

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

IN THE MATTER OF THE DETERMINATION OF)
THE RELATIVE RIGHTS TO THE USE OF THE)
WATERS OF FIFTEEN MILE CREEK AND ITS) D E C R E E.
TRIBUTARIES, A TRIBUTARY OF)
COLUMBIA RIVER.)

Now at this time this matter coming on for the entry of final decree herein, and it appearing to the Court that all exceptions filed since the entry of the modified findings and order of determination of the State Water Board have been duly heard by the Court or otherwise disposed of, and that the determination of the said Board should be affirmed in all particulars with the exception of slight modifications in the rights of Jennie Percy and the City of Dufur, 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 modified findings and order of determination as entered by the State Water Board in the above entitled matter on the 15th day of November, 1922, are hereby modified to read as follows:

1.

That on the 23rd day of May, 1921, the State Water Board made and caused to be entered of record in its office, findings of fact and an order of determination, determining and establishing the several rights of the various claimants to the use of the waters of Fifteen Mile Creek and its tributaries. That a certified copy of said findings of fact and order of determination was thereafter filed with the clerk of the Circuit Court for Wasco, County, together with the original evidence and testimony taken in said proceeding, and certified copies of the observations and measurements and maps of record in the State Engineer's office in connection with such determination.

2.

That upon application of the State Water Board, the Circuit Court for Wasco County did, on the 4th day of August, 1921, enter an order, fixing a time at which said determination of the State Water Board would be heard in said Court, and that a certified copy of said order was thereupon filed with the State Water Board by the Clerk of said Court. That the Secretary

of the State Water Board immediately upon receipt of said order, gave notice by registered mail, to each claimant or owner who had appeared in said proceeding, of the time and place for such hearing. That due proof of service of said notice was made and filed with the Circuit Court for Wasco County.

3.

That on the 7th day of November, 1921, there was filed with the State Water Board a certified copy of an order of the Circuit Court for Wasco County dated November 5, 1921, directing that the entire record in said proceeding be returned to the State Water Board, and that the Board fix a time and place at which any parties not theretofore served with notice for the filing of claims in said proceeding as provided by Section 5733 Oregon Laws, might appear and file their claims to the waters of said stream; and that the Board thereafter fix a new time and place for the inspection of such claims and evidence as had been filed, as provided by Section 5738 Oregon Laws.

4.

That on the 23rd day of November, 1921, the State Water Superintendent did send by registered mail to each person, firm or corporation, claiming a right to the use of any of the waters of said stream, or being in possession of lands bordering on or having access to said stream or its tributaries, and who had not theretofore been served with such notice, insofar as such claimants and owners could be reasonably ascertained, a notice similar to the notice theretofore given, fixing a time and place at which the State Water Superintendent or his assistant would attend and receive any additional claims or amendments to claims theretofore filed.

5.

That at the time and place so fixed by said notice, a duly appointed assistant to the State Water Superintendent did attend and receive claims, and the following named parties appeared and submitted additional claims to right to the use of the waters of said stream, to-wit:

FIFTEEN MILE CREEK

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Brookhouse, Rosa B.	The Dalles, Oregon.
Cushing, Mrs. Mary	The Dalles, Oregon, R.F.D. # 3.
Gibson, Elizabeth	The Dalles, Oregon, 1119 Pine Street
Johnston Land & Stock Co.	Dufur, Oregon.
Martin, John V.	Boyd, Oregon.
Pearcy, Howard & Jennie	The Dalles, Oregon.
Underhill, Mrs. E. A.	Dufur, Oregon.
Ward, J. W.	The Dalles, Oregon, 419 Webster Street

That amended claims, or amendments to claims already on file, were filed by the following:

Bolton, D. L.	The Dalles, Oregon, 922 Fulton Street
Brookhouse, Richard	The Dalles, Oregon, R.F.D. # 3.
Carleton, H. E.	Dufur, Oregon.
Dufur Orchard Land Co.	Dufur, Oregon.
Fax Nicholas	The Dalles, Oregon, R.F.D.# 3
Ketchum, Delaney P	The Dalles, Oregon, 216 E.5th Street
Moseman, Fred	Boyd, Oregon.
Smith, Edgar N.	Dufur, Oregon.
Venderpool, Wm. T.	Dufur, Oregon.
Yager, Jacob C.	The Dalles, Oregon, 315 E. 5th Street
Yager, Henry J.	Boyd, Oregon, R.F.D. # 2.

That after the time for the filing of said claims had expired, additional claims or amendments were filed by the following parties:

Boule, D. F.	The Dalles, Oregon, Motor Route A.
Clarke, Eva L	Hood River, Oregon.
Gill, Ruby A	Dufur, Oregon.
Gilpin, Mrs. Lois A	The Dalles, Oregon, 1004 Federal St.
Slusher Brothers	Dufur, Oregon.

6.

That in addition to those parties who were similarly notified in the first proceeding before the Board of the time and place for filing claims in this matter, the following named persons were duly notified by registered mail 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 the use of the waters of said stream, if any they have or claim, and such parties are in default and that such default is hereby entered against them, and that each of them is hereby enjoined and inhibited from using or asserting and right to the use of the waters of said stream, except by, through, or under rights hereinafter acquired in accordance with law, to-wit:

Bernard, Chas	The Dalles, Oregon, Rt # 1.
Bettingen & Houghton, Trustees	The Dalles, Oregon.
Brown, B. C.	Dufur, Oregon.
Faught, E. C.	Dufur, Oregon.
Gervais B. B. & Mary F.	The Dalles, Oregon, Rt # 3.
Gibson, J. H.	The Dalles, Oregon.
Hudson, Garfield	Boyd, Oregon.
Keithley, Emerson	The Dalles, Oregon, Rt # 1.
Larsen, Ludwig Theo.	The Dalles, Oregon Rt # 3.
Marvel, A. A.	Boyd, Oregon.
McClintock, Geo. E.	Dufur, Oregon.
Remington, Isaac B	The Dalles, Oregon, Rt # 3.
Ridman, Seth L.	Dufur, Oregon.
Small, J. B.	Dufur, Oregon.
Trudell, Gegoire	Dufur, Oregon.
Wilson, T	Boyd, Oregon.

That upon the completion of the taking of claims by the State Water Superintendent, said Superintendent did, on the 5th day of January, 1922, give notice by registered mail to each of the claimants hereinbefore named, and to all other claimants who had theretofore appeared in this proceeding, that at the times and places named in said notice, to-wit: for a period of four days, beginning on Tuesday, January 17, 1922, and ending on Friday, January 20, 1922, in the Circuit Court Room of the County Court House at The Dalles, Oregon; and for a period of eight days, beginning on Monday, January 23, 1922, and ending on Tuesday, January 31, 1922 (Sundays excepted), at the office of the State Water Board in the Capitol Building, at Salem, Oregon; all of said evidence and claims would be open to inspection by the various claimants or owners. That a duly authorized representative of the State Water 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 said notices has been made and filed as a part of the record 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.

Grover C. Slusher, T.B. Slusher, H. D. Slusher and R. S. Slusher

Contestants

v

D.L. Bolton, Grant Bolton, Joseph Boyer, H.E. Carlton, Eva Lillian Clark, E. J. Collins, Dufur Orchard Land Co., Arabelle Staats, Lizzie Dufur, Andrew B. Dufur, Blanche G. Grier, C. F. Emerson, Nicholas Fax, P. McD. Fuller, James Fulton, Jr., Mace Fulton, Ruby Avis Gill, Frank B. Ingles, Julius Kaser, Earnest O. Mead, Adolph Perrault, Seufert Bros Company, Melvin Sigman, Wm. T. Vanderpool, Emil I. Ward, Sam Ward, Howard Percy, Jennie Percy and James C. Benson,

Contestees.

Contest No. 2.

Fred Moseman, Grant Bolton, Sam P. Ward, Emil I. Ward, Adolph Perrault, D. L. Bolton, P. McD. Fuller, James Fulton, Jr., Mace Fulton, E. C. Haight, and Nicholas Fax,

Contestants

v

Melvin Sigman, Grover C. Slusher, T. B. Slusher, H. D. Slusher, and R. S. Slusher, doing business as Slusher Brothers, Seufert Bros. Company, a corporation, Frank B. Ingles, Edgar N. Smith, E. J. Collins, WM. T. Vanderpool, H. E. Carleton, Dufur Orchard Land Company, a corporation, Eva Lillian Clarke, W. H. H. Dufur, and Ruby Avis Gill,

Contestees.

Contest No. 3.

Leon W. Curtis,

Contestant

v

Harvey McAllister, Guy R. Harvey, Jos. C. Evans, H. P. Sorenson, Theodore B. Sorenson, R. H. Bronleewe, Vena E. Gibson, H. L. Harvey, C. R. Stoughton, W. L. Vanderpool, Calvin Stiles, J. M. Parker, Heirs of Mary Bissett, T. L. Lorenzen, T. C. Elliott, M. M. Burtner, Maggie B. Burtner, T. Wilson, Chas. D. Gregovich, Freddie Gibson and the Dufur Orchard Co., a corporation, comprising and constituting the Wolf Run Water Users Association,

Contestees.

Contest No. 4.

Harvey McAllister, Guy R. Harvey, Jos. C. Evans, H. P. Sorenson, Theodore B. Sorenson, R. J. Bronleewe, Vena E. Gibson, H. L. Harvey, C. R. Stoughton, W. L. Vanderpool, Calvin Stiles, J. M. Parker, Heirs of Mary Bissett, deceased, T. L. Lorenzen, T. C. Elliott, M. M. Burtner, Maggie B. Burtner, T. Wilson, Chas. D. Gregovich, Freddie Gibson, and the Dufur Orchard Co., a corporation, comprising and constituting the Wolf Run Water Users Association,

Contestants

v

Seufert Bros. Company, a corporation, Leon W. Curtis, Etta Waterman, J. F. Hillman, Howard Percy, Jennie Percy, Belle Bauer, John M. Darneille, Sr., Ira L. Waterman, Frank G. Dick, F. L. Houghton, Daniel C. Butler, Minnie Butler, W. A. Doyle, J. A. Tidyman, Otis Morgan, D. D. Darling, Vincent J. Kelly, Thos. B. Leabo and George F. Masquart

Contestees.

9.

That after the filing of said statements of contest the State Water Superintendent did fix a time and place for the hearing of each and every of said contest 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 of said notice has been made and filed as a part of the record herein.

That said State Water Superintendent did, at the time so set by said notice, begin the taking of testimony upon said contests, and continue the same until each and every of said contests were fully heard, settled or other-

wise disposed of

That thereafter the evidence taken in said contests, together with the evidence taken in the original hearings before the Superintendent, was transmitted by the Superintendent to the State Water Board, and such evidence was thereupon filed with the Board.

10.

Contest No. 1 Grover C. Slusher, et al, Contestants, V. D. L. Bolton, et al., Contestees.

That this contest was settled by stipulation, wherein it was stipulated and agreed that the date of the initiation of said Contestants' rights to the waters of Fifteen Mile Creek, through what is known as the Slusher Brothers Ditch, is March 4, 1861, and that the claim of said Contestants to the waters of said Fifteen Mile Creek for the irrigation of land in Section 33, T. 1 S. R. 13 E. W. M., (being about 30 acres), may be eliminated from their statement and proof of claim herein. It was further stipulated that said contest be dismissed as against all other parties thereto. In accordance with the terms of said stipulation, the date of priority of the rights of Grover C. Slusher, T. B. Slusher, H. D. Slusher and R. S. Slusher, through the Slusher Brothers Ditch from Fifteen Mile Creek, is hereby determined to be as of the date of March 4, 1861, to the extent and for the purposes as set forth in the tabulated statement hereinafter contained. And the rights of the other parties to said contest are as otherwise determined herein.

It was further stipulated by and between said contestants and contestee Frank B. Ingels that the appropriation of said Ingles for power purposes should have a date of priority subsequent to 1890. The right of said Frank B. Ingels for 4 second feet of water for power purposes shall accordingly be deemed as having a date of priority of 1891.

11.

Contest No. 2. Fred Moseman, et al., Contestants, v. Melvin Sigman, et al., Contestees.

That this contest was also settled by a stipulation, having the same terms as the stipulation settling Contest No. 1 insofar as the rights of Grover C. Slusher, T. B. Slusher, H. D. Slusher and R. A. Slusher were concerned, and was dismissed as to all other parties.

12.

Contest No. 3. Leon W. Curtis, Contestant v. Harvey McAllister, et al., Contestee.

That this contest was dismissed on stipulation of the parties thereto.

Contest No. 4. Wolf Run Water Users Association, Contestant, v.

Seufert Bros., et al, Contestees.

That this contest was settled by stipulation insofar as the rights of Leon W. Curtis are concerned, herein it was stipulated and agreed by the above named Contestant and Contestees that said Leon W. Curtis waives all claim to the waters of Eight Mile Creek for irrigation purposes in excess of sufficient water to irrigate $6\frac{1}{2}$ acres of land described as follows: 5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T. 2 N. R. 14 E., and $1\frac{1}{2}$ acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T. 1 N. R. 14 E. W. M., Wasco, County, Oregon. And the rights of said Contestee are defined and determined in accordance with the terms of said stipulation.

It was further stipulated and agreed by and between the said Contestant and Contestee, Wm.A. Doyle, (transcript of testimony, page 216), that said Contestee is entitled to irrigate the amount of irrigable land shown on the State Engineer's maps, north of the creek, from the waters of Eight Mile Creek, aggregating 10.2 acres; and that the land on the south side of the creek, insofar as it is irrigated, is supplied from springs and not from Eight Mile Creek; the springs being on the land owned by the claimant Doyle; and that the priority date of the right of said Contestee Doyle is as stated in his statement and proof of claim. In accordance with the terms of said stipulation the rights of said Wm. A. Doyle are as more fully defined in the tabulated statement hereinafter contained.

It was further stipulated and agreed by and between the said Contestant and Contestee Seufert Brothers Company, (transcript of testimony, page 234), that the amount of water to be allowed the said Seufert Brothers Company for power and manufacturing purposes, together, may be, so far as the parties stipulating are concerned, 0.66 second feet, and that the water, after passing through the power wheel may be used for manufacturing purposes; and that the priority of said right is as set forth in said Contestee's statement and proof of claim. In accordance with the terms of said stipulation, the rights of said Seufert Brothers Company are as more fully defined and determined in the tabulated statement hereinafter contained.

That prior to the 29th day of December, 1906, W. B. McCoy, F. E. McCoy and L. E. Springer had begun the construction of a ditch and attempted to appropriate the waters of Tamarack Creek for the irrigation of their lands. That a suit was brought by M. M. Waterman, wherein said Waterman was plaintiff and W. B. McCoy, F. E. McCoy and L. E. Springer were defendants, wherein an injunction was issued, perpetually restraining and enjoining said defendants and all persons acting by, under or through

them, or either of them, from in any manner diverting water from said Tamarack Creek or Eight Mile Creek, or from taking water by a ditch or otherwise from the channel of said Tamarack Creek or in anywise interfering with the waters of Tamarack Creek. In accordance with the terms of the injunction the project to appropriate the waters of Tamarack Creek was abandoned. In the year 1909, after the enactment of the Water Code, the Wolf Run Water Users Association applied to the State Engineer and received permits to appropriate and divert the waters of Tamarack Creek, Springs and Gulch, for the purpose of irrigating 385 acres of land owned by the members of said Association. That this new appropriation by the Wolf Run Water Users Association was made in the manner prescribed by law, and upon the completion of the State Engineer's permits, due proof of which was made to the State Water Board, said Board issued water right certificates, which are of record in Volume 3, pages 2353, 2358 and 2359, of State Record of Water Right certificates, and said certificates have never been contested. The Board finds that the Wolf Run Water Users Association is not a successor in interest or in any way connected with the defendants, W. B. McCoy, F. E. McCoy and L. E. Springer, and is therefore not bound by the restraining order issued in said suit.

That Contestant attempted to show that the rights of the Contestees had been lost by abandonment on account of non-use of water for a period of 5 successive years, as provided by Section 5776 Oregon Laws (Laws of Oregon for 1913, Chap. 279, page 531). The State Water Board began the taking of testimony in this proceeding on the 9th day of September, 1919, and it appears that Contestees Howard and Jennie Percy did not use water for irrigation for a period of 5 successive years prior to said 9th day of September, 1919, with the exception that seepage water from the John Darneille ditch, which passes through the upper Percy place, has moistened and benefitted to some extent an area of 10 or 12 acres of the Percy land, by sub-irrigation, but it appears that during such time no attempt was made by said named Contestees to compel the Contestant to turn water down to them. That as to such Contestees there has been an abandonment of all water rights so far as irrigation is concerned, except as to water for said 10 or 12 acres. That such Contestees have used water for stock and domestic use, and that their water rights as to stock and domestic use will therefore be continued as of the dates claimed in their statements and proofs of claim. That since this proceeding commenced, Howard Percy has died, and the lands described in the statements and proofs of claim of Howard and Jennie Percy are now owned by the Estate of Howard Percy. The rights of said Contestees shall be tabulated for stock and domestic use and the irrigation of 12 acres of land. That as to the other Contestees named in said Contest # 4, there is not sufficient evidence to show that either or any of them have failed and neglected to use water for 5 successive years prior to the commencement of this proceeding to such an extent as to work an abandonment of their rights, and their rights shall therefore be as determined in the tabulated statement hereinafter contained.

That it appears that Vincent J. Kelly has succeeded to the interests of D. D. Darling in and to the waters of Tamarack Creek. That it appears from the evidence that the lands described in the statement and proof of claim of Ira Waterman are now owned by F. L. Houghton and Frank G. Dick; that said Houghton has succeeded to Waterman's interest in the following described lands: SW $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; West 15 acres of SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, T. 1 S. R. 13 E. W. M.; that said Dick has succeeded to said Waterman's interest in the following described lands: East 25 acres of SE $\frac{1}{4}$ NW $\frac{1}{4}$; 6 acres in the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T 1 S. R. 13 E. W. M.

That as to the extent of the rights to the use of water for irrigation, it appears that F. L. Houghton and his predecessors have irrigated only 40 acres instead of 69.7 acres as claimed, and that Frank G. Dick and his predecessors have irrigated only 2 acres instead of 9.3 acres as claimed, and that Etta Waterman has irrigated only 12 acres instead of 23.67 acres as claimed; and that D. C. & Minnie Butler have irrigated only 17 acres instead of 29 acres through the Southern ditch which was taken out in 1891 instead of 1880 as claimed, and that Vincent J. Kelly and his predecessors have irrigated only 30 acres instead of 40 acres as claimed. That the rights of said Contestees shall therefore be modified accordingly, and shall be set forth in the tabulation hereinafter contained.

14.

That D. F. Boule appeared and filed his statement and proof of claim January 19, 1922 and that Mrs. Lois Gilpin appeared and filed her statement and proof of claim January 20, 1922. That said claims were filed during the time when the evidence and testimony taken in this proceeding was open to public inspection, as provided by Section 5738 Oregon Laws, which was after the time fixed for the receiving of claims by the State Water Superintendent had expired.

That said claims have been included in the tabulation hereinafter contained, and if no exceptions are filed to said rights after these proceedings come before the Circuit Court for Wasco County, such claims should be allowed as tabulated.

That Eva Lillian Clarke and Ruby Avis Gill appeared and filed amendments to their statements and proofs of claim January 26, 1922, attempting by said amendments to change the date of priority of their appropriations through the Slusher Bros Ditch from 1870 to 1861. That it appears that the appropriations of these parties through this ditch were not made until the year 1870, and the said amendments are therefore denied.

15.

That Fifteen Mile Creek is a natural non-navigable water channel rising in

the eastern slope of the Cascade Mountains and flowing in a northerly and easterly direction into the Columbia River, and with the possible exception of a small portion of the drainage basin at the extreme headwaters thereof, lies wholly within the County of Wasco, State of Oregon.

16.

That from the records of the flow of Fifteen Mile Creek and its tributaries on file herein, it appears that the water supply is more than sufficient to properly irrigate the lands now irrigated from said stream during the early part of the irrigation season, but that said water supply is variable and insufficient to supply all the needs throughout the irrigation season; that said partial failure occurs early in the season and the deficiency increases as the season progresses, until during a part of June in some years and during the months of July, August and September in most years the water supply is only sufficient to properly irrigate a small portion of the area for which water rights are claimed herein. That the character of the soil being irrigated is variable but in general consists of a light sandy loam of variable depth, of volcanic origin, and that the soil is readily susceptible to irrigation.

17.

That a proper head of water is necessary for the most successful and economical irrigation of land, and that three acre feet of water per acre measured at the point of diversion is 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 one hundred and twenty days; but that a head of water of one-eightieth of a second foot per acre is inadequate for the proper irrigation of land. 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 set system of rotation, so that the head of water necessary for the irrigation thereof is obtained.

That in order to meet the foregoing conditions the rights to the use of water from Fifteen Mile Creek 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 thereafter not to exceed three-fourths acre foot per acre during any 30 day period; provided, that the total quantity of water diverted during the irrigation season shall not exceed three acre feet per acre; and provided further, that the rate of flow shall not exceed one-fortieth of a second foot per acre after July 1st, except in case of rotation.

18.

That all parties herein allowed a right to the use of water for irrigation shall be entitled to use such water for stock and domestic purposes, and that the right of use of water for stock and domestic purposes as hereby confirmed entitles the owner of such right to divert and use such a quantity of water as is reasonably necessary for his domestic and household use and for stock purposes; that the right to divert and use water for stock and domestic purposes shall continue throughout the year. That outside of the irrigation season the amount so diverted and used shall not exceed the rate of one-fortieth of one cubic foot per second for each one thousand head of stock, but during the irrigation season appropriators of water for irrigation purposes shall not be entitled to divert any water for stock and domestic purposes in addition to the amount which they are entitled to divert for irrigation purposes.

That at all times during the year when there is sufficient water, there shall be permitted to flow down Fifteen Mile Creek and its tributaries, a sufficient amount of water for stock and domestic use, and such right for stock and domestic use for all persons owning lands bordering upon said stream or its tributaries shall be and is hereby confirmed as a prior right to all other rights.

19.

That the rights to the use of water for irrigation purposes hereby confirmed are appurtenant to the lands herein described, and the rights of 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 lands herein set forth, and the priorities of right herein confirmed, confer no right of use of the waters of said stream and its tributaries on any lands other than those specified tracts to which such rights 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 lands ---- without lawful permit first obtained from the State Engineer.

20.

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 rights as herein set forth and determined, and the first in order of time according to

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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 right, 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 the right of use, at all times against those having subsequent rights without let or hinderance, and whenever the water is not required by the appropriator having a prior right to its use for the purpose for which said water was appropriated, he must and shall permit it to flow down the natural channel of the stream as it was wont to flow in its natural course without hinderance or diversion thereof, and those having subsequent rights are entitled to the use of such water and to divert the same to the extent of their rights of appropriation according to the order of priority of their rights; and at all times the waters shall be beneficially, economically and reasonably used without waste by those having a right to the use of such water, 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 valid right to divert water than such appropriator can beneficially use for the purpose to which the water is to be put.

21.

The water master of the district in which Fifteen Mile Creek and its tributaries is situated, shall arrange such system or systems of rotation as may be best applicable, either by giving a greater quantity of water for a proportionately less time, or by arranging such appropriators in groups or systems of rotation, first giving the appropriator who is first in priority, an amount of water equal to the combined appropriations of all the appropriators in said group or system for a length of time bearing the same ratio to the whole time required to make complete rotation through the whole group of system, as the appropriation of the first appropriator bears to the combined appropriations of said appropriators, and shall serve the next appropriator in priority next, with a like amount of water for his proportionate time, and so on until all the appropriators in said group are served. Then the distribution of water shall be repeated in the same manner throughout the irrigating season. In case any two or more appropriators in said group shall have the same priority, then the said water master shall distribute the water as between those having the same priority to the one whose ditch taps the stream next its source first, and the next lower down next, and so on. And when two or more appropriators agree among themselves

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as to a manner and system of rotation in the use of their water, the said Water Master shall distribute their water in accordance with such agreement. That in case the water flowing in the channel of Fifteen Mile Creek sinks or fails to flow down the channel thereof so as to be of beneficial use to the appropriator having the prior right to its use, the Water Master shall allow the diversion thereof by the next in order of priority who can make a beneficial use of such water. Provided, however, that nothing contained in these findings shall operate to interfere with the prior rights of any appropriator not a member of any of such groups or systems of rotation.

22.

That the City of Dufur, in addition to the 300,000 gallons of water per day which it is entitled to divert from Fifteen Mile Creek for municipal purposes as described in the tabulation hereinafter contained, is entitled by virtue of certain filings made December 28, 1905, recorded in Volume "B" of Records of Water Claims for Wasco County at pages 236-239, and actual appropriation and use since said date, to the exclusive right and ownership in and to the use of all the waters of those certain springs, eleven in number, particularly described in said filings so recorded, and being located on United States Forest Reserve lands in Sections 23, 27, 28, 32 and 33, T. 2 S. R. 11 E. W. M. That said springs are not tributary to and do not become a part of the natural flow of Fifteen Mile Creek, and the use thereof is not properly a subject matter of adjudication in this proceeding and is hereby specifically excepted therefrom. That said City of Dufur has, since making said filings, developed and increased the flow of water from said springs and conveyed the same to the channel of Fifteen Mile Creek, using said channel as a means of conveying said water down to its point of diversion of from Fifteen Mile Creek. That said point was recently moved about three miles upstream, and is now located in the ~~NE~~^{SE}₄ of Section 15, T. 2 S. R. 12 E.W.M., some five and a half or six miles below where the water from said springs is turned into said channel. That the City of Dufur shall have the right to use the channel of Fifteen Mile Creek for the conveyance of such water as it has developed and may hereafter develop from said springs, and to divert from said channel at its point of diversion above described, the amount of water which it turns into said channel above, less a reasonable deduction for seepage, evaporation and loss from other causes, the amount of such losses to be determined by the water master in charge of the distribution of water on Fifteen Mile Creek and its tributaries.

23.

That the name and address of the various appropriators of water from said Fifteen Mile Creek and its tributaries arranged in a tabulated form, together with the date of relative priority of such appropriation, the number of acres to which such appropriation is applied, the use or uses for which said water was applied and is now limited, the name of the ditch or ditches through which the water so appropriated is

is diverted, the name of the stream or streams from which the water so appropriated is diverted, and the description of the lands upon which such water is used, the tabulated rights of each appropriator being set opposite and following the name and post office address of each appropriator, are as follows, to-wit:

FIFTEEN MILE CREEK - MODIFIED - 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
5595 Abnet, Mike Dufur, Oregon	1903		5	Irrigation	Abnet	Fifteen Mile Creek	2.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12. T. 2 S. R. 12 E. W. M.
	1890		11	"	Abnet's three small ditches	Small stream not named	1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12. T. 2 S. R. 12 E. W. M.
5596 Adkisson, W. E. The Dalles, Oregon	1869			Stock		Fifteen Mile Creek	Place of use: Sections 30 & 31 T. 2 N. R. 15 E. W. M.
5597 Allen, Emery J. R.F.D. No. 1, Dufur, Oregon	1909		4.2	Irrigation	Taylorville	" "	4.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14. T. 2 S. R. 12 E. W. M.
	1909			Domestic	Ram & pipe line	" "	For domestic use in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14. T. 2 S. R. 12 E. W. M.
5598 Angell, Oscar F. R. F. D. No. 2, Boyd, Oregon.	1897		2	Irrigation	Oscar F. Angell small ditches	Eight Mile Creek	2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1. T. 1 S. R. 13 E. W. M.
5599 Angell, Ray W. R.F.D. No. 2, Boyd, Oregon.	1875		3	"	Newton Patterson	" "	3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. T. 1 N. R. 14 E. W. M.
5600 52836 & 55643 Bauer, Belle, Boyd, Oregon. T-5012 Δ POD 2 $\frac{E}{W}$ NW SW	1880		11.8	"	Bauer	" "	2.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32. T. 1 N. R. 14 E. W. M.
5601 Benedict, Estate of L. E. (deceased) Carrie L. Benedict, Dufur, Oregon.	1890		4.1	"	Lewis P. Henderson	Fifteen Mile Creek	4.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34. T. 1 S. R. 13 E. W. M. CANCELED
5602 36148 Benson, James C. R.F.D. No. 1, The Dalles, Oregon.	1860		13	Irrigation	Benson	Five Mile Creek	0.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19. T. 1 N. R. 14 E. W. M. 12 $\frac{C}{C}$ Cancelled Sp. Or. Vol. 12 p. 483 13 Ch. Pt. of Div. Sp. Or. Vol. 12 p. 485 O $\frac{C}{C}$ Amended Sp. Ord. Vol 18, P. 332
5603 Bernard, Charles The Dalles, Oregon	1907		9	Irrigation	Wilhelm	Fifteen Mile Creek	4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27. T. 2 N. R. 14 E. W. M.
	1907		9	Irrigation	Olany	" "	4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27. T. 2 N. R. 14 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
5604 Bolton, D. L. 922 Fulton Street, The Dalles, Oregon	1869		29.24	Irrigation and domestic	Bolton	Fifteen Mile Creek	11.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.74 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30. 0.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31. T. 1 N. R. 15 E. W. M.
35282 Bolton, Grant Boyd, Oregon	1858		28.9	Irrigation	A. D. Bolton	Fifteen Mile Creek	6.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, 15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16. T. 1 S. R. 14 E. W. M.
2600 Boule, D. F. The Dalles, Oregon. (See paragraph 14, page 9)	1883			Stock and domestic	" "	" "	Place of use: Section 16. T. 1 N. R. 15 E. W. M.
32604 Butler, Daniel C. and Butler, Minnie Boyd, Oregon. (See findings, paragraph 13, page 7.)	1891		17	Irrigation	Southern	Eight Mile Creek	17 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21. T. 1 S. R. 13 E. W. M.
5602 Butts, Lee R.F.D. No. 1, Dufur, Oregon.	1906		10	Irrigation	Butts	Ramsey Creek	5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8. T. 2 S. R. 12 E. W. M.
46635 Boyer, Joseph The Dalles, Oregon	1869 1907		30 17.2	Irrigation	Olney	Fifteen Mile Creek	14.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26. T. 2 N. R. 14 E. W. M.
5010 Brookhouse, Richard Route No. 3 The Dalles, Oregon	1876	Sufficient for 150 head of stock.		Stock		Fifteen Mile Creek.	Place of use : Section 4. T. 1 N. R. 15 E. W. M.
5611 Brookhouse, Rosa B. The Dalles, Oregon.	1878	Sufficient for 50 head of stock		Stock		" "	Place of use : Section 32. T. 2 N. R. 15 E. W. M.
Carleton, H. E. Dufur, Oregon. Cert. No. 14911 Trs. Sp. Or. v. 14 p. 411 T#3704	1860		77	Irrigation	South	" "	12.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26. 32.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35. T. 1 S. R. 13 E. W. M.

Ch. Pt. of Div.
Sp. Or. Vol. 13, p. 496

Cancelled - sp. or Rec. Vol. 37 P. 79

Trs. Sp. Or. v. 17, p. 348 for part
Trs. Sp. Or. v. 17, p. 331 for part

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
5613 Canceled - sp. or Rec. Vol. 21 P. 479							
5613 Clark, Eva Lillian Hood River, Oregon	1870		8.41	Irrigation	Slusher Bros.	Fifteen Mile Creek	8.41 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33. T. 1 S. R. 13 E. W. M.
5614 Collins, E. J. 50736 Dufur, Oregon. 44020 2.39 acres Canceled Sp. Or. Vol. 13, p. 531 13.47 ac. Trsd Sp. Or. Vol. 13, p. 535 88.72 ac. Ch. Plat. Div.	1863		42.66	Irrigation	Hurricane Dufur (Old original)	Ramsey Creek	0.38 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.27 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.62 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2. 12.35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.31 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.73 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1. T. 2 S. R. 12 E. W. M.
	1863		23.33	Irrigation	Lower North Side No. 1 ditch.	" "	4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.43 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.48 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1. T. 2 S. R. 12 E. W. M. 4.42 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36. T. 1 S. R. 12 E. W. M.
	1863		25.12	Irrigation	Lower South Side No. 2 ditch	" "	13.30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.65 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.17 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1. T. 2 S. R. 12 E. W. M.
5615 Costley, Robert H. Dufur, Oregon.	1908		8	Irrigation	Springer	" "	2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8. T. 2 S. R. 12 E. W. M.
5616 47333							
Cotton, Ethelbert T. R.F.D. No. 1, Box 34 Dufur, Oregon.	1905		1.6	Irrigation	Cotton	Fifteen Mile Creek	1.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15. T. 2 S. R. 12 E. W. M.
5617 Crawford, W. H. Wasco, Oregon	1879		7.5	Irrigation	Deekert	" "	5.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28. T. 2 N. R. 14 E. W. M.
5618 Curtis, Leon W. The Dalles, Oregon.	1902		30	Irrigation	Peter Stoller	" "	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33. T. 2 N. R. 14 E. W. M.
(See Findings, Paragraph 13, page 7.)	1874		6.5	Irrigation	William Floyd	Eight Mile Creek	1.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5. T. 1 N. R. 14 E. W. M. 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33. T. 2 N. R. 14 E. W. M.
							FIFTEEN MILE CREEK - MODIFIED- 17.

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
5619 11056 Cushing, Mrs. Mary R.F.D. No. 3, The Dalles, Oregon <i>(Cert. No. 11056 issued to correct # 5619) 12-11-34</i>	1876		7.1	Irrigation domestic and stock. <i>Ch. Pt. of Div. Sp. Or. Vol. 13, p. 170</i>	Cushing	Fifteen Mile Creek T 2	1.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. N. R. 14 E. W. M.
5640 Darnielle, John M. Sr. R.F.D. No. 2. Boyd, Oregon	1867		10	Irrigation <i>Ch. Pt. of Div. Sp. Or. Vol. 12, p. 299</i>	Darnielle Sr.	Eight Mile Creek T 1	10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1. S. R. 13 E. W. M.
5641 Darnielle, R. H. The Dalles, Oregon	1884		6	"	Koontz or Gibson	Five Mile Creek T 1	5.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19. N. R. 14 E. W. M.
5642 Dean, Anna and Dean, Harry W. R.F.D. No. 1, Box 39, Dufur, Oregon	1877		7.5	"	Little	Fifteen Mile Creek T 2	7.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12. S. R. 12 E. W. M.
5643 Dick, Frank G. Boyd, Oregon (Part successor in interest to Ira L. Waterman) (See paragraph 13, page 7.)	1883		2	" <i>Ch. Pt. of Div. Sp. Or. Vol. 11, p. 234-A</i>	Wingfield	Eight Mile Creek and Springs T. 1	2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15. S. R. 13 E. W. M.
5644 Dickson, Mary E. R.F.D. No. 2, Boyd, Oregon	1884		4.5	" <i>Ch. Pt. of Div. Sp. Or. Vol. 11, p. 144</i>	McHaley	Eight Mile Creek T. 1	4.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21. S. R. 13 E. W. M.
5645 Doyle, W. A. R.F.D. Boyd, Oregon and Wagenblast, Roy and Edwin M. (One-fourth interest)	1880 1875		10.2 16.2	" " <i>Ch. Pt. of Div. Sp. Or. Vol. 12, p. 282</i>	Doyle Spring	" " Springs T. 1 T. 1	2.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20. S. R. 13 E. W. M. 14.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20. S. R. 13 E. W. M.
5646 Dufur, City of (Frank B. Ingles, Mayor) Dufur, Oregon. (See paragraph 22 page 13.) Superintendent	1886			Municipal purposes <i>(Change in point of diversion approved - Vol. 1 p. 46)</i>	Dufur municipal water works	Fifteen Mile Creek	300,000 gallons per day within the City of Dufur for municipal purposes.
5647 Dufur Orchard Land Co. P. W. Knowles, Secy and Manager Dufur, Oregon. (Permit No. E. 147) Certificate No. 1005 T#3704	Aug. 3. 1912	0.35	28	Irrigation <i>chg pt div</i>	Galligan or Meadowbrook	" " T. 1 T. 2	1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. S. R. 13 E. W. M. 2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6. S. R. 13 E. W. M.
	1860		18.8	Irrigation	South	" " T 1	18.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35. S. R. 13 E. W. M.
						FIFTEEN MILE CREEK - MODIFIED -	18.

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
5649 31414 Dufur, W. H. H. 321 Abington Bldg., Portland, Oregon.	1861		10.6	Irrigation	Ramsey	Ramsey Creek	7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. T. 1 S. R. 13 E. W. M. 1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6. T. 2 S. R. 13 E. W. M.
	1866		5.5	Irrigation	McEwen or Hildenbrand	" "	5.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. T. 1 S. R. 13 E. W. M.
	1867		25.9	Irrigation	Henderson Burford or Harrison Dufur	Fifteen Mile Creek	9.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. T. 1 S. R. 13 E. W. M. 10.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6. T. 2 S. R. 13 E. W. M.
(Permit No. E.154 Certificate No. 4952) Superseded by 31413	Sept. 5. 1912	0.375	30	Irrigation	Meadowbrook known as Gilligan	Fifteen Mile Creek	10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 19.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. T. 1 S. R. 13 E. W. M. .5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6. T. 2 S. R. 13 E. W. M.
5648 Emerson, C. F. The Dalles, Oregon.	1870		9.8	Irrigation	Emerson	Fifteen Mile Creek	3.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20. 2.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19. 3.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 T. 1 N. R. 15 E. W. M.
5649 Faust, Edw. F. R.F.D.No.1, Box 38 Dufur, Oregon	1877		11.7	Irrigation	Little Creek	Fifteen Mile Creek	3.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11. 8.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12. T. 2 S. R. 12 E. W. M.
5650 Fax, Nicholas, R.F.D. No.3 The Dalles Oregon 40409 444332	1872 (1860 for domestic and stock)		32.8	Irrigation domestic and stock.	Rice	Fifteen Mile Creek	0.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3. T. 1 S. R. 14 E. W. M.
5631 Ferguson, Alfred R.F.D. No. 2 Boyd, Oregon.	1874		1	Irrigation	Alfred Ferguson	Eight Mile Creek	1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1. T. 1 S. R. 13 E. W. M.

FIFTEEN MILE CREEK - MODIFIED - 19.

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
⁵⁶³² Fidler, Mrs. Lizzie E. The Dalles, Oregon.	1895		3.2	Irrigation	Fidler	Five Mile Creek	3.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6. T. 1 S. R. 13 E. W. M.
⁵⁶³³ Fligg, Allen H. and Lizzie I. The Dalles, Oregon.	1885		16	"	Allen H. Fligg	Eight Mile Creek	14.48 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16. 1.52 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15. T. 1 S. R. 13 E. W. M.
5634 Fuller, P. McD The Dalles, Oregon	1870		21.2	"	Old Stoler	Fifteen Mile Creek	3.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33. T. 2 N. R. 14 E. W. M.
Cancelled-sp. or Rec. Vol. <u>15 p. 167</u>							
⁵⁶³⁵ Fulton, James, Jr. R.F.D. No. 3 The Dalles, Oregon.	1858		15	"	Fulton	" "	15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32. T. 2 N. R. 15 E. W. M.
⁵⁶³⁶ Fulton, Mace R.F.D.No. 3 The Dalles, Oregon.	1875		11.3	"	"	" "	5.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32. T. 2 N. R. 15 E. W. M.
⁵⁶³⁷ 48318 Galligan, C. F. Dufur, Oregon.	1879		5	"	Galligan	" "	2.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6. T. 2 S. R. 13 E. W. M.
W-143 (Permit No. 1041 Certificate No. 971) 49427	Oct. 24. 1911.	0.49	39	"	Galligan or Meadowbrook	" "	10.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31. T. 1 S. R. 13 E. W. M. 19 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6. T. 2 S. R. 13 E. W. M.
⁵⁶³⁸ Gibson, Elizabeth 1119 Pine Street, The Dalles, Oregon.	1886		2	Irrigation and stock	Gibson	Five Mile Creek	2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19. T. 1 N. R. 14 E. W. M.
Gill, F. M. et al Dufur, Oregon. (Permit No. 151 Certificate No. 3483)	Oct. 27 1909	6.41	505	Irrigation	Orchard Ridge	Fifteen Mile Creek	10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14. 18 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13.

FIFTEEN MILE CREEK - MODIFIED - 20.

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
Gill, F. M. continued.							30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12. T. 2 S. R. 12 E. W. M. 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7. T. 2 S. R. 13 E. W. M.
<i>5639</i> Canceled - sp. or Rec. Vol. <i>24</i> P. <i>479</i>							
Gill, Ruby Avis, Dufur, Oregon.	1870		8.41	Irrigation and domestic	Slusher Bros.	Fifteen Mile Creek	8.41 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33. T. 1 S. R. 13 E. W. M.
<i>5640</i> Gilpin, Mrs. Lois A. 1004 Federal St., The Dalles, Oregon. (See paragraph 14, page 9.)	1896		2.7	Irrigation and stock.	Private	Eight Mile Creek	1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22. T. 1 N. R. 14 E. W. M.
<i>5641</i> Haight, E. C. R.F.D.No. 3, The Dalles, Oregon.	1875		16.4	Irrigation <i>Ch. Pt. of Div. Sp. Or. Vol. 11 p. 165</i>	Fulton	Fifteen Mile Creek	12.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32. T. 2 N. R. 15 E. W. M.
<i>5643</i> Havely, Mrs. Jane Dufur, Oregon.	1888		8.5	Irrigation <i>* Ch. Pt. of Div. Sp. Or. Vol. 12 p. 435</i>	Meadowbrook or Calligan	Fifteen Mile Creek	* 4.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ * 3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6. T. 2 S. R. 13 E. W. M.
<i>5642</i> Haynes, Lenora A R.F.D.No. 1, Box 37 Dufur, Oregon.	1907		7.3	Irrigation	Old Channel or Fifteen Mile Creek, Little Creek	Fifteen Mile Creek	7.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11. T. 2 S. R. 12 E. W. M.
<i>5644</i> Haynes, A. F. R.F.D. No. 1, Box 37 Dufur, Oregon.	1907		3	Irrigation	Little Creek	Fifteen Mile Creek	3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11. T. 2 S. R. 12 E. W. M.
FIFTEEN MILE CREEK - MODIFIED- 21.							

Wm. East. to #5645

A. Davis, Adeline Davis,
W. N. Davis, and W. E. Davis,
(successors to J. F. Hillman)

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
5645 Hillman, J. F. The Dalles, Oregon.	1885		19.2	Irrigation	Waterman and pipe line	Eight Mile Creek and two large springs in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28. T. 1 N. R. 14 E. W. M.	12.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28. T. 1 N. R. 14 E. W. M.
5646 Houghton, F. L. Boyd, Oregon. (Part successor in interest to I. L. Waterman) (See Findings Paragraph 13, page 7)	1883		40	Irrigation	Wingfield	Eight Mile Creek	2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 18 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15. T. 1 S. R. 13 E. W. M.
5647 Ingels, Frank B. Dufur, Oregon Ch. Pt. of Div. All Lands @ Sp. Or. Vol. 13 p 469	1860		24	Irrigation	Mill Ditch or Old South Ditch	Fifteen Mile Creek	10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (SW SE) 14 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26. T. 1 S. R. 13 E. W. M.
(See Paragraph 10, page 6)	1891	4.00		Power	" "	" "	Power to run Feed Mill. General Ranch use.
	1860		58.20	Irrigation	South	" "	14.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 14.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26. 6.33 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.07 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35. T. 1 S. R. 13 E. W. M.
	1908		7.20	Irrigation	Unnamed	" "	3.96 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.24 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26. T. 1 S. R. 13 E. W. M.
	1873		49.94	Irrigation	"	" "	12.31 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11.66 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14.80 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 11.16 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26. T. 1 S. R. 13 E. W. M.
5648 Johnston Land & Stock Co., Dufur, Oregon	Dec 1. 1871			Domestic and stock		" "	Place of use; SE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25. T. 1 S. R. 13 E. W. M. W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 30. T. 1 S. R. 14 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><i>544 Hda 30</i></p> <p>Kaser, Julius R.F.D. No. 3, Box 65. The Dalles, Oregon</p>	1869		2.5	Irrigation	Linton Irrigating Mile	Fifteen Mile Creek	2.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26. T. 2 N. R. 14 E. W. M.
<p><i>Trsf K-52 chq pto of div. Sp. Or. Vol. 17, p. 331</i></p>							
<p><i>5650</i></p> <p>Superseded by Cert. No. <u>40743</u></p> <p>Kelly, Vincent J. by John Gavin, Agt. The Dalles, Oregon. (Successor in interest to D.D. Darling) (See Findings paragraph 13, page 7.)</p>	1895		30	Irrigation	Ward's Saw Mill	Tamarack Creek, Eight Mile Creek	10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10. 3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15. 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11. 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11. T. 2 S. R. 11 E. W. M.
<p><i>Corrected by decree of Wasco Co. Circuit Court entered June 28, 1914 recorded v. 17 p. 283</i></p>							
	1895	9.50	114'	Power head	" "	" "	Power for operating Saw Mill in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10. T. 2 S. R. 11 E. W. M. Water to be returned to stream at place of use.
<p><i>Power Claim #757 Cancelled Sp. Or. Vol. 10 p 34</i></p>							
<p><i>5651</i></p> <p>Kessler, Adaline L. The Dalles, Oregon</p>	1906		4.1	Irrigation	Kessler	Fifteen Mile Creek	0.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15. T. 2 S. R. 12 E. W. M.
<p><i>Ch. in Pl. of Use, Use & Pt. of Div. Sp. Or. Vol. 11, p. 29-</i></p>							
<p><i>5652</i></p> <p>Ketchum, Delaney P. 216 East 5th Street The Dalles, Oregon.</p>	1878		39.8	Irrigation	Thompson-Ketchum ditches Nos. 1 & 2.	Five Mile Creek	19.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9. 5.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4. T. 1 N. R. 14 E. W. M.
	1875		23.7	Irrigation	Nye or Ketchum No. 3	Eight Mile Creek	0.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4. 1.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 13.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9. T. 1 N. R. 14 E. W. M.
<p><i>ch. Pt. of Div. Sp. Or. Vol. 11, p 221</i></p>							
<p><i>5653</i></p> <p>Leabo, Thomas B. Dufur, Oregon.</p>	1880		6.01	Irrigation	Campbell	Eight Mile Creek	4.41 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$.40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$.83 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$.37 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11. T. 1 S. R. 13 E. W. M.
<p><i>ch. Pt. of Div. Sp. Or. Vol. 12 p. 6</i></p>							
<p><i>55642</i></p> <p>Martin, John V. Boyd, Oregon.</p>	1893		9.15	Irrigation domestic and stock.	Lane Smith	Fifteen Mile Creek	4.95 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20. T. 1 S. R. 14 E. W. M.
<p><i>Domestic Use Cancelled Sp. Or. Vol. 32 p 358</i></p>							
	1896		20.4	Irrigation	Boyd Mill	" "	11.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17.
<p>FIFTEEN MILE CREEK - MODIFIED- 23.</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
Martin, John V. continued.							7.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20. T. 1 S. R. 14 E. W. M.
	1900		2.3	Irrigation and stock	Marvel	Fifteen Mile Creek	2.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17. T. 1 S. R. 14 E. W. M.
<i>5655</i> Masquart, George F. R.F.D. No. 2, Box 19. Boyd, Oregon.	1900		31.5	Irrigation	Willow	Eight Mile Creek and Springs	2.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 22.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21. T. 1 S. R. 13 E. W. M.
							<i>Ch. Pt. of Div. Sp. Or. Vol. 11 p. 141</i>
<i>5656</i> Mead, Earnest O. Dufur, Oregon.	1867		7	Irrigation	Ramsey Creek	Ramsey Creek	1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6. T. 2 S. R. 13 E. W. M.
<i>5657</i> Morgan, Otis A. R.F.D. No. 2. Boyd, Oregon	1890		9.2	Irrigation	Otis A. Morgan	Eight Mile Creek	2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25. 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24. T. 1 S. R. 12 E. W. M.
<i>5658</i> Moseman, Fred Boyd, Oregon.	1876		8.13	Power		<i>Fifteen Mile Creek</i>	Used to develop 42 horsepower (actual) at Boyd, Oregon.
							<i>Cancelled - sp. or Rec. Vol. 16 p. 349</i>
<i>Power Claim # 605</i>	1876		2	Irrigation domestic and stock.	Mill	Fifteen Mile Creek.	2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17. T. 1 S. R. 14 E. W. M.
							<i>Cancelled - sp. or Rec. Vol. 16 p. 349</i>
<i>5659</i> Nelson, James R.F.D. No. 3 The Dalles, Oregon.	1871		12.5	Irrigation	James Nelson	Eight Mile Creek	0.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32. T. 2 N. R. 14 E. W. M.
							<i>CANCELED Spec. Or. V. 38 p. 154</i>
Nolin, George E. Dufur, Oregon. (Permit No. 609 Certificate No. 1045)	Feb. 27 1911	0.10	8	Irrigation	E. J. Collins	Ramsey Creek	8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2. T. 2 S. R. 12 E. W. M.
							FIFTEEN MILE CREEK - MODIFIED - 24.

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
566 59214 Percy, Howard, Estate Ray Percy, Administrator The Dalles, Oregon (Upper place)	1875		12.0	Irrigation, domestic and stock.	Percy Nos. 1 and 2.	Eight Mile Creek T. 1 S. R. 13 E. W. M.	12 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1. 1 S. R. 13 E. W. M.
(See Findings, Paragraph 13, page 8)	1866 (Lower place)			Domestic and stock	Percy No. 3	Eight Mile Creek T. 1 N. R. 14 E. W. M.	Place of use; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28. SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29. NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32. T. 1 N. R. 14 E. W. M.
566 47334 Perrault, Adolph The Dalles, Oregon.	1860	27.635		Irrigation	Adolph Perrault	Fifteen Mile Creek T. 1 N. R. 15 E. W. M.	1.62 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) 2.61 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2.) 3.175 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3) Section 31. T. 1 N. R. 15 E. W. M.
							0.75 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 16.155 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.825 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36. T. 1 N. R. 14 E. W. M.
566 49743 45787 566 Roberts, Elvin D. Dufur, Oregon.	1875		14	Irrigation	Roberts	Fifteen Mile Creek T. 2 S. R. 12 E. W. M.	14 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1. T. 2 S. R. 12 E. W. M.
49743 45787 566 Russell, N. H. Dufur, Oregon.	1897		20.53	Irrigation	N. H. Russell	Ramsey Creek T. 2 S. R. 12 E. W. M.	8.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2. 0.20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.23 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3. T. 2 S. R. 12 E. W. M.
566 Seufert Brothers Company, a corporation, The Dalles, Oregon.	1863		68.2	Irrigation, domestic and stock	Simpson or Conventon	Fifteen Mile Creek T. 2 N. R. 14 E. W. M.	17.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31. T. 2 N. R. 14 E. W. M.
							35 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 12 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1. T. 1 N. R. 13 E. W. M.
(See Findings, Paragraph 13, page 7)	1863	0.66 (90 ft. fall)		Power and manufacturing	Simpson or Conventon	Fifteen Mile Creek T. 1 N. R. 13 E. and Section 31. T. 2 N. R. 13 E. W. M.	In the NE $\frac{1}{4}$ of Section 1 T. 1 N. R. 13 E. and Section 31. T. 2 N. R. 13 E. W. M.
Cancelled - sp. or Rec. Vo. 44 P. 341 64753 44488 566 Sigman, Melvin Dufur, Oregon.	1885		32.4	Irrigation	Strachan	Fifteen Mile Creek T. 1 S. R. 13 E. W. M.	0.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 9.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33. 1.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ (1) 8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34. T. 1 S. R. 13 E. W. M.
See Court Order Vol. 18 p 3, amends land description. T-3678							

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
Sigman, Melvin continued. <i>See Court Order Vol. 18 p. 3 Amends land description.</i>	1856		134.3	Irrigation	Lew Henderson or Sigman	Fifteen Mile Creek	1.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34. 14.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 24.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33. T. 1 S. R. 13 E. W. M.
39608 & 48907 5666 Slusher Bros. (Grover C. Slusher, Harvey D. Slusher, and Roy S. Slusher, doing business as Slusher Brothers.) by Grover C. Slusher, Agt., Dufur, Oregon. 1866 (See findings, paragraph 10 page 6)	March 4, 1861.		82.5	Irrigation	Slusher Bros	Fifteen Mile Creek	22 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 26.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32. T. 1 S. R. 13 E. W. M.
<i>See Court Order Vol. 18 p. 1 Amends land description.</i>			17.1	"	Hildebrand or McEwen	Ramsey Creek	15.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32. 1.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31. T. 1 S. R. 13 E. W. M.
5667 62741 Smith, Edgar N. Dufur, Oregon. T-3893 (Successor in interest to D. S. Young)	1875		18.01	Irrigation	Haverly	Fifteen Mile Creek	18.01 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1. T. 2 S. R. 12 E. W. M. 3.47 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.47 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1. T. 2 S. R. 12 E. W. M.
5668 Southern, Harry D. Boyd, Oregon.	1878		4	Irrigation	Allen	Fifteen Mile Creek	4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17. T. 1 S. R. 14 E. W. M.
5669 Strachan, Alex Dufur, Oregon. Cancelled - sp. or Rec. Vol. 32 P. 539	1865 1885		3	"	Strachan	" "	3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34. T. 1 S. R. 13 E. W. M.
				Domestic	Strachan pipe line	" "	Domestic use on land now owned by Alex Strachan Lot 5 of NW $\frac{1}{4}$ Section 34. T. 1 S. R. 13 E. W. M.
5670 Taylor, J. W. Dufur, Oregon.	1873		2.8	Irrigation	Taylor	Fifteen Mile Creek.	2.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19. T. 1 S. R. 14 E. W. M.
							FIFTEEN MILE CREEK - MODIFIED - 26.

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
5671 Taylor, W. D. Dufur, Oregon.	1873		3	Irrigation	Taylor	Fifteen Mile Creek	1.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19. 1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30. T. 1 S. R. 14 E. W. M.
5672 Tidyman, J. A. R.F.D. No. 2. Boyd, Oregon.	1889		25.57	"	C. D. Doyle	Eight Mile Creek	2.76 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.21 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24. 10.68 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25. T. 1 S. R. 12 E. W. M. 3.96 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19. 6.96 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30. T. 1 S. R. 13 E. W. M.
5673 Underhill, Mrs. E. A. Dufur, Oregon.	1896			Domestic and stock	Hudson	Fifteen Mile Creek	Place of use: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14. SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11. T. 2 S. R. 12 E. W. M.
5674 Vanderpool, Wm. T. by F. L. Vanderpool, Agt. Dufur, Oregon.	1893		9.36	Irrigation	Lew Henderson	" "	9.36 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34. T. 1 S. R. 13 E. W. M.
	1860		44.88	"	South	" "	9.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.14 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10.44 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34. T. 1 S. R. 13 E. W. M.
	1862		28.87	"	North	" "	10.33 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.54 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34. T. 1 S. R. 13 E. W. M.
Wagenblast, Roy and Edwin	(See under Doyle)						
5675 superseded by Cert # 3663 Walston, Milton C. Boyd, Oregon.	1896		6.40	Irrigation	M. C. Walston or Harris	Eight Mile Creek	2.12 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.03 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.00 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26. T. 1 S. R. 12 E. W. M.
	1896		2.7	"	Walston	Eight Mile Creek	2.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26. T. 1 S. R. 12 E. W. M.
					FIFTEEN MILE CREEK- MODIFIED - 27.		

Ch. Pt. of Div.
Sp. Or. Vol. 11 p. 199
Amended Order
Sp. Or. Vol. 13 p. 286

Ch. Pt. of Div. Sp. Or. Vol. 10 p. 545
Amended: Sp. Or. Vol. 13 p. 196
Ch. Pt. of Div. Sp. Or. Vol. 13 p. 286

Ch. Pt. of Div. Sp. Or. Vol. 13 p. 286

Ch. Pt. of Div. Sp. Or. Vol. 10 p. 545
Amended: Sp. Or. Vol. 13 p. 196

All Land Trsf.
Sp. Or. Vol. 10, p. 571

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
<i>5676</i> Ward, Emily I. F. H. Ward, Agt., The Dalles, Oregon.	1869		20	Irrigation <i>34 233</i>		Fifteen Mile Creek	20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9. T. 1 S. R. 14 E. W. M.
<i>5677</i> Ward, J. W. 419 Webster Street The Dalles, Oregon.	1899		4	Irrigation domestic and stock.	Ward	Butler Springs T. 2 S. R. 12 E. W. M.	4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7. T. 2 S. R. 12 E. W. M.
<i>5678</i> Ward, Sam Boyd, Oregon.	1869		41.32	Irrigation	Daniel Bolton	Fifteen Mile Creek	2.55 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3. 10.32 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10. 14.10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9. 14.35 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9. T. 1 S. R. 14 E. W. M.
<i>5679</i> Waterman, Etta The Dalles, Oregon.	1898		12	Irrigation	Power	Eight Mile Creek	9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28. 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28. T. 1 N. R. 14 E. W. M.
<i>5680</i> <i>J. W. Williams - Vol. 8 - p. 110</i> <i>5681</i> <i>Amanda Williams - Vol. 8 - p. 110</i> Wolf Run Water Users Association, W. L. Vanderpool, Agt., Dufur, Oregon. May 3, (Certificate No. 2353 1909 permits No. 92 & 93) (See Paragraph 13, page 7)		3.60	280	Irrigation domestic and stock		Tamarack Creek, Springs and Gulch and Eight Mile Creek	10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3. 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3. 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3. 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3. 15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4. 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4. 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4. 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5. 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5. T. 2 S. R. 12 E. W. M. 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33. 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33. 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33. 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33. 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34. 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34. 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35. 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35. 7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35. 3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35. 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36. 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36. 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36. 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36. 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36. 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36. 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36. 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36. 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36. 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36.

FIFTEEN MILE CREEK. - MODIFIED - 28.

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
Wolf Run Water Users Association continued.							20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26. 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25. T. 1 S. R. 12 E. W. M. 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30. 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31. T. 1 S. R. 13 E. W. M.
(Certificate # 2358., permits No. 92 & 93	May 3, 1909	0.35	20	Irrigation domestic and stock	Tamarack Creek, Springs and Gulch, and Eight Mile Creek		10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5. 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8. T. 2 S. R. 12 E. W. M.
Certificate # 2359 permits No. 92 & 93	" "	1.16	85	" "		W "	15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30. 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29. T. 1 S. R. 13 E. W. M.
5687 Yager, Henry J. R.R. No. 2 Boyd, Oregon. Yager, Jacob G.	1892	⊙	9	Irrigation	John Doyle	Eight Mile Creek	8.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19. T. 1 S. R. 13 E. W. M.
	1901	⊙	7.4	"	James B. Bandy	" "	0.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19. T. 1 S. R. 13 E. W. M.
	1895	⊙	4.9	"	Southwell	" "	1.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20. T. 1 S. R. 13 E. W. M.
⊙ Ch. Pt. of Div. for all lands Sp. Or. Vol. 11, p. 202							
FIFTEEN MILE CREEK- MODIFIED- 29.							

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 Fifteen Mile Creek and its tributaries are hereby adjudicated,
determined and settled in accordance with and as set forth herein; and it is
further

CONSIDERED AND ORDERED that each and every appropriator holding
State Engineer's permits for the appropriation of water from Fifteen Mile
Creek or its tributaries shall have such water right thereunder as is
provided by law, and the rights of such appropriators shall be completed and
established in the manner provided by law for the completion of such rights.

Done and dated at the Dalles, Oregon, this 19th day of March, 1924.

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 to the use of the waters of
Fifteen Mile Creek and its tributaries, a tributary of the Columbia 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 19th day of March, A. D., 1924.

W. L. CRICHTON,

County Clerk.

BY _____

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 Decree in the matter of the Determination of the Relative Rights to the use of the Waters of Fifteen Mile Creek and its tributaries, a tributary of the Columbia River, has been compared with the same, and that it is a full, true and correct copy of such decree as received in the office of the State Engineer and entered of record on June 2nd, 1924.

IN TESTIMONY WHEREOF, I have hereunto set my hand this
2nd day of June, 1924.



RHEA LUPER,
STATE ENGINEER.