lost & Boulder Ditch Company
Contestee

Contest No. 96

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Gate and Rock Creek Company
Contestee

Contest No. 97

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. E. Kennedy
Contestee

Contest No. 98

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Albert Hill,
Contestee

Contest No. 99

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Frank T. Felch
Contestee

Contest No. 100

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Steve Wing
Contestee

Contest No. 101

Wapinitia Irrigation Company,
a corporation
Contestant

vs

C. W. Wing
Contestee

Contest No. 102

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. B. Magill
Contestee

Contest No. 103

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. W. Davidson
Contestee

Contest No. 104

Wapinitia Irrigation Company,
a corporation
Contestant

vs

S. G. Ledford
Contestee

Contest No. 105

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. M. & C. M. Farlow
Contestee

Contest No. 106

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. O. Chastain
Contestee

Contest No. 107

Wapinitia Irrigation Company,
a corporation
Contestant

vs

F. E. McCorkle
Contestee

Contest No. 108

Wapinitia Irrigation Company,
a corporation
Contestant

vs

C. C. Brittan
Contestee

Contest No. 109

Wapinitia Irrigation Company,
a corporation
Contestant

vs

U. S. Endersby
Contestee

Contest No. 110

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Andrew McCabe
Contestee

Contest No. 111

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Wilbur Wing
Contestee

Contest No. 112

Wapinitia Irrigation Company,
a corporation
Contestant

vs

T. W. Wing
Contestee

Contest No. 113

Wapinitia Irrigation Company,
a corporation
Contestant

vs

F. A. Morrow

Contestee

Contest No. 114

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Miller & Zumwalt

Contestee

Contest No. 115

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Wasco County Fair Association

Contestee

Contest No. 116

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. H. Fitzpatrick

Contestee

Contest No. 117

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Alex McCartney

Contestee

Contest No. 118

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Albert F. Bornhagen

Contestee

Contest No. 119

Wapinitia Irrigation Company,
a corporation
Contestant

vs

T. E. Barlow

Contestee

Contest No. 120

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Ekie Savage Wing

Contestee

Contest No. 121

Tygh Valley Highline Water Ditch
Company,
Contestant

vs

A. A. Bonney and Southern Wasco
County Fair Association
Contestee

Contest No. 122

Wapinitia Irrigation Company,
a corporation
Contestant

vs

M. E. Seufert

Contestee

Contest No. 123

Wapinitia Irrigation Company,
a corporation,
Contestant

vs

A. T. Shadley

Contestee

Contest No. 124

Wapinitia Irrigation Company,
a corporation
Contestant

vs

A. M. Young

Contestee

Contest No. 125

Wapinitia Irrigation Company,
a corporation

Contestant

vs

A. M. Patison

Contestee

Contest No. 126

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Bert Pitcher

Contestee

Contest No. 127

Wapinitia Irrigation Company,
a corporation

Contestant

vs

W. T. Purcoll

Contestee

Contest No. 128

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Carlton L. Popper

Contestee

Contest No. 129

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Laura E. Kennedy

Contestee

Contest No. 130

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Milos L. Kinnoy

Contestee

Contest No. 131

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Mrs. E. L. Craft

Contestee

Contest No. 132

Wapinitia Irrigation Company,
a corporation

Contestant

vs

D. M. Stancliffe

Contestee

Contest No. 133

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Mrs. J. Spath

Contestee

Contest No. 134

Wapinitia Irrigation Company,
a corporation

Contestant

vs

W. H. Mayfield

Contestee

Contest No. 135

Pacific Power & Light Company,
a corporation

Contestant

vs

A. M. Patison

Contestee

Contest No. 136

Pacific Power & Light Company,
a corporation

Contestant

vs

The Highland Ditch Company,
a corporation

Contestee

Contest No. 137

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Joseph R. Keep
(Note: This was filed as an answer to
Contests No. 68 & 69)

Contestee

Contest No. 138

F. P. Mays

Contestant

vs

E. C. Fitzpatrick, J. H.
Fitzpatrick and H. E. McClain

Contestees

Contest No. 139

Three Mile Water Ditch Company,
a corporation

Contestant

vs

J. B. Magill, A. M. Patison, B. M.
Patison, T. J. Soufert, Jr., Harry
Sims, Mrs. J. Spath, C. W. Wing, Joe
Wing, S. T. Bennett, and Steve Wing,
co-partners doing business under the
firm name and style of Round Prairie
ditch company,

Contestees

Contest No. 140

The Gate Creek and Rock Creek
Ditch Company, a corporation,

Contestant

vs

Fred Bicksel
(B. O. Norval, successor in
interest)

Contestee.

Contest No. 141

The Gate and Rock Creek Ditch
Company, a corporation

Contestant

vs

W. E. Lucas

Contestee

Contest No. 142

The Gate Creek and Rock Creek
Ditch Company, a corporation

Contestant

vs

F. M. Fowler

Contestee

Contest No. 143

The Gate Creek and Rock Creek
Ditch Company, a corporation

Contestant

vs

Miles L. Kinney

Contestee

Contest No. 144

Three Mile Water Ditch Company,
a corporation

Contestant

vs

A. M. Young

Contestee

Contest No. 145

Pacific Power & Light Company,
a corporation

Contestant

vs

Joseph R. Keep

Contestee

(Note: This was filed as an answer to Contest No. 47)

9.

That after the filing of said contests the State Water Superintendent did fix the time and place for the hearing of each and every of said contests and served notice of hearing of said contests on each of the parties to each and every of said contests, which said notice of hearing set the date for said hearing at more than thirty days and less than sixty days from the date said notice of hearing was served upon each of the parties. That due proof of service has been filed herein.

That said State Water Superintendent did, at the time so set by said notice, begin the taking of testimony upon said contests from time to time until each and every of said contests were fully heard, settled or otherwise disposed of.

10.

That the following contests were dismissed:

Contest No. 1

Pacific Power & Light Company,
a corporation
Contestant

vs

T. E. Farlow
Contestee

Contest No. 70

Wapinitia Irrigation Company,
a corporation
Contestant

vs

W. C. Stillwell
Contestee

Contest No. 119

Wapinitia Irrigation Company,
a corporation
Contestant

vs

T. E. Farlow
Contestee

Contest No. 128

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Carlton L. Pepper
Contestee

Contest No. 138

F. P. Hays
Contestant

vs

E. G. Fitzpatrick, J. H. Fitzpatrick
and H. E. McClain,
Contestees

Contest No. 103

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. W. Davidson
Contestee

11.

That the following contests involve the claim of the Lost & Boulder Ditch Company:

Contest No. 2

Pacific Power & Light Company,
a corporation
Contestant

vs

B. W. Morgan

Contestee

Contest No. 3

Pacific Power & Light Company,
a corporation
Contestant

vs

S. G. Ledford

Contestee

Contest No. 4

Pacific Power & Light Company
a corporation
Contestant

vs

Etta Large

Contestee

Contest No. 5

Pacific Power & Light Company,
a corporation
Contestant

vs

J. M. Farlow and C. N. Farlow

Contestees

Contest No. 6

Pacific Power & Light Company,
a corporation
Contestant

vs

C. N. Farlow

Contestee

Contest No. 7

Pacific Power & Light Company,
a corporation
Contestant

vs

C. N. Farlow

Contestee

Contest No. 8

Pacific Power & Light Company,
a corporation
Contestant

vs

Marion A. Duncan

Contestee

Contest No. 9

Pacific Power & Light Company,
a corporation
Contestant

vs

Blaine Disbrow

Contestee

Contest No. 10

Pacific Power & Light Company
a corporation
Contestant

vs

Mrs. E. L. Craft

Contestee

Contest No. 11

Pacific Power & Light Company,
a corporation
Contestant

vs

G. W. Barginholt

Contestee

Contest No. 12

Pacific Power & Light Company,
a corporation
Contestant

vs

J. W. Batty, Jr

Contestee

Contest No. 14

Pacific Power & Light Company,
a corporation
Contestant

vs

D. M. Stancliffe

Contestee

Contest No. 15

Pacific Power & Light Company,
a corporation
Contestant

vs

J. F. Blanchard
Contestee

Contest No. 16

Pacific Power & Light Company,
a corporation
Contestant

vs

J. C. Bradway
Contestee

Contest No. 17

Pacific Power & Light Company,
a corporation
Contestant

vs

J. W. Farlow
Contestee

Contest No. 18

Pacific Power & Light Company,
a corporation
Contestant

vs

J. E. Woodcock
Contestee

Contest No. 19

Pacific Power & Light Company,
a corporation
Contestant

vs

W. H. Mayfield
Contestee

Contest No. 20

Pacific Power & Light Company,
a corporation
Contestant

vs

J. E. Kennedy
Contestee

Contest No. 21

Pacific Power & Light Company,
a corporation
Contestant

vs

Albert Hill
Contestee

Contest No. 22

Pacific Power & Light Company,
a corporation
Contestant

vs

Frank T. Felch
Contestee

Contest No. 51

Pacific Power & Light Company,
a corporation
Contestant

vs

Lost & Boulder Ditch Company,
Contestee

Contest No. 63

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. W. Batty
Contestee

Contest No. 64

Wapinitia Irrigation Company,
a corporation
Contestant

vs

G. W. Bargenholt
Contestee

Contest No. 76

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Blaine Disbrow
Contestee

Contest No. 77

Wapinitia Irrigation Company,
a corporation
Contestant

vs

C. N. Farlow
Contestee

Contest No. 78

Wapinitia Irrigation Company
a corporation
Contestant

vs

Marion A. Duncan
Contestee

Contest No. 80

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Etta Largo
Contestee

Contest No. 81

Wapinitia Irrigation Company,
a corporation
Contestant

vs

B. W. Morgan
Contestee

Contest No. 82

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Malinda Mayfield
Contestee

Contest No. 89

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. W. Farlow
Contestee

Contest No. 90

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. F. Blanchard
Contestee

Contest No. 91

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. C. Bradway
Contestee

Contest No. 92

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. E. Woodcock
Contestee

Contest No. 95

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Lost & Boulder Ditch Company,
Contestee

Contest No. 97

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. E. Kennedy
Contestee

Contest No. 98

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Albert Hill
Contestee

Contest No. 99

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Frank T. Foltch
Contestee

Contest No. 104

Wapinitia Irrigation Company,
a corporation
Contestant

vs

S. G. Lodford
Contestee

Contest No. 105

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. M. & C. N. Farlow
Contestee

Contest No. 109

Wapinitia Irrigation Company,
a corporation
Contestant

vs

U. S. Endersby
Contestee

Contest No. 131

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Mrs. E. L. Craft
Contestee

Contest No. 132

Wapinitia Irrigation Company,
a corporation
Contestant

vs

D. M. Stancliffe
Contestee

Contest No. 134

Wapinitia Irrigation Company,
a corporation,
Contestant

vs

W. H. Mayfield,
Contestee

In settling the rights of the Lost & Boulder Ditch Company, all of the rights shall be tabulated in the tabulation hereinafter set forth under the name of Lost & Boulder Ditch Company, and the lands shall be described under the names of the water users from such ditch company. In making that tabulation, the dates of priority shall be as follows:

- G. W. Bargenholt - - - - - 1907
- J. W. Batty - - - - - 1907
- J. F. Blanchard - - - - - 1907 for 37 acres
1911 for the inchoate right to be described therein
- J. C. Bradway - - - - - 1907
- Mrs. E. L. Craft - - - - - 1907
- Blaine Disbrow - - - - - 1907 for lands shown irrigated in the claim
1911 for the inchoate right.

Marion A. Duncan - - - - - 1901

C. N. Farlow - - - - - 1901 for 12.5 acres
 1907 for 1 acre
 1911 for the inchoate right

J. M. & C. N. Farlow - - - - - 1901 for lands shown irrigated in the claim
 1911 for lands to be hereafter irrigated

J. W. Farlow - - - - - 1901 for lands shown to be irrigated in the claim
 1911 for lands intended to be irrigated

Frank T. Felch - - - - - 1901 for lands shown to be irrigated by the claim
 1911 for lands intended to be irrigated

U. S. Endersby - - - - - 1901

C. A. King - - - - - 1911

Albert Hill - - - - - 1907 for lands shown to be irrigated by the claim
 1911 for lands intended to be irrigated

J. E. Kennedy - - - - - 1901 for lands shown to be irrigated by the claim
 1911 for lands intended to be irrigated

Etta Large - - - - - 1901

S. G. Lodford - - - - - 1901 for lands shown to be irrigated by the claim
 1911 for lands intended to be irrigated

Malinda Mayfield - - - - - 1901

W. H. Mayfield - - - - - 1907 for lands shown to be irrigated by the claim
 1911 for lands intended to be irrigated

B. W. Morgan - - - - - 1907 for lands shown to be irrigated by the claim
 1911 for lands intended to be irrigated

D. H. Stancliff - - - - - 1911

A. Woberg - - - - - 1911

J. E. Woodcock - - - - - 1901 for lands shown to be irrigated by the claim
 1911 for lands intended to be irrigated.

12.

That the several contests against the Round Prairie Water Ditch Company involve also its stockholders, and settlement of those contests is a settlement of all the following contests, to-wit:

Contest No. 13

Pacific Power & Light Company,
 a corporation
 Contestant

vs

Mrs. J. Spath
 Contestee

Contest No. 23

Pacific Power & Light Company,
 a corporation
 Contestant

vs

Steve Wing
 Contestee

Contest No. 25

Pacific Power & Light Company,
 a corporation
 Contestant

vs

J. B. Magill
 Contestee

Contest No. 26

Pacific Power & Light Company,
 a corporation
 Contestant

vs

J. B. Magill
 Contestee

Contest No. 24

Pacific Power & Light Company,
a corporation
Contestant

vs

C. W. Wing
Contestee

Contest No. 29

Pacific Power & Light Company,
a corporation
Contestant

vs

Round Prairie Water Ditch Company
Contestee

Contest No. 33

Pacific Power & Light Company,
a corporation
Contestant

vs

A. L. Patison
Contestee

Contest No. 40

Pacific Power & Light Company,
a corporation
Contestant

vs

C. W. Wing
Contestee

Contest No. 45

Pacific Power & Light Company,
a corporation
Contestant

vs

Steve Wing
Contestee

Contest No. 46

Pacific Power & Light Company,
a corporation
Contestant

vs

Steve Wing
Contestee

Contest No. 55

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Steve Wing
Contestee

Contest No. 65

Wapinitia Irrigation Company,
a corporation
Contestant

vs

B. M. Patison
Contestee

Contest No. 85

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Harry Simms,
Contestee

Contest No. 86

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Round Prairie Water Ditch Company,
Contestee

Contest No. 100

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Steve Wing
Contestee

Contest No. 101

Wapinitia Irrigation Company,
a corporation
Contestant

vs

C. W. Wing
Contestee

Contest No. 102

Wapinitia Irrigation Company
a corporation
Contestant

vs

J. B. Magill
Contestee

Contest No. 122

Wapinitia Irrigation Company
a corporation
Contestant

vs

M. E. Soufert
Contestee

Contest No. 125

Wapinitia Irrigation Company,
a corporation
Contestant

vs

L. H. Patison
Contestee

Contest No. 133

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Mrs. J. Spath
Contestee

Contest No. 135

Pacific Power & Light Company,
a corporation
Contestant

vs

A. H. Patison
Contestees

Contest No. 139

Three Mile Water Ditch Company,
a corporation
Contestant

vs

J. B. Magill, A. H. Patison, B.H.
Patison, T.J.Soufert, Jr. Harry
Simms, Mrs. J. Spath, C. W. Wing,
Joe Wing, S. T. Bennett and Steve
Wing, co-partners doing business
under the firm name and style of
Round Prairie Water Ditch Company,
Contestees

That the date of appropriation of the Round Prairie Water Ditch Company and each of the water users thereunder is hereby established at January 7, 1874, and the lands irrigated are the same as hereinafter tabulated. That the claim of the Round Prairie Water Ditch Company sets forth some land which has not been claimed by any stockholders, and such area is tabulated under the name of Round Prairie Water Ditch Company for the use and benefit of the proper owner of such land.

13.

That the contests against F. H. Fowler are as follows:

Contest No. 27

Pacific Power & Light Company,
a corporation
Contestant

vs

F. H. Fowler
Contestee

Contest No. 84

Wapinitia Irrigation Company,
a corporation
Contestant

vs

F. H. Fowler
Contestee

Contest No. 142

The Gate Creek and Rock Creek Ditch Company, a corporation

Contestant

vs

F. M. Fowler

Contestee

Fowler by his claim, claimed 40.16 acres of irrigated land. In the stipulation which appears on page 248 of Volume 2 of the testimony, taken by R. T. Yates, it appears that he has 2 acres under irrigation. This right is therefore tabulated as 2 acres in the SE¹/₄NE¹/₄ of Section 27, T 4 S. R. 12 E. W. M.

14.

That the contests against the Badger Ditch Company also include contests against its stockholders, and are as follows:

Contest No. 28

Pacific Power & Light Company,
a corporation

Contestant

vs

Badger Ditch Company,

Contest No. 54

Wapinitia Irrigation Company,
a corporation

Contestant

vs

F. P. Mays

Contestee

Contest No. 61

Wapinitia Irrigation Company,
a corporation

Contestant

vs

W. T. Norval

Contestee

Contest No. 66

Wapinitia Irrigation Company,
a corporation

Contestant

vs

W. R. Norval

Contestee

Contest No. 79

Wapinitia Irrigation Company,
a corporation

Contestant

vs

C. J. Van Duyn

Contestee

Contest No. 85

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Badger Ditch Company,

Contestee

Contest No. 108

Wapinitia Irrigation Company,
a corporation

Contestant

vs

O. C. Brittan

Contestee

Contest No. 111

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Wilbur Wing

Contestee

Wapinitia Irrigation Company,
a corporation

Wapinitia Irrigation Company,
a corporation

Contestant

Contestant

vs

vs

F. A. Morrow

Albert F. Bernhagen

Contestee

Contestee

The date of the appropriation of the Badger Ditch Company and its stockholders shall be fixed at May 27, 1893, and under that appropriation the acreage shall be tabulated to show the following:

- A. F. Bernhagen - - - - - 1 acre
- O. C. Brittian - - - - - 2 acres
- A. H. Gillos - - - - - 4.6 acres
- Ernost H. Gish - - - - - 3 acres
- Floyd Johnson - - - - - 3 acres
- F. P. Mays - - - - - Shall have the right to so much water through the said ditch as the ownership of 2 shares of stock in said ditch shall entitle him to under the by-laws of said ditch. In his claim there is set out 25 acres in the SW¹/₄NE¹/₄; 15 acres in the SE¹/₄NE¹/₄; 8 acres in the SE¹/₄NE¹/₄ Section 9, T 4 S. R. 13 E. W. M., and 8 acres in the SW¹/₄NE¹/₄, same section, township and range, but the tabulation of such acreage shall not entitle said F. P. Mays to more than his proportionate amount of the water appropriated.
- F. A. Morrow - - - - - 8.5 acres
(Floyd Johnson, successor in interest)
- W. R. Norval - - - - - 1 acre
- W. T. Norval - - - - - 2.9 acres
- C. J. Van Duyn - - - - - Shall be entitled to use from said ditch as much water as 2 shares of stock in said corporation will entitle him to use in proportion to the amount of water in the ditch. The lands described by C. J. Van Duyn are 40 acres in the SW¹/₄NE¹/₄ and 40 acres in the SE¹/₄NE¹/₄ Section 8, T 4 S. R. 13 E. W. M. and the tabulation shall not be taken as increasing said proportionate amount.
- C. W. Wing - - - - - 1 acre
- Wilbur Wing - - - - - 12.5 acres

The tabulation hereinafter set forth shall show the legal subdivisions in which said irrigated land is situated. The amount of water to be appropriated by said Badger Ditch Company shall be sufficient to irrigate the lands under said ditch and furnish domestic and stock water to each of the water users therefrom, but the diversion of water by said ditch company shall at no time exceed 2 second feet.

That in Contest No. 30

Pacific Power & Light Company,
a corporation

Contestant

vs

Mintie G. Renno,

Contestee

A stipulation was filed, from which it appears that the appropriation of water for 20 acres was made by said Mintie G. Renno in 1894, and that in 1918 the irrigated acreage was increased to 27.5 acres, and in 1919 to 76.8 acres. The tabulation of the rights hereafter, therefore, shall be 20 acres in 1894 and 56.8 acres in 1918. That the amount of water diverted for this land shall not exceed one second foot.

16.

That in the following contests,

Contest No. 31

Pacific Power & Light Company,
a corporation,

Contestant

vs

Will T. Purcell,

Contestee

Contest No. 127

Wapinitia Irrigation Company,
a corporation,

Contestant

vs

Will T. Purcell,

Contestee

the contestee, Will T. Purcell, failed to appear at the hearing upon said contests, and from the evidence and record it appears that said contestee is entitled to one-fortieth of a second foot of water under a priority date of 1883, and the balance of the water necessary to irrigate the land hereinafter tabulated under his name under a priority date of 1902.

17

That in the following contests,

Contest No. 32

Pacific Power & Light Company, a corporation

Contestant

vs

Bert Pitcher,

Contestee

Contest No. 126

Wapinitia Irrigation Company,
a corporation,

Contestant

vs

Bert Pitcher,

Contestee

the contestee, Bert Pitcher, failed to appear at the hearing upon said contests, and from the evidence and record it appears that contestee irrigates 16.5 acres of land from certain springs, and that one-fourth of a second foot is sufficient to irrigate said lands. Said contestee will be limited to one-fourth of a second foot, under a priority date of 1891.

18

Contest No. 34

Pacific Power & Light Company,
a corporation

Contestant

vs

A. P. Patison,

Contestee

It appears that there is no claimant by the name of A. P. Patison, so that evidently the initials are wrong. Inasmuch as the contest coincides with the claim of A. M. Patison, and the rights of A. M. Patison are settled in other contests, this contest is dismissed.

19

Contest No. 35

Pacific Power & Light Company,
a corporation

Contestant

vs

W. N. Nickerson

Contestee

Contest No. 60

Wapinitia Irrigation Company,
a corporation

Contestant

vs

W. N. Nickerson,

Contestee

In these contests, a stipulation was entered as to the facts, allowing the contestee, W. N. Nickerson, a water right for 16 acres under date of 1902 and 16 acres under date of 1916, in accordance with the tabulation hereinafter set forth. The amount of water to be used in said irrigation shall be limited to one half of one second foot.

20

Contest No. 36

Pacific Power & Light Company,
a corporation,

Contestant

vs

A. A. Bonney,

Contestee

Contest No. 59

Wapinitia Irrigation Company,
a corporation,

Contestant

vs

A. A. Bonney

Contestee

Contest No. 121

Tygh Valley High Line Water Ditch
Company,

Contestant

vs

A. A. Bonney and Southern Wasco County
Fair Association

Contestee

In these contests the rights of A. A. Bonney, the contestee, shall be for the irrigation of 106.5 acres under date of 1867, as hereinafter tabulated, and the amount of water necessary for the irrigation of said land shall be limited to one half of one second foot.

21

Contest No. 37

Pacific Power & Light Company,
a corporation

Contestant

vs

Gustav Balzer

Contestee

Contest No. 87

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Gustav Balzor,

Contestee.

It appears that the contestee, Alex McCannoy and Frank McCorkle use water from the same ditch. It also appears that this ditch was taken out in 1884, and that Gustav Balzer did not use any of the water from that ditch until 1914, when he began to irrigate 2.5 acres; that within a year or two he had increased his acreage to 8 acres, which he now irrigates. That all of his rights are subsequent in time to the rights of the Pacific Power & Light Company and of the Wapinitia Irrigation Company, and that he can only use water sufficient to irrigate said land, as described in the tabulation hereinafter, when such use will not interfere with the use by the said contestants. That as against other appropriators the date of priority of said right shall relate back to the year 1884. That the tabulation hereinafter set forth shall be subject to this finding.

22

Contest No. 38

Pacific Power & Light Company,
a corporation, Contestant

vs

A. M. Young, Contestee

Contest No. 124

Wapinitia Irrigation Company,
a corporation Contestant

vs

A. M. Young, Contestee

Contest No. 144

Three Mile Water Ditch Company,
a corporation Contestant

vs

A. M. Young, Contestee

It appears that the contestee, A. M. Young, began to irrigate his land in 1907, by taking such water as the Three Mile Water Ditch Company permitted to flow down to him; that he has no right or ownership in said ditch, or in the water right of such ditch. That such right as he has acquired by his use of such water is therefore entitled to a priority date of June, 1907, and these findings and decree shall not be construed to give him any right or ownership to carry water through the Three Mile Water Ditch Company ditch without the making of proper arrangements therefor with said company, and if no arrangements can be made by him for the carrying of said water, then this appropriation shall only be considered as an appropriation of the waste water from said ditch, which he is only entitled to use during the time such water might be turned into his lateral by said ditch company.

Contest No. 39

Pacific Power & Light Company
a corporation
Contestant

vs

Henry Wing
Contestee

Contest No. 43

Pacific Power & Light Company,
a corporation
Contestant

vs

Abraham T. Shadley
Contestee

Contest No. 73

Wapinitia Irrigation Company
a corporation
Contestant

vs

Henry Wing
Contestee

Contest No. 120

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Elsie Savage Wing
Contestee

Contest No. 123

Wapinitia Irrigation Company,
a corporation
Contestant

vs

A. T. Shadley
Contestee

In these contests the contestees use all their water out of what is known as the Jacob Spath ditch, and a stipulation was filed as to the facts, which showed that the right was initiated in 1898 by Jacob Spath when the ditch was dug, and thereafter the lands as shown to be irrigated in the tabulation hereinafter set forth were transferred by said Jacob Spath to the contestees; that the contestees have continued the irrigation of said land, and that each of the contestees are entitled to one minor's inch of water for domestic use, and that their right for irrigation shall be governed by the general finding upon the duty of water, together with the tabulation hereinafter set out.

24.

Contest No. 41

Pacific Power & Light Company,
a corporation
Contestant

vs

F. E. McCorkle,
Contestee

Contest No. 107

Wapinitia Irrigation Company,
a corporation
Contestant

vs

F. E. McCorkle
Contestee

It appears that the contestee, F. E. McCorkle, initiated his water right in 1889, and ever since said time has irrigated 25 acres of land. The amount of water used shall be according to the general finding on the duty of water.

Contest No. 42

Pacific Power & Light Company,
a corporation
Contestant

vs

Andrew McCabe

Contestee

Contest No. 110

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Andrew McCabe

Contestee

It appears that the contestee has irrigated 2 acres of land since 1900, and that the land has been sold to C. B. Dahl, and the tabulation hereinafter set forth shall give the priority date as of 1900, and shall describe the land. The amount of water used shall be in accordance with the general findings as to the duty of water.

Contest No. 44

Pacific Power & Light Company
a corporation
Contestant

vs

J. H. Fitzpatrick

Contestee

Contest No. 116

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. H. Fitzpatrick

Contestee

The contestee was also a contestee in Contest No. 138, which was dismissed.

It appears that the right of the contestee in the remaining contests is as follows: Said contestee has sold all his right and interest to W. J. Knox, who will be tabulated hereinafter as having a priority date of 1879, for 11 acres of land, as therein described, and the amount of water used shall be in accordance with the general finding as to the duty of water.

Contest No. 47

Pacific Power & Light Company,
a corporation
Contestant

vs

Joseph R. Keep

Contestee

Contest No. 68

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Joseph R. Keep

Contestee

Contest No. 69

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Joseph R. Keep

Contestee

Contest No. 137

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Joseph R. Keep

Contestee

Contest No. 145

Pacific Power & Light Company,
a corporation
Contestant

vs

Joseph R. Keep,
Contestee

It appears that the contestee in these contests has no right, title or interest in or to any of the waters of the above named stream or its tributaries, but that all the right, title and interest which said contestee ever had or acquired has been either lost or acquired by the Wapinitia Irrigation Company and its privies.

28

Contest No. 48

Pacific Power & Light Company,
a corporation
Contestant

vs

Wapinitia Irrigation Company,
Contestee

It appears that Joseph R. Keep, doing business as Keep & Company, posted and recorded a notice for the appropriation of 20,000 miner's inches of water from Frog Creek on December 9, 1902, and on July 1, 1903, posted and recorded an additional notice for the appropriation of 20,000 miner's inches of water from Frog Creek and 200,000 miner's inches from Clear Creek. These appropriations appear to have been made for the purpose of taking out water above the junction of Frog Creek and Clear Creek.

That on August, 19, 1904, said Joseph R. Keep posted a notice of appropriation of 30,000 miner's inches of water from Clear Creek for the purposes of irrigation and also of storage, reciting in his notice the necessity of two storage reservoirs, and thereafter made survey of one of those reservoirs at Clear Lake, and afterwards designated the other reservoir to be located in McCubbin's Gulch;

That on August 29, 1904, said Keep posted and filed for record a notice for the appropriation of 30,000 miner's inches of water from Clear Creek, this notice also including storage;

That on February 25, 1905, said Keep posted and filed for record a notice for the appropriation of 30,000 miner's inches of water from Clear Creek, which notice included storage;

That on October 23, 1905, said Keep posted and filed for record a notice for the appropriation of 30,000 miner's inches of water from Clear Creek, which also included storage.

These four last notices of appropriation evidently contemplated the taking of water from Clear Creek below the junction of Frog Creek.

That on April 14, 1905, said Keep posted and filed for record a notice for the appropriation of water from White River. An amended notice was posted and filed for the same appropriation on June 1, 1906, for 10,000 miner's inches of water.

On February 5, 1907, said Keep posted and filed for record a notice for the appropriation of 10,000 miner's inches of water from White River.

On February 23, 1907, said Keep posted and filed for record a notice for the appropriation of 20,000 miner's inches from White River. These appropriations from White River were apparently made for diversion at the junction of Clear Creek with White River.

On November 29, 1907, the Clear Lake Irrigation and Lumber Company, a corporation, posted and filed for record a notice for the appropriation of 30,000 miner's inches of water from White River, which diversion was apparently to be at the junction of Clear Creek and White River.

That on the 29th day of November, 1907, said Clear Lake Irrigation and Lumber Company posted and filed for record a notice for the appropriation of 30,000 miner's inches of water from Clear Creek, at its confluence with Frog Creek, and on November 29, 1907, the Clear Lake Irrigation and Lumber Company posted and filed for record a notice for the appropriation of 15,000 miner's inches of water from Clear Creek.

That whatever rights were acquired under the notices of appropriation set forth, were by mesne conveyances transferred to the Wapinitia Irrigation Company, a corporation organized and existing under and by virtue of the laws of the State of Oregon; that said Joseph R. Keep, and Clear Lake Irrigation and Lumber Company, and Wapinitia Irrigation Company, and the various predecessors in interest of said Wapinitia Irrigation Company, have expended large sums of money, amounting to several hundred thousand dollars, in the development of the irrigation system for the irrigation of the plains sometimes called Juniper Flats and now known as Wapinitia Plains, lying to the South of White River and West of Deschutes River. That it is not clear from the testimony as to when this development began. That the first irrigation was made in the year 1917, and at the present time there is between 1000 and 2000 acres under irrigation. That in that development there has been constructed a canal from Frog Creek, with a diversion point located in the NE $\frac{1}{4}$ of Section 34, T 4 S. R. 9 E. W. M., and leading into the main canal in Section 10, T 5 S. R. 9 E. W. M. That there has been a diversion made from Clear Creek at a point near the center of Section 10, T 5 S. R. 9 E. W. M., and the main canal leads from said point in an easterly direction to the lands to be irrigated, and which are hereinafter described. That the amount of land that can be irrigated in said project is uncertain, but is somewhere between 10,000 and 15,000 acres. That the storage reservoir at Clear Lake, when built to its largest capacity, will hold about 18,000 acre feet, and that the water supply of the drainage basin in which said Clear Lake is situated will probably not exceed 10,000 to 12,000 acre feet. That the regular flow of the streams would

not furnish sufficient water to irrigate all of the irrigable lands under said ditch during the whole irrigation season, and it is necessary to have storage water for the purpose of supplementing the regular flow of said streams at low water time. That 250 second foot of water, flowing during the whole irrigation season, would be sufficient water to irrigate the irrigable lands under this project. That the ditch of said Wapinitia Irrigation Company runs 10 to 12 miles before it reaches any of the irrigable lands, and the seepage in that distance would necessarily be large, and a 50% allowance would be a reasonable amount to allow for seepage, so that the appropriation from both Clear Creek and Frog Creek for the regular run of the streams, should be limited to 375 second foot. The first notice of appropriation that contemplates appropriating the regular flow of both streams was filed for record July 1, 1903. The line of the ditch as mapped out in the maps filed with the notice of appropriation does not correspond with the present construction. The present construction apparently corresponds with the maps that were prepared and sworn to by Joseph R. Keep on the 17th day of October, 1906. In order to make said maps and surveys, a great deal of work was necessary, so apparently the surveys were started very soon after filing the first notices. We therefore fix the dates of appropriation from Frog Creek and Clear Creek as of July 1, 1903, for the diversion of 375 second foot of water. The storage contemplated seems to have been in Clear Lake and McCubbin's Gulch. McCubbin's Gulch will store about 330 acre feet of water, and in these two storage reservoirs it would be necessary to store the full amount of their capacity, for the purpose of supplying the deficiency in the regular flow. We therefore fix the date of appropriation for the storage of not to exceed 18,000 acre foot of water in the Clear Lake Reservoir, and 330 acre feet of water in McCubbin's Gulch Reservoir as August 19, 1904. The supply of water received both under the direct flow right herein determined and the storage right herein determined shall be regulated in accordance with the date of priority as prescribed in the general finding herein.

That the lands to be irrigated under said project shall not exceed 12,000 acres, to be located on what is known as Wapinitia Plains, and situated in the following sections, to-wit:

In Township 4 South of Range 13 East W. M., the following sections:

Sections 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 25
26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.

In Township 4 South of Range 14 East W. M., the following sections:

Sections 7, 8, 17, 18, 19, 20, 30, 31;

In Township 5 South of Range 12 East, W. M., the following sections:

Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28,
29, 30, 31, 32, 33, 34, 35, 36;

In Township 5 South of Range 11 East, W. M., the following sections:

Sections 13, 14, 15, 16, 17, 19, 20, 21, 22,
23, 24, 25, 26, 27, 28, 29, 30;

In Township 5 South of Range 13 East, W. M., the following sections:

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13,
14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
26, 27, 28, 29, 30, 31, 32, 33, 34, 35;

In Township 5 South of Range 14 East, W. M., the following sections:

Sections 5 and 6

That the Wapinitia Irrigation Company has contracted for the sale of water to various settlers named in their statement and proof of claim. These contracts limit the amount of water to be given to the various water users at one acre foot per acre for each irrigation season. That the parties to said contracts are bound thereby, and water shall be furnished to said parties in accordance with said contracts. That the supply of water in the regular flow to make up the total amount of this appropriation shall be taken from both Clear Creek and Frog Creek, using each creek as supplemental to the other, in order to furnish said complete supply. That the development of the said project is not completed. That the main canal and ditch is not large enough to carry water for the development of said project. That the said Wapinitia Irrigation Company must necessarily have additional time within which to complete said project, and the work of developing said project has been carried on by said Wapinitia Irrigation Company and its predecessors in interest in good faith. That five years is a reasonable time within which said Wapinitia Irrigation Company may complete said development, and said Wapinitia Irrigation Company is hereby given five years from the date of entry of the final decree of the Circuit Court of the State of Oregon for Wasco County, establishing and determining the water rights on White River and its tributaries, to complete said appropriation, and in case said Wapinitia Irrigation Company diligently and in good faith attempts to complete said project within said time, but fails to so complete the same, the State Water Board reserves the right to make such further extensions as may be necessary and expedient under and in accordance with the laws of the State of Oregon.

29.

Contest No. 49

Pacific Power & Light Company,
a corporation,
Contestant

vs

Tygh Valley High Line Ditch Co.
Contestee

Contest No. 56

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Tygh Valley High Line Ditch Co.
Contestee

It appears that the Tygh Valley High Line Ditch Company made its appropriation under State Engineer's Permit No. 220, and the rights of the said Tygh Valley High Line

Ditch Company shall be such as may be established under the laws of Oregon governing the proving up and determination of water rights under such permits.

30.

Contest No. 50

Pacific Power & Light Company,
a corporation
Contestant

vs

Gate Creek and Rock Creek Ditch
Company
Contestee

Contest No. 96

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Gate Creek and Rock Creek Ditch
Company
Contestee

A stipulation has been entered, wherein the date of priority of said Gate Creek and Rock Creek Ditch Company was fixed at 1875, and the acreage was fixed as follows:

Crawford, G. E.	6 shares,	6.1 acres under irrigation;
Chandler, Ralph,	1-3/4 shares,	8 acres under irrigation;
Driver, Tom,	5-3/4 shares,	15 acres under irrigation;
Driver, H. E.	9-3/4 shares,	21 acres under irrigation;
Farlow Estate,	2-3/4 shares,	6 acres under irrigation;
Fowler, F. M.,	2 1/2 shares,	6 acres under irrigation;
Gerity, Richard,	1 1/2 shares,	1 acre under irrigation;
Harvey, E. G.	9 1/2 shares,	26 acres under irrigation;
Johnson, W. H.	1 share,	5 acres under irrigation;
Kennedy, J. E.	9-3/4 shares,	33.3 acres under irrigation;
McCoy, J. M.	3 shares,	5 1/2 acres under irrigation;
McGill, J. B.	5 shares,	1 1/2 acres under irrigation;
Patison, A. M.	3 shares,	8.8 acres under irrigation;
Roberts, D. C.	5 1/2 shares,	10 acres under irrigation;
Savage, Lena	1 share,	1.6 acres under irrigation;
Savage, Richard,	2 shares,	3 acres under irrigation;
Swift, F. M.	5 1/2 shares,	15 acres under irrigation;
Woodcock, T. H.	1 1/2 shares,	3 acres under irrigation.

The description of the lands is set forth in the tabulation hereinafter, and the tabulation under the name of Gate Creek and Rock Creek Ditch Company will show the names of the stockholders. Same includes claim of F. M. Fowler.

31.

Contest No. 51

Pacific Power & Light Company,
a corporation,
Contestant

vs

Lost & Boulder Ditch Company,
Contestee

Contest No. 95

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Lost & Boulder Ditch Company,
Contestee

A stipulation was entered into to the effect that in 1901 water was being carried in the ditch of the Lost & Boulder Ditch Company, and that 100 acres was irrigated in that year. That the acreage was increased until in 1912 it was approximately 400 acres, and in 1919 there were approximately 631 acres under irrigation. That in addition to water

sufficient to irrigate this acreage, there is sufficient water for household, domestic and stock use. That appropriations were made under different dates, by said Lost & Boulder Ditch Company and its predecessors in interest, beginning with the year 1901, a second in 1907, and a final appropriation in 1911. These dates have been tabulated under the name of the users of water hereunder, and are hereby established in accordance with such tabulation.

32.

Contest No. 52

Pacific Power & Light Company,
a corporation,
Contestant

vs

The Three Mile Creek Water Ditch
Company, a corporation
Contestee

Contest No. 94

Wapinitia Irrigation Company,
a corporation
Contestant

vs

The Three Mile Creek Water Ditch
Company, a corporation
Contestee

It was stipulated by and between the parties to these contests that the priority date of the Three Mile Creek Water Ditch Company should be June 17, 1870, and that the lands irrigated should be as shown in the claims of the water users from said ditch, all of which appears in the tabulation herein.

33

Contest No. 53

Pacific Power & Light Company,
a corporation,
Contestant

vs

French Estates
Contestee

Contest No. 93

Wapinitia Irrigation Company,
a corporation
Contestant

vs

French Estates
Contestee

It was stipulated that the French Estates, a corporation, should have a priority over and above contestants in the above entitled contests, of 32/100 of a second foot of water; that the date of such priority would be 1874. The said stipulation does not state the amount of water necessary for the irrigation of the lands claimed by the contestee, and inasmuch as it will require about three second foot to irrigate said lands, the date of priority of the balance of the water necessary to irrigate said lands is established as 1904, for the purpose of making the balance of said appropriation subject to the appropriation of the contestants, Pacific Power & Light Company and Wapinitia Irrigation Company.

Contest No. 57

Wapinitia Irrigation Company,
a corporation
Contestant

vs

J. D. Campbell
Contestee

Certificate No. 2306 under permit No. 584 has been issued to the Wanic Water Ditch Company, fixing priority date as of October 29, 1910, for the lands described in the certificate.

Contest No. 58

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Fred Bicksell (W. O. Norval
successor in interest)
Contestee

Contest No. 140

Gate Creek and Rock Creek
Ditch Company, a corporation
Contestant

vs

Fred Bicksell (W. O. Norval
successor in interest)
Contestee

It appears that W. O. Norval is the successor in interest of Fred Bicksell, the above named contestee, and is hereby substituted in said contests. That the claim of the contestee sets a priority date of 1888 for the irrigation of 2.97 acres of land; that such acreage is correct, and the date of priority is correct.

Contest No. 62

Wapinitia Irrigation Company,
a corporation
Contestant

vs

A. P. Patison,
Contestee

It appears that there is no claimant by the name of A. P. Patison, and evidently the initials are wrong. Inasmuch as the contest coincides with the claim of A. M. Patison, whose rights are settled in other contests, this contest is dismissed.

Contest No. 67

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Pacific Power & Light Company,
a corporation
Contestee.

The Pacific Power & Light Company and its predecessors in interest began the construction of a power plant and works for the development of electric power in the spring of 1901, and began the use of such power in 1902. Within a few years thereafter, they were using 250 second foot of water from White River at their plant located in Section 7, T 4 S., R 14 E. W. M., and they have utilized the same amount of water since that date. The water right, therefore, of the Pacific Power & Light Company is fixed at 250 second foot of water for power purposes, with a priority date of 1901.

38

Contest No. 71

Wapinitia Irrigation Company,
a corporation

Contestant

vs

C. B. Dahl,

Contestee

In the foregoing contest, the contestee shall have a priority date of 1872 for the irrigation of 122.9 acres, as described in the tabulation. It further appears that there is more land susceptible to irrigation, which the contestee desires to irrigate in 1922 or some time thereafter. Such irrigation would be a separate water right, and in order to irrigate the same it will be necessary for the contestee to take out a State Engineer's permit according to law.

39

Contest No. 72

Wapinitia Irrigation Company,
a corporation,

Contestant

vs

V. P. Spoers,

Contestee

It appears that the name of the contestee as given in this contest is incorrect, as there is no claim filed by V. P. Spoers. There is on file, however, a claim of V. P. Steers, and inasmuch as the irrigation is from springs rising on the claimant's own land, and no testimony was taken upon the claim, the water right of said V. P. Steers shall be as hereinafter tabulated.

WHITE RIVER -42-

Contest No. 74

Wapinitia Irrigation Company,
a corporation,

Contestant

vs

W. E. Lucas

Contestee

Contest No. 141

The Gate Creek and Rock Creek
Ditch Company, a corporation

Contestant

vs

W. E. Lucas

Contestee

It was stipulated that the contestee should have a water right for 2.5 acres of land, with a priority date of 1898, and the tabulation shall so state.

41

Contest No. 75

Wapinitia Irrigation Company,
a corporation

Contestant

vs

George W. Brown

Contestee

The contestee herein appears to use water from Steers Springs for 2 acres of land, with a priority date of 1894. Inasmuch as this is a small amount, the claim will be taken as correct and so tabulated.

42.

Contest No. 88

Wapinitia Irrigation Company,
a corporation

Contestant

vs

A. S. Bennett

Contestee

The contestee, A. S. Bennett, claims the right to the use of water from Badger Creek and from certain springs rising upon his land. That a portion of said land was taken up in 1874 by Crawford Wamic, who used the water for the operation of a small sawmill and the irrigation of 4 or 5 acres of meadow and garden. It would appear that up to the present time some 20 acres of said land has been benefitted by the waters of Badger Creek and said springs, either by natural seepage and sub-irrigation or by artificial diversion, and Contestee is therefore entitled by reason of such use to water for the irrigation of 20 acres of land, with a date of priority of 1874. The land which has been so benefitted and to which the use of said water is limited, is described as follows: 2 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$; 2 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$; 2 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$; 5 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34; 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T 3 S. R. 12 E. W. M., and 4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T 4 S. R. 12 E. W. M.

And in addition thereto, Contestee is entitled to a reasonable amount of water for stock and domestic purposes as of said date.

43

Contest No. 106

Wapinitia Irrigation Company,
a corporation

Contestant

vs

J. O. Chastain

Contestee

It appears that the contestee irrigates 3 acres in the ~~NE-NE~~ Section 15, T 4 S., R 12 E. W. M., and that the priority date of such appropriation is 1892, and the same is so tabulated.

44

Contest No. 112

Wapinitia Irrigation Company,
a corporation

Contestant

vs

T. W. Wing

Contestee

No claim having been filed by T. W. Wing, this contest will be dismissed.

45

Contest No. 114

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Miller & Zumwalt

Contestee

It appears that J. H. Miller and W. E. Zumwalt irrigate 3 acres in the ~~NE-NE~~ of Section 14, T 4 S. R. 12 E. W. M., and should have a priority date of 1873, and same is so tabulated.

46

Contest No. 115

Wapinitia Irrigation Company,
a corporation

Contestant

vs

Wasco County Fair Association

Contestee

WHITE RIVER -24-

It appears that the contestee has been designated by a wrong name. It should have been Southern Wasco County Fair Association. It further appears that said association irrigates 29.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 4 S. R. 13 E. W. M., and has a priority date of 1867, and said claim is so tabulated.

47

Contest No. 117

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Alex McCartney
Contestee

It appears that the contestee has irrigated 27.2 acres, as described in the tabulation herein, and that such irrigation has a priority date of 1884, and said right is so established.

48

Contest No. 129

Wapinitia Irrigation Company,
a corporation
Contestant

vs

Laura E. Kennedy
Contestee

It appears that the contestee irrigates 2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14 T 4 S. R. 12 E. W. M., and has a priority date of 1873, and it is so tabulated.

49

Contest No. 130

Wapinitia Irrigation Company,
a corporation,
Contestant

vs

Miles L. Kinney
Contestee

Contest No. 143

The Gate Creek and Rock Creek
Ditch Company, a corporation
Contestant

vs

Miles L. Kinney
Contestee

It appears that the contestee irrigates 2 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T 4 S. R. 12 E. W. M., and has a priority date of 1878, and same shall be so tabulated.

WHITE RIVER - 45-

Contest No. 136

Pacific Power & Light Company,
a corporation

Contestant

vs

The Highland Ditch Company,
a corporation

Contestee

The contestee has appropriated water by securing a State Engineer's Permit for appropriation of water under the laws of Oregon, which was made on the 23rd day of September, 1914, being Application No. 3843, Permit No. 2613, and said company shall have such water right as it may be entitled to receive under the laws of Oregon governing the determination, proving up and issuing of water right certificates for appropriations made by such permits

51.

That a proper head of water is necessary for the most successful and economical irrigation of land, and that 3 acre feet of water per acre measured at the point of diversion will furnish a sufficient quantity to apply on the lands involved herein for the proper irrigation thereof during any one season. That a continuous flow of one-eightieth of a second foot per acre will supply such quantity in approximately 120 days. That in order to irrigate any land it is not necessary to keep a continuous flow of water upon each and every acre of the same, and that the intermittent use of water on such land makes it possible to use a system of rotation, so that the head of water necessary for the irrigation thereof may be obtained.

That in order to meet the foregoing conditions the rights to the use of the waters of White River and its tributaries, except as otherwise provided herein, shall be limited to the diversion of not to exceed one acre foot per acre during any 30-day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, that the rate of flow shall not exceed one-fortieth of a second foot per acre up to July 1st of each year and thereafter not to exceed one-eightieth of a second foot per acre, except in case of rotation. When systems of rotation are arranged, the water user may use such head of water as is practical, and may be obtained under proper rotation.

52

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 entitled 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 stream and its tributaries for stock and domestic purposes continues throughout the year.

53

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 stream and its tributaries by virtue of such rights are limited and confined to the irrigation of the lands herein described, to the extent of said land 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 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 lawful permit from the State Engineer.

54

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 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 appropriations, according to the order of their priority rights; and at all times the waters 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.

55

That in distributing the water, the water master may arrange systems of rotation in either of the following manners:

1. By arranging a period of irrigation for the lands of a number of appropriators, then by giving to one of such appropriators all of the water belonging to the lands included in the system of rotation for a length of time proportionate to the period of irrigation as the amount of water to which he is entitled bears to the whole amount of water to which all the appropriators in such system are entitled, and so on, for each appropriator, until all of the appropriators under the system of rotation are served, and such distribution shall be repeated in the same manner through the irrigation season.

2. Where two or more appropriators agree among themselves as to the manner of rotation as to the use of water, the water master shall distribute the water in accordance with such agreement, provided rights of other parties are not interfered with, and provided further that such agreement is in writing and on file with the water master.

That at all times when there is more water in the stream than is necessary for the irrigation of lands irrigated from the stream there shall be no restriction upon the water users in using such surplus water.

56.

That the name and address of each appropriator of water from WHITE RIVER and its tributaries, arranged in a tabulated form, together with date of relative priority of such appropriators, 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, and 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, and the description of the land upon which such water is used, the tabulated rights of each appropriator being set opposite his name and post office address, are as follows, to-wit:

WHITE RIVER -48-

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
BADGER DITCH COMPANY, By W. R. Norval, Pres. Wamic, Oregon	May 27 1893			Irrigation	Badger	Badger Creek	For lands described under following named users.
(See Findings, Paragraph 14, Page 27)							
(Bernhagen, Albert F) Wamic, Ore.			1				1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2 T 4 S. R. 12 E. W. M.
(Brittian, O.C.) Wamic, Oregon			2				2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6 T 4 S. R. 13 E. W. M.
(Gilles, A. H.) Wamic, Oregon			4.6				2.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 T 4 S. R. 12 E. W. M.
(Gish, Ernest J) Wamic, Oregon			3				0.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33 T 3 S. R. 12 E. W. M.
(Johnson, Floyd) Wamic, Oregon			3				3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1 T 4 S. R. 12 E. W. M.
(Johnson, Floyd) Wamic, Oregon (Successor in interest to F. A. Morrow)			8.5				8.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1 T 4 S. R. 12 E. W. M.
(Mays, F. P.) Tygh Valley, Oregon			56				25 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9 T 4 S. R. 13 E. W. M.
(See Findings, Paragraph 14, Page 27)							
(Norval, W. R.) Wamic, Oregon			1				1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 T 4 S. R. 12 E. W. M.
(Norval, W. T.) Wamic, Oregon			2.9				0.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1 T 4 S. R. 12 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
BADGER DITCH COMPANY. (continued)							
(Van Duyn, C. J.) Tygh Valley, Ore.			80				40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 T 4 S. R. 13 E. W. M.
(See Findings, Paragraph 14, page 27)							
(Wing, C. W.) Wamic, Oregon			1				1 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 T 4 S. R. 13 E. W. M.
(Wing, Wilbur N) Wamic, Oregon			12.5				2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 0.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 T 4 S. R. 13 E. W. M.
BALZER, GUSTAV Tygh Valley, Oregon	1884		8	Irrigation		Jordan Creek	2.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24 5.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25 T 3 S. R. 12 E. W. M.
(See Findings, Paragraph 21, Page 31)							
BARGENHOLT, G. W.	(See under Lost & Boulder Ditch Company.)						
BEATTY, J. W.	(See under Lost & Boulder Ditch Company)						
BENNETT, A. S. The Dalles, Oregon	(See Findings, Paragraph 42, Page 43)						
BENNETT, S. T.	(See under Round Prairie Water Ditch Company)						
BERNHAGEN, ALBERT F	(See under Badger Ditch Company)						
BLANCHARD, J. F.	(See under Lost & Boulder Ditch Company)						
BONNEY, A. A. Tygh Valley, Ore.	1867	0.5	106.5	Irrigation	Thompson	Badger Creek	39.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 27 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5 T 4 S. R. 13 E. W. M.
(See Findings, Paragraph 20, Page 31)							
BRADWAY, J. C.	(See under Lost & Boulder Ditch Company)						
BRITTLAN, O. C.	(See under Badger Ditch Company)						
BROWN, GEO. W. Ternonia, Oregon	1894		2	Irrigation	Hoad	Steers Springs	2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10 T 4 S. R. 15 E. W. M.
(See Findings, Paragraph 41, Page 43)							

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
CAMPBELL, J. D. Wamic, Oregon (See Findings, Paragraph 32, Page 41)	(Irrigation and amount of water as per Certificate of Water Right No. 2306, issued by the State Water Board.)						
CHANDLER, RALPH	(See under Gate Creek and Rock Creek Ditch Company)						
CHASTAIN, J. O. Wamic, Oregon (See Findings, Paragraph 43, Page 44)	1892		3	Irrigation	Patisen	Three Mile Creek	3 acres in NE ¹ / ₄ NE ¹ / ₄ Section 15 T 4 S., R. 12 E. W. M.
CRAFT, MRS. E. L.	(See under Lost & Boulder Ditch Company)						
CRAWFORD, GEO. E.	(See under Gate Creek and Rock Creek Ditch Company)						
DAHL, C. B.	(Successor in interest to McCabe, see also under Hausor & Dahl)						
DAVIDSON, J. W. Tygh Valley, Oregon	June 1905		11	Irrigation		Springs on SE ¹ / ₄ NE ¹ / ₄ Section 16 T 4 S., R 13 E.	11 acres in SW ¹ / ₄ NE ¹ / ₄ Section 16 T 4 S., R. 13 E. W. M.
		12		Power		White Rivof	Place of use: SE ¹ / ₄ NE ¹ / ₄ Section 16 T 4 S. R. 13 E. W. M.
DISBROW, BLAINE	(See under Lost & Boulder Ditch Company)						
DRIVER, H. E.	(See under Gate Creek and Rock Creek Ditch Company)						
DRIVER, THOS.	(See under Gate Creek and Rock Creek Ditch Company)						
DRIVER, WILLIS H.	(See under Gate Creek and Rock Creek Ditch Company)						
DUNCAN, MARION A	(See under Lost and Boulder Ditch Company)						
ENDERSBY, U. S.	(See under Lost and Boulder Ditch Company)						
FARLOW, C. N.	(See under Lost and Boulder Ditch Company)						
FARLOW, J. H.	(See under Lost and Boulder Ditch Company)						
FARLOW, J. W.	(See under Lost and Boulder Ditch Company)						
FARLOW, T. E. Wamic, Oregon	1907		1	Irrigation		Gate Creek	1 acre in SE ¹ / ₄ NE ¹ / ₄ Section 31 T 4 S. R. 12 E. W. M.
FARLOW, Estate of Wm. H.	(See under Gate Creek and Rock Creek Ditch Company)						
FELTCH, F. T.	(See under Lost and Boulder Ditch Company)						

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
FITZPATRICK, J. H. Tygh Valley, Oregon	1900	1		Municipal	Rotary pump	Badger Creek	Water to be used in the village of Tygh Valley, Oregon
FOWLER, F. H. Wanic, Oregon							(Use of water limited to amount used through Gate Creek and Rock Creek Ditch)
(See Findings, Paragraph 13, Page 26)							
(See also under Gate Creek and Rock Creek Ditch Company)							
FRENCH ESTATES, a corporation, The Dalles, Oregon	1874	.32	225.83	Irrigation	Anderson	White River	10.65 acres in NE ¹ / ₄ NE ¹ / ₄ 6.15 acres in NW ¹ / ₄ NE ¹ / ₄ 38.45 acres in SW ¹ / ₄ NE ¹ / ₄ 39.80 acres in SE ¹ / ₄ NE ¹ / ₄ 2.50 acres in SE ¹ / ₄ NW ¹ / ₄ 10.5 acres in NE ¹ / ₄ SE ¹ / ₄ 10.9 acres in NW ¹ / ₄ SE ¹ / ₄
(See Findings, Paragraph 33, Page 40)	1904	Balance necessary					Section 11 15.77 acres in NE ¹ / ₄ NW ¹ / ₄ 17.00 acres in NW ¹ / ₄ NW ¹ / ₄ 39.23 acres in SW ¹ / ₄ NW ¹ / ₄ 34.88 acres in SE ¹ / ₄ NW ¹ / ₄
(Note: The date of 1874 is for .32 second foot of water, to be used on any of the lands herein described. All of the water used for the balance of the land shall take date of 1904)							Section 12 T 4 S. R. 13 E. W. M.
GATE CREEK AND ROCK CREEK DITCH COMPANY, T.H. Woodcock, Secy. Wanic, Oregon	1875		186.4	Irrigation	Rock Creek & Gate Creek	Rock Creek & Gate Creek	Lands described under names of individual users as follows:
(See Findings, Paragraph 30, Page 39)							
(Chandler, Ralph)							8 acres in NE ¹ / ₄ NE ¹ / ₄ Section 20 T 4 S. R. 12 E. W. M.
(Crawford, Geo. E.)							6.1 acres in SW ¹ / ₄ NW ¹ / ₄ Section 23 T 4 S. R. 12 E. W. M.
(Driver, H. E.)							4 acres in SE ¹ / ₄ NW ¹ / ₄ 14 acres in NE ¹ / ₄ NW ¹ / ₄ 3 acres in NW ¹ / ₄ NW ¹ / ₄ Section 25 T 4 S. R. 12 E. W. M.
(Driver, Thos)							12 acres in SW ¹ / ₄ SE ¹ / ₄ 3 acres in NW ¹ / ₄ SE ¹ / ₄ Section 24 T 4 S. R. 12 E. W. M.
(Driver, Willis M)							20 acres in SE ¹ / ₄ SW ¹ / ₄ Section 24 T 4 S. R. 12 E. W. M.
(Farlow, Wm. H. Estate)							3 acres in SW ¹ / ₄ NE ¹ / ₄ 3 acres in NW ¹ / ₄ NE ¹ / ₄ Section 27 T 4 S. R. 12 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
GATE CREEK & ROCK CREEK DITCH COMPANY, (continued)							
(Fowler, F. M.)							2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27 T 4 S. R. 12 E. W. M. ✓
(Gerity, Richard)							1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17 T 4 S. R. 12 E. W. M. ✓
(Harvey, A. G.)							5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21 ✓ 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16 T 4 S. R. 12 E. W. M.
(Johnson, W. E.)				Domestic			
(Kennedy, James E)							33.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26 T 4 S. R. 12 E. W. M. ✓
(McCoy, J. E.)							5.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20 T 4 S. R. 12 E. W. M. ✓
(McGill, J. B.)							1.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24 T 4 S. R. 12 E. W. M. ✓
(Patison, A. M.)							4.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14 ✓ T 4 S. R. 12 E. W. M.
(Roberts, D. C.)							10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21 ✓ T 4 S. R. 12 E. W. M.
(Savage, Lena)							1.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20 ✓ T 4 S. R. 12 E. W. M.
(Savage, Richard)							3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28 ✓ T 4 S. R. 12 E. W. M.
(Swift, F. M.)							5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 ✓ T 4 S. R. 12 E. W. M.
(Woodcock, T. E.)							3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20 ✓ T 4 S. R. 12 E. W. M.
							WHITE RIVER -53-

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
GILLES, A. H.	(See under Badger Ditch Company)						
GERITY, RICHARD	(See under Gate Creek and Rock Creek Ditch Company)						
GISH, ERNEST J	(See under Badger Ditch Company)						
HAINES, ROY B Tygh Valley, Oregon	July 1888		16.5	Irrigation	Bonney School land	Tygh Creek	13.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36 T 3 S. R. 12 E. W. M.
HARDIN, S. V. Tygh Valley, Oregon	1894		85	Irrigation	Zumwalt and Kinyon	White River	20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 T 4 S. R. 14 E. W. M.
HARTH, CHAS. Tygh Valley, Oregon	1877		115	Irrigation	Bonney	Tygh Creek	4.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 12.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 28.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 33.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2 T 4 S. R. 13 E. W. M.
	1867		77.5	Irrigation	Bonney	Tygh Creek	17.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 32.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 28 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2 T 4 S. R. 13 E. W. M.
HARVEY, A. G.	(See under Gate Creek and Rock Creek Ditch Company)						
HARVEY BROS	(See under Three Mile Creek Water Ditch Company)						
HAUSER & DAHL (Hauser estate heirs) By C.B.Dahl, Tygh Valley, Oregon (See Findings, Paragraph 38, Page 42)	1872		122.9	Irrigation	Old Hauser	Badger Creek	2.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 21.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32 T 3 S. R. 13 E. W. M. 37.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 11 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 T 4 S. R. 13 E. W. M.
HAUSER, K. L. Tygh Valley, Oregon	1884		31.5	Irrigation	Hauser, or old McCowan	Tygh Creek	3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 9.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 14 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32 T 3 S. R. 13 E. W. M.
HIGHLAND DITCH COMPANY, By A.E.Gillis, Secy Wamic, Oregon	(See Paragraph 50, Page 46)						

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
HILL, ALBERT	(See under Lost and Boulder Ditch Company)						
ISELL, JAMES E. Tygh Valley, Oregon	1879	22		Power	McCorkle	Badger Creek	22 second feet used for power purposes in Section 4 T 4 S. R. 13 E. W. M.
JOHNSON, FLOYD	(See under Badger Ditch Company)						
JOHNSON, W. H.	(See under Gate Creek and Rock Creek Ditch Company)						
KEEP, JOSEPH R	(See Findings, Paragraph 27, Page 34)						
KENNEDY, JAMES E	(See under Gate Creek and Rock Creek Ditch Company, Lost and Boulder Ditch Company and Three Mile Water Ditch Company)						
KENNEDY, J. L. Laura Kennedy, Agent Wamic, Oregon	1873		2	Irrigation	Three Mile	Three Mile Creek	2 acres in NW ¹ / ₄ NW ¹ / ₄ Section 14 T 4 S. R. 12 E. W. M.
(See Findings Paragraph 48, Page 45)							
KING, C. A.	(See under Lost and Boulder Ditch Company)						
KINNEY, MILES L Wamic, Oregon	1878		2	Irrigation	Rock Creek	Rock Creek	2 acres in NE ¹ / ₄ NW ¹ / ₄ Section 28 T 4 S. R. 12 E. W. M.
(See Findings, Paragraph 49, Page 45)							
KNOX, W. J. Tygh Valley, Oregon (Successor in interest to Fitzpatrick & Son)	1879		11	Irrigation	McCorkle	Badger Creek	11 acres in SE ¹ / ₄ NE ¹ / ₄ Section 6 T 4 S. R. 13 E. W. M.
(See Findings, Paragraph 26, Page 34)							
LARGE, ETTA	(See under Lost and Boulder Ditch Company)						
LEDFORD, S. G.	(See under Lost and Boulder Ditch Company)						
LOST AND BOULDER DITCH COMPANY, By Frank T. Felch, President. Wamic, Oregon				Irrigation	Lost & Boulder	Lost & Boulder Creeks	For the acreage, and under the dates of priority as shown under the names of the following water users from said ditch:
(See Findings, Paragraph 11, Page 19) (And Paragraph 31, Page 39)							
(Bargenholt, G. W.) Wamic, Oregon	1907		22.5				11.5 acres in SE ¹ / ₄ SW ¹ / ₄ Section 5 T 5 S. R. 12 E. W. M.
(Beatty, J. W.) Hood River, Oregon	1907			Domestic			Domestic use on his farm tributary to Lost & Boulder 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
LOST & BOULDER DITCH Company (continued)							
(Blanchard, J. P.) Wamic, Oregon	1907		37				37 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34 T 4 S. R. 12 E. W. M. ✓
(NOTE: Statement asks for an inchoate right for 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 55 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 36 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 22 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T 4 S., R 12 E. W. M. which inchoate right is allowed with a priority date of 1911, and claimant shall have one year from the date of entry of final decree herein in the Circuit Court of the State of Oregon for Wasco County within which to complete such appropriation.)							
(Bradway, J. C.) Wamic, Oregon	1907		20				7.65 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.43 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 ✓ 2.92 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2 ✓ T 5 S. R. 11 E. W. M.
(Craft, Mrs. E.L.) Wamic, Oregon	1907		9.4				8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32 ✓ T 4 S. R. 12 E. W. M.
(Disbrow, Blaine) Wamic, Oregon	1907		6.3				6.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2 ✓ T 5 S. R. 11 E. W. M.
(Duncan, Marion A.) Wamic, Oregon	1901		18.5				5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6 ✓ T 5 S. R. 12 E. W. M.
(Endersby, U. S.) Wapinitia, Oregon	1901		5		Pipe line from Lost & Boulder Ditch		5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13 ✓ T 5 S. R. 11 E. W. M.
(Earlow, C. N.) Wamic, Oregon	1907		1	Irrigation	Lost & Boulder	Lost & Boulder	1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5 ✓ T 5 S. R. 12 E. W. M.
	1901		12.5				2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2 ✓ T 5 S. R. 11 E. W. M.
(NOTE: Statement asks for an inchoate right for 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 12 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 11 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 10.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, T 5 S. R. 11 E. W. M., which inchoate right is allowed with a priority date of 1911, and claimant shall have one year from the date of entry of final decree herein in the Circuit Court of the State of Oregon for Wasco County within which to complete such appropriation.)							

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>LOST & BOULDER DITCH COMPANY (Continued)</p> <p>(Farlow, J.M. & C.N.) 1901 Wamic, Oregon</p>	1901		22.7				<p>14 acres in NE$\frac{1}{4}$SW$\frac{1}{4}$ 7 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$ 1.7 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$ Section 1 T 5 S. R. 11 E. W. M.</p>
<p>(Farlow, J. W.) Wamic, Oregon</p>	1901		176				<p>14 acres in NE$\frac{1}{4}$NE$\frac{1}{4}$ 15 acres in NW$\frac{1}{4}$NE$\frac{1}{4}$ 25 acres in SW$\frac{1}{4}$NE$\frac{1}{4}$ 5 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$ 35 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$ 40 acres in NE$\frac{1}{4}$SW$\frac{1}{4}$ 15 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$ Section 7 15 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$ 12 acres in SW$\frac{1}{4}$NW$\frac{1}{4}$ Section 8 T 5 S. R. 12 E. W. M.</p>
<p>(Feltch, F. T.) Wamic, Oregon</p>	1901		42.3				<p>17.5 acres in NE$\frac{1}{4}$NE$\frac{1}{4}$ Section 11 20.7 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$ 3.8 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$ 0.3 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$ Section 12 T 5 S. R. 11 E. W. M.</p>
<p>(King, C. A.)</p>	1911		6				<p>6 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$ Section 11 T 5 S. R. 11 E. W. M.</p>
<p>(Hill, Albert) Wamic, Oregon</p>	1907		6				<p>4 acres in NE$\frac{1}{4}$NE$\frac{1}{4}$ 2 acres in NW$\frac{1}{4}$NE$\frac{1}{4}$ Section 5 T 5 S. R. 12 E. W. M.</p>
<p>(Kennedy, J. E.) Wamic, Oregon</p>	1901		87.4				<p>6.5 acres in SW$\frac{1}{4}$NE$\frac{1}{4}$ Section 9 6.5 acres in SW$\frac{1}{4}$NE$\frac{1}{4}$ 9.4 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$ 25 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$ 10 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$ 10 acres in SW$\frac{1}{4}$SE$\frac{1}{4}$ 20 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$ Section 10 T 5 S. R. 11 E. W. M.</p>

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
LOST & BOULDER DITCH COMPANY (continued)							
(Large, Etta) Wamic, Oregon	1901		10				6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34 T 4 S. R. 12 E. W. M.
(Ladford, S. G.) Wamic, Oregon	1901		6.2				6.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12 T 5 S. R. 11 E. W. M.
							(NOTE : Statement asks for an inchoate right for 32 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T 5 S.R. 11 E., and same is allowed with a priority date of 1911, and claimant shall have one year from date of entry of final decree herein in the Circuit Court of the State of Oregon for Wasco County in which to complete such appropriation.)
(Mayfield, Malinda) Wamic, Oregon	1901		40				38 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7 T 5 S. R. 12 E. W. M.
(Mayfield, W. H.) Wamic, Oregon	1907		12				1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T 4 S. R. 12 E. W. M. 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6 T 5 S. R. 12 E. W. M.
							(NOTE: Statement asks for an inchoate right for 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T 4 S. R. 12 E., 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T 5 S., R 12 E. W. M., and same is allowed with a priority date of 1911, and claimant shall have one year from date of entry of final decree herein in the Circuit Court of the State of Oregon for Wasco County in which to complete such appropriation.)
(Morgan, B. W.) Wamic, Oregon	1907		5				5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36 T 4 S. R. 11 E. W. M.
							(NOTE: Statement asks for an inchoate right for 19 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T 4 S. R. 11 E., and same is allowed with a priority date of 1911, and claimant shall have one year from date of entry of final decree herein in the Circuit Court of the State of Oregon for Wasco County in which to complete such appropriation.)
(Stancliff, D. M.) Edinboro, Penn.	1911		13.15				8.15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9 T 5 S. R. 11 E. W. M.
(Weberg, A) Wamic, Oregon	1911		5				0.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32 T 4 S. R. 12 E. W. M.
(Woodcock, J. E.) Wamic, Oregon	1901		10.3				4.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 T 5 S. R. 11 E. W. M.
							(NOTE: Statement asks for an inchoate right for 29.3 acres in NE $\frac{1}{4}$ Section 12, T 5 S. R. 11 E., and same is allowed with a priority date of 1911, and claimant shall have one year from date of entry of final decree herein in the Circuit Court of the State of Oregon for Wasco County in which to complete such appropriation.)

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
LUCAS, W. E. Wanic, Oregon (See Findings, Paragraph 40, Page 43)	1898		2.5	Irrigation	Rock & Gate Creek Ditch	Gate & Rock Creeks	2.5 acres in SW ¹ / ₄ NW ¹ / ₄ Section 20 T 4 S. R. 12 E. W. M.
MAGILL, J. B.	(See under Round Prairie Water Ditch Company and Gate Creek and Rock Creek Ditch Company)						
MAYFIELD, JOHN	(See under Three Mile Water Ditch Company)						
MAYFIELD, MALINDA	(See under Lost and Boulder Ditch Company)						
MAYFIELD, W. H.	(See under Lost and Boulder Ditch Company)						
MAYS, F. P. Tygh Valley, Oregon	1865		281.7	Irrigation	Mays	Tygh Creek	16.6 acres in SW ¹ / ₄ NE ¹ / ₄ 27.4 acres in SW ¹ / ₄ NW ¹ / ₄ 32.9 acres in SE ¹ / ₄ NW ¹ / ₄ 34 acres in NE ¹ / ₄ SW ¹ / ₄ 20 acres in NW ¹ / ₄ SW ¹ / ₄ 10 acres in NE ¹ / ₄ SE ¹ / ₄ Section 3 19.3 acres in SW ¹ / ₄ NE ¹ / ₄ 27.5 acres in SE ¹ / ₄ NE ¹ / ₄ 1.9 acres in SE ¹ / ₄ NW ¹ / ₄ 8.6 acres in NE ¹ / ₄ SW ¹ / ₄ 32.8 acres in NE ¹ / ₄ SE ¹ / ₄ 37.5 acres in NW ¹ / ₄ SE ¹ / ₄ 13.3 acres in SW ¹ / ₄ SE ¹ / ₄ Section 4 T 4 S. R. 13 E. W. M.
	1877		226.2	Irrigation	Bonney or Harth	Tygh Creek	14.1 acres in NW ¹ / ₄ SW ¹ / ₄ 40 acres in SW ¹ / ₄ SW ¹ / ₄ Section 2 21 acres in NE ¹ / ₄ SE ¹ / ₄ 20.1 acres in NW ¹ / ₄ SE ¹ / ₄ 36.6 acres in SW ¹ / ₄ SE ¹ / ₄ 40 acres in SE ¹ / ₄ SE ¹ / ₄ Section 3 22.8 acres in NE ¹ / ₄ NE ¹ / ₄ 7.6 acres in NW ¹ / ₄ NE ¹ / ₄ Section 10 24 acres in NW ¹ / ₄ NW ¹ / ₄ Section 11 T 4 S. R. 13 E. W. M.
McCABE, ANDREW; Tygh Valley, Oregon (C.B. Dahl, successor in interest) (See Findings, Paragraph 25, Page 34)	1900		2	Irrigation	McCabe	Tygh Creek	2 acres in SE ¹ / ₄ SE ¹ / ₄ Section 31 T 3 S. R. 13 E. W. M.
MCCARTNEY, ALEX Tygh Valley, Oregon (See Findings, Paragraph 47, Page 45)	1884		27.2	Irrigation	McCowan	Tygh and Jordan Creeks	2.5 acres in NE ¹ / ₄ NE ¹ / ₄ 21 acres in SE ¹ / ₄ NE ¹ / ₄ 2 acres in NE ¹ / ₄ SE ¹ / ₄ 1.7 acres in SW ¹ / ₄ NE ¹ / ₄ Section 26 T 3 S. R. 12 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
McCOY, J. M.	(See under Gate Creek and Rock Creek Ditch Company)						
McCORKLE, G. S.	(See under Three Mile Creek Water Ditch Company)						
McCORKLE, F. E. Tygh Valley, Oregon (See Findings, Paragraph 24, Page 33)	1889		25	Irrigation	McCorkle	Tygh and Jordan Creeks	8 acres in NW ¹ / ₄ SW ¹ / ₄ 6 acres in SW ¹ / ₄ SW ¹ / ₄ 11 acres in SE ¹ / ₄ SW ¹ / ₄ Section 25 T 3 S. R. 12 E. W. M.
MILLER, J. H. and ZUMWALT, W. E. Wamic, Oregon (See Findings, Paragraph 45, Page 44)	1873		3	Irrigation	Three Mile	Three Mile Creek	3 acres in NW ¹ / ₄ NW ¹ / ₄ Section 12 T 4 S. R. 12 E. W. M.
MORGAN, B. A.	(See under Lost and Boulder Ditch Company)						
MORROW, F. A.	(See under Badger Ditch Company)						
NICKERSON, W. N. Tygh Valley, Oregon (See Findings, Paragraph 19, Page 30)	1902		16	Irrigation	I. J. Powell	Three Mile Creek & White River	4.5 acres in NE ¹ / ₄ SW ¹ / ₄ 3.5 acres in SE ¹ / ₄ SW ¹ / ₄ 8 acres in NW ¹ / ₄ SE ¹ / ₄ Section 10 T 4 S. R. 13 E. W. M.
	1916		16	Irrigation		Three Mile Creek & White River	16 acres in NW ¹ / ₄ SE ¹ / ₄ Section 10 T 4 S. R. 13 E. W. M.
NORVAL, F. O. Wamic, Oregon (Successor in interest to Fred Bicksel) (See Findings Paragraph 35, Page 41)	1888		2.97	Irrigation	Bicksel	Rock Creek and Gate Creek	1.07 acres in NW ¹ / ₄ NW ¹ / ₄ 1.90 acres in SW ¹ / ₄ NW ¹ / ₄ Section 27 T 4 S. R. 12 E. W. M.
NORVAL, W. R.	(See under Badger Ditch Company)						
NORVAL, W. T.	(See under Badger Ditch Company)						
PACIFIC POWER & LIGHT COMPANY, Gasco Building, Portland, Oregon (See Findings, Paragraph 37 Page 41)	1901	250 sec. ft. 4233 H.P. 149 ft. fall		Power	Dams, reservoirs and pipe line	White River	Place of use is S ¹ / ₂ NE ¹ / ₄ Section 7 T 4 S. R. 14 E. W. M.
PATISON, A. H. Wamic, Oregon	(See under Gate Creek and Rock Creek Ditch Company and Round Prairie Water Ditch Company.)						
PATISON, B. M.	(See under Round Prairie Water Ditch Company)						

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
PITCHER, BERT Tygh Valley, Oregon (See Findings, Paragraph 17, Page 29)	1891		16.5	Irrigation	Ruckers	Springs on land irrigated and also on $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15 T 4 S., R 13 E. W.M.	1.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 12.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10 T 4 S. R. 13 E. W. M.
PURCELL, WILL T Wamic, Oregon (See Findings, Paragraph 16 Page 29)	1883 1902		2 33	Irrigation	Hill	Gate Creek	10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35 15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36 T 4 S. R. 11 E. W. M.
RENNO, MINTIE G Camas Valley, Oregon (See Findings, Paragraph 15 Page 29)	1894 1918		20 56.8	Irrigation	White River	White River	1.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 T 4 S. R. 13 E. W. M. 37 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 31.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7 T 4 S. R. 14 E. W. M.
ROBERTS, D. C.	(See under Gate Creek and Rock Creek Ditch Company)						
ROUND PRAIRIE WATER DITCH COMPANY, Steve Wing, Secy Wamic, Oregon (See Findings, Paragraph 12, Page 24)	Jan. 7 1874			Irrigation	Round Prairie	Three Mile Creek	3.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 16 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 2.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11 5.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 T 4 S. R. 12 E. W. M. and other lands listed under names of users from said ditch.
(Magill, J. B.) Wamic, Oregon			5.6				2.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11 2.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12 T 4 S. R. 12 E. W. M.
(Patison, A. M.) Wamic, Oregon			9.7				0.25 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.85 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11 T 4 S. R. 12 E. W. M.
(Patison, B. M.) Wamic, Oregon			13.5				13.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11 T 4 S. R. 12 E. W. M.
(Seufert, Mrs. T. J. Jr) Wamic, Oregon			60.4				1.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 32 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 T 4 S. R. 12 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
ROUND PRAIRIE WATER DITCH CO. (Continued)							
(Simms, Harry) Wamic, Oregon			1.5				0.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.0 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9 T 4 S. R. 12 E. W. M.
(Spath, Mrs. J) Wamic, Oregon			20.6				20.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9 T 4 S. R. 12 E. W. M.
(Wing, Joe and Bennett, S. T.) Wamic, Oregon			14				4.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11 T 4 S. R. 12 E. W. M.
(Wing, C. W.) Wamic, Oregon			3.4				3.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12 T 4 S. R. 12 E. W. M.
(Wing, Steve) Wamic, Oregon			4.6				4.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10 T 4 S. R. 12 E. W. M.
SAVAGE, LENA	(See under Gate Creek and Rock Creek Ditch Company)						
SAVAGE, RICHARD	(See under Gate Creek and Rock Creek Ditch Company)						
SEUFERT, MRS. T. J. Jr Wamic, Oregon By T.J.Seufert, Jr	1892		3	Irrigation	Patterson	Three Mile Creek	3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10 T 4 S. R. 12 E. W. M.
	(See also under Round Prairie Water Ditch Company)						
SHADLEY, ABRAHAM T Wamic, Oregon (See Findings, Paragraph 23, Page 33)	1898		12.5	Irrigation	Jacob Spath	Three Mile Creek	6.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8 6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 T 4 S. R. 12 E. W. M.
SIMMS, HARRY	(See under Round Prairie Water Ditch Company)						
SOUTHERN WASCO COUNTY FAIR ASSOCIATION, By S.W.Hanson, Pres. Tygh Valley, Oregon (See Findings, Paragraph 46, Page 44)	1867		29.5	Irrigation	Thompson	Badger Creek	29.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 T 4 S. R. 13 E. W. M.
SPATH, MRS. J.	(See under Round Prairie Water Ditch Company)						
STANCLIFF, D. M.	(See under Lost and Boulder Ditch Company)						
STEERS, T. P. Tygh Valley, Oregon (See Findings, Paragraph 39, Page 42)	1887		6	Irrigation	Steers Springs	5 springs on NE $\frac{1}{4}$ NE $\frac{1}{4}$ & NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15 T 4 S., R 13 E.	6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15 T 4 S. R. 13 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
STILWELL, W. C. Tygh Valley, Oregon	1901	36 sec. ft. 60 H.F.		Power		Tygh Creek	Place of use: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4 T 4 S. R. 13 E. W. M.
SWIFT, F. M.	(See under Gate Creek and Rock Creek Ditch Company)						
THREE MILE CREEK WATER DITCH COMPANY, By J.E. Kennedy, Secy. Wamic, Oregon	June 17 1870			Irrigation	Three Mile	Three Mile Creek	Acreage as shown under names of the following water users from said ditch:
(See Findings, Paragraph 32 Page 40)							
(Harvey Bros.)			24				4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 16 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22 T 4 S. R. 12 E. W. M.
(Kennedy, J. E.)			63.9				8.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21 21.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22 T 4 S. R. 12 E. W. M.
(Mayfield, John)			40				32.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22 T 4 S. R. 12 E. W. M.
(McCorkle, C. S.)			14				14 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23 T 4 S. R. 12 E. W. M.
TYGH VALLEY HIGH LINE DITCH COMPANY, by C. A. Harth, Pres. Tygh Valley, Oregon						Badger & Tygh Creeks	Permit No. 220
(See Findings, Paragraph 29, Page 38)							
VAN DUYN, C. J. Tygh Valley, Oregon	1878		35	Irrigation	Terrill or Van Duyn	Three Mile Creek	1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 16.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7 17.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8 T 4 S. R. 13 E. W. M.
	(See also under Badger Ditch Company)						
WAPINITIA IRRIGATION COMPANY, by S. G. Card, Secy. 412 Fenton Bldg. Portland, Oregon	(See Findings, Paragraph 28, Page 35)						
WEBER, A.	(See under Lost and Boulder Ditch Company)						

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
WING, C. W. Tygh Valley, Oregon	(See also under Badger Litch Company and Round Prairie Water Ditch Company)					Badger Creek	Permit No. 2341
WING, ELSIE SAVAGE Wanic, Oregon (See Findings, Paragraph 23, Page 33)	1898	8.4	8.4	Irrigation	Jacob Spath	Three Mile Creek	8.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9 T 4 S. R. 12 E. W. M.
WING, JOE	(See under Round Prairie Water Ditch Company)						
WING, HENRY Wanic, Oregon (See Findings, Paragraph 23, Page 33)	1898	3.3	3.3	Irrigation	Jacob Spath	Three Mile Creek	1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9 2.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16 T 4 S. R. 12 E. W. M.
WING, STEVE	(See under Round Prairie Water Ditch Company)						
WING, WILBUR N.	(See under Badger Ditch Company)						
WOODCOCK, T. H.	(See under Gate Creek and Rock Creek Ditch Company)						
WOODCOCK, J. E.	(See under Lost and Boulder Ditch Company)						
YOUNG, A. M. Kuna, Idaho (See Findings, Paragraph 22, Page 32)	June 1907	7.7	7.7	Irrigation	Three Mile and A.M. Young	Three Mile Creek	7.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17 0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18 T 4 S. R. 12 E. W. M.
ZUMWALT, W. E.	(See Miller and Zumwalt)						

And the State Water Board of the State of Oregon being fully advised in the premises, it is hereby

CONSIDERED and ORDERED that the relative rights to the use of the waters of WHITE RIVER and its tributaries are hereby adjudicated, determined and settled in accordance with and as set forth in the foregoing findings, and it is further

CONSIDERED and ORDERED that each and every appropriator holding State Engineer's Permits for the appropriation of water from said White River and its tributaries shall have such water rights thereunder as is provided by law, and the rights of such appropriators shall be established in the manner provided by law for the issuing of water right certificates in such cases; and it is further

CONSIDERED and ORDERED that each irrigator herein is entitled to stock water and domestic use of such water during the time that water is available under his appropriation, along with such use of water for irrigation.

By Order of the State Water Board of Oregon, made at a deferred regular meeting of said Board, held on April 19, 1922.

Dated this 10th day of August, 1922, at Salem, Oregon.

(SEAL OF STATE WATER BOARD)

Percy A. Copper
PERCY A. COPPER

State Engineer, and President of
State Water Board.

GEO. T. COCHRAN
GEO. T. COCHRAN,

State Water Superintendent.

ATTEST:

R. W. Potter

R. W. POTTER,

Secretary.