

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR 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.)

D E C R E E

Now at this time, this matter coming on for the entry of final decree herein, and it appearing to the Court that all exceptions and contests filed since the entry of the findings and order of determination of the State Water Board have either been settled by stipulation or duly heard by the Court and disposed of by separate decrees or orders, and that said findings and order of the State Water Board should be modified in certain particulars, and the Court having carefully considered all evidence submitted herein and being now fully advised in the premises, it is hereby CONSIDERED, ORDERED, ADJUDGED AND DECREED that said findings and order of determination of the State Water Board as entered in the above entitled matter on the 10th day of August, 1922, are hereby modified to read as follows:

1.

That the date of the appropriation of the right 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. Brittan -----	2 acres
A. H. Gilles -----	4.6 acres
Ernest 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 SW $\frac{1}{2}$ NE $\frac{1}{2}$; 15 acres in the SE $\frac{1}{2}$ NE $\frac{1}{2}$; 8 acres in the SE $\frac{1}{2}$ NW $\frac{1}{4}$ Section 9, T. 4 S. R. 13E.W.M., and 8 acres in the SW $\frac{1}{2}$ NW $\frac{1}{4}$; 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 SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 40
acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T 4 S. R.
13 E. W. M., and the tabulation shall not
be taken as increasing said proportionate
amount.

G. W. Wing -----1 acre

Wilbur Wing -----12.5 acres

That the tabulation hereinafter contained shows 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.

2.

That it appears that Gustav Balzer, Alex McCartney and Frank
McCorkle use water from the same ditch, and that this ditch was taken out in 1884.
That all of the rights of said Gustav Balzer 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 his land, as described in the
tabulation hereinafter contained, when such use will not interfere with the use
by the said companies. That as against other appropriators the date of priority
of said right shall relate back to the year 1884.

3.

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 SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34; 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 2 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T. 3S. 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.

4.

That the rights of A. A. Bonney shall be limited to the irrigation of 106.5 acres under date of 1867, as hereinafter tabulated, and the amount of water diverted for the irrigation of said land shall be limited to one-half of one second foot.

5.

That as to the rights of F. M. Driver, who was allowed to intervene in this proceeding, said F. M. Driver shall be entitled under the general duty of water fixed herein to a sufficient amount of the waters of Rock and Gate Creeks, to be diverted through what is known as the Rock and Gate Creek Ditch, for the irrigation of 1 acre in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.1 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 4 South, Range 13 East, W. M., as said land is shown upon the map of said F. M. Driver heretofore filed in this proceeding. That said right shall have a priority date of 1887.

6.

That in the contests filed by Pacific Power & Light Company and Wapinitia Irrigation Company against the claim of French Estates, a corporation, it was stipulated that the French Estates should have a priority over and above said companies for 0.32 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 French Estates, and inasmuch as it will require about three second feet 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.

7.

That a stipulation has been entered, wherein the date of priority of the 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- $\frac{1}{4}$ shares; 8 acres under irrigation;
Driver, Tom,	5- $\frac{1}{4}$ shares; 15 acres under irrigation;
Driver, H.E.	9- $\frac{1}{4}$ shares; 21 acres under irrigation;
Farlow Estate,	2- $\frac{1}{4}$ shares; 6 acres under irrigation;
Fowler, F. M.,	2- $\frac{1}{2}$ shares; 6 acres under irrigation;
Gerity, Richard,	1- $\frac{1}{2}$ shares; 1 acre under irrigation;
Harvey, E. G.	9- $\frac{1}{2}$ shares; 26 acres under irrigation;
Johnson, W. H.	1 share ; 5 acres under irrigation;
Kennedy, J. E.	9- $\frac{1}{4}$ shares; 33.3 acres under irrigation;
McCoy, J. M.	3 shares; 5- $\frac{1}{2}$ acres under irrigation;
McGill, J. B.	5 shares; 1- $\frac{1}{2}$ acres under irrigation;
Patison, A. M.	3 shares; 8.8 acres under irrigation;
Roberts, D. C.	5- $\frac{1}{2}$ 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- $\frac{1}{2}$ shares; 15 acres under irrigation;
Woodcock, T. H.	1- $\frac{1}{2}$ shares; 3 acres under irrigation.

The description of the lands is set forth in the tabulation hereinafter contained, and the tabulation under the name of Gate Creek and Rock Creek Ditch Company will show the names of the stockholders. That the amount of water to which said Company shall be entitled shall be governed by the provisions of Paragraph 24 hereof, except that same shall be measured at some point as near as practicable to the head of the lateral ditches of said company, so that there shall be delivered at that point for use upon the lands of each individual user of water under said ditch company the amount of water which each of said users is entitled to upon his respective land, as described in the tabulation hereinafter contained.

8.

That as to the rights of F. P. Mays and C. A. Harth, said F. P. Mays shall have a priority of 1877 for 12 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1 acre in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, and 7 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, all in T. 4 S. R. 13 E. W. M.; and that the water for said 20 acres shall be taken from the Bonney or Harth ditch in accordance with the contract heretofore entered into by and between said F. P. Mays as party of the first part and C. A. Harth and others as parties of the second part, bearing date April 27, 1921 and recorded at page 8 of Volume 70 of Deed Records of Wasco County, Oregon; and a priority of 1865 for all of the remaining 206.2 acres described in the tabulation hereinafter contained. That as between F. P. Mays and C. A. Harth, the priority of 1867 given to 77.5 acres of land described in said tabulation shall be modified and changed to 1866. That as between C. A. Harth and F. P. Mays, the division and distribution of the water carried from Tygh Creek by the common ditch to the junction of the Mays ditch or the Harth or Bonney ditch shall be made as stipulated in said contract between said parties dated April 27, 1921, and such division and distribution shall be made without regard to priority. That said contract between said parties is hereby recognized and so far as to the distribution of the water referred to in said contract, the same shall be enforced the same as other portions of this decree.

9.

That as to the rights claimed by Joseph R. Keep, contested by the Pacific Power & Light Company and Wapinitia Irrigation Company, it appears that said Joseph R. Keep has no right, title or interest in or to any of the waters of White River or its tributaries, but that all the right, title and interest which said Keep ever had or acquired has been either lost or acquired by the Wapinitia Irrigation Company and its privies.

10.

That as to the rights of W. J. Knox, said Knox as successor in interest to James E. Isbell shall be entitled to use 18.6 second feet of the waters of Badger Creek diverted through the McCorkle ditch, with a priority date of 1879, for power purposes at a mill and millsite located in Section 6, Township 4 South, Range 13 East, W. M.

11.

Handwritten notes on left margin:
to be added
659.2 ac.
Nov 30 1911

That as to the rights of the Lost and Boulder Ditch Company, a corporation, said Company shall be entitled, with a priority date of 1901, to 7 second feet of water from Lost and Boulder Creeks, to be measured at or near the division box at the head of the main laterals of said Company situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T. 5 S. R. 11 E. W. M.; and shall also be entitled, under the same date of priority, to an additional one-half second foot of water for supplying the two small laterals between said division box and the point of diversion, to be measured at the head of said laterals. That said appropriation of seven and one-half second feet may be used on any of the 574.25 acres of land which have been irrigated by the individual stockholders of said Company as shown by the tabulation hereinafter contained. That in addition to said appropriation made in 1901, an appropriation was made in 1911 for 659.2 acres of land which at the commencement of this proceeding had not yet been placed under cultivation, and said Company is therefore allowed an inchoate right for said lands with priority date of 1911; and said Company is allowed one year from the date of this decree within which to complete such appropriation. That the State Engineer shall at the expiration of said time, or such extension thereof as he may allow for good cause shown, take the proof of said Company as to the completion of said right, and file his supplemental findings with this Court showing the extent to which said appropriation has been completed. That the amount of water diverted under the appropriation of 1911 shall be governed by the provisions of Paragraph 24 hereof; except that same shall be measured at the point herein above specified.

12.

That in the contest of Wapinitia Irrigation Company and Gate Creek and Rock Creek Ditch Company against W. E. Lucas, it was stipulated that the contestee should have a water right for 2.5 acres of land, with a priority

date of 1898, and said right is so tabulated.

13.

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

14.

Contest No. 67

Wapinitia Irrigation Company,
a corporation Contestant

vs

Pacific Power & Light Company,
a corporation Contestee.

That 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 feet 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 feet of water for power purposes, with a priority date of 1901.

15.

That from the evidence and record herein it appears that Bert Pitcher 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.

16.

That as to the rights of Mintie G. Renno, a stipulation was filed, from which it appears that an 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. That the rights of said claimant shall therefore be limited to 20 acres with priority of 1894 and 56.8 acres with priority of 1918. That the amount of water diverted for this land shall not exceed one second foot.

17.

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. That the amount of water to which said Company shall be entitled, shall be governed by the provisions of Paragraph 24 hereof, except that same shall be measured at some point as near as practicable to the diversion point of the stockholders' lateral ditches from the main ditch of said Company; so that there shall be delivered at that point for use upon the lands of each individual stockholder of said Company as described in the tabulation hereinafter contained, the amount of water that each of said stockholders is entitled to upon his respective land.

18.

That Henry Wing, Elsie Savage Wing, and A. T. Shadley 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 said parties; that they have continued the irrigation of said land, and that each of said parties are entitled to one miner's inch of water for domestic use, and that their right for irrigation shall be governed by Paragraph 24 as to the duty of water, together with the tabulation hereinafter contained.

19.

That it was stipulated by and between the Pacific Power & Light Company, Wapinitia Irrigation Company, and The Three Mile Creek Water Ditch Company that the priority date of the right 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 hereinafter contained. That the amount of water to which said Company shall be entitled shall be governed by the provisions of Paragraph 24 hereof, except that same shall be measured at some point as near as practicable to the head of the lateral ditches of said Company, so that there shall be delivered at that point for use upon the lands of each individual user of water under said ditch company the amount of water to which each of said users is entitled upon his respective land, as described in the tabulation hereinafter contained.

20.

That the Tygh Valley High Line Ditch Company made its appropriation under State Engineer's permit No. 220, and thereafter made final proof of appropriation thereunder and was issued Certificate No. 3317 by the State Water Board. That as provided by said Certificate, said company is entitled to 4.26

second feet of the waters of Badger and Tygh Creeks, for use upon 341 acres of land described in said Certificates. That said water shall be measured as near as practicable to the division box at the head of the lateral ditches of said Company, so that there shall be delivered at that point for use upon the lands described in said Certificate, 4.26 second feet of water, or its equivalent in case of rotation.

21.

That as to the rights of the Wamic Water Ditch Company (covered by the claim of J. D. Campbell), said Company shall be entitled to a water right from Three Mile Creek, with a priority date of 1889, for the irrigation of 15 acres of land as described in the tabulation hereinafter contained, and to 0.5 second feet for municipal purposes for the town of Wamic; these rights being allowed said Company in lieu of the rights covered by certificate No. 2306 heretofore issued by the State Water Board. That the amount of water diverted for irrigation shall be governed by the provisions of Paragraph 24 of this decree.

22.

Contest No. 48

Pacific Power & Light Company,
a corporation Contestant

vs

Wapinitia Irrigation Company,
a corporation 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 purpose 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 means 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 feet 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 feet. 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 feet 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 feet 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 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 this decree 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 Engineer may make such further extensions as may be necessary and expedient under and in accordance with the laws of the State of Oregon.)

That the State Engineer shall at the expiration of said time, or such extension thereof as he may allow for good cause shown, take the proof of said Company as to the completion of said right, and file his supplemental findings with this Court showing the extent to which said appropriation has been completed.

Wapinitia
Exp. No. 100
All part of
in Vol. 7, p. 440
apt. of time
Decided 7-26-35
Sp. Gr. Vol 2
p. 450

23.

That it appears that 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 this 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 therefore 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.

24.

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.

25.

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

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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.

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 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.

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, ^{or for power purposes as herein adjudicated} there shall be no restriction upon the water users in using such surplus water.

29.

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 appropriations, the number of acres to which such appropriation is applied, the use or uses to which said water was applied and is now applied and to which said right 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 right of each appropriator being set opposite his name and post office address, are as follows, to-wit:

WHITE RIVER -14-

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
5793 BADGER DITCH COMPANY By W. R. Norval, Pres. Wamic, Oregon.	May 27 1893		175.60	Irrigation	Badger	Badger Creek	For lands described under following named users.
(See Paragraph 1, Page 1.)							
(Bernhagen, Albert F.) Wamic, Oreg.			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, Oreg.			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, Oreg.			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, Oreg.			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, Oreg.			3				3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1 T. 4 S. R. 12 E. W. M.
(Johnson, Floyd) (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, Oreg.			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.
(Norval, W. R.) Wamic, Oreg.			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, Oreg.			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.

WHITE RIVER -15-

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, Oregon			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.
(Wing, C. W.) Wamic, Oregon			1				1 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 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 $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 T 4 S. R. 13 E. W. M.
5934 Balzer, Gustav ✓ Tygh Valley, Oregon (See Paragraph 2 page 2.	1884		8	Irrigation		Jordan Creek	2.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24 5.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25 T 3 S. R. 12 E. W. M.
5945 Bennett, A. S. ✓ The Dalles, Oregon (See Paragraph 3, page 2,	1874		20	Irrigation Domestic and Stock	Small ditches and sub- irrigation	Badger Creek and Springs	2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in 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. 4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3. T 4 S. R. 12 E. W. M.
5950 Bonney, A. A. ✓ Tygh Valley, Oregon (See Paragraph 4 page 3.	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.
5951 Brown, Geo. W. ✓ Veronia, Oregon	1894		2	Irrigation	Mead	Steers Springs	2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10. 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
593 Chastain, J. O. Wamic, Oregon	1892		3	Irrigation	Patison	Three Mile Creek	3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15. T 4 S. R. 12 E. W. M.
599 Dahl, C. B. (successor in interest to Andrew McCabe) Tygh Valley, Oregon (See also under Hauser & Dahl)	1900		2	Irrigation	McCabe	Tygh Creek	2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 T 3 S. R. 13 E. W. M.
596 Davidson, J. W. Tygh Valley, Oregon CANCELLED	June 1905		11	Irrigation		Springs ON SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16 T 4 S. R. 13 E.	11 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16 T 4 S. R. 13 E. W. M.
10 321 Power Claim #790		12		Power		White River	Place of use: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16. T 4 S. R. 13 E. W. M.
591 Driver, F. M. Wamic, Oregon (See Paragraph 5 page 3)	1887		5.1	Irrigation Domestic and Stock	Rock and Gate Creeks	Rock and Gate Creeks	1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19. T 4 S. R. 13 E. W. M.
594 Farlow, T. E. Wamic, Oregon.	1907		1	Irrigation		Gate Creek	1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31 T 4 S. R. 12 E. W. M.
595 Fitzpatrick, J. H. Tygh Valley, Oregon	1900	1		Municipal	Rotary Pump	Badger Creek	Water to be used in the village of Tygh Valley, Oregon.
7840 French Estates, A corporation, The Dalles, Oregon (See Paragraph 6 page 3)	1874	.32	225.83	Irrigation	Anderson	White River	10.65 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.45 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.80 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.50 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11 15.77 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 17.00 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.23 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.88 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 T 4 S. R. 13 E. W. M.
		Balance necessary					
	(Note: The date of 1874 is for .32 second feet 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)						

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>5496 74026 GATE CREEK AND ROCK CREEK DITCH COMPANY, T. H. Woodcock, Secy. Wamic, Oregon. (See Paragraph 7 page 3)</p>	1875		186.4	Irrigation	Rock Creek & Gate Creek	Rock Creek & Gate Creek	Lands described under names of individual users as follows:	
(Chandler, Ralph)	<p><i>Cont. 5716 Superseded by Cont. 7246 pursuant to Sp. Or. Vol p 351</i></p>			<p><i>except pt. of cont. Sp. Or. Vol 7, p. 207</i></p>		8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20. T 4 S. R. 12 E. W. M.		
(Crawford, Geo. E.)							6.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23. T 4 S. R. 12 E. W. M.	
(Driver, H. E.)							4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 14 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25. T 4 S. R. 12 E. W. M.	
(Driver, Thos.)							12 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24. T 4 S. R. 12 E. W. M.	
(Driver, Willis M.)							20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24. T 4 S. R. 12 E. W. M.	
(Farlow, Wm. H. Estate)							3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27. T 4 S. R. 12 E. W. M.	
(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)	<p>T-7105 A POU 1⁰-20</p>							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. H.)				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.	

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)							
(McCoy, J. M.)							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. H.)							3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20. T 4 S. R. 12 E. W. M.
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.

T-7105 A POU 30 ac

Exchanged with rights of C.S. McCorkle. Vol. 7 p 224 By: Sp. Or. Vol. 1, p 337

14 acres in SW SW Sec 13 T 4 S R 12 E

40638

60401

Medical Decree, Vol. 18 page 317 Decree, Vol. 18 page 317

T-4391 A POU

Trsf. P-97 chq. pt. of div Sp. Or. Vol. 17, p. 337

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>57578 5747 Harth, Chas. Tygh Valley, Oregon T#2974</p>	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.
	1866 (See Paragraph 8 page 4.)		77.5	Irrigation	Bonney	Tygh Creek	17.3 acres in S $\frac{1}{2}$ 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.
<p>5748 Hauser & Dahl (Hauser estate Heirs) By C. B. Dahl, Tygh Valley, Oregon</p>	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.
<p>5749 Hauser, K. L. Tygh Valley, Oregon</p>	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.
<p>5751 Kennedy, J. L. Laura Kennedy, Agent Wamic, Oregon.</p>	1873		2	Irrigation	Three Mile	Three Mile Creek	2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14. T 4 S. R. 12 E. W. M.
<p>5757 Kinney, Miles L. Wamic, Oregon</p>	1878		2	Irrigation	Rock Creek	Rock Creek	2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28. T 4 S. R. 12 E. W. M.
<p>26677 42172 Knox, W. J. (successor to Isbell, James E.) Tygh Valley, Oregon. (See paragraph 10 page 5)</p>	1879	18.6		Power	McCorkle	Badger Creek	18.6 second feet used for power purposes in Section 6. T 4 S. R. 13, E. W. M.
<p>Knox, W. J. (successor in interest to Fitzpatrick & Son) Tygh Valley, Oregon</p>	1879		11	Irrigation	McCorkle	Badger Creek	11 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6. T 4 S. R. 13 E. W. M.

Power Claim #120
 Cancelled - Sp. O. Vol. 10, p. 28

Sp. O. Vol. 10 p. 266 chg. plat
 of case (1997)

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>Superseded by 34533 Cert. No. 34534 LOST AND BOULDER DITCH 1901 COMPANY, a corporation By Frank T. Felch, President. Wamic, Oregon. (See Paragraph 11 page 5.)</p>	1911	(Vested 574.25 (Inchoate 659.2)	574.25 659.2	Irrigation Domestic and stock	Lost & Boulder	Lost & Boulder Creeks	For the acreage as shown under the names of the following water users from said ditch:
(Bargenholt, G. W.) Wamic, Oregon			22.5				11.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 11 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5. T 5 S. R. 12 E. W. M.
(Beatty, J. W.) Hood River, Oregon				Domestic			Domestic use on his farm tributary to Lost & Boulder Ditch.
(Blanchard, J. F.) Wamic, Oregon			37				37 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34. T 4 S. R. 12 E. W. M.
		(Inchoate)	123				30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 36 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 22 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34. T 4 S. R. 12 E. W. M.
(Bradway, J. C.) Wamic, Oregon			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			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			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. (12)
(Endersby, U. S.) Wapinitia, Oregon			5				5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13. T 4 S. R. 11 E. W. M.

Trsf. Sp. Or. Vol. 7 p. 62

7.08 Ac. Trsf. - Sp. Or. Vol. 5, p. 223

See statement of L. B. ...

14586

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)							
(Farlow, C. N.) Wamic, Oregon.			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.
			12.5		2 ac. Trsf. - V. 1, p. 489 3 " " " " " " " "		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.
	(Inchoate)		59.5				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.
(Farlow, J.M.G.N.) Wamic, Oregon			22.7				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.
	(Inchoate)		25.7				25.7 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$. Section 1. T 5 S. R. 11 E. W. M.
(Farlow, J. W.) Wamic, Oregon			176		7 $\frac{3}{4}$ Ac Trsf. Sp. 00 V. 12, p. 458		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.
	(Inchoate)		64.0				15 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7. 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7. 8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8. T 5 S. R. 12 E. W. M.
(Felch, F. T.) Wamic, Oregon			42.3				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.

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>(Felch, F. T.) Wamic, Oregon</p>		(Inchoate)	53.7				<p>8.7 acres in NE$\frac{1}{4}$NE$\frac{1}{4}$ Section 11. 10 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$ 15 acres in SW$\frac{1}{4}$NW$\frac{1}{4}$ 20 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$ Section 12. T 5 S. R. 11 E. W. M.</p>
(King, C. A.)			6				<p>6 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$ Section 11. T 5 S. R. 11 E. W. M.</p>
		(Inchoate)	44.0				<p>30 acres in SW$\frac{1}{4}$SE$\frac{1}{4}$ 14 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>			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>
		(Inchoate)	28.0				<p>28 acres in NE$\frac{1}{4}$NE$\frac{1}{4}$ Section 5. T 5 S. R. 12 E. W. M.</p>
<p>(Kennedy, J. E.) Wamic, Oregon</p>			87.4		<p>* part trust - Sp. Cr Vol. 8, p. 226</p>		<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>
		(Inchoate)	135.0				<p>40 acres in NW$\frac{1}{4}$SW$\frac{1}{4}$ 15 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$ 30 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$ 30 acres in SW$\frac{1}{4}$SE$\frac{1}{4}$ 20 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$ Section 11. T 5 S. R. 11 E. W. M.</p>
<p>(Large, Etta) Wamic, Oregon</p>			10				<p>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.</p>
<p>(Ledford, S. G.) Wamic, Oregon</p>			6.2				<p>6.2 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$ Section 12. T 5 S. R. 11 E. W. M.</p>
		(Inchoate)	32.0				<p>32 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$ Section 12. 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
<p>LOST & BOULDER DITCH COMPANY (Continued)</p>							
<p>(Mayfield, Malinda) Wamic, Oregon</p>			40				<p>7.2 acres first, See Sp. Cr. → 38 acres in NW¹/₄NW¹/₄ 2 acres in SW¹/₄NW¹/₄ ✓ Section 7. T 5 S. R. 12 E. W. M.</p>
<p>(Mayfield, W. H.) Wamic, Oregon</p>			12				<p>1 acre in SE¹/₄SW¹/₄ ✓ Section 31. T 4 S. R. 12 E. W. M.</p> <p>5 acres in NW¹/₄NE¹/₄ ✓ 6 acres in SW¹/₄NE¹/₄ ✓ Section 6. T 5 S. R. 12 E. W. M.</p>
	(Inchoate)		46.0				<p>10 acres in SE¹/₄SW¹/₄ ✓ Section 31. T 4 S. R. 12. E. W. M.</p> <p>10 acres in NW¹/₄NE¹/₄ ✓ 10 acres in SW¹/₄NE¹/₄ ✓ 8 acres in NE¹/₄NW¹/₄ ✓ 8 acres in NW¹/₄NW¹/₄ ✓ Section 6 T 5. S. R. 12 E. W. M.</p>
<p>(Morgan, B. W.) Wamic, Oregon</p>			5				<p>5 acres in SW¹/₄SE¹/₄ ✓ Section 36. T 4 S. R. 11 E. W. M.</p>
	(Inchoate)		19.0				<p>19 acres in SW¹/₄SE¹/₄ ✓ Section 36. T 4 S. R. 11 E. W. M.</p>
<p>(Stancliff, D. M.) Edinboro, Penn.</p>			13.15				<p>1 acre first, see Sp. Cr. → 8.15 acres in SW¹/₄SW¹/₄ ✓ Vol. 2 page 132 Section 1. 5 acres in NW¹/₄NW¹/₄ ✓ Section 9. T 5 S. R. 11 E. W. M.</p>
<p>(Weberg, A.) Wamic, Oregon</p>			5				<p>4 acc. Trans-Sp. Vol. 4, 9, 15 → 0.6 acres in NE¹/₄SW¹/₄ ✓ 4.4 acres in SE¹/₄SW¹/₄ ✓ Section 32. T 4 S. R. 12 E. W. M.</p>
<p>(Woodcock, J. E.) Wamic, Oregon</p>			10.3				<p>4.7 acres in NE¹/₄NE¹/₄ ✓ 3 acres in NW¹/₄NE¹/₄ ✓ 2 acres in SW¹/₄NE¹/₄ ✓ 0.6 acres in SE¹/₄NE¹/₄ ✓ Section 12. T 5 S. R. 11. E. W. M.</p>
	(Inchoate)		29.3				<p>29.3 acres in NE¹/₄ ✓ Section 12. 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
5753 Lucas, W. E. ✓ Wamic, Oregon (See Paragraph 12 page 5.)	1898		2.5	Irrigation	Rock & Gate Creek Ditch	Rock & Gate Creek Ditch	2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20. T 4 S. R. 12 E. W. M.
51359 Superseded by 32385 Cont. No. 30908 & 3447 Mays, F. P. ✓ Tygh Valley, Oregon (See Paragraph 8 page 4.) Cancelled - sp. or Rec. Vol. 225 P. 225	1865		281.7	Irrigation	Mays	Tygh Creek	16.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 27.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 32.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3. 19.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 27.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4. T 4 S. R. 13 E. W. M.
(See also under Badger Ditch Company) Ch. of Badger Ditch for { U.S. Ac. Test Sp. or Vol. 12, p 408 24 $\frac{1}{2}$ - 13 $\frac{1}{2}$ -							
	1865		206.2	Irrigation	Bonney or Harth	Tygh Creek	7.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2. 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 6.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 36.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3. 22.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 7.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10. 24. acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11. T 4 S. R. 13 E. W. M.
	1877		20				7.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2. 1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3. T 4 S. R. 13 E. W. M.
5755 McCartney, Alex ✓ Tygh Valley, Oregon	1884		27.2	Irrigation	McCowan	Tygh and Jordan Creeks	2.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 21 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26. T 3 S. R. 12 E. W. M.
44637 4466 McCorkle, F. E. ✓ Tygh Valley, Oregon Superseded by 35926 Cert. No. 453 Spec. Or. Vol. R-107 T-5275 A POD (ADD' POD) (C-46637)	1889		25	Irrigation	McCorkle	Tygh and Jordan Creeks	* 8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25. T 3 S. R. 12 E. W. M.
5757 Miller, J. H. and Zumwalt, W. E. Wamic, Oregon	1873		3	Irrigation	Three Mile	Three Mile Creek	3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14. 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
5958 Nickerson, W. K. v Tygh Valley, Oregon (See Paragraph 13 page 6.)	1902		16	Irrigation	I. J. Powell	Three Mile Creek & White River	4.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10. T 4 S. R. 13 E. W. M.
Change in use - Sp. Ct. Vol. 6, p. 28	1916		16	Irrigation		Three Mile Creek & White River	16 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10. T 4 S. R. 13 E. W. M.
5959 Norval, V. O. v Wamic, Oregon (Successor in interest to Fred Bicksel)	1888		2.97	Irrigation	Bicksel	Rock Creek and Gate Creek	1.07 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.90 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27. T 4 S. R. 12 E. W. M.
5960 Pacific Power & Light Company, Gasco Building, Portland, Oregon. (See paragraph 14 page 6.)	1901	250 sec. ft. 4233H. P. 149 ft. fall.		Power <i>see Power Claim # 22</i>	Dams, reservoirs and pipeline	White River	Place of use is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7. T 4 S. R. 14 E. W. M.
5961 Pitcher, Bert Tygh Valley, Oregon See Paragraph 15 page 6.	1891		16.5	Irrigation	Ruckers	Springs on land irrigated and also on NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15	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. 15 E. W. M. T 4 S. R. 13 E. W. M.
5962 Purcell, Will T. Wamic, Oregon	1883 1902		2 33	Irrigation	Hill	Gate Creek	10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36. 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.
6040 5/13 Renno, Mintie G. Camas Valley, Oregon (See paragraph 16 page 6.) Modified by Decree, Vol. 18 Page 317 Modified by Decree, Vol. 18 Page 317 T-4391 A POD	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. 15 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. 13 km
5964 Round Prairie Water Ditch Company, Steve Wing, Secy Wamic, Oregon (See paragraph 17 page 6.)	Jan. 7 1874	Total	174.5	Irrigation acres	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.

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 COMPANY, (Continued)	1874						
(Magill, J. B.) Wamio, 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.) Wamio, 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.) Wamio, 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.
(Seuffert, Mrs. T. J. Jr.) Wamio, 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 $\frac{1}{4}$ 6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10. T 4 S. R. 12 E. W. M.
(Simms, Harry) Wamio, 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.) Wamio, Oregon			20.5				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.) Wamio, 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.) Wamio, 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) Wamio, 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.

T-5553 A POU ALL

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
5765 Seufert, Mrs. T. J. Jr. Wamic, Oregon. By T. J. Seufert, Jr.	1892		3	Irrigation	Patterson	Three Mile Creek	3 acres in SE 1/4 SE 1/4 Section 10. T 4 S. R. 12 E. W. M.
(See also under Round Prairie Water Ditch Company)							
63848 67110 67112 5966 Shalley, Abraham T. Wamic, Oregon	1898		12.5	Irrigation	Jacob Speth	Three Mile Creek	6.5 acres in SW 1/4 SW 1/4 Section 8. 6 acres in NW 1/4 NW 1/4 Section 17. T 4 S. R. 12 E. W. M.
<i>change in place of use - Sp. Or. Vol. 6, p. 69 ch. use @ p. 12 of use, pt. of div. Vol. 14, p. 93</i>							
5767 Southern Wasco County Fair Association, By S. W. Hanson, Pres. Tygh Valley, Oregon.	1867		29.5	Irrigation	Thompson	Badger Creek	29.5 acres in SE 1/4 NW 1/4 Section 5. T 4 S. R. 13 E. W. M.
5768 Steers, V. P. Tygh Valley, Oregon.	1897		6	Irrigation	Steers Springs	5 springs on NE 1/4 NE 1/4 & NW 1/4 NE 1/4 Sec. 15 T 4 S. R. 13 E.	6 acres in NW 1/4 NE 1/4 Section 15. T 4 S. R. 13 E. W. M.
5769 Stilwell, W. C. Tygh Valley, Oregon Power Claim # 67	1901	66 Sec. ft. 60 H. P.		Power		Tygh Creek	Place of use: SW 1/4 SE 1/4 Section 4 T 4 S. R. 13 E. W. M.
50 735 74030 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:
<i>Cert. 5770 Superseded by Cert. 7245 pursuant to transfer. Vol. 1p. 357</i>							
(Harvey Bros.)			24				4 acres in SW 1/4 NE 1/4 4 acres in SE 1/4 NE 1/4 16 acres in SE 1/4 NW 1/4 Section 22. T 4 S. R. 12 E. W. M.
(Kennedy, J. E.)			63.9				8.6 Acres in SE 1/4 NE 1/4 Section 21. 21.6 acres in SW 1/4 NW 1/4 16.4 acres in NE 1/4 SW 1/4 6 acres in NW 1/4 SW 1/4 11.4 acres in NW 1/4 SE 1/4 Section 22. T 4 S. R. 12 E. W. M.
(Mayfield, John)			40				32.6 acres in SE 1/4 SW 1/4 7.4 acres in SW 1/4 SE 1/4 Section 22. 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
<p>THREE MILE CREEK WATER DITCH COMPANY (Continued) <i>Federal Land Bank of Spokane, Wn.</i> (McGorkle, C. S.)</p>	1870		<p><i>15</i> (14)</p>	<p>Exchanged with rights of F.M. Swift Vol. 7, p. 214 By: Sp. Or. Vol. 1, p. 337 <i>↳ sec T-4997</i></p>			<p>14 acres in SW$\frac{1}{4}$SW$\frac{1}{4}$ Section 25. T 4 S. R. 12 E. W. M. <i>5 acres in SW SW 7 " " SE SW 3 " " SW SE Sec. 15 T. 4 S R 12 E</i></p>
<p>TYGH VALLEY HIGH LINE DITCH COMPANY, By C. A. Harth, Pres. Tygh Valley, Oregon. (See Paragraph 20 page 7.)</p>							
<p><i>5711</i> Van Duya, C. J. Tygh Valley, Oregon</p>	1878		35	Irrigation	Terrill or Van Duya	Three Mile Creek	<p>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.</p>
<p>(See also under Badger Ditch Company)</p>							
<p><i>5712</i> WAMIC WATER DITCH COMPANY Wamic, Oregon (See Paragraph 21 page 8.)</p>	1889		15	Irrigation		Three Mile Creek	<p>1 acre in NW$\frac{1}{4}$NE$\frac{1}{4}$ <i>changed Pto of Dist. Spec. Or. Vol 4, p. 12</i> 11 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$ 3 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$ Section 14. T & S. R. 13 E. W. M.</p>
	1889	0.5 Sec. ft.		Municipal			
<p>WAPINITIA IRRIGATION COMPANY, By S. G. Card, Secy. 412 Fenton Bldg. Portland, Oregon</p>							
<p>(See Paragraph 22 page 8.)</p>							
<p>Wing, C. W. Tygh Valley, Oregon</p>						Badger Creek	Permit No. 2341.
<p>(See also under Badger Ditch Company and Round Prairie Water Ditch Company)</p>							
<p><i>6084</i> <i>5713</i> <i>T-4130</i> Wing, Elsie Savage Wamic, Oregon (See Paragraph 18 page 7.)</p>	1898		8.4	Irrigation	Jacob Speth	Three Mile Creek	<p>8.4 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$ Section 9. T 4 S. R. 12 E. W. M.</p>
<p><i>5714</i> Wing, Henry Wamic, Oregon (See Paragraph 18 page 7.)</p>	1898		3.3	Irrigation	Jacob Spath	Three Mile Creek	<p>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.</p>
<p><i>5715</i> Young, A. M. Kuna, Idaho (See Paragraph 23 page 12)</p>	June 1907		7.7	Irrigation	Three Mile and A. M. Young	Three Mile Creek	<p>7.6 acres in SW$\frac{1}{4}$SW$\frac{1}{4}$ Section 17. 0.1 acre in SE$\frac{1}{4}$SE$\frac{1}{4}$ Section 18. T 4 S. R. 12 E. W. M.</p>
<p><i>Ch. Pt. of Div. Sp. Or. Vol. 7, p. 467 T-5421 A POU - 11</i></p>							
<p>Zumwalt, W. E. (See Miller and Zumwalt)</p>							

And the Court 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
herein
and settled in accordance with and as set forth ~~in the foregoing decree~~, and
it is further

CONSIDERED AND ORDERED that each and every appropriator holding
a State Engineer's Permit for the appropriation of water from said White River
or its tributaries shall have such right 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.

Done and dated at the Dalles, Oregon, this 30th day of
November, 1923.

FRED W. WILSON.
Circuit Judge.

STATE OF OREGON,)
) SS.
County of Wasco.)

I, W. L. Crichton, County Clerk and Ex-Officio Clerk of the Circuit
Court, do hereby certify that the foregoing copy of Decree 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,
has been by me compared with the original Decree now of record in my office, and
that the same is a full, true and correct transcript therefrom and of the whole of
said original, as the same appears of record in my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal,
this the 30th day of November A.D. 1923.

W. L. CRICHTON,
County Clerk

"Endorsed"
E #3285
In the Circuit Court of the State of Oregon for 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.

DECREE
Filed Nov. 30, 1923.
W. L. Crichton, Co. Clerk
By E. A. Elton Deputy.

STATE OF OREGON,)
) SS.
County of Marion.)

I, Rhea Luper, State Engineer of the State of Oregon, do hereby
certify that the above and foregoing is a full, true and correct copy of the
Final Decree in the matter of the determination of the relative rights of the
various claimants to the use of the waters of White River, a tributary of Deschutes
River, and of the whole thereof, as received in the office of the State Engineer
and entered of record on December 5th, 1923.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 5th day of
December, 1923.

Rhea Luper
RHEA LUPER,
STATE ENGINEER.