

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF DESCHUTES.

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

MODIFIED FINDINGS
AND
DECREE.

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 findings and order of determination of the State Engineer have been duly heard by the Court, and that the Court after having carefully considered all evidence submitted herein, has entered its findings and opinion modifying the order of the State Engineer in certain particulars, and where not so modified, has accepted the order of the State Engineer as the findings of the Court on which a decree may be based, and it appearing that modified findings and decree should be entered embracing all of the provisions of the Court's findings on exceptions and the findings of the State Engineer where not modified by the Court, and the Court 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 Engineer, as entered in this matter on the 21st day of June, 1926, are hereby modified in accordance with said findings and opinion of the Court, and as so modified shall read as follows:

1.

That on the 20th day of August, 1909, there was filed in the office of the Board of Control of the State of Oregon (afterwards State Water Board, and now State Engineer) a petition signed by Cline Falls Power Company and F. T. Hurlburt, requesting a determination of the relative rights of the various claimants to the use of the waters of the Deschutes River and its tributaries; that on the 5th day of June, 1911, there was filed in the office of the Board of Control a petition signed by Eva A. Steele and Frank Walker requesting a determination of the relative rights to the use of the waters of Trout Creek and Cold Springs, tributaries of Deschutes River; that on the 1st day of February, 1913, there was filed in the office of the State Water Board a petition signed by Central Oregon Irrigation Company Water Users Association, requesting a determination of the relative rights to the use of the waters of Deschutes River; that on the 4th day of March, 1914, there was filed in the office of the State Water Board a petition signed by C. F. Smith, requesting a determination of the relative rights to the use of the waters of Willow Creek and its tributaries, a tributary of Deschutes River; that on the 11th day of March, 1922, there was filed

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in the office of the State Water Board a petition signed by North Canal Company, requesting a determination of the relative rights to the use of the waters of Deschutes River and its tributaries; that on the 17th day of March, 1922, there was filed in the office of the State Water Board a petition signed by William G. Cox and Central Oregon Irrigation Company, requesting a determination of the relative rights to the use of the waters of Deschutes River and its tributaries; that on the 10th day of April, 1922, there was filed in the office of the State Water Board a petition signed by W. B. Smith, Glenn H. Slack and E. A. Brandon, requesting a determination of the relative rights to the use of the waters of Deschutes River and its tributaries; that on the 12th day of June, 1922, there was filed in the office of the State Water Board a petition signed by C. W. Palmehn and Grizzly Livestock & Land Company, requesting a determination of the relative rights to the use of the waters of Willow Creek and its tributaries, a tributary of Deschutes River. That thereafter the office of the State Water Board was abolished by law, and its work and duties devolved upon the State Engineer. That the State Engineer after a full investigation and due consideration of said petitions, finding the facts and conditions such as to justify it, made and entered an order fixing a time for the beginning of such examinations and investigations and surveys as would enable him to determine the relative rights of the various claimants to the use of the waters of Deschutes River and all of its tributaries, except those upon which such a determination had already been made.

2.

That a notice was prepared by the State Engineer setting forth the fact that such examinations, surveys and investigations of the flow of the stream and of the ditches diverting water therefrom were being conducted, and said notice was published in two issues of the Maupin Times, a newspaper published weekly in the town of Maupin, Wasco County, Oregon, said two issues being those of June 21st and 28th, 1923; and said notice was published in two issues of the Madras Pioneer, a newspaper published weekly in the town of Madras, Jefferson County, Oregon, said two issues being those of June 21st and 28th, 1923; and said notice was published in two issues of the Bend Bulletin, a newspaper published daily in the city of Bend, Deschutes County, Oregon, said two issues being those of June 16th and 17th, 1923; said newspapers having general circulation in the counties in which such stream is situated.

3.

That duly qualified assistants of the State Engineer did proceed to make examinations, surveys and measurements of said stream and its tributaries, and of the ditches and canals or other works diverting water therefrom and surveys of the lands

irrigated, and gathered such other data and information as were essential to the proper determination of the relative rights of the parties interested; which said observations and measurements were reduced to writing and made a matter of record in his office. And the State Engineer did cause to be prepared a set of maps or plats on a scale of four inches to the mile, showing with substantial accuracy the course of said stream and its tributaries, the location of each ditch or canal diverting water therefrom, and the number of acres of land which had been irrigated in each legal subdivision; blue prints of said maps and plats being now on file and a part of the record herein.

4.

That as soon as practicable after the examination and measurements were completed as described in the preceding paragraph, the State Engineer did prepare a notice setting forth a place and time certain when he would begin the taking of testimony (in the form of written statements and proofs of claim) as to the relative rights of the various claimants to the use of the waters of said stream and its tributaries. That said notice was published in two issues of the Madras Pioneer, a newspaper published weekly in the town of Madras, Jefferson County, Oregon, said two issues being those of September 27th and October 4th, 1923; and said notice was published in two issues of the Bend Bulletin, a newspaper published daily in the city of Bend, Deschutes County, Oregon, said two issues being those of September 20th and 21st, 1923; and said notice was published in two issues of the Maupin Times, a newspaper published weekly in the town of Maupin, Wasco County, Oregon, said two issues being those of September 27th and October 4th, 1923; and said notice was published in two issues of The Dalles Chronicle, a newspaper published daily in the city of The Dalles, Wasco County, Oregon, said two issues being those of September 22d and 24th, 1923; said newspapers having general circulation in the counties in which such stream is situated, the last publication of said notice in each case being at least 30 days prior to the first date fixed for the taking of claims by the State Engineer.

5.

That the State Engineer 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, and to each person, firm or corporation owning or being in possession of lands bordering on or having access to said stream or its tributaries, insofar as said claimants and owners and persons in possession could reasonably be ascertained, a notice similar to such published notice, setting forth the date when the State Engineer or his authorized assistants would receive the statements and proofs of claim of the various claimants to the waters of said stream and its tributaries. That said notice was mailed at least

30 days prior to the date set therein for the receiving of claims in each instance. And the State Engineer did enclose with each of said notices a blank form upon which the claimant or owner could prepare in writing all the particulars necessary for the determination of his rights, under oath.

6.

That the times and places when and where the State Engineer, or his duly authorized assistant should attend and receive the claims of the various parties were fixed as follows, to-wit:

On Tuesday, the 6th day of November, 1923, in the Circuit Court Room of the County Court House at The Dalles, Oregon;

On Wednesday, the 7th day of November, 1923, at the City Hall in Maupin, Oregon;

On Thursday, the 8th day of November, 1923, in the Circuit Court Room of the County Court House at Madras, Oregon;

On Friday and Saturday, the 9th and 10th days of November, 1923, in the Circuit Court Room of the County Court House at Bend, Oregon;

And for a period of 30 days beginning November 14th, 1923, at the office of the State Engineer in the Capitol Building at Salem, Oregon.

That during the period so specified in such notice, claims to the use of the waters of said stream and its tributaries were filed by the following parties, to-wit:

Amidon, Eugene, Moro, Ore.
Anderson, Emil, Bend, Ore.
Anderson, Fred & Emil, Bend, Ore.
Anderson, Nettie, Bend, Ore.
Arnold Irrigation Company, Bend, Ore., by Glenn H. Slack,
Sec'y., Bend, Ore.
Atkinson, John, Bend, Ore.
Awbrey, D. T., Eugene, Ore.

Bates, James P., Redmond, Ore.
Bates, Maggie M., Redmond, Ore.
Becker, C. P., Tumalo, Ore.
Beers, G. W., Tumalo, Ore.
Belshe, O. L. & Geo. Meloy, Moro, Ore.
Bend, City of, Bend, Ore.
Bend Water, Light & Power Company, Bend, Ore., by T. H.
Foley, Bend, Ore.
Bogue, J. F., Lapine, Ore.
Boyd, Charles, Bend, Ore.
Braun, Mitchael, Madras, Ore.
Brooks-Scanlon Lumber Company, Bend, Ore., by H. K. Brooks,
Vice-President, Bend, Ore.
Bullard, Caroline F., Tumalo, Ore.

Central Oregon Irrigation Company, Deschutes, Ore., by
Denton G. Burdick, Redmond, Ore.
Central Oregon Irrigation District, Redmond, Ore., by
H. H. DeArmond, Att'y., Bend, Ore.
Chastain, W. O., Maupin, Ore.
Chinook Land Company, Redmond, Ore.
Gline Falls Power Company, Portland, Ore., by Percy A.
Cupper, Att'y., Salem, Ore.

Columbia-Deschutes Power Company, Carson City, Nevada,
 by Veazie & Veazie, Att'y., Portland, Oregon.
 Columbia Valley Power Company, 402 NW Bk Bldg., Portland, Ore.,
 by F. R. Schanck
 Corbett, Henry L., Portland, Ore.
 Couch, G. M., Tumalo, Ore.
 Couch, J. L., Tumalo, Ore.
 Crook County Improvement District #1, Redmond, Ore., by
 N. G. Wallace, Att'y. & Agt., Prineville, Ore.

Danielski, Walter, Redmond, Ore.
 Dean, Edward F., Tumalo, Ore.
 Dee, John W., Grizzly, Ore.
 Deschutes County Municipal Improvement District, Tumalo, Ore.,
 by L. E. Daigler, Pres., Tumalo, Ore.
 Deschutes Falls Power Company, Carson City, Nev., by
 Veazie & Veazie, Att'y., Portland, Ore.
 Deschutes Railroad Company, Portland, Ore.
 Deschutes Reclamation & Irrigation Company, Bend, Ore., by
 C. S. Benson, Sec'y., Bend, Ore.
 Dizney, Gillis O., Madras, Ore.
 Dizney, John T., Madras, Ore.
 Dunn, E. J., Tumalo, Ore.

East Maupin Water System, East Maupin, Ore.

Fall River Irrigation Company, Bend, Ore.
 Farre, Soren, Gateway, Ore.
 Fogle, Antone, Grizzly, Ore.
 Frohnhofner, Fritz, Grizzly, Ore.
 Frohnhoefer, Henry, Grizzly, Ore.

George, W. P., Salem, Ore., by R. B. Parson
 Gerking, J. O., Tumalo, Ore.
 Gilson, E. D., Bend, Ore.
 Gilchrist, Ralph E., Bend, Ore.
 Gless, L. H., Bend, Ore.
 Graham, E. B., Grandview, Ore.
 Grant Smith & Company, Portland, Ore.
 Greene, Mrs. L. A., Maupin, Ore.
 Grizzly Livestock & Land Company, Madras, Ore., by Lewis H. Irving,
 Att'y., Madras, Ore.

Hamilton, L. H., Grizzly, Ore.
 Hansen, Carl, Bend, Ore.
 Hansen, Clarence M., Camp Sherman, Ore.
 Hansen, Joe, Camp Sherman, Ore.
 Hansen, Martin, Camp Sherman, Ore.
 Harter, A. J., Tumalo, Ore.
 Harter, Hannah J., Tumalo, Ore.
 Heising, Alice L., Camp Sherman, Ore.
 Howard, J. L., Lapine, Ore.
 Hurspool, John C., Bend, Ore.

Jefferson Water Conservancy District, by John K. Kollock, Att'y.,
 Portland, Ore.
 Johnson, Mrs. Dollie Cook, Maupin, Ore.
 Jones, O. S., Tumalo, Ore.

Kelly, L. D., Maupin, Ore.
 Ketchum, D. P. & Son, The Dalles, Ore.
 Kirtsis, Angelos C., Tumalo, Ore.
 Kuykendall, E. V., Olympia, Wash.

Lambert, N. J., Grandview, Ore.
 Lloyd, I. L., Tumalo, Ore.

McColloch, Grace, Terrebonne, Ore.
 McGuire, E. S., Bend, Ore.
 Marion, Emma J., Tumalo, Ore.
 Mayfield, George M., Lapine, Ore.
 Mayfield, J. D., Tumalo, Ore.
 Mayfield, M. S., Lapine, Ore.
 Miller, J. J., Moody, Ore.
 Montgomery, E. A., Grandview, Ore.

Montgomery, Glen W., Tumalo, Ore.
 Moody, Malcolm A., The Dalles, Ore.
 Moore, Roy, Lapine, Ore.

New, Isaac, Grandview, Ore.
 New, J. W., Grandview, Ore.
 North Canal Company, 500 Journal Bldg., Portland, Ore.,
 by C. M. Redfield, Bend, Ore.

Odin Falls Land Co., Portland, Ore., by Geo. Broughton,
 Pres., Portland, Ore.
 Oregon Land Corporation, Portland, Ore.
 Oregon Trunk Railway, W. F. Turner, Pres., Portland, Ore.

Pacific Power & Light Company, Gasco Bldg., Portland,
 Ore., by John A. Laing, Portland, Ore.
 Palmehn, Charles W., Grizzly, Ore.
 Paxton, G. L., Madras, Ore.
 Powell Butte Irrigation District, Prineville, Ore., by
 J. O. Baar, Portland, Ore.
 Pringle Falls Electric P. & W. Co., 500 Journal Bldg.,
 Portland, Ore., by Floyd W. Allen, 302
 Spalding Bldg., Portland, Ore.

Redmond, City of, Redmond, Ore.
 Riley, O. W. B., Bend, Ore.
 River Logging & L. Co., Seattle, Wash.
 Rose, J. L., Camp Sherman, Ore.
 Round Butte Water Co., Metolius, Ore.
 Rutherford, T. A., Portland, Ore.

Sandel, George W., Tumalo, Ore.
 Sandel, W. E., Tumalo, Ore.
 Shevlin-Hixon Co., Delaware, by J. L. Hennessy, Gen. Mgr.,
 Bend, Ore.
 Sly, George T., Lapine, Ore.
 Smith, Colonel F., Prineville, Ore.
 Smith, Robert, Tumalo, Ore.
 Smith, W. F. & Elva, Warm Springs, Ore.
 Snyder, Lucy, Corning, Cal.
 South Unit Improvement District, by Donald M. Graham, Att'y.,
 Prineville, Ore.
 Spaugh, C. H., Bend, Ore.
 Staats, Mrs. Arabella, Maupin, Ore.
 Stearns, Fannie E., Eugene, Ore.
 Steidl & Tweet, Bend, Ore.
 Suttles Lake Irrigation District, Grandview, Ore.
 Sweeney, T. A., Portland, Ore.
 Swisher, F. V. & Olga, Tumalo, Ore.

Tetherow, Jesse, Redmond, Ore.

U'Ren, Charles P., Gateway, Ore.
 U. S. Dept. of Agriculture, Forest Service, H. L. Plumb,
 Forest Supervisor, Bend, Ore.

Van Allen, W. E., Redmond, Ore.
 Vedder, I. D., Terrebonne, Ore.
 Vincent, Judson H., Grizzly, Ore.
 Vincent, William C., Grizzly, Ore.

Walker Basin Irrigation Company, by J. E. Morson, 237
 Cactus Drive-, Portland, Oregon.

Wallace, May M., Tumalo, Ore.
 Ward, Harriett B., Tumalo, Ore.
 Webb, M. L., Sherars Bridge, Ore.
 West Side Reclamation District, by John K. Kollock, Att'y.,
 Corbett Bldg., Portland, Ore.
 Wood, Erskine, Portland, Ore.
 Woodcock, J. H. & E. C., Maupin, Ore.
 Wurzweiler, Will, Prineville, Ore.

7.

That a large number of the persons, firms and corporations which were duly notified of the proceeding by registered mail and by publication of said notice, as shown by Paragraphs 4 and 5 hereof, and by the affidavits of publication and post office registry receipts in Volume 25, (pages 19 to 49) of the evidence herein, have failed, neglected and refused to appear herein and submit proof of a right to the use of the waters of said stream or its tributaries, if any they have or claim, and that such parties are in default, and that such default is here and now entered against them, and each of them, and said parties are hereby enjoined and inhibited from using or asserting any rights to the use of the waters of said stream, or any tributary thereof, except by, through or under the rights of the persons whose water rights are defined herein, or under and by virtue of permits issued by the State Engineer.

8.

That after the completion of the taking of such statements and proofs of claim the State Engineer did, on the 5th day of February, 1924, give notice by registered mail to each of the various claimants to the use of the waters of said stream or its tributaries that at the times and places named in said notice, to-wit:

On Monday, Tuesday and Wednesday, the 25th, 26th and 27th days of February, 1924, in the Circuit Court Room of the County Court House at Bend, Oregon.

On Thursday, the 28th day of February, 1924, in the Circuit Court Room of the County Court House at Madras, Oregon.

On Friday, the 29th day of February, 1924, at the Bank in Maupin, Oregon.

And for a period of 30 days beginning with Monday, the 3d day of March, 1924, and ending with Tuesday, the 1st day of April, 1924, at the office of the State Engineer in the Capitol Building, Salem, Oregon.

the testimony and proofs of claim theretofore filed would be open to public inspection. That said notice did also state therein the county in which the determination of the State Engineer in said proceeding would be heard by the Circuit Court of the State of Oregon, to-wit: The County of Deschutes. That said notice was published in two issues of the Maupin Times, a newspaper published weekly in the town of Maupin, Wasco County, Oregon, said two issues being those of February 9th and 14th, 1924; and said notice was published in two issues of the Madras Pioneer, a newspaper published weekly in the town of Madras, Jefferson County, Oregon, said two issues being those of February 7th and 14th, 1924; and said notice was published in two issues of The Dalles Chronicle, a newspaper published daily in the city of The Dalles, Wasco County, Oregon, said two issues being those of February 8th and 9th, 1924; said newspapers having general circulation in the counties in which such stream is situated.

That duly authorized representatives of the State Engineer did attend in accordance with said notice as described in the preceding paragraph, and keep said claims open to public inspection at said times and places. That within the time fixed by law therefor, the following contests were initiated by the filing with the State Engineer of notices of contest in writing:

1. North Canal Co., Contestant, v. Bend Water, Light & Power Co., Contestee.
2. North Canal Co., Contestant, v. Columbia-Deschutes Power Company, Contestee.
3. North Canal Co., Contestant, v. Deschutes Falls Power Company, Contestee.
4. North Canal Co., Contestant, v. Grant Smith Company, Contestee.
5. North Canal Co., Contestant, v. Grant Smith Company, Contestee.
6. North Canal Co., Contestant, v. Odin Falls Land Company, Contestee.
7. North Canal Co., Contestant, v. Steidl & Tweet, Contestees.
8. North Canal Company, Contestant, v. T. A. Sweeney, Contestee.
9. North Canal Company, Contestant, v. Walker Basin Irrigation Co., Contestee.
10. Grizzly Land & Livestock Co., Contestant, v. Antone Fogle, Contestee.
11. Grizzly Land & Livestock Co., Contestant, v. Antone Fogle, Contestee.
12. Chas. W. Palmehn, Contestant, v. Antone Fogle, Contestee.
13. Grizzly Land & Livestock Co., Contestant, v. Henry Frohnhofer, Contestee.
14. Grizzly Land & Livestock Co., Contestant, v. Judson H. Vincent, Contestee.
15. Chas. W. Palmehn, Contestant, v. Judson H. Vincent, Contestee.
16. Grizzly Land & Livestock Co., Contestant, v. William C. Vincent, Contestee.
17. Grizzly Land & Livestock Co., Contestant, v. William C. Vincent, Contestee.
18. Chas. W. Palmehn, Contestant, v. William C. Vincent, Contestee.
19. Grizzly Land & Livestock Co., Contestant, v. Fritz Frohnhofer, Contestee.
20. North Canal Company, Contestant, v. Shevlin-Hixon Company, Contestee.
21. North Canal Company, Contestant, v. Brooks-Scanlon Lumber Company, Contestee.
22. Arabella Staats, Contestant, v. East Maupin Water System, Contestee.
23. North Canal Company, Contestant, v. Central Oregon Irrigation District, Contestee.
24. North Canal Company, Contestant, v. U. S. of America, U. S. Dept. of Interior, Office of Indian Affairs, Warm Springs Agency, Contestee.
25. Walker Basin Irrigation Company, Contestant, v. C. O. I. Dist., Crook County Improvement Dist. #1, North Canal Co., C. O. I. Co., Bend Water, Light & Power Co., Chinook Land Co., W. E. Van Allen, Contestees.
26. Walker Basin Irrigation Company, Contestant, v. Cline Falls Power Company, Contestee.
27. Walker Basin Irrigation Company, Contestant, v. M. A. Moody, Contestee.
28. Walker Basin Irrigation Company, Contestant, v. City of Bend, Contestee.
29. Walker Basin Irrigation Company, Contestant, v. Columbia Deschutes Power Co., Contestee.
30. Walker Basin Irrigation Company, Contestant, v. George T. Sly, Contestee.
31. Jefferson Water Conservancy Dist., Contestant, v. Arnold Irrigation Co., Contestee.
32. Jefferson Water Conservancy Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
33. Jefferson Water Conservancy Dist., Contestant, v. Bend, Water, Light & Power Co., Contestee.
34. Jefferson Water Conservancy Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
35. Jefferson Water Conservancy Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
36. Jefferson Water Conservancy Dist., Contestant, v. Central Oregon Irrigation Co., Contestee.
37. Jefferson Water Conservancy Dist., Contestant, v. Columbia Deschutes Power Co., Contestee.
38. Jefferson Water Conservancy Dist., Contestant, v. Deschutes Co. Mun. Impr. Dist., Contestee.
39. Jefferson Water Conservancy Dist., Contestant, v. Deschutes Falls Power Co., Contestee.
40. Jefferson Water Conservancy Dist., Contestant, v. Odin Falls Land Company, Contestee.
41. Jefferson Water Conservancy Dist., Contestant, v. Pacific Power & Light Co., Contestee.
42. Jefferson Water Conservancy Dist., Contestant, v. J. Steidl & T. Tweet, Contestees.
43. Jefferson Water Conservancy Dist., Contestant, v. Grant Smith & Company, Contestee.
44. Jefferson Water Conservancy Dist., Contestant, v. T. A. Sweeney, Contestee.
45. Jefferson Water Conservancy Dist., Contestant, v. Oregon Land Corporation, Contestee.
46. Jefferson Water Conservancy Dist., Contestant, v. Shevlin-Hixon Company, Contestee.
47. Jefferson Water Conservancy Dist., Contestant, v. Brooks-Scanlon Lumber Co., Contestee.
48. Jefferson Water Conservancy Dist., Contestant, v. North Canal Company, Contestee.
49. Jefferson Water Conservancy Dist., Contestant, v. North Canal Company, Contestee.
50. Jefferson Water Conservancy Dist., Contestant, v. Cline Falls Power Company, Contestee.
51. West Side Reclamation Dist., Contestant, v. Arnold Irrigation Co., Contestee.
52. West Side Reclamation Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
53. West Side Reclamation Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
54. West Side Reclamation Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
55. West Side Reclamation Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
56. West Side Reclamation Dist., Contestant, v. Central Oregon Irrigation Co., Contestee.
57. West Side Reclamation Dist., Contestant, v. Columbia Deschutes Power Company, Contestee.
58. West Side Reclamation Dist., Contestant, v. Deschutes Co. Mun. Impr. Dist., Contestee.
59. West Side Reclamation Dist., Contestant, v. Deschutes Falls Power Co., Contestee.
60. West Side Reclamation Dist., Contestant, v. Odin Falls Land Co., Contestee.
61. West Side Reclamation Dist., Contestant, v. Pacific Power & Light Co., Contestee.
62. West Side Reclamation Dist., Contestant, v. J. Steidl & T. Tweet, Contestee.

63. West Side Reclamation Dist., Contestant, v. Grant Smith Company, Contestee.
64. West Side Reclamation Dist., Contestant, v. T. A. Sweeney, Contestee.
65. West Side Reclamation Dist., Contestant, v. Oregon Land Corporation, Contestee.
66. West Side Reclamation Dist., Contestant, v. Shevlin-Hixon Company, Contestee.
67. West Side Reclamation Dist., Contestant, v. Brooks Scanlon Lumber Co., Contestee.
68. West Side Reclamation Dist., Contestant, v. North Canal Co., Contestee.
69. West Side Reclamation Dist., Contestant, v. North Canal Co., Contestee.
70. West Side Reclamation Dist., Contestant, v. Cline Falls Power Co., Contestee.
71. West Side Reclamation Dist., Contestant, v. Powell Butte Irrigation Dist., Contestee.
72. West Side Reclamation Dist., Contestant, v. South Unit Improvement Dist., Contestee.
73. Odin Falls Land Company, Contestant, v. Columbia Deschutes Power Co., Contestee.
74. Odin Falls Land Company, Contestant, v. Deschutes Falls Power Company, Contestee.
75. Odin Falls Land Company, Contestant, v. Columbia Valley Power Co., Contestee.
76. Odin Falls Land Company, Contestant, v. Malcolm A. Moody, Contestee.
77. Odin Falls Land Company, Contestant, v. C. O. I. Dist., Contestee.
78. Odin Falls Land Company, Contestant, v. C. O. I. Dist., Contestee.
79. Odin Falls Land Company, Contestant, v. North Canal Co., Contestee.
80. Odin Falls Land Company, Contestant, v. Deschutes Co. Mun. Impr. Dist., Contestee.
81. Odin Falls Land Company, Contestant, v. City of Bend, Contestee.
82. Odin Falls Land Company, Contestant, v. U. S. Dept. of Interior, Office of Indian Affairs, Chas. H. Burke, Commissioner, Contestee.
83. Odin Falls Land Co., Contestant, v. Bend Water, Light & Power Co., Contestee.
84. Bend Water, Light & Power Co., Contestant, v. C. O. I. Dist., Contestee.
85. Bend Water, Light & Power Co., Contestant, v. North Canal Co., Contestee.
86. Bend Water, Light & Power Co., Contestant, v. C. O. I. Co., Contestee.
87. Bend Water, Light & Power Co., Contestant, v. Deschutes Co. Mun. Impr. Dist., Contestee.
88. Bend Water, Light & Power Co., Contestant, v. City of Bend, Contestee.
89. Deschutes Reclamation & Irrigation Co., Contestant, v. Columbia-Deschutes Power Co., Contestee.
90. Malcolm A. Moody, Contestant, v. Columbia-Deschutes Power Co., Contestee. /Contestee.
91. North Canal Co., Contestant, v. Malcolm A. Moody, Contestee.
92. North Canal Co., Contestant, v. Malcolm A. Moody, Contestee.
93. Wamic Water Ditch Co., W. J. Knox, Tygh Valley High Line Ditch Co., F. M. Driver & Lost Boulder Ditch Co., Contestants, v. Deschutes Falls Power Co., Contestee.
94. Wamic Water Ditch Co., W. J. Knox, Tygh Valley High Line Ditch Co., F. M. Driver & Lost Boulder Ditch Co., Contestants, v. Deschutes Falls Power Co., Contestee.
95. Wamic Water Ditch Co., W. J. Knox, Tygh Valley High Line Ditch Co., F. M. Driver & Lost Boulder Ditch Co., Contestants, v. Malcolm A. Moody, Contestee.
96. City of Bend, Contestant, v. Bend Water, Light & Power Co., Contestee.
97. City of Bend, Contestant, v. Bend Water, Light & Power Co., Contestee.
98. City of Bend, Contestant, v. E. D. Gilson, Contestee.
99. Charles Boyd, Contestant, v. C. O. I. Dist., Contestee.
100. Wapinitia Irrigation Co., Contestant, v. Columbia-Deschutes Power Co., Contestee.
101. Columbia Deschutes Power Co., Contestant, v. M. L. Webb, Contestee.
102. Deschutes Falls Power Co., Contestant, v. North Canal Co., Deschutes Co. Mun. Impr. Dist., Walker Basin Irrigation Co., City of Bend, Crook Co. Impr. Dist. #1, C. O. I. Co., Odin Falls Land Co., Contestees.
103. Columbia Deschutes Power Co., Contestant, v. North Canal Co., Deschutes Co. Mun. Impr. Dist., Walker Basin Irr. Co., City of Bend, Arnold Irr. Co., Crook Co. Impr. Dist. #1, C. O. I. Dist., C. O. I. Co., Deschutes Reclamation & Irr. Co., Odin Falls Land Co., Oregon Land Corporation, Suttles Lake Irr. Dist., Fall River Irr. Co., T. A. Sweeney, Powell Butte Irr. Dist., Cline Falls Power Co., Ralph E. Gilchrist, Jefferson Water Conservancy Dist., South Unit Impr. Dist., West Side Reclamation Dist., Wapinitia Irr. Co., Chinook Land Co., W. E. Van Allen, M. S. Mayfield, Fannie E. Stearns, John Atkinson, Malcolm A. Moody, Contestees.
104. Central Oregon Irr. Dist., Contestants, v. Columbia-Deschutes Power Co., Contestee.
105. Central Oregon Irr. Dist., Contestants, v. North Canal Co., Contestee.
106. Central Oregon Irr. Dist., Contestants, v. Malcolm A. Moody, Contestee.
107. Central Oregon Irr. Dist., Contestants, v. U. S. Dept. of Interior, Office of Indian Affairs, Contestee.
108. Crook County Impr. Dist. #1, Contestant, v. Malcolm A. Moody, Contestee.
109. Suttles Lake Irrigation Dist., Contestant, v. Malcolm A. Moody, Contestee.
110. Ochoco Irrigation Dist., Contestant, v. Malcolm A. Moody, Contestee.
111. Crook Co. Impr. Dist. #1, Contestant, v. Bend Water, Light & Power Co., Contestee.
112. Crook Co. Impr. Dist. #1, Contestant, v. Bend Water, Light & Power Co., Contestee.
113. Powell Butte Irr. Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
114. Crook Co. Impr. Dist. #1, Contestant, v. Bend Water, Light & Power Co., Contestee.
115. Powell Butte Irr. Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
116. Powell Butte Irr. Dist., Contestant, v. Bend Water, Light & Power Co., Contestee.
117. South Unit Impr. Dist., Contestant, v. Cline Falls Power Co., Contestee.
118. Crook Co. Impr. Dist. #1, Contestant, v. Cline Falls Power Co., Contestee.
119. Powell Butte Irr. Dist., Contestant, v. Cline Falls Power Co., Contestee.
120. Crook Co. Impr. Dist. #1, Contestant, v. Columbia-Deschutes Power Co., Contestee.
121. Powell Butte Irr. Dist., Contestant, v. Columbia-Deschutes Power Co., Contestee.
122. Ochoco Irr. Dist., Contestant, v. Columbia-Deschutes Power Co., Contestee.

123. Suttles Lake Irr. Dist., Contestant, v. Columbia-Deschutes Power Co., Contestee.
124. Crook Co. Impr. Dist. #1, Contestant, v. Deschutes Falls Power Company, Contestee.
125. Ochoco Irrigation Dist., Contestant, v. Deschutes Falls Power Co., Contestee.
126. Suttles Lake, Irr. Dist., Contestant, v. Deschutes Falls Power Co., Contestee.
127. Crook Co. Impr. Dist. #1, Contestant, v. Pacific Power & Light Co., Contestee.
128. Powell Butte Irr. Dist., Contestant, v. Deschutes Falls Power Co., Contestee.
129. Powell Butte Irr. Dist., Contestant, v. Pacific Power & Light Co., Contestee.
130. Crook Co. Impr. Dist. #1, Contestant, v. Odin Falls Company, Contestee.
131. Powell Butte Irr. Dist., Contestant, v. Odin Falls Company, Contestee.
132. Powell Butte Irr. Dist., Contestant, v. Central Oregon Irrigation Co., Contestee.
133. Crook Co. Impr. Dist. #1, Contestant, v. Central Oregon Irrigation Co., Contestee.
134. Powell Butte Irr. Dist., Contestant, v. T. A. Sweeney, Contestee.
135. Crook Co. Impr. Dist. #1, Contestant, v. T. A. Sweeney, Contestee.
136. Crook Co. Mun. Impr. Dist., Contestant, v. Oregon Land Corporation, Contestee.
137. Powell Butte Irr. Dist., Contestant, v. Oregon Land Corporation, Contestee.
138. Crook Co. Impr. Dist. #1, Contestant, v. Arnold Irrigation Co., Contestee.
139. Powell Butte Irr. Dist., Contestant, v. Arnold Irrigation Co., Contestee.
140. Powell Butte Irr. Dist., Contestant, v. North Canal Company, Contestee.
141. Powell Butte Irr. Dist., Contestant, v. North Canal Company, Contestee.
142. South Unit Impr. Dist., Contestant, v. North Canal Company, Contestee.
143. South Unit Impr. Dist., Contestant, v. Columbia Deschutes Power Co., Contestee.
144. South Unit Impr. Dist., Contestant, v. Deschutes Falls Power Co., Contestee.
145. South Unit Impr. Dist., Contestant, v. Odin Falls Company, Contestee.
146. John Steidl & T. Tweet, Contestants, v. Bend Water, Light & Power Co., Contestee.
147. Central Ore. Irr. Dist., Contestant, v. Shevlin-Hixon Company, Contestee.
148. Powell Butte Irr. Dist., Contestant, v. West Side Reclamation Dist., Contestee.
149. Powell Butte Irr. Dist., Contestant, v. Jefferson Water Conservancy Dist., Contestee.

10.

That after the filing of said notices of contest the State Engineer did fix a time and place for the hearing of contests No. 10 to 19, inclusive, involving water rights on Willow Creek, and contest No. 22, at Maupin, and did on the 20th day of June, 1924, serve notice of hearing of said contests on each of the parties to said contests, the date fixed for hearing being more than thirty days and less than sixty days from the date the notice of hearing was served on said parties. That upon the dates as so fixed for the hearing of said contests, the taking of testimony in said contests was commenced before a duly authorized reporter, and continued until each of said contests was fully heard, settled or otherwise disposed of.

11.

Contest #22.

Arabelle Staats,

Contestant,

vs.

East Maupin Water System, a corporation,

Contestee.

East Maupin is a small unincorporated town situated on the east side of Deschutes River directly across from the larger and older town of Maupin. The East Maupin Water System is a corporation organized by the residents of East Maupin with the object of enabling them to obtain a better water supply for use in the town, and to condemn the right-of-way. The water sought to be appropriated by the corporation is a portion of the flow of certain large springs called Maupin Springs, situated across the river on the outskirts of the town of Maupin, on land owned by the contestant,

Mrs. Arabelle Staats. Mrs. Staats has owned the land for many years and since the founding of the town of Maupin about 1910 has constructed a water system whereby a portion of the water of the springs has been used in operating two hydraulic rams which lift part of the water into a reservoir from which it is piped and used by the town of Maupin for general municipal purposes. Mrs. Staats alleges that by virtue of the fact that the water rises on her land, she is entitled to the full and exclusive enjoyment thereof, basing this claim upon the provisions of Section 5797 Oregon Laws; and claims she is entitled to a right to the entire flow from the springs to take care of anticipated needs by reason of growth of population, and to insure the town sufficient water supply in cases of emergency. We therefore have two issues: first, is there a surplus of water from the springs over and above the reasonable needs of the city of Maupin? Second, if there is such a surplus, is it subject to appropriation by others than the owner of the land upon which the springs originate?

The evidence discloses that the springs furnish a large flow of water over and above any quantity of water that has been used, or that could probably be used by the town of Maupin before a great number of years, if ever. Mrs. Staats has completed an appropriation of water under a permit issued by the State Engineer, and secured a final certificate covering a right to the use of three cubic feet per second of the water of these springs. This would seem to be ample for all reasonable future needs of the town. The records show that the flow of the springs is practically uniform the year around, and amounts to 3.8 cubic feet per second, leaving a surplus of 0.8 cubic foot per second over the quantity to which contestant is entitled under her certificate.

That as to whether the unappropriated water of these springs is subject to appropriation, there can be no question, considering the facts as disclosed by the evidence in the case. Maupin Springs seem to be in fact a series of springs issuing from the earth at several places no great distance apart and flowing down a steep hillside, and a short distance from their head forming a well defined channel. Section 5797, Oregon Laws, provides "that the person upon whose lands the seepage or spring waters first arise, shall have the right to the use of such waters." (Morrison v. Officer, 48 Or. 569, 87 Pac. 896.)

In ruling on this clause, our Supreme Court said that it is a grant of the exclusive right to the use of unappropriated water specified so that the water might be used for domestic and stock purposes when the quantity available did not appear to be more than was reasonably necessary to supply such use. Again referring to the same statute, the Court said that under this provision there would seem to be no distinction between rights to appropriate the water of running streams and those of springs. (Brosman v. Harris, 39 Or. 151.) The flow of Maupin Springs is too great to

be consumed upon the property of the claimant. They flow in a well defined channel off of her property, and their water is subject to appropriation the same as is the water from the Deschutes River, which is almost entirely formed by larger springs of like character.

The rights of Contestant shall therefore be limited to an appropriation of three cubic feet per second. There is no evidence to justify the allowance of a priority under this appropriation as early as that claimed, namely, 1886, as it appears that no use was made of the water for municipal purposes until after the Water Code was passed in 1909. Contestant's rights must therefore depend upon her final certificate secured under the permit issued by the State Engineer, giving her a priority of May 31, 1911. Contestee may appropriate the water of the stream in excess of this amount under the terms of his permit #5032 issued by the State Engineer, having a priority of January 13, 1920.

12.

Contests #10, 11 and 12.

Grizzly Land & Livestock Company and Chas. W. Palmehn,

Contestants,

vs.

Antone Fogle,

Contestee.

The State Engineer in his order of determination awarded Contestee a water right for the 25 acres of land irrigated from Willow Creek and Warner Spring with a priority of 1871. The evidence shows that this right was not initiated until 1875. This finding is modified so that such priority shall be of the year 1875 instead of the year 1871 for said 25 acres.

The objections to the findings of the State Engineer awarding Contestee a priority of 1886 for 14.1 acres and a priority of 1895 for 14.9 acres and a priority of 1904 for 6.2 acres are not supported by the testimony of record in this case, and such objections are overruled.

It is also shown that in 1914 Contestee constructed a small ditch for the purpose of draining a meadow, the ditch carrying water to about 4 acres of land which had not been irrigated up to that time. Contestee claimed that he was utilizing water which had never reached the creek channel and which therefore had never been available for appropriation by lower users. The testimony, however, does not bear out this contention, it appearing that this water had drained into the creek and was available for use below. The water right claimed for this tract is therefore denied. Contestee should procure a right for this water by filing an application for permit with the State Engineer.

It is therefore ORDERED, ADJUDGED and DECREED that the rights of this claimant be and the same are hereby determined in accordance with the above findings.

13.

Contests #16, 17 and 18.

Grizzly Livestock & Land Company and Chas. W. Palmehn,

Contestants,

vs.

William C. Vincent,

Contestee.

The exceptions to the findings of the State Engineer in this contest are not well taken and are denied for the reason that it is shown from all of the testimony and records in this case that there was no abandonment of the water rights by the Contestee or his predecessors in interest.

The Court hereby adopts the findings of the State Engineer in this contest, comprising Paragraph 13 on pages 11 and 12 of said findings, reading as follows:

"Contestee claims a water right from Coon Creek for the irrigation of five acres of land. It appears that Coon Creek at the mouth has no well defined channel, but spreads out over the ground, irrigating some five or six acres of land. It appears that in the early days a part of these lands was covered with willows and brush, and as far back as 1872 hay was out in among the willows. The testimony indicated that about the year 1885 the brush was cleared off and since that time hay has been cut from the meadow, or the crop produced by the overflow has been used in some beneficial way. The lands irrigated from Coon Creek all lie on the north side of Willow Creek. This claim has been allowed with date of priority and the acreage as set forth in Mr. Vincent's claim.

"Contestee claims a water right from Willow Creek, for the irrigation of 30.5 acres of land. It appears that there was a small ditch constructed from Willow Creek by the predecessors in interest of Mr. Vincent prior to the date as set forth in the claim. The testimony shows that a new ditch was constructed in 1898 and some 25 or 30 acres of land was irrigated. It appears that this ditch, while it may not have been kept up or cleaned out every year, has never been abandoned, and the area as claimed, has been and is now irrigated, and the right is allowed as claimed."

It is therefore ORDERED, ADJUDGED and DECREED that the rights of this claimant be and the same are hereby determined in accordance with the above findings.

Contests #14 and 15.

Grizzly Livestock & Land Company and Chas. W. Palmehn,

Contestants,

vs.

Judson H. Vincent,

Contestee.

The exceptions to the findings of the State Engineer in this contest are not well taken and are denied for the same reasons and upon the same ground as set forth in the preceding Paragraph No. 13.

The Court hereby adopts the findings of the State Engineer in this contest comprising Paragraph 14 on page 12 of said findings, reading as follows:

"Contestee claims a water right from Willow Creek for the irrigation of 16.6 acres of land. The State Engineer's maps show all of the lands irrigated, as claimed. It appears that the first irrigation was in 1873 when a small garden was irrigated. In 1874 a new ditch, diverting from Willow Creek further upstream, was constructed, which apparently was used to irrigate the lands now irrigated. It appears that the lands were rented at various times, and the ditch was neglected, but the testimony does not show any intention to abandon the use of the ditch, nor was the period of non-use sufficient in time to constitute an abandonment of Contestee's right. Therefore the right is allowed as claimed."

It is therefore ORDERED, ADJUDGED and DECREED that the rights of this claimant be and the same are hereby determined in accordance with the above findings.

Contests #13 and 19.

Grizzly Livestock and Land Company,

Contestants,

vs.

Henry Frohnhofer and Fritz Frohnhofer,

Contestees.

These contests were duly set down for hearing, and Contestees appeared and offered to amend their claims as follows: That Henry Frohnhofer should be allowed a right for the irrigation of 1 acre under priority of 1905 and 9 acres under priority of 1908; and that Fritz Frohnhofer should be allowed a right for the irrigation of 2 acres under priority of 1908. Whereupon Contestants dismissed their contests. The rights of said Contestees are allowed in accordance with the amended claim.

That after the taking of testimony in the contests described in the preceding paragraphs was completed, the remaining contests were re-arranged and consolidated into 39 contests, or groups of contests, so that all contests against any one claimant were merged and heard as one contest, thereby avoiding repetition of evidence and testimony. That thereafter and on the 6th day of September, 1924, the State Engineer did serve notice of hearing of said consolidated contests on each of the parties to said contests, the date fixed for hearing being more than thirty days and less than sixty days from the date the notice of hearing was served upon said parties. That the time so set for said hearing was later extended to suit the convenience of the interested parties. That upon the date as finally fixed for the hearing of said contests, the taking of testimony in said contests was commenced before the State Engineer, and continued until each of said contests was fully heard, settled, or otherwise disposed of. These contests will be taken up in numerical order as re-numbered, and findings and decree made thereon, in the paragraphs following. The numbers of the original contests as filed, are set opposite the names of the respective contestants in each case.

17.

Contest #1.

103. Columbia-Deschutes Power Company,

Contestant,

vs.

John Atkinson,

Contestee.

The rights of this Contestee depend upon final Certificate No. 3312, issued under Permit No. 54 of the State Engineer, covering a right to appropriate $4\frac{1}{2}$ cubic feet per second of water from Fall or Spring River for the irrigation of 360 acres of land, with priority of July 7, 1909. No evidence was introduced in this contest other than documentary evidence showing the existence of the permit and certificate, and Contestee's rights thereunder shall not be modified in this proceeding.

18.

Contest #2.

103. Columbia-Deschutes Power Company,

Contestant,

vs.

Fall River Irrigation Company,

Contestee.

The claim filed by this Contestee, together with the testimony of A. D. Lewis, Secretary of the Company, shows that the Contestee is the holder of Permit No. 146 of the State Engineer, covering a right to appropriate 26 $\frac{1}{2}$ cubic feet per second of water from Fall River for the irrigation of 2067.89 acres of land, with priority of October 13, 1909; that the appropriation has not been completed and final certificate issued, because of the fact that after work on the system had progressed to an extent sufficient to irrigate about 60 acres of land, the Company was advised by the State Engineer to defer any enlargements until it became known whether the Benham Falls reservoir would be built, as the lands contemplated to be irrigated by the Company were below the flow line of the proposed Benham Falls Reservoir and would be inundated should the reservoir be built. This suggestion has been followed, and it appears that it will be some time before the Company can safely proceed with development with assurance that its works will not later be sacrificed in favor of the larger Benham Falls Project. The rights of the Company shall not be modified in this proceeding.

19.

Contest #3.

98. City of Bend,

Contestant,

vs.

E. D. Gilson,

Contestee.

This contest was set down for hearing, but no appearance was made by the Contestee, and no testimony was offered therein by the Contestant. Contestee's claim shows that he has filed Application No. 9145 with the State Engineer, for the appropriation of 192 cubic feet per second of water from Spring River for irrigation and power purposes and municipal use by the City of Bend, the priority of the application being August 20, 1923. This application has not been approved by the State Engineer, and Contestee's rights thereunder shall not be modified in this proceeding.

20.

Contest #4.

103. Columbia-Deschutes Power Company,

Contestant,

vs.

Ralph E. Gilchrist,

Contestee.

This contest was settled by stipulation, the Contestant withdrawing its

contest, Contestee made two filings with the State Engineer December 24, 1923, for the appropriation of 4 cubic feet per second of the waters of E. Fork of Deschutes River for use in connection with a proposed lumber manufacturing plant in Section 19, T. 22-S. R. 10 E. W. M. These applications were approved and permits issued to said Contestee April 20, 1925.

21.

Contest #5.

103. Columbia-Deschutes Power Company,
Contestant,
vs.
Fannie E. Stearns,
Contestee.

Contestee claims a right through the Findley ditch from the East Fork of Deschutes River for the irrigation of 468.6 acres of land. This is in excess of the acreage shown as irrigated on the State maps, the difference being due to the classification of certain lands as non-irrigated, by the State Engineer, which were claimed as irrigated by Contestee. However, it was satisfactorily shown by the testimony taken in the contest that such lands were irrigated and entitled to a water right. The rights of Contestee shall be allowed as claimed.

22.

Contest #6.

103. Columbia-Deschutes Power Company,
Contestant,
vs.
M. S. Mayfield,
Contestee.

Contestee claims to have irrigated certain lands not shown on the maps of the State Engineer as irrigated, and it appearing that the said maps showed only a part of the lands that had actually been irrigated by Contestee, the right to irrigate the entire area claimed will be confirmed. The testimony also establishes clearly that the appropriation of water for the irrigation of Contestee Mayfield's land and the land owned by Fannie Stearns and others under the Findley ditch were initiated in the year 1897, and the rights of Mayfield and other users under this ditch shall be as defined in the tabulation herein.

Contestee Mayfield filed an amended claim for water from the West Fork of East Fork of Deschutes River, otherwise known as Crescent Creek, for the irrigation of 176.1 acres of land through the Mike Mayfield ditch, and for which the date of priority of 1898 is claimed. The testimony given at the hearing, although that particu-

lar claim was not contested, shows the claimant to be entitled to the right as covered by the amended claim, and the claim is therefore allowed.

23.

Contest #7.

103. Columbia-Deschutes Power Company,
Contestant,
vs.
Suttles Lake Irrigation District,
Contestee.

This contest was disposed of by stipulation, filed April 17, 1925.

(See Paragraph 49.) The rights of the Suttles Lake Irrigation District depend upon six applications for permit filed with the State Engineer at various dates, beginning in 1911, covering a water supply from storage and direct flow of tributaries of Metolius River, the area proposed to be irrigated being about 13,000 acres. Two of these applications have been approved and permits issued. The project, however, is at a standstill at the present time, awaiting more favorable opportunities for financing and better agricultural conditions generally. There is nothing in the evidence submitted to justify any modification of these water rights in this proceeding.

24.

Contest #8.

101. Deschutes Falls Power Company,
Contestant,
vs.
M. L. Webb,
Contestee.

Before this contest came to trial a stipulation was entered into and filed, as follows:

It is stipulated and agreed between the above named contestant and the above named contestee that said contest shall be settled and adjudged as follows:

1.

A finding and decree shall be made and entered herein, adjudging and allowing to the said M. L. WEBB, the appropriation and water right by him claimed in his proof of claim on file herein, but subject to the contract rights of the contestant to the use of said water as stipulated in the deed of the Eastern Oregon Land Company to the said M. L. Webb, in accordance with the facts as alleged in the Contest notice herein; and that there shall be adjudged to the contestant the right to the use of said water as specified in said contract and deed; and all remaining rights to the use of said water, over and above those reserved to the Eastern Oregon Land Company, predecessor in interest of the contestant, shall belong to said M. L. Webb, and he may continue to exercise and enjoy the same as heretofore.

Dated this 25th day of September, 1924.

DESCHUTES FALLS POWER COMPANY
Contestant

By (Signed) VEAZIE & VEAZIE
Its Attorneys

(Signed) M. L. WEBB
Contestee

Contestee M. L. Webb claims a right to the use of water from a spring located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T. 3 S. R. 14 E.W.M., for the irrigation of 3 acres of land and for domestic and stock purposes, with priority of 1867. It appears that Contestant (or its predecessors) sold to Contestee the land upon which the spring is located, but in the deed reserved the right to use the waters of the spring, or so much thereof as should be required by Contestant for use in connection with the operation of its property in the SE $\frac{1}{4}$ of Section 34, T. 3 S. R. 14 E., W.M. It appears that such right has been acquired by Contestant through actual appropriation and use, and shall be allowed as hereinafter tabulated. The right of Contestee shall be allowed as claimed, but shall be subject and inferior to Contestant's right to the use of water from said spring, as provided by the reservation and stipulation.

25.

Contest #9.

- 8. North Canal Company
- 44. Jefferson Water Conservancy District
- 64. West Side Reclamation District
- 103. Columbia Deschutes Power Company
- 134. Powell Butte Irrigation District
- 135. Crook County Improvement District #1

Contestants,

vs.

T. A. Sweeney,

Contestee.

This contest was set down for hearing, but the Contestee, although duly notified thereof, failed to make any appearance or offer any proof in support of his claim. As against said Contestants he is therefore in default, and his rights as hereinafter tabulated shall be subject to, and inferior to, the rights of Contestants as allowed herein. Contestee's rights depend upon Application No. 8282 to the State Engineer, for permit to appropriate water, filed March 1, 1922, for the storage of water in Big Cultus Lake. This right shall not be modified in this proceeding.

Contest #10.

30. Walker Basin Irrigation Company,

Contestant,

vs.

George T. Sly,

Contestee.

Contestee claims a right to the use of the waters of East Fork of Deschutes River through the Stearns or Findley ditch for the irrigation of 70 acres of land, under priority of 1897. It appears that the Findley ditch runs down through the middle of the Sly place, widening out in places into more or less of a swale, and that there is an area of about 70 acres of meadow land on the Sly place that has received some benefit by overflow or sub-irrigation. Through this use of the water the land is entitled to a water right. The priority of such right will date from the time that this benefit was first taken advantage of, which appears to be 1900, the first year that Mr. Sly occupied the place. It appears, however, that Contestee has not acquired any right, title or interest in the Findley ditch or the use thereof for conveying water from the stream to his land. In the event that the owners of said ditch (who appear to be Fannie Stearns, one-half interest, M. S. Mayfield, one-fourth interest, Geo. Mayfield, one-eighth interest, and J. L. Howard, one-eighth interest) change the ditch in any way so as to lessen or eliminate the benefit which the lands of Contestee have been receiving therefrom, Contestee shall have no right to complain, but must find some other means of conveyance of the water to which his lands are entitled.

Contest #11.

45. Jefferson Water Conservancy District
 65. West Side Reclamation District
 103. Columbia-Deschutes Power Company
 136. Crook County Improvement District #1
 137. Powell Butte Irrigation District

Contestants,

vs.

Oregon Land Corporation,

Contestee.

Contestee's rights depend upon a filing made with the State Engineer November 27, 1914 (Application 3325, Permit 2245) covering the appropriation of 100 second feet of water from East Fork of East Fork of Deschutes River for the irrigation of some 8,000 acres of land. This is subsequent to the State's withdrawal of the unappropriated waters of Deschutes River and its tributaries, and development of

the project of Contestee has been held up awaiting the outcome of lower projects expecting to utilize such water. No modification of Contestee's rights shall be made in this proceeding.

28.

Contest #12.

28. Walker Basin Irrigation Company
61. Odin Falls Land Company
88. Bend Water, Light & Power Company
102. Deschutes Falls Power Company
103. Columbia-Deschutes Power Company

Contestants,

vs.

City of Bend,

Contestee.

The city of Bend filed a claim alleging a right of appropriation of 25 cubic feet per second of water from Deschutes River for municipal purposes, with priority of August 15, 1900. The above contest came to trial, and from the evidence submitted, it appears that the city of Bend, in its corporate capacity, or otherwise, has never initiated or acquired a water right as claimed, and therefore the City's claim is denied.

29.

Contest #13.

7. North Canal Company
42. Jefferson Water Conservancy District
62. West Side Reclamation District

Contestants,

vs.

Steidl & Tweet,

Contestees.

Contestees claim a right to the use of 250 second feet of water from Deschutes River under priority of 1903 for the development of power. The power plant is located at the North Canal Dam in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T. 17 S. R. 12 E., W.M. It appears that in the year 1903 steps were taken by Mr. Steidl to develop a power plant on the Deschutes River a short distance below the present location of the North Canal Dam. However, no actual physical work on the ground was done at that time. The work done prior to 1906 consisted only of preliminary investigations, surveys and soundings to determine the best location for such a plant. Apparently no notice of appropriation was posted or recorded. Actual construction was commenced about September 15, 1906, a dam and headgate being constructed and a water-wheel installed for the

purpose of developing power. No power was developed until after an agreement was made in 1912 with the Central Oregon Irrigation Company, whereby Steidl & Tweet secured the right to use the North Canal dam and canal for power purposes in exchange for the right of way for the dam. Since that time a power plant has been constructed and the water has apparently been used to the extent claimed. Considering the kind and amount of work during the earlier period, the right is not entitled to relate back for priority to the time of the first investigations, as claimed, but was in fact initiated September 15, 1906, when the first actual construction work was commenced. It is therefore ORDERED, ADJUDGED and DECREED that Contestees be, and they are, hereby allowed a right dating from 1906 for 250 second feet of water for power purposes, and that in accordance with said agreement with the Central Oregon Irrigation Company, this right shall be subsequent in time and inferior in right to the rights of the Central Oregon Irrigation Company, Central Oregon Irrigation District and North Canal Company, as determined herein.

Contestees also claim a right to the use of $4\frac{1}{2}$ second feet of water, $3\frac{1}{2}$ second feet being claimed for municipal purposes and 1 second foot for the irrigation of 40 acres of land. The evidence shows that actual construction work was commenced in 1903 under this appropriation and was thereafter prosecuted from time to time up to 1915, at which time water was furnished to the town site of Lytle, and the Riverside and Wiestoria Additions to the City of Bend; also that the 40 acres of land has been irrigated as claimed. It is therefore further ORDERED, ADJUDGED and DECREED that Contestees be, and they are, hereby allowed a water right for $3\frac{1}{2}$ second feet of water, dating from October 10, 1903, for municipal purposes, and a water right for 1 second foot of water, dating from October 10, 1903, for irrigation purposes. As to Contestee's claim to the use of water for municipal purposes, to the extent of $3\frac{1}{2}$ second feet, it appears that Contestee has made a conditional agreement transferring an interest in said right to the Bend Water, Light & Power Company, as follows:

It is hereby stipulated by and between the Bend Water, Light & Power Company and Steidl & Tweet that the $4\frac{1}{2}$ second feet claimed in the above entitled proceedings by the Bend Water, Light & Power Company is identical with the $4\frac{1}{2}$ second feet claimed by Steidl & Tweet, and it is further stipulated and agreed that the Bend Water, Light & Power Company shall secure full right, title and interest in and to any or all of said waters up to an amount of $3\frac{1}{2}$ second feet as the same is applied to a beneficial use on Lytle, Riverside and Orokola Additions for municipal purposes.

It is further stipulated and agreed that said Steidl & Tweet shall have the right to use on said Additions any of the waters remaining of the $3\frac{1}{2}$ second feet not applied to beneficial use by the Bend Water, Light & Power Company; provided, however, that said Steidl & Tweet shall not utilize any of the said $3\frac{1}{2}$ second feet of water unless the Bend Water, Light & Power Company shall fail, neglect or refuse to deliver water to any part of these said additions, to which said Additions these waters are appurtenant.

It is further stipulated and agreed that the said Steidl & Tweet shall have the right to use one (1) second foot out of the $4\frac{1}{2}$ second feet above referred to, on eighty (80) acres described in their claim filed in these proceedings, and lying West of Deschutes River.

In view of the foregoing stipulations the contestant, Steidl & Tweet, agrees to dismiss the above entitled contest, and the contestee agrees to file a withdrawal of its separate claim to said $4\frac{1}{2}$ second feet of said waters and with reference to said $4\frac{1}{2}$ second feet, hereby agrees to rely solely upon its contractual relations with said Steidl & Tweet as hereinabove defined.

(Signed) Steidl & Tweet
by John Steidl

H. H. De Armond
Att'y. for Steidl & Tweet

(Signed) Bend Water, Light &
Power Company,
By T. H. Foley,
Vice President.

R. S. Hamilton & Henry S. Gray
Attys. for Bend W., L. & P. Co.

This right shall be allowed in the name of Steidl & Tweet under the date of priority of October 10, 1903, but shall be subject to use and enjoyment by Bend Water, Light & Power Company (now Deschutes Power & Light Company) as provided by said stipulation.

30.

Contest #14.

21. North Canal Company
47. Jefferson Water Conservancy District
67. West Side Reclamation District

Contestants,

vs.

Brooks-Scanlon Lumber Company,

Contestee.

Contest #15.

20. North Canal Company
46. Jefferson Water Conservancy District
66. West Side Reclamation District
147. Central Oregon Irrigation District,

Contestants,

vs.

Shevlin-Hixon Company,

Contestee.

Contestees are two large lumber manufacturing plants located at Bend, the Brooks-Scanlon plant being on the east side of Deschutes River, and the Shevlin-Hixon Company's plant being just across the river, both using the same log pond. The actual consumption of water by these plants, according to the record, is about 3 second feet each, which is used in the generation of steam and for domestic and sanitary purposes in the mills and yards. It appears that about 15 second feet is pumped from the stream and used for log washing and steam condensing purposes, but this water is returned to the stream without substantial diminution. A larger quantity of water is required for maintenance of the log pond, and at times during winter months a quantity up to 200 second feet or more is used to prevent the accumulation of ice

which would interfere with movement of logs. Some testimony and other evidence was submitted by these lumber companies in support of their claims, and a stipulation was entered into between said companies and 14 other principal claimants (including the four who contested the claims of the lumber companies), in which stipulation such other claimants in substance acknowledged the right of the lumber mills to the use of the stream to the extent and for the purposes as above mentioned, but did not fix the priority of such right or its relation to the rights of the other stipulators. The statements of the lumber mills are somewhat indefinite as to the basis of their claim to the rights of appropriation asserted. It appears that both companies began the use of the water of the stream after February 24, 1909, the date of enactment of the Water Code, which provided an exclusive method of initiating water rights, that of filing an application with the State Engineer and securing a permit to appropriate the water, --and that these companies made no such filings. However, on February 28, 1913, all unappropriated water in Deschutes River and its tributaries was withdrawn from appropriation under the cooperative act (L. 1913, Chap. 87). The Order of the State Water Board dated November 26, 1921, making allotments of portions of such withdrawn water to certain applicants indicated that as a matter of public policy a certain quantity of water would be withheld from allotment to irrigation projects, to take care of uses of benefit to the general public, such as for fish ladders and domestic, power, municipal and industrial requirements along the stream, including the needs of the lumber mills, the order reading in part as follows:

"That the State Water Board hereby adopts as a basis for future development on the Deschutes River, under the withdrawals of land and water made in accordance with Chapter 87, Laws of Oregon for 1913, and the contracts executed pursuant thereto, the plan set forth in the report of the Deschutes River Board to the Federal Power Commission dated August 31, 1921; and hereby declares that all allotments of water now or hereafter made under the withdrawal of February 28, 1913, shall not aggregate a greater amount of water than is found by said report to be available for storage and use; provided, that the State Water Board hereby reserves for such disposition as future observations and developments render proper and desirable, the 200 second feet of the continuous flow of Deschutes River past Bend, and the 18,000 acre feet of water as set apart in the said report to be used during the non-irrigation season for domestic and other uses."

This reservation will no doubt be found to adequately provide for all such requirements, as above mentioned, at most times. The reservation will not operate as against earlier rights, with priority before February 28, 1913, and during the irrigation season at times, such early rights may deplete the flow of the stream to such extent as to deprive the lumber mills or other industries of the water necessary for their operation. In that event it would appear that a sufficient part of the flow covered by earlier rights might be purchased to make up the deficiency.

In order to fix the rights of the lumber plants more definitely than in the above general reservation, the following provisions are made herein:

1. That 200 second feet of continuous flow past Bend, out of the unappropriated waters of Deschutes River withdrawn February 28, 1913, has been and is reserved from diversion or storage for irrigation, and devoted to industrial, domestic and municipal uses, as recommended by the Deschutes Board.

2. That the Shevlin-Hixon Company and Brooks-Scanlon Lumber Company are industrial concerns justly entitled to share in the benefits of the reserved flow, and should be and are awarded and adjudged the following rights:

(a) Each of said companies shall have the right to take from the Deschutes River and consume in the generation of steam and other plant uses such quantity of water as may be reasonably necessary, not to exceed in either case three cubic feet per second.

(b) Each of said companies shall have the right to take from the stream, use and return to the main channel without substantial diminution, such quantity of water as may be reasonably necessary for other plant purposes, not exceeding in either case fifteen cubic feet per second.

(c) The right to have the reserved flow controlled so as to provide a sufficient quantity of water to maintain the log pond used by said companies at substantially its present level, and to prevent such accumulation of ice in said pond as would stop the movement of logs to the mills; and to that end, and to supply the water needed for plant purposes as provided in the foregoing paragraphs "a" and "b", a continuous flow of not less than fifty cubic feet per second past Bend shall be maintained at all seasons of the year; and in addition thereto the State Engineer shall have authority, and is directed, from time to time during periods of cold weather, to release from storage and permit to flow into and through said pond, such quantities of water, in addition to said continuous flow of fifty cubic feet per second, as may be reasonably necessary to carry broken ice over the spillways of the dam, and/or provide sufficient current through said pond to prevent the accumulation of ice therein to such extent as to stop or obstruct seriously the handling of logs; but that such additional releases shall at no time exceed a quantity which, added to the continuous flow of fifty cubic feet per second, will equal the normal flow of the stream under like conditions prior to the construction of storage reservoirs, or exceed 200 cubic feet per second.

3. That the rights allowed said Shevlin-Hixon Company and Brooks-Scanlon Lumber Company under Paragraph 2 above shall continue only so long as used in connection with the manufacture of lumber at the present location of the plants of said companies. At such time in the future as such manufacturing operations are discontinued, said water rights shall be considered as abandoned, and the water thereunder shall revert to the public and be subject to re-allotment by the State Engineer.

Contest #16.

1. North Canal Company
25. Walker Basin Irrigation Company
32. Jefferson Water Conservancy District
33. Jefferson Water Conservancy District
34. Jefferson Water Conservancy District
35. Jefferson Water Conservancy District
52. West Side Reclamation District
53. West Side Reclamation District
54. West Side Reclamation District
55. West Side Reclamation District
83. Odin Falls Land Company
96. City of Bend
97. City of Bend
111. Crook County Improvement District #1
112. Crook County Improvement District #1
113. Powell Butte Irrigation District
114. Crook County Improvement District #1
115. Powell Butte Irrigation District
116. Powell Butte Irrigation District
146. John Steidl & Thomas Tweet

Contestants,

vs.

Bend Water, Light & Power Company,

Contestee.

The name of this Contestee has been changed to Deschutes Power & Light Company. Under claim No. 2-A, as originally filed, Contestee claimed the right to the use of 1406 second feet for power purposes. This claim was later reduced to 1325 second feet. The date of priority claimed for this appropriation is December 30, 1905, which is the date of filing a notice of appropriation by the Pilot Butte Development Company, which notice was posted on the stream December 21, 1905. It appears that prior to 1905 some investigations had been made upon the Deschutes River in the vicinity where the plant is now located to determine conditions relative to the construction of a power plant. In 1903 or 1904, Mr. Whistler, an engineer, was employed, and the filing seems to have been made as a result of Mr. Whistler's studies and recommendations. No actual construction work was begun until 1909. In fact the power dam appears to have been started on May 12, 1909. The equipment has been added to from time to time until now the total water consumption of the turbines is 1325 second feet. It is therefore ORDERED, ADJUDGED and DECREED that this Contestee be and it is hereby allowed a right for this quantity of water with priority as claimed.

Exceptions were filed with the Court to the failure of the State Engineer to allow the claims of Contestee for the following quantities of water:

- 40 second feet for carrying debris over the sluiceway
- 10 second feet for carrying off ice
- 20 second feet for the operation of a fish ladder

As to the claim for water for carrying off debris, it appears that no such use of water was in contemplation by Contestee or its predecessors in interest at

the time of posting the notice of appropriation and that to allow 40 second feet of water for that purpose would be a wasteful application of water and should not be permitted.

As to the claim of Contestee for 20 second feet of water for the operation of a fish ladder required to be installed by the State Fish & Game Commission, it appears that this use was not within the contemplated uses of Contestee's predecessor in interest when it posted its notices of appropriation in 1905. It appears that if the State is to compel Contestee to maintain a fish ladder at its dam, it should furnish the necessary supply of water therefor from its withdrawal of unappropriated water which was made in 1913, as hereinafter referred to in Paragraph 66.

As to the claim of Contestee for 10 second feet of water for carrying off ice, it appears that while perhaps this use was not in contemplation at the time of posting of the notice, yet it is a necessary and beneficial use of the water which has been made from the time the appropriation was first commenced, and also that such use will be made at a time of the year when it will not interfere with other uses. It also appears that the necessity for water for this purpose is confined to a period from about November 20th to about February 20th of each winter season.

It is therefore ORDERED, ADJUDGED and DECREED that the claim for 40 second feet for carrying off debris, and the claim for 20 second feet for operating a fish ladder, be and the same are hereby denied; and that Contestee be and it is hereby allowed a right for 10 second feet of water for carrying off ice during the period of each winter from November 20th to February 20th, with a date of priority as of the time of posting the notice of appropriation for power and other purposes, December 21, 1905.

Under claim No. 2-B, Contestee claims the right to the use of 50 second feet of water from Tumalo Creek for power purposes under date of priority of November 24, 1919, based on Permit No. 4384 issued by the State Engineer. Under claim No. 2-C, Contestee claims a right to the use of 25 second feet of water from Deschutes River for municipal purposes in the city of Bend, the water to be diverted from the forebay of the Company's power plant at Bend. This claim is based on application for permit to appropriate water, No. 9184, filed with the State Engineer on September 20, 1923. These rights of Contestee are limited by the terms of the permits, and the time in which construction work shall be completed and the water applied to the proposed use shall be in accordance with the requirements of the State Engineer.

Contestee, Bend Water, Light & Power Company, filed three other claims for water rights from Deschutes River for municipal purposes for the City of Bend. One of these claims, Claim 2-F, covering the right to water diverted at the Steidl & Tweet power plant for use in the Lytle town site, and in the Riverside and Wiestoria Additions to the City of Bend, was withdrawn by stipulation, the rights of Contestee

being provided for by contract with Steidl & Tweet. (See Paragraph 29.)

The town of Bend was dedicated by the Pilot Butte Development Company May 31, 1904, and was incorporated, as near as can be ascertained from the record, in the year 1905. The first work towards furnishing a water supply for the community appears to have been in the year 1904 when water was served to a few residents through an open ditch, commonly called the Town Lateral, which diverted water from the Pilot Butte Canal at about the southern boundary line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 16 S. R. 12 E., W.M. This lateral had a capacity of about 5 second feet. In the same year an attempt was made to utilize the water from a branch of this open ditch for power purposes to operate a ram which was located on the bank of the Deschutes River near the present location of the power dam of the Bend Water, Light & Power Company. This was a two-way ram, and was to be operated by the water from the ditch which was undesirable for domestic purposes, so that it would lift the water from the river for domestic use. This system, however, was not a success. Therefore, the next year, 1905, a steam pump was installed at about the same location as that of the ram, whereby water was supplied under pressure through a pipe system. This was the first system of serving water to the town which could properly be termed a municipal water system.

The water supply from the open ditch, however, was still used more or less for domestic purposes for a number of years. Later on as the sources of contamination became more numerous, the ditch water was used principally for the irrigation of lawns and gardens. About 1915 the open ditch was abandoned, and in its place a pipe line was constructed, having its head about a mile and a half farther up on the Pilot Butte Canal near the junction of the Pilot Butte Canal and the Central Oregon Canal. This pipe line had about the same carrying capacity as the open ditch. Water was supplied to the town through this pipe line by gravity. At times water was pumped into the head of the ditch by an auxiliary pump located on the river bank in a westerly direction from the head of the pipe line, which would be in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T. 18 S. R. 12 E., W.M.

It appears that the capacity of the pumping system lower down on the river was increased from time to time during this period of years to keep pace with the growth of population of the city. The city had a very rapid growth, the population being 536 in 1910, 5415 in 1920 and about 8,000 at the time of the hearing in 1924.

In the year 1923 the danger from contamination of the water of the river had become so great that a filtering plant was constructed at a cost of \$87,000, and all the water now used by the city is filtered in this plant, the use of water from the gravity pipe line having been discontinued, although the connection of the line to the water system is still retained for emergency use. The water system, as at present constructed, represents an investment of about \$300,000. The filtration plant was designed

to include 12 units, 10 of which have been installed, the maximum capacity of which is approximately 10 cubic feet per second. The testimony shows that this quantity of water was actually diverted through the system on one occasion when a fire occurred in the irrigation season.

It is alleged in the claim filed by Contestee that its rights for municipal purposes should relate back to a filing made by the Pilot Butte Development Company under a notice posted on October 31, 1900. This is the same notice on which the Central Oregon Irrigation District and others rely for water rights for the irrigation of lands in Carey Act Segregation Lists 6 and 19. Contestee has shown that the Pilot Butte Development Company, in assigning its rights under this notice to the Deschutes Irrigation and Power Company on May 14, 1904, reserved the right to 25 cubic feet per second for use by A. M. Drake, who owned the controlling interest in the Company. The purpose for which this reservation was made has not been shown, although the reservation itself indicates that it was proposed to use the water in the area now occupied by the City of Bend, presumably for irrigation purposes, there being nothing said about municipal use. The oral testimony shows that in the year 1904, Mr. Drake conveyed a portion of his interest in this reservation to the Bend Water, Light & Power Company, although no documentary evidence of such a transfer was produced at the trial, and it was alleged that the papers relating to this matter were among some early records of the Company which had been lost or destroyed. It is claimed, but not conclusively shown by the evidence, that the quantity of water to which a right was acquired from Drake was $9\frac{1}{2}$ second feet. It appears that the Company has, by subsequent use, acquired a right to that quantity. Considering the present size of the City, and the fact that in addition to the daily consumption a considerable supply must be available for emergency use, it appears that this quantity is not excessive for present needs.

The priority of the right so acquired will date from the first step taken which would constitute notice to the world that such a right was being initiated. Under the circumstances as presented by the record, it appears that the right cannot relate back to the 1900 notice of appropriation, and the priority will therefore date from the beginning of construction of the municipal water system, which was in the year 1905, when the steam pumping plant was installed. This right is prior to the power right of Contestee initiated in December of the same year. It appears that since the State Engineer entered his order of determination June 21, 1926, this right has been sold to the City of Bend, and by said City in turn sold to the Deschutes County Municipal Improvement District. The State Engineer by an order dated September 10, 1926, approved the change of use of the water under such right and made the following provision:

"The Deschutes County Municipal Improvement District is hereby given the right to use said $9\frac{1}{2}$ second feet of water for the irrigation of lands within said district during the irrigation season from April 1 to November 1, and to store said water in its reservoir at Crescent Lake during the non-irrigation season so that the water so stored may be released at such later date as the district sees fit to use the same for the irrigation of lands within the district. The storage, diversion and use of said $9\frac{1}{2}$ second feet of water by said district shall be subject to all the provisions and limitations contained in Paragraph 33 of said order of determination of June 21, 1926."

This provision is hereby adopted and affirmed, and this water right shall be tabulated under the name of Deschutes County Municipal Improvement District, with the priority as recognized by the State Engineer.

It is therefore ORDERED, ADJUDGED and DECREED that said rights be and they are hereby determined in accordance with the findings above set forth.

32.

Contest #17.

138. Crook County Improvement District #1
31. Jefferson Water Conservancy District
51. West Side Reclamation District
103. Columbia Deschutes Power Company
139. Powell Butte Irrigation District

Contestants,

vs.

Arnold Irrigation Company,

Contestee.

The claim of the Arnold Irrigation Company is based upon two notices of appropriation, one filed with the County Clerk of Crook County on February 1, 1905, and the other April 25, 1905, the first for 1000 miner's inches or 25 second feet, and the second for 5000 miner's inches or 125 second feet, of water from the Deschutes River. Due diligence appears to have been used in the beginning of construction and completing the same, and the maximum safe carrying capacity of the Arnold Ditch at the present time appears to be approximately 150 second feet. The claim filed states that the Company has sold stock for the irrigation of an area of approximately 9392 acres. Of this area, approximately 2700 acres have been irrigated. The right is therefore not completed or vested but is inchoate and may be perfected only by the actual application of the water to beneficial use in the irrigation of the lands within a reasonable time and will finally vest only to the extent of the quantity of water so applied to beneficial use. It is therefore ORDERED, ADJUDGED and DECREED that the Arnold Irrigation Company be and it is hereby allowed an inchoate right with priorities as above set forth, and is hereby allowed until October 1, 1933, in which to apply the water to beneficial use upon the remainder of the 9392 acres of land under the project

not yet irrigated, or such further time as may be allowed by the State Engineer for good cause shown, as provided in Paragraph 65 hereof. The right as finally perfected shall be limited to the quantity of water applied to beneficial use upon the acreage reclaimed and irrigated within such time. The water right after it becomes vested, shall be appurtenant to the several tracts of land to which the water has been applied, and the water shall not be delivered to the Company in gross but only in such quantity as may be put to beneficial use upon the lands under irrigation at any particular time and to which the right is appurtenant. The water rights under this appropriation shall be limited to 5 acre feet per acre per season at the point of diversion, and 3 acre feet per acre per season delivered on the land; to be diverted at a rate of not to exceed 1/40 of a second foot per acre during the period of maximum use from May 23d to August 20th of each year, and at a rate of not to exceed 1/80 of a second foot per acre during the rest of the irrigation season, which is hereby fixed as the period from April 1st to November 1st of each year. The transmission losses on this project are hereby fixed at an average of 40% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users on this project shall be entitled to a net delivery of 3 acre feet per acre per season, measured at the point where the user's lateral diverts from the Company's main canal or lateral.

33.

Contest #18.

38. Jefferson Water Conservancy District
58. West Side Reclamation District
80. Odin Falls Land Company
87. Bend Water, Light & Power Company
102. Deschutes Falls Power Company
103. Columbia Deschutes Power Company,

Contestants,

vs.

Deschutes County Municipal Improvement District,

Contestee.

The contests of Columbia-Deschutes Power Company and Deschutes Falls Power Company were dismissed upon stipulation filed after the hearing before the State Engineer. (See Paragraph 45.)

Contestee is a quasi-municipal corporation organized under the irrigation district laws of Oregon, and was formerly called the Tumalo Irrigation District. Claim was filed for a right for the irrigation of 14,884 acres of land, 7808 acres of which already has a partial water supply from Tumalo Creek and from Crater Creek. The rights on Tumalo Creek have been adjudicated in an order of determination by the State Water Board confirmed by the Circuit Court of Crook County. In order to make

up the deficiency in water supply caused by the failure of the Tumalo Reservoir and to provide for additional lands, the District in 1921 secured an allotment of water under the State withdrawal made in 1913, for storage of winter flow in Crescent Lake. The District also purchased all claim of the Walker Basin Irrigation Company to prior storage rights in Crescent Lake, based on a notice of appropriation filed May 10, 1902, and also on permits secured from the State Engineer with priority of March 20, 1911 (Permits R 102 and 624). The District, then, in filing claim in this proceeding, had three sources of claim: the 1902 filing, the 1911 permits and the allotment from the 1913 withdrawal. The claim filed asserts a priority of 1902, but makes mention of the later permits and allotment.

The State Engineer found that no rights were acquired in the 1902 claim in the following language:

"It appears that no storage rights have been perfected under the 1902 appropriation notice. The notice itself was very indefinite as to the location of the storage to be developed, or as to whether any material storage at all was contemplated. No actual work towards the utilization of winter flow was ever done by the Walker Basin Irrigation Company or any of its predecessors, and such storage rights, if any were initiated, were lost by non-use. The assignment from said Company to the District, therefore, carried with it no rights under the 1902 notice."

The exceptions to this finding are not well taken and are denied. No rights were acquired by this District prior to the Water Code of 1909. It appears, however, that the District has inchoate water rights under the filing made with the State Engineer in 1911 under Permits R 102 and 624. The rights under these filings have been kept in good standing by the construction work done by the District and by the storage of water in Crescent Lake reservoir and use thereof upon the lands in the District. It is therefore ORDERED, ADJUDGED and DECREED that the District's inchoate rights under said filings shall be such as may be completed and perfected in accordance with the terms thereof and with the rules and regulations of the State Engineer, and shall be limited to the quantity of water applied to beneficial use within the time fixed by the State Engineer; provided, that the rights of the District shall be limited to the storage of 35,000 acre feet of water in any twelve-months period beginning October 1st and ending September 30th of the next succeeding year. The water right after it becomes vested, shall be appurtenant to the several tracts of land to which the water has been applied. The water shall not be delivered to the District in gross but only in such quantity as may be put to beneficial use upon the lands under irrigation at any particular time and to which the right is appurtenant. It appears that the rights under said permits should be limited to 3 acre feet per acre per season on the land, and that a 40% transmission loss is a reasonable allowance for this District. The water diverted from Deschutes River under this right is therefore limited to 5 acre feet per acre per season to be diverted at a rate of not

to exceed 1/40 of a second foot per acre during the period of maximum use from May 23d to August 20th of each year, and at a rate of not to exceed 1/80 of a second foot per acre during the rest of the irrigation season, which is hereby fixed as the period from April 1st to November 1st of each year. The transmission losses on this project are hereby fixed at an average of 40% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users in this District shall be entitled to a net delivery of 3 acre feet per acre per season, measured at the point where the user's lateral diverts from the District's main canal or lateral; provided, that in case of lands also receiving a supplemental supply from another source, the above limitations shall be reduced by the quantity so received, so that the total quantity delivered on the land from all sources shall not exceed such limitations.

This claimant has entered into stipulations with the Bend Water, Light & Power Company and the Odin Falls Land Company, as follows:

The Bend, Water, Light & Power Company,)	
a corporation,)	
)	Contestant,
vs.)	
)	
Deschutes County Municipal Improvement)	
District, an Irrigation District,)	
)	Contestee.
-----)	

STIPULATION

It is hereby stipulated and agreed by and between the parties hereto, by their respective attorneys of record herein, as follows:

1. That the rights of the Bend Water, Light & Power Company to the use of the waters of Deschutes River for municipal, power and other kindred purposes are prior and superior to any and every claim of Deschutes County Municipal Improvement District to said waters, or any part thereof, and that as between said claimants such priority in favor of said The Bend Water, Light & Power Company shall be so determined and adjudicated by the State Engineer in these proceedings, and by any and every appellate court which may thereafter consider said matters.
2. That the above entitled contest is hereby withdrawn and dismissed.
3. That for the period of approximately two and one-half years from the date hereof, to-wit, until June 1, 1927, the said Deschutes County Municipal Improvement District may store in Crescent Lake sufficient water for its needs during said period (not to exceed, however, 35,000 acre feet of water in any one year).
4. That, so far as practicable, such storage of water shall be effected at such times during said period as will cause as little interference as possible with the operation of the power plant of the Bend Water, Light & Power Company; the necessity and propriety of such storage at all times during said period to be left to the judgment of the State Engineer and his official representatives.
5. That the Deschutes County Municipal Improvement District during said period shall not sell or dispose of any of such stored waters, or use the same for any purpose other than the specific needs of its own irrigation project and for the domestic use of the settlers thereon; nor shall said District permit the use of any other water under its control which would have the effect of increasing said District's requirements for stored water.

6. That the Bend Water, Light & Power Company hereby waives any any all claim for damages for interference with its power operations heretofore caused to it, or to be caused to it during said period, by reason of such storage of water in Crescent Lake.

7. That this agreement shall be binding upon the successors and assigns of the parties hereto.

Executed in triplicate this 10th day of December, 1924.

(SIGNED) R. S. Hamilton and Henry S. Gray
Attorneys for The Bend Water, Light & Power
Company, Contestant.

(SIGNED) N. G. Wallace
Attorney for Deschutes County Municipal Im-
provement District, Contestee.

* * * * *

Odin Falls Land Company,)	
Contestant,)	
)	
vs.)	<u>STIPULATION</u>
)	
Deschutes County Municipal)	
Improvement District,)	
Contestee.)	

IT IS HEREBY STIPULATED by and between the above named contestant and contestee as follows:

The contestee agrees to store no water in Crescent Lake Reservoir after June 1, 1927, which will deprive the Contestant of the quantity of water to which it is entitled as determined in these proceedings, and to store no water in said reservoir prior to June 1, 1927, which will prevent the use by Contestant of the water necessary for use by it during the irrigation seasons; the question of the amount of water necessary for such use to be, in case of dispute, left to determination by the State Engineer.

In consideration of the foregoing the Contestant agrees that its above contest may be dismissed.

(SIGNED) Percy A. Cupper. H. C. Shaw
Attorneys for Contestant.

(SIGNED) N. G. Wallace
Attorney for Contestee.

* * * * *

The terms of the above stipulations shall be observed by the water master in the distribution of water to said parties.

Contest #19.

- 9. North Canal Company
- 102. Deschutes Falls Power Company
- 103. Columbia-Deschutes Power Company

Contestants,

vs.

Walker Basin Irrigation Company,

Contestee.

The contests of Deschutes Falls Power Company and Columbia-Deschutes Power Company were disposed of by stipulation. (See Paragraph 45.)

As shown by the evidence herein, a notice was posted by the Oregon Development Company on the 30th day of April, 1902, and filed for record May 10, 1902, for the appropriation of the waters of Crescent Creek, a tributary of the Little Deschutes River. This Company was the predecessor of the Deschutes Land Company, Morson Land Company and Walker Basin Irrigation Company, all of which, successively in the order named, were engaged in an attempt to effect the reclamation of lands in Oregon Segregation List No. 11 under the Carey Act. The area proposed to be irrigated comprised some 31,000 acres, but this was decreased from time to time, and in 1921 the east unit of the project was relinquished and all claim to water rights therefor sold to the Tumalo Irrigation District. The claim as filed in this proceeding covers lands remaining in the west unit, aggregating 9646.3 acres. It appears that surveys for the project were started in August 1901 but that very little actual work was done until about 1910. However, an unusually large number of legal difficulties and other obstacles appear to have been encountered during the first period of development of this project, and after 1910 actual construction work on the system was carried on much more rapidly. Since 1919 the Company has been in a position to serve all the lands for which a water right is claimed. Everything considered, it is believed that sufficient diligence and good faith has been shown by Contestee and its predecessors so that the right can still be perfected if reasonable diligence is used in prosecuting the work necessary for completion of the project. It was claimed by Contestee that its right should date from the date of the appointment of its selecting agent for the Carey Act lands or from the date of entering into a contract between the Company and the State, instead of from the date of posting of the notice of appropriation. However, it does not appear from any of the statutes having to do with the reclamation of lands under the Carey Act that the State assumed any obligation to initiate a water right or provide a water supply for a Carey Act project but that the burden devolved upon the reclamation company at every stage of the proceeding to acquire this water right for the lands it undertook

to reclaim. It further appears that there was nothing in the initial procedure between the reclamation company, the state and the federal government which would in itself constitute notice to the public or to subsequent appropriators of an intention to appropriate any particular water for the irrigation of lands within the proposed project. There must be either an actual physical demonstration on the ground, or the posting of a notice, as evidence of such an intention. The courts have recognized these two methods of initiating water rights, and as it appears that Contestee has conformed to the latter method, it is entitled to have the priority of its right date back by the doctrine of relation to the time of posting the notice, which was April 30, 1902, provided the right is prosecuted and perfected with reasonable diligence. Most of the lands in the project are still uncleared, being covered with a dense growth of jack pine timber, only about 175 acres having been cleared and irrigated up to the present time. It is therefore ORDERED, ADJUDGED and DECREED that Contestee be, and it is hereby, allowed an inchoate right with a priority of April 30, 1902, and is allowed until the 1st day of October, 1933, in which to apply the water to a beneficial use upon the lands, or within such further time as may be allowed by the State Engineer for good cause shown, as provided by Paragraph 65 hereof.

The appropriation as so perfected shall be limited to the quantity of water actually applied to beneficial use within such time, and shall be appurtenant to the several tracts of land to which the water shall have been applied. The water under such rights shall not be delivered to the Company in gross, but only in such quantity as may be put to beneficial use upon the lands under irrigation at any particular time and to which the water right is appurtenant. The quantity of water fixed by the contract with the Desert Land Board is 2.15 acre feet per acre per season delivered on the land, with an allowance for transmission losses of 30% of the quantity diverted. The water rights for lands under this project shall be limited to 3.07 acre feet per acre per season at the point of diversion and 2.15 acre feet per acre per season delivered on the land; to be diverted at a rate of not to exceed 1/40 of a second foot per acre during the period of maximum use from May 23d to August 20th of each year, and at a rate of not to exceed 1/80 of a second foot per acre during the rest of the irrigation season, which is hereby fixed as the period April 1st to November 1st of each year. Transmission losses on this project are hereby fixed at an average of 30% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users on the project shall be entitled to a net delivery of 2.15 acre feet per acre per season, measured at the point where the user's lateral diverts from the Company's main canal or lateral.

Contest #20.

103. Columbia-Deschutes Power Company,

Contestant,

vs.

Deschutes Reclamation & Irrigation Company,

Contestee.

This contest was disposed of by stipulation. (See Paragraph 45.)

Contestee claims a right from Deschutes River for the irrigation of 6636 acres of land through its canal (commonly called the Swalley Ditch), the date of priority claimed being September 1, 1899, based upon a notice of appropriation posted on that date and filed for record one day later. This notice declared an intention of appropriating 125 second feet of water, and it appears that the Swalley Ditch as it has actually been constructed, has ample capacity to carry this quantity. Construction work began on the system shortly after the notice was posted, and development on the project has kept well ahead of the demand for water. The area irrigated up to the present time is about 2175 acres. It is therefore ORDERED, ADJUDGED and DECREED that Contestee be, and it is hereby, allowed an inchoate right with priority of September 1, 1899, and is allowed until October 1, 1933 in which to reclaim and irrigate the remainder of the 6636 acres in the project, or within such further time as may be allowed by the State Engineer on good cause shown, as provided by Paragraph 65 hereof. The right shall be limited to the extent the water is beneficially applied to the land within such time, and the priority of the right as so perfected shall relate back to the date of posting of the notice, September 1, 1899. It appears that an allowance of 3 acre feet per acre per season delivered on the land is sufficient for this project, and that about 40% of the quantity diverted will be lost in transmission. Water rights for the lands in this project will be limited to 5 acre feet per acre per season, measured at the point of diversion, and 3 acre feet per acre per season measured at the point where the user's lateral diverts from the Company's main canal or lateral; to be diverted at a rate of not to exceed 1/40 of a second foot per acre during the period of maximum use from May 23d to August 20th of each year, and at a rate of not to exceed 1/80 of a second foot per acre during the rest of the irrigation season, which is hereby fixed as the period from April 1st to November 1st of each year. The transmission losses on this project are hereby fixed at an average of 40% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users on this project shall be entitled to a net delivery of 3 acre feet per acre per season, measured at the point where the user's lateral diverts from the Company's main canal or lateral.

It is further provided that the total quantity of water diverted under the appropriation of this Company shall in no event exceed that set forth in the original notice of appropriation, 125 second feet.

36.

Contest #21.

- 6. North Canal Company
- 40. Jefferson Water Conservancy District
- 60. West Side Reclamation District
- 102. Deschutes Falls Power Company
- 103. Columbia Deschutes Power Company
- 130. Crook County Improvement District #1
- 131. Powell Butte Irrigation District
- 145. South Unit Improvement District

Contestants,

vs.

Odin Falls Land Company,

Contestee.

The contests of Deschutes Falls Power Company and Columbia Deschutes Power Company were disposed of by stipulation set forth in Paragraph 45 hereof.

Contestee claims a water right for power and irrigation purposes at Odin Falls, under two notices of appropriation, one for 50 cubic feet per second, dated January 7, 1909, posted January 7, 1909, and filed for record with the County Clerk January 14, 1909, and the other for 1800 cubic feet per second, dated January 25, 1909, posted February 8, 1909, and filed for record February 9, 1909. Claim is made for 450 second feet of water, 50 second feet of which is for irrigation purposes and the remainder for power.

It appears that work was started soon after the posting of the notices, some canal work being done in 1909 and 1910. But not until 1915 had the power works been installed, by which some 65 acres of land were irrigated, with a 90 foot pumping lift. This construction was of a more or less temporary nature, but in 1920 a more permanent installation was made, with which the Company is in a position to irrigate 1057 acres of land under a 90 foot lift. Only 145 acres have as yet been irrigated, but it appears that Contestee has been sufficiently diligent in prosecuting work on this part of its project to preserve its right, providing the work is continued and the land placed under irrigation within a reasonable time. It is therefore, ORDERED, ADJUDGED and DECREED that Contestee be, and it is hereby, allowed an inchoate right for the irrigation of 1057 acres, and is allowed until October 1, 1933 in which to apply the water to beneficial use upon said lands, or such further time as may be allowed by the State Engineer for good cause shown, as provided by Paragraph 65 hereof. The right as perfected within such time shall relate back for priority to the date of posting of

the notice, January 7, 1909, for a quantity of water sufficient to irrigate the lands which have been so reclaimed, under the following limitations as to the duty of water: The water rights for lands under this appropriation shall be limited to 3.75 acre feet per acre per season measured at the point of diversion, and 3 acre feet per acre per season delivered on the land; to be diverted at a rate of not to exceed 1/40 of a second foot per acre during the period of maximum use from May 23d to August 20th of each year, and at a rate of not to exceed 1/30 of a second foot per acre during the rest of the irrigation season, which is hereby fixed as the period from April 1st to November 1st of each year. The transmission losses on this project are hereby fixed at an average of 20% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users on this project shall be entitled to a net delivery of 3 acre feet per acre per season, measured at the point where the user's lateral diverts from the Company's main canal or lateral.

After the State Engineer's order of determination in this matter was filed with the Court, this claimant applied for and was granted permission to file an amended claim. Contestee, in such amended claim and in its exceptions, has asserted certain rights in relation to the rights of the Cline Falls Power Company above the location of Contestee's appropriation. It is urged that in the event of failure of the Cline Falls Power Company to exercise its rights, or of the discontinuance of such rights for a consideration for the purpose of abandoning the same in favor of appropriators whose rights are subsequent to those of the Power Company but prior to those of Contestee, Contestee's rights under its 1909 appropriation would be adversely affected, for the reason that it has heretofore derived a benefit from the water used by the Cline Falls Power Company for power purposes under its 1892 appropriation and then allowed to flow down to Contestee's place of use. Some claim is also made to a right as against the Cline Falls Power Company by adverse possession. After an examination of many authorities, the Court is of the opinion that these points are not well taken. It appears that Contestee has no other or greater right to the waters of this stream than that to which it is entitled by virtue of its priority of the year 1909. It also appears that a claim of title by adverse use cannot be sustained by a lower user against an upper user merely because the upper user permits the water to flow by at a time when he does not need it. It is therefore ORDERED, ADJUDGED and DECREED that the claims of Contestee made in these respects be, and they are hereby denied.

Contestee also claimed and was awarded by the State Engineer a right for 150 second feet of water for use in operating a turbine to lift the water actually used for irrigation purposes from the stream to the lands. The amount allowed for

actual irrigation was 26.17 second feet. Other claimants have filed exceptions to this finding and it is contended that it is a waste of water to permit 150 second feet of water to be used for the purpose of raising 26.17 second feet to the head of the irrigation ditch. It will be observed that while the law (Section 5798 O. L.) permits the right to employ wheels, pumps, hydraulic engines or other machinery (which includes turbines) for the purpose of raising water to the level required for the use of such water in irrigating any land, providing that the use of such water shall not conflict with the better or prior right of any other person, this section must be construed and read with Section 5799, which gives direction for the use of water when a shortage takes place. It is noted in that section that when a shortage takes place those using water for agricultural purposes shall have the preference over those using the same for manufacturing purposes. The use of this 150 second feet of water for the purpose of lifting cannot be said to be one for power purposes. It does not result in power except to expend itself to make the lift of the water to be used for irrigation. This would seem to be an extremely wasteful use of water. The right of this claimant to use the body of the stream to develop power which is exhausted in the lifting of water to the point of diversion cannot be claimed as a part of an appropriation for irrigation purposes. The law is well settled that the rights of an appropriator for irrigation purposes are limited to the quantity of water actually required for the purpose of irrigation and that no appropriator can appropriate the body of the stream and withhold it from use by others merely because it may be less expensive to him than to divert the water in other ways. It is therefore ORDERED, ADJUDGED and DECREED that Contestee's claim for 150 second feet of water for lifting purposes be and the same is hereby denied.

However, it appears that Contestee and its predecessors have expended considerable sums of money in developing its present system and while this is a wasteful system and will not be permitted as a permanent right, it would be unjust and inequitable to deprive Contestee of the use of this system until it is given sufficient time to install other and more up-to-date methods of diverting its irrigation water which will eliminate waste. In other words, Contestee should be permitted to use its present system until such time as it may conveniently adopt a system for the more economical use of the water. The period of approximately 5 years, or until October 1, 1933, is hereby fixed as a reasonable time within which Contestee shall make such change in its means of diverting water for the 1057 acres of land in this unit of its project. After that date, Contestee, and its successors and assigns, are hereby enjoined from using 150 second feet of water for lifting purposes. It is possible that after a new method of diversion under the irrigation right is adopted, the allowance hereinbefore made for transmission losses will not be adequate. This question shall

be determined by the State Engineer and his findings submitted to the Court for review at the time of his determination of the inchoate rights of this Company, as provided by Paragraph 65 hereof.

Contestee also claims a right to an additional quantity of water for the irrigation of about 1,000 acres of land under a lift of 160 feet from the river, and for such quantity as may be necessary to operate a turbine for lifting from the river to the land the quantity needed for irrigation. But it appears that Contestee had done practically nothing towards carrying out its plans for this unit of the project. It has no canals, no ditches, and it has installed no machinery or other works for the irrigation of the lands under this higher lift. In view of the fact that this condition prevails at this time after a lapse of 18 years since the initiation of the right, and that no sufficient reasons for such delay have existed, it appears that due diligence has not been exercised in developing this part of the project. It is ORDERED, ADJUDGED and DECREED that Contestee's claim for water for the higher lift be and the same is hereby denied.

37.

Contest #22.

71. West Side Reclamation District
103. Columbia-Deschutes Power Company

Contestants,

vs.

Powell Butte Irrigation District,

Contestee.

Contest #23.

72. West Side Reclamation District
103. Columbia-Deschutes Power Company

Contestants,

vs.

South Unit Improvement District,

Contestee.

Contest #24.

103. Columbia-Deschutes Power Company
148. Powell Butte Irrigation District

Contestants,

vs.

West Side Reclamation District,

Contestee.

The contest of Columbia-Deschutes Power Company against the above Contestees was disposed of by the stipulation set forth in Paragraph 45 hereof.

These Contestees are all quasi-municipal corporations organized under the irrigation district laws of Oregon with a view of reclaiming and irrigating by the remaining unappropriated waters of Deschutes River the irrigable lands within their boundaries, and are applicants for allotments of water from the withdrawal made by the State in 1913 under the cooperative act (Chap. 37, L. 1913). The possibility of their development depends upon the construction of storage works, and upon whether a sufficient water supply is found to be available after prior rights are provided for. Paragraph 8 of the allotment order of the State Water Board dated November 26, 1921, reads as follows:

"That no further or other allotments will be made at this time, it being deemed expedient that insofar as practicable a substantial part of the waters available under said withdrawal shall be withheld, and disposed of from time to time as conditions may warrant or render expedient during the course of the development or construction of any of the units, or at any time thereafter."

The rights of these Contestees shall be subject to such disposition as may be made in the future by the State Engineer under the general policy expressed in said order.

38.

Contest #25.

103. Columbia-Deschutes Power Company
149. Powell Butte Irrigation District

Contestants,

vs.

Jefferson Water Conservancy District,

Contestee.

The contest of Powell Butte Irrigation District was withdrawn, and the contest of Columbia-Deschutes Power Company was disposed of by the stipulation set forth in Paragraph 45 hereof.

Contestee is a quasi-municipal corporation organized under the irrigation district laws of Oregon, and by order of the State Water Board, November 26, 1921, was allowed a part of the waters of Deschutes River covered by the 1913 withdrawal, the portion of the order which relates especially to this District (which is successor to North Unit Irrigation District) reading as follows:

"That there is hereby allotted to the North Unit Irrigation District out of the waters of Deschutes River withdrawn February 28, 1913, the amount of water which may be beneficially applied to the irrigable lands in said District, not to exceed 317,500 acre feet per year, with right of storage in Benham Falls Reservoir, together with such additional amount as may be necessary to

compensate for seepage and evaporation in said reservoir and between said reservoir and the point of diversion from Deschutes River; provided, that in no event shall the amount so stored for the use of said North Unit Irrigation District exceed 400,000 acre feet per year."

The plans of the District contemplate storage in a reservoir to be constructed at Benham Falls, and the irrigation of about 100,000 acres of land lying north of Crooked River and east of Deschutes River. Construction of the project has not yet been started, but continual attempts have been made to have the Securities Commission of the State of Oregon agree to certify the District's bonds, and attempts are now being made to induce Congress to appropriate money from the reclamation fund for the construction of this project. The rights of the District shall not be modified in this proceeding.

39.

Contest #26.

25. Walker Basin Irrigation Company
102. Deschutes Falls Power Company
103. Columbia-Deschutes Power Company

Contestants,

vs.

Crook County Improvement District No. 1,

Contestee.

Contest #27.

25. Walker Basin Irrigation Company
48. Jefferson Water Conservancy District
49. Jefferson Water Conservancy District
68. West Side Reclamation District
69. West Side Reclamation District
79. Odin Falls Land Company
85. Bend Water, Light & Power Company
102. Deschutes Falls Power Company
103. Columbia-Deschutes Power Company
105. Central Oregon Irrigation District
140. Powell Butte Irrigation District
141. Powell Butte Irrigation District
142. South Unit Improvement District

Contestants,

vs.

North Canal Company,

Contestee.

Contest #28.

25. Walker Basin Irrigation Company
56. West Side Reclamation District
78. Odin Falls Land Company
86. Bend Water, Light & Power Company
102. Deschutes Falls Power Company
103. Columbia-Deschutes Power Company
132. Powell Butte Irrigation District
133. Crook County Improvement District No. 1
36. Jefferson Water Conservancy District

Contestants,

vs.

Central Oregon Irrigation Company,

Contestee.

Contest #29.

- 23. North Canal Company
- 25. Walker Basin Irrigation Company
- 77. Odin Falls Land Company
- 84. Bend Water, Light & Power Company
- 99. Charles Boyd
- 103. Columbia-Deschutes Power Company

Contestants,

vs.

Central Oregon Irrigation District,

Contestee.

Contest #30.

- 25. Walker Basin Irrigation Company
- 103. Columbia-Deschutes Power Company

Contestants,

vs.

Chinook Land Company,

Contestee.

Contest #31.

- 25. Walker Basin Irrigation Company
- 103. Columbia-Deschutes Power Company

Contestants,

vs.

W. E. Van Allen,

Contestee.

All of the Contestees above named allege, among other things, that they have succeeded in part to rights initiated in the year 1900 by two companies which existed in Central Oregon at that time, and which were organized for the development of irrigation works in that locality on a large scale.

The mean flow of the Deschutes River at Bend, including the flow of canals above, during the critical months of the irrigation season, was as follows:

<u>1921</u>	<u>1922</u>	<u>1923</u>	<u>1924</u>
July - 1,850	July- 1,820	July - 1,290	July - 1,170
Aug. - 1,680	Aug. - 1,420	Aug. - 1,480	Aug. - 1,120

During the same period the minimum flow for 1921 was 1,570; 1922, 1,280; 1923, 1,170; 1924, 1,040 and 1925, 1,355.

These claimants in this proceeding, those rights are to be supplied with water from this point of measurement, allege the right to divert and use the following quantities of water:

CLAIMANT	DATE OF PRIORITY	AMOUNT OF WATER CLAIMED
Cline Falls Power Company	Jan. 28, 1892	285 sec. ft.
Deschutes Reclamation & Irrigation Co.	Sept. 1, 1899	125 sec. ft.
Central Oregon Irrigation District	Oct. 12, 1900	985 sec. ft.
Central Oregon Irrigation Company	Oct. 12, 1900	--- --- --
North Canal Company	Oct. 12, 1900	372 sec. ft. (approx.)
Bend Water, Light & Power Company	Oct. 31, 1900	9.5 sec. ft.
Crook County Improvement District #1	Oct. 31, 1900	42.67 sec. ft.
Walker Basin Irrigation Company	Feb. 28, 1902	153 sec. ft.
Arnold Irrigation Company	(Jan. 26, 1905)	25 sec. ft.
	(Apr. 25, 1905)	125 sec. ft.
Steidl & Tweet	Sept. 1906	4.5 sec. ft.
TOTAL:		2,126.67 sec. ft.

It appears that the Oregon Irrigation Company posted and filed two notices of appropriation on October 15, 1900, each covering the appropriation of 2500 second feet of the water of Deschutes River in the vicinity of what is now Bend, Oregon, and on October 16, this same Company posted a third notice covering the appropriation of 2500 second feet at a point about one-half mile above.

The first notices contemplated the construction of a "North Canal" which was to flow northeasterly and north to Crooked River and extending eastward to the old river bed. The second notice provided for the construction of the "Narrows Canal" which was also to run northeasterly and northerly to Crooked River, with a line running easterly to the old river bed. The third notice was posted at the head of the proposed Emigrant Ford Canal which also was to run northerly to Crooked River and easterly to the old river bed. Very little evidence was presented relative to the early intentions of this Company, all claimants evidently electing to rely on other appropriations. No construction work was undertaken by the Oregon Irrigation Company and its rights, if any, were extinguished when the Company was absorbed later by the Deschutes Irrigation & Power Company.

The Pilot Butte Development Company, the second Company operating in the year 1900, filed its first notices of appropriation on October 31st of that year. One was filed near the head of what is now the Central Oregon Canal and covered the appropriation of 50,000 miner's inches or 1250 cubic feet per second. The notice set forth: "The name of the canal or ditch or flume shall be the Pilot Butte Canal. The point at which its headgate is proposed to be constructed is on the east bank of the Deschutes River near the center of the NE $\frac{1}{4}$ of Section 13, Township 18 South, Range 11 East; and the course of the canal shall be in a general northerly direction with the canyon of said Deschutes River for a mile or so and thence in a northerly or easterly direction towards Pilot Butte with laterals and branches toward the Old River

Bed and towards Farewell Bend and emptying any surplus waters as feeders of the Long Butte Canal into said Long Butte Canal near Pilot Butte on the north and again on the northeast through the said Old River Bed. The size of the flume shall be 25 feet wide and 8 feet deep, or in two or more flumes of equivalent capacity and the size of the canal sufficient to receive and conduct the waters from said flume."

On the same day this Company posted a notice of appropriation at a point N. 39 degrees 43' E. 667 feet from the SW corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, T. 17 S. R. 12 E. This notice set out that water would be diverted at the point where it was posted by a flume and canal running in a northeasterly and northerly direction towards Crooked River and the junction of Hay Creek and Trout Creek in Crook County with diverging lines and laterals towards the north and west and also towards the east, making use of natural depressions when feasible and particularly the "Old River Bed", so-called. "The size of the flume shall be 50 feet wide and 8 feet deep, or in two or more flumes of equivalent capacity and a canal of size sufficient to conduct the waters from said flume." The quantity of water to be appropriated was 100,000 cubic inches of water by miner's measurement under 6 inch pressure. This notice was posted at a point about one mile or more above the location of the present North Canal Dam and intake of the North Canal.

These two notices of appropriation were prepared and posted by L. D. Wiest, who was then chief engineer for the Pilot Butte Development Company. In his testimony Mr. Wiest stated that the two filings were made with a view of permitting the Company to get the most practical route of the two, and that if the diversion of the river from the point where the lower notice was posted had been found more practicable, then the Pilot Butte Canal would have been constructed from that point instead of the point finally selected, which was in Section 13, Township 18 S. R. 11 E. W. M.

In 1901, the Oregon Irrigation Company made application to the State Land Board for a contract to reclaim certain lands, a part of which was included in what was afterwards designated as Segregation Lists Nos. 6 and 19. The application was protested by the Pilot Butte Development Company, and on January 21, 1902, at the request of Mr. Hutchinson, president of the Oregon Irrigation Company, all papers and maps filed with the State Land Board were withdrawn.

On December 22, 1903, the Oregon Irrigation Company made a second application for a contract to reclaim Carey Act lands, and the State Land Board appointed a surveyor and engineer and designated Mr. Hutchinson as selecting agent. This application also was protested by the Pilot Butte Development Company. The State Land Board's engineer made a favorable report on the application, and the State Land Board, on May 9, 1905, forwarded the application to the land office at The Dalles, Oregon.

About this time the Deschutes Irrigation & Power Company was organized, and on February 12, 1904, the Deschutes Irrigation & Power Company acquired all of the

rights and interests of the Oregon Irrigation Company. On March 14, 1904, the Deschutes Irrigation & Power Company also acquired all the rights and interests of the Pilot Butte Development Company.

The Pilot Butte Development Company made application to the State Land Board on September 11, 1901, for a contract to reclaim lands included in what was later designated as Carey Act Segregation List #6, and on December 2, 1901, a preliminary contract was executed. After making its application to have the lands of Segregation List No. 6 segregated, the Company continued its survey and made preparation for beginning construction as soon as the application was approved. After securing such approval, the Company, not having commenced construction within 6 months from the date of posting the first notice, posted a second notice at the same point of diversion on February 7, 1903, and within six months after that date construction work was commenced.

The first work consisted of the construction of the Central Oregon Canal Flume extending from the point of diversion on Deschutes River about 6600 feet down the canyon. This flume was completed in January or February, 1904, and had a capacity of 70 cubic feet per second.

After acquiring the rights of the Oregon Irrigation Company and the Pilot Butte Development Company, the Deschutes Irrigation & Power Company in July, 1904, began construction work on a much larger scale. On November 12th of the same year, the enlargement of the flume was begun, and was completed in August, 1905. The enlarged flume was 16 feet wide, 5 feet deep, and had a capacity of 742 cubic feet per second. From the lower end of the flume, at a point 6600 feet below the point of diversion, a divide was constructed and a lateral of 440 second feet capacity was built in an easterly direction a distance of about 14 miles, and running thence northerly around the west side of Powell Butte. This lateral was called the Central Oregon Canal. From the same divide, a lateral having a capacity of 302 second feet was built in a northerly direction through the present towns of Bend and Redmond to Crooked River. This canal was called the Pilot Butte Canal. From 1904 to 1909 the work of completing these laterals, the distribution system, and the colonization of the Carey Act lands, was carried on diligently.

When the project was first undertaken, the contracts provided for the delivery of one second foot to each 160 acres of land. Experience proved that this quantity was insufficient for the proper irrigation of lands in this locality, and it also developed that the seepage losses in the canals, which had been estimated at 30% of the quantity diverted, were greater than were expected.

On October 10, 1905, the Desert Land Board said in its minutes:

"It is the opinion of the Board at this time that one second foot of

water is sufficient to irrigate and reclaim 100 acres of land in this segregation and this amount is hereby fixed and determined as the proper and reasonable duty for this project for the purpose only of establishing a basis for the guidance of the Governor and the State Engineer in certifying the list for patent." It was also provided that "if hereafter it is found by experience from the irrigation of these lands that the duty of water hereby fixed is not the correct quantity of water for the proper irrigation of the land in said list, it is subject to change at any time."

The rules of the Desert Land Board adopted October 31, 1905, required the delivery of 1.6 acre feet per acre in a 90-day period from May 23d to August 20th. The contract between the State and the Deschutes Irrigation & Power Company, executed on June 17, 1907, provided for the reclamation of about 140,000 acres of land under Segregation Lists Nos. 6 and 19, of which approximately 85,000 acres were irrigable. Under this contract the Company agreed to deliver the quantity of water required by the rules of the Desert Land Board and also agreed to construct the North Canal Dam and the North Canal, which was necessary to provide the additional water required.

The Deschutes Irrigation & Power Company posted a notice of appropriation of 1000 second feet at the present location of the North Canal Dam on December 2, 1907, and the same notice was again posted on June 2, 1908, and again on December 3, 1908, construction work not having been commenced within six months from the date of posting previous notices.

The Company was re-organized as the Central Oregon Irrigation Company, to which all rights were conveyed on October 25, 1910. Financing had become more difficult, and it appears that the latter Company was unable to secure funds with which to construct the North Canal Dam and system in accordance with its plans. The capacity of its system was insufficient to furnish the quantity of water required for the reclamation of the lands which the Government had been requested to patent to the State under the Carey Act, and the Company attempted to raise \$150,000 by subscription. \$146,500 of this amount was actually raised and the construction of the North Canal Dam and the North Canal was then begun in May 1909, and discontinued in 1912. The dam and headworks were completed and 1.41 miles of the canal were constructed through a heavy rock cut to a connection with the Pilot Butte lateral.

No further extension of the North Canal has been made up to the present time, but it has been used to deliver water to the Pilot Butte lateral, and that part of the Pilot Butte lateral above its junction with the North Canal has been used as a minor lateral serving a few acres above and around the town of Bend. The completion of the North Canal Dam and 1.4 miles of the main canal marks the termination of the construction work extending the Central Oregon Irrigation Company's system, except later enlargements hereinafter mentioned. The work of the settlers on the project in

improving and preparing their lands for irrigation continued, and the Company continued to operate and maintain the system.

In the year 1917, the Central Oregon Irrigation District was organized for the purpose of taking over and operating the irrigation system in lieu of the water users' association as provided for in the Company's contract with the State of Oregon of June 17, 1907.

In a decree of the Circuit Court of the State of Oregon for the County of Deschutes, dated July 9, 1921, in which H. H. Dietrich and the Central Oregon Irrigation District were plaintiffs and the Central Oregon Irrigation Company and the Desert Land Board of Oregon and its members, were defendants, it was provided, among other things, that the Central Oregon Irrigation Company "shall and is hereby commanded to turn over to the Central Oregon Irrigation District, on the first day of August, 1921, all the right, title and interest of the Central Oregon Irrigation Company in and to said Central Oregon Irrigation system, including such portion of its North Canal and North Canal Dam as are necessary to divert and carry the amount of water specified as sufficient water to raise ordinary agricultural crops during the irrigation season from April 1st to November 1st of each year and during the period of maximum use from May 23d to August 20th of each year a sufficient quantity to cover each acre of irrigable land to a depth of 1.8 feet delivered on the land, and at all other times throughout the year sufficient water for stock and domestic purposes."

Under this decree the right of the Central Oregon Irrigation Company was reserved to collect payments due on outstanding contracts, and to sell "excess acres", which were defined to be "all irrigable lands within each legal subdivision under present existing contracts for water rights and release of lien, for the irrigation of which irrigable lands the owner thereof has not purchased or contracted to purchase water, and the number of such excess acres within all of the lands now under contract and mentioned in this decree is determined by this decree to be not in excess of 2500 acres." The decree also provided that all unreclaimed lands or portions thereof contained in Segregation Lists Nos. 6 and 19, "shall not be reclaimed through the use of the Central Oregon or Pilot Butte canals or their laterals or any portion thereof, and all water rights for water to be used on or appropriated for said unreclaimed lands shall be and are hereby expressly decreed to be subsequent in time and inferior in right to the amount of water and the right to divert and appropriate the same from the direct flow of Deschutes River" for use on the lands which had been contracted for sale under the Central Oregon Irrigation system.

The effect of the Dietrich Decree was to turn over to the settlers the ownership and operation of the original project as then constructed including a portion of the North Canal and North Canal dam as more particularly described in said decree and deed based thereon, and to fix the appropriation for their lands as prior to the appropriation of water for any lands to be reclaimed by the Company or its successors

by further extensions of the project.

CENTRAL OREGON IRRIGATION DISTRICT

The Court accordingly finds that the Central Oregon Irrigation Company and its predecessors in interest acted with due diligence from the time of posting the notice of appropriation at the head of the Central Oregon Canal on October 31, 1900, to the time of completion of the Central Oregon and Pilot Butte canals in 1905 to a capacity of 742 second feet. It is therefore ORDERED, ADJUDGED and DECREED, that the water right for the lands served by the irrigation district, including the so-called right for the irrigation of 2500 excess acres, shall relate back to and be of the priority of said date. The extent of the appropriation, under date of October 31, 1900, shall be limited to the capacity of the irrigation system constructed to divert water from the point where the notice was posted, and which is hereby found to be 742 cubic feet per second. It is further found that the Company, in diverting through the North Canal certain portions of the water formerly diverted at the point of the original posting through the Central Oregon and Pilot Butte canals, did not injure other vested rights on the stream, and the District will therefore be entitled to divert the quantity of water which it is entitled to use, at the head of the Central Oregon canal, or at the head of the North Canal, in accordance with its needs.

The Central Oregon Irrigation District claims a right to use 3.7 acre feet per acre measured on the land during the seven months period extending from April to October, inclusive, with a loss in the main canal and distribution system of 45%. It would be necessary to divert 6.73 acre feet per acre during the entire irrigation season in order to deliver the quantity claimed. The contracts for the sale of water under this project provided for the delivery of "sufficient water to raise ordinary agricultural crops during the irrigation season from April 1st to November 1st of each year and during the period of maximum use from May 23d to August 20th (ninety days) of each year, sufficient water to cover every acre of irrigable land to a depth of 1.8 feet delivered on the land, and also at other times throughout the year sufficient water for stock and domestic purposes."

There is a conflict between the testimony given by witnesses called by the District and the reports of the State Engineer and his assistants filed herein relative to transmission losses, which together are inadequate from which to accurately determine transmission losses. However, considering the various measurements made at different intervals, and the testimony, it appears that the transmission losses are approximately 25% in the main canals and 15% in the laterals, under conditions where reasonably careful methods for the prevention of waste have been used.

It appears that the irrigation season for this project should be fixed as the period from April 1st to November 1st of each year, and the period of maximum use should be fixed from May 23d to August 20th of each year. During the latter period the maximum quantity of water diverted should not exceed one-fortieth of a second foot per acre, and during the rest of the season the maximum quantity should not exceed one-eightieth of a second foot per acre. It further appears that three acre feet of water per acre per season delivered on the land will be a sufficient quantity to meet the requirements of the lands under this project, and sufficient to raise ordinary agricultural crops. It appears that with an approximate average transmission loss of 40%, this would require a diversion duty of five acre feet per acre per season. The duty of water for lands in this district is therefore fixed at three acre feet per acre per season on the land, and at five acre feet per acre per season at the point of diversion; to be diverted at a rate of not to exceed one-fortieth of a second foot per acre during the period of maximum use from May 23d to August 20th, and at a rate of not to exceed one-eightieth of a second foot per acre during the rest of the irrigation season, which is hereby fixed as the period from April 1st to November 1st of each year. The transmission losses on this project are hereby fixed at an average of 40% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users in this District shall be entitled to a net delivery of three acre feet per acre per season, measured at the point where the user's lateral diverts from the District's main canal or lateral.

It appears that the appropriation made October 31, 1900, which is hereby limited to the diversion of 742 second feet, will be insufficient to provide the above prescribed quantities of water for all the lands irrigated or to be irrigated in said District, and that an additional quantity will be required. It is therefore further ORDERED, ADJUDGED and DECREED that the priority of the water right for such additional quantity be, and the same is hereby fixed as of December 2, 1907, that being the first date that public notice was given of intention to make a new diversion and new appropriation by posting a notice at the present location of the North Canal dam, and by constructing said North Canal dam and the North Canal leading therefrom. The Central Oregon Irrigation District is hereby allowed until October 1, 1933, or until such further time as may be given by the State Engineer for good cause shown, as provided in Paragraph 65 hereof, in which to completely apply the water to beneficial use upon the lands for which a right is claimed. To the extent perfected within such time, the water right shall be deemed to have become vested and shall relate back to the dates of priority herein fixed; provided, that unless otherwise herein ordered and determined, in case of water shortage, all water diverted by the Central Oregon Irrigation District shall be distributed pro-rata, to the lands served through the irrigation district's system so that each tract served shall receive the same quantity per acre as every other tract.

It appears that 484.5 acres of the 2500 "excess acres" as referred to in the Dietrich decree had, subsequent thereto and prior to the filing of the claim of the Central Oregon Irrigation District in this proceeding, been sold to settlers in said District who were owners of subdivisions of which certain excess acres formed a portion. It is therefore ORDERED, ADJUDGED and DECREED that the water right for such 484.5 acres be and the same is hereby allowed a priority equal in every respect to the right for the 45,483 acres of land covered by prior contracts.

CENTRAL OREGON IRRIGATION COMPANY

The Central Oregon Irrigation Company has filed proof of claim for a water right from the direct flow of the Deschutes River for the irrigation of 2015.5 acres of land under date of priority of October 31, 1900. The land for which a right is claimed is in the Central Oregon project, and is what is commonly known as "excess acres", consisting of irrigable portions of 40 acre tracts in excess of that covered by contracts entered into by the Carey Act settlers with the Irrigation Company. Under the decree of the Circuit Court in the Dietrich case, dated July 9, 1921, the defendant, Central Oregon Irrigation Company, was given the right in Paragraph 7-b thereof to enter into additional contracts for the sale of such "excess acres", within the limit of 2500 acres. Up to the beginning of this proceeding the Company had sold 484.5 acres of such land, which is included in the claim filed by the Central Oregon Irrigation District, and the balance, being still unsold, was included in this Company's claim. It further appears that these excess acre water rights represent a part of the original appropriation of water formerly diverted at the point of the original posting of the 1900 notice through the Central Oregon and Pilot Butte canals but now diverted (or to be diverted) through the North Canal. The irrigation system as constructed has a capacity sufficient to serve this land. By such construction work, commencing in 1903 and continued with diligence thereafter, the Company is entitled to, and it is hereby ORDERED, ADJUDGED and DECREED that it shall have, an inchoate right to the water for this land, similar to the right acquired for the 45,483 acres of land covered by prior contracts and served by the same irrigation system. Under the provisions of Chapter 142, Laws of Oregon for 1925, the rights appurtenant to excess acreage may, under certain conditions, be sold and transferred to other lands. It appears that since the State Engineer's findings and order of determination in this adjudication were filed with the Court, all of the excess acre water rights for the 2015.5 acres as above mentioned, have been transferred and sold by this Company to the Central Oregon Irrigation District. As all of such lands have not yet been placed under irrigation, or the water transferred to and used upon other lands, the water right is not complete.

The Central Oregon Irrigation District is hereby allowed until October 1, 1933, or such further time as may be allowed by the State Engineer for good cause shown, as provided in Paragraph 65 hereof, in which to designate the particular acreage to which such rights are to be appurtenant, and to completely apply the water to beneficial use thereon. To the extent of the acreage irrigated within said time, within a total limitation of 2,015.5 acres, the right shall relate back for priority to the date of posting the notice, October 31, 1900. Under Paragraph 3 of said Dietrich decree, the water right for this land was made inferior in right to the water right for the 45,483 acres of land covered by prior contracts. But as all of such excess acreage right is now in the ownership of the District, this provision is inoperative. Therefore, the right for such excess acreage shall be equal in every respect to the right for the 45,483 acres under prior contracts, whether sold for use on subdivisions of which excess acreage forms a portion, or on other land under the system of said District, either within or without the boundaries thereof. But if any of such excess acreage should be severed and sold to another district, for use on lands not under the system of the Central Oregon Irrigation District, then in that event the above mentioned provision of the Dietrich decree shall become operative, and such excess acreage right so sold shall be inferior in right to the water right for the 45,483 acres of land under prior contracts. The quantity of water which may be diverted at the North Canal dam under this right shall be governed by the same limitations as hereinbefore fixed for other lands in the Central Oregon Irrigation District.

CROOK COUNTY IMPROVEMENT DISTRICT NO. 1.

The contests of the Deschutes Falls Power Company and the Columbia-Deschutes Power Company against this Company were disposed of by stipulation. (See Paragraph 45.)

The Crook County Improvement District No. 1 is a quasi-municipal corporation organized in 1919 under the irrigation district laws of Oregon, and was originally named the Lone Pine Irrigation District. The District comprises an area of about 3700 acres of land of which 2520 acres are classified as irrigable. It is situated north of Crooked River about ten miles below Prineville. Water for use of the District is diverted at the North Canal dam near Bend and carried through the North Canal to the Pilot Butte Canal of the Central Oregon District and from there through said Pilot Butte Canal and lateral K to the south bank of the Deschutes River, where it is received into the system of and controlled by the Crook County Improvement District No. 1, and carried by means of that system across Crooked River in a syphon onto the District's lands.

Water rights for the District were purchased from the North Canal Company, which Company as successor of the ^{Central} Oregon Irrigation Company, claims the right as provided in Paragraph 7-c of the Dietrich decree to cancel the water right of the unsold patented land of Segregation Lists Nos. 6 and 19 of the Central Oregon project and to sell its equivalent elsewhere. The water rights for 3202 irrigable acres which had theretofore been certified as reclaimed, and for which patent had been issued to the State, were assigned to the District, and the reclamation lien of the Company on the lands was relinquished so that they could be re-conveyed by the State to the United States Government. The District then entered into a contract with the North Canal Company providing for the enlargement of the Pilot Butte Canal of the Central Oregon Irrigation District to an extent sufficient to deliver 32 second feet at a point on the south bank of Crooked River, during the 90-day period of maximum use between May 1st and September 15th, and 21 second feet during the remainder of the irrigation season extending from April 15th to October 15th.

The District also entered into a contract with the Central Oregon Irrigation District providing for the delivery of this water through the latter District's canal. The construction work was begun in the fall of the year of 1922 and completed in July, 1923, and water was used for the irrigation of approximately 564.3 acres of land during that year. It appears that at the time the contract was entered into providing for the enlargement of the Pilot Butte Canal and the construction of the Irrigation District's system, there was a water right appurtenant to the Carey Act lands which had been patented to the State as having been reclaimed by reason of the construction of the Central Oregon Irrigation District's system. It also appears that the irrigable lands of the Crook County Improvement District No. 1 were of a better quality than those lands which had been patented, and that the transfer of the water right appurtenant to the Carey Act lands to the District lands did not injure other rights, and resulted in a more beneficial use of the water.

It also appears that the water right appurtenant to the area cancelled was sufficient to supply water for the 2520 acres of land in the District after taking into consideration the difference in water requirements and canal losses. The water right for the 3202 acres of patented lands is a part of that right initiated by the Deschutes Irrigation & ^{Power} Company by posting notice December 2, 1907 at the location of the North Canal dam. The Dietrich decree provides that the water right appurtenant to unsold patented land shall be inferior to the rights appurtenant to lands sold to Carey Act settlers, theretofore.

It is hereby ORDERED, ADJUDGED and DECREED that this right is a part of the appropriation made by the Deschutes Irrigation & ^{Power} Company of date of December 2, 1907, at the North Canal Dam, and will be given that date of priority, with the

provision that it is inferior to the rights of the Central Oregon Irrigation District of the same date of priority.

As the water has not been applied to beneficial use on all of the lands, the Crook County Improvement District No. 1 is hereby allowed until October 1, 1933, or such further time as may be given by the State Engineer on good cause shown, as provided by Paragraph 65 hereof, in which to complete the irrigation of the 2520 acres. The right shall be limited to the irrigation of the acreage reclaimed and irrigated before that date, but if the quantity appropriated is found insufficient to properly reclaim and irrigate the entire project, the water may be applied to a less area, provided that the total quantity diverted from Deschutes River shall not exceed 5.5 acre feet per acre. As provided by the conveyance of the water right from the North Canal Company, the District's rights are prior and superior to any rights herein confirmed to the North Canal Company, except the right for the irrigation of 591 acres of land (patented and unsold at the time of the Dietrich decree) the water right for which is similar to that appurtenant to and transferred from the unsold lands.

In case the direct flow of the Deschutes River is insufficient to supply the quantity of water required by the Irrigation District under its date of priority as herein confirmed, the shortage shall be made up by water stored in Crane Prairie. The water rights of the North Canal Company as confirmed herein for the storage of water in said Crane Prairie and use therefrom shall be subject to this prior claim of the Crook County Improvement District No. 1. The transmission loss in the Pilot Butte Canal, or difference between the quantity diverted by the North Canal Company at the North Canal Dam for this District and the quantity delivered at Crooked River, is hereby fixed at 40% of the quantity diverted; provided, that if the North Canal Company is unable to confine its said transmission losses to 40%, it shall deliver sufficient water from its own appropriation, either from the direct flow of Deschutes River or water stored in Crane Prairie Reservoir, to make up the shortage and insure the delivery to said District of the quantities it is obligated to deliver under its contract with said District. The rights of the Crook County Improvement District No. 1 shall therefore be limited to the diversion at the North Canal Dam of 53.3 cubic feet per second during the 90-day period of maximum use between May 1st and September 15th, and to the diversion of 35 cubic feet per second during the remainder of the irrigation season extending from April 15th to October 15th; provided, that the total quantity of water diverted at the North Canal dam for lands in this district in any irrigation season shall not exceed 5.5 acre feet per acre of land actually under irrigation.

NORTH CANAL COMPANY

The contests of the Deschutes Falls Power Company and the Columbia-Deschutes Power Company were disposed of by stipulation. (See Paragraph 45.) The contests of the

Jefferson Water Conservancy District, West Side Reclamation District, Powell Butte Irrigation District and South Unit Improvement District were also disposed of by stipulation which provided that in the relinquishment filed by the North Canal Company with the State Engineer of the State of Oregon, the term "third parties" indicated all parties other than parties holding under allotment, or having applied for allotment, of the waters of the Deschutes River withdrawn from appropriation by the State Engineer February 28, 1913.

Contestee North Canal Company has filed three statements and proofs of claim in this proceeding. Under Claim No. 15-z, it alleges the right to use from the direct flow of the Deschutes River, sufficient water for the irrigation of 591 acres of land, being a part of the lands referred to in Paragraph 7-c of the Dietrich decree. At the time the Company enlarged the Pilot Butte Canal for the Crook County Improvement District No. 1, beginning in the fall of 1922 and spring of 1923, additional capacity was provided for carrying water to the 591 acres included in this claim. It is hereby ORDERED, ADJUDGED and DECREED that the rights for this land shall have the same date of priority as lands in the Crook County Improvement District No. 1, namely, December 2, 1907, but that the rights shall be inferior to the rights of the Crook County Improvement District No. 1, as provided in the contract between the District and the Company. Contestee is hereby allowed until October 1, 1933, or until such further time as may be prescribed by the State Engineer, as provided in Paragraph 65 hereof, in which to completely apply the water to the proposed use. The quantity of water which Contestee is entitled to divert from the Deschutes River at the North Canal Dam under this right shall be governed by the same limitations as hereinbefore fixed for lands in the Central Oregon Irrigation District. In case the direct flow of the Deschutes River is insufficient to furnish the quantity required, the deficiency shall be made up from storage in Crane Prairie Reservoir.

The Company, under Claim No. 15-x, claims a right from the direct flow of Deschutes River for the irrigation of 20,000 acres of land under priority of October 31, 1900, the land being a part of the unpatented acreage remaining in Carey Act Segregation Lists Nos. 6 and 19. The Company under Claim 15-y also alleges a right to store 90,000 acre feet of water from the West Fork of the Deschutes River in Crane Prairie Reservoir.

Soon after the transfer of the Central Oregon Irrigation Company's system to the Central Oregon Irrigation District, the Central Oregon Irrigation Company conveyed its remaining rights, including its interest in the North Canal Dam and North Canal, to the North Canal Company, and this Company entered into a new contract with the State of Oregon providing for the complete reclamation of 20,000 acres of land in Segregation Lists Nos. 6 and 19.

On account of an investigation of the Deschutes River having been made cooperatively by the United States Reclamation Service and the office of the State Engineer, the unappropriated waters of the Deschutes River were withdrawn under the authority of Section 5807, Oregon Laws.

The Company applied to the State Water Board for an allotment of a portion of the withdrawn water for storage in Crane Prairie Reservoir, and the State Water Board, by an order entered on November 26, 1921, did allot to said North Canal Company use of 90,000 acre feet per annum of the withdrawn waters of Deschutes River, or so much thereof as was necessary to supply 4.17 acre feet per acre at the diversion point from the Deschutes River for use on 20,000 acres of land in Carey Act Segregation Lists Nos. 6, 19 and 29. The order provided that the allotment shall be decreased by such amount of water as such Company may have or acquire through any other rights for the irrigation of said lands and the allotment was made contingent upon the filing by the North Canal Company of a relinquishment of all other claims that the Company then had or might thereafter acquire except by allotment from the State to storage rights to the waters of the Deschutes River or its tributaries. The terms of the allotment were duly accepted by the North Canal Company.

The first notice of the Deschutes Irrigation & Power Company's intention to appropriate water from the Deschutes River where the North Canal dam is now located, was posted on December 2, 1907. Construction work was begun in May, 1909, and continued to December, 1912. The Company from that date to the present time has performed no actual construction work on the North Canal dam or the North Canal and distribution system, with the exception of the enlargement which was made for the Crook County Improvement District No. 1.

After securing its allotment of water for storage in Crane Prairie Reservoir, the Company, during the season of 1922, constructed a dam for the purpose of testing the reservoir and thereafter tests of the seepage losses in the reservoir were made up to the capacity of approximately 48,000 acre feet. The Company has secured extensions of time on its contracts with the Desert Land Board from time to time, and has released portions of its segregation and transferred such water rights as were alleged to be appurtenant thereto to other lands not a part of its project.

The Court finds that the Company's water rights under these claims were first initiated with the posting of the first notice of appropriation at the site of the North Canal dam on December 2, 1907. Considering all of the facts and circumstances in the case, as given in evidence, it is believed that sufficient diligence has been exercised by this Company and its predecessors in interest since the filing of 1907, to entitle it to a priority right as of that date. But it appears that the time for completion of construction work should be definitely fixed, and that the extent of the appropriation should be limited to the present capacity of the North Canal less the quantity of water required to serve other users through said canal as herein confirmed.

Therefore, it is hereby ORDERED, ADJUDGED and DECREED that the rights of this Company shall be limited to the excess capacity of the North Canal when completed after other rights herein confirmed have been supplied, not exceeding the diversion of 333 cubic feet per second, under the date of appropriation of December 2, 1907, for use on the 20,000 acres of land as described in its contract with the State; provided, that construction work is continued diligently and completed on or before March 1, 1930. The North Canal Company is hereby allowed until October 1, 1933, or such further time as may be allowed by the State Engineer for good cause shown, as provided by Paragraph 65 hereof, in which to completely apply the water to beneficial use upon the land. To the extent perfected within such time, the water right shall be deemed to have become vested and shall relate back to the date of priority herein fixed. The right herein confirmed is subsequent and inferior to other rights herein confirmed as of the same date of priority. The water rights under this appropriation shall be limited to three acre feet per acre per season delivered on the land, and to five acre feet per acre per season at the point of diversion, to be diverted at a rate of not to exceed 1/40 of a second foot per acre during the period of maximum use, from May 23d to August 20th of each year, and at a rate of not to exceed 1/50 of a second foot per acre during the remainder of the irrigation season, which is hereby fixed as the period from April 1st to November 1st of each year. The transmission losses under this project are hereby fixed at an average of 40% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users under the system shall be entitled to a net delivery of three acre feet per acre per season, measured at the point where the user's lateral diverts from the Company's main canal or lateral.

The order of allotment of the State Water Board, dated November 26, 1921, as follows, is hereby confirmed:

"That there is hereby allotted to the North Canal Company out of the waters of Deschutes River withdrawn February 28, 1913, for storage in Crane Prairie Reservoir site, the amount of water which can be beneficially used on the irrigable lands in Carey Act Segregation Lists 6, 19 and 29, or so much thereof for which contracts for reclamation shall hereafter be executed between the Desert Land Board and said North Canal Company, not in any event to exceed 20,000 acres; provided, that said amount of water shall not exceed 4.17 acre feet per acre at the diversion point on Deschutes River, together with such additional amount as may be necessary to compensate for seepage in Crane Prairie Reservoir and between said reservoir and the point of diversion, and in no event shall the storage in Crane Prairie Reservoir under this allotment exceed 90,000 acre feet per year; provided further, that such allotment shall be decreased by such amount of water as said Company may have or acquire through any other rights for the irrigation of said lands; and that this allotment is contingent, and only becomes operative, upon the filing by said North Canal Company of a relinquishment of all other claims now or hereafter acquired (except by allotment from the State Water Board) to storage rights to the waters of Deschutes River and its tributaries."

On December 23, 1921, the North Canal Company filed its written acceptance of the terms and conditions of this allotment, and filed with the State Engineer Applica-

tions Nos. 9314 and 9315 for permits to appropriate water. It is ORDERED, ADJUDGED and DECREED that the North Canal Company's storage rights as thereby initiated shall be limited to such rights as may hereafter be perfected in accordance with the terms and limitations of the permits issued by the State Engineer under said applications, or such other permits as may be hereafter issued. The priority of the water right under such permits shall be February 28, 1913, being the date the water was withdrawn from appropriation by the State Engineer.

CHINOOK LAND COMPANY and W. E. VAN ALLEN

The contests in which the Chinook Land Company and W. E. Van Allen were Contestees, were set down for hearing but no testimony was taken thereon, it being agreed that the testimony taken in the contest involving the Central Oregon Irrigation District, Central Oregon Irrigation Company, North Canal Company, and others, should be used in determining the rights of these Contestees. The lands of these Contestees, as well as those of claimants James P. Bates, Maggie M. Bates, E. V. Kuykendall, E. S. McGuire and Walter Danielski, are entitled to a water right for the irrigation of their lands of the same character and date of priority as those of other users of water in the Central Oregon Irrigation District. The rights of these claimants are a part of one general appropriation made by the predecessors of the Irrigation District. (See Paragraph 70 hereof.)

40.

Contest #32.

4. North Canal Company
5. North Canal Company
43. Jefferson Water Conservancy District
63. West Side Reclamation District

Contestants,

vs.

Grant Smith & Company,

Contestee.

The claim of Contestee in this case is based upon Application Nos. 8951 and 8952, filed with the State Engineer May 5, 1923, for permits for the use of the waters of Deschutes River at two points, for power development. One proposed place of use at Sherar Falls, and the claim of Contestee at this location conflicts with the claim of Deschutes Falls Power Company. The other proposed point of development is at Moody, near the mouth of the Deschutes, this claim conflicting with the claims of both the Columbia-Deschutes Power Company and Malcolm A. Moody. No testimony was offered in the contest, by either the Contestants or the Contestee. The applications of Contestee

are merely preliminary filings, and have not been approved by the State Engineer. It appears that they should remain on file in that condition, subject to such future disposition as may be made thereof by the State Engineer, and that no modification of Contestee's rights thereunder should be made in this proceeding.

41.

Contest #33.

24. North Canal Company
82. Odin Falls Land Company
107. Central Oregon Irrigation District,

Contestants,

vs.

Office of Indian Affairs, U. S. Dept. of Interior,

Contestee.

The above Contestants filed notices of contest against the statements of claim filed by officials of the United States Government on behalf of the Indians of the Warm Springs Indian Reservation. All parties were duly notified of the time and place fixed for hearing such contest. Appearance was made by Contestants, but not by Contestee, but no testimony was offered by either of the parties. It appears that the Contestee, although filing certain general statements, which might be construed as an allegation of rights to the waters involved, has expressly and repeatedly declared that it did not propose to become a party to the adjudication proceeding, and that the rights of the Indians were not subject to the operation of the laws of this State. In response to the official notice of the proceeding, and to later notices and letters of the State Engineer, statements were filed by the Commissioner of Indian Affairs and by the Superintendent of the Warm Springs Indian Reservation, indicating a desire on the part of such officials to cooperate with the State in any way possible, and to define as specifically as possible the rights which might be set up by the Indians for the use of water within the Reservation. Such statements allege, in effect, that by virtue of the treaty of June 25, 1855, (12 U. S. Stats, at large 963) between the United States and the Indians, all waters which might be used within the Reservation were reserved and excepted from appropriation under the State laws, and that the right of the Indians is paramount, to the use of such waters, to the extent reasonably necessary for irrigation, stock, domestic and other useful purposes, present and future. The "claim" filed by C. W. Rastall, Superintendent of the Reservation, on November 8, 1923, contains the following statement: "Appearance by the Superintendent of the Warm Springs Indian Reservation in behalf of the Government and Warm Springs Indians is not an admittance as to the jurisdiction of the State in this matter, but reservation is hereby made for the Government or representative of the Warm Springs Indians to demur at

any future time as to the jurisdiction of the State in the above matter." On December 18, 1923, a letter was received from Chas. H. Burke, Commissioner of Indian Affairs, reading in part as follows: "After going into this matter in the field it is not deemed practicable to state just what quantity of the water from the Deschutes River will be needed in the future for the Indians. At the present time 2,000 acres of land are susceptible of irrigation from this river and its tributaries. This, of course, would not restrict the Indians from the use of additional water in the future should their needs require." The Contestants, with knowledge of the position taken by these officials, filed their contests. In response thereto, the Commissioner addressed a letter to the attorney for Odin Falls Land Company, one of the Contestants, as follows, under date of May 14, 1924: "Copies of Contest in the matter of determination of the water rights to the waters of the Deschutes River, a tributary of the Columbia River, purporting to be between Odin Falls Land Company, Contestant, and United States Department of the Interior, Hubert Work, Secretary of the Interior, and Charles H. Burke, Commissioner of Indian Affairs, Contestees, have been received and contents noted. A copy of letter of even date addressed to Mr. R. W. Hagood, President of the North Canal Company in matter of similar purport is enclosed for your information. The cases therein cited will clearly place before you the rights of the United States in matters affecting water rights of Indians on reservations set aside for tribes of Indians. In addition to the information contained therein, it may be said that the United States is not a party to this adjudication and its rights and the rights of the Indians are not affected thereby." In order to give the contesting parties full opportunity to be heard, however, the contests were set down for hearing. As stated above, Contestee made no appearance, but addressed a letter to the State Engineer, as follows:

"A copy of document signed by you on September 6, 1924, entitled "Notice of Hearing" in the case of North Canal Company et als, involving waters of the Deschutes River and its tributaries, has been received.

"You have previously been advised that the rights of the United States and of the Indians of the Warm Springs Reservation are not subject to State control and that the United States was not a party to the proposed adjudication suit. Congress is the only body that could make these rights subject to State jurisdiction, and in the instant case no such authority has been sanctioned. In the absence of such authority, therefore, an administrative official cannot bind the United States with respect to these matters. Should any action be attempted that may interfere with the rights in question, it will be necessary for the Government to institute proper proceedings in the Federal Court to protect the interests involved."

It appears that the position taken by these officials of the Government is correct, and that the rights of the Indians in said Reservation are not subject to adjudication in this proceeding. This contest is accordingly dismissed, without prejudice to the rights of any of the parties thereto.

Contest #34.

41. Jefferson Water Conservancy District
 61. West Side Reclamation District
 127. Crook County Improvement District #1
 129. Powell Butte Irrigation District

Contestants,

vs.

Pacific Power & Light Company,

Contestee.

No testimony was offered in this contest, a stipulation being entered into providing that the relative rights of the parties might be determined upon the documentary evidence and claims as filed. It appears that the rights of Contestee depend upon Application No. 7079 filed with the State Engineer February 17, 1920, for the development of power at a point on the Deschutes River in Section 6, T. 2 S. R. 16 E.W.M. This application has not been approved and permit issued, the applicant not having been ready to proceed with development. If this application is approved the priority of the right will be subsequent to the rights of Contestants, providing such rights are perfected upon the basis of their respective present filings. Such right as Contestee has under Application No. 7079 will not be modified in this proceeding, but shall be subject to such disposition as may hereafter be made thereof by the State Engineer.

Contest #35.

26. Walker Basin Irrigation Company
 50. Jefferson Water Conservancy District
 70. West Side Reclamation District
 103. Columbia-Deschutes Power Company
 117. South Unit Improvement District
 118. Crook County Improvement District #1
 119. Powell Butte Irrigation District

Contestants,

vs.

Cline Falls Power Company,

Contestee.

Contestee Cline Falls Power Company claims a right from the direct flow of Deschutes River for the irrigation of about 800 acres of land and for the operation of a turbine to lift the quantity actually needed for irrigation from the stream to the land, such lift being 101.2 feet. Contestee also claims rights for power purposes for generating electricity and for water to maintain a fish ladder at its dam. The priority claimed for all of these rights is February 2, 1892, based upon a notice of

appropriation filed on that date and upon construction work alleged to have been done subsequent thereto.

Very little evidence was submitted showing the early history of this appropriation and the work done thereunder, but it appears that up to the present time less than one-half of the 800 acres for which a right is claimed has actually been irrigated. The State Engineer in his findings and order of determination, found that the maximum quantity of water which had been diverted for actual irrigation purposes was 14.17 second feet, and that said quantity would be ample for all of the lands, and fixed said quantity as the maximum limit of the appropriation for irrigation use. It is ORDERED, ADJUDGED and DECREED that this finding of the State Engineer be and the same is hereby affirmed. As this irrigation right has not been completed but is still inchoate, Contestee is hereby allowed until October 1, 1933, or such further time as may be allowed by the State Engineer on good cause shown, as provided by Paragraph 65 hereof, in which to place the remainder of the lands under irrigation. The right shall be limited to the acreage reclaimed and irrigated within such time. The right, as perfected, shall relate back for priority to the date of the notice of appropriation, February 2, 1892, for the quantity of water necessary to irrigate the lands which have been so reclaimed under the following limitations as to the duty of water: The water rights for lands under this appropriation shall be limited to 3.75 acre feet per acre per season measured at the point of diversion, and 3 acre feet per acre per season delivered on the land, to be diverted at a rate of not to exceed 1/40 of a second foot per acre during the period of maximum use from May 23 to August 20th of each year, and at a rate of not to exceed 1/80 of a second foot per acre during the rest of the irrigation season, which is hereby fixed as the period from April 1st to November 1st of each year. The transmission losses on this project are hereby fixed at an average of 20% of the quantity diverted; provided, that in any event, irrespective of transmission losses to any particular land, all water users on this project shall be entitled to a net delivery of 3 acre feet per acre per season, measured at the point where the user's lateral diverts from the Company's main canal or lateral.

Contestee was awarded by the State Engineer a right for 90 second feet of water for operating a turbine to lift the 14.17 second feet used for irrigation from the stream to the land. Other claimants have filed objections to this allowance, alleging that the Contestee at the time of its notice of appropriation did not have in contemplation the irrigation of its land by using a much larger quantity for lifting purposes, and also that such use of water for lifting purposes is not a beneficial use. The findings of the Court set forth in Paragraph 36 hereof as to the claim for water for lifting purposes by the Odin Falls Land Company are applicable in all respects

to this case, and reference is hereby made to that portion of these findings and decree for the purpose of showing the findings and conclusions of the Court as to the claim of the Cline Falls Power Company for the same purposes. It appears that this Company by its notice of appropriation in no way indicated that it intended to use the water for these purposes. It also appears, as set forth in the findings in Paragraph 36, that such use of water is not an economical or a reasonable use but is a wasteful system of irrigation and should not be permitted as a permanent right. Contestee has not acquired any right of priority as against other users by its use of water for these purposes. It is therefore ORDERED, ADJUDGED and DECREED that the claim for lifting purposes be and the same is hereby denied.

However, as noted in Paragraph 36 with respect to the similar claim of the Odin Falls Land Company, it would be unjust to deprive the claimant of the use of such a system without allowing a reasonable time for the installation of other and more up-to-date methods of diverting the irrigation water to the land. Contestee shall therefore be permitted to use its present system until October 1, 1933, within which time the change shall be made. After that date, Contestee and its successors and assigns are hereby enjoined from using the 90 second feet of water as allowed by the State Engineer, or any quantity, for lifting purposes. It is possible that after a new method of diversion under the irrigation right is adopted, the allowance hereinbefore made for transmission losses will not be adequate. This question shall be determined by the State Engineer and his findings submitted to the Court for review at the time of his determination of the inchoate rights of this Company, as provided by Paragraph 65 hereof.

Contestee has further claimed the right to the use of water for operating its power plant in the generation of electricity. It appears that such a plant has been constructed and in operation for a number of years, such electrical current being transmitted to and used for commercial purposes in the towns of Redmond, Prineville, Madras and Culver under lease to W. C. Sivyver, as an auxiliary to the plant of the Deschutes Power Company on Crooked River. The quantity used for this purpose, as found by the State Engineer, is 90 second feet. It is ORDERED, ADJUDGED and DECREED that this finding be and the same is affirmed, and a right shall be tabulated under the name of the Cline Falls Power Company for this quantity of water with date of priority of February 2, 1892.

Claim was also made by Contestee for 20 second feet of water for maintaining a fishway or fish ladder over its dam, as required by the State Fish & Game Commission. It appears that this use was not in contemplation at the time of the notice of appropriation in 1892, and in fact no such requirement has been made by the State until recent years. If the State is to compel Contestee to maintain a fish

ladder, it is not equitable that the quantity of water necessary for its operation should be taken out of Contestee's appropriation for power purposes, but the State should furnish the necessary supply of water from its withdrawal of unappropriated water which was made in 1913, as hereinafter referred to in Paragraph 66. It is ORDERED, ADJUDGED and DECREED that Contestee's claim for this purpose be and the same is denied.

44.

Contest #36.

- 27. Walker Basin Irrigation Company
- 76. Odin Falls Land Company
- 91. North Canal Company
- 92. North Canal Company
- 95. Wamic Water Ditch Co., W. J. Knox,
Tygh Valley High Line Ditch Co.,
F. M. Driver and Lost & Boulder Ditch Co.
- 103. Columbia-Deschutes Power Company
- 106. Central Oregon Irrigation District
- 108. Crook County Improvement District No. 1
- 109. Suttles Lake Irrigation District
- 110. Ochoco Irrigation District

Contestants,

vs.

Malcolm A. Moody,

Contestee.

In accordance with a stipulation entered into after the order of determination of the State Engineer in this proceeding was filed with the Court, there was filed with the County Clerk of Deschutes County on October 25, 1927, and made a part of the record herein, certified copies of the will of Malcolm A. Moody and deeds of conveyance showing transfer of title to all lands and real property of said Malcolm A. Moody riparian to the Deschutes River as listed or mentioned in his several claims filed in this proceeding, to the Columbia-Deschutes Power Company. Said Stipulation is as follows:

"It is hereby stipulated and agreed by and between ANNE M. LANG and ELIZABETH L. LANG, as executrixes and devisees named in the will of MALCOLM A. MOODY, deceased, duly substituted in the stead of the said Malcolm A. Moody in this proceeding, on the one part, and the COLUMBIA DESCHUTES POWER COMPANY, on the other part, as follows:

"1. That the fee simple ownership of all the lands and real properties of the said Malcolm A. Moody riparian to the Deschutes River, mentioned or listed in any of his several claims to the waters of the Deschutes River or in the proofs or evidence submitted in connection therewith, together with such rights as are appurtenant to any of said lands to use water for irrigation, has passed to and is now vested in the Columbia Deschutes Power Company; and that the findings and decree herein may be made to recognize and show such transfer of ownership and privileges.

"2. That the Columbia Deschutes Power Company may file as evidence herein, at any time before the final decree, the deeds of conveyance, showing said transfers.

"3. That the contest filed by the said Malcolm A. Moody against the claim of the Columbia Deschutes Power Company to the use of the waters of the Deschutes River for power purposes be and the same is hereby withdrawn, and that an order of the court may now be made dismissing the same.

"Dated at Bend, Oregon, this 8th day of March, 1927.

"ANNE M. LANG AND ELIZABETH L. LANG,

By Percy A. Cupper
Their Attorney.

"COLUMBIA DESCHUTES POWER COMPANY,

By Veazie & Veazie
Its Attorney. "

It appears that Malcolm A. Moody claimed a power right on Deschutes River not as a riparian owner but as an appropriator and that the State Engineer found that said claimant had not exercised due diligence as such appropriator and denied the power right claimed. A claim was also made by said Malcolm A. Moody for a right for the irrigation of a small acreage of land, which claim was allowed by the State Engineer. These findings of the State Engineer will not be disturbed by the Court and are hereby affirmed. Such findings are as follows:

"Contestee Malcolm A. Moody filed three claims, one for the irrigation of 126 acres of land and two for power purposes. Contestee's holdings are situated just above the mouth of Deschutes River, the development of power for commercial purposes being contemplated at two sites on the stream, about a mile apart. The upper dam site, known as Rimrock #1, is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T. 1 N. R. 15 E., the lower site, known as Rimrock #2, is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T. 2 N. R. 15 East. The contests of all the Contestants, except Columbia-Deschutes Power Company, have been disposed of by stipulation, wherein Contestee acknowledges the superiority of the rights of such Contestants. The contest of Columbia-Deschutes Power Company involves only the upper power site of Contestee. There was some intimation in Mr. Moody's power claims as filed, that he claimed as a riparian proprietor. Subsequent statements, however, in the stipulations and briefs filed, indicate that he relied entirely upon the doctrine of appropriation. Contestant Columbia-Deschutes Power Company claims a right for the development of power as a riparian proprietor, the proposed site for its dam being in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 35, T. 2 N. R. 15 E. This is about one-fourth mile below Contestee's upper dam site (Rimrock #1). These claims are therefore in direct conflict, it being a physical impossibility to develop power at both places. (Contestant's riparian claim is disposed of in Paragraph 45, immediately following.) The principal question with regard to the Moody power claims, is as to whether there has been sufficient diligence since the rights were initiated, to keep them in good standing. The priorities claimed are based upon work done subsequent to notices of appropriation,

which were posted at the upper dam site. The first of such notices was posted January 18, 1906, and claimed 5000 second feet of water. Contestee now asserts a right to 3500 second feet. No notices appear to have been posted at the lower site, although there has been work done at both locations, and the two seem to comprise one general scheme of development. Practically no actual construction work has been done on the project, but rather large expenditures have been made on preliminary work, such as gage readings of stream flow, engineering investigations and reports, surveys, digging test pits, clearing and stripping dam sites, etc. Considerable money has been expended in litigation involving the project, and in acquiring the lands now owned by Contestee. Considering the magnitude of the project, however, and the length of time which has elapsed since the initiation of the right, without actual construction work having been commenced, it appears that there has not been sufficient diligence to entitle the claimant to retain the right with the priority claimed. No showing has been made evidencing an intention to construct the project in the near future. The lack of good faith on the part of Contestee in the development of this project is further shown by his failure to file the statements and pay the fees required annually of such power claimants by Chapter 213, Laws of Oregon for 1915. All things considered, it appears that the right has been lost through lack of diligence. The claims of Contestee for power purposes are therefore denied.

"As to the claim of Contestee for irrigation purposes, it appears that 27.9 acres of land have actually been irrigated out of the 126 acres for which a right is claimed. It appears that this right was initiated in 1860, and that Contestee has had more than a reasonable length of time for the completion thereof. Said right shall be limited to the acreage which has actually been irrigated.

"In accordance with the stipulations filed herein, the rights of said Contestee shall be subsequent in time and inferior in right to the rights of the following Contestants, as allowed herein, notwithstanding the priorities of such rights as hereinafter tabulated: Walker Basin Irrigation Company, Odin Falls Land Company, North Canal Company, Columbia-Deschutes Power Company, Central Oregon Irrigation District, Crook County Improvement District No. 1, Suttles Lake Irrigation District and Ochoco Irrigation District."

It is ORDERED, ADJUDGED and DECREED that the rights of said claimants be and the same are hereby determined in accordance with the foregoing findings.

Power Claim
#613, #614

Contest #37.

- 2. North Canal Company
- 29. Walker Basin Irrigation Company
- 37. Jefferson Water Conservancy District
- 57. West Side Reclamation District
- 73. Odin Falls Land Company
- 89. Deschutes Reclamation & Irrigation Company
- 90. Malcolm A. Moody
- 93. Wamic Water Ditch Co., W. J. Knox, Tygh Valley
High Line Ditch Co., F. M. Driver and Lost &
Boulder Ditch Company
- 100. Wapinitia Irrigation Company
- 104. Central Oregon Irrigation District
- 120. Crook County Improvement District No. 1
- 121. Powell Butte Irrigation District
- 122. Ochoco Irrigation District
- 123. Suttles Lake Irrigation District
- 143. South Unit Improvement District

Contestants,

vs.

Columbia-Deschutes Power Company,

Contestee.

Contestee, Columbia-Deschutes Power Company, claims a right to 8000 second feet of the waters of Deschutes River for power purposes to be developed at a power site near the mouth of the river in Section 35, T. 2 N. R. 15 E., W.M. The normal average flow of the river available at this point amounts to considerably less than this quantity. The contests filed against this claim have all been disposed of by stipulation whereby Contestee has waived and relinquished any priority or superiority of right that it may have as against any of the said contesting parties, subject to certain qualifications and limitations as more fully appear in such stipulations.

Contestee has also filed a waiver and relinquishment of rights as against other claimants.

Said stipulations and waivers are as follows:

"WHEREAS, sundry contests and conflicting claims are now pending in the above entitled proceedings between Deschutes Falls Power Company and Columbia-Deschutes Power Company, each asserting rights to the flow of said stream at locations on the lower portion thereof, who are hereafter designated as the lower claimants, on the one part, and North Canal Company, Walker Basin Irrigation Company, Crook County Improvement District No. 1, Central Oregon Irrigation District, Deschutes Reclamation & Irrigation Company, Odin Falls Land Company, Suttles Lake Irrigation District, Powell Butte Irrigation District, Jefferson Water Conservancy District, South Unit Improvement District, West Side Reclamation District, Deschutes County Municipal Improvement District, and Ochoco Irrigation District, each asserting rights to portions of the flow of said stream or some of its tributaries at points of diversion above the mouth of Crooked River, hereinafter designated as the upper claimants, on the other part; and the said parties desiring to adjust and settle amicably their said several conflicting claims and contests:

"NOW, THEREFORE, THIS WITNESSETH, That it is stipulated and agreed by and between said lower claimants on the one part, each stipulating in respect to each several contest or conflicting claim in which it respectively is involved as against any of the upper claimants, and the said upper claimants, each likewise stipulating in respect to each several contest or conflicting claim in which it respectively is involved as against either of the lower claimants as follows, to-wit:

"1. The lower claimants waive and relinquish as between themselves respectively, and the respective upper claimants, all claims made herein by the lower claimants to the extent that the same are in conflict with the claims made by the upper claimants to the use of the natural flow (apart from storage) of the said Deschutes River or any of its tributaries; and the said lower claimants hereby consent that the said respective

claims of the upper claimants as filed herein to the use of the natural flow of the said stream may be allowed.

"2. The lower claimants consent that storage rights and privileges prior and superior to any rights of the lower claimants, or either of them, may be allowed, awarded and decreed to the respective upper claimants seeking or asserting the same, but not to exceed the limits herein specified, and such upper claimants so claiming such storage rights and privileges consent, subject, however, to the reservation of Paragraph Seven hereof, that the water taken and stored shall be limited to the said amounts, to-wit:

(a) 400,000 acre feet per annum to be stored in Benham Falls Reservoir for the Jefferson Water Conservancy District.

(b) 90,000 acre feet per annum for the North Canal Company to be stored in Crane Prairie Reservoir.

(c) 70,000 acre feet additional to be stored in Benham Falls Reservoir, or elsewhere, for allotments hereafter to be made by the State of Oregon to meet future needs of any of the upper claimants or any other allottees to whom the state may award the same, or who may become entitled thereto, which extra storage shall not be made, however, until same is allotted and is required for use.

(d) The storage as claimed and prayed for in their claims herein filed by the Powell Butte Irrigation District, South Unit Improvement District, Crook County Improvement District No. 1, and West Side Reclamation District to the extent that the same may be supplied by any award or allotment out of the storage above conceded.

(e) Not to exceed 35,000 acre feet per annum in Crescent Lake for Deschutes County Municipal Improvement District, together with the right to store and use the waters of Tumalo Creek and Crater Creek as claimed by said district.

(f) Not to exceed 17,500 acre feet per annum in Blue Lake and Suttles Lake by the Suttles Lake Irrigation District.

(g) The right to store and use the waters of Ochoco Creek and its tributaries as claimed by the Ochoco Irrigation District.

"3. In consideration of the concessions above made by the lower claimants, the upper claimants consent that the claim of the Deschutes Falls Power Company under the alleged appropriations of its predecessors in title, may be allowed, subject to the prior rights to the natural flow of the upper river and to storage rights in favor of the upper claimants as the same may be decreed in these proceedings pursuant to the above stipulations.

"4. No stipulation is made herein, pro or con, by the upper claimants respecting the allowance of the claim of the Columbia Deschutes Power Company, save that their contests shall be dismissed as hereinafter provided.

"5. Regardless of whether the respective claims of the Deschutes Falls Power Company and of the Columbia Deschutes Power Company are allowed herein by the court or not, the stipulations herein made shall be deemed a limitation by contract between the parties hereto and their successors in interest of the amount of water to be stored and used through storage on said upper river; and said limitations above fixed shall apply between each of the lower claimants and their successors in interest and the upper claimants and their successors, not only in respect to such rights as may be awarded to the lower claimants under their claims now involved in these proceedings, but also in respect to any future or other appropriations which either of them, or its successor owning the same power sites or either of them, may make or acquire for the purpose of using the water of the lower river for power purposes.

"6. All pending contests brought by either of the lower claimants against any of the upper claimants and all pending contests brought by any of the upper claimants against either of the lower claimants shall be forthwith dismissed.

"7. This stipulation shall not affect any contest or conflicting claims pending between the several upper claimants as among themselves.

"IN WITNESS WHEREOF, the said parties have caused this stipulation to be signed by their respective attorneys or agents thereto duly authorized, this 15th day of April, 1925.

DESCHUTES FALLS POWER COMPANY
By Veazie & Veazie.

COLUMBIA DESCHUTES POWER COMPANY
By Veazie & Veazie.

NORTH CANAL COMPANY
By R. W. Hagood, President.

WALKER BASIN IRRIGATION COMPANY
By B. S. Huntington.

CROOK COUNTY IMPROVEMENT DISTRICT #1
By N. G. Wallace, Attorney.

WAMIC WATER DITCH COMPANY, W. J. KNOX,)
 TYGH VALLEY HIGH LINE DITCH COMPANY,)
 F. M. DRIVER AND LOST & BOULDER DITCH)
 COMPANY,)
 Contestants,)
 vs.)
 COLUMBIA DESCHUTES POWER COMPANY,))
 Contestee.)

STIPULATION

"IT IS HEREBY STIPULATED by and between the Contestants and the Contestee as follows:

I.

"That the rights of the contestants W. J. Knox and F. M. Driver and the Wamic Water Ditch Company, and those of the Lost & Boulder Ditch Company under its 1901 and 1907 rights, are superior to those of the contestee.

II.

"That the rights of the Tygh Valley High Line Ditch Company under its Engineer's permits and the rights of the Lost & Boulder Ditch Company under its inchoate right of 1911 and their priorities thereunder shall be such as may be awarded and adjudged to them when they make final proof.

III.

"That contestants shall not be deemed to have waived any rights to which they have already been entitled in the White River adjudication by entering into this Stipulation.

"WHEREFORE, the contestants and contestee agree that an order may be entered dismissing the above entitled contest, and that the contestee's claims may be allowed as set forth in its Statement and Proof of Claim filed herein, and contestee agrees that the State Engineer may enter in the above entitled proceedings such order as may be necessary to protect the contestants in accordance with the stipulation herein contained.

"Dated this 15th day of October, 1924.

WAMIC WATER DITCH COMPANY
 by Francis W. Galloway, Attorney.
 W. J. KNOX
 by Francis W. Galloway, Attorney.
 TYGH VALLEY HIGH LINE DITCH COMPANY
 by Francis W. Galloway, Attorney.
 F. M. DRIVER
 by Francis V. Galloway, Attorney.
 LOST & BOULDER DITCH COMPANY
 by Francis V. Galloway, Attorney.

Contestants.

COLUMBIA DESCHUTES POWER COMPANY
 by Veazie & Veazie, Attorneys.

Contestee.

* * *

"It is hereby stipulated and agreed by and between Anne M. Lang and Elizabeth L. Lang, as executrices and devisees named in the will of Malcolm A. Moody, deceased, duly substituted in the stead of the said Malcolm A. Moody in this proceeding, on the one part, and the Columbia Deschutes Power Company, on the other part, as follows:

"1. That the fee simple ownership of all the lands and real properties of the said Malcolm A. Moody riparian to the Deschutes River-, mentioned or listed in any of his several claims to the waters of the Deschutes River or in the proofs or evidence submitted in connection therewith, together with such rights as are appurtenant to any of said lands to use water for irrigation, has passed to and is now vested in the Columbia Deschutes Power Company; and that the findings and decree herein may be made to recognize and show such transfer of ownership and privileges.

"2. That the Columbia Deschutes Power Company may file as evidence herein, at any time before the final decree, the deeds of conveyance, showing said transfers.

"3. That the contest filed by the said Malcolm A. Moody against the claim of the Columbia Deschutes Power Company to the use of the waters of the Deschutes River for power purposes be and the same is hereby withdrawn, and that an order of the court may now be made dismissing the same.

"Dated at Bend, Oregon, this 8th day of March, 1927.

ANNE M. LANG AND ELIZABETH L. LANG,

by Percy A. Cupper
Their Attorney

COLUMBIA DESCHUTES POWER COMPANY,

by Veazie & Veazie
Its Attorneys. "

* * *

"Come now Deschutes Falls Power Company and Columbia-Deschutes Power Company, claimants herein to the use of the waters of the Deschutes River for power purposes, and show to the Court as follows:

"1. These claimants have dismissed all contests by them brought against any other claimants to the use of the waters of said stream or any of its tributaries; and the dismissal of said contests is hereby confirmed.

"2. Said Deschutes Falls Power Company and Columbia-Deschutes Power Company, and each of them, do hereby renounce and waive any and all claims of priority and/or other adverse rights against any and all persons who have filed claims in this proceeding or in the adjudication proceedings in respect to White River, Crooked River or Trout Creek, or any of their tributaries, to the use of water for irrigation purposes; saving to these claimants, however, and each of them, such respective rights and advantages as they are entitled to under the several stipulations on file herein as between these claimants, or either of them, and other individual claimants with whom they have entered into stipulations; and saving to the Columbia-Deschutes Power Company the right to the use of the water for irrigation appertaining to the lands purchased by the said Columbia-Deschutes Power Company from the devisees of Malcolm A. Moody, with the priority date awarded therefor; and saving to the Deschutes Falls Power Company, its right to the diversion of water from a spring tributary to the Deschutes River for domestic use, in accordance with the findings of the State Engineer herein.

"3. Saving to these claimants, Deschutes Falls Power Company and Columbia-Deschutes Power Company the benefit of provisions contained in the stipulations which are on file herein, and which are set forth at pages 56 and 57 of the State Engineer's findings herein.

"Said Deschutes Falls Power Company and Columbia-Deschutes Power Company, and each of them, further waive and relinquish any and all adverse claim of priority and/or of adverse right as against any future appropriators diverting or desiring to divert water from the Deschutes River for irrigation purposes above the mouth of Crooked River, or from any of the tributaries of the said Deschutes River flowing into said river above the mouth of Crooked River.

"Dated at Bend, Oregon, this 9th day of March, 1927.

DESCHUTES FALLS POWER COMPANY,
by Veazie & Veazie
Its Attorneys.

COLUMBIA-DESCHUTES POWER COMPANY,
by Veazie & Veazie
Its Attorneys.

Contestee bases its claim for 8000 second feet of water purely on ownership of lands riparian to the stream. It appears that Contestee owns lands for a distance of about 10 miles along the stream in Townships 2 N. R. 15 E., 1 N. R. 15 E., 1 N. R. 16 E. and 1 S. R. 16 E. These lands now form a continuous strip along the stream, with the acquired Moody lands. The Deschutes River has a fall of about 140 feet in this distance and Contestee proposes to develop power for commercial purposes by a dam erected at the lowest part of its properties. Two other proposed dam sites are located in the immediate vicinity of that of Contestee, one of them being immediately below and the other immediately above that proposed to be used by Contestee. The lands on which these other sites are located were owned by Contestant, Malcolm A. Moody, at the time claims were first filed, in this proceeding, but since the matter has been submitted to this Court, all of such lands have been sold to Contestee, and thus any conflicting interests between the two claimants have been eliminated. The Moody claims have already been referred to in Paragraph 44 hereof.

No construction work has been done or use made of the water by Contestee Columbia-Deschutes Power Company. It appears that Contestee makes no claim under the doctrine of prior appropriation but claims simply as a riparian owner. The only question that arises then for this Court to determine is: Has Contestee a vested right to the use of 8000 second feet of the waters of Deschutes River purely as a riparian owner? It certainly has not under the Code, because of various enactments relative to such claims. Paragraph 2 of Section 5717, Oregon Laws, provides:

"Actual application of water to beneficial use prior to the passage of this act by or under authority of any riparian proprietor, or by or under authority of his or its predecessors in interest, shall be deemed to create in such riparian proprietor a vested right to the extent of the actual application to beneficial use."

If the water was put to a beneficial use by a riparian owner prior to the Code enactment, to the extent it was so used, a right is recognized. Contestee does not claim that a use was made as described in the statute enactment. It indeed claims no right in that way.

At the present time at least, if not at all times, riparian rights do not exist, or have they been recognized, in this state, at least not to the extent claimed by Contestee. The common law doctrine of riparian rights has been materially modified, if not repudiated, by our court of last resort when called upon to apply that doctrine as Contestee would have it applied to its claim.

The common law doctrine, as applied to the use of water in this state under claim of riparian ownership, as to the effect of such doctrine both before and after the enactment of the law of 1909, has been fully and exhaustively discussed in *Re Hood River*, 114 Or. 112. It will be appropriate here to quote from that opinion:

"A riparian right is not and cannot be declared in advance to be for a definite quantity of water, and a power company is not entitled to a decree to that effect.

"A power company has no right to a continuous flow of water as riparian owner, where its land belonged to the state at time of passage of Section 5715, O. L., declaring all waters within the state to belong to the public, but is only entitled to water appropriated under statutes.

"Sections 5715-5717, defining vested rights of riparian owners, and permitting appropriation, is not invalid as impairing vested rights or taking property without due process.

"Common law does not consist of fixed rules, but is best product of human reason applied to premises of ordinary and extraordinary conditions of life, as from time to time they are brought before courts.

"It is one of the established principles of common law that precedents must yield to reason of different or modified conditions.

"Common law rule as to continuous flow of a stream, or riparian doctrine, may be changed by statute, except as such change may affect some vested right."

This case fully and effectively disposes of Contestee's claim founded upon the doctrine of riparian ownership. The principles enunciated in the majority opinion of that case clearly indicate that the common law doctrine of riparian ownership does not obtain in this State. This Court ought to follow the law therein promulgated, unless better or more cogent reasons be urged that were not considered by the appellate court in that case, that would impel this Court in this case, under the facts, to declare a contrary ruling. No reasons and no facts have been advanced to warrant a departure by this Court from the major opinion in the case just cited.

It is therefore ORDERED, ADJUDGED and DECREED that the findings of the State Engineer denying claimant's claim for water purely as a riparian owner be and the same are hereby affirmed.

46.

Contest #38.

- 3. North Canal Company
- 39. Jefferson Water Conservancy District
- 59. West Side Reclamation District
- 74. Odin Falls Land Company
- 94. Wamic Water Ditch Company, W. J. Knox,
Tygh Valley High Line Ditch Company,
F. M. Driver and Lost & Boulder Ditch Co.
- 124. Crook County Improvement District No. 1.
- 125. Ochoco Irrigation District
- 126. Suttles Lake Irrigation District
- 128. Powell Butte Irrigation District
- 144. South Unit Improvement District

Contestants,

vs.

Deschutes Falls Power Company,

Contestee.

Contestee Deschutes Falls Power Company is a Nevada Corporation, authorized to do business in Oregon, and has filed a claim for a right to the use of 5,000 second feet of the waters of Deschutes River for the development of power at what is known as the Sherars Bridge power site, about 2 miles below the mouth of White River.

The contests filed by all of the above named Contestants have been disposed of by stipulation and by waivers filed by Contestee which are set forth in full in Paragraph 45 hereof, excepting one, which is as follows:

WAMIC WATER DITCH COMPANY, W. J. KNOX,
 TYGH VALLEY HIGH LINE DITCH COMPANY,
 F. M. DRIVER, AND LOST & BOULDER DITCH
 COMPANY,
 Contestants,
 v.
 DESCHUTES FALLS POWER COMPANY,
 Contestee.

STIPULATION

IT IS HEREBY STIPULATED by and between the contestants and the contestee as follows:

I.

That the rights of the contestants W. J. Knox and F. M. Driver and the Wamic Water Ditch Company, and those of the Lost & Boulder Ditch Company under its 1901 and 1907 rights, are superior to those of the contestee.

II.

That the rights of the Tygh Valley High Line Ditch Company under its Engineer's Permits and the rights of Lost & Boulder Ditch Company under its inchoate right of 1911 and their priorities thereunder shall be such as may be awarded and adjudged to them when they make final proof.

III.

That contestants shall not be deemed to have waived any rights to which they have already been entitled in the White River adjudication by entering into this Stipulation.

WHEREFORE, the contestants and contestee agree that an order may be entered dismissing the above entitled contest, and that the contestee's claims may be allowed as set forth in its Statement and Proof of Claim filed herein, and contestee agrees that the State Engineer may enter in the above entitled proceedings such order as may be necessary to protect the contestants in accordance with the Stipulation herein contained.

Dated this 15th day of October, 1924.

WAMIC WATER DITCH COMPANY
 By Francis V. Galloway, Attorney.
 W. J. KNOX
 By Francis V. Galloway, Attorney.
 TYGH VALLEY HIGH LINE DITCH COMPANY
 By Francis V. Galloway, Attorney.
 F. M. DRIVER
 By Francis V. Galloway, Attorney.
 LOST & BOULDER DITCH COMPANY
 By Francis V. Galloway, Attorney.

Contestants.

DESCHUTES FALLS POWER COMPANY
 By Veazie & Veazie, Attorneys.

Contestee.

* * *

The priority claimed by Contestee is based upon certain notices of appropriation filed by the Interior Development Company, a corporation, to the rights of which Contestee has succeeded. The earliest of such notices was posted January 8, 1906 and recorded January 10, 1906, subsequently an amended notice having been posted and recorded as set forth in the statement attached to Contestee's claim filed herein, the last being a notice posted on the 7th day of December, 1908, and recorded on the 9th day of December, 1908, as set forth in Paragraph XII of said claim, a copy thereof being attached thereto, marked "Exhibit C."

It appears that within six months from the date of posting of the first of said notices, the Interior Development Company commenced the actual construction of its proposed works and prosecuted its construction work without intermission up to July, 1914, except as the same has been interrupted by unavoidable casualties. Said claimant, Deschutes Falls Power Company, and its predecessors, have shown convincing evidence of their good faith and of their intention to construct a power plant and to put the water sought to be appropriated to beneficial use by the large amounts of money they have expended in the acquisition of lands necessary for the construction of the project and in engineering expense looking to the construction of the project and in litigation which has been found necessary to obtain, establish and protect the necessary rights in connection therewith, as well as by the expenditures made in actual construction work.

It therefore appears that the proposed appropriation initiated by the Interior Development Company by its notice posted January 8, 1906, still remains valid and effective. And it is therefore ORDERED, ADJUDGED and DECREED that Contestee Deschutes Falls Power Company, as successor in interest to the Interior Development Company, shall have the right, subject to the conditions and qualifications hereinafter stated, to proceed with and complete the appropriation up to the extent of 5,000 second feet of the waters of Deschutes River to be diverted and used in the production of hydro-electric power and returned again to the river, subject only to such diminution as may be necessarily incidental thereto, which said right of appropriation is subject to the following qualifications and conditions:

1. To the terms and conditions of the stipulation on file herein, copy of which is set forth in Paragraph 45 hereof, entered into between the said Deschutes Falls Power Company and the Columbia Deschutes Power Company on the one part, and the North Canal Company and other claimants on the other part, which stipulation is recognized and made binding between the parties thereto.

2. To the terms of the stipulation entered into as of the 15th day of October, 1924, between Wanic Water Ditch Company, W. J. Knox, Tygh Valley High Line Ditch Company, F. M. Driver and Lost & Boulder Ditch Company, Contestants, against Des-

chutes Falls Power Company, on file herein, to-wit: That the rights of Contestants W. J. Knox and F. M. Driver and the Wamic Water Ditch Company, and those of the Lost & Boulder Ditch Company, under its 1901 and 1907 rights, are superior to that of the Deschutes Falls Power Company; that the rights of the Tygh Valley High Line Ditch Company under its Engineer's permits, and the rights of Lost & Boulder Ditch Company under its inchoate right of 1911 and their priorities thereto, are such as may be awarded and adjudged to them when they make final proof; and that said Contestants shall not be deemed to have waived any rights to which they have already been entitled in the White River adjudication by entering into said stipulation.

3. To the terms of the stipulation dated the 27th day of October, 1924, entered into between the Wapinitia Irrigation Company and the Deschutes Falls Power Company, by which it is provided that as between the said two parties, for the purpose of determining the relative date of priority of their respective water rights, the facts as alleged and set forth in their respective proofs of claim herein shall be deemed to be established.

4. To the terms and conditions of the waiver herein filed by Deschutes Falls Power Company, whereby said Company renounces and waives any and all claims of priority and/or other adverse rights against any and all persons who have filed claims in this proceeding or in the adjudication proceedings in respect to White River, Crooked River or Trout Creek, or any of their tributaries, to the use of water for irrigation purposes; saving, however, to the said Deschutes Falls Power Company the rights and advantages to which it is entitled under the stipulations aforesaid as between it and other individual claimants with whom it has entered into said stipulations, and the right to the diversion of water from a spring tributary to the Deschutes River for domestic use at Sherars Bridge, Oregon, in accordance with the findings of the State Engineer herein.

5. Subject also to the further terms and conditions of said waiver herein filed by the Deschutes Falls Power Company whereby, saving the benefit of the provisions contained in the stipulation which is on file herein, and which is set forth in Paragraph 45 hereof, said Deschutes Falls Power Company has further waived and relinquished any and all claim of priority and/or of adverse right as against any future appropriators diverting or desiring to divert water from the Deschutes River for irrigation purposes above the mouth of Crooked River, or from any of the tributaries of said Deschutes River flowing into said river above the mouth of Crooked River.

6. Subject also to the condition that the said Deschutes Falls Power Company, within ninety days after the rendition of this decree, provided no appeal affecting same has been taken, or if such appeal is taken, then within thirty days after entry of final decree in its favor, shall make its returns and pay all power

license fees due from it under Section 5803, Oregon Laws, for the time it has held and claimed said water power rights herein and adjudged to it, and covering the years 1921 to 1927, inclusive, with twenty-five per cent penalties, and any later years for which same may meantime have accrued.

And provided further that the said Deschutes Falls Power Company, within one year from the date when the decree in its favor herein becomes final as above provided, shall apply to the Federal Power Commission for such licenses or permit from said Federal Power Commission as it may be necessary for said Company to obtain in order to construct said project; and that the time of beginning of construction of the project and of the completion thereof shall be such as may be fixed by said Federal Power Commission by its permits and its orders made in connection therewith; but in case it shall turn out that a federal power permit is not necessary to said project, and such application therefor is not made within one year as above provided, then said Deschutes Falls Power Company, its successors or assigns, shall apply to the Court within said one year period to fix the time for beginning and completion of construction of said project.

47.

Contest #39.

103. Columbia-Deschutes Power Company,

Contestant,

vs.

Wapinitia Irrigation Company,

Contestee.

Contestee Wapinitia Irrigation Company filed a petition to intervene in this proceeding (together with its claim) on February 23, 1924, after the time fixed for the filing of claims had expired, but as this was prior to the opening of such claims to public inspection, the Company's claim was accepted. At the hearing of contests no testimony was offered by either party to the above contest, it being stipulated that the rights of said parties should be determined upon the facts as set forth in their respective claims. Contestee asserts a right to the waters of Beaver Creek, a tributary of Warm Springs River, and of Bear, Cedar and Beaver Butte Creeks, which are tributary to Beaver Creek. The priority claimed is based upon notices of appropriation posted by Clear Lake Irrigation & Lumber Company November 25, 1907, and filed for record November 29, 1907. No diversion or use of the water has yet been made under these filings. It is claimed, however, that this water is a reserve supply to be used to supplement the water supply obtained from White River and tributaries for the irrigation of lands under the system of said Company now constructed and in use. It is contemplated that as the project increases in area the

Company will be unable to supply the demand from its White River appropriation, at which time ditches will be constructed to carry the waters of Beaver Creek and tributaries over the divide into the present system. It appears that the use of the waters of said streams was a part of the general scheme for the reclamation of the lands under said project, and that the work done on said project should inure to the benefit of Contestee's rights under said filings. Such rights are inchoate, but if completed within a reasonable time will relate back for priority to the date of posting said notices, November 25, 1907. The water rights on White River and its tributaries have been determined by decree of the Circuit Court for Wasco County dated November 30, 1923, the Wapinitia Irrigation Company having been allowed therein an inchoate right to be completed before November 30, 1928. Said Company is therefore allowed until November 30, 1928, in which to apply the waters of Beaver Creek and tributaries to beneficial use, or such further time as may be allowed by the State Engineer for good cause shown, as provided by Paragraph 65 hereof. The right shall be limited to the quantity of water applied to beneficial use within said time.

48.

Columbia Valley Power Company

The above Company filed a claim in this proceeding for rights to the use of 3500 second feet of the waters of Deschutes River for the development of power at two proposed power sites, known as the Pelton and Metolius sites, immediately below the mouth of Crooked River. A stipulation was filed between the Power Company and Jefferson Water Conservancy District. The Power Company's claim was contested by Odin Falls Land Company (Contest No. 75), which was also settled by stipulation. The claim of the Power Company is based upon notices posted at the respective dam sites early in 1908. The construction of the project necessitated the use of Government lands, and in 1923 the Company applied to the Federal Power Commission and was granted a preliminary permit for such use. On September 14, 1923, an order was entered by the State Engineer under the provisions of Subdivision 6 of Section 5717 Oregon Laws, fixing the time within which the water to be appropriated should be applied to beneficial use, and providing that such time should be coincident with the time fixed by the Power Commission in its final license, if and when issued to the Company. Surveys, investigations and other preliminary work were completed to the satisfaction of the Commission, and a license was issued to the Company by the Commission on June 25, 1924, under which the Company is given until June 15, 1929, to complete construction at the Pelton site, and until June 15, 1934, to complete construction at the Metolius site. The Power Company has waived all claim of priority as against appropriators above using water for irrigation, and as its claim was not contested, the rights will be allowed as

claimed. The Company is hereby allowed until June 15, 1934, or such further time as may be given by the State Engineer for good cause shown, in which to completely apply the water to beneficial use under said rights, and the final rights of said Company will be limited to the quantity so applied to use within such time. In order to carry out the provisions of said order of September 14, 1923, and of the stipulations filed, it is further provided as follows: Said rights shall be subordinate and inferior to the subsequently initiated rights to the use of water and withdrawals by the State for the irrigation of lands within the Deschutes River watershed and storage and domestic purposes incident thereto, provided that the diversion from the Deschutes River of such water shall be at or above Odin Falls, and that not to exceed 150,000 acres of land, including all lands included within the present boundaries of the Jefferson Water Conservancy District, to be irrigated from such diversions may be north of Crooked River and Metolius River, and provided further, that not to exceed 75,000 acres additional including the lands of the Odin Falls Land Company for which water rights are allowed in these proceedings, may be irrigated from tributaries joining the Deschutes River between Odin Falls and the location of the most southerly of the proposed power plants of the Columbia Valley Power Company near the mouth of the Metolius River or from the Deschutes River itself between these points.

49.

Eastern Irrigation, Power & Lumber Company

A petition to intervene in this proceeding was filed by the Eastern Irrigation, Power & Lumber Company on November 17, 1925, together with a claim for rights to water from White River and Clear Creek, a tributary of White River, and from Beaver Creek and other tributaries of Warm Springs River. Said petition alleges that said claimant was not served with notice, and had no knowledge of the proceeding until July, 1925.

The rights of the various users of the waters of White River and its tributaries, as between themselves, have been determined by decree of the Circuit Court for Wasco County dated November 30, 1923, and the Court is without authority to consider the petition of said Company insofar as it relates to water rights on White River and its tributaries.

After due consideration of said petition with respect to the claim for rights from other tributaries of Deschutes River, it is found that such rights as might have been initiated, through notices of appropriation or otherwise, by said Company or a predecessor thereof, have not been prosecuted with reasonable diligence, or at all, and said rights have been lost by abandonment. The petition is therefore denied.

Pringle Falls Electric Power & Water Company

This Company filed a claim asserting a right to 1080 second feet of the waters of West Fork of Deschutes River for the development of power near Pringle Falls. The priority of the right is based upon a notice posted December 15, 1906. This water right was involved in the case of Pringle Falls Electric Power & Water Company vs. Patterson, et al, decided by the Circuit Court for Crook County May 31, 1912, and affirmed (substantially) by the Supreme Court July 1, 1913 (65 Or. 474). The water under this right has not been applied to beneficial use, and in view of the length of time which has elapsed since its initiation, the diligence and good faith of the appropriator might be questioned. However, as there is apparently no conflict with other rights (except the North Canal Company's storage right at Crane Prairie), and no contests were filed against it, the claim will be allowed. The Company is hereby allowed until October 1, 1933, or such further time as may be allowed by the State Engineer for good cause shown, as provided by Paragraph 65 hereof, in which to apply the water to beneficial use, and the right as so perfected shall be limited to the quantity actually beneficially used within said time.

The rights of this Company and North Canal Company have been settled by agreement as follows:

THIS AGREEMENT, made and entered into this ninth day of October, 1923, by and between the NORTH CANAL COMPANY, an Oregon Corporation, party of the first part, and PRINGLE FALLS ELECTRIC POWER & WATER COMPANY, an Oregon Corporation, the party of the second part, WITNESSETH:

WHEREAS, the party of the first part is the owner of certain storage rights at Crane Prairie, situated on the West Fork of the Deschutes River, in the State of Oregon, and for the purpose of providing a reservoir for the storage of water for irrigation, has constructed a dam on said river at a point in Sections 16 and 17, Township 21 South, Range 8 East of the Willamette Meridian; and

WHEREAS, the party of the second part is the owner of a power site at Pringle Falls, situated on said stream below said Crane Prairie reservoir, together with certain water rights in said stream, and proposes to construct a power plant for the purpose of developing and utilizing water power; and

WHEREAS, it appears that the rights of the party of the second part are superior to those of the party of the first part and the storage of water in Crane Prairie reservoir by the party of the first part may affect the normal flow of the stream so as to impair the rights of the said party of the second part; and

WHEREAS, the parties hereto are desirous of making a satisfactory adjustment of said conflict of rights and thus make possible a greater use of the waters of said stream for both power and irrigation development:

NOW, THEREFORE, in consideration of the provisions and conditions herein contained, it is mutually agreed as follows:

First. That the party of the second part has a superior right to the use of the normal low water flow of said West Fork of the Deschutes River, which for the purposes of this agreement is fixed at 650 second feet.

Second. For the purpose of permitting the storage of water in the Crane Prairie reservoir for irrigation purposes, the party of the second part hereby waives any and all right to the use of the flow of said stream over and above the said 650 second feet and concedes to the party of the first part and its successors and assigns the right to impound in said Crane Prairie reservoir such flow of the said stream as there may be over and above the said 650 second feet.

IN WITNESS WHEREOF, each of the parties hereto have, by a resolution of its Board of Directors, authorized this agreement to be subscribed in its corporate name by its president and its corporate seal affixed in attestation by its secretary, in duplicate, the day and year first hereinabove written.

(Corporate seal of North Canal Company)

Attest: Fern Hobbs, Secretary.

(Corporate seal of P.F.E.P. & W. Company)

Attest: Fern Hobbs, Secretary.

NORTH CANAL COMPANY

by Oswald West, President.

PRINGLE FALLS ELECTRIC POWER &
WATER COMPANY

by A. J. Derby, President.

In the distribution of water on Deschutes River and its tributaries, the provisions of the above agreement shall be duly observed by the Water Master.

51.

Individual claims under Tumalo District

A number of individuals claiming water rights under the irrigation system of Deschutes County Municipal Improvement District (formerly Tumalo District) have filed individual claims herein, for rights to the water stored in Crescent Lake by the District, and to the waters of Tumalo and Crater Creeks. The two latter streams comprise the original supply for the project, and the water rights of Tumalo Creek and its tributaries have been determined in a separate proceeding. The rights of these individual claimants are a part of the appropriation of water made by the District or its predecessors in interest, which is covered by Paragraph 33 hereof.

52.

H. P. Hoey Estate, Intervention Petition

That on the 29th day of March, 1926, there was filed in the office of the State Engineer a petition in intervention by J. H. Carnahan, as ancillary administrator of the estate of Henry P. Hoey, deceased, said petition asserting rights to the water of Big Marsh Creek, a tributary of Crescent Creek, below Crescent Lake, for the irrigation of 140 acres of land in Section 20, Township 24 South, Range 7 East, W.M., with priority of 1905, and alleging that neither the petitioner nor his predecessor, Henry P. Hoey, had notice or knowledge of this proceeding. With the petition was filed a claim in regular form, together with the statutory fees. This petition of intervention was accepted and filed in the Engineer's office, subject to the right of any parties in this proceeding to file exceptions or contests against it after the proceedings have come before the Circuit Court.

Later, and on the 7th day of March, 1927, said J. H. Carnahan, as administrator of the estate of said Henry P. Hoey, deceased, after leave of the Court first had and obtained, filed a motion herein requesting that he be permitted to file an amended proof of claim, and that it be attached to and made a part of the proof of

claim filed in his petition for intervention. On the said 7th day of March, 1927, an order was made in open court, all parties to the proceeding being present. This Court, among other things, made an order that said amended proof of claim be filed, and it was further ordered and decreed that said amended application and proof of claim, together with the petition of intervention, be set down for hearing at 9:30 o'clock in the forenoon of the 8th day of March, 1927, in the court room for this Court, in Bend, Deschutes County, Oregon, and it was further ordered that at such time and place any objections or exceptions filed by any and all interested parties would be heard against the allowance to the filing of such amended application and proof of claim and petition in intervention, or against the allowance of the relief requested therein. At the same time and place there was filed herein a stipulation between the Odin Falls Land Company and said J. H. Carnahan, administrator of said estate, stipulating that the findings and determination of the State Engineer, as shown in Paragraph 52 of said findings and decree, and awarding a water right as of September 1, 1905, might be amended by giving said 140 acres a priority date as of September 1, 1898; and it was further stipulated that the affiants named in the affidavits attached to the claim would each respectively testify in open court as to the matters set forth in said affidavits.

At said time and place set for said hearing no one appeared to contest the filing of said claim in intervention, or said amended proof of claim, nor did anyone appear to contest the granting of the relief prayed for therein.

It is conclusively shown in the petition in intervention, the amended proof of claim, the affidavits attached thereto, and the evidence in this case, under the authorities applicable thereto, that the claimant is entitled to the rights set forth and claimed in this proceeding. It is therefore ORDERED, ADJUDGED and DECREED that the said J. H. Carnahan, as administrator of the estate of H. P. Hoey, deceased, will be allowed a right dating from September 1, 1898, for 140 acres irrigated from the waters of said Big Marsh Creek, a tributary of Crescent Lake, below Crescent Lake, for the irrigation of said lands above described.

The tabulation set forth in page 114 of the Findings and Order of Determination will accordingly be changed in accordance with the findings above made.

53.

Transfer from Arnold Company to Bend Golf Club

Petitions have been filed with the State Engineer by the Brooks-Scanlon Lumber Company and the Bend Golf Club for a transfer of water rights covered by stock certificates of the Arnold Irrigation Company, in order to provide water rights for lands to be converted into a golf course by said club. All the lands involved are

under the irrigation system of the Arnold Company, but have not been irrigated, and the water rights therefor are included in the inchoate rights of the Company as referred to in Paragraph 32 hereof. The transfer of rights as petitioned for has been approved by the Arnold Company and will apparently cause no injury to other rights. The description of lands under the inchoate rights of the Arnold Company as covered by the original claim has therefore been changed so that rights may attach to the following acreage (including rights already allotted thereto): 2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 36 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 38 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 36 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 14 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 17, T. 18 S. R. 12 E.W.M. The acreage from which rights have been transferred in order to effect such change is as follows: 16 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22; 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27; 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, all in T. 18 S. R. 12 E.W.M.

54.

Claim of L. D. Wiest

The State Engineer in his findings recognized the right of this claimant to one second foot of water for the irrigation of 70 acres of land, with priority of October 31, 1900, but failed to make a provision as to the place of measurement other than the general provision that it should be measured at the point of diversion from the stream. It appears that this claimant under and by virtue of an agreement with the Pilot Butte Development Company, dated October 14, 1907, is entitled to one second foot of water to be measured at the point of intake from the Pilot Butte Canal or flume. Such right is hereby recognized, and it is ORDERED, ADJUDGED and DECREED that the findings of the State Engineer be and the same are modified so that said L. D. Wiest shall have a perpetual water right dating from October 31, 1900, for one second foot of water from said Pilot Butte Canal, to be measured at the head of said claimant's intake and ditch as now constructed, or as may be hereafter constructed, at the point most convenient to him.

55.

Claim of Erskine Wood

This claimant filed exceptions to the findings and order of determination of the State Engineer for the reason that the same made no allowance to said claimant of any water for irrigation from the small nameless creek flowing into Metolius River, and made no allowance of any right of said claimant to water from Metolius River for irrigation of his lands on both sides thereof.

It appears that claimant Erskine Wood is the owner of an irregular

tract of land along both sides of the Metolius River, in Sections 11 and 14, in Township 12 South, Range 9 East, W. M., being Homestead Entry No. 81 in the Deschutes National Forest, survey of which is on file in the United States Surveyor's office at Portland, Oregon, and ten acres adjoining said homestead entry on south, said ten acres being described as follows, to-wit: The North Half of the North Half of the Northeast Quarter of the Northwest Quarter (~~N¹/₂N¹/₂E¹/₄NW¹/₄~~ of Section 14, Township 12 South, Range 9 East, W. M. Included in this land are some islands in the Metolius River, which are about four acres in extent, and which are naturally sub-irrigated by the river, and grow luxuriant grasses valuable for pasturage, and have been and are used by the claimant for pasturage, but said lands sub-irrigated have remained in their natural state and nothing has been done by claimant within the law that would entitle him to a claim for water for said acres, because the same have not been retained by appropriating water therefor, claimant merely claiming that he has a right to the use of water for said land because it is riparian to said Metolius River.

The rights claimed by riparian ownership, both from Metolius River and the small nameless tributary thereof, cannot be recognized, because the common law doctrine of riparian rights in this state has been so modified or repudiated that such rights as asserted by claimant may not be maintained. It is ORDERED, ADJUDGED and DECREED that the claims by riparian ownership be and the same are therefore denied, except that claimant is hereby allowed the use of the water surrounding said islands as described in the tabulation, for the watering of stock and for domestic purposes.

Since and prior to January 17, 1919, claimant has been and still is using water from the small nameless tributary of the Metolius River on the westerly side thereof, about one mile south of the claimant's land. Water therefrom has been conveyed to claimant's land by a ditch built by his predecessor, C. W. Allen, and has been used for stock and domestic purposes and to irrigate about 20 acres of land.

On January 17, 1919, the said claimant Erskine Wood filed with the State Engineer an application for a permit to appropriate the waters of the said nameless creek for the purpose of irrigating his said tract of land, including the 20 acres then irrigated, and the said application was allowed by the State Engineer and permit No. 3990 was issued, and the claimant has made final proof satisfactory to the State Engineer that the said 20 acres has been since said date, and is now, irrigated, and final water right certificate No. 7389 has been issued covering such right. It is therefore ORDERED, ADJUDGED and DECREED that claimant shall have such right as he may be entitled to under said permit and certificate; provided, that such right shall be further limited to 3 acre feet per acre per season, measured at the headgate or intake where claimant's ditch diverts water from the stream.

Claim of B. F. Madsen

This claimant has excepted to the findings and order of determination of the State Engineer for the reason that the water right as allowed under his proof of Claim No. 81, although properly tabulated as to the priority and extent of the right, is listed under the name of Belshe & Meloy. It appears said tabulation in that respect is erroneous, and it is ORDERED, ADJUDGED and DECREED that same is and it is hereby corrected in the tabulation hereinafter contained. The findings of the State Engineer as to this right are in all respects affirmed. Said right shall be limited to 3 acre feet per acre per season, measured at the headgate or intake where claimant's ditch diverts water from the stream. The irrigation season and rate of diversion shall be governed by Paragraph 68 hereof.

Claim of John Bruns

Claimant John Bruns has filed his petition of intervention praying for an order permitting him to intervene in this proceeding and establish his date of priority to the waters of Lake Creek, a tributary of the Metolius River, for the irrigation of 110 acres of land in Section 16, T. 13 S. R. 9 E., W.M.

Pursuant to an order made and entered by this Court permitting the claim in intervention and ordering that all rights affected be notified by registered mail, claimant did proceed to notify all such rights by registered mail and the registered receipts have been placed on file herein.

From an examination of the petition of claimant and from the affidavits on file herein, it now appears that claimant, by and through his predecessors in interest, appropriated water for the irrigation of said 110 acres of land, in the year 1888, and that such use has continued to this time, and that claimant is entitled to a water right accordingly.

It is therefore ORDERED, ADJUDGED and DECREED that claimant shall be allowed a right to the waters of Lake Creek, a tributary of Metolius River, with date of priority of 1888, for the irrigation of 110 acres of land described as follows: 80 acres in $N\frac{1}{2}NE\frac{1}{4}$; 20 acres in $E\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$ and 10 acres in $SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, all in Section 16, T. 13 S. R. 9 E., W.M.; also sufficient water for domestic and stock purposes between irrigating seasons. The right for irrigation shall be limited to 3 acre feet per acre per season, to be measured at the intake where claimant's ditch diverts water from said Lake Creek. The irrigation season and rate of diversion shall be governed by Paragraph 68 hereof.

Claim of Henry L. Corbett

Claimant Henry L. Corbett has filed his petition of intervention praying for an order permitting him to intervene in this proceeding and establish his date of priority to the waters of Jack Creek, a tributary of the Metolius River, for the irrigation of 60 acres of land in Section 27, T. 12 S. R. 9 E., W.M.

Pursuant to an order made and entered by this Court permitting the claim in intervention and ordering that all rights affected be notified by registered mail, claimant did proceed to notify all such rights by registered mail and the registered receipts have been placed on file herein.

From an examination of the petition of claimant and from the affidavits on file herein, it appears that claimant, by and through his predecessors in interest, appropriated water for the irrigation of said 60 acres of land, in the year 1888, and that such use has continued to this time, and that claimant is entitled to a water right accordingly.

It is therefore ORDERED, ADJUDGED and DECREED that claimant shall be allowed a right to the waters of Jack Creek, a tributary of Metolius River, with date of priority of 1888, for the irrigation of 60 acres of land described as follows: 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, T. 12 S. R. 9 E., W.M.; also sufficient water for domestic and stock purposes between irrigating seasons. The right for irrigation shall be limited to 3 acre feet per acre per season, to be measured at the intake where claimant's ditch diverts water from said Jack Creek. The irrigation season and rate of diversion shall be governed by the provisions of Paragraph 68 hereof.

Claim of Martin Hansen

Claimant, Martin Hansen, filed exceptions to the findings and order of determination of the State Engineer for the reason that the same fixed the date of priority as of 1906 instead of 1888, and further excepts to the beginning and ending of the irrigation season as determined by the State Engineer, and prays that the same be changed so as to extend from May 1st to September 15th of each year.

From an examination of the records and files herein it appears that claimant, by and through his predecessors, commenced the irrigating of 145 acres of land in the year 1888, by means of a small ditch from Lake Creek, a tributary of the Metolius River, and it further appears from the information before the Court and conditions of which the Court takes judicial knowledge, that the irrigation season for all rights on the Metolius River above Jefferson Creek should be fixed as beginning

on May 1st and ending September 15th, and that the duty of water should be 3 acre feet per acre to be measured at the head of claimant's ditch.

Claimant is therefore allowed a right with priority of 1888, for the 145 acres of land as described in the tabulation; also sufficient water for domestic and stock purposes between irrigating seasons. The right for irrigation shall be limited to 3 acre feet per acre per season, to be measured at the intake where claimant's ditch diverts water from the stream. The irrigation season and rate of diversion shall be governed by the provisions of Paragraph 68 hereof.

60.

Claim of Clarence M. Hansen

Claimant, Clarence M. Hansen, filed exceptions to the findings and order of determination of the State Engineer for the reason that the same fixed the date of priority as of 1906 instead of 1888, and further excepts to the beginning and ending of the irrigation season as determined by the State Engineer, and prays that the same be changed so as to extend from May 1st to September 15th of each year.

From an examination of the records and files herein, it now appears that claimant, by and through his predecessors, commenced the irrigating of 38 acres of land in the year 1888, by means of a small ditch from Lake Creek, a tributary of the Metolius River, and it further appears from the information before the Court and conditions of which the Court takes judicial knowledge, that the irrigation season for all rights on the Metolius River above Jefferson Creek should be fixed as beginning on May 1st and ending September 15th, and that the duty of water should be 3 acre feet per acre, to be measured at the head of claimant's ditch.

Claimant is therefore allowed a right with priority of 1888, for the 38 acres of land described in the tabulation; also sufficient water for domestic and stock purposes between irrigating seasons. The right for irrigation shall be limited to 3 acre feet per acre per season, to be measured at the intake where claimant's ditch diverts water from the stream. The irrigation season and rate of diversion shall be governed by the provisions of Paragraph 68 hereof.

61.

Claim of Joe Hansen

Claimant Joe Hansen filed exceptions to the findings and order of determination of the State Engineer for the reason that the same fixed the date of priority as of 1906 instead of 1888, and further excepts to the beginning and ending of the irrigation season as determined by the State Engineer, and prays that the same be changed so as to extend from May 1st to September 15th of each year.

From an examination of the records and files herein, it appears that claimant, by and through his predecessors, commenced the irrigating of 39 acres of land in the year 1888, by means of a small ditch from Lake Creek, a tributary of the Metolius River, and it further appears from the information before the Court and conditions of which the Court takes judicial knowledge, that the irrigation season for all rights on the Metolius River above Jefferson Creek should be fixed as beginning on May 1st and ending September 15th, and that the duty of water should be 3 acre feet per acre to be measured at the head of claimant's ditch.

Claimant is therefore allowed a right with priority of 1888, for the 39 acres of land described in the tabulation; also sufficient water for domestic and stock purposes between irrigating seasons. The right for irrigation shall be limited to 3 acre feet per acre per season, to be measured at the intake where claimant's ditch diverts water from the stream. The irrigation season and rate of diversion shall be governed by the provisions of Paragraph 68 hereof.

62.

Claims of James P. and Maggie M. Bates

These claimants have filed exceptions to the findings and order of determination of the State Engineer, such exceptions having to do mainly with the duty of water fixed as applying to claimant's lands, and with the failure of the State Engineer to recognize the rights of these claimants individually and not merely as a part of the general appropriation of the Central Oregon Irrigation District. It appears that the findings and decree entered herein by this Court as to the duty of water will practically conform to the proposed provisions urged by these claimants. And after a careful consideration of the exceptions and a thorough examination of the authorities, and after a full hearing of the arguments and briefs presented, the Court is of the opinion that the water rights to be adjudicated to these claimants should not be of a different character than the adjudication of water rights to other settlers under the Central Oregon Irrigation District. The rights of these claimants shall be governed by the provisions made herein with respect to said District, and the general findings herein. The exceptions of these claimants, so far as they may be inconsistent with this decree, are denied.

63.

General Description of Deschutes Drainage Area

Deschutes River rises in the northern part of Klamath County, Oregon. Its drainage basin lies immediately east of the Cascade Range, which the river parallels in its northerly course of nearly 200 miles to its confluence with the Columbia River.

The arid and treeless portion of Central Oregon merges on the west into the less arid basin of the Deschutes, comprising about 9000 square miles, in which the annual rainfall varies from about 10 inches along the main stream to as high as 100 inches at the crest of the Cascades, 30 miles westward. The upper portions of the drainage area, particularly to the south and west, are rough and mountainous and well forested. The agricultural lands consist largely of high table lands cut by deep canyons through which the river and its tributaries flow, and small areas of tillable land bordering the streams. The river is swift-flowing, especially in the lower portion where for a distance of over 100 miles it flows in a deep canyon. This portion of the stream is fed by large springs and important tributaries, and this fact, together with its unusual uniformity of flow makes the stream valuable for power development. Irrigation is essential for any material agricultural development in this region, although dry farming has been successful in some localities. The summer flow in the upper basin has practically all been appropriated for irrigation and other uses. Storage of winterflow is possible in the upper portion of the basin. On the lower portion of the stream diversions for irrigation on a large scale are not feasible on account of the great elevation of the lands above the stream channels. The waters of the stream have as yet been only partially utilized, for power, but there is a minimum flow of approximately 3500 second feet available for this purpose when the entire flow of the river above is being diverted for irrigation.

64.

All adjudications on Deschutes merged into one

That before the commencement of this proceeding, separate proceedings has been conducted, whereby the water rights on the following tributaries of Deschutes River had been determined: White River, Trout Creek, Crooked River, Squae Creek, Snow Creek and Three Creek, Tumalo Creek and Paulina Lake and Creek.

That the notice of public inspection served upon parties who had filed claims in this proceeding as described in Paragraph 8 hereof, was also served by publication and by registered mail upon all parties theretofore allowed rights on such tributary streams (or their successors in interest insofar as they could be ascertained), thereby making them parties to this proceeding. That in accordance with Section 5752, Oregon Laws, the final decrees entered in said separate proceedings, as well as the claims theretofore filed in this proceeding, were held open to public inspection at the times and places specified in said notice. That certain contests were initiated by parties having water rights on such tributary streams, against claimants on the remainder of the stream system, which contests have been disposed of in this order of determination. That the parties to said former proceedings shall therefore be bound

by the order or decree entered in this proceeding, and the parties to this proceeding shall be bound by the orders or decrees entered in said former proceedings.

That in the distribution of water under the respective decrees entered in said former adjudication proceedings and under the order of determination or decree of the Court in this proceeding, the rights covered by all such orders or decrees shall be administered as one stream system, the same as if they had all been determined in one proceeding. But nothing herein contained shall be construed as modifying or amending in any way the provisions of the orders of determination or decrees entered in such former adjudication proceedings.

65.

Inchoate rights

Certain claimants herein initiated rights of appropriation as described in preceding paragraphs, but have not perfected such rights. Such parties are entitled to a reasonable time in which to completely apply the water to a beneficial use. Such rights shall be perfected within the time which has been herein fixed in each case, or within an extension of such time which shall be allowed by the State Engineer for good cause shown. Provided, however, at the time an application for extension is made to the State Engineer, the party applying for such extension shall notify all interested parties. Upon the expiration of the time allowed for the completion of such inchoate rights, surveys of the land involved shall be made by the State Engineer for the purpose of determining the extent to which such lands have been reclaimed and irrigated, and a supplemental order of determination shall be entered and filed with the Circuit Court limiting the rights of such parties to the quantity of water having been actually applied to beneficial use within the time allowed. Such supplemental order shall be reviewed by the Court under proceedings the same as had upon the State Engineer's original findings and order of determination. The extent to which such rights shall be deemed to be perfected shall be determined on the basis of the acreage which has actually been cleared and properly prepared for irrigation, and to which water has been beneficially applied in the production of crops. To the extent that such appropriations have not been completed and perfected within the time allowed, each of such claimants shall be deemed to have waived and abandoned the right to any appropriation thereunder.

66.

Fish ladders

That a number of the claimants herein have claimed rights to water for the operation of fish ladders which have been installed at the request of the Oregon State Fish & Game Commission. It would appear that none of such claimants have initiated or acquired rights for this purpose, and that they cannot justly be required by the State

to provide water out of their own appropriations, for the operation of fish ladders. All claims of this character have therefore been denied. Waters for uses such as this have been reserved by the State under the order of the State Water Board of November 26, 1921, referred to in Paragraph 30 hereof.

67.

Water wheels

That several parties have filed claims herein, alleging rights to a sufficient portion of the flow of Deschutes River to operate water wheels used in elevating the water for the irrigation of small areas of land. It appears that the quantity of water necessary for the operation of such wheels is very large in proportion to the quantity which they are capable of diverting from the stream for irrigation use. The use of water for this purpose is a wasteful use, and is contrary to public interest in the conservation of water. It is not a right, but only a privilege, to be permitted only when it does not interfere with the use of water for other purposes, in which event some other means must be devised for delivering the water to the land.

68.

Duty of water

Special provisions have been made with respect to the duty of water on practically all of the larger projects involved herein, and the Court deems it necessary to provide a special duty and irrigation season in the case of certain rights on Metolius River and also water rights on Willow Creek. The general duty fixed by the State Engineer to apply in all cases where special provisions have not been made is hereby adopted by the Court with modifications, as follows:

The rights to the use of the waters of the Deschutes River and its tributaries, as herein determined, shall entitle the owners thereof to the use of the quantity of water which may be applied to beneficial use, and except in those cases where special provisions are made as to the irrigation season or the quantity of water to be diverted, such rights shall be subject to the following limitations:

The use of water for irrigation purposes shall be confined to an irrigation season consisting of the period from April 1st to November 1st of each year, during which period the water diverted at the head of any user's ditch, canal, flume or pipe line where same taps the natural stream shall not exceed the rate of 1/40 of a second foot per acre of land irrigated during the period of maximum use from May 23d to August 20th of each year, and at a rate of not to exceed 1/80 of a second foot per acre during the rest of the irrigation season; or a total during each irrigation season of 4 acre feet per acre. The basis for determining the quantity of water to which an

appropriator whose rights are involved in this proceeding may be entitled at any time shall be the acreage actually prepared for irrigation and to which water may be beneficially applied in the production of crops.

Willow Creek - A special limitation will be made as to diversions from Willow Creek and its tributaries, as the water supply on that stream has been considerably shorter than elsewhere. The ditches are all short and the transmission losses comparatively small. Practically all the claimants on Willow Creek have in their claims estimated that 2 acre feet per acre would be sufficient for the proper irrigation of the lands. Accordingly, rights on Willow Creek and its tributaries shall be limited to 2 acre feet per acre during each season, to be measured at the headgate or intake where each water user's ditch diverts from said stream or its tributaries. Such quantity may be diverted at a rate not to exceed 1/60 of a second foot per acre.

Metolius River above its junction with Jefferson Creek - All rights to the use of water on Metolius River and its tributaries, above its junction with Jefferson Creek, are relatively small and the irrigated areas lie along the streams from which they are watered. The ditches are in all cases short and the losses between the point of diversion and the place of delivery are comparatively small. The irrigation season is also shorter in this locality than elsewhere on Deschutes River and its tributaries. Therefore, the use of water for irrigation purposes from Metolius River and its tributaries above its junction with Jefferson Creek, shall be confined to an irrigation season from May 1st to September 15th of each year, during which period the water diverted shall not exceed 3 acre feet per acre of land irrigated, to be measured at the intake or headgate where each water user's ditch diverts water from the stream. Such quantity may be diverted at a rate not to exceed 1/60 of a second foot per acre.

69.

Stock and domestic use

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. It appears that the water users under some of the ditches involved herein secure water for domestic and stock purposes almost entirely through their irrigation ditches. During the irrigation season (April 1st to November 1st) such water shall be taken out of the quantity diverted primarily for irrigation purposes, and no additional amount shall be allowed for such uses during that period of the year. Outside of the irrigation season, however, water must be diverted especially for stock and domestic use. During cold weather it is customary in some localities to run this water through the ditches only about one-fifth of the time, in large heads, to fill up the cisterns

and stock ponds and get the water out of the ditches as quickly as possible to prevent freezing and avoid damage to the irrigation works. The claimants herein shall therefore be allowed a right to divert a certain quantity of water in continuous flow for stock and domestic purposes during the non-irrigation season, with the privilege of increasing the head to cope with cold weather conditions, provided, that the total quantity diverted during any such season shall not be greater than if diverted at the continuous rate of flow. That outside of the irrigation season, therefore, the rights to the use of water for stock and domestic purposes as herein confirmed, entitle the owners of such rights to divert and use such a quantity of water as is reasonably necessary for stock and domestic purposes, and to prevent the water in the ditches or channels used for such purposes from being completely frozen; provided, that the amount diverted for stock use shall not exceed one-tenth of one cubic foot per second for each one hundred head of stock, and the amount diverted for domestic use shall not exceed one-tenth of one cubic foot per second for each family; provided further, that when water for these uses is diverted periodically rather than by a steady rate of flow, the head may be proportionately increased; and provided further, that the quantity of water diverted during the non-irrigation season for stock and domestic use by the Central Oregon Irrigation District shall not exceed that which is furnished by a continuous flow of 100 second feet; that the quantity of water diverted by the Arnold Irrigation Company and the Deschutes Reclamation ^{Co} Irrigation Company during the non-irrigation season shall not exceed that which is furnished by a continuous flow of 50 second feet each; and that the quantity of water diverted for stock and domestic purposes during the non-irrigation season by the North Canal Company shall not exceed that quantity furnished by a continuous flow of 75 second feet. It is further provided that at no time shall any user divert for these purposes more than three times the quantity to which he may be limited as a steady rate of flow; for instance, the C. O. I. District, being limited to a steady flow of 100 second feet, may at no time divert more than 300 second feet even when using the water only periodically. It is further provided that diversions for these purposes by the above named companies shall be under the supervision of the water master, to the end that no two of them shall divert water for such purposes at the same time.

70.

Rotation

When two or more appropriators agree between themselves as to a manner or system of rotation in the use of their water, the water master of the District shall distribute such water in accordance with such agreement. In the absence of such an agreement, the water master may arrange such system of rotation as may be best applicable

to the conditions arising from time to time, provided there is no objection made by the water users to be affected by such system of rotation; and provided further, that in case of objection by any user, the water master may proceed to carry into effect his proposed system of rotation for the benefit of the users not objecting. But in no case shall any system of rotation be carried out by a water master if in so doing he interferes with the priority rights of any appropriator not a member of such group or system of rotation.

The Central Oregon Irrigation District, under and by virtue of the contracts of its predecessor, the Central Oregon Irrigation Company, with the users, is hereby declared to have the right to enforce a system of rotation among its various individual users. And should any other carrying company or district by proper resolution adopt a rotation system for the benefit of its users, the same shall be binding upon such users, and may be enforced by such company or district.

71.

Irrigation rights appurtenant to land

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 described herein 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 other lands without lawful permit first obtained from the State Engineer.

72.

Diversions governed by priority and beneficial use

That except as otherwise determined herein, 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 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 hindrance, 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 hindrance 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 than such appropriator can beneficially use for the purpose to which the water is to be put.

73.

Permits issued by State Engineer since Feb. 24, 1909

That each and every appropriator having filed application for, or having been issued, a permit or permits by the State Engineer for a right to appropriate water from said Deschutes River or its tributaries, whether a claim thereunder was filed in this proceeding or not, shall have such water rights thereunder as are provided by law, and the rights of such parties shall be completed and established in the manner provided by law for the completion of such rights. That the rights of each and every appropriator holding a final water right certificate or certificates covering a right to appropriate water from said Deschutes River or its tributaries, perfected under such a permit, whether a claim thereunder was filed in this proceeding or not, shall be as defined and limited in such certificates, except where such rights have been abandoned subsequent to the issuance of the certificate.

74.

Tabulation of rights allowed herein

That except as otherwise modified herein, the rights of the various appropriators of water from Deschutes River and its tributaries (having initiated rights prior to February 24, 1909), arranged in a tabulated form, with the dates of relative priority of such appropriations, the number of acres to which such appropriations are applied and are now limited, the use or uses to which said water is applied, the name of the ditch or other means by which the water so appropriated has been diverted, the name of the stream or other source from which the water has been used, and the description of the lands upon which the water has been used, the tabulated rights of each appropriator being set opposite and following his name and post office address, are as follows, to-wit:

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Arnold Irrigation Co., Bend, Oregon. (Proof #1)	Feb. 1, 1905	25	9392	Irrigation	Arnold Canal and laterals	Deschutes River	11 Ac. Trsf. - Sp. Or. Vol. 5, p. 367 → 25 acres in NE SW 1/4 - 11
	Apr. 25, 1905	125					36 acres in SE SW 1/4 82
							25 acres in NW SE 1/4 82
							35 acres in SW SE 1/4 Section 28,
							36 acres in NE NW 1/4
							10 acres in NE SE 1/4 Section 33,
							30 acres in SE NW 1/4
							22.46 acres in NE SW 1/4
							16.68 acres in NW SW 1/4 Section 34,
							T. 17 S. R. 12 E. W. M.
							30 acres in NE SE 1/4
							35 acres in NW SE 1/4
							40 acres in SW SE 1/4
							35 acres in SE SE 1/4 Section 13,
							T. 18 S. R. 11 E. W. M.
							10 acres in NE NE 1/4
							10 acres in SE NE 1/4
							33 acres in NW SW 1/4 427
							7 acres in SW SW 1/4
							20 acres in SE SW 1/4
							10 acres in NW SE 1/4
							20 acres in SW SE 1/4
							30 acres in SE SE 1/4 Section 1,
							20 acres in NE NW 1/4
							11 acres in NW NW 1/4
							28 acres in SW NW 1/4
							27 acres in SE NW 1/4
							34 acres in NE SW 1/4
							21 acres in NW SW 1/4
							30 acres in SW SW 1/4
							20 acres in SE SW 1/4
							35 acres in NW SE 1/4
							33 acres in SW SE 1/4 Section 3,
							40 acres in SE NE 1/4
							40 acres in NE SW 1/4
							33 acres in SW SW 1/4 260
							38 acres in NE SE 1/4
							31.5 acres in NW SE 1/4
							30.5 acres in SW SE 1/4
							40 acres in SE SE 1/4 Section 4,
							20 acres in SW SE 1/4
							35 acres in SE SE 1/4 Section 5,
							32 acres in NE NE 1/4
							35 acres in NW NE 1/4
							34 acres in SW NE 1/4
							31 acres in SE NE 1/4
							27 acres in NE NW 1/4
							30 acres in NW NW 1/4
							36 acres in SW NW 1/4
							35 acres in SE NW 1/4
							39 acres in NE SW 1/4
							35 acres in NW SW 1/4
							35 acres in SW SW 1/4
							38 acres in SE SW 1/4
							40 acres in NE SE 1/4
							40 acres in NW SE 1/4
							40 acres in SW SE 1/4
							40 acres in SE SE 1/4 Section 8,

J-2245 Canceled - sp. or Rec. Vol. 35 P. 196

(NOTE: This right is inchoate. See Paragraph 32, page 26.)

Time extended to 10/1/38 to complete. See sp. Or. Vol. 2, p. 499.)

(Time Ext. to 10-1-40, to complete. See Sp. Order Vol. 3-p. 280)

(Time Ext. to 12-1-41 to complete. Sp. Or. Vol. 4, p. 64)

Time extended to 6-1-42, Sp. Or. Vol. 4, p. 155
 " " " 6-30-50, Sp. Or. Vol. 6, p. 189

5 1/2 Ac. Trsf. - Sp. Or. Vol. 5, p. 475 - - - - 2

4 Ac. Trsf. - Sp. Or. Vol. 5, p. 12
 2 Ac. Trsf. - Sp. Or. Vol. 5, p. 8
 2 " " " Vol. 5, p. 10
 6 " " " Vol. 5, p. 14

6.85 Ac. Trsf. - See Sp. Or. Vol. 4 p. 383 -
 6.0 " " " " " " " " " " " "

Sp. Or. Vol. 5, p. 479

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	
Arnold Irrigation Co., (continued):							40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
							29.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
							40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
							31.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
							36 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
							33 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							20 acres in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)	
							16 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)	
							38 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
							28 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	
							30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
							38 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 9,	
							25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
							37 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
							28 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
							28 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
							38 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
							25 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							17 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
							20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
							18 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
							35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
							35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 10,	
						17 Ac. Trst. Sp. Or. Vol. 6, p. 501		20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
								25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
								35 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
								14 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
								6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
								31 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
								29 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
						5 " " " " " 6, p. 501		34 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
								20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
								30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
								39 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
								26 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
								20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
								33 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
								32 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
								30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
								Section 12,
								40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
							35 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
							34 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
							36 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
							40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
					22 Ac. Trst. Sp. Or. Vol. 6, p. 497		40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
							30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 13,	
					5 " " " " " 2, p. 204		39 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
					15 Trst. Sp. Or. Vol. 6, p. 585		40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
					12 " " " " " 6, p. 598		40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	
							40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 14,	
							37 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
							30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
					3 " " " " " 6, p. 585		38 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
					4 " " " " " 6, p. 585		33 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
							7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
							40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
							25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
					13 Ac. Trst. Sp. Or. Vol. 6, p. 367		35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
					22 Trst. Sp. Or. Vol. 5, p. 361		35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
					12 " " " " " 5, p. 361		38 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
					3 Trst. Trms. →		37 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
					See Spec. Ord. Vol. 2, page 204.		Section 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	
ARNOLD IRRIGATION CO. (continued):					28 Ac Trsf - Sp. Or. Vol. 5, p. 367		35 acres in NE NE	
							35 acres in NW NE	
							28 acres in SW NE	
							30 acres in SE NE	
							38 acres in NE NW	
							38 acres in NW NW	
						5 " " " " " 5, p. 367		30 acres in SW NW
								36 acres in SE NW
	7 Ac. Trsf - Sp. Or. Vol. 5, p. 477					28 " " " " " 5, p. 367		35 acres in NE SW
						20 " " " " " 5, p. 367		38 acres in NW SW
						20 " " " " " 5, p. 477		32 acres in SW SW
								33 acres in SE SW
	7 " " " " " 5, p. 477					26 Trsf - Sp. Or. Vol. 5, p. 361		33 acres in NW SE
								38 acres in NE SE
								35 acres in SW SE
								36 acres in SE SE
								Section 16,
								19 acres in NE NE
								34 acres in NW NE
								36 acres in SW NE
								38 acres in SE NE
								33 acres in NE NW
								2 acres in SE NW
								4 acres in NE SW
								14 acres in NE SE
							36 acres in NW SE	
							15 acres in SW SE	
							5 acres in SE SE	
							Section 17,	
27 Ac Trsf - Sp. Or. Vol. 5, p. 367					8 Ac Trsf - See Sp. Or. Vol. 2, p. 219		35 acres in NE NE	
					15 " " " " " 5, p. 367		15 acres in NW NE	
					30 " " " " " 5, p. 367		30 acres in SW NE	
					30 " " " " " 5, p. 367		30 acres in SE NE	
					5 Ac Trsf - See Sp. Or. Vol. 4, p. 66		15 acres in SE SW	
							40 acres in NE SE	
							30 acres in NW SE	
							35 acres in SW SE	
					30 Ac Trsf - See Sp. Or. Vol. 3, p. 315		30 acres in SE SE	
							Section 21,	
							32 acres in NE NE	
							38 acres in NW NE	
							37 acres in SW NE	
							38 acres in SE NE	
					5 " " " " " 6, p. 585		35 acres in NE NW	
					9 " " " " " 6, p. 404		40 acres in NW NW	
					17 " " " " " 6, p. 404		40 acres in SW NW	
					5 Ac Trsf - Sp. Or. Vol. 5, p. 504		40 acres in SE NW	
							40 acres in NE SW	
							40 acres in NW SW	
							30 acres in SW SW	
							35 acres in SE SW	
							Section 22,	
					25 Ac Trsf - See Sp. Or. Vol. 3, p. 234		25 acres in NE NE	
							40 acres in NW NE	
							39 acres in SW NE	
							38 acres in SE NE	
							40 acres in NE NW	
					2 Ac Trsf - See Sp. Or. Vol. 2, p. 204		38 acres in NW NW	
							40 acres in SW NW	
							38 acres in SE NW	
							32 acres in NE SW	
							40 acres in NW SW	
							35 acres in SW SW	
							30 acres in SE SW	
							40 acres in NE SE	
							35 acres in NW SE	
							35 acres in SW SE	
							38 acres in SE SE	
							Section 23,	

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
Arnold Irrigation Co. (continued):							40 acres in NE 1/4 NE 1/4
						40 acres in NW 1/4 NE 1/4	
							36 acres in SW 1/4 NE 1/4
							40 acres in SE 1/4 NE 1/4
							40 acres in NE 1/4 NW 1/4
							40 acres in NW 1/4 NW 1/4
							40 acres in SW 1/4 NW 1/4
							30 acres in SE 1/4 NW 1/4
							24 acres in NE 1/4 SW 1/4
							40 acres in NW 1/4 SW 1/4
							38 acres in SW 1/4 SW 1/4
							40 acres in SE 1/4 SW 1/4
							40 acres in NW 1/4 SE 1/4
							40 acres in SW 1/4 SE 1/4
							41 acres in SE 1/4 SE 1/4
							Section 24,
							33 acres in NE 1/4 NE 1/4
							40 acres in NW 1/4 NE 1/4
							8 acres in SW 1/4 NE 1/4
							17 acres in SE 1/4 NE 1/4
							40 acres in NE 1/4 NW 1/4
							37 acres in NW 1/4 NW 1/4
							30 acres in SW 1/4 NW 1/4
							18 acres in SE 1/4 NW 1/4
							Section 25,
							38 acres in NE 1/4 NE 1/4
							30 acres in NW 1/4 NE 1/4
							5 acres in SE 1/4 NE 1/4
							10 acres in NE 1/4 NW 1/4
							7 acres in NW 1/4 NW 1/4
							Section 26,
							5 acres in NE 1/4 NW 1/4
							22 acres in NW 1/4 NW 1/4
							Section 27,
							25 acres in NE 1/4 NE 1/4
							10 acres in NW 1/4 NE 1/4
							Section 28,
							T. 18 S. R. 12 E. W. M.
							20 acres in Lot 7 (SW 1/4 SW 1/4)
							Section 6,
						12 acres in Lot 1 (NW 1/4 NW 1/4)	
						24 acres in Lot 2 (SW 1/4 NW 1/4)	
						40 Ac Trsf. - see Sp. Or. Vol. 3 p. 167 - 40 acres in NE 1/4 SW 1/4	
						30 acres in Lot 3 (NW 1/4 SW 1/4)	
						30 acres in Lot 4 (SW 1/4 SW 1/4)	
						30 acres in SE 1/4 SW 1/4	
						10 acres in NW 1/4 SE 1/4	
						30 acres in SW 1/4 SE 1/4	
						20 acres in SE 1/4 SE 1/4	
						Section 7,	
						15 Ac. Tr. Sp. Or. Vol. 6, p. 499 - 20 acres in SW 1/4 NE 1/4	
						20 acres in SE 1/4 NW 1/4	
						20 acres in NW 1/4 SE 1/4	
						10 " " " " " 6, p. 499 - 20 acres in SE 1/4 SE 1/4	
						Section 8,	
						10 acres in SW 1/4 SW 1/4	
						10 acres in SE 1/4 SW 1/4	
						2 Ac Trsf. - See Sp. Or. Vol. 3 p. 239 - 34 acres in NE 1/4 SE 1/4	
						30 " " " " " " - 30 acres in SW 1/4 SE 1/4	
						38 " " " " " " - 38 acres in SE 1/4 SE 1/4	
						Section 9,	
						30 acres in NE 1/4 SW 1/4	
						35 acres in SW 1/4 SW 1/4	
						35 acres in SE 1/4 SW 1/4	
						30 acres in SW 1/4 SE 1/4	
						Section 10,	

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
Arnold Irrigation Co. (continued):							20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14,
						20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
						20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15,	
						25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
						25 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
						40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
						35 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
						35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
						30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
						25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
						25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16,	
						30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
						20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
						20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
						30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
						20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
						15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
						35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
						10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
						35 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
						30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
						25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
						25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17,	
						20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
						38 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
					30 Ac. Trsf. Sp. Or. Vol. 6, p. 384	-	30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
					30 " " " " " " "	-	30 acres in Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
					30 " " " " " " "	-	30 acres in Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
					30 " " " " " " "	-	30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
							25 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
							35 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
							10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18,
							20 acres in Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
							40 acres in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
							40 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 19,
							12 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
							38 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
							35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
							15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
							25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
							35 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
							35 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
							36 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
							38 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
						36 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20,	
						20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
						20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
						30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21,	
						20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
						20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
						20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
						20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	
						20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
						20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
						20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22,	
				40 Ac. Trsf. - See Sp. Or. Vol. 4, p. 472	-	20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
				20 Ac. Trsf. See Sp. Ords. Vol. 4, p. 463, 470	-	20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
					-	20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
					-	20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23,	
				15 Ac. Trsf. - See Sp. Or. Vol. 3, p. 163	-	15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
				10 Ac. Trsf. - See Sp. Or. Vol. 3, p. 161	-	20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
				10 " " " " " " 3 p. 163	-	20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 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
Arnold Irrigation Co. (continued):							20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, 25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 23 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 42 acres in Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) 15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) 23 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T. 18 S. R. 13 E. W. M. 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T. 18 S. R. 14 E. W. M.
13600 Awbrey, D. T., Eugene, Ore. (Proof #96)	Spring of 1885		60	Irrigation	Awbrey Water Wheel & Ditch	Deschutes River	10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 27 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 23 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T. 16 S. R. 12 E. W. M.
13601 Belshe, O. L., & Meloy, Geo., Moro, Ore. (Proof #82)	1908		9	Irrigation	Updike	North Fork Lake Creek	9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T. 13 S. R. 9 E. W. M.
13602 Bogue, J. F., Lapine, Ore. (Proof #123)	1893		110	Irrigation, domestic and stock	Served naturally	East Fork Deschutes River	20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, 28 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T. 22 S. R. 10 E. W. M.
Boyd, Charles, Bend, Ore. (Proof #107)	Aug. 12, 1905	3.25	243.5	Irrigation, domestic and stock	Wing dam and flume <i>Sp. Unval. 3, P. 506</i>	Deschutes River	7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, 33 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, T. 17 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
13603 Braun, Michael Madras, Ore. (Proof #56)	1906		5 1/2	Irrigation, domestic and stock	Water wheel, ditches & flumes	Deschutes River	5.5 acres in Lot 10 (NE 1/4 SE 1/4) Section 12, T. 10 S. R. 12 E. W. M.
Brooks-Scanlon Lumber Company, Bend, Ore. (Proof #3) (See special provisions of Paragraph 30, page 23)	Feb. 28, 1915	3		Steam generation, domestic & sanitary purposes		Deschutes River	Used in connection with lumber manufacturing plant at Bend, Oregon. (Tr. 115 - R. 12 E - Sec. 32)
		15		Log washing and steam condensing			
		50 to 200 (including above amounts)		Maintenance of log pond			
13605 Bruns, John Sisters, Ore. (See Paragraph 57, page 86)	1888		110	Irrigation, domestic and stock	Wright	Lake Creek	40 acres in NE 1/4 NE 1/4 40 acres in NW 1/4 NE 1/4 20 acres in E 1/4 SW 1/4 NE 1/4 10 acres in SW 1/4 SW 1/4 NE 1/4 Section 16, T. 13 S. R. 9 E. W. M.
13606 Bullard, Caroline F. Tumalo, Ore. (Proof #98)	1904		1/2	Irrigation, domestic and stock	Laidlaw Townsite Company	Deschutes River	1/2 acre, being Lots 1, 2, 3, 4, and 6 of Block 2, Town of Tumalo, Oregon. 1/2 acre, being Lots 1, 2, 3, 4, and 6 of Block 2, Town of Tumalo, Oregon. Section 31, T. 16 S. R. 12 E. W. M.
Central Oregon Irrigation Company, Deschutes, Ore. (Proof #4-A)	Oct. 31, 1900	1		Municipal	North and Pilot Butte Canals & Pipe line	Deschutes River	Used in town of Deschutes. (165-12E- Sec. 40)
Central Oregon Irrigation District, Redmond, Ore. (Proof #5)	Oct. 31, 1900	742	47,983	Irrigation	Central Oregon Canal, Pilot Butte 5 Tr. S.O. Vol. 6, p. 330 - Canal, North 5 Tr. S.O. Vol. 6, p. 330 - Canal 180 Trsf. - Sp. Or Vol. 5, p. 327 - 20 Trsf. - Sp. Or Vol. 5, p. 327 - 5 Trsf. - Sp. Or Vol. 5, p. 327 -	Deschutes River	45,483 acres of land covered by prior contracts, as follows: 21 acres in NE 1/4 SW 1/4 2 acres in NW 1/4 SW 1/4 18 acres in SW 1/4 SW 1/4 13 acres in SE 1/4 SW 1/4 36 acres in NE 1/4 SE 1/4 Section 33, 40 acres in NW 1/4 SW 1/4 39 acres in SW 1/4 SW 1/4 Section 34, T. 13 S. R. 13 E. W. M. 5 acres in NW 1/4 NE 1/4 (Lot 2) 12 acres in SW 1/4 NE 1/4 24 acres in SE 1/4 NE 1/4 14 acres in NE 1/4 NW 1/4 12 acres in NW 1/4 NW 1/4 23 acres in SE 1/4 NW 1/4
(NOTE: This right is inchoate; See Paragraph 39, page 50) Time extended to	Dec. 2, 1907	Balance necessary					
	10-1-38 - See Sp. Or Vol. 2 p. 489		4 - 489				
	10-1-40 " 3 - 280		3 - 280				
	12-1-41 " 4 - 64		4 - 64				
	6-1-42 " 4 - 155		4 - 155				
	1-1-43 " 4 - 246		4 - 246				
	1-1-44 " 4 - 307		4 - 307				
	1-1-46 " 4 - 459		4 - 459				
	1-1-47 " 5 - 159		5 - 159				
	6-30-47 " 5 - 389		5 - 389				
	6-30-49 " 6 - 189		6 - 189				

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
Central Oregon Irrigation District (continued):							<i>T U S R I B E</i>
							19 acres in NW ¹ / ₄ SW ¹ / ₄
							19 acres in SW ¹ / ₄ SW ¹ / ₄
							24 acres in SE ¹ / ₄ SW ¹ / ₄
							Section 4,
							26 acres in SW ¹ / ₄ NE ¹ / ₄
						4 Ac. Trsf: Sp. Or. Vol. 6, p. 450	25 acres in SE ¹ / ₄ NE ¹ / ₄
							23 acres in NE ¹ / ₄ SW ¹ / ₄
							33 acres in NW ¹ / ₄ SW ¹ / ₄
							28 acres in SW ¹ / ₄ SW ¹ / ₄
							17 acres in SE ¹ / ₄ SW ¹ / ₄
						4 " " " " " 6, p. 450	14 acres in NE ¹ / ₄ SE ¹ / ₄
							14 acres in NW ¹ / ₄ SE ¹ / ₄
							25 acres in SW ¹ / ₄ SE ¹ / ₄
							Section 5,
							30 acres in SW ¹ / ₄ NW ¹ / ₄
							30 acres in SE ¹ / ₄ NW ¹ / ₄ (Lot 5)
							26 acres in NW ¹ / ₄ SW ¹ / ₄ (Lot 6)
							18 acres in SW ¹ / ₄ SW ¹ / ₄ (Lot 7)
							20 acres in SE ¹ / ₄ SW ¹ / ₄
							25 acres in NE ¹ / ₄ SE ¹ / ₄
							36 acres in NW ¹ / ₄ SE ¹ / ₄
							29 acres in SW ¹ / ₄ SE ¹ / ₄
							30 acres in SE ¹ / ₄ SE ¹ / ₄
							Section 6,
							37 acres in NE ¹ / ₄ NE ¹ / ₄
							13 acres in NW ¹ / ₄ NE ¹ / ₄
							40 acres in SE ¹ / ₄ NE ¹ / ₄
							33 acres in NW ¹ / ₄ NW ¹ / ₄
							Section 7,
							11 acres in NE ¹ / ₄ NE ¹ / ₄
							30 acres in NW ¹ / ₄ NE ¹ / ₄
							36 acres in SW ¹ / ₄ NE ¹ / ₄
							26 acres in SE ¹ / ₄ NE ¹ / ₄
							31 acres in NE ¹ / ₄ NW ¹ / ₄
							7 acres in NW ¹ / ₄ NW ¹ / ₄
							36 acres in SW ¹ / ₄ NW ¹ / ₄
							30 acres in SE ¹ / ₄ NW ¹ / ₄
							25 acres in NE ¹ / ₄ SW ¹ / ₄
						1 Ac Trsf: Sp. Or. Vol. 6, p. 307	40 acres in NW ¹ / ₄ SW ¹ / ₄
						39 acres in SW ¹ / ₄ SW ¹ / ₄	
						40 acres in SE ¹ / ₄ SW ¹ / ₄	
						20 acres in NE ¹ / ₄ SE ¹ / ₄	
					3 " " " " " 6, p. 307	10 acres in NW ¹ / ₄ SE ¹ / ₄	
						40 acres in SW ¹ / ₄ SE ¹ / ₄	
						24 acres in SE ¹ / ₄ SE ¹ / ₄	
						Section 8,	
						20 acres in NE ¹ / ₄ NE ¹ / ₄	
					5 Ac. Trsf. - Sp. Or. Vol. 6, p. 228	32 acres in NW ¹ / ₄ NE ¹ / ₄	
						22 acres in SW ¹ / ₄ NE ¹ / ₄	
						12 acres in SE ¹ / ₄ NE ¹ / ₄	
						19 acres in NE ¹ / ₄ NW ¹ / ₄	
						5 acres in NW ¹ / ₄ NW ¹ / ₄	
						3 acres in SW ¹ / ₄ NW ¹ / ₄	
						5 acres in SE ¹ / ₄ NW ¹ / ₄	
						20 acres in NE ¹ / ₄ SW ¹ / ₄	
						21 acres in NW ¹ / ₄ SW ¹ / ₄	
						21 acres in SE ¹ / ₄ SW ¹ / ₄	
						20 acres in SW ¹ / ₄ SW ¹ / ₄	
						28 acres in NE ¹ / ₄ SE ¹ / ₄	
					10 Ac Trsf - Sp. Or. Vol. 3, p. 350	28 acres in SE ¹ / ₄ SE ¹ / ₄	
						Section 9,	
						20 acres in NW ¹ / ₄ NE ¹ / ₄	
						25 acres in SW ¹ / ₄ NE ¹ / ₄	
						25 acres in NE ¹ / ₄ NW ¹ / ₄	
						30 acres in NW ¹ / ₄ NW ¹ / ₄	
						28 acres in SE ¹ / ₄ NW ¹ / ₄	
						14 acres in NE ¹ / ₄ SW ¹ / ₄	
						30 acres in NW ¹ / ₄ SW ¹ / ₄	
						26 acres in SW ¹ / ₄ SW ¹ / ₄	
						26 acres in SE ¹ / ₄ SW ¹ / ₄	
						30 acres in NE ¹ / ₄ SE ¹ / ₄	
						35 acres in NW ¹ / ₄ SE ¹ / ₄	
						25 acres in SW ¹ / ₄ SE ¹ / ₄	
						10 acres in SE ¹ / ₄ SE ¹ / ₄	
						Section 10,	

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	
Central Oregon Irrigation District (continued):							T 14 S R 13 E	
				52 Ac Trsf - Sp. Or. Vol. 4, p 249			17 acres in SE 1/4 NE 1/4	
							28 acres in NW 1/4 NW 1/4	
							20 acres in NE 1/4 SW 1/4	
							20 acres in NW 1/4 SW 1/4	
							30 acres in SW 1/4 SW 1/4	
							20 acres in SE 1/4 SW 1/4	
					52 Ac Trsf - See Sp. Or. Vol. 4, p 338			28 acres in SW 1/4 SE 1/4
					42 " " " " " " 6, p 356			20 acres in SE 1/4 SE 1/4
								Section 13,
					10 Ac Trsf - Sp. Or. Vol. 4, p. 249			25 acres in NE 1/4 NE 1/4
								20 acres in NW 1/4 NE 1/4
								20 acres in SW 1/4 NE 1/4
								26 acres in SE 1/4 NE 1/4
								22 acres in NE 1/4 NW 1/4
								20 acres in SE 1/4 NW 1/4
								25 acres in NE 1/4 SW 1/4
								30 acres in NW 1/4 SW 1/4
								25 acres in SW 1/4 SW 1/4
								10 acres in SE 1/4 SW 1/4
					11 Ac Trsf - Sp. Or. Vol. 5, p. 293			24 acres in NE 1/4 SE 1/4
					15 Ac Trsf - See Sp. Or. Vol. 3 p. 217			25 acres in NW 1/4 SE 1/4
								25 acres in SW 1/4 SE 1/4
								35 acres in SE 1/4 SE 1/4
								Section 14,
								8 acres in NE 1/4 NW 1/4
								15 acres in SE 1/4 NW 1/4
								22 acres in NE 1/4 SW 1/4
								20 acres in SW 1/4 SW 1/4
								30 acres in SE 1/4 SW 1/4
								38 acres in NE 1/4 SE 1/4
								33 acres in NW 1/4 SE 1/4
								30 acres in SW 1/4 SE 1/4
								35 acres in SE 1/4 SE 1/4
								Section 15,
							19 acres in SW 1/4 SE 1/4	
							Section 16,	
							35 acres in NE 1/4 NE 1/4	
							39 acres in NW 1/4 NE 1/4	
							37 acres in SW 1/4 NE 1/4	
							39 acres in SE 1/4 NE 1/4	
							40 acres in NE 1/4 NW 1/4	
							40 acres in NW 1/4 NW 1/4	
							33 acres in SW 1/4 NW 1/4	
				3 Ac trsf - Sp. Or. Vol. 6, p. 340			39 acres in SE 1/4 NW 1/4	
							35 acres in NE 1/4 SW 1/4	
							31 acres in NW 1/4 SW 1/4	
							34 acres in SE 1/4 SW 1/4	
				3 " " " " " 6, p 409			35 acres in NE 1/4 SE 1/4	
							38 acres in NW 1/4 SE 1/4	
							37 acres in SW 1/4 SE 1/4	
				3 " " " " " 6, p 409			40 acres in SE 1/4 SE 1/4	
							Section 17,	
							32 acres in NE 1/4 NE 1/4	
							31 acres in SE 1/4 NE 1/4	
							11 acres in NE 1/4 SE 1/4	
							Section 18,	
				25 Ac Trsf. Sp. Or. Vol. 4 p. 152			25 acres in NE 1/4 SE 1/4	
				15 " " " " " " "			15 acres in SE 1/4 SE 1/4	
							Section 19,	
							35 acres in NE 1/4 NE 1/4	
							35 acres in NW 1/4 NE 1/4	
							30 acres in SW 1/4 NE 1/4	
							30 acres in SE 1/4 NE 1/4	
							20 acres in NE 1/4 NW 1/4	
							35 acres in NW 1/4 NW 1/4	
							20 acres in SW 1/4 NW 1/4	
				Trsf. Sp. Or. Vol. 4, p. 87			37 acres in SE 1/4 NW 1/4	
							30 acres in NE 1/4 SW 1/4	
				22 " " " " " 6, p. 366			30 acres in NW 1/4 SW 1/4	
							30 acres in NE 1/4 SE 1/4	
							17 acres in NW 1/4 SE 1/4	
							Section 20,	
				Part Transferred Sp. Or. Vol. 4 p. 407			34 acres in NW 1/4 NE 1/4	
				10 Ac Trsf. Sp. Or. Vol. 6, p. 510			19 acres in SW 1/4 NE 1/4	
							36 acres in SE 1/4 NE 1/4	

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
Central Oregon Irrigation District (continued):							TIASRIBE
						27 acres in NW 1/4 NW 1/4	
					2 Ac. Trsf. Sp. Or. Vol. 6, p. 425		37 acres in SW 1/4 NW 1/4
							16 acres in SE 1/4 NW 1/4
							30 acres in NE 1/4 SW 1/4
							37 acres in NW 1/4 SW 1/4
							17 acres in SW 1/4 SW 1/4
							34 acres in SE 1/4 SW 1/4
							30 acres in NE 1/4 SE 1/4
					2 ac. Trsf. Sp. Or. Vol. 2, p. 351		10 acres in NW 1/4 SE 1/4
							15 acres in SW 1/4 SE 1/4
							18 acres in SE 1/4 SE 1/4
							Section 21,
							19 acres in NE 1/4 NE 1/4
							33 acres in NW 1/4 NE 1/4
							16 acres in SW 1/4 NE 1/4
							25 acres in SE 1/4 NE 1/4
							35 acres in NE 1/4 NW 1/4
							15 acres in NW 1/4 NW 1/4
							30 acres in SW 1/4 NW 1/4
							18 acres in SE 1/4 NW 1/4
							28 acres in NE 1/4 SW 1/4
							15 acres in NW 1/4 SW 1/4
							34 acres in SW 1/4 SW 1/4
							25 acres in SE 1/4 SW 1/4
							16 acres in NW 1/4 SE 1/4
							38 acres in SW 1/4 SE 1/4
							Section 22,
							18 acres in NW 1/4 NE 1/4
							12 acres in SW 1/4 NE 1/4
					4 Ac. Trsf. - Sp. Or. Vol. 5, p. 463		30 acres in SE 1/4 NE 1/4
							20 acres in NE 1/4 NW 1/4
							20 acres in SW 1/4 SE 1/4
					5 Ac. Trsf. - Sp. Or. Vol. 6, p. 224		25 acres in SE 1/4 SE 1/4
							Section 23,
							20 acres in NE 1/4 NE 1/4
					4 Ac. Trsf. - Sp. Or. Vol. 5, p. 179		20 acres in NW 1/4 NE 1/4
					19 Ac. Trsf. - Sp. Or. Vol. 2, p. 7		34 acres in SW 1/4 NE 1/4
							30 acres in NE 1/4 NW 1/4
							15 acres in NW 1/4 NW 1/4
							15 acres in SW 1/4 NW 1/4
							30 acres in SE 1/4 NW 1/4
							20 acres in NE 1/4 SW 1/4
							15 acres in NW 1/4 SW 1/4
							25 acres in SW 1/4 SW 1/4
					15 Ac. Trsf. - Sp. Or. Vol. 4, p. 401		25 acres in SE 1/4 SW 1/4
					6 " " " " " " 6, p. 599		20 acres in NW 1/4 SE 1/4
							32 acres in SW 1/4 SE 1/4
							Section 24,
							25 acres in NE 1/4 NE 1/4
						20 acres in NW 1/4 NE 1/4	
						15 acres in SW 1/4 NE 1/4	
						30 acres in SE 1/4 NE 1/4	
				10 Ac. Trsf. - Sp. Or. Vol. 4, p. 401		20 acres in NE 1/4 NW 1/4	
						35 acres in NW 1/4 NW 1/4	
						11 acres in SW 1/4 NW 1/4	
						5 acres in NW 1/4 SW 1/4	
						Section 25,	
						25 acres in NE 1/4 NE 1/4	
						20 acres in NW 1/4 NE 1/4	
						25 acres in SW 1/4 NE 1/4	
						35 acres in SE 1/4 NE 1/4	
						35 acres in NE 1/4 SW 1/4	
				8 Ac. Trsf. - Sp. Or. Vol. 4, p. 148		24 acres in NW 1/4 SW 1/4	
						31 acres in SW 1/4 SW 1/4	
						25 acres in SE 1/4 SW 1/4	
						23 acres in NE 1/4 SE 1/4	
				2 Ac. Trsf. Sp. Or. Vol. 5, p. 59		3 acres in NW 1/4 SE 1/4	
						25 acres in SW 1/4 SE 1/4	
						20 acres in SE 1/4 SE 1/4	
						Section 26,	
						27 acres in NW 1/4 NE 1/4	
						24 acres in SW 1/4 NE 1/4	
						35 acres in NE 1/4 NW 1/4	
						31 acres in SW 1/4 NW 1/4	
						18 acres in SE 1/4 NW 1/4	

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	
Central Oregon Irrigation District (continued):							T 14 S R 12 E	
					3 Ac. Trsf. Sp. Or. Vol. 6, p. 443		36 acres in NE SW	
						3 Ac. Trsf. Sp. Or. Vol. 6, p. 443		16 acres in NW SW
								38 acres in SE SW
								30 acres in NE SE
								25 acres in NW SE
								25 acres in SW SE
								25 acres in SE SE
								Section 27,
								20 acres in NE NE
								10 acres in NW NE
								24 acres in SW NE
								20 acres in NE NW
								18 acres in SE NW
								5 acres in SE SW
								29 acres in NW SE
								15 acres in SW SE
								13 acres in SE SE
								Section 28,
								23 acres in NE SW
								25 acres in SW SW
								25 acres in SE SW
								20 acres in SW SE
								Section 29,
								25 acres in SW SE
								Section 30,
								20 acres in NE NE
								25 acres in NW NE
					10 Ac. Trsf. Sp. Or. Vol. 5, p. 251		30 acres in SW NE	
							30 acres in SE NE	
							18 acres in Lot 2 (SW NW)	
					25 Ac. Trsf. Sp. Or. Vol. 5, p. 293		25 acres in Lot 4 (SW SW)	
							15 acres in NE SE	
							35 acres in NW SE	
					5 Ac. Trsf. Sp. Or. Vol. 5, p. 467		24 acres in SW SE	
							Section 31,	
							15 acres in NE NE	
							30 acres in NW NE	
							30 acres in NE NW	
					36 Ac. Trsf. - See Sp. Or. Vol. 4, p. 415		36 acres in NW NW	
							35 acres in SW NW	
							39 acres in SE NW	
							36 acres in NE SW	
					5 Ac. Trsf. Sp. Or. Vol. 6, p. 419		29 acres in NW SW	
							Section 32,	
							7 acres in NE NE	
							10 acres in NW NW	
							18 acres in SW NW	
							3 acres in NE SW	
							21 acres in NW SW	
					19 Ac. Trsf. Sp. Or. Vol. 4, p. 150		19 acres in SW SW	
							36 acres in SE SW	
							25 acres in NE SE	
							11 acres in NW SE	
							37 acres in SW SE	
					4 Ac. Trsf. Sp. Or. Vol. 5, p. 265		28 acres in SE SE	
							Section 33,	
							8 acres in NE NE	
							24 acres in NW NE	
							10 acres in SW NE	
							37 acres in SE NE	
							11 acres in NE NW	
							20 acres in NW NW	
							20 acres in SW NW	
							21 acres in SE NW	
							27 acres in NE SW	
					1 Ac. Trsf. Sp. Or. Vol. 6, p. 413		35 acres in NW SW	
							30 acres in SW SW	
							33 acres in SE SW	
							20 acres in NE SE	
							29 acres in NW SE	
							20 acres in SW SE	
							23 acres in SE SE	
							Section 34,	
							5 acres in NE NE	
							27 acres in NW NE	
					5 Ac. Trsf. Sp. Or. Vol. 5, p. 293		5 acres in SW NE	
					" " " " " 5, p. 395		17 acres in NE NW	
					4 Ac. Trsf. Sp. Or. Vol. 5, p. 263		20 acres in NW NW	
							39 acres in SW NW	
							26 acres in SE NW	
							10 acres in NE SW	
							15 acres in NW SW	
							5 acres in SW SW	

T. 14 S.
R. 13 E.

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	
Central Oregon Irrigation District (continued):							T14SR14E	
						29 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$		
						14 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$		
							39 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							20 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)	
							16 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
							10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	
							19 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
							37 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							32 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 18,	
					34 Ac. Trsf. - Sp. Or. Vol. 5, p. 103			34 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
					13 Ac. " " "			13 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
								Section 29,
								25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
								32 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
								11 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
								33 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
								22 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
								8 acres in Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
					5 Ac. Trsf. Sp. Or. Vol. 7, p. 436			15 acres in Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
								Section 30,
								T. 14 S. R. 14 E. W. M.
								15512E
								15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
								35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
								Section 1,
								18 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
								40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
								10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
								22 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
								30 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
								15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
								34 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
								34 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
							38 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
							16 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
				29 Ac. Trsf. - See Sp. Or. Vol. 4, p. 212			29 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 12,	
							19 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
				7 " " " " " 6, p. 485			20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
							23 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
							20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
							27 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
							20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
							13 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
							35 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
				2 " " " " " 6, p. 485			20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
							20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							22 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 13,	
							25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
							35 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
				20 Trsf. - Sp. Or. Vol. 5, p. 325			25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 14,	
							22 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
							30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
							20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
							16 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
							25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
				14 Ac. Trsf. - See Sp. Or. Vol. 4, page 474			35 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
				14 " " " " " 4, " 474			21 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							27 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
				10 Ac. Trsf. Sp. Or. Vol. 5, p. 205			32 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	
							22 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
				10 Ac. Trsf. - Sp. Or. Vol. 5, p. 205			36 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 24,	
							20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
							40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
							40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
							25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
							35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							25 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
							20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
							40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	

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
Central Oregon Irrigation Dist. (continued)					10 Ac. Trsf. - Sp. Or. Vol. 5, p. 138		<p>TISSRIBE</p> 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 33 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 38 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
					20 Ac. Trsf. - Sp. Or. Vol. 5, p. 293		Section 25, 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
					2 Ac. Trsf. Sp. Or. Vol. 6, p. 344		Section 35, 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
							Section 36, T. 15 S. R. 12 E. W. M. 9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ TISSRIBE 22 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 19 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 34 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 18 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
					3 Ac. Trsf. Sp. Or. Vol. 6, p. 573		28 acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
					8 " " " " " " 6, p. 573		32 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
							33 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							37 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
							37 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
							39 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
							34 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
					8 Ac. Trsf. Sp. Or. Vol. 6, p. 454		28 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
					2 " " " " " " 6, p. 454		35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
							21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
							33 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
							33 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
					1 Ac. Trsf. - Sp. Or. Vol. 6, p. 352		20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
							36 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
							Section 4,
							23 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
							33 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
							17 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							37 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
							21 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
							35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
							20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
							23 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
					6 Ac. Trsf. Sp. Or. Vol. 6, p. 529		31 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							28 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
							36 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
							30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
							38 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
							19 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
					4 " " " " " " 6, p. 474		35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
							37 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
							Section 5,
							36 acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
					5 Ac. Trsf. - Sp. Or. Vol. 5, p. 467		20 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
							30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
							5 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
					30 Ac. Trsf. Sp. Or. Vol. 5, p. 293		30 acres in Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
					5 Ac. Trsf. Sp. Or. Vol. 5, p. 128		5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
					5 " " " " " " 6, p. 441		13 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							35 acres in Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
							15 acres in Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
							25 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 $\frac{1}{4}$
							16 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
							Section 6,

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	
Central Oregon Irrigation Dist. (continued)							75SR13E	
							20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
							30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
							15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							22 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
							35 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							15 acres in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)	
							20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
							24 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$	
					25 Ac. Trsf. - Sp. Or. Vol. 5, p. 293			28 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
								27 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
								Section 7,
								35 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
								30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
								36 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
								30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
					3 $\frac{1}{2}$ " " " " " 6, p. 472			35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
								30 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
								20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
								30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
								23 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
								29 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
								20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
								32 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
					1 Ac. Trsf. - Sp. Or. Vol. 6, p. 348			40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
								36 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
								30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
								25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
								Section 8,
								31 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
								37 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
								30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
					15 Ac. Trsf. - Sp. Or. Vol. 7, p. 286			36 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
					4 Ac. " " " " " Vol. 7, p. 269			23 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
					Trsf. See Sp. Or. Vol. 7, p. 229			33 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
								35 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
								25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
					2 Ac. Trsf. - Sp. Or. Vol. 6, p. 506			31 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
								38 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
								28 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
								25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
								37 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
								30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
								35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
								40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
							Section 9,	
							35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
							40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
							34 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
							25 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
							40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
							20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
							Section 10,	
							18 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
							30 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
							20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$	
							20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	
							Section 15,	
							20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	
							24 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	
							19 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	
							16 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
							21 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	
							36 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$	
							27 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
							25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
							40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	
							40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$	
							20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
							10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
							Section 16,	

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
Central Oregon Irrigation District (continued):							754 R 13 E
							35 acres in NE-NE-1/4
							27 acres in NW-NE-1/4
					3 Ac Trsf; Sp. Or. Vol. 6, p. 561		32 acres in SE-NE-1/4 SW-NE
							38 acres in SE-NE-1/4
							24 acres in NE-NW-1/4
							28 acres in NW-NW-1/4
							38 acres in SW-NW-1/4
							34 acres in NE-SW-1/4
							33 acres in NW-SW-1/4
							35 acres in SW-SW-1/4
							28 acres in SE-SW-1/4
							34 acres in NE-SE-1/4
							30 acres in NW-SE-1/4
							32 acres in SW-SE-1/4
							33 acres in SE-SE-1/4
							Section 17,
							28 acres in NW-NE-1/4
							30 acres in SW-NE-1/4
							22 acres in NE-NW-1/4
							3 acres in Lot 2 (SW-1/4 NW-1/4)
					1 Ac. Trsf; Sp. Or. Vol. 6, p. 553		28 acres in SE-NW-1/4
							30 acres in NE-SW-1/4
							18 acres in NW-SW-1/4
							28 acres in SW-SW-1/4
					1 Ac. Trsf; Sp. Or. Vol. 6, p. 541	2 Ac. Trsf; Sp. Or. Vol. 6, p. 458	24 acres in SE-SW-1/4
							28 acres in NE-SE-1/4
							25 acres in NW-SE-1/4
							30 acres in SW-SE-1/4
							Section 18,
							37 acres in NE-NE-1/4
							32 acres in NW-NE-1/4
							8 acres in SW-NE-1/4
							19 acres in SE-NE-1/4
							34 acres in NE-NW-1/4
							20 acres in Lot 1 (NW-1/4 NW-1/4)
							23 acres in Lot 2 (SW-1/4 NW-1/4)
							26 acres in SE-NW-1/4
							22 acres in Lot 3 (NW-1/4 SW-1/4)
							17 acres in Lot 4 (SW-1/4 SW-1/4)
							Section 19,
							22 acres in NE-NE-1/4
							17 acres in NW-NE-1/4
							34 acres in SW-NE-1/4
							33 acres in SE-NE-1/4
							23 acres in NE-NW-1/4
							40 acres in NW-NW-1/4
							31 acres in SW-NW-1/4
							35 acres in SE-NW-1/4
							40 acres in NE-SW-1/4
						10 acres in NW-SW-1/4	
						3 acres in SW-SW-1/4	
						38 acres in SE-SW-1/4	
						15 acres in NE-SE-1/4	
				5 Ac. trsf. - Sp. Or. Vol. 6, p. 342		26 acres in NW-SE-1/4	
				2 ac. trsf. - Sp. Or. Vol. 6, p. 77		25 acres in SW-SE-1/4	
						20 acres in SE-SE-1/4	
						Section 20,	
						35 acres in NE-NW-1/4	
				4 " " " " " 6, p. 557		34 acres in NW-NW-1/4	
				5 Ac. Trsf. - See Sp. Or. Vol. 3p. 225a		21 acres in SW-NW-1/4	
						12 acres in SE-NW-1/4	
				12 " " " " " 6, p. 370		25 acres in NE-SW-1/4	
						25 acres in NW-SW-1/4	
						Section 21,	
						25 acres in NE-NW-1/4	
						25 acres in NW-NW-1/4	
						30 acres in SW-NW-1/4	
						Section 22,	
						20 acres in NE-NE-1/4	
						29 acres in NW-NE-1/4	
						31 acres in SW-NE-1/4	
						20 acres in SE-NE-1/4	
						35 acres in NE-NW-1/4	

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
Central Oregon Irrigation Dist., (continued):							T 15 S R 13 E
							3 acres in NW 1/4 NW 1/4
							4 acres in SE 1/4 NW 1/4
							9 acres in NW 1/4 SW 1/4
							Section 29,
					4 Ac. Trsf.: Sp. Or. Vol. 6, p. 551		28 acres in Lot 1 (NW 1/4 NW 1/4)
							34 acres in Lot 2 (SW 1/4 NW 1/4)
							8 acres in SE 1/4 NW 1/4
					2 " " " " " 6, p. 591		27 acres in NE 1/4 SW 1/4
							25 acres in Lot 3 (NW 1/4 SW 1/4)
							25 acres in Lot 4 (SW 1/4 SW 1/4)
							37 acres in SE 1/4 SW 1/4
							11 acres in NE 1/4 SE 1/4
					5 Ac. Trsf.: Sp. Or. Vol. 6, p. 297		38 acres in SW 1/4 SE 1/4
					3 Ac. Trsf. - Sp. Or. Vol. 5, p. 500		35 acres in SE 1/4 SE 1/4
							Section 30,
							25 acres in NE 1/4 NE 1/4
							40 acres in NW 1/4 NE 1/4
							40 acres in SW 1/4 NE 1/4
							11 acres in SE 1/4 NE 1/4
							30 acres in NE 1/4 NW 1/4
							33 acres in Lot 1 (NW 1/4 NW 1/4)
							22 acres in Lot 2 (SW 1/4 NW 1/4)
							20 acres in SE 1/4 NW 1/4
							35 acres in NE 1/4 SW 1/4
					5 Ac. Trsf. - Sp. Or. Vol. 5, p. 241		16 acres in Lot 3 (NW 1/4 SW 1/4)
							23 acres in SE 1/4 SW 1/4
							6 acres in NE 1/4 SE 1/4
							40 acres in NW 1/4 SE 1/4
					2 " " " " " 6, p. 380		40 acres in SW 1/4 SE 1/4
					3 " " " " " 7, p. 43		3 acres in SE 1/4 SE 1/4
							Section 31,
							T. 15 S. R. 13 E. W. M.
					6 Ac. Trsf. - Sp. Or. Vol. 5, p. 496		6 acres in Lot 2 (SW 1/4 NE 1/4)
					4 Ac. Trsf. - Sp. Or. Vol. 5, p. 498		5 acres in Lot 1 (SE 1/4 NE 1/4)
							4 acres in Lot 4 (SW 1/4 NW 1/4)
					7 Ac. Trsf. - Sp. Or. Vol. 4, p. 401		20 acres in NE 1/4 SW 1/4
					20 " " " " " " " " " " " " " "		25 acres in NW 1/4 SW 1/4
					17 " " " " " " " " " " " " " "		30 acres in SW 1/4 SW 1/4
					3 " " " " " " " " " " " " " "		25 acres in SE 1/4 SW 1/4
							Section 1,
							7 acres in Lot 2 (SW 1/4 NE 1/4)
							7 acres in Lot 1 (SE 1/4 NE 1/4)
							7 acres in Lot 3 (SE 1/4 NW 1/4)
					9 Ac. Trsf.: Sp. Or. Vol. 6, p. 305		25 acres in NE 1/4 SW 1/4
					3 " " " " " 6, p. 305		20 acres in NW 1/4 SW 1/4
					8 " " " " " 6, p. 305		24 acres in SW 1/4 SW 1/4
							20 acres in SE 1/4 SW 1/4
							20 acres in NE 1/4 SE 1/4
							40 acres in NW 1/4 SE 1/4
							25 acres in SW 1/4 SE 1/4
							28 acres in SE 1/4 SE 1/4
							Section 2,
					5 " " " " " 6, p. 559		35 acres in NE 1/4 NE 1/4
					5 " " " " " 6, p. 559		5 acres in NW 1/4 NE 1/4
							36 acres in SE 1/4 NE 1/4
							33 acres in SW 1/4 SW 1/4
							40 acres in SE 1/4 SW 1/4
					7 Trsf.: Sp. Or. Vol. 2, p. 412		36 acres in NE 1/4 SE 1/4
					3 " " " " " 6, p. 567		39 acres in SW 1/4 SE 1/4
					4 " " " " " 6, p. 567		39 acres in SE 1/4 SE 1/4
							Section 10,
					30 Trsf. - Sp. Or. Vol. 3, p. 334		37 acres in NE 1/4 NE 1/4
					1 " " " " " 3, p. 346		30 acres in NW 1/4 NE 1/4
					8 Ac. Trsf.: Sp. Or. Vol. 6, p. 581		40 acres in SW 1/4 NE 1/4
					8 " " " " " 6, p. 581		30 acres in SE 1/4 NE 1/4
							38 acres in SW 1/4 NW 1/4
							25 acres in NE 1/4 SW 1/4
							30 acres in NW 1/4 SW 1/4
							30 acres in SW 1/4 SW 1/4
							30 acres in SE 1/4 SW 1/4
					9 " " " " " 6, p. 581		40 acres in NE 1/4 SE 1/4
					5 " " " " " 6, p. 581		35 acres in NW 1/4 SE 1/4
					10 " " " " " 6, p. 518		25 acres in SE 1/4 SE 1/4
							Section 11,

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount-Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use	
Central Oregon Irrigation Dist., (continued):							165 RIVE	
					4 Ac Trsf. - Sp. Or. Vol. 4, p. 487		40 acres in NE 1/4 NE 1/4	
					6 " " " " " " " "		30 acres in NW 1/4 NE 1/4	
								20 acres in SW 1/4 NE 1/4
						10 Ac Trsf. - Sp. Or. Vol. 4, p. 487		30 acres in SE 1/4 NE 1/4
								28 acres in NE 1/4 NW 1/4
								20 acres in NW 1/4 NW 1/4
						23 Trsf. - Sp. Or. Vol. 3, p. 338		30 acres in SE 1/4 NW 1/4
						21 Trsf. - Sp. Or. Vol. 3, p. 338		28 acres in NE 1/4 SW 1/4
								30 acres in SE 1/4 SW 1/4
						7 " " " " " 6, p. 376		30 acres in NE 1/4 SE 1/4
								20 acres in SW 1/4 SE 1/4
								Section 12,
						Trsf. - See Sp. Or. Vol. 2, p. 346		25 acres in NE 1/4 NE 1/4
						4 " " " " " 6, p. 358		20 acres in NW 1/4 NE 1/4
						Trsf. - See Sp. Or. Vol. 4, p. 419		20 acres in SE 1/4 NE 1/4
						25 " " " " " Vol. 6, p. 320		25 acres in NW 1/4 NW 1/4
						8 " " " " " 6, p. 358		30 acres in SE 1/4 NW 1/4
								28 acres in NE 1/4 SW 1/4
								Section 13,
								20 acres in NE 1/4 NE 1/4
						Trsf. - See Sp. Or. Vol. 2, p. 436		28 acres in SE 1/4 SW 1/4
						" " " " " Vol. 5, p. 293		23 acres in SW 1/4 SE 1/4
								33 acres in SE 1/4 SE 1/4
								Section 14,
								30 acres in NW 1/4 NE 1/4
								19 acres in SW 1/4 NE 1/4
								34 acres in NE 1/4 NW 1/4
								39 acres in NW 1/4 NW 1/4
								15 acres in SW 1/4 NW 1/4
								16 acres in SE 1/4 NW 1/4
								Section 15,
						5 Ac Trsf. - Sp. Or. Vol. 5, p. 275		35 acres in SW 1/4 SE 1/4
						30 Ac Trsf. - Sp. Or. Vol. 4, p. 474		30 acres in SE 1/4 SE 1/4
							Section 20,	
							19 acres in NW 1/4 NE 1/4	
							10 acres in SW 1/4 NE 1/4	
							18 acres in NE 1/4 NW 1/4	
							20 acres in NE 1/4 SE 1/4	
							18 acres in NW 1/4 SE 1/4	
					5 Ac. Trsf. - Sp. Or. Vol. 6, p. 395		24 acres in SE 1/4 SE 1/4	
							Section 23,	
							11 acres in NW 1/4 NW 1/4	
							10 acres in SW 1/4 NW 1/4	
							Section 24,	
							16 acres in NE 1/4 NE 1/4	
							22 acres in NW 1/4 NE 1/4	
							21 acres in SW 1/4 NE 1/4	
							35 acres in SE 1/4 NE 1/4	
					3 " " " " " 6, p. 495		20 acres in NE 1/4 NW 1/4	
					16 Ac. Trsf. - Sp. Or. Vol. 5, p. 128		23 acres in SW 1/4 NW 1/4	
							29 acres in SE 1/4 NW 1/4	
					9 Ac. Trsf. - Sp. Or. Vol. 3, p. 334		27 acres in NE 1/4 SW 1/4	
					27 Ac. Trsf. - See Sp. Or. Vol. 3, p. 211		27 acres in SE 1/4 SW 1/4	
					16 Trsf. - Sp. Or. Vol. 5, p. 293		22 acres in NW 1/4 SE 1/4	
							Section 26,	
							27 acres in NE 1/4 SW 1/4	
					18 Ac Trsf. - Sp. Or. Vol. 5, p. 30		28 acres in NW 1/4 SW 1/4	
							4 acres in SW 1/4 SW 1/4	
							21 acres in SE 1/4 SW 1/4	
							Section 27,	
							34 acres in SW 1/4 NW 1/4	
							6 acres in SE 1/4 NW 1/4	
					17 Ac. Trsf. - Sp. Or. Vol. 5, p. 30		29 acres in NE 1/4 SE 1/4	
							30 acres in NW 1/4 SE 1/4	
							Section 28,	
					25 Ac. Trsf. - Sp. Or. Vol. 5, p. 293		25 acres in NW 1/4 NE 1/4	
					22 " " " " " Vol. 5, p. 293		22 acres in SW 1/4 NE 1/4	
							24 acres in NE 1/4 NW 1/4	
							4 acres in NW 1/4 NW 1/4	
							Section 34,	
					32 Ac Trsf. - Sp. Or. Vol. 3, p. 481		32 acres in SW 1/4 NE 1/4	
					17 " " " " " Vol. 5, p. 329		32 acres in SE 1/4 NE 1/4	
							13 acres in SE 1/4 NW 1/4	
					8 " " " " " 6, p. 520		31 acres in NE 1/4 SW 1/4	
							15 acres in SW 1/4 SW 1/4	

18 Ac. Trame / Vol. 3, p. 346 & p. 107

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
Central Oregon Irrigation Dist., (continued):							16S R 12E
						10 Ac. Trsf - Sp. Or. Vol. 5, p. 329 - 31 acres in NE 1/4 SE 1/4 30 acres in NW 1/4 SE 1/4 Trsf - Sp. Or. Vol. 3, p. 481 { 3 acres in SW 1/4 SE 1/4 35 acres in SE 1/4 SE 1/4 Section 35, T. 16 S. R. 12 E. W. M.	
							3 Ac. Trsf - Sp. Or. Vol. 5, p. 436 - 3 acres in Lot 2 (SW 1/4 NE 1/4) 16S R 13E Section 6, 16S R 13E 32 acres in NE 1/4 SW 1/4 26 acres in NW 1/4 SW 1/4 26 acres in SW 1/4 SW 1/4 27 acres in SE 1/4 SW 1/4 29 acres in NE 1/4 SE 1/4 31 acres in NW 1/4 SE 1/4 33 acres in SW 1/4 SE 1/4 29 acres in SE 1/4 SE 1/4 Section 27, 28 acres in NE 1/4 NE 1/4 27 acres in NW 1/4 NE 1/4 28 acres in SW 1/4 NE 1/4 31 acres in SE 1/4 NE 1/4 29 acres in NE 1/4 NW 1/4 27 acres in NW 1/4 NW 1/4 26 acres in SW 1/4 NW 1/4 29 acres in SE 1/4 NW 1/4 Section 34, T. 16 S. R. 13 E. W. M.
							8 Ac. Trsf - Sp. Or. Vol. 6, p. 571 - 32 acres in Lot 1 (NE 1/4 NE 1/4) 1 " " " " " 6, p. 571 - 38 acres in Lot 2 (NW 1/4 NE 1/4) 36 acres in SW 1/4 NE 1/4 11 Ac. Trsf - Sp. Or. Vol. 3, p. 366 - 35 acres in SE 1/4 NE 1/4 28 acres in NE 1/4 SW 1/4 Section 2, 30 acres in NW 1/4 NE 1/4 10 acres in SE 1/4 NW 1/4 26 acres in NE 1/4 SW 1/4 4 " " " " " 6, p. 555 - 25 acres in SE 1/4 SW 1/4 30 acres in NW 1/4 SE 1/4 30 acres in SW 1/4 SE 1/4 Section 11, 30 acres in SE 1/4 SW 1/4 30 acres in NE 1/4 SE 1/4 Section 12, Trsf - Sp. Or. Vol. 3, p. 434 - 30 acres in NE 1/4 NE 1/4 10 " " " " " 5, p. 428 - 25 acres in NW 1/4 NE 1/4 30 acres in SW 1/4 NE 1/4 30 acres in SE 1/4 NE 1/4 30 acres in NE 1/4 NW 1/4 10 " " " " " 5, p. 432 - 35 acres in SW 1/4 NW 1/4 35 acres in SE 1/4 NW 1/4 38 acres in NE 1/4 SW 1/4 39 acres in NW 1/4 SW 1/4 39 acres in SW 1/4 SW 1/4 30 acres in SE 1/4 SW 1/4 38 acres in NE 1/4 SE 1/4 38 acres in NW 1/4 SE 1/4 30 acres in SW 1/4 SE 1/4 38 acres in SE 1/4 SE 1/4 Section 13, 20 Ac. Trsf - Sp. Or. Vol. 5, p. 459 - 20 acres in NW 1/4 NE 1/4 10 Trsf - Sp. Or. Vol. 5, p. 301 - 20 acres in SW 1/4 NE 1/4 20 acres in NE 1/4 NW 1/4 20 acres in SE 1/4 NW 1/4 30 acres in NE 1/4 SW 1/4 26 acres in SE 1/4 SW 1/4 10 " " " " " 6, p. 378 - 35 acres in NE 1/4 SE 1/4 10 Trsf - Sp. Or. Vol. 5, p. 301 - 20 acres in NW 1/4 SE 1/4 25 acres in SW 1/4 SE 1/4 35 acres in SE 1/4 SE 1/4 Section 14, Trsf - Sp. Or. Vol. 5, p. 293 - 15 acres in NE 1/4 SW 1/4 25 Ac. Trsf - Sp. Or. Vol. 4, p. 408 - 15 acres in NW 1/4 SW 1/4 18 " " " " " 4, p. 408 - 25 acres in SW 1/4 SW 1/4 25 " " " " " 4, p. 408 - 27 acres in SE 1/4 SW 1/4 Transf. - See Sp. Or. Vol. 4, p. 177 - 29 acres in NE 1/4 SE 1/4 " " " " " Vol. 5, p. 293 - 15 acres in NW 1/4 SE 1/4 Section 15, Trsf - Sp. Or. Vol. 5, p. 293 - 11 acres in NE 1/4 NW 1/4

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	
Central Oregon Irrigation Dist. (continued);							175 R I D E	
				9 Ac	Trsf. - Sp. Or. Vol. 4, p. 486		33 acres in NE 1/4 SW 1/4	
				5 "	" " " " " 6, p. 334		32 acres in SE 1/4 SW 1/4	
							25 acres in SW 1/4 SE 1/4	
							30 acres in SE 1/4 SE 1/4	
							Section 22,	
							25 acres in NE 1/4 NE 1/4	
							20 acres in SW 1/4 NE 1/4	
							38 acres in SE 1/4 NE 1/4	
							25 acres in NE 1/4 NW 1/4	
							25 acres in NW 1/4 NW 1/4	
							30 acres in SW 1/4 NW 1/4	
							15 acres in SE 1/4 NW 1/4	
							25 acres in NE 1/4 SW 1/4	
							12 acres in NW 1/4 SW 1/4	
					9 Ac	Trsf. - Sp. Or. Vol. 5, p. 293		24 acres in SE 1/4 SW 1/4
					2 "	" " " " " 6, p. 417		38 acres in NE 1/4 SE 1/4
							35 acres in NW 1/4 SE 1/4	
							30 acres in SW 1/4 SE 1/4	
							35 acres in SE 1/4 SE 1/4	
							Section 23,	
					3.5 Ac	Trsf. Sp. Or. Vol. 6 p. 244		35 acres in NE 1/4 NE 1/4
							31 acres in NE 1/4 NW 1/4	
							35 acres in NW 1/4 NW 1/4	
							40 acres in SW 1/4 NW 1/4	
							15 acres in SE 1/4 NW 1/4	
					4 "	" " " " " 6, p. 539		21 acres in NW 1/4 SW 1/4
							Section 24,	
							25 acres in NE 1/4 NE 1/4	
							27 acres in SE 1/4 NE 1/4	
					5 Ac	Trsf. - Sp. Or. Vol. 6, p. 326		35 acres in SW 1/4 NW 1/4
							27 acres in SE 1/4 SW 1/4	
							32 acres in NE 1/4 SE 1/4	
					2.6 Ac	Trsf. - See Sp. Or. Vol. 4, p. 348		26 acres in SW 1/4 SE 1/4
					2.4 Ac	Trsf. - See Sp. Or. Vol. 2, p. 436		24 acres in SE 1/4 SE 1/4
							Section 25,	
							20 acres in NE 1/4 NE 1/4	
							30 acres in NW 1/4 NE 1/4	
					10 Ac	Trsf. - See Sp. Or. Vol. 4, p. 10		35 acres in SW 1/4 NE 1/4
							30 acres in SE 1/4 NE 1/4	
				23 Ac	Trsf. - See Sp. Or. Vol. 3, p. 346		33 acres in NE 1/4 NW 1/4	
						25 acres in NW 1/4 NW 1/4		
				5 "	" " " " " 6, p. 389		25 acres in SW 1/4 NW 1/4	
				30 Ac	Trsf. - See Sp. Or. Vol. 3, p. 340		30 acres in SE 1/4 NW 1/4	
						36 acres in NE 1/4 SW 1/4		
						36 acres in NW 1/4 SW 1/4		
8 Tr. - Sp. Or. Vol. 5, p. 350				20 Ac	Trsf. - Sp. Or. Vol. 5, p. 293		34 acres in SW 1/4 SW 1/4	
				33 Ac	" " " " " 5, p. 293		33 acres in SE 1/4 SW 1/4	
						20 acres in NE 1/4 SE 1/4		
						37 acres in NW 1/4 SE 1/4		
						32 acres in SW 1/4 SE 1/4		
						20 acres in SE 1/4 SE 1/4		
						Section 26,		
				15 Ac	Trsf. - See Sp. Or. Vol. 4, p. 210		15 acres in NW 1/4 NW 1/4	
						35 acres in SW 1/4 NW 1/4		
						20 acres in SE 1/4 NW 1/4		
						33 acres in NE 1/4 SW 1/4		
						33 acres in NW 1/4 SW 1/4		
						15 acres in SE 1/4 SW 1/4		
						31 acres in NE 1/4 SE 1/4		
						32 acres in NW 1/4 SE 1/4		
				4 "	" " " " " 6, p. 483		33 acres in SW 1/4 SE 1/4	
						14 acres in SE 1/4 SE 1/4		
						Section 27,		
				3 Trsf.	Sp. Or. Vol. 5, p. 491		32 acres in NE 1/4 NE 1/4	
						31 acres in SW 1/4 NE 1/4		
						40 acres in SE 1/4 NE 1/4		
						20 acres in SE 1/4 NW 1/4		
				6 Ac	Trsf. - Sp. Or. Vol. 5, p. 465		20 acres in NE 1/4 SW 1/4	
						20 acres in NE 1/4 SE 1/4		
						20 acres in NW 1/4 SE 1/4		
						Section 28,		
				8 Ac	Trsf. - Sp. Or. Vol. 5, p. 350		28 acres in NE 1/4 NE 1/4	
				9 Ac	Trsf. - Sp. Or. Vol. 5, p. 225		29 acres in NW 1/4 NE 1/4	
						10 acres in SW 1/4 NE 1/4		
						34 acres in SE 1/4 NE 1/4		
						37 acres in NE 1/4 NW 1/4		
				1 "	" " " " " 6, p. 514		29 acres in SW 1/4 SW 1/4	

Transferred
Sp. Or. Vol. 4, p. 483

Transferred: See Sp. Or. Vol. 1, p. 294 Modified by Sp. Or. Vol. 1, p. 410

2 Trsf. Sp. Or. Vol. 6, p. 483

Trans. - See Sp. Or. Vol. 3, p. 509

4 " " " " " 6, p. 483

Trsf. Sp. Or. Vol. 3, p. 103

3 Trsf. - Sp. Or. Vol. 5, p. 491

6 Ac. Trsf. - Sp. Or. Vol. 5, p. 465

8 Ac. Trsf. - Sp. Or. Vol. 5, p. 350

9 Ac. Trsf. - Sp. Or. Vol. 5, p. 225

1 " " " " " 6, p. 514

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
Central Oregon Irrigation Dist. (continued):							179 R 12 E
				4 Ac Trsf.	Sp. Or. Vol. 4, p. 144		20 acres in SE 1/4 SW 1/4
				3 " "	" " " 5, p. 338		38 acres in NE 1/4 SE 1/4
				1 " "	" " " 6, p. 346		15 acres in NW 1/4 SE 1/4
				15 Trsf.	Sp. Or. Vol. 4, p. 268		37 acres in SW 1/4 SE 1/4
				5 " "	" " " 268		34 acres in SE 1/4 SE 1/4
				10 " "	" " " 300		Section 34,
				3 Trsf.	Sp. Or. Vol. 6, p. 299		15 acres in NE 1/4 NE 1/4
				1 " "	" " " 6, p. 512		15 acres in SW 1/4 NE 1/4
				5 Ac. Trsf.	Sp. Or. Vol. 6, p. 338		27 acres in SE 1/4 NE 1/4
				3 Trsf.	Sp. Or. Vol. 6, p. 299		31 acres in NE 1/4 NW 1/4
				1 " "	" " " 6, p. 512		36 acres in NW 1/4 NW 1/4
				5 Ac. Trsf.	Sp. Or. Vol. 6, p. 338		38 acres in SW 1/4 NW 1/4
				3 Ac. Trsf.	Sp. Or. Vol. 5, p. 299		34 acres in SE 1/4 NW 1/4
				5 Ac. " "	" " " " " "		31 acres in NE 1/4 SW 1/4
				3 Ac. Trsf.	Sp. Or. Vol. 7, p. 431		34 acres in NW 1/4 SW 1/4
				5 Ac. Trsf.	Sp. Or. Vol. 5, p. 299		35 acres in SW 1/4 SW 1/4
				5 Ac. " "	" " " " " "		35 acres in SE 1/4 SW 1/4
				20 Trsf.	Sp. Or. Vol. 3, p. 221		20 acres in NE 1/4 SE 1/4
				14 " "	" " " 3, p. 221		14 acres in SE 1/4 NE 1/4
				13 Ac. Trsf.	Sp. Or. Vol. 6, p. 260		23 acres in SW 1/4 SW 1/4
							27 acres in NW 1/4 SE 1/4
							26 acres in SW 1/4 SE 1/4
							13 acres in SE 1/4 SE 1/4
							Section 1,
							28 acres in NW 1/4 NE 1/4
							40 acres in SW 1/4 NE 1/4
							28 acres in NE 1/4 NW 1/4
							35 acres in NW 1/4 NW 1/4
							24 acres in SW 1/4 NW 1/4
							29 acres in SE 1/4 NW 1/4
							8 acres in NE 1/4 SW 1/4
							31 acres in NW 1/4 SW 1/4
							30 acres in NE 1/4 SE 1/4
							35 acres in NW 1/4 SE 1/4
						35 acres in SW 1/4 SE 1/4	
						35 acres in SE 1/4 SE 1/4	
						Section 2,	
				8 Ac. Trsf.	Sp. Or. Vol. 6, p. 248		20 acres in NE 1/4 SE 1/4
				6 " "	" " " 6, p. 248		35 acres in SE 1/4 SE 1/4
						Section 10,	
						35 acres in NE 1/4 NE 1/4	
						40 acres in NW 1/4 NE 1/4	
						40 acres in SW 1/4 NE 1/4	
						30 acres in SE 1/4 NE 1/4	
				10 Ac. Trsf.	Sp. Or. Vol. 1, p. 147		35 acres in NE 1/4 NW 1/4
				35 " "	" " Vol. 4, p. 205		35 acres in NW 1/4 NW 1/4
				12 " "	" " " 4, p. 205		40 acres in SW 1/4 NW 1/4
				162 " "	" " " 4, p. 336		40 acres in SE 1/4 NW 1/4
				2 " "	" " " 5, p. 169		40 acres in NE 1/4 SW 1/4
				2 " "	" " " 5, p. 169		38 acres in NW 1/4 SW 1/4
				1 " "	" " " 5, p. 169		40 acres in SW 1/4 SW 1/4
						35 acres in SE 1/4 SW 1/4	
						28 acres in NE 1/4 SE 1/4	
				1 " "	" " " 5, p. 169		40 acres in NW 1/4 SE 1/4
				1 " "	" " " 5, p. 169		35 acres in SW 1/4 SE 1/4
						Section 11,	
				15 Ac. Transferred	See Sp. Or. Vol. 3, p. 46		31 acres in NE 1/4 NE 1/4
							32 acres in NW 1/4 NE 1/4
							21 acres in SW 1/4 NE 1/4
							30 acres in NE 1/4 NW 1/4
				15 Ac. Trsf.	Sp. Or. Vol. 5, p. 169		22 acres in NW 1/4 SW 1/4
							22 acres in NW 1/4 NW 1/4
							14 acres in SE 1/4 SE 1/4
							Section 12,
							27 acres in NE 1/4 NE 1/4
							29 acres in NW 1/4 NE 1/4
							34 acres in SW 1/4 NE 1/4
							20 acres in SE 1/4 NE 1/4
							30 acres in NE 1/4 NW 1/4
							30 acres in NW 1/4 NW 1/4
							28 acres in SW 1/4 NW 1/4
							31 acres in SE 1/4 NW 1/4

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
Central Oregon Irrigation Dist. (continued):							155 R 14 E
							33 acres in NE 1/4 SW 1/4 23 acres in NW 1/4 SW 1/4 25 acres in SW 1/4 SW 1/4 24 acres in SE 1/4 SW 1/4 35 acres in NE 1/4 SE 1/4 28 acres in NW 1/4 SE 1/4 30 acres in SW 1/4 SE 1/4 31 acres in SE 1/4 SE 1/4
					1 Ac. Trst - Sp. Or. Vol. 5, p. 169 -		Section 13, 40 acres in NW 1/4 NE 1/4 30 acres in SW 1/4 NE 1/4 30 acres in NE 1/4 NW 1/4 25 acres in NW 1/4 NW 1/4 25 acres in SW 1/4 NW 1/4 25 acres in SE 1/4 NW 1/4 14 acres in NW 1/4 SW 1/4 19 acres in SW 1/4 SW 1/4
						Transferred Sp. Or. Vol 3, p. 28	10 acres in SE 1/4 SW 1/4 30 acres in SW 1/4 SE 1/4 22 acres in SE 1/4 SE 1/4
					3 Ac. Trst Sp. Or. Vol. 6, p. 248		Section 14, 30 acres in NE 1/4 NE 1/4 32 acres in SW 1/4 NE 1/4 23 acres in SE 1/4 NE 1/4 34 acres in SE 1/4 NW 1/4 20 acres in NE 1/4 SW 1/4 27 acres in SE 1/4 SW 1/4 10 acres in NE 1/4 SE 1/4 31 acres in NW 1/4 SE 1/4 27 acres in SW 1/4 SE 1/4 13 acres in SE 1/4 SE 1/4
							Section 15, 13 acres in NE 1/4 NE 1/4 10 acres in SE 1/4 NE 1/4 17 acres in NE 1/4 SE 1/4 30 acres in SE 1/4 SE 1/4
							Section 21, 25 acres in NE 1/4 NE 1/4 24 acres in NW 1/4 NE 1/4 31 acres in SW 1/4 NE 1/4 26 acres in SE 1/4 NE 1/4 32 acres in NW 1/4 NW 1/4 28 acres in SW 1/4 NW 1/4 20 acres in SE 1/4 NW 1/4 19 acres in NE 1/4 SW 1/4 30 acres in NW 1/4 SW 1/4 22 acres in SW 1/4 SW 1/4 30 acres in SE 1/4 SW 1/4 16 acres in NE 1/4 SE 1/4 10 acres in NW 1/4 SE 1/4 35 acres in SW 1/4 SE 1/4 40 acres in SE 1/4 SE 1/4
							Section 22, 20 acres in NE 1/4 NE 1/4 35 acres in NW 1/4 NE 1/4 33 acres in SW 1/4 NE 1/4 35 acres in SE 1/4 NE 1/4 40 acres in NE 1/4 NW 1/4 40 acres in NW 1/4 NW 1/4 27 acres in SW 1/4 NW 1/4 40 acres in SE 1/4 NW 1/4 30 acres in NE 1/4 SW 1/4 36 acres in NW 1/4 SW 1/4 40 acres in SW 1/4 SW 1/4 36 acres in NW 1/4 SW 1/4 33 acres in NE 1/4 SE 1/4 36 acres in NW 1/4 SE 1/4 34 acres in SW 1/4 SE 1/4 32 acres in SE 1/4 SE 1/4
							Section 23, 21 acres in NE 1/4 NE 1/4 17 acres in NW 1/4 NE 1/4 35 acres in SW 1/4 NE 1/4 25 acres in SE 1/4 NE 1/4 30 acres in NE 1/4 NW 1/4

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
Central Oregon Irrigation Dist. (continued):							15 SR 14 E
							21 acres in NW ¹ / ₄ -NW ¹ / ₄ 29 acres in SW ¹ / ₄ -NW ¹ / ₄ 29 acres in SE ¹ / ₄ -NW ¹ / ₄ 36 acres in NE ¹ / ₄ -SW ¹ / ₄ 29 acres in NW ¹ / ₄ -SW ¹ / ₄ 29 acres in SW ¹ / ₄ -SW ¹ / ₄ 25 acres in SE ¹ / ₄ -SW ¹ / ₄ 33 acres in NW ¹ / ₄ -SE ¹ / ₄ 30 acres in SW ¹ / ₄ -SE ¹ / ₄ 33 acres in SE ¹ / ₄ -SE ¹ / ₄
							Section 24,
							39 acres in NE ¹ / ₄ -NE ¹ / ₄ 19 acres in NW ¹ / ₄ -NE ¹ / ₄ 31 acres in SW ¹ / ₄ -NE ¹ / ₄ 32 acres in SE ¹ / ₄ -NE ¹ / ₄ 29 acres in NE ¹ / ₄ -NW ¹ / ₄ 37 acres in NW ¹ / ₄ -NW ¹ / ₄ 30 acres in SW ¹ / ₄ -NW ¹ / ₄ 30 acres in SE ¹ / ₄ -NW ¹ / ₄ 33 acres in NE ¹ / ₄ -SW ¹ / ₄ 24 acres in NW ¹ / ₄ -SW ¹ / ₄ 16 acres in SW ¹ / ₄ -SW ¹ / ₄ 15 acres in NW ¹ / ₄ -SE ¹ / ₄
							Section 25,
							35 acres in NE ¹ / ₄ -NE ¹ / ₄ 38 acres in NW ¹ / ₄ -NE ¹ / ₄ 36 acres in SW ¹ / ₄ -NE ¹ / ₄ 35 acres in SE ¹ / ₄ -NE ¹ / ₄ 38 acres in NE ¹ / ₄ -NW ¹ / ₄ 38 acres in NW ¹ / ₄ -NW ¹ / ₄ 40 acres in SW ¹ / ₄ -NW ¹ / ₄ 39 acres in SE ¹ / ₄ -NW ¹ / ₄ 40 acres in NE ¹ / ₄ -SW ¹ / ₄ 40 acres in NW ¹ / ₄ -SW ¹ / ₄ 40 acres in SW ¹ / ₄ -SW ¹ / ₄ 38 acres in SE ¹ / ₄ -SW ¹ / ₄ 26 acres in SE ¹ / ₄ -SE ¹ / ₄
							Section 26,
					2 Ac. Trs: Sp. Or. Vol. 6, p. 575		40 acres in NE ¹ / ₄ -NE ¹ / ₄ 24 acres in NW ¹ / ₄ -NE ¹ / ₄ 35 acres in SW ¹ / ₄ -NE ¹ / ₄
					1 " " " " " 6, p. 575		40 acres in SE ¹ / ₄ -NE ¹ / ₄
					1 Ac. Trs. Sp. Or. Vol. 6, p. 332		40 acres in NE ¹ / ₄ -NW ¹ / ₄
					1 " " " " " 7, p. 441		40 acres in NW ¹ / ₄ -NW ¹ / ₄
							40 acres in SW ¹ / ₄ -NW ¹ / ₄
							40 acres in SE ¹ / ₄ -NW ¹ / ₄
							40 acres in NE ¹ / ₄ -SW ¹ / ₄
							37 acres in NW ¹ / ₄ -SW ¹ / ₄
							35 acres in SW ¹ / ₄ -SW ¹ / ₄
							40 acres in SE ¹ / ₄ -SW ¹ / ₄
							40 acres in NE ¹ / ₄ -SE ¹ / ₄
							40 acres in NW ¹ / ₄ -SE ¹ / ₄
							40 acres in SW ¹ / ₄ -SE ¹ / ₄
							40 acres in SE ¹ / ₄ -SE ¹ / ₄
							Section 27,
							31 acres in NE ¹ / ₄ -NE ¹ / ₄
							4 acres in NW ¹ / ₄ -NE ¹ / ₄
							6 acres in SW ¹ / ₄ -NE ¹ / ₄
							30 acres in SE ¹ / ₄ -NE ¹ / ₄
							30 acres in NE ¹ / ₄ -SE ¹ / ₄
							8 acres in NW ¹ / ₄ -SE ¹ / ₄
							6 acres in SW ¹ / ₄ -SE ¹ / ₄
							20 acres in SE ¹ / ₄ -SE ¹ / ₄
							Section 28,
							35 acres in NE ¹ / ₄ -NE ¹ / ₄
							28 acres in NW ¹ / ₄ -NE ¹ / ₄
							28 acres in SW ¹ / ₄ -NE ¹ / ₄
							40 acres in SE ¹ / ₄ -NE ¹ / ₄
							7 acres in SE ¹ / ₄ -NW ¹ / ₄
							21 acres in NE ¹ / ₄ -SW ¹ / ₄
							25 acres in SE ¹ / ₄ -SW ¹ / ₄
							40 acres in NE ¹ / ₄ -SE ¹ / ₄
							40 acres in NW ¹ / ₄ -SE ¹ / ₄
							40 acres in SW ¹ / ₄ -SE ¹ / ₄
							40 acres in SE ¹ / ₄ -SE ¹ / ₄
							Section 33,

2 Ac. Trs: Sp. Or. Vol. 6, p. 575

1 " " " " " 6, p. 575

1 Ac. Trs. Sp. Or. Vol. 6, p. 332

1 " " " " " 7, p. 441

1 " " " " " 6, p. 332

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1 " " " " " 6, p. 575

Trans: Sp. Or. Rec. Vol. 13 p. 19

Trans Back
See p. 103
Vol. 3 - Sp. Rec
an. Rec

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
Central Oregon Irrigation Dist. (continued):							<p style="text-align: right;">15 S R 14 E</p> <p>40 acres in NE$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>40 acres in NW$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>39 acres in SW$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>26 acres in SE$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>40 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>26 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>1$\frac{1}{2}$ Ac. Trs: Sp. Or. Vol. 6, p. 575 - 40 acres in SW$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>40 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>1 Ac Trs: Sp. Or. Vol. 6, p. 452 - 40 acres in NE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>1$\frac{1}{2}$ " " " " " 6, p. 575 - 40 acres in NW$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>40 acres in SW$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>15 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>1 " " " " " 6, p. 452 - 15 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$</p> <p style="text-align: center;">Section 34,</p> <p>35 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>2 acres in SW$\frac{1}{4}$NW$\frac{1}{4}$</p> <p style="text-align: center;">Section 35,</p> <p>T. 15 S. R. 14 E. W. M.</p>
							<p>2 Ac. Trs. F: Sp. Or. Vol. 6, p. 402 - 5 acres in Lot 1 (NE$\frac{1}{4}$NE$\frac{1}{4}$)</p> <p>1 " " " " " 6, p. 402 - 26 acres in SW$\frac{1}{4}$NE$\frac{1}{4}$ 15-18</p> <p>2 " " " " " 6, p. 402 - 33 acres in SE$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>31 acres in Lot 4 (NW$\frac{1}{4}$NW$\frac{1}{4}$)</p> <p>33 acres in Lot 5 (SW$\frac{1}{4}$NW$\frac{1}{4}$)</p> <p>38 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>40 acres in NE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>30 acres in Lot 6 (NW$\frac{1}{4}$SW$\frac{1}{4}$)</p> <p>34 acres in Lot 7 (SW$\frac{1}{4}$SW$\frac{1}{4}$)</p> <p>32 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>23 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>30 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>18 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$</p> <p style="text-align: center;">Section 6,</p> <p>15 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>18 acres in NW$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>17 acres in SW$\frac{1}{4}$SW$\frac{1}{4}$</p> <p style="text-align: center;">Section 8,</p> <p>5 acres in SE$\frac{1}{4}$NE$\frac{1}{4}$</p> <p style="text-align: center;">Section 16,</p> <p>20 acres in NE$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>26 acres in NW$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>23 acres in NE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>13 acres in Lot 3 (NW$\frac{1}{4}$SW$\frac{1}{4}$)</p> <p>20 acres in Lot 4 (SW$\frac{1}{4}$SW$\frac{1}{4}$)</p> <p>27 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>23 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>16 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>32 acres in SW$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>31 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$</p> <p style="text-align: center;">Section 18,</p> <p>36 acres in SW$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>36 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>36 acres in NE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>32 acres in Lot 3 (NW$\frac{1}{4}$SW$\frac{1}{4}$)</p> <p>36 acres in Lot 4 (SW$\frac{1}{4}$SW$\frac{1}{4}$)</p> <p>40 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>37 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>39 acres in NW$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>39 acres in SW$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>28 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$</p> <p style="text-align: center;">Section 19,</p> <p>30 acres in NW$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>38 acres in SW$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>38 acres in SE$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>21 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>14 acres in NW$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>38 acres in SW$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>33 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>40 acres in NE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>35 acres in NW$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>12 acres in SW$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>16 acres in SE$\frac{1}{4}$SW$\frac{1}{4}$</p> <p>35 acres in SW$\frac{1}{4}$SE$\frac{1}{4}$</p> <p>28 acres in SE$\frac{1}{4}$SE$\frac{1}{4}$</p> <p style="text-align: center;">Section 20,</p> <p>12 acres in NW$\frac{1}{4}$NE$\frac{1}{4}$</p> <p>36 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$</p> <p>36 acres in Lot 1 (NW$\frac{1}{4}$NW$\frac{1}{4}$)</p> <p>16 acres in Lot 2 (SW$\frac{1}{4}$NW$\frac{1}{4}$)</p> <p>3 acres in SE$\frac{1}{4}$NW$\frac{1}{4}$ - Sec. 30,</p> <p>T. 15 S. R. 15 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
Central Oregon Irrigation Dist. (continued):							765 R 14 E
					12 Ac. Trst. - Sp. Or. Vol. 6, p. 575		30 acres in Lot 2 (SW 1/4 NE 1/4)
							25 acres in Lot 1 (SE 1/4 NE 1/4)
							19 acres in Lot 3 (SE 1/4 NW 1/4)
					2 Ac. Trst. - Sp. Or. Vol. 6, p. 85		20 acres in NE 1/4 SW 1/4
							11 acres in NW 1/4 SW 1/4
							15 acres in SW 1/4 SW 1/4
							40 acres in SE 1/4 SW 1/4
							27 acres in NE 1/4 SE 1/4
							40 acres in NW 1/4 SE 1/4
							40 acres in SW 1/4 SE 1/4
							13 acres in SE 1/4 SE 1/4
							Section 4,
							20 acres in NE 1/4 NE 1/4
							20 acres in SE 1/4 NE 1/4
							40 acres in NE 1/4 SE 1/4
							5 acres in NW 1/4 SE 1/4
							12 acres in SW 1/4 SE 1/4
							40 acres in SE 1/4 SE 1/4
							Section 8,
							40 acres in NW 1/4 NE 1/4
							38 acres in SW 1/4 NE 1/4
							39 acres in NE 1/4 NW 1/4
							25 acres in NW 1/4 NW 1/4
							40 acres in SW 1/4 NW 1/4
							39 acres in SE 1/4 NW 1/4
							40 acres in NE 1/4 SW 1/4
							40 acres in NW 1/4 SW 1/4
							40 acres in SW 1/4 SW 1/4
					2 Ac. Trst. - Sp. Or. Vol. 6, p. 354		38 acres in SE 1/4 SW 1/4
							30 acres in NW 1/4 SE 1/4
							8 acres in SW 1/4 SE 1/4
							Section 9,
							20 acres in NE 1/4 NW 1/4
							39 acres in NW 1/4 NW 1/4
							36 acres in SW 1/4 NW 1/4
							2 acres in SE 1/4 NW 1/4
							Section 16,
							40 acres in NE 1/4 NE 1/4
							27 acres in NW 1/4 NE 1/4
							25 acres in SW 1/4 NE 1/4
							35 acres in SE 1/4 NE 1/4
							38 acres in NE 1/4 SE 1/4
							24 acres in NW 1/4 SE 1/4
							25 acres in SW 1/4 SE 1/4
							38 acres in SE 1/4 SE 1/4
							Section 17,
							35 acres in NE 1/4 NE 1/4
							38 acres in NW 1/4 NE 1/4
							36 acres in SW 1/4 NE 1/4
							39 acres in SE 1/4 NE 1/4
							14 acres in NE 1/4 NW 1/4
							14 acres in SE 1/4 NW 1/4
							21 acres in NE 1/4 SW 1/4
							30 acres in SE 1/4 SW 1/4
							35 acres in NE 1/4 SE 1/4
							31 acres in NW 1/4 SE 1/4
							24 acres in SW 1/4 SE 1/4
					9 Ac. Trst. - Sp. Or. Vol. 4, p. 489		28 acres in SE 1/4 SE 1/4
							Section 20,
							18 acres in NW 1/4 NW 1/4
							33 acres in SW 1/4 NW 1/4
							4 acres in NE 1/4 SW 1/4
							40 acres in NW 1/4 SW 1/4
							35 acres in SW 1/4 SW 1/4
							15 acres in SE 1/4 SW 1/4
							Section 21,
							15 acres in SW 1/4 SW 1/4
							Section 27,
							4 acres in SW 1/4 NE 1/4
							26 acres in NE 1/4 NW 1/4
							40 acres in NW 1/4 NW 1/4
					10 Ac. Trst. - Sp. Or. Vol. 4, p. 489		27 acres in SE 1/4 NW 1/4
					6 " " " " " "		24 acres in NE 1/4 SE 1/4
					8 " " " " " "		35 acres in NW 1/4 SE 1/4
					17 " " " " " "		22 acres in SW 1/4 SE 1/4
							29 acres in SE 1/4 SE 1/4
							Section 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
Central Oregon Irrigation Dist. (continued):							<p>165 R 14 E</p> <p>25 acres in NE 1/4 NE 1/4</p> <p>28 acres in NW 1/4 NE 1/4</p> <p>13 acres in NE 1/4 NW 1/4</p> <p>Section 29,</p> <p>20 acres in NE 1/4 NW 1/4</p> <p>20 acres in NW 1/4 NW 1/4</p> <p>20 acres in SE 1/4 NW 1/4</p> <p>Section 34,</p> <p>T. 16 S. R. 14 E. W. M.</p>
							<p>175 I 4 E</p> <p>10 acres in NE 1/4 SW 1/4</p> <p>25 acres in NW 1/4 SW 1/4</p> <p>32 acres in SW 1/4 SW 1/4</p> <p>32 acres in SE 1/4 SW 1/4</p> <p>Section 2,</p> <p>35 acres in NE 1/4 SE 1/4</p> <p>38 acres in SE 1/4 SE 1/4</p> <p>Section 3,</p> <p>37 acres in NE 1/4 NE 1/4</p> <p>37 acres in SE 1/4 NE 1/4</p> <p>27 acres in NE 1/4 SE 1/4</p> <p>29 acres in SE 1/4 SE 1/4</p> <p>Section 10;</p> <p>35 acres in NW 1/4 NE 1/4</p> <p>30 acres in SW 1/4 NE 1/4</p> <p>35 acres in NE 1/4 NW 1/4</p> <p>16 acres in SW 1/4 SW 1/4</p> <p>35 acres in NE 1/4 SE 1/4</p> <p>35 acres in NW 1/4 SE 1/4</p> <p>35 acres in SW 1/4 SE 1/4</p> <p>35 acres in SE 1/4 SE 1/4</p> <p>Section 11,</p> <p>28 acres in NW 1/4 NW 1/4</p> <p>33 acres in SW 1/4 NW 1/4</p> <p>40 acres in NE 1/4 SW 1/4</p> <p>40 acres in NW 1/4 SW 1/4</p> <p>40 acres in SW 1/4 SW 1/4</p> <p>39 acres in SE 1/4 SW 1/4</p> <p>31 acres in SW 1/4 SE 1/4</p>
							<p>Section 13,</p> <p>36 acres in NE 1/4 NE 1/4</p> <p>37 acres in NW 1/4 NE 1/4</p> <p>40 acres in SW 1/4 NE 1/4</p> <p>40 acres in SE 1/4 NE 1/4</p> <p>23 acres in NE 1/4 NW 1/4</p> <p>38 acres in NW 1/4 NW 1/4</p> <p>40 acres in SW 1/4 NW 1/4</p> <p>40 acres in SE 1/4 NW 1/4</p> <p>160 acres in the SW 1/4</p> <p>160 acres in the SE 1/4</p> <p>Section 14,</p> <p>31 acres in NE 1/4 NE 1/4</p> <p>35 acres in SE 1/4 NE 1/4</p> <p>38 acres in NE 1/4 SE 1/4</p> <p>36 acres in SE 1/4 SE 1/4</p>
							<p>Section 15,</p> <p>2 acres in SE 1/4 SE 1/4</p> <p>Section 21,</p> <p>5 acres in NE 1/4 NE 1/4</p> <p>40 acres in SE 1/4 NE 1/4</p> <p>38 acres in NE 1/4 SW 1/4</p> <p>6 acres in NW 1/4 SW 1/4</p> <p>40 acres in SE 1/4 SW 1/4</p> <p>160 acres in the SE 1/4</p> <p>Section 22,</p> <p>160 acres in the NE 1/4</p> <p>160 acres in the NW 1/4</p> <p>40 acres in NE 1/4 SW 1/4</p> <p>40 acres in NW 1/4 SW 1/4</p> <p>40 acres in SW 1/4 SW 1/4</p> <p>20 acres in SE 1/4 SW 1/4</p> <p>40 acres in NE 1/4 SE 1/4</p> <p>40 acres in NW 1/4 SE 1/4</p> <p>30 acres in SW 1/4 SE 1/4</p> <p>40 acres in SE 1/4 SE 1/4</p>
							<p>Section 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	
Central Oregon Irrigation District (continued):							17 S 14 E	
							40 acres in NE NE 1/4	
							39 acres in NW NE 1/4	
							39 acres in SW NE 1/4	
							35 acres in SE NE 1/4	
							38 acres in NE NW 1/4	
							40 acres in NW NW 1/4	
						1 Ac. trsf. Sp. Or. Vol. 6, p. 391		40 acres in SW NW 1/4
								39 acres in SE NW 1/4
								10 acres in NE SW 1/4
						1 Ac trsf. - Sp. Or. Vol. 6, p. 336		40 acres in NW SW 1/4
						2 " " " " " 6, p. 391		40 acres in SW SW 1/4
						2 " " " " " 6, p. 460		10 acres in SE SW 1/4
								32 acres in NE SE 1/4
						39 Ac Trsf. - Sp. Or. Vol. 4, p. 527		39 acres in NW SE 1/4
						20 " " " " 4, p. 527		35 acres in SW SE 1/4
								36 acres in SE SE 1/4
								Section 24,
								10 acres in NE NW 1/4
								20 acres in NW NW 1/4
								15 acres in SW NW 1/4
								10 acres in SE NW 1/4
								Section 25,
								40 acres in NE NE 1/4
								20 acres in NW NE 1/4
						Trsf. - Sp. Or. Vol. 3, p. 346		10 acres in SW NE 1/4
								30 acres in SE NE 1/4
						5 " " " " 6, p. 456		10 acres in NE NW 1/4
						2 " " " " 6, p. 467		40 acres in NW NW 1/4
						1 " " " " 6, p. 467		30 acres in SW NW 1/4
						Trsf. - Sp. Or. Vol. 3, p. 346		10 acres in SE NW 1/4
								40 acres in NW SW 1/4
								30 acres in SW SW 1/4
								Section 26,
	10 A. Trsf. - Sp. Or. V. 6, p. 415 - 25 Ac. Trsf. - Sp. Or. Vol. 5, p. 483					15 Ac. Trsf. - Sp. Or. Vol. 5, p. 225		160 acres in the NE 1/4
								40 acres in NE NW 1/4
								38 acres in NW NW 1/4
								30 acres in SW NW 1/4
								30 acres in SE NW 1/4
								37 acres in NE SW 1/4
							36 acres in NW SW 1/4	
							40 acres in SW SW 1/4	
							Section 27,	
							38 acres in SE SW 1/4	
							29 acres in NE SE 1/4	
							15 acres in SE SE 1/4	
							Section 27,	
							31 acres in NE NE 1/4	
							37 acres in SE NE 1/4	
					5 Ac. trsf. - Sp. Or. Vol. 6, p. 350		35 acres in SE SW 1/4	
					1 Ac. Trsf. - Sp. Or. V. 7, p. 325		38 acres in NE SE 1/4	
					3 Ac. Trsf. - Sp. Or. Vol. 5, p. 487		15 acres in SE SE 1/4	
					7 " " " " 5, p. 487		Section 28,	
							35 acres in NE SW 1/4	
							35 acres in NE SE 1/4	
							30 acres in NW SE 1/4	
							Section 31,	
							38 acres in NE SE 1/4	
							30 acres in NW SE 1/4	
							40 acres in SW SE 1/4	
							35 acres in SE SE 1/4	
							Section 32,	
							13 acres in NE NE 1/4	
							25 acres in NE SW 1/4	
							38 acres in NW SW 1/4	
							25 acres in SW SW 1/4	
							20 acres in SE SW 1/4	
							35 acres in NE SE 1/4	
					Trsf. - Sp. Or. Vol. 5, p. 57A		33 acres in SE SE 1/4	
							Section 33,	
							34 acres in NE NW 1/4	
							37 acres in NW NW 1/4	
							32 acres in NW SW 1/4	
					Trsf. - Sp. Or. Vol. 5, p. 57A		36 acres in SW SW 1/4	
							Section 34,	
							T. 17 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
Central Oregon Irrigation Dist. (continued):							175 15E
						25 acres in Lot 3 (NW 1/4 SW 1/4) 28 acres in Lot 4 (SW 1/4 SW 1/4) Section 19, 24 acres in Lot 3 (NW 1/4 SW 1/4) 28 acres in Lot 4 (SW 1/4 SW 1/4) 40 acres in SE 1/4 SW 1/4 Section 30, T. 17 S. R. 15 E. W. M.	
							175 13E
							8 acres in Lot 3 (NW 1/4 SW 1/4) Section 7, 37 acres in NE 1/4 NW 1/4 36 acres in NW 1/4 NW 1/4 36 acres in SW 1/4 NW 1/4 36 acres in SE 1/4 NW 1/4 Section 10, 34 acres in NW 1/4 NE 1/4 36 acres in SW 1/4 NE 1/4 35 acres in SE 1/4 NE 1/4 35 acres in NE 1/4 NW 1/4 34 acres in NW 1/4 NW 1/4 34 acres in SW 1/4 NW 1/4 36 acres in SE 1/4 NW 1/4 35 acres in NE 1/4 SW 1/4 36 acres in NW 1/4 SW 1/4 35 acres in SW 1/4 SW 1/4 33 acres in SE 1/4 SW 1/4 37 acres in NW 1/4 SE 1/4 37 acres in SW 1/4 SE 1/4 Section 14, 14 acres in SW 1/4 SE 1/4 Section 17,
							Trsf. Sp. Or. Vol. 3, p. 103 — 35 acres in Lot 2 (SW 1/4 NW 1/4) 25 " " " " " 5, p. 293 — 25 acres in SE 1/4 NW 1/4 25 " " " " " 4, p. 68 — 25 acres in NE 1/4 SW 1/4 Trsf. Sp. Or. Vol. 3, p. 103 → 30 acres in Lot 3 (NW 1/4 SW 1/4) 7 Ac. Trsf. Sp. Or. Vol. 5, p. 461 — 25 acres in Lot 4 (SW 1/4 SW 1/4) 15 Ac. Trsf. Sp. Or. Vol. 7, p. 273 — 5.23 " " " " " 7, p. 258 — 35 acres in NE 1/4 SE 1/4 Trsf. Sp. Or. Vol. 2, p. 435 — 29 acres in NW 1/4 SE 1/4 27 acres in SW 1/4 SE 1/4 4.33 " " " " " 7, p. 258 — 20 acres in SE 1/4 SE 1/4
							Section 18, 18 acres in NE 1/4 NE 1/4 17 acres in NW 1/4 NE 1/4 15 acres in SW 1/4 NE 1/4 18 acres in SE 1/4 NE 1/4 10 Ac. Trsf. Sp. Or. Vol. 6, p. 423 — 18 acres in NE 1/4 NW 1/4 20 acres in NW 1/4 NW 1/4 9 acres in SW 1/4 NW 1/4 25 acres in SE 1/4 NW 1/4 30 acres in NE 1/4 SW 1/4 10 Ac. Trsf. Sp. Or. Vol. 6, p. 226 — 20 acres in NW 1/4 SW 1/4 22 acres in SW 1/4 SW 1/4 30 acres in SE 1/4 SW 1/4 1 Ac. Trsf. Sp. Or. Vol. 6, p. 301 — 33 acres in NE 1/4 SE 1/4 14 acres in NW 1/4 SE 1/4 19 acres in SW 1/4 SE 1/4 23 acres in SE 1/4 SE 1/4 Section 19,
							6 Ac. " " " " " 6, p. 545 — 34 acres in NE 1/4 NE 1/4 20 acres in NW 1/4 NE 1/4 26 acres in SW 1/4 NE 1/4 31 acres in SE 1/4 NE 1/4 18 Ac. Trsf. Sp. Or. Vol. 5, p. 481 — 6 Ac. Trsf. Sp. Or. Vol. 4, p. 495 — 30 acres in NW 1/4 NW 1/4 15 " " " " " 4, p. 495 — 24 acres in SW 1/4 NW 1/4 3 A. Tr. Sp. Or. Vol. 7, p. 58 — 5 " " " " " 5, p. 481 — 70 Ac. Trsf. Sp. Or. Vol. 4, p. 495 → 27 acres in SE 1/4 NW 1/4 12 " " " " " 4, p. 495 — 31 acres in NE 1/4 SW 1/4 20 acres in NW 1/4 SW 1/4 31 acres in SW 1/4 SW 1/4 31 acres in SE 1/4 SW 1/4 26 acres in NW 1/4 SE 1/4 4 Ac. Trsf. Sp. Or. Vol. 6, p. 309 — 31 acres in NE 1/4 SE 1/4 4 " " " " " " " — 25 acres in SE 1/4 SE 1/4
							175 R 13E
							DESCHUTES RIVER -123.

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
Central Oregon Irrigation Dist. (continued):							17S. 13E.
					3 Ac. Trsf. Sp. Or. Vol. 6, p. 333		36 acres in SW 1/4 NE 1/4
					10 Ac. Trsf. Sp. Or. Vol. 6, p. 438		32 acres in SW 1/4 NW 1/4
							31 acres in NE 1/4 SW 1/4
							33 acres in SE 1/4 SW 1/4
							Section 21,
							37 acres in NW 1/4 NE 1/4
							15 acres in SW 1/4 NE 1/4
							39 acres in NE 1/4 NW 1/4
							30 acres in NW 1/4 NW 1/4
							22 acres in SW 1/4 NW 1/4
							25 acres in SE 1/4 NW 1/4
							34 acres in SW 1/4 SW 1/4
							Section 22,
					Trans. See Sp. Or. Vol. 2 p. 436		32 acres in NW 1/4 NE 1/4
							35 acres in SW 1/4 NE 1/4
					Trans See Sp. Or. Vol. 3 p. 29		36 acres in NE 1/4 NW 1/4
							37 acres in NE 1/4 SW 1/4
							33 acres in NW 1/4 SE 1/4
							Section 23,
							10 acres in SE 1/4 NW 1/4
							10 acres in SE 1/4 SW 1/4
							Section 25,
							27 acres in NW 1/4 NW 1/4
							16 acres in SW 1/4 NW 1/4
							28 acres in NE 1/4 SW 1/4
							31 acres in NW 1/4 SW 1/4
							26 acres in SW 1/4 SE 1/4
							Section 27,
							28 acres in SE 1/4 NW 1/4
					9 Ac. Trsf. Sp. Or. Vol. 7, p. 260		23 acres in NE 1/4 SW 1/4
							25 acres in SW 1/4 SW 1/4
					9 Ac. Tr. Sp. Or. Vol. 7, p. 260		18 Ac. Trsf. - See Sp. Or. Vol. 4, p. 485
							25 acres in SE 1/4 SW 1/4
							24 acres in NE 1/4 SE 1/4
							31 acres in NW 1/4 SE 1/4
							28 acres in SE 1/4 SE 1/4
							Section 28,
							20 acres in NW 1/4 NE 1/4
							25 acres in NW 1/4 NW 1/4
							25 acres in NW 1/4 SW 1/4
					6 Ac. Trsf. - Sp. Or. Vol. 6, p. 360		15 acres in SW 1/4 SW 1/4
							Section 29,
							25 acres in NE 1/4 NE 1/4
							34 acres in NW 1/4 NE 1/4
							15 acres in SW 1/4 NE 1/4
							30 acres in SE 1/4 NE 1/4
					5 Ac. Trsf. - Sp. Or. Vol. 5 p. 448		20 acres in NE 1/4 NW 1/4
					13 " " " " " 5 p. 448		38 acres in NW 1/4 NW 1/4
							30 acres in SW 1/4 NW 1/4
					5 " " " " " 5 p. 448		10 acres in SE 1/4 NW 1/4
							15 acres in NE 1/4 SW 1/4
					15 " " " " " 5 p. 448		30 acres in NW 1/4 SW 1/4
					25 Ac. Trsf. - Sp. Or. Vol. 4, p. 474		25 acres in SW 1/4 SW 1/4
					20 " " " " " 4 " 474		20 acres in SE 1/4 SW 1/4
							25 acres in NE 1/4 SE 1/4
					12 Ac. Trsf. - See Sp. Or. Vol. 4, p. 393		15 acres in NW 1/4 SE 1/4
					3 " " " " " 4, p. 421		20 acres in SW 1/4 SE 1/4
					20 " " " " " 4, p. 421		20 acres in SW 1/4 SE 1/4
					25 " " " " " 6, p. 320		25 acres in SE 1/4 SE 1/4
							Section 30,
					24 Ac. Trsf. - See Sp. Or. Vol. 4 p. 346		30 acres in NE 1/4 NE 1/4
					25 Ac. Trsf. - See Sp. Or. Vol. 4 p. 346		31 acres in NW 1/4 NE 1/4
							33 acres in SW 1/4 NE 1/4
							30 acres in SE 1/4 NE 1/4
							34 acres in NE 1/4 NW 1/4
							15 acres in Lot 2 (SW 1/4 NW 1/4)
							33 acres in SE 1/4 NW 1/4
					2 " " " " " Vol. 6, p. 372		34 acres in NE 1/4 SW 1/4
					15 Ac. Trsf. - See Sp. Or. Vol. 4, p. 474		15 acres in Lot 3 (NW 1/4 SW 1/4)
					1 " " " " " 6, p. 508		33 acres in Lot 4 (SW 1/4 SW 1/4)
					10 Ac. Trsf. - See Sp. Or. Vol. 4 p. 481		33 acres in SE 1/4 SW 1/4
							15 acres in NE 1/4 SE 1/4
							15 acres in NW 1/4 SE 1/4
					15 Ac. Trsf. - See Sp. Or. Vol. 4, p. 421		15 acres in SW 1/4 SE 1/4
					15 Ac. Trsf. - Sp. Or. Vol. 4, p. 393		15 acres in SE 1/4 SE 1/4
							Section 31,
							20 acres in NE 1/4 NE 1/4
							18 acres in NW 1/4 NE 1/4
							27 acres in SW 1/4 NE 1/4
					15 Ac. Trsf. Sp. Or. Vol. 4 p. 223		15 acres in SE 1/4 NE 1/4
					3 " " " " " Vol. 6, p. 311		33 acres in NE 1/4 NW 1/4

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	
Central Oregon Irrigation District (continued):							17S 13E	
					10 Ac Trsf. Sp. Or. Vol. 6, p. 360		34 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 32 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
					3 Ac Trsf. Sp. Or. Vol. 6, p. 311		30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$	
					" " " " " 4 p. 103		10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 37 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	
					13 Ac Trsf. Sp. Or. Vol. 6, p. 549		Section 32, 34 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	
					18 A. Trsf. Sp. Or. Vol. 6, p. 64		12 " " " " " 6, p. 569	32 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
					2 Ac Trsf. Sp. Or. Vol. 5, p. 99		2 Ac Trsf. Sp. Or. Vol. 4, p. 216	35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
					2 Ac Tr. Sp. Or. Vol. 6, p. 579		5 Ac Trsf. Sp. Or. Vol. 4, p. 216	30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
					" " " " " 6, p. 569		4 " " " " " 6, p. 569	33 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 31 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
					3 " " " " " 6, p. 579		10 Ac Trsf. Sp. Or. Vol. 4, p. 216	35 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
							1 Ac. " " " " " 6, p. 430	Section 33, 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
							3 Ac Trsf. Sp. Or. Vol. 6, p. 246	23 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
							1 " " " " " 6, p. 246	29 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
								Section 34, T. 17 S. R. 13 E. W. M.
								18S 12E
								19 acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) 30 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) 9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 27 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 25 acres in Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) 18 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 21 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
								Section 1, 23 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
							1 Ac. Trsf. Sp. Or. Vol. 6, p. 577	22 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
							5 " " " " " 6, p. 577	27 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 26 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 29 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
							4 Ac. Trsf. Sp. Or. Vol. 6, p. 531	25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 27 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 22 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 29 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 24 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
							4 " " " " " 6, p. 535	29 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
								Section 2, 37 acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) 15 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 34 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
								Section 3, 28 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
							22 " " " " " 7, p. 301	24 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
								Section 10, T. 18 S. R. 12 E. W. M.
								20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
							30 Ac. Trsf. Sp. Or. Vol. 5, p. 293	30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
							25 " " " " " 5, p. 293	25 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							25 " " " " " 5, p. 293	25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
							31 " " " " " 5, p. 293	31 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
							24 " " " " " 5, p. 293	24 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
							30 " " " " " 5, p. 293	30 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
							22 " " " " " 5, p. 293	22 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							30 " " " " " 5, p. 293	30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
							36 " " " " " 6, p. 320	36 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 28 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 38 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 38 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 38 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
							Section 1,	

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	
Central Oregon Irrigation Dist. (continued):							18 S 13 E	
					All Trsf - Sp. Or. Vol. 3, p. 346		25 acres in NE 1/4 NE 1/4 20 acres in NW 1/4 NE 1/4 20 acres in SW 1/4 NE 1/4 20 acres in SE 1/4 NE 1/4 20 acres in NE 1/4 NW 1/4 25 acres in NW 1/4 NW 1/4 20 acres in SW 1/4 NW 1/4 15 acres in SE 1/4 NW 1/4	
					20 Ac. Trsf - Sp. Or. Vol. 5, p. 81		20 acres in NE 1/4 SW 1/4	
			5 Ac. Trsf - Sp. Or. Vol. 6, p. 163	5	do		30 acres in NW 1/4 SW 1/4	
			10 " " " "	5	do		30 acres in SW 1/4 SW 1/4	
				30	do		30 acres in SE 1/4 SW 1/4	
						25 Ac. Trsf - Sp. Or. Vol. 3, p. 346		25 acres in NE 1/4 SE 1/4 25 acres in NW 1/4 SE 1/4 25 acres in SW 1/4 SE 1/4 25 acres in SE 1/4 SE 1/4
						36 Ac. Trsf - Sp. Or. Vol. 3, p. 211		36 acres in NE 1/4 NE 1/4
				7	" " " " 6, p. 303		32 acres in NW 1/4 NE 1/4	
				20	" " " " Vol. 5, p. 400		32 acres in SW 1/4 NE 1/4 36 acres in SE 1/4 NE 1/4	
				5	" " " " 5, p. 350		25 acres in NE 1/4 SW 1/4 25 acres in NW 1/4 SW 1/4 25 acres in SW 1/4 SW 1/4 30 acres in SE 1/4 SW 1/4 25 acres in NE 1/4 SE 1/4 25 acres in NW 1/4 SE 1/4	
			7 Ac. Trsf - Sp. Or. Vol. 5, p. 469	18	" " " " 5, p. 440		25 acres in SW 1/4 SE 1/4 25 acres in SE 1/4 SE 1/4	
						26 Ac. Trsf - Vol. 3, p. 450		Section 3, 26 acres in Lot 1 (NE 1/4 NE 1/4) 35 acres in Lot 2 (NW 1/4 NE 1/4) 23 acres in SW 1/4 NE 1/4
						31 Ac. Trsf - Vol. 3, p. 450		31 acres in SE 1/4 NE 1/4
						Trsf. See Sp. Or. Vol. 3, p. 211		33 acres in Lot 3 (NE 1/4 NW 1/4) 32 acres in Lot 4 (NW 1/4 NW 1/4)
						20 Ac. Trsf - See Sp. Or. Vol. 4, p. 481A		34 acres in SE 1/4 NW 1/4
						4 Ac. Trsf. See Sp. Or. Vol. 4, p. 355		30 acres in NE 1/4 SW 1/4
				30	" " " " " " "		32 acres in SE 1/4 SW 1/4	
				22	" " " " " " "		34 acres in SW 1/4 SE 1/4	
				34	" " " " " " "		Section 4, 32 acres in Lot 1 (NE 1/4 NE 1/4) 31 acres in Lot 2 (NW 1/4 NE 1/4) 25 acres in SW 1/4 NE 1/4 20 acres in Lot 3 (NE 1/4 NW 1/4) 34 acres in Lot 4 (NW 1/4 NW 1/4)	
						13 Ac. Trsf - Sp. Or. Vol. 5, p. 293		33 acres in SW 1/4 NW 1/4
						30 " " " " 6, p. 320		30 acres in SE 1/4 NW 1/4
						6 " " " " 6, p. 364		35 acres in NE 1/4 SW 1/4 30 acres in NW 1/4 SW 1/4
						30 Ac. Trsf. - Sp. Or. Vol. 5, p. 30		30 acres in SW 1/4 SW 1/4
				4	" " " " 6, p. 364		25 acres in SE 1/4 SW 1/4	
				2	" " " " 6, p. 362		17 acres in NW 1/4 SE 1/4	
				3	" " " " 6, p. 362		17 acres in SW 1/4 SE 1/4	
						5 Ac. Trsf. Sp. Or. Vol. 5, p. 520		25 acres in SW 1/4 NE 1/4 25 acres in SE 1/4 NE 1/4 29 acres in NE 1/4 NW 1/4 27 acres in NW 1/4 NW 1/4 25 acres in NE 1/4 SE 1/4
						38 Ac. Trsf. Vol. 3 page 211		Section 6, 38 acres in NW 1/4 NW 1/4
						35 Ac. Trsf. Vol. 4, page 168		Section 8, 35 acres in NE 1/4 NE 1/4
					23 Ac. " " 5, page 440		35 acres in NW 1/4 NE 1/4	
					25 Ac. Trsf. Vol. 4, page 363		25 acres in SW 1/4 NE 1/4	
					35 Ac. " " " " "		35 acres in SE 1/4 NE 1/4	
					30 Ac. " " 4, page 482		30 acres in NE 1/4 NW 1/4 30 acres in NW 1/4 NW 1/4	
					10 Ac. " " 5, page 350		30 acres in SW 1/4 NW 1/4 20 acres in SE 1/4 NW 1/4 20 acres in NE 1/4 SE 1/4 25 acres in NW 1/4 SE 1/4	
							Section 10,	

DESCHUTES RIVER -126.

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
Central Oregon Irrigation Dist. (continued):							18 S 13 E
					8 Ac. Trsf. Sp. Or. Vol. 6, p. 448		30 acres in NE-NE
					8 " " " " " 6, p. 448		35 acres in NW-NE
					✓ 35 Ac. Trsf. Vol. 4, p. 168		35 acres in SW-NE
					✓ 30 " " do		30 acres in SE-NE
					15 " " Vol. 5, p. 293		15 acres in NE-NW
					✓ 30 Ac. Trsf. Vol. 4, p. 168		30 acres in NW-NW
					✓ 30 Ac do		30 acres in SW-NW
					✓ 35 Ac. do		35 acres in SE-NW
							30 acres in NE-SW
							25 acres in NW-SW
							Section 11,
							31 acres in NE-NE
							25 acres in NW-NE
							38 acres in SW-NE
							33 acres in SE-NE
							27 acres in NE-NW
							25 acres in NW-NW
							35 acres in SW-NW
							35 acres in SE-NW
							33 acres in NE-SW
							32 acres in NW-SW
							8 acres in SW-SW
							20 acres in SE-SW
					20 Ac. Trsf. Sp. Or. Vol. 5, p. 402		37 acres in NE-SE
					5 Ac. Trsf. Sp. Or. Vol. 5, p. 139		38 acres in NW-SE
					10 " " " 5, p. 239		35 acres in SW-SE
							15 acres in SE-SE
							Section 12,
							T. 18 S. R. 13 E. W. M.
							30 acres in SW-NW
					✓ 40 Ac. Trsf. Vol. 4, p. 300		40 acres in NW-SW
							Section 3,
					✓ 25 Ac. Trsf. Vol. 4, p. 168		25 acres in SW-NE
							40 acres in SE-NE
							15 acres in SW-NW
							20 acres in SE-NW
							20 acres in NE-SW
					20 " " " " 6, p. 527		20 acres in NW-SW
							20 acres in SW-SW
						30 acres in SE-SW	
						40 acres in NE-SE	
				✓ 25 Ac. Trsf. Vol. 4, p. 168		25 acres in NW-SE	
						35 acres in SW-SE	
				20 Ac. Trsf. Vol. 4, p. 361		20 acres in SE-SE	
						Section 4,	
				35 Ac. Trsf. Vol. 5, p. 293		35 acres in Lot 3 (NE-NW)	
				25 " " " 5, p. 293		25 acres in Lot 4 (NW-NW)	
				17 " " " 5, p. 293		38 acres in SW-NW	
				40 Ac. Trsf. Vol. 3, p. 450		40 acres in SE-NW	
						Section 5,	
				37 Ac. Trsf. Vol. 3, p. 211		37 acres in NE-SE	
				1 Ac. Trsf. Vol. 3, p. 211		31 acres in NW-SE	
				30 Ac. " " 3, p. 346		25 acres in SW-SE	
				32 Ac. Trsf. Sp. Or. Vol. 3, p. 346		32 acres in SE-SE	
						Section 6,	
						33 acres in NE-NE	
				40 Ac. Trsf. Sp. Or. Vol. 6, p. 320		40 acres in NW-NE	
				35 " " " " 6, p. 320		35 acres in SW-NE	
				10 " " " " 5, p. 350		37 acres in SE-NE	
						26 acres in NE-NW	
						9 acres in Lot 1 (NW-NW)	
						6 acres in Lot 2 (SW-NW)	
						29 acres in SE-NW	
						10 acres in NE-SW	
				6 Ac. Trsf. Sp. Or. Vol. 3, p. 346		6 acres in Lot 3 (NW-SW)	
				15 " " " " 6, p. 406		39 acres in NE-SE	
				36 Ac. Trsf. Sp. Or. Vol. 4, p. 251		36 acres in NW-SE	
						30 acres in SW-SE	
						39 acres in SE-SE	
						Section 7,	
						25 acres in NE-NE	
						30 acres in NW-NE	
						25 acres in SW-NE	
						35 acres in SE-NE	
				3 Ac. Trsf. Sp. Or. Vol. 6, p. 267		30 acres in NE-SW	
				7 " " " " 6, p. 406		40 acres in NW-SW	
				14 " " " " 6, p. 406		40 acres in SW-SW	
				15 Ac. Trsf. Sp. Or. Vol. 6, p. 267		28 acres in SE-SW	

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
Central Oregon Irrigation Dist. (continued):							<p>18 S 14 E</p> <p>40 acres in NE 1/4 SE 1/4 25 acres in NW 1/4 SE 1/4 30 acres in SW 1/4 SE 1/4 35 acres in SE 1/4 SE 1/4 Section 8, 10 acres in NE 1/4 NW 1/4 40 acres in NW 1/4 NW 1/4 35 acres in SW 1/4 NW 1/4 35 acres in SE 1/4 NW 1/4 40 acres in NW 1/4 SW 1/4 35 acres in SW 1/4 SW 1/4 Section 9, T. 18 S. R. 14 E. W. M.</p> <p>484.5 "excess acres", covered by subsequent contracts, as follows:</p> <p>14 S 13 E</p> <p>8 acres in NW 1/4 NW 1/4 8 acres in SW 1/4 NW 1/4 8 acres in SE 1/4 NW 1/4 Section 9, 10 acres in NW 1/4 NE 1/4 6 acres in SW 1/4 NE 1/4 16 acres in SE 1/4 NW 1/4 Section 14, 3 acres in NE 1/4 SE 1/4 Section 17, 1 acre in NE 1/4 SE 1/4 7 acres in SE 1/4 SE 1/4 Section 19, 5 acres in NE 1/4 NE 1/4 8 acres in SE 1/4 NE 1/4 9 acres in NE 1/4 NW 1/4 Section 20, 3 acres in NW 1/4 NW 1/4 2 acres in NE 1/4 SW 1/4 3 acres in SW 1/4 SW 1/4 Section 21, 4.18 acres in SE 1/4 NE 1/4 Section 23, 10 acres in NW 1/4 SW 1/4 3 acres in SW 1/4 SW 1/4 Section 24, 6.15 acres in NE 1/4 NE 1/4 2 acres in NW 1/4 NE 1/4 3.2 acres in SW 1/4 NE 1/4 Section 26, 13 acres in SE 1/4 NW 1/4 Section 27, 6 acres in NW 1/4 NE 1/4 Section 28, 3 acres in NE 1/4 SW 1/4 7 acres in SW 1/4 SW 1/4 3 acres in SE 1/4 SW 1/4 Section 29, 2.8 acres in SW 1/4 SW 1/4 4 acres in NE 1/4 SE 1/4 Section 34, T. 14 S. R. 13 E. W. M.</p> <p>15 S 12 E</p> <p>2 acres in SW 1/4 NW 1/4 13 acres in SE 1/4 NW 1/4 Section 12, 10 acres in NE 1/4 SW 1/4 12 acres in NW 1/4 SE 1/4 10 acres in SW 1/4 SE 1/4 Section 13, 4 acres in SW 1/4 NE 1/4 1 acre in SE 1/4 NE 1/4 Section 24, T. 15 S. R. 12 E. W. M.</p> <p>DESCHUTES RIVER *128.</p>
					35 Ac. Trsf. - Sp. Or. Vol. 5, p. 298		
					Transferred Sp. Or. Vol. 1 p. 460		
					Transferred Sp. Or. Vol. 1 p. 324 also Vol. 1 p. 529		
					Transf. Sp. Or. Vol. 4 p. 152		

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
13607 Chastain, W. O. Maupin, Ore. (Proof #163)	1895		2	Irrigation	Water wheel, pump & pipe line	Oak Springs in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 4 S. R. 14 E. W. M.	2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T. 4 S. R. 14 E. W. M.
Cline Falls Power Co., 500 Journal Bldg., Portland, Ore. (Proof #6)	Feb. 2, 1892	14.17	800	Irrigation		Deschutes River	40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 160 acres in the SE $\frac{1}{4}$ Section 10, 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 160 acres in the SW $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, 15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, T. 15 S. R. 12 E. W. M.
Change in place of use approved. Sp Or. Vol. 4, p. 270	Feb. 2, 1892	90		Power for generation of electricity		Deschutes River	Power plant situated in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 15 S. R. 12 E. W. M.
Columbia Valley Power Company, 403 NW Bk Bldg., Portland, Ore. (Proof #8-A)	Mar. 11, 1908	3500		Power		Deschutes River	Power plant to be located at "Pelton Site" about 4 miles below mouth of Metolius River.
(Proof #8-B)	Apr. 21, 1908	3500		Power		Deschutes River	Power plant to be located at "Metolius Site" just below mouth of Metolius River.
(NOTE: These rights are inchoate. See Paragraph 48, p. 79)							
13608 Corbett, Henry L. Corbett Bldg., Portland, Ore.	1888		60	Irrigation, domestic and stock	Corbett	Jack Creek	35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, T. 12 S. R. 9 E. W. M.
(See Paragraph 58, page 87.)							

See Suppl Findings page 131

Power Claims #600 & #601

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
Crook County Improvement District No. 1. Redmond, Ore. (Proof #9)	Dec. 2, 1907		2520	Irrigation	North and Pilot Butte canals, Crooked River syphon, Lone Pine Canal	Deschutes River	81.3 acres in NE $\frac{1}{4}$ Section 13, T. 13 S. R. 13 E. W. M. 7.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 27.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 13 S. R. 14 E. W. M. 17.41 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.69 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 31.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 160 acres in the SW $\frac{1}{4}$ 13.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, 2.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 16.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 23.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 160 acres in the SE $\frac{1}{4}$ Section 5, 16.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 7.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 34.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, 160 acres in the NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 27.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 160 acres in the SW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, 10.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 15.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 28.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, 18 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 14.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 28.9 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 38.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 38.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 29 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17,

(NOTE: This right is inchoate. See special provisions of Paragraph 39, page 53.)

(Time extended to 10/1/38 to complete. See Sp. Or. Vol. 2, P. 489)

(Time Ext. to 10-1-40 - Sp. Order Vol. 3 - P. 280)

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
Crook County Improvement Dist. #1. (continued):							31.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 24 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 19.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 21.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 14.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, T. 14 S. R. 14 E. W. M.
13609 Dean, Edward F. Tumalo, Ore. (Proof #99)	April 1905		$\frac{1}{2}$	Irrigation	Laidlaw Townsite Company	Deschutes River	Lots 2, 11 and 12 in Block 6, in the Townsite of Laidlaw, now Tumalo, Section 31, T. 16 S. R. 12 E. W. M.
13610 Dee, John W. Grizzly, Ore. (Proof #60)	1894		12.01	Irrigation	South Side Ditch	Willow Creek	.92 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.81 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$.28 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 12 S. R. 15 E. W. M.
13604 (Proof #61)	1894		33.8	Irrigation	Willow Creek North Side Ditch	Willow Creek	11.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 12 S. R. 15 E. W. M.
Deschutes County Municipal Improvement District, Tumalo, Ore. (Proof #10)	Mar. 20, 1911	35,000 ac.ft. per yr.	14,884	Irrigation	Deschutes River Feed Canal	Crescent Creek Storage & direct flow	(note: this is not yet created) New right for 7076.23 acres, and supplemental right for 7808 acres, in Townships 15, 16 & 17, South, Ranges 11 & 12 E. W.M. * Rights to be perfected under Permits R 102 and 624. See Paragraph 33, page 31.) Trs. frs: Vol. 5 p. 1 " 5 p. 84 V. 16 p. 159-23 ac. land
(Proofs 2D & 2E) Time Extended to 10-1-38 to complete; See Sp. Ord. Vol 2-P. 489 " " " 10-1-40 " " " " Vol. 3-P. 290 " " " 12-1-41 " " " " Vol. 4-P. 43 " " to 6-1-43 (SEE special provisions of Paragraph 31, page 26.) " " " 1-1-46 Vol. 4 p. 244 " " " 1-1-47 Vol. 4 p. 503 " " " 6-30-47 5 p. 171 " " " 6-30-49 5 p. 391 " " " 6-1-89 6 p. 189	1905	$9\frac{1}{2}$		Irrigation	Deschutes River Feed Canal	Deschutes River	To be used on lands in said District as above indicated.
Deschutes Falls Power Company, Carson City, Nev. by Veazie & Veazie, Attorneys, Portland, Oregon. (Proof #11)	1871			Domestic and stock	pipe line	Spring in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, T. 3 S. R. 14 E. W. M.	Used in connection with claimant's property in SE $\frac{1}{4}$ of Sec. 34, T. 3 S. R. 14 E. W. M.
	Jan. 8, 1906	5,000		Power		Deschutes River	To be used in power plant, dam for which is to be located in Sec. 3, T. 4 S. R. 14 E. W. M.
							(SEE special provisions of Paragraph 46, page 74.)

Power Claim #612

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
Deschutes Reclamation & Irrigation Company, Bend, Oregon. (Proof #12)	Sept. 1, 1899	125	6638	Irrigation	Swalley Canal	Deschutes River	9.7 acres in NE 1/4 NE 1/4 Section 36, 8 acres in SE 1/4 SE 1/4 Section 35, T. 15 S. R. 12 E. W. M. 1 acre in SW 1/4 NW 1/4 18.2 acres in NE 1/4 SE 1/4 1.6 acres in NW 1/4 SE 1/4 33.3 acres in SW 1/4 SE 1/4 38.1 acres in SE 1/4 SE 1/4 Section 1, 4.5 acres in NE 1/4 SE 1/4 Section 2, 2 acres in SE 1/4 NE 1/4 3 acres in NE 1/4 SE 1/4 Section 10, 6 acres in SW 1/4 SW 1/4 Section 11, 2.1 acres in NE 1/4 NW 1/4 3.8 acres in NW 1/4 NW 1/4 Section 12, 12 acres in NE 1/4 NW 1/4 12.7 acres in NW 1/4 NW 1/4 19.9 acres in SW 1/4 NW 1/4 17.3 acres in SE 1/4 NW 1/4 1.5 acres in SW 1/4 SW 1/4 Section 14, 27.3 acres in NE 1/4 NE 1/4 13.4 acres in SW 1/4 NE 1/4 16.5 acres in SE 1/4 NE 1/4 15.1 acres in SE 1/4 NW 1/4 2 acres in NW 1/4 SW 1/4 Section 15, 10.4 acres in SE 1/4 NE 1/4 30.3 acres in SE 1/4 SW 1/4 12.7 acres in NE 1/4 SE 1/4 26.5 acres in SW 1/4 SE 1/4 3.8 acres in SE 1/4 SE 1/4 Section 16, 4.8 acres in NE 1/4 NE 1/4 20 acres in SW 1/4 NE 1/4 35.2 acres in SE 1/4 NE 1/4 35.1 acres in NE 1/4 SE 1/4 16.2 acres in NW 1/4 SE 1/4 Section 20, 34.1 acres in NE 1/4 NW 1/4 9.2 acres in NW 1/4 NW 1/4 20.8 acres in SW 1/4 NW 1/4 14 acres in NW 1/4 SW 1/4 25.5 acres in SW 1/4 SW 1/4 Section 21, 1 acre in NW 1/4 NW 1/4 4 acres in SE 1/4 SW 1/4 Section 23, 19.4 acres in NW 1/4 SW 1/4 3 acres in SW 1/4 SW 1/4 Section 26, 16.6 acres in SW 1/4 NE 1/4 4 acres in SE 1/4 NW 1/4 24.8 acres in NE 1/4 SE 1/4 30.2 acres in NW 1/4 SE 1/4 15 acres in SW 1/4 SE 1/4 33 acres in SE 1/4 SE 1/4 Section 27, 1 acre in SW 1/4 NE 1/4 37.5 acres in NW 1/4 NW 1/4 2 acres in NE 1/4 SW 1/4 31.5 acres in NW 1/4 SW 1/4 10.5 acres in SW 1/4 SW 1/4 18.5 acres in SE 1/4 SW 1/4 17.5 acres in SW 1/4 SE 1/4 1 acre in SE 1/4 SE 1/4 Section 28, 39.2 acres in SE 1/4 NE 1/4 39.2 acres in NE 1/4 SE 1/4 6 acres in SE 1/4 SE 1/4 Section 29,
				(NOTE: This right is inchoate. See special provisions of Paragraph 35, page 37.)			
				Time Extended to 10-1-38 to complete - See Sp. Lr. Vol. 2 - P. 489			
				" " " " 10-1-40 " " " " " " " " 3 P. 280			
				" " " " 10-1-41 " " " " " " " " Vol 4 - P. 44			
				" " " " 10-1-42 " " " " " " " " 4 p. 155			
				See order record, Vol. 12 page 287 for correct description of lands.			
				Time Ext. to 6-1-43 to complete. Sp. Lr. Vol. 4, P. 245			
				" " " " 1-1-46 " " " " " " " " 505			
				" " " " 6-30-47 " " " " " " " " 5 393			
				" " " " 6-30-49 " " " " " " " " 6 189			

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
Deschutes Reclamation & Irr. Co. (continued):							0.5 acres in SW ¹ / ₄ NE ¹ / ₄ 6.7 acres in SE ¹ / ₄ NE ¹ / ₄ 2.6 acres in NE ¹ / ₄ SE ¹ / ₄ 1.1 acres in NW ¹ / ₄ SE ¹ / ₄ Section 32, 1.5 acres in NE ¹ / ₄ NE ¹ / ₄ 13.1 acres in NW ¹ / ₄ NE ¹ / ₄ 0.2 acre in SW ¹ / ₄ NE ¹ / ₄ 24.3 acres in NE ¹ / ₄ NW ¹ / ₄ 6.6 acres in SW ¹ / ₄ NW ¹ / ₄ 13.3 acres in SE ¹ / ₄ NW ¹ / ₄ 16 acres in SE ¹ / ₄ SW ¹ / ₄ 13.9 acres in NE ¹ / ₄ SE ¹ / ₄ 2.5 acres in NW ¹ / ₄ SE ¹ / ₄ 0.4 acre in SE ¹ / ₄ SE ¹ / ₄ Section 33, 1 acre in NW ¹ / ₄ NE ¹ / ₄ Section 34, T. 16 S. R. 12 E. W. M. 11.2 acres in NE ¹ / ₄ SW ¹ / ₄ 4.9 acres in NW ¹ / ₄ SW ¹ / ₄ 3 acres in SW ¹ / ₄ SW ¹ / ₄ 6 acres in SE ¹ / ₄ SW ¹ / ₄ Section 3, 1.8 acres in NW ¹ / ₄ NE ¹ / ₄ 3.8 acres in SW ¹ / ₄ NE ¹ / ₄ 12 acres in NE ¹ / ₄ NW ¹ / ₄ 13.6 acres in NW ¹ / ₄ NW ¹ / ₄ 8 acres in SW ¹ / ₄ NW ¹ / ₄ 8.4 acres in SE ¹ / ₄ NW ¹ / ₄ 5.5 acres in NE ¹ / ₄ SW ¹ / ₄ 12 acres in NW ¹ / ₄ SE ¹ / ₄ 8.2 acres in SW ¹ / ₄ SE ¹ / ₄ 5.2 acres in SE ¹ / ₄ SE ¹ / ₄ Section 4, 16.1 acres in NE ¹ / ₄ NE ¹ / ₄ 20.3 acres in NW ¹ / ₄ NE ¹ / ₄ 28.9 acres in SW ¹ / ₄ NE ¹ / ₄ 6 acres in NE ¹ / ₄ NW ¹ / ₄ 2 acres in NW ¹ / ₄ NW ¹ / ₄ 9.7 acres in SW ¹ / ₄ NW ¹ / ₄ 17.6 acres in SE ¹ / ₄ NW ¹ / ₄ 12 acres in NE ¹ / ₄ SW ¹ / ₄ 4.9 acres in NW ¹ / ₄ SW ¹ / ₄ 11 acres in SW ¹ / ₄ SW ¹ / ₄ 15 acres in SE ¹ / ₄ SW ¹ / ₄ 5 acres in NW ¹ / ₄ SE ¹ / ₄ 1.2 acres in SW ¹ / ₄ SE ¹ / ₄ Section 5, 35 acres in NE ¹ / ₄ NE ¹ / ₄ 20 acres in NW ¹ / ₄ NE ¹ / ₄ 10.5 acres in SE ¹ / ₄ SW ¹ / ₄ 2.7 acres in SW ¹ / ₄ SE ¹ / ₄ Section 7, 27.4 acres in NE ¹ / ₄ NE ¹ / ₄ 5.2 acres in NW ¹ / ₄ NE ¹ / ₄ 23.4 acres in SW ¹ / ₄ NE ¹ / ₄ 30.1 acres in SE ¹ / ₄ NE ¹ / ₄ 7.3 acres in SE ¹ / ₄ NW ¹ / ₄ 9.1 acres in SW ¹ / ₄ SW ¹ / ₄ 20 acres in SE ¹ / ₄ SW ¹ / ₄ 30 acres in NE ¹ / ₄ SE ¹ / ₄ 17.3 acres in NW ¹ / ₄ SE ¹ / ₄ 30 acres in SW ¹ / ₄ SE ¹ / ₄ 9.4 acres in SE ¹ / ₄ SE ¹ / ₄ Section 8, 1.9 acres in NE ¹ / ₄ NE ¹ / ₄ 21 acres in NW ¹ / ₄ NE ¹ / ₄ 22.4 acres in SW ¹ / ₄ NE ¹ / ₄ 5.9 acres in SE ¹ / ₄ NE ¹ / ₄ 4.6 acres in NW ¹ / ₄ NW ¹ / ₄ 12.8 acres in SW ¹ / ₄ NW ¹ / ₄ 8.4 acres in SE ¹ / ₄ NW ¹ / ₄ 12 acres in NW ¹ / ₄ SW ¹ / ₄ 28.6 acres in SW ¹ / ₄ SW ¹ / ₄ Section 9,

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
Deschutes Reclamation & Irrigation Co. (continued):							26 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, 12.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 28.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, 0.5 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.3 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, 8.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 13.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 24 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, 1.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 12.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 13.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 32.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 13.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, 10.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 24.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 17 S. R. 12 E. W. M.
13611 Dizney, Gillis O. Madras, Ore. (Proof #55)	1902		6	Irrigation	Water wheel	Deschutes River	6 acres in Lot 12(SW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 1, T. 10 S. R. 12 E. W. M.
13612 Dizney, John T. Madras, Ore. (Proof #54)	1902		6.3	Irrigation	Water wheel	Deschutes River	0.8 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 9 S. R. 12 E. W. M. 5.5 acres in Lot 8(NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 1, T. 10 S. R. 12 E. W. M.

*Transferred to City of Redmond
See Special Order book, page 482*

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
13613 Farre, Soren, Gateway, Ore. (Proof #49)	From Spring in 1905; From River in 1907		9.5	Irrigation, Power and domestic	Centrifugal pump & small ditch from spring	Deschutes River & Spring in SW $\frac{1}{4}$, Sec. 10, T. 8 S. R. 14 E. W. M.	1.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, 7.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, 0.2 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, T. 8 S. R. 14 E. W. M.
13614 Fogle, Antone Grizzly, Ore. (Proof #63)	1875		25	Irrigation	Natural flooding & North Side Ditch	Willow Creek and Warner Spring	3.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, T. 12 S. R. 15 E. W. M.
	1886		14.1	Irrigation	South Side	Willow Creek	0.5 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, T. 12 S. R. 15 E. W. M.
	1895		14.9	Irrigation	North Side	Willow Creek	2.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, T. 12 S. R. 15 E. W. M.
(Proof #62)	1904		6.2	Irrigation	Montgomery	Willow Creek	5.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.4 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, T. 12 S. R. 15 E. W. M.
13615 Frohnhofer, Fritz Grizzly, Ore. (Proof #68)	1908		2	Irrigation	Small ditches	Springs trib. to Coon Creek	2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T. 12 S. R. 16 E. W. M.
13616 Frohnhofer, Henry Grizzly, Ore. (Proof #69)	1905 1908		1 9	Irrigation	Small ditches	Springs trib. to Coon Creek	2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, 4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T. 12 S. R. 16 E. W. M.
13617 Greene, Mrs. L. A. Maupin, Ore. (Proof #38)	1906		12.1	Irrigation	Water wheel	Two springs located in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 4 S. R. 14 E. W. M.	7.9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.2 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, T. 4 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
13618 Grizzly Livestock & Land Company, Madras, Ore. (Proof #25) T-3408	1875		48.37	Irrigation	Dam & diversion ditches	Willow Creek	25.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.96 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, 11 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.91 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T. 12 S. R. 15 E. W. M.
13619 44959 76960 T-3407	1886		240.91	Irrigation	North & South Creek Ditch	Willow Creek	0.46 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, 8.21 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.03 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 17.81 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.16 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.89 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 37.65 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, 6.83 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.67 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 21.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 13.59 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, 2.45 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, 7.04 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 14.18 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.04 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, T. 12 S. R. 15 E. W. M.
13620	June 1, 1904		61.23	Irrigation	South Highline Ditch	Willow Creek	5.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, 23.93 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, 1.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 17.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, 4.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, T. 12 S. R. 15 E. W. M.
13621 44957	May 14, 1906		60.5	Irrigation	North Highline Ditch	Willow Creek	16.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ * 21.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ * 7.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, 0.1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ * 3.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, T. 12 S. R. 15 E. W. M.
13622	April 1905		68.03	Irrigation and stock	Small dams and ditches	Unnamed Creek, trib. to Willow Creek	1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17.45 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.27 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, 14.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.55 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, 0.06 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, T. 12 S. R. 15 E. W. M.

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* 11.9 - SW $\frac{1}{4}$ NW $\frac{1}{4}$
* 3.6 - NW $\frac{1}{4}$ SW $\frac{1}{4}$
* 1.7 - SE $\frac{1}{4}$ NE $\frac{1}{4}$

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
13629 Hansen, Clarence M. Camp Sherman, Ore. (Proof #87)	1888		38	Irrigation, domestic and stock	Small Ditch	Lake Creek	38 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T. 13 S. R. 9 E. W. M.
	(SEE Paragraph 60, page 88.)	29.77 0.00		Cancelled Sp.Or.Rec.Vol. <u>47</u> P. <u>283</u>			
13627 Hansen, Joe Camp Sherman, Ore. (Proof #86)	1888		39	Irrigation, domestic and stock	Three ditches	Lake Creek	37 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T. 13 S. R. 9 E. W. M.
	(SEE Paragraph 61, page 88.)	29.53 ac. + 2 ac.		Cancelled Sp.Or.Rec.Vol. <u>47</u> P. <u>283</u>			
Superseded by Cert. No. <u>49195</u>							
13626 Hansen, Martin, Camp Sherman, Ore. (Proof #83)	1888		145	Irrigation, domestic and stock	ditches	Lake Creek	30 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T. 13 S. R. 9 E. W. M.
	(SEE Paragraph 59, page 87.)	15.2 ac SWNW Sec 15		Cancelled Sp.Or.Rec.Vol. <u>47</u> P. <u>283</u>			
Cancelled Sp.Or.Rec.Vol. <u>33</u> P. <u>602</u>							
Cancelled Sp.Or.Rec.Vol. <u>45</u> P. <u>55</u>		14.2 ac 566E					
13624 Harter, Hannah J. Tumalo, Ore. (Proof #100)	Apr. 15, 1905		1.75	Irrigation	Laidlaw Townsite Company	Deschutes River	1.75 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, being Lots 6, 7, 8, 9, 10, 11 and 12, in Block 1, Townsite of Laidlaw (now Tumalo), Section 31, T. 16 S. R. 12 E. W. M.
13627 Heising, Alice L. Camp Sherman, Ore. (Proof #79)	1885		70.3	Irrigation	Heisings Ditch	Jack Creek	3.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, T. 12 S. R. 9 E. W. M.
13628 Hoey, Estate of H.P. J. H. Carnahan, Ancillary Admr., Klamath Falls, Ore. (Proof #167)	Sept. 1, 1898		140	Irrigation	Dams & ditches	Big Marsh Creek	30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T. 24 S. R. 7 E. W. M.
	(NOTE: See Paragraph 52, page 82)						
13629 Howard, J. L. Lapine, Ore. (proof #129)	1897		35.9	Irrigation	Findley (one-eighth interest)	E. Fork Deschutes River	10.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, 12.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T. 23 S. R. 10 E. W. M.

DESCHUTES RIVER -138.

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
Jefferson Water Conservancy Dist., N. G. Wallace, Atty., Prineville, Ore. (Proof #13.)	Feb. 28, 1913	400,000 ac.ft. per yr.		Irrigation		Deschutes River, to be stored in Benham Falls Reservoir	Approximately 100,000 acres of land east of Deschutes River, below Crooked River, within the Jefferson Water Conservancy District. <i>(note) June 2, 1913</i>
1913 Withdrawn -- App #23487 (pending)							
(NOTE: This right is inchoate. See special provisions of Paragraph 38, page 43.)							
13630 Johnson, Mrs. Dollie Cook, Maupin, Ore. (Proof #37)	1905		12.4	Irrigation	Private Ditch	Three springs located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T. 4 S. R. 14 E.	1.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, 7.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T. 4 S. R. 14 E. W. M.
13631 Ketchum, D. P. & Son, The Dalles, Ore. (Proof #31)	1886		4	Irrigation	Pump from river and ditch from canyon	Deschutes River and Ferry Canyon	4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, T. 2 S. R. 15 E. W. M.
13632 Lambert, N. J. Grandview, Ore. (Proof #70)	1901		44.8	Irrigation	Lambert Ditch	Metolius River	10.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 17.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.5 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, 0.2 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T. 11 S. R. 11 E. W. M.
13633 Lang, Anne M. & Elizabeth L. The Dalles, Ore. (Successors of Malcolm A. Moody) (Proof #14-A)	1860		27.9	Irrigation	Unnamed	Deschutes River	18 acres in Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 7 acres in Lot 2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) 2 acres in Lot 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) 0.9 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, T. 2 N. R. 15 E. W. M.
(SEE Paragraph 44, page 65.)							
48243 & 63812 13634 Madsen, B. F. (Proof #81) T-4166 A92D *	June 1, 1908		25.9	Irrigation	Uplike	North Fork Lake Creek	5.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ *5.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T. 13 S. R. 9 E. W. M.
(SEE Paragraph 56, page 86.)							
13635 Marion, Emma J. Tumalo, Ore. (Proof #101)	April 1905			Irrigation	Laidlaw Townsite Company	Deschutes River	1 lot 50 by 105 feet, Section 31, T. 16 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
13636 Mayfield, George M. Lapine, Ore. (Proof #132)	1897		94.4	Irrigation	Findley or Stearns (one- eighth interest)	East Fork Deschutes River	16.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 16.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T. 23 S. R. 9 E. W. M. 14.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T. 24 S. R. 9 E. W. M.
13637 (Proof #133)	1898		183.6	Irrigation	Geo. Mayfield	East Fork Deschutes River	2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, 32.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 26.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 28 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 25.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, 16.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 23 S. R. 9 E. W. M. 10.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T. 24 S. R. 9 E. W. M.
13638 Mayfield, J. D. Tumalo, Ore. (Proof #102)	April 1905		1/8	Irrigation	Laidlaw Townsite Company	Deschutes River	1/8 acre or two lots, Section 31, T. 16 S. R. 12 E. W. M.
13639 Mayfield, M. S. Lapine, Ore. (Proof #130)	1897		199.1	Irrigation	Findley (one- fourth interest)	East Fork Deschutes River	9.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 13.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, 24.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 30.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 18.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, 14.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 16 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, 11.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 12.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14, T. 23 S. R. 9 E. W. M.
13640 (Proof #131)	1898		220.5	Irrigation	George Mayfield	East Fork Deschutes River	18.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, 19.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 27.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, 20.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 24.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, 15.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 22.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14, T. 23 S. R. 9 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
13641 Mayfield, M. S. (continued): (Proof #164)	1898		176.4	Irrigation	Mike Mayfield	West Fork of East Fork of Deschutes River (or Crescent Creek)	25.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, 19 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 38.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T. 23 S. R. 9 E. W. M.
13642 Miller, J. J. Moody, Ore. (Proof #27)	1895		24	Irrigation	Water wheels & pipe from slough	Deschutes River	10.3 acres in Lot 3 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) 9.3 acres in Lot 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) 4.4 acres in Lot 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 23, T. 2 N. R. 15 E. W. M.
13643 Montgomery, E. A. Grandview, Ore. (Proof #73)	1905		5.6	Irrigation	North Side Ditch	Street Creek	5.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T. 11 S. R. 11 E. W. M.
(Proof #74)	1906		6.1	Irrigation	South Side Ditch	Street Creek	6.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T. 11 S. R. 11 E. W. M.
13644 New, Isaac, Grandview, Ore. (Proof #72)	1897		11.9	Irrigation	D.W.New Ditch	Metolius River	5.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, 0.5 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 11 S. R. 11 E. W. M.
North Canal Company, 500 Journal Bldg., Portland, Ore. (Proofs #15-x, 15-y, and 15-z)	Dec. 2, 1907		591	Irrigation	North & Pilot Butte canals	Deschutes River	23 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 16 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 28 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, 11 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, 9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6, 25 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, T. 14 S. R. 13 E. W. M.
3 Ac. Trsf. Sp. Or. Vol. 6, p. 436	16 Ac. Trsf. Sp. Or. Vol. 5, p. 243						26 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, T. 15 S. R. 13 E. W. M.
6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 13 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 34 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, 24 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 28 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 24 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, 19 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 26 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, 30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 24 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13.							

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
North Canal Company (continued):							28 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, 27 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, 3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, 17 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T. 16 S. R. 12 E. W. M.
	Dec. 2, 1907	333	20,000	Irrigation	North Canal	Deschutes River	20,000 acres of land in Townships 14, 15, 16 & 17, South, Ranges 12, 13 and 14 E. W. M. <i>not plotted on map</i>
	Feb. 28, 1913	90,000 ac.ft. per yr.		Storage		West Fork Deschutes River to be stored in Crane Prairie Reservoir	
	(SEE special provisions of Paragraph 39, page 55.)						
Odin Falls Land Co., 901 Yeon Bldg., Portland, Ore. (Proof #16)	Jan. 7, 1909		1057	Irrigation	Tethrow Ditch	Deschutes River	Lands irrigated at date of filing claim - 145.3 acres, as follows:
	Time Extended to 10-1-38 to complete						36 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
	" " " 10/1/40 " " "						10.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
	" " " 10/1/41 " " "						7.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							12 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
							15.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
							12.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
							17 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
							Section 34,
							14.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
							5.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
							14 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
							Section 35,
							T. 14 S. R. 12 E. W. M.
							911.7 acres additional to be irrigated in Sections 26, 27, 34 and 35, Township 14 South, Range 12 East, W.M.
Pacific Power & Light Company, Gasco Bldg., Portland, Ore. (Proof #17)	(Power right initiated under Application No. 7079. SEE Paragraph 46, page 74.)						
Palmehn, Charles W. Grizzly, Ore. (Proof #59)	1892		61.4	Irrigation	C. W. Palmehn North & South	Willow Creek	28.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, 14.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T. 12 S. R. 15 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
Powell Butte Irrigation District, Prineville, Ore. (Proof #18)	(Applicant for allotment from State withdrawal. See Paragraph 37, page 41.)						Lands proposed to be irrigated in Townships 14, 15 and 16 South, Ranges 14 and 15 East, W.M. (not platted on cards)
Pringle Falls Electric Power & Water Co., 500 Journal Bldg., Portland, Ore. (Proof #19)	Dec. 15, 1906	1080		Power		West Fork Deschutes River	Power plant proposed to be located in Sec. 23, T. 21 S. R. 9 E. W.M.
		<i>Power Claim #128</i>					
	(NOTE: See special provisions of Paragraph 50, page 81.)						
13644 Riley, O; W. B. Bend, Ore. (Proof #106)	1904		6	Irrigation	Private ditch	Deschutes River	3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, T. 17 S. R. 12 E. W.M.
	1896			Domestic and stock			
13647 River Logging & Lbr. Company, Seattle, Wash. (Proof #47)	1892	18 sec. ft. for power	114	Irrigation, power for irrigation equipment stock and domestic	Turbine to run centrifugal pump	Deschutes River	20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Lot 2-23.8 acres Lot 3-27 acres Lot 4- 8.2 acres Section 32, T. 7 S. R. 14 E. W. M.
	1892						
	1892	15.2 Theo. H.P.	43.4	Irrigation		Deschutes River (Rutter Ranch)	Lot 2-19.5 acres Lot 1-13.2 acres Section 16, Lot 2- 1 acre Lot 3- 9.7 acres Section 15, T. 8 S. R. 14 E. W. M.
13648 Rose, J. L. Camp Sherman, Ore. (Proof #84)	1906		3	Irrigation	Martin Hansen	Metolius River	3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T. 13 S. R. 9 E. W.M.
13649 Shevlin-Hixon Company, Bend, Ore. (Proof #20)	Feb. 28, 1913	3		Steam generation, domestic and sanitary purposes		Deschutes River	Used in connection with lumber manufacturing plant at Bend, Oregon.
		15		Log washing and steam condensing			
		50 to 200 including above amounts		Maintenance of log pond			
	(SEE special provisions of Paragraph 30, page 23.)						

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
13651 Sly, George T. Lapine, Ore. (Proof #128)	1900		70	Irrigation	Overflow and sub-irrigation	East Fork Deschutes River	10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34 T. 22 S. R. 10 E.W.M. 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3 T. 23 S. R. 10 E.W.M. <i>in 4...</i>
13652 Smith, Colonel F. Prineville, Ore. (Proof #58)	1901		125	Irrigation	Smith and McMeen	Willow Creek	8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, 12 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 21 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, T. 12 S. R. 14 E.W.M.
13653 Smith, W.F. & Elva. Warm Springs, Ore. (Proof #75)	1909		7	Irrigation	Smith	Metolius River	5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T. 10 S. R. 10 E.W.M.
13654 Snyder, Lucy, Corning, Cal. (Proof #103) <i>chg. pt. of div. Sp. Or. Vol. 7, p. 235</i>	April 1905		$\frac{1}{2}$	Irrigation	Laidlaw Townsite Company	Deschutes River	$\frac{1}{2}$ acre comprised in 3 lots, Section 31, T. 16 S. R. 12 E.W.M.
904 South Unit Improvement Dist., Prineville, Ore. (Proof #21.)							(Applicant for allotment from State Withdrawal. See Paragraph 37, p. 41) Lands proposed to be irrigated in Townships 16, 17, 18 and 19 South, Ranges 14, 15 and 16 East, W.M. <i>not plotted on cards</i>
13655 Staats, W. H. Bend, Ore. (Proof #166)	Oct. 31, 1900	0.4	33	Irrigation	Pilot Butte Canal and lateral	Deschutes River	33 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, T. 17 S. R. 12 E.W.M.
13656 Stearns, Fannie E. Eugene, Ore. (Proof #126)	1897		468.6	Irrigation	Findley ditch (one-half interest)	East Fork Deschutes River	15.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, 35.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 37.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 17.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 21.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27,

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
13657 Stearns, Fannie E. (continued: (Proof #127)			80	Irrigation	W. T. lateral of Morson Canal	East Fork Deschutes River	14.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 25.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, 7.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, T. 22 S. R. 10 E. W. M. 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, T. 22 S. R. 10 E. W. M.
							(NOTE: This land is under the Walker-Basin Carey Act Project and has same date of priority as other lands under said project.)
17239 Steidl & Tweet Bend, Ore. (Proof #22-A)	Sept. 15, 1906	250 <i>Power Claim #134</i>		Power <i>cfs. reduced to 50 cfs</i>		Deschutes River	Power developed at North Canal Dam, in Section 29, T. 17 S. R. 12 E. W. M.
(Proof #22-B) <i>ox</i>	Oct. 10, 1903	3.5		Municipal	Pump & pipe line	Deschutes River	Used in the Town site of Lytle and in the Riverside and Wiestoria Additions to the City of Bend, Oregon.
<i>Corr. Certs. 30983 30984</i> <i>CERTS. 17152-2.0 33005-8.0 33006-7.0</i> T#3477-33007-23.0 <i>4437 45034</i> T#3642 <i>46380 50360 55662</i>	Oct. 10, 1903	1	40	Irrigation	Pump and pipe line	Deschutes River	<i>2 AS Trst - Sp. Or Vol. 5, p 115</i> 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ * 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, T. 17 S. R. 12 E. W. M. <i>20 ac. Trans. Sp. Or Vol. 3 p. 490</i>
							(SEE special provisions of Paragraph 29, page 21.) * Pt. of div. changed for 8 acres - Sp. Or. Vol. 6, p. 94
13658 Tetherow, Jesse, Redmond, Ore. (Proof #94)	1880		4.5	Irrigation	Gravity flow	Deschutes River	1.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.8 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 14 S. R. 12 E. W. M.
13659 Canceled Sp.Or.Rec.Vol. <i>46</i> p. <i>49</i> U. S. Dept. of Agriculture, Forest Service, H. L. Plumb, Forest Supervisor, Bend, Ore. (Proof #80)	1886		27	Irrigation	Allingham Ranger Station Ditch	Lake Creek	2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 16 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 13 S. R. 9 E. W. M.
13660 Vedder, I. D. Terrebonne, Ore. (Proof #91)	1887		4.1	Irrigation	Hoag Ditch	Deschutes River	4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, T. 14 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
13661 Vincent, Judson H. Grizzly, Ore. (Proof #66)	Spring of 1873		16.6	Irrigation		Willow Creek	0.3 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, 4.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T. 12 S. R. 16 E. W. M. 0.8 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, 7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, 3.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T. 12 S. R. 15 E. W. M.
13662 Vincent, William C. Grizzly, Ore. (Proof #64)	1898		30.5	Irrigation	Willow Creek ditch	Willow Creek	22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, 6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, 1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, 1.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, T. 12 S. R. 15 E. W. M.
13650 (Proof #65)	1885		5	Irrigation	Coon Creek	Coon Creek	4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, T. 12 S. R. 15 E. W. M.
Walker Basin Irrigation Company, W. M. Huntington, Receiver, 514 Porter, Bldg., Portland, Ore. (Proof #23)	April 30, 1902		9646.3	Irrigation	Morson Canal and laterals thereof	Crescent Creek	40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, 160 acres in the NW $\frac{1}{4}$ Section 15, 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, 160 acres in the NE $\frac{1}{4}$ Section 20, 160 acres in the NW $\frac{1}{4}$ Section 21, 160 acres in the SW $\frac{1}{4}$ Section 21, 160 acres in the SE $\frac{1}{4}$ Section 21, 640 acres in Section 21, 160 acres in the NW $\frac{1}{4}$ Section 22, 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, 160 acres in the SW $\frac{1}{4}$ Section 22, 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, 640 acres in Section 28, 640 acres in Section 29, 640 acres in Section 32, 640 acres in Section 33, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T. 22 S. R. 10 E. W. M. 39.77 acres in Lot 4 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3,

(NOTE: This right is inchoate. See Paragraph 34, page 35.)

Out! See in re.: Deschutes River, Supreme Court --- March 25, 1930 page 741

quartz
SACON
7 31 41

cert. 13657
Issued to
Jannie E. Stewart
Proof no. 127

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
Walker Basin Irrigation Company (continued):							39.58 acres in Lot 4 39.63 acres in Lot 3 39.67 acres in Lot 2 39.72 acres in Lot 1 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 160 acres in the SW $\frac{1}{4}$ 160 acres in the SE $\frac{1}{4}$ Section 4, 39.65 acres in Lot 1, 39.63 acres in Lot 2 39.52 acres in Lot 3 39.50 acres in Lot 4 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 160 acres in the SW $\frac{1}{4}$ 160 acres in the SE $\frac{1}{4}$ Section 5, 39.56 acres in Lot 1 39.69 acres in Lot 2 36.19 acres in Lot 3 39.81 acres in Lot 4 33.32 acres in Lot 5 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ✓ 32.99 acres in Lot 6 ✓ 32.60 acres in Lot 7 ✓ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ 160 acres in the SE $\frac{1}{4}$ Section 6, 32.46 acres in Lot 1 32.50 acres in Lot 2 32.54 acres in Lot 3 32.58 acres in Lot 4 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 160 acres in the NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$? 160 acres in the SE $\frac{1}{4}$? Section 7, 640 acres in Section 8, 640 acres in Section 9, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, 160 acres in the NW $\frac{1}{4}$ 160 acres in the NE $\frac{1}{4}$ Section 17, 32.70 acres in Lot 1 32.89 acres in Lot 2 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 160 acres in the NE $\frac{1}{4}$ Section 18, T. 23 S. R. 10 E. W. M.
Wallace, May M. Tumalo, Ore. (Proof #104)	May 1905		0.12	Irrigation	Laidlaw Townsite Company	Deschutes River	1 lot in Laidlaw Townsite Section 31, T. 16 S. R. 12 E. W. M.

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Chg. in pt. of div.
Sp. On Vol. 7, p. 235

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
Wapinitia Irrigation Company, 712 Dekum Bldg., Portland, Ore. (Proof #162)	Nov. 25, 1907	12,000 ac.ft. per yr.	12,000	Supplemental Irrigation		Beaver Creek and Beaver, Butte, Cedar creeks	12,000 acres of land having a partial water supply from tributaries of White River and situated in Townships 4 and 5 South, Ranges 11, 12, 13 and 14 East, W.M.
	<i>See: White River Adjudication proceedings for determination of this right.</i>						
	(NOTE: This right is inchoate. See Paragraph 47, page 78.)						
13664 Ward, Harriett B. Tumalo, Ore. (Proof #105)	April 1905		1/2	Irrigation	Laidlaw- Townsite Company	Deschutes River	1/2 acre in five lots, 50 by 105 ft., Section 31, T. 15 S. R. 12 E. W. M.
13665 Webb, M. L. Sherars Bridge, Ore. (Proof #34)	1887		3	Irrigation	Small ditches	Spring located in NW 1/4 SW 1/4, Sec. 27, T. 3 S. R. 14 E. W. M.	2.2 acres in NW 1/4 SW 1/4 0.8 acre in SW 1/4 SW 1/4 Section 27, T. 3 S. R. 14 E. W. M.
	(Subject to rights of Deschutes Falls Power Co. SEE Paragraph 24, page 18.)						
West Side Reclamation District, John K. Kollock, Atty., Corbett Bldg., Portland, Ore. (Proof #24)				(APPLICANT for allotment from State withdrawal. See Paragraph 37, page 41.)			Lands proposed to be irrigated in Townships 14 and 15 South, Ranges 11 and 12 East, W.M.
13666 20241 20242 Superseded by 31419 & 31420 Wiest, L. D. Bend, Ore. (Proof #165)	Oct. 31, 1900	1	70	Irrigation	Pilot Butte Canal and Wiest lateral	Deschutes River	15 acres in SE 1/4 SW 1/4 Section 28, 15 acres in NE 1/4 NW 1/4 40 acres in NW 1/4 NW 1/4 Section 33, T. 17 S. R. 12 E. W. M.
	<i>one cubic foot measured at point of intake from Pilot Butte Canal on plane</i>						
	(SEE special provisions of Paragraph 54, page 84.)						
13667 Wood, Erskine Portland, Ore. (Proof #76)	Riparian			Domestic		Metolius River	In connection with lands in SE 1/4 NW 1/4, NE 1/4 SW 1/4 and SE 1/4 SW 1/4, Section 11, T. 12 S. R. 9 E. W. M.
(Proof #77)	Riparian			Domestic and stock		Small nameless creek flowing into the Metolius River.	In connection with lands in NE 1/4 NW 1/4, Section 14, and SE 1/4 SW 1/4, Section 11, T. 12 S. R. 9 E. W. M.
	(SEE special provisions of Paragraph 55, page 84.)						
13669 Wurzweiler, Will Prineville, Ore. (Proof #88)	1900		21.6	Irrigation	Post Ditch	Metolius River	1.7 acres in NW 1/4 SE 1/4 15.4 acres in SW 1/4 SE 1/4 0.9 acre in SE 1/4 SE 1/4 Section 15, 1 acre in NE 1/4 NE 1/4 2.6 acres in NW 1/4 NE 1/4 Section 22, T. 13 S. R. 9 E. W. M.

Based upon the foregoing findings as modified by the Court, it is hereby

ORDERED, ADJUDGED and DECREED that the relative rights of the various claimants to the use of the waters of Deschutes River and its tributaries be and the same are hereby adjudicated, determined and settled as set forth in the foregoing modified findings and decree.

Dated this 10th day of February, 1928, at Bend, Oregon.

T. E. J. DUFFY
Circuit Judge

STATE OF OREGON)
)ss.
County of Deschutes)

I, J. H. Haner, County Clerk in and for said County and State, do hereby certify that I have carefully compared the foregoing copy of Modified Findings and Decree with the original thereof as the same appears on file and of record in my office, and the same is a full, true and correct copy of said original and of the whole thereof.


In witness whereof I have hereunto set my hand and affixed my official seal at Bend, in the County and State aforesaid, this 10th day of February, 1928.

(SEAL)

(SGD) J. H. HANER
County Clerk

STATE OF OREGON)
)ss.
County of Marion)

I, Rhea Luper, State Engineer of Oregon, do hereby certify that the foregoing copy of Decree in the Matter of the Determination of the Relative Rights to the use of Waters of Deschutes River, and its tributaries, a tributary of Columbia River has been by me compared with the original, and that it is a true and correct copy therefrom, and of the whole thereof, as the same was filed in my office February 14, 1928.


RHEA LUPER,
State Engineer.

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