

BEFORE THE STATE ENGINEER OF OREGON

Jackson County.

IN THE MATTER OF THE DETERMINATION )  
OF THE RELATIVE RIGHTS TO THE USE )  
OF THE WATERS OF LITTLE BUTTE CREEK )  
AND ITS TRIBUTARIES, A TRIBUTARY OF )  
ROGUE RIVER. )

SECOND  
MODIFIED FINDINGS  
AND  
ORDER OF DETERMINATION

-----

Now at this time this matter coming on for consideration by the State Engineer, and it appearing that after the modified findings and order of determination of the State Engineer entered in the above entitled proceeding December 31, 1925, were filed with the Circuit Court, additional evidence with respect to exceptions thereafter filed was taken before the Court, whereupon by order of the Court filed December 31, 1927, the proceeding was re-referred to the State Engineer for further findings and order of determination covering the points raised by said exceptions and additional evidence; and the State Engineer having carefully considered all of the evidence submitted, and being now fully advised in the premises, makes and orders to be entered of record in his office the following:

FINDINGS ON EXCEPTIONS

Wm. J. & Ella C. Phillips

Wm. J. and Ella C. Phillips, through their attorney, Elijah H. Hurd, filed a motion herein as successors in interest to Geo. T. Collins and J. J. Emmons, showing that certain lands for which water rights had theretofore been allowed under the name of the Little Butte Irrigation Company, were owned by them, and asked that final certificate be issued to them individually instead of under the name of said Company. This motion is allowed. The lands of said Wm. J. and Ella C. Phillips are as follows: Under date of 1893: 4 acres in SW $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 31, T. 35 S. R. 1 E.; 3 acres in SE $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 36, T. 35 S. R. 1 W.; under date of 1908: 5.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ , 30.9 acres in SW $\frac{1}{2}$ SW $\frac{1}{4}$ , and 0.9 acre in SE $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 31, T. 35 S. R. 1 E.; 21.6 acres in SE $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 36, T. 35 S. R. 1 W.; 4.03 acres in NW $\frac{1}{2}$ NW $\frac{1}{4}$ , Section 6, T. 36 S. R. 1 E. Said lands are tabulated herein under the name of the Little Butte Irrigation Company, but shall be covered by a separate certificate when water right certificates are issued covering rights finally determined in this proceeding. It was also sought to show that rights should be recognized for a larger acreage

than that shown on the State maps of inchoate rights. As against the State map, a map made by H. D. Powell was submitted. It appears that this map was based mostly upon the statements of other parties as to the acreage irrigated, and also that the map was made long after the time fixed for the completion of these rights had expired. This exception is denied.

Olga Blass

The exceptions of this claimant as to acreage are well taken. It appears that her land irrigated in the NE $\frac{1}{4}$  of Section 5, T. 36 S. R. 1 E., was omitted from the former findings. She estimates the irrigated land in this forty at 11 $\frac{1}{2}$  acres, while the State survey shows it to be 10.2 acres. A right is allowed for 10.2 acres, with priority of 1908.

R. E. Tucker

This claimant excepted to the acreage allowed a water right in the NE $\frac{1}{4}$  of Section 5, T. 36 S. R. 1 E. He estimates that 14 acres are irrigated in that forty, in addition to the Staub tract, which has a right under a 1910 filing, for 13.5 acres. He has made no measurement to controvert the State survey, by which the area is shown to be the same as was allowed him, 11 acres. This exception is denied.

Golden Zundel and Harold Zundel

Zundel Brothers are successors in interest to W. C. Daley under Proof No. 1078. It appears that their request for a change in the names of the ditches designated in the former tabulation should be allowed. Their exceptions in this respect are granted, and are carried out in the tabulation herein.

J. D. Culbertson

This claimant excepts to the former findings tabulating his water right, in that the ditch is designated as "Fish Lake and Culbertson Lateral", whereas the water is in fact delivered to his lands through the canal of the Rogue River Valley Canal Company. This exception is allowed, and the tabulation corrected accordingly. This claimant made his appropriation in 1896, from the South Fork of Little Butte Creek. Thereafter, by a contract with the Fish Lake Water Company, predecessor of Rogue River Valley Canal Company, dated February 25, 1901, he granted said company a right of way and permitted the obliteration of his ditch, in consideration of the delivery of his water to his lands through the company's canal. In his exceptions and in the testimony, some claim is made to the effect

that in addition to his own appropriation, he acquired water rights from the company under the contract. It appears, however, that the company by said contract conveyed to Culbertson no part of its own appropriation of water, but simply conceded that he had a right to the extent of 250 miners inches and agreed to deliver that quantity to him through its canal. And besides, Culbertson has made no use of any additional quantity, and if he did acquire such a right the same has now been lost by non-use. The exceptions in this respect are denied.

C. E. Terrill

This claimant excepts to the acreage allowed a water right in certain subdivisions. He claims more land than that shown by the State survey, but as against the survey he has only his estimate, without any actual measurement. This exception is denied. Claimant also excepts to the allowance of a priority of 1908 for 3.6 acres, and claims the priority should be 1890. Based upon the testimony this priority is changed to 1890.

L. H. Wyant

This claimant is successor in interest of A. H. Thompson and is hereby substituted therefor, in the tabulation herein. The water under this right is delivered through the canal of the Rogue River Valley Canal Company by virtue of a contract made in 1901 between their respective predecessors in interest. Under this contract the company secured a right of way, and agreed to deliver water to said Thompson through its canal, as the construction thereof necessitated the destruction of Thompson's individual ditch. The tabulation herein is corrected accordingly. A claim is made to water by virtue of said contract, as same purported to convey to Thompson a right for 50 miners inches out of the company's appropriation. It appears, however, that said 50 inches has never been put to beneficial use, nor any part thereof, and such right has now been lost by non-use.

Michael Sidley, Sr.

This claimant's exceptions are allowed, insofar as they ask for a correction of the tabulation by changing the name of the ditch designated from "Culbertson" to "Rogue River Valley Canal Company Canal." The Canal Company delivers water to this claimant's lands under a contract of 1901 similar to those with Wyant and Culbertson. And as in the case of said parties, any water right acquired by this claimant by said contract, out of the appropriation of the Fish Lake Water Company, has been lost by non-use, and claimant's right shall be such as he has perfected under his own individual appropriation.

T. L. Farlow

This claimant has excepted to the former findings because the acreage of land irrigated under the two ditches named is not segregated. This exception is allowed. However, the exceptions and the testimony do not correspond as to the proper segregation under the ditches. Both show an excess over the State map, but as against such map do not constitute satisfactory proof as to the proper segregation, or as to the actual acreage irrigated. Exception was also made that the acreage allowed a 1908 priority should have a priority of 1881. But the testimony under this exception is also unsatisfactory. Considering everything, the priority will be left as it was, and the acreage segregated as tabulated herein.

W. E. Gibson

It appears that this claimant has succeeded to the interests of the Thomas Baldwin Estate and also of Stephenson & Archibald. He is therefore substituted for said parties in the tabulation herein.

Geo. B. Brown

This claimant asserts in his exceptions that the 15.5 acres allowed a water right with priority of 1908 should have a priority of 1863. Of the several witnesses testifying as to the date when water was first used on this land, none testified as to use of water thereon earlier than 1883, of their own knowledge. The priority of this right is therefore changed from 1908 to 1883.

W. E. Butler

This claimant excepts to the former findings giving him a priority of 1908 for 10 acres of land, and asserts that the right for this land should have a priority the same as the 1.5 acres allowed a priority of 1885. The testimony, however, fails to show that this 10 acres of land was irrigated before 1908. This exception is denied.

Wm. M. Hansen

It appears that this claimant has succeeded to the interests of John B. Edsall. He is substituted therefor in the tabulation herein.

M. M. Brown

This claimant excepts to the findings as to the acreage allowed a water right in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4, T. 36 S. R. 1 E. It appears that the

following rights were allowed in this subdivision: Baldwin Estate, 10.9 acres, Mrs. M. M. Brown, 5 acres, C. P. Hall, 2 acres, making a total of 17.9 acres.

This is more than the testimony shows has been irrigated, and 6.4 acres more than shown as irrigated by the State survey. This exception is not supported by the evidence, and is denied.

Geo. A. Hansen

This claimant excepts to the acreage allowed water rights in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 5, T. 36 S. R. 1 E. There was originally allowed a vested right for 4 acres, and an inchoate right for 10 acres. The state map of inchoate rights shows a total of 4.5 acres irrigated, and the last findings accordingly allowed a right for an additional one-half acre. The testimony shows, however, that a total of about 7 acres has been irrigated since about 1911, 4 acres of which is under the vested right. The allowance under the completed inchoate right with priority of 1908 will therefore be changed from 0.5 acre to 3 acres.

L. C. Charley

This claimant excepts as to the acreage allowed a water right, and after a careful reading of the testimony, such exception is denied, except that an additional 0.8 acre will be allowed, in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 14, T. 36 S. R. 1 E., which is shown as irrigated on the state map but not listed in the tabulation of the former findings. This claimant has sold part of his irrigated lands to I. L. Bradshaw, and the water rights therefor are tabulated accordingly.

As to the exception of this claimant with respect to the priority of the right perfected under inchoate rights, see under Inchoate Rights, page 10 hereof.

Mrs. Edna I. Monia

It appears that this claimant has succeeded to the interests of Jacob Monia, and is hereby substituted therefor. The testimony shows that the 52 acres for which a right was recognized with priority of 1908, was irrigated by the Clopton ditch, taken out in 1884, but that 40 acres is the most that has ever been irrigated in any one year. This water right is modified so that same shall be limited to 40 acres, with priority of 1884.

Faye J. Hall

It appearing that Faye J. Hall has succeeded to the interest of Mrs. Susan Hart, as to Tract 49 under the Fryer Ditch Association, Proof 1084, he is hereby substituted for said Susan Hart, in the tabulation herein.

I. L. Bradshaw

It appears that I. L. Bradshaw has succeeded to part of the lands for which water rights were formerly allowed in the name of L. C. Charley. Said Bradshaw has therefore been substituted for said Charley, in the tabulation herein, as to such lands.

Michael Sidley, Jr.

This claimant has succeeded to the interests of Frank Ceol, and is substituted therefor in the tabulation herein.

Little Butte Irrigation Company

The exceptions of this claimant as to acreage, priority, and duty of water, are not well taken and are not supported by the evidence, and are denied.

Emogene Charley

This claimant excepted to the duty of water fixed by the modified order of determination, which question is disposed of elsewhere herein.

Little Butte Irrigation Company and others

The Little Butte Irrigation Company and some fourteen other users of water on lower Little Butte Creek filed exceptions to the allowance of rights to the Rogue River Valley Canal Company, as to priority, acreage and quantity of water. From a careful examination of the evidence, it appears that these exceptions are not well taken, and the same are therefore denied.

Rogue River Valley Canal Company (and Medford Irrigation District)

The exceptions of these parties were directed against the allowance of water rights to M. F. Hanley, and are fully disposed of by the findings herein with respect to said Hanley.

Several parties to this proceeding have rights for lands which are now served by the canal of the Rogue River Valley Canal Company under contracts executed in 1901 or subsequent thereto, by which they gave said Company's

predecessor, the Fish Lake Water Company, rights of way across their lands for its canal; and as the construction of the canal necessitated the obliteration of their ditches, the Company agreed under the contract to deliver their water through its canal. And, although their ditches were thus destroyed, their water rights remain intact, by virtue of the continued use of the water through the Company's ditch. No rights attempted to be conveyed by said Company under such contracts out of its own appropriation have been utilized by such individuals. They are entitled to the quantity of water they have put to beneficial use, whether under their own appropriations or under that of the Company. But it appears that their original appropriations were ample to cover any rights which have been perfected, and that any inchoate rights which they may have secured by contract have been lost by non-use.

M. F. Hanley

M. F. Hanley has filed exceptions to the modified order of determination of the State Engineer on several points, and other claimants excepted to the allowance made to this claimant by the modified order of determination. The exceptions of such contesting parties were chiefly as to the acreage found to have been reclaimed and irrigated by virtue of the inchoate rights originally allowed to M. F. Hanley. When the proceeding was last before the State Engineer, upon order of the Court for further findings on exceptions theretofore filed, the questions then at issue had no connection with the determination of the inchoate rights. But the time allowed for the completion of such rights had expired, and it was thought advisable to incorporate with the findings on exceptions, a determination of the inchoate rights. After a preliminary survey by the State, proofs were submitted by the claimants, upon notice, and those not satisfied with the State survey were permitted to file their own maps in derogation of the State maps. In order to get the entire matter before the Court without delay, these proofs and maps were accepted without notice to other claimants, or opportunity being given to refute the same. In other words, the classification of irrigated and non-irrigated lands made by the State's engineer was treated as only prima facie correct, and where controverted by the proofs and by evidence in support thereof, such proofs and evidence were accepted and made the basis of the determination.

All parties have now been allowed ample opportunity to submit evidence, for or against, the claims made under inchoate right proofs, and considerable testimony has been taken on this question. The proofs of Mr. Hanley, and the maps made by his engineer, show a much larger acreage as irrigated, than

that shown by the State maps, as classified by the engineer who made the survey for the State. The Hanley proofs and maps were contested by other claimants, and both sides have had an opportunity to offer the testimony of their own engineers or other witnesses in support of their contentions, and to cross examine the opposing party's witnesses, including the engineer who made the survey relied upon by the adverse party. The only substantial difference between the maps of the two parties, is the acreage shown as irrigated, which apparently results from the difference of opinion as to what land should be considered as having been prepared for irrigation and beneficially irrigated. Although there is some dispute as to the adequacy of the ditch system, it is agreed that certain ditches have been constructed, and that water has actually been diverted and carried through them. The chief question is, then: Has such water been applied to beneficial use on the land in controversy?

It is contended that under the Hanley proofs and maps, considerable areas of land have been classified as irrigated, which are not entitled to water rights. The original order of determination entered in this proceeding April 12, 1916, provided, with respect to the completion of inchoate rights, that "the acreage for which a water right shall be deemed completed and perfected in each case shall include such lands only as found suitably and properly prepared for irrigation, and to which water has been actually applied for beneficial purposes in the production of crops within the time hereinbefore limited." The claimant thus had notice as to what would be required with respect to the completion of his inchoate rights.

It appears that this claimant has large areas of land on his ranch which anyone will recognize as having been beneficially irrigated, without question. In fact some of these areas have been irrigated and producing valuable crops for forty years or more. He has other areas that are not in such a high state of production, but which have been considerably benefited by irrigation. This class of land, it is shown, was classified as irrigated by the State engineer in making his survey of lands under inchoate rights. This was proper, as too strict a classification should not be made, where an appropriator has made reasonable effort to reclaim his land, and get fair returns from the water applied.

But the areas in dispute are not of this character. The testimony discloses the fact that these lands are to a great extent rough and rocky, and have not been cleared of the natural growth of trees and brush, nor made smooth and ready for irrigation. It appears that the plan of reclamation adopted by the claimant has been to apply water to the lands in their natural state for two or more years for the purpose of killing and rotting out the brush and trees, and



then to sow clover, alsike or timothy seed among the brush, trees and rocks, the resulting growth being used as pasture for stock during the "dying process." It is urged that this is the only practical method of clearing these lands, as the ordinary method would be too expensive. But the fact remains that the lands have not been reclaimed. The vegetation produced thus far in the openings has been of some value as pasture for stock. But this sort of reclamation is not evidence of due diligence. Claimant insists that he is not through with the work of reclamation. This fact only tends to show lack of diligence in putting the water to beneficial use. His right was initiated many years ago, and a reasonable time to perfect it was allowed him before his proof was taken.

Everything considered, it appears that the classification made by the State's engineer was substantially correct and was fair to the claimant, and that the lands for which completed rights were claimed in excess of those shown on the State maps have not had water beneficially applied to them to a sufficient extent to justify the recognition of a vested right therefor, with priority relating back to the original date of appropriation. It would not be fair to other appropriators, either to hold that the right has been perfected under these conditions, or to allow the claimant additional years to perfect it. He was allowed a reasonable time, and through lack of diligence has lost the priority of his right. The claimant should make a new appropriation in accordance with law, if he desires to reclaim and irrigate these lands in the future. The allowance of vested rights will be confined to the acreage shown by the evidence to have been sufficiently reclaimed and irrigated, as tabulated herein.

The exceptions as to the last part of Paragraph 9, on page 6, as to the stipulation between the Fish Lake Water Company and M. F. Hanley, are not well taken, and are denied.

The exception to Paragraph 5, providing that the rights for irrigation shall be appurtenant to the lands upon which the water has been used, is denied.

The exception to Paragraph 6, providing for rotation in the use of water between different users, so far as possible, is denied.

The exception to Paragraph 8, as to the stipulation between M. F. Hanley and Jacob Monia, is not well taken, and is denied.

The exception to Paragraph 17, as to the rights of the Rogue River Valley Canal Company under permits from the State Engineer, is denied.

The exception to Paragraph 20, as to contracts between the City of Medford and Fish Lake Water Company or its successors, is denied.

The exception to Paragraph 22, as to the completion of inchoate rights, is denied.

The exception to Paragraph 23, as to the merger of the adjudication proceedings on Rogue River and Little Butte Creek, is not well taken, and is denied.

#### Priorities of Inchoate Rights

A number of claimants have in their exceptions objected to the fixing of a priority of 1908 for lands irrigated under rights which were inchoate at the time the original findings in this proceeding were made. They allege that this is part of their original appropriation, under which vested rights were recognized for other lands, perhaps under the same ditch, but with priority many years back; and claim that upon completion of the inchoate rights the priority therefor should relate back to the same date as allowed for the lands first irrigated. It appears that the Board in its original findings arbitrarily fixed the priority at 1908, for many of the lands allowed inchoate rights. It is believed that this was proper. The rule is well established that an appropriator of water must, after having initiated a right, put the water to beneficial use within a reasonable time. He must use due diligence, and reclaim and irrigate his lands within a proper time under the circumstances, or else his right will not relate back for priority to the first step taken. Considering the small areas involved, and the early dates of priority of the rights in question, the additional areas irrigated after the 1916 findings were made should not have rights with priority dating back to the time of the original appropriations. It was therefore proper to fix a later date for such rights. The exceptions to this provision are denied.

#### Duty of Water

A number of claimants have excepted to the duty of water heretofore fixed in this proceeding, and considerable evidence was offered on this question, pro and con. It appears that some of the irrigated lands on Little Butte Creek are gravelly and porous, and while perhaps not requiring extremely large quantities of water in the aggregate, such lands are difficult to irrigate unless the water can be diverted and applied in rather large heads. This, it appears, was the principal fault found with the duty heretofore established. A large percentage of the lands, however, are of a more impervious nature, and the exceptions filed do not apply to them.

It appears that some of the quantities specified in the former order of determination should be increased, so as to raise the limitation of continuous flow for certain ditches and for certain lands, in cases where the evidence shows that especial difficulties as to distribution have been encountered. This has been done, in the tabulation herein.

In the former orders of determination the quantities of water to which the various appropriators were found to be entitled were specified in terms of continuous flow. But it was recognized that wherever practicable the water should be applied to the land periodically, rather than continuously, and in larger heads than the rate of continuous flow specified. A provision was therefore made for the use of the water under systems of rotation between the different users, whereby the users could take the water decreed to them at, say, three times the rate specified, but for only one-third of the time. Some claimants have expressed doubt as to the meaning and adequacy of this provision, and the same has therefore been modified, in order to make it more explicit, if possible.

With these changes, and with the enforcement of the rotation provisions so far as practicable, it appears that the allowances are adequate. Reasonably careful methods must be used for the prevention of waste, and irrigators must give proper attention to the water at all times when water is being diverted to their lands, so that a fair degree of efficiency may be obtained therefrom.

Based upon the foregoing findings on exceptions, the modified order of determination as entered herein on the 31st day of December, 1925, is hereby further modified so as to read as follows:

1.

That Little Butte Creek is a natural, non-navigable water course, tributary to Rogue River; and that said stream and its tributaries and the lands irrigated therefrom are situated within the County of Jackson, State of Oregon. That the climate in said locality is semi-arid in character, and artificial irrigation is essential to secure the highest yield from the lands, and the most profitable crops. That the crops produced by means of such irrigation are very diversified, ranging from the natural grasses and pasturage produced mostly in the upper part of the water shed, to the orchards, grain, small fruits and gardens which are more common to the lower parts of the watershed of said stream. That considering the methods of irrigation now in use, and the porosity of the soils here involved, and the climatic conditions, it is deemed expedient to fix a duty of water ranging from one-fortieth of a second foot per acre in the case of small tracts, to not to exceed one-sixtieth of a second foot per acre, in the case of larger tracts, except in those cases where the quantity of water has already been fixed and determined by permits issued by the State Engineer, or otherwise.

2.

That the quantity of water set forth in each case in the tabulated statement hereinafter contained shall be measured at the head of the ditch or point where the same leaves the natural stream, and includes an allowance for necessary and reasonable seepage and evaporation losses in conducting the water from the natural stream to the place of use. In no case shall the quantity diverted and used exceed the quantity actually needed and required under reasonably economical methods of use, and in no event shall it exceed the quantity set forth in each case in the tabulated statement, excepting under a system of rotation, as hereinafter provided for, or the use of the water alternately with other water users, and by periods of time rather than continuously. In which event and in case of such rotation, the water user so rotating for his proportionate part of the time shall be entitled to divert and use such amount in excess of the quantity hereinafter allowed him for continuous use as the rotation system or plan hereinafter provided for shall permit. Rotation in the use of water shall at all times be subject to the control and direction of the water master of the district.

3.

That the rights of the several claimants to the use of any of said waters for irrigation purposes are limited to the irrigation season commencing the first day of April and terminating the first day of October of each year; that a right to the use of any of said waters for municipal, domestic and stock purposes, or to develop power, shall continue throughout the year, in such amount as is reasonably necessary for such purposes, not exceeding the quantity herein limited.

4.

That the quantity diverted for domestic and stock purposes shall not exceed one-fourth second foot for each claimant having one hundred head of stock or less; and in excess of one hundred head of stock, each claimant having a right therefor shall be entitled to divert one-fortieth of one second foot for each additional hundred head of stock; but during the irrigation season as herein limited, the quantity diverted by each claimant for irrigation purposes, in the amount to which he is entitled to divert the same, shall include the water to which he is entitled for stock and domestic purposes.

5.

That the rights of appropriation of the several claimants, as here-

in determined, are and shall remain appurtenant to the lands of said claimants as hereinafter described, as provided by law.

6.

That a system of rotation in the use of water among the several appropriators of small amounts of water in the same neighborhood, or through the same ditch, has been in use, more or less, upon said stream and its tributaries and adds greatly to the duty which said water may be made to perform. In the absence of an agreement between appropriators arranging for such rotation and the manner in which such water shall be used in rotation, the water master of the district in which said stream and its tributaries may hereafter be situated, may, when practicable, arrange such appropriators in groups or systems of rotation, first giving the appropriator who is first in priority an amount of water equal to the combined appropriations of all the appropriators in said group or system for a length of time bearing the same ratio to the whole time required to make a complete rotation through the whole group of appropriators as the appropriation of the first appropriator bears to the combined appropriations of said appropriators, and shall next serve the next appropriator in priority with a like amount of water for his proportionate time, and so on, until all the appropriators in said group are served; then the distribution of water shall be repeated in the same manner throughout the irrigation season. In case of two or more appropriators in said group or system having the same priority, then the said water master shall distribute the water as between those appropriators having the same priority to the one whose ditch taps the stream nearest the source, first, and the next lower down, next, and so on. In case of two or more appropriators having equal priorities and diverting water through the same ditch, the said water master shall distribute the water as between said appropriators to the one whose lands are first covered by said ditch and nearest the head thereof, first, and to the next lower down on said ditch, next, and so on. Where two or more appropriators agree as between themselves as to a manner and system of rotation in the use of their water, the said water master shall distribute the water in accordance with such agreement, provided, always, that such arrangement into groups or systems of rotation shall not interfere with the prior rights of any appropriator not a member of such group or system.

7.

That, except as otherwise provided herein, the waters of said stream and the tributaries thereof, shall be diverted under the rights of appro-

priation hereby confirmed in the order of the dates of relative priority of the respective rights of appropriation as hereinafter set forth; and at all times when the waters of said stream or tributaries are not required by those parties having prior rights thereto, the same shall be at the disposal of and subject to use by those parties having subsequent rights of appropriation, in the order of their priority rights; and the said parties shall at all times when practicable, rotate in the use of the water as hereinbefore provided; and at all times the waters diverted by those having a right to do so shall be beneficially, economically and reasonably used, without waste, and no rights of appropriation are hereby confirmed to divert a greater amount of water into the head of the ditch through which such water is diverted than the claimant is entitled to, measured by beneficial use, and in no event, except under a reasonable rotation system as hereinbefore provided, shall the amount so diverted exceed the amount set forth in the tabulated statement herein, or except at such times as the waters so diverted shall not be needed and required by other appropriators.

8.

That a stipulation was entered into and filed herein, between M. F. Hanley and L. Niedemyer settling a contest between said parties and binding their successors in interest. In accordance with the terms thereof, the rights of Jacob Monia, and his successors, successor of said L. Niedemyer, as tabulated herein, shall be inferior and subordinate to the rights of said M. F. Hanley, as tabulated herein, notwithstanding the dates of priority fixed in said tabulation.

9.

That a stipulation was filed herein, entered into between M. F. Hanley and the Fish Lake Water Company, as follows:

BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON  
WATER DIVISION NUMBER ONE.

IN THE MATTER OF THE ADJUDICATION )  
OF THE RELATIVE RIGHTS TO THE USE )  
OF THE WATERS OF LITTLE BUTTE CREEK, )  
A TRIBUTARY OF ROGUE RIVER, OREGON. )  
-----

IT IS HEREBY STIPULATED, by and between the Fish Lake Water Company, and M. F. Hanley, both parties hereto, as follows:

THAT WHEREAS, heretofore, the said Fish Lake Water Company instituted various contests against the water rights and claims of the said Hanley, and

WHEREAS, said Hanley instituted various contests against the claims of said Fish Lake Water Company, for and on behalf of the Upper, Middle and Lower Ditches, out of Long and Wasson Canyons, and for and on account of the water rights of the said Hanley,

through what are called the Hanley & Slinger Ditch, the old Hanley Ditch and the Hanley High Line Ditch.

IT IS THEREFORE STIPULATED, with reference thereto, that the Fish Lake Water Company renounces any claim to any of the waters of Long Canyon or Wasson Canyon, and agrees that the same may be decreed to said Hanley.

That as to the rights of the said Hanley to the use of the waters of Little Butte Creek, through said Hanley & Slinger Ditch, the old Hanley Ditch and the Hanley High Line Ditch, the same are as alleged in the answers of the said Hanley, except as specifically modified by the parties hereto.

That so far as the dates of appropriation, amounts of appropriation, continual use and quantity of water used, the facts are as alleged in the several answers of the said Hanley, claimed through said water rights.

That as to the quantity of the waters of the North Fork of Little Butte Creek to which said Hanley is entitled through his said water rights, IT IS STIPULATED AND AGREED that as against the said Fish Lake Water Company, he is entitled to the first right to the use of 1600 miners inches, under a six inch pressure, of the waters of said stream, at all times, and for all useful purposes; subject to these conditions, to-wit:

At least 600 inches shall be so used that the waste or back water thereof shall find its way either into the North or South Fork of Little Butte Creek above the present intake of said Fish Lake Water Company, and that the balance of said 1600 miners inches to-wit: 1000 inches shall be so used that the waste or back waters therefrom shall return to Little Butte Creek at or above the North and South center line passing through the center of Section 5, Township 36 South of Range 1 East of W.M.

That said Hanley shall have the right to make any beneficial use of any of said waters, subject to said limitations, and shall so use said waters upon either the North or South side of Little Butte Creek, or if he shall so desire, so that the same, or any part of the waste waters therefrom, shall enter the South Fork of Little Butte Creek. And he shall make no use of said waters that will so contaminate the same that they will be unfit for irrigation.

The right to the use of the said waters by said Hanley is confined to the use of the waters naturally flowing in said stream and does not extend to any stored water in addition to the natural flow of said stream, nor is the said Fish Lake Water Company obligated to store any water to make up said quantity for said Hanley. However, said Fish Lake Water Company guarantees said Hanley against any interference with his right to the use of the waters as above stipulated resulting from hostile diversion by said Fish Lake Water Company or resulting from the raising of the waters in said Fish Lake by the said Fish Lake Water Company.

IT IS STIPULATED by the said Hanley that he shall not move the headgates of his several ditches, out of the North Fork of Little Butte Creek, above Section 5, Township 36 S. Range 2 E. of W.M. nor down said North Fork of Little Butte Creek below the present intakes of said Fish Lake Water Company.

IT IS FURTHER STIPULATED, by and between the parties, that it has been proved by the testimony herein, on behalf of the said Hanley, and that if the witnesses were called, said M. F. Hanley, William D. Hanley, E. B. Hanley, Charles E. Terrill and numerous others of said Hanley's witnesses, would testify on his behalf, and it is considered that they have so testified that the lands described by said Hanley in his several answers on file herein, setting up claims to the waters of Wasson Canyon, Long Canyon and to the North Fork of Little Butte Creek, are of such a nature and character, and underlaid with such sub-soil and formation as to require for their irrigation the highest amount of water per acre which the above entitled Board shall find or require for any of the lands irrigated or to be irrigated from said

stream. And that as against any rights of said Fish Lake Water Company said Hanley is entitled to irrigate those said lands which have not yet been irrigated, which belong to him, so long as the quantity of water used by him is not in excess of the amount, or at places different from those above specified, but this latter stipulation shall not restrict the rights of said Hanley to the use of said waters as above specified.

IT IS FURTHER STIPULATED by and between the parties hereto, that whereas, heretofore, the Fish Lake Water Company sold to the City of Medford, a municipal corporation, 300 inches, miners measurement, under a six inch pressure, of waters to be stored by said Fish Lake Water Company, and its successors, so that the same does not interfere with any of the rights of the said Hanley herein, that the said Hanley shall have the right to be subrogated to the rights of said City to the use of said stored waters if he can contract with said City therefor, and that in that event, the right to the use of said 300 miners inches of stored water shall not be confined to municipal use, but said water may be put to any beneficial use at any point where the same be conducted. And should said Hanley succeed to the interest of said City therein, that his right to the use of said water shall be in addition to the right to the use of said 1600 inches, miners measurement, above specified.

IT IS FURTHER STIPULATED by the said Hanley that as between the parties to this stipulation the said Fish Lake Water Company is entitled to the use of the surplus waters of said stream so long as such use does not interfere with the rights of the said Hanley as above specified, to the waters of Wasson Canyon and Long Canyon and the North Fork of Little Butte Creek, and said 300 inches of stored water, if the said Hanley should contract with said City of Medford therefor.

IT IS FURTHER STIPULATED BY AND BETWEEN THE PARTIES, that a decree shall be entered herein by the Board, in accordance with the terms of this stipulation, without further application therefor by either party.

That this stipulation and decree shall apply to, and bind, the successors in interest of said Fish Lake Water Company and all others claiming under, through or by it, and to the heirs, executors, administrators and assigns of the said M. F. Hanley, and all others claiming under, through or by him, or them or any of them.

IN TESTIMONY WHEREOF, the Fish Lake Water Company, has, by resolution of its Board of Directors, caused this stipulation to be signed by the undersigned attorney for it, and by its president and secretary, and its official seal to be attached and the said M. F. Hanley has signed and sealed this instrument this 20th day of May, 1910.

FISH LAKE WATER COMPANY  
By J. L. Hamilton  
President.

FISH LAKE WATER COMPANY  
By W. J. Vawter  
Acting Secretary.

FISH LAKE WATER COMPANY  
By J. N. Smith  
Its Attorney.

(S E A L)

M. F. HANLEY  
A. E. Reames  
Attorney for M. F. Hanley



That the Rogue River Valley Canal Company has succeeded to the interests of said Fish Lake Water Company involved in said stipulation, and as provided therein, the parties thereto, and their successors and assigns, as between themselves shall be bound by the terms and conditions thereof, and the rights of said Hanley as determined herein shall be superior to the rights of said Canal Company. But insofar as said Fish Lake Water Company by said stipulation conceded to said Hanley a right to an amount of water in excess of the amount herein found to be necessary for the proper irrigation of the lands covered by the claims of said Hanley, as theretofore filed in this proceeding, and as allowed a water right herein, said stipulation shall not be deemed to vest in said Hanley a right to such excess amount of water as against said Canal Company, or any other claimant herein; and said stipulation shall not be construed as binding said Canal Company with respect to any water rights which said Hanley may acquire for any lands other than those described in said Hanley's claim theretofore filed, or as allowed a water right herein.

10.

That a stipulation was filed herein, entered into between M. F. Hanley and T. L. Farlow, as follows:

BEFORE THE WATER BOARD OF THE STATE OF OREGON  
WATER DIVISION NUMBER 1.

IN THE MATTER OF THE DETERMINATION )	
OF THE RELATIVE RIGHTS TO THE WATERS )	<u>STIPULATION</u>
OF LITTLE BUTTE CREEK, AND ITS TRIBUTARIES, A TRIBUTARY OF ROGUE RIVER, )	
JACKSON COUNTY, OREGON. )	
-----	

IT IS HEREBY STIPULATED, by and between T. L. Farlow, substituted for J. W. Slinger, in the claims filed for the irrigation of the lands described in the proofs of claim of the said J. W. Slinger filed herein, both as a contestant and a contestee, over the rights to the use of the waters of Little Butte Creek and its tributaries, and M. F. Hanley, claimant to the right to the use of the waters of Little Butte Creek through the Hanley & Slinger Ditch, and the waters of Long Canyon through the Long Canyon Ditch, that as between the parties hereto all contests over the waters for the irrigation of the lands described in the proofs of claim filed by the said Slinger, including the contests affecting the Slinger & Lamb Ditch, the Hanley & Slinger Ditch and the Long Canyon Ditch, and any other contests filed between the parties hereto or their successors, be and hereby are, settled and disposed of by this stipulation.

IT IS FURTHER STIPULATED, that T. L. Farlow, and his successors in the ownership of the land hereinafter mentioned, shall at all times during each irrigation season have the right to use from the Hanley & Slinger Ditch, where same passes through said lands, sufficient water for the irrigation of said Farlow's lands which lie between the Slinger & Lamb Ditch and the said Hanley & Slinger Ditch, the quantity of water required therefor to be determined by the Board in the present proceeding, and not to exceed seventy (70) miners inches under a six inch pressure.

The Board shall describe in its decree herein, according to its surveys, the land of said Farlow subject to irrigation from said Hanley & Slinger Ditch, and which lies between said Hanley & Slinger Ditch and said Slinger & Lamb Ditch. And the right to use said water for the irrigation of said lands shall be by said decree confirmed in and tied to said lands.

And T. L. Farlow releases to M. F. Hanley, and his successors, all right, title and interest which the said Farlow's lands or the said Farlow may have in or to the waters in the said M. F. Hanley's Upper, Lower and Middle Ditches, and to the waters of Wasson Canyon and Long Canyon.

Said Farlow hereby confirms the right of way in said Hanley and his successors to maintain, repair and use the Hanley & Slinger Ditch upon and across the lands of the said Farlow and to extend the same from its present terminus across said lands on its present grade.

A decree may be entered herein confirming in the said Hanley, or his successors such right of way for said Hanley & Slinger Ditch over and across said premises. The decree shall provide that said Hanley has no interest in said Slinger & Lamb Ditch, and that he is the owner of said Hanley & Slinger Ditch, and water right, subject to the rights of the said Farlow and his successors to said irrigation from the same. The water to be diverted from the said Hanley & Slinger Ditch in such a way as to least interfere with the use of said water ditch and water right by the said Hanley or his successors.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals this 4th day of November, 1914.

Witnesses:

GRACE HENRY  
A. E. REAMES

M. F. HANLEY (SEAL)  
T. L. FARLOW (SEAL)

That the parties to said stipulation, and their successors, shall be bound thereby, and their respective water rights as hereinafter tabulated are hereby modified to conform to the terms thereof.

11.

That a stipulation was filed herein, entered into between the Fish Lake Water Company and thirty-one other claimants on Little Butte Creek. Said stipulation has to do mostly with the water requirements of the lands of the various parties thereto, and so far as practicable the provisions thereof have been carried out in determining the relative rights of said parties as set forth in the tabulation hereinafter contained.

12.

That a stipulation was filed herein, between Gust Nygren and Art Nichols, as follows:

BEFORE THE BOARD OF CONTROL OF THE STATE OF  
OREGON

IN THE MATTER OF THE CONTEST )  
OF GUST NYGREN AGAINST ART )  
NICHOLS INVOLVING THE RIGHT ) STIPULATION  
TO THE USE OF WATERS OF SALT )  
CREEK, A TRIBUTARY OF LITTLE )  
BUTTE CREEK IN JACKSON COUNTY, )  
OREGON. )  
-----

WHEREAS the contestee in the above entitled cause takes the waters out of Salt Creek, a tributary of Little Butte Creek for the irrigation of his premises situated in Section five (5) in Township 36, South of Range two (2) East of the Willamette Meridian, through two ditches, one taken out on the north side of the said stream and the other taken out on the south side of the said stream, and

WHEREAS said contestant filed before the said Board of Control his contest against the said contestee involving the right to the use of the said waters through the said ditches;

NOW, THEREFORE, it is hereby STIPULATED by and between the parties hereto that the said contest shall be and hereby is determined as follows, to-wit:

That the said contestee agrees to use the waters of said stream to the extent of the present carrying capacity of his ditch for irrigation and domestic purposes on his said premises through the ditch taken out on the north side of said stream, irrigating approximately 70 acres of land, seven days out of each ten days during the irrigation season and agrees to turn the said waters down the said stream through his waste gates three days out of each ten days during the irrigation season, reserving a continuous flow for domestic purposes; and further agrees to utilize the said waters through the said ditch taken out on the south side of said stream to the extent of its carrying capacity three days out of every ten days during the irrigating season and to turn the said waters down said stream through his waste gates seven days out of each ten day period during the irrigating season.

That as between the contestant and the contestee the contestee hereby relinquishes any and all claim on the surplus waters of the said stream after the contestee's needs have been supplied for irrigation and domestic purposes on his said premises as herein and in his original claim before the Board of Control filed and recited.

And the parties hereto hereby request the Board of Control to issue to the parties hereto a certificate of water right based upon the stipulations and agreements herein recited, to the use of the waters of the said stream.

And it is further stipulated and agreed that this stipulation shall become a part of the records of the Board of Control and the same shall be binding on the parties hereto as an adjustment and settlement of the said contest initiated by the contestant and as a full and complete settlement between the parties as to the use of the said waters of the said stream, May 23rd, 1910.

A. E. REAMES  
Attorney of record for  
Contestant.

GUS NEWBURY  
Attorney of record for  
Contestee.

That the water rights of said parties shall be administered in accordance with said stipulation insofar as practicable and within the limits of their respective appropriations as defined herein.

That J. D. Culbertson, prior to the year 1901, was the owner of a ditch out of Little Butte Creek, and an appurtenant water right, initiated in the year 1896; that by agreement with the Fish Lake Water Company, said Culbertson in said year 1901 permitted the destruction of a portion of said ditch by said company, and since said time said company and its successor, the Rogue River Valley Canal Company, has delivered to said Culbertson sufficient water to irrigate his said lands from the ditch of said company; that the rights of said Culbertson as set forth in the order of determination herein are determined upon the basis of the beneficial application of the waters of Little Butte Creek prior to the agreement above referred to, and nothing herein contained is to be construed as attempting to impair the terms of said agreement, or as a determination of any rights said Culbertson may have as against said company by reason of his contractual relations therewith; that nothing in these findings or order of determination herein shall be deemed or construed to mean that said Culbertson has any interest in said ditch of said company or the water right of said company or other right therein than such right as he may have by virtue of his said contractual relations with said company.

That the quantity of water which J. D. Culbertson, Michael Sidley and L. H. Wyan (as successor to A. E. Thompson) are entitled to divert from said stream by virtue of appropriations made as set forth in the tabulated statement herein, through the Culbertson ditch, is separate and distinct from the appropriations made by the predecessor in interest of the Rogue River Valley Canal Company through its canal, and for the purpose of supplying said water to the lands of said Culbertson, Sidley and Wyant, the use of said company canal should not be considered as intermingling the appropriations of said claimants with those of said company; and any quantities of water which may be diverted through said canal and supplied to said lands shall be considered as additional to the quantity to which said Canal Company is entitled for the lands described in the tabulated statement herein; but nothing in these findings should be construed as finding or determining that said Culbertson, Sidley or Wyant have any right or interest in said Company's ditch, or a right to divert water therefrom, or conduct water through the same, or use water therefrom, other than the rights of said claimants depending entirely upon their said contractual relations with said company, or its predecessors in interest, and which are hereby expressly made not a subject for determination herein.

That under a decree of the Circuit Court of Jackson County, Oregon, heretofore made and entered of record by said Court on the 27th day of March, 1911, wherein W. C. Daley was plaintiff and Frank Ceol was defendant, which decree is now in full force and effect, it was determined as between said W. C. Daley and Frank Ceol that Frank Ceol (or his successor in interest) is the owner of the lands and ditch and water right described in said decree, which ditch is known herein as the Rechter ditch, and that as between said plaintiff and said defendant, or the successors in interest of either, said defendant is the owner of said water ditch and water right, with the right to use so much of the said waters therefrom as may be required for the proper irrigation of the said lands belonging to defendant (said lands being more particularly described in the tabulation hereinafter contained), and if at any time there shall be in said ditch and water right an amount of water necessary for the proper irrigation of the said lands of said defendant, Frank Ceol, the surplus and all thereof over and above the amount actually needed by said Ceol for the said irrigation of the said lands shall be permitted to pass down the said ditch uninterruptedly to the said Daley; that as between said Ceol and said Daley all waters which shall come into said ditch to the lands of defendant Ceol shall be divided as follows between said claimants: The defendant Ceol shall first take all of the water which he needs for the proper irrigation of his said lands and use the same for the irrigation of the said lands, and the balance and surplus of said waters, if any there be after the irrigation needs of the defendant shall be met on said premises, shall be permitted to pass down to the plaintiff without interruption, and such surplus waters shall be waters belonging to the plaintiff, Daley, the irrigation of defendant's premises to be conducted without waste of water; and it was further decreed that plaintiff, Daley, should have a perpetual easement in said ditch for the conveyance of said surplus waters and all the rights and privileges necessary for the protection of the same. That Zundel Brothers are successors in interest of said W. C. Daley, and Michael Sidley, Jr., is successor in interest of said Frank Ceol. That the water rights of said parties shall be administered in accordance with said decree, within the limits of their appropriations as determined herein.

That the terms of the several stipulations filed herein and incorporated into this decree, providing for a special plan in the distribution of the water as between the parties thereto, in each case shall be observed and carried

out by the water master only so long as in so doing the rights of other water users on the stream are not interfered with. But in the event that any other parties who are not parties to the stipulation, are by an enforcement of the stipulation deprived of water which they would otherwise receive, then the rights of said stipulators shall be administered according to their rights as set forth in the tabulation, without regard to the stipulation between them.

17.

That it appears that the Rogue River Valley Canal Company is the successor in interest to the Fish Lake Water Company, and that the rights acquired by virtue of the various applications and permits and appropriations of said Fish Lake Water Company have been acquired by said Rogue River Valley Canal Company, as the successor in interest of said Fish Lake Water Company. That Four Mile Lake appears not to be tributary to said Little Butte Creek, but Fish Lake is tributary to said Little Butte Creek, that the right of said Canal Company to store water in said Fish Lake should be limited to the storage of flood and surplus waters therein; and should not interfere with the rights of prior appropriators to the natural flow of said Little Butte Creek, as provided in the several stipulations of the parties on file herein. That the waters of Four Mile Lake are not involved in this adjudication, and are not <sup>the</sup> subject of adjudication herein.

That by stipulation it has been agreed by the Rogue River Valley Canal Company that the quantity of water necessary for the irrigation of its lands, for which it claims a vested right, does not exceed 420 miner's inches. That said claimant should therefore be limited to the quantity thus stipulated for lands for which it claims a vested right.

That by virtue of its appropriations hereinbefore referred to, the Fish Lake Water Company, and its successor in interest, the Rogue River Valley Canal Company, is entitled to complete and perfect its appropriations initiated by virtue of applications made to and permits issued by the State Engineer of Oregon, for the purposes and uses therein specified, and to furnish the City of Medford with water for municipal purposes, as alleged in its proof herein; but there is nothing in the record to determine the respective rights of said City of Medford and said company, and the relative rights of said parties depend upon their contractual relations, which are hereby expressly made not the subject of adjudication in this proceeding.

That for storage purposes, the said Fish Lake Water Company, and its successor in interest, the Rogue River Valley Canal Company, is entitled to convey the waters of Four Mile Lake into said Fish Lake, so far as the claimants

involved in this proceeding are concerned, and intermingle the stored waters in Fish Lake and Four Mile Lake, and is entitled to use the natural channel of said Little Butte Creek, to conduct the said stored waters down said natural channel, and to divert the same into its canal for distribution for irrigation and other beneficial purposes for which a right was initiated; and said stored waters, lawfully impounded, should not be regarded as a part of the natural flow of said stream; but in the storage of said waters, and in conducting the same down said natural channel, no interference should be occasioned with prior appropriations of the natural flow of said Little Butte Creek, and its tributaries; subject to prior appropriations of the natural flow of said stream, said company should be entitled to divert and use said stored waters in the manner specified in its said applications and permits.

18.

Wm. J. and Ella C. Phillips, through their attorney, Elijah H. Hurd, filed a motion herein as successors in interest to Geo. W. Collins and J. J. Emmons, showing that certain lands for which water rights had theretofore been allowed under the name of the Little Butte Irrigation Company, were owned by them, and asked that final certificate be issued to them individually instead of under the name of said Company. This motion is allowed. The lands of said Wm. J. and Ella C. Phillips are as follows: Under date of 1883: 4 acres in SW<sub>2</sub>SW<sub>2</sub>, Section 31, T. 35 S. R. 1 E.; 3 acres in SE<sub>4</sub>SE<sub>4</sub>, Section 36, T. 35 S. R. 1 W.; under date of 1908: 5.3 acres in NW<sub>4</sub>SW<sub>4</sub>, 30.9 acres in SW<sub>4</sub>SW<sub>4</sub> and 0.9 acre in SE<sub>4</sub>SW<sub>4</sub> of Section 31, T. 35 S. R. 1 E.; 21.6 acres in SE<sub>4</sub>SE<sub>4</sub> Section 36, T. 35 S. R. 1 W.; 4.03 acres in NW<sub>4</sub>NW<sub>4</sub>, Section 6, T. 36 S. R. 1 E. Said lands are tabulated herein under the name of the Little Butte Irrigation Company, but shall be covered by a separate certificate when water right certificates are issued covering rights finally determined in this proceeding.

19.

That all parties having permits from said State Engineer covering appropriations of water from said stream, whether issued before or after the initiation of this proceeding, are entitled to complete and perfect their appropriations in accordance with the terms and conditions of said several permits; and to have their respective rights of appropriation relate back upon completion thereof to the dates of initiation thereof, and to take effect in their priority order.

That nothing in this order of determination shall be construed or regarded as interfering with any existing contract between said Fish Lake Water Company, or its successors in interest, and the City of Medford, a municipal corporation, concerning the sale or delivery to said city for purposes of municipal supply of any of the waters to which said company may be entitled by virtue of appropriation and storage of the waters of Fish Lake.

## 21.

That the following named persons are in default and have no right, title or interest in or to any of the waters of said stream or any of its tributaries, and should be barred and estopped from hereafter asserting any rights which they or any of them may have heretofore acquired to any of the waters of said stream or its tributaries, (except rights acquired under permits issued by the State Engineer since February 24, 1909), and have forfeited all such rights to the use of said waters, if any they may have heretofore had, to-wit:

Mrs. L. Abbott; John Ashpole; C. C. Beekman; Mrs. Amy Brown; J. F. Brown; William H. Brown; J. H. Carlton; M. Chapman, W. L. Childredth; Dr. J. N. Goghlan; Eli Daback; Mrs. E. Daniels; F. C. Dugan; John Engle; C. C. Felts; A. J. Florey; Mrs. S. Hart; V. W. Harnish; A. L. Hazelton; Mrs. G. W. Hackathorn; J. S. Howard, William W. P. Holt; A. C. Howlett; W. Jack; J. B. Jackson; Mr. \_\_\_\_\_ Jordan; Thomas Krimey; Mr. Lane; F. L. Lewis; Lofland Bros.; L. Lowden; Joe Moomaw; Leaf Moomaw; William Newbaun; H. Palmer; I. J. Patton; Charles Prewet; Henry Ratrie; Mrs. James Ringer; J. E. Shaw; Mrs \_\_\_\_\_ Singleton; G. W. Thomas; Fred Tredger; John Watkins; J. B. Williams.

## 22.

That all parties allowed inchoate water rights by the original order of determination of the State Water Board herein (or their successors in interest), were duly notified by registered mail that at a certain time and place, to-wit: Wednesday, October 21, 1925, at the City Library at Medford, Oregon, they might appear before a representative of the State Engineer and file their written proofs as to the extent of completion of such rights. That a survey had theretofore been made under the direction of the State Engineer to determine the extent of such completion, and maps made for the assistance of the water users in preparing their proofs. That it appears that a reasonable time has been allowed for the completion of all of said inchoate rights, and all applications for further time are hereby denied. That based upon the surveys made by the State, or by the claim-



ants themselves in some cases, and the proofs and accompanying affidavits submitted, and the evidence taken at the hearings on exceptions, the rights of the respective parties are hereby determined and limited as set forth in the tabulation hereinafter contained.

That to the extent that the lands of all of said parties heretofore allowed inchoate rights, have not been irrigated, the rights of appropriation therefor shall be deemed to that extent to have been abandoned.

23.

That after this proceeding had been commenced, but prior to the preparation of findings of the State Water Board herein, proceedings were commenced before said Board for the determination of the relative rights of the various users to the waters of Rogue River, and all of its tributaries, forks and branches, above the mouth of the Illinois River, a tributary; that, as heretofore stated, Little Butte Creek is a tributary of said Rogue River; that thereafter such proceedings were had in the matter of the determination of the relative rights to the waters of Rogue River, as required that all evidence and proof theretofore taken in such matter should be opened to public inspection, as provided in Section 5738, O.L., and each of the various claimants who had theretofore appeared and offered proof in the matter of the determination of the relative rights to the waters of said Little Butte Creek, was duly and regularly notified of the period for inspection in said matter of the determination of the relative rights of the various claimants to the waters of Rogue River and its tributaries; and at the time fixed in said notices, all of said testimony taken in said Little Butte Creek proceeding was opened to public inspection, together with all the evidence and testimony taken in said Rogue River proceeding, and as a part thereof; and all of said evidence and testimony in both said proceedings was kept open for public inspection at the place named in said notice for the full period of time named in such notice, and for the full period required by law. That thereafter no contests were filed or entered into as against any of the rights claimed by the various claimants to the waters of Little Butte Creek, by parties who were not parties to the original adjudication proceedings as between the claimants to said Little Butte Creek waters, or otherwise. Therefore, in the distribution of water under the respective decrees entered in said adjudication proceedings, the rights covered by both proceedings shall be administered as in one stream system, the same as if they had all been determined in one proceeding.

That the following named claimants are entitled to a decree and to the issuance of certificates of water right in accordance therewith, determining, establishing and confirming their several rights to the use of said waters of said Little Butte Creek, or tributary under which their names are listed, as of the date of relative priority, and to the amount of water in cubic feet per second of time, continuous flow, for the particular use or uses for which said appropriations were made, and if for irrigation, for the irrigation of the number of acres, through the ditch or ditches, upon the lands or places of use of said claimants, as hereinafter described, as such date, amount, number of acres, use, ditch or ditches, and land or place of use are hereunder set forth in tabulated form opposite the respective names of said claimants, 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
Belshaw, Minnie O. & Orchard, J. A., Climax, Ore. (Proof 1148, Vol.15)	1879	0.50	38	Irrigation	Rummel	Rummel Creek, trib. of Antelope Creek	10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T. 38 S. R. 1 E.W.M.
Bieberstedt, Carl, Eagle Point, Ore. (Proof 1065, Vol.15)	1885	0.08	3	Irrigation	Bieber- stedt	Little Butte Creek	3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
	1908	0.19	7.5				7.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T. 35 S. R. 1 E.W.M.
Bieberstedt, Ralph, Eagle Point, Ore. (Proof 1065, Vol.15)	1885	0.80	32	Irrigation	Bieber- stedt	Little Butte Creek	22 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, T. 36 S. R. 1 E.W.M.
Blass, Olga Eagle Point, Ore. (Proof 1065, Vol.15)	1885	0.25	10	Irrigation	Tucker	Little Butte Creek	10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
	1888	0.25	10.2				10.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
	1908	0.35	14				14 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
Bradshaw, I. L. (Successor to L.C. Charley) Eagle Point, Ore. (Proof 1072, Vol.15)	1893	<del>0.50</del> 1.40	20.5	Irrigation	Lemon Charley	Little Butte Creek	3.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, 9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14,
	1908	<del>0.54</del> <del>0.90</del>	21.6				8.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, T. 36 S. R. 1 E.W.M.
Britt, Emil & Amelia, Jacksonville, Ore. (Proof 1062, Vol.15)	April 1899	0.90	38	Irrigation	Young and Britt	Little Butte Creek	5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6,
	1908	0.30	13				2.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T. 36 S. R. 1 W.W.M.

This 3rd. Trsf. See Sp. Or. Vol 4, p 203

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
Brown, Geo. B. Brownsboro, Ore. (Proof 1063, Vol.15)	1863	1.00	42	Irrigation, domestic and stock	Henry Brown	Little Butte Creek	15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10,  0.1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 E.W.M.
	1883	0.40	15.5				
Brown, Mrs. M. M., Brownsboro, Ore. (Proof 1064, Vol.15)	1874	0.13	5	Irrigation, domestic and stock	Browns- boro	Little Butte Creek	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
Butler, W. E., Eagle Point, Ore. (Proof 1065, Vol.15)	1885	0.04	1.5	Irrigation	Bieber- stedt	Little Butte Creek	1.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
	1908	0.25	10				10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T. 35 S. R. 1 E.W.M.
Chapman, W. S. Lake Creek, Ore. (Proofs 1068-69-70, Vol. 15)	1885	0.40	15	Irrigation, domestic and stock	Rechter	North Fork of Little Butte Creek	15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T. 36 S. R. 2 E.W.M.
	1892	0.03	1	Irrigation, domestic and stock	Chapman	North Fork of Little Butte Creek	1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T. 36 S. R. 2 E.W.M.
	1888	0.33	13	Irrigation, domestic and stock	Peck & Rechter	North Fork of Little Butte Creek	8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, T. 36 S. R. 2 E.W.M.
Charley, Emogene Brownsboro, Ore. (Proof 1071, Vol.15)	1895	0.80	32.5	Irrigation	Clay Charley	Little Butte Creek	2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11, 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, T. 36 S. R. 1 E.W.M.
Charley, L.C. Eagle Point, Ore (Proof 1072, Vol. 15)	1893	0.90	35.8	Irrigation	Lem Charley	Little Butte Cr.	8.8 acres in NENE 10 acres in NWNE 2 acres in SWNE 15 acres in SE NE Section 14,  13.5 acres in SWNE 2.3 acres in SE NE Section 14, T. 36 S. R. 1 E.W.M.
	1908	0.40	15.8				

(This right omitted, shown to in Court decree)

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
Culbertson, J. D. Lake Creek, Ore. (Proof 1075, Vol.15)	1896	1.90	95	Irrigation	Rogue River Valley Canal Company Canal	South Fork of Little Butte Creek	15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, 17 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, 30.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, 32.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, T. 36 S. R. 2 E.W.M.
(Subject to agreement with Rogue River Valley Canal Company. See Paragraphs 13 and 14, page 20.)							
Daley, Geo. W. Eagle Point, Ore. (Proof 1077, Vol.15)	1895	0.08	3	Irrigation	Pumping plant	Little Butte Creek	3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2,
	1908	0.05	2.1				1.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, 0.6 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Farlow, T. L. Lake Creek, Ore. (Proofs 1125-6, Vol.15)	June 1, 1903	<sup>.65</sup> 1.43	39	Irrigation	Slinger & Lamb	North Fork of Little Butte Creek	18 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, 21 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 36 S. R. 2 E.W.M.
	1908	<sup>2.11</sup> 1.87	126.8	Irrigation	Hanley North Canal	North Fork of Little Butte Creek	16.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, 27.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, 38.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, 5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 36 S. R. 2 E.W.M.
(Subject to stipulation with M. F. Hanley. See Paragraph 10, page 17.)							
Farlow, W. P., Lake Creek, Ore. (Proof 1081, Vol.15)	May 1, 1900	0.50	21.5	Irrigation	Moore & Farlow	South Fork of Little Butte Creek	5.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, 3.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 37 S. R. 2 E.W.M.  5.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, 7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, T. 37 S. R. 3 E.W.M.
Frey, Geo. W. Lake Creek, Ore. (Proof 1083, Vol.15)	June 1898	0.20	8	Irrigation	Frey	North Fork of Little Butte Creek	8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, T. 36 S. R. 3 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
Fryer Ditch Association, Floyd Pearce, Sec'y., Eagle Point, Ore.		2.43	96.85	Irrigation	Fryer	Little Butte Creek	96.85 acres of land under the following appropriations, with present owners, priorities, number of acres and descriptions of irrigated land, as follows:
Proof 1076, Vol.15. (Successors of A.J. Daley)	1885	0.08	3		Ran from Fryer Ditch		3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1084, Vol.15. (Successors of J.J. Fryer)	Jan. 31, 1870	0.35	15.1				(Tract 1 - Gus Nichols Tract 2 - Merrit Brown)
							(Tract 3 - Gladius F. Pearce) 1.45 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
							(Tract 4 - Gladius F. Pearce) 4.42 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
							(Tract 5 - Gladius F. Pearce) 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							(Tract 6 - Gladius F. Pearce) 0.25 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
							(Tract 7 - Mrs. Arglee Green) 3.59 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$
							(Tract 8 - Mrs. Arglee Green) 1.93 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							(Tract 9 - Mrs. Arglee Green) 0.85 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							(Tract 10 - Clara Young) 0.25 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
							(Tract 11 - Dave Cingcade) 0.7 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$
							(Tract 12 - Dolly Matthews) 0.23 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							(Tract 13 - P. Ayers) 0.46 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							(Tract 14 - P. Ayers) 0.2 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
							(Tract 15 - Mrs. Arglee Green) 0.27 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							All in Section 3, T. 36 S. R. 1 W.W.M.
Proof 1085, Vol.15. (Successors of J.W. Grover)	Jan.31, 1870	0.25	10				(Tract 16 - A. A. Newman) 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
	1908	0.48	19.3				(Tract 16 - A. A. Newman) 13 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$
							(Tract 17 - A. C. Mittelstaedt) 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
							(Tract 18 - A. C. Mittelstaedt) 0.8 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
							All in Section 3, T. 36 S. R. 1 W.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
Fryer Ditch Association (continued):							
Proof 1099, Vol.15. (Successors of S. B. Holmes, et al)	1907	0.13	5	(Tract 19 - J. F. Brown) (Tract 20 - Geo. Brown Est.) (Tract 21 - Wm. Von der Hellen) (Tract 22 - J. A. Miller) (Tract 23 - T. F. Nichols) (Tract 24 - W. H. Brown) (Tract 25 - R. S. Brown) (Tract 26 - Cecelia Holmes) (Tract 27 - J. B. Rader)			5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1100, Vol.15. (Successors to Jonas Estate)	Jan. 31, 1870	0.3	12	(Tract 28 - Fred Thompson) (Tract 29 - A. H. Thompson) (Tract 30 - Geo. Lewis)			1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
	1908	0.05	2	(Tract 30 - Geo. Lewis)			2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1101, Vol.15. (Successor of W. G. Knighton)	Jan. 31, 1870	0.04	1.3	(Tract 31 - Gladius F. Pearce)			1.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1127, Vol.15. (Successor of J. F. Nichols)	Jan. 31, 1870	0.13	5	(Tract 32 - A. R. McDonald)			5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1129, Vol.15. (Successors of W. W. Taylor)	Jan. 31, 1870	0.13	5	(Tract 33 - Ira Grove) (Tract 34 - Grace Dahack) (Tract 35 - W. W. Taylor) (Tract 36 - Ira Grove) (Tract 37 - Tom Cingcade)			5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1136, Vol.15. (Successor of G. H. Wamsley)	Jan. 31, 1870	0.05	2	(Tract 38 - O. M. Goss)			2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1137, Vol.15. (Successor of Marvin S. Wood)	Jan. 31, 1870	0.03	1	(Tract 39 - Walter A. Wood)			1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1084, Vol.15. (Successors of J. J. Fryer)	1908	0.41	16.25	(Tract 40 - Wm. Lewis) (Tract 41 - Geo. Phillips) (Tract 42 - Ada Matthews) (Tract 43 - Catholic Church) (Tract 44 - E. Clark) (Tract 45 - Jackson County) (Tract 46 - Jackson County) (Tract 47 - Jackson County) (Tract 48 - Mrs. Arglee Green) (Tract 49 - Faye J. Hall)			1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.9 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.7 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.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
Furry, A. S. & F. E. Phoenix, Ore. (Proof 1146, Vol.15)	1895	0.13		Stock	J.A. Grain	Trib. springs on Lost Prairie	Place of use: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 1 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 2, T. 38 S. R. 4 E.W.M.
Gibson, W. E. (Successor to Thos. Baldwin Est.) Lake Creek, Ore. (Proof 1059, Vol. 15.)	1874	0.28	10.9	Irrigation	Henry Brown	Little Butte Creek	10.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
(Successor to Stephenson & Archibald) (Proof 1095, Vol. 15.)	1874	1.00	50	Irrigation	Brownsboro	Little Butte Creek	15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
Hall, C. P. Brownsboro, Ore. (Proof 1086, Vol. 15.)	1874	0.05	2	Irrigation	Browns- boro	Little Butte Creek	2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
Hamilton, I. L. Medford, Ore. (Proof 1087, Vol. 15.)	1889	0.90	53.5	Irrigation	North Side	North Fork of Little Butte Creek	16 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T. 36 S. R. 3 E.W.M. 37.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, T. 36 S. R. 2 E.W.M.
	1892	0.75	45	Irrigation	South Side	North Fork of Little Butte Creek	25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T. 36 S. R. 3 E.W.M. 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 36 S. R. 2 E.W.M.
Hanley, M. F. Lake Creek, Ore. (Proofs 1088 & 1092, Vol.15)	1856	1.25	75	Irrigation, domestic and stock	Upper & Lower Wasson Canyon ditches	Wasson Canyon	24 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 36.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, 6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Jackson County, Ore., T. 36 S. R. 2 E. W.M.
(Proof 1091, Vol. 15.)	1879	1.5	87	Irrigation, domestic and stock	Long Canyon	Long Canyon	8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 23 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, T. 36 S. R. 2 E.W.M. Jackson County, Ore.



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
Hanley, M. F. (continued):  (Proofs 1089 & 1090, Vol. 15)	1881	5.55 (Less the amount obtained from Wasson Canyon)	323.3	Irrigation, domestic and stock	Hanley & Slinger (or North Canal)	North Fork of Little Butte Creek	5 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 22 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 2 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 24 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 38 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 3 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 15 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 2 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 26, 20.8 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> 23.1 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 23, 21 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 5 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 27, 3 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 16.7 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 5.1 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> 27.8 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 30 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 35.9 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 33.9 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 22, T. 36 S. R. 2 E.W.M.
(NOTE: Certain lands in Sections 23 and 26 have supplemental rights from Wasson Canyon as listed above under date of 1856.)							
(Proof 1089, Vol.15)	1908	2.24	134.6	Irrigation, domestic and stock	Hanley & Slinger (or North Canal)	North Fork of Little Butte Creek	19 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 17 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> 8.2 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 16, 23.2 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 18.2 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 18.1 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 18.2 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 6.4 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 6.3 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 17, T. 36 S. R. 2 E.W.M., Jackson County, Oregon.
(Proof 1093, Vol.15)	April 1907	6.5	369.6	Irrigation, domestic and stock	Hanley High Line (or South Canal)	North Fork of Little Butte Creek	8 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 1.5 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 24 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 7 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 6.9 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 4.1 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 0.1 acre in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 26, 15.1 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 29.2 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 20.5 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 18.2 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 11.5 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 28.9 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 2.8 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 16.4 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 0.1 acre in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 27, 5.4 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> 1 acre in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 22, 38 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 13.4 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 6.1 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 10.1 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 30.8 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 26 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 2.9 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 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
Hanley, M. F. (continued):  (Proof 1093, Vol. 15 - con't.)							18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, 4.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, 27.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, T. 36 S. R. 2 E.W.M. Jackson County, Oregon.
Hansen, Geo. A. (Successor to Olive R. Bell) Brownsboro, Ore. (Proof 1060, Vol.15)	1874	0.10	4	Irrigation	Browns- boro	Little Butte Creek	4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
(Successor to McNary, D.L., and Banker, Melvin D., successors to E. D. Briggs) (Proof 1139, Vol.15)	1908	0.08	3				3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
(Successor to McNary, D.L., and Banker, Melvin D., successors to E. D. Briggs) (Proof 1139, Vol.15)	1874	0.30	12.5	Irrigation & domestic	Browns- boro	Little Butte Creek	12.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
Hansen, W. M. (Successor to E. D. Colby) (Proof 1073, Vol.15) Brownsboro, Ore.	1874	0.7	29.5	Irrigation	Browns- boro	Little Butte Creek	16.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
	1908	0.09	3.7				3.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
(Successor to John B. Edsall) (Proof 1079, Vol.15)	1874	0.13	5	Irrigation	Browns- boro	Little Butte Creek	5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
Hanson, Nels P. Climax, Ore. (Proof 1147, Vol.15)	1875	0.25	10	Irrigation & domestic	Nelson	Antelope Creek	7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T. 37 S. R. 2 E.W.M.  3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 38 S. R. 2 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
Hoeffft, Charles, Lake Creek, Ore. (Proof 1098, Vol.15)	1869	0.86	51	Irrigation	Hoeffft & Peck	South Fork of Little Butte Creek	15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 28 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 36 S. R. 2 E.W.M.
Holmes, Wm. M. & S. B. 603 Riverside Ave., Medford, Ore. (Proof 1097, Vol.15)	1872	40		Power 60 H.P.	Daley Mill	Little Butte Creek	Butte Creek or Daley Flouring Mill, at Eagle Point, Oregon, in Section 3, T. 36 S. R. 1 W.W.M.
Johnson, T. Slater, & Rogue River Com'l. Orchard Co., Medford, Ore.	1902	0.55	33	Irrigation and stock	Smith and Welch	Antelope Creek	8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 36 S. R. 1 E.W.M.
Jones, Mrs. Ora E. (Successor to J. L. Ragsdale) (Proof 1122, Vol.15)	1885	1.00	59.5	Irrigation	Rangles and Ragsdale	South Fork of Little Butte Creek	33 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 16 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 37 S. R. 2 E.W.M.
Lamb, W. R. Lake Creek, Ore. (Proof 1102, Vol.15)	1888	0.30	12	Irrigation	Slinger & Lamb Chapman & Lamb	North Fork of Little Butte Creek	5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T. 36 S. R. 2 E.W.M.
	1904	0.10	4				
Little Butte Irr. Co., a corporation, H. W. Ward, Sec'y., Eagle Point, Ore. (Proof 1103, Vol.15)	1883	12.6	632	Irrigation, domestic and stock	Little Butte Irr. Co.	Little Butte Creek	4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T. 35 S. R. 1 E.W.M.  3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 17.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, 37 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 33 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 33 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 21 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 32.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 12 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, 7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
				(NOTE: Water rights allowed for the lands owned by Wm. J. & Ella C. Phillips shall be covered by a separate certificate. See Paragraph 18, page 23.)	3 <sup>d</sup> a. Trsf Sp. Or. V. 16p 509 chqpt 211 + plus A-41		

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
Little Butte Irr. Co. (continued):							34 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T. 35 S. R. 1 W.W.M.
<i>See new Vol. 14, p. 520</i>	<i>See Sp Or. Vol. 6, p. 116</i>				<i>9.65 AC Trsf. - Sp. Or. Vol. 5, p. 280 10.0 " " " " " 5, p. 280</i>		15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 21 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
	1908	3.7	184.1				5.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T. 35 S. R. 1 E.W.M.  4.03 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 36 S. R. 1 E.W.M.  8.41 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ <i>duplication</i> 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 21.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 35 S. R. 1 W.W.M.  0.46 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, T. 35 S. R. 1 W.W.M.  6.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T. 35 S. R. 1 W.W.M.  4.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 12.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.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
McCallister, John G. Lake Creek, Ore. (Proof 1111, Vol.15)	Nov. 25, 1906	40		Power (60 H.P.)	McCallister Saw Mill	North Fork of Little Butte Creek	<i>Exempt See Power Co. No. 794</i> McCallister Saw Mill in Lot 2, Section 4, T. 37 S. R. 3 E.W.M., Jackson County, Oregon. Water to be returned to stream at point of use and above all diversions below present point of return.
Messal, W. G. Lake Creek, Ore. (Proof 1105, Vol.15)	1882	0.3	12	Irrigation	Messal Nos. 1 & 2	Salt Creek	12 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T. 36 S. R. 2 E.W.M.
	1904	0.15	8	Irrigation	Messal No. 3	Salt Creek	8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T. 36 S. R. 2 E.W.M.
Meyer, A. Lake Creek, Ore. (Proof 1106, Vol.15)	1878	0.88	48	Irrigation	A. Meyer	Salt Creek	7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 36 S. R. 1 E.W.M.  21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, 6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 12.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, T. 36 S. R. 2 E.W.M.
Meyer, H. G. Lake Creek, Ore. (Proof 1107, Vol.15)	1872	0.40	20	Irrigation	Meyer	Salt Creek	12.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, T. 36 S. R. 2 E.W.M.
Meyers, H. A. & Klingle, C. W., Lake Creek, Ore. (Proof 1108, Vol.15)	1872	2.00	106.5	Irrigation	Meyer & Klingle	Little Butte Creek	20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 28 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 36 S. R. 2 E.W.M.
Miller, John A. Lake Creek, Ore. (Proof 1109, Vol.15)	1882	0.41	21	Irrigation	Hutchens	South Fork of Little Butte Creek	8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T. 37 S. R. 2 E.W.M.

*Power claim  
#794*

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
Monia, Edna I. (Successor of Jacob Monia, successor of L. Niedermyer) Brownsboro, Ore. (Proof 1113, Vol.15)	1884	1.00	40	Irrigation	Niedermyer	Little Butte Creek	8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, 7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, 4.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, 20.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T. 36 S. R. 1 E.W.M.
				(Subject to rights of M. F. Hanley. See Paragraph 8, page 14.)			
Moore, C. R. Lake Creek, Ore. (Proof 1110, Vol.15)	Feb. 1894	0.39	19	Irrigation	Clagg	South Fork of Little Butte Creek	10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, 9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T. 37 S; R. 3 E.W.M.
		1.00		Power (4 H.P.) <i>Power Claim #822</i>			
Myers, D. W., Brownsboro, Ore. (Proof 1112, Vol.15)	Jan. 1893	0.15	6	Irrigation	Lem. Charley	Little Butte Creek	6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11, T. 36 S. R. 1 E.W.M.
Neil, R. P. Ashland, Ore. (Proofs 1143 & 1144, Vol.15)	1858	1.50	90	Irrigation	Samuel Grubb	Spencer Creek Dead Indian Creek	11 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 38 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, 2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, 35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 12.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 38 S. R. 3 E.W.M.
	1888	1.30	78				
Nichols, Gus (Successor to Art Nichols) Eagle Point, Ore. (Proof 1114, Vol.15)	1870	1.20	70	Irrigation	Nichols Nos. 1 and 2	Salt Creek	31.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 17 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 36 S. R. 2 E.W.M.
	1898	0.40	20				
				(Subject to stipulation with Gust Nygren. See Paragraph 11, page 18.)			

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Nichols, T. E. Eagle Point, Ore. (Proof 1115, Vol. 15)	1860	0.10	4	Irrigation	Nichols	Tributary springs on land	4 acres in Section 30, T. 35 S. R. 1 E.W.M.
Nygren, Gust Lake Creek, Ore. (Proof 1116, Vol. 15)	1874	0.40	20	Irrigation	Nygren	Salt Creek	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 36 S. R. 1 E.W.M.
							(Subject to stipulation with Art Nichols. See Paragraph 11, page 18.)
Obenchain, Mrs. Careless A., Brownsboro, Ore. (Proof 1117, Vol. 15)	Jan. 1870	0.03	0.5	Irrigation	Brownsboro	Little Butte Creek	0.5 acre described as follows: Beginning at NE corner Lot 1 in NE $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M., thence S. 330 ft; E. 50 ft; N. 330 ft; W. 50 ft. to beginning.
Owen, C. E. Ashland, Ore. (Proof 1142, Vol. 15)	1865	1.70	100	Irrigation	Owen	Dead Indian Creek	100 acres in NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, T. 38 S. R. 3 E.W.M.
Peck, Gus Lake Creek, Ore. (Proof 1118, Vol. 15)	1888	0.38	17	Irrigation	Rangles & Ragsdale	South Fk. of Little Butte Cr.	7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, T. 37 S. R. 2 E.W.M.
Peck, R. A., Lake Creek, Ore. (Proof 1119, Vol. 15)	1882 1895	0.50 0.14	25 5.5	Irrigation	Tonn & Peck Hoeffft & Peck	South Fk. of Little Butte Creek	13 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 36 S. R. 2 E.W.M.
Rader, J. M. Phoenix, Ore. (Proofs 1140 & 1141, Vol. 15)	1898	0.35	15	Irrigation, domestic and stock	Rader ditches Nos. 1 and 2	Bybee Gulch, trib. of Lost Cr.	15 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) Section 1, T. 38 S. R. 2 E.W.M.
	1908	0.33	14				3 acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T. 38 S. R. 2 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
Rogue River Valley Canal Company, a corporation, (Successor to Fish Lake Water Company, a corporation) Medford, Ore. (Proof 1082, Vol.15)	Sept.14, 1899	10.5	1470	Irrigation	Fish Lake	North & South Forks of Little Butte Creek	<p>2 acres in NE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 14,  10 acres in NE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 15,  20 acres in SE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 18,  3 acres in SW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 19,  7 acres in NW<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 30,  10 acres in NW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 30,  T. 36 S. R. 1 E.W.M.  18 acres in NE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 30,  T. 36 S. R. 2 E.W.M.  6 acres in NE<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 8,  4 acres in NW<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 9,  20 acres in SE<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 13,  10 acres in NW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 16,  25 acres in SW<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 16,  25 acres in SE<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 16,  10 acres in SW<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 16,  10 acres in SE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 16,  5 acres in SW<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 20,  10 acres in SW<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 21,  5 acres in NE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 23,  8 acres in NW<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 23,  35 acres in NE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 23,  40 acres in NW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 23,  16 acres in SW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 23,  16 acres in SE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 23,  160 acres in the NW<math>\frac{1}{4}</math> Section 29,  80 acres in NE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 29,  20 acres in SW<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 29,  20 acres in SE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 29,  8 acres in NW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 30,  10 acres in SW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 30,  10 acres in NE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 30,  8 acres in NE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 30,  15 acres in SE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 32,  38 acres in NW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 33,  5 acres in NE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 33,  31 acres in SW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 33,  10 acres in SE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 33,  T. 36 S. R. 1 W.W.M.  10 acres in NW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 5,  8 acres in NE<math>\frac{1}{4}</math>NW<math>\frac{1}{4}</math> Section 5,  2 acres in NW<math>\frac{1}{4}</math>NW<math>\frac{1}{4}</math> Section 5,  10 acres in NW<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 5,  10 acres in NE<math>\frac{1}{4}</math>SW<math>\frac{1}{4}</math> Section 5,  10 acres in SE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 6,  20 acres in NE<math>\frac{1}{4}</math>SE<math>\frac{1}{4}</math> Section 6,  10 acres in SE<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math> Section 7,  10 acres in NW<math>\frac{1}{4}</math>NW<math>\frac{1}{4}</math> Section 18,  25 acres in SE<math>\frac{1}{4}</math>NW<math>\frac{1}{4}</math> Section 18,  5 acres in SW<math>\frac{1}{4}</math>NW<math>\frac{1}{4}</math> Section 18,  10 acres in NW<math>\frac{1}{4}</math>NW<math>\frac{1}{4}</math> Section 19,  T. 37 S. R. 1 W.W.M.</p>

(Subject to rights of M. T. Hanley, under terms of stipulation of May 20, 1910. See Paragraph 9, page 14.)



Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Rogue River Valley Canal Company (continued):							10 acres in SE 1/4 NW 1/4
						10 acres in NW 1/4 NW 1/4	
							19 acres in NW 1/4 SW 1/4
							10 acres in SE 1/4 SW 1/4
							10 acres in SW 1/4 SE 1/4
							Section 1,
							5 acres in NE 1/4 NE 1/4
							1 acre in NE 1/4 SE 1/4
							Section 2,
							25 acres in SW 1/4 NW 1/4
							25 acres in SE 1/4 NW 1/4
							12 acres in SW 1/4 NE 1/4
							18 acres in NW 1/4 SE 1/4
							40 acres in NE 1/4 SW 1/4
							10 acres in NW 1/4 SW 1/4
							17 acres in SE 1/4 SW 1/4
							3 acres in SW 1/4 SE 1/4
							Section 11,
							10 acres in SW 1/4 SW 1/4
							27 acres in NW 1/4 NE 1/4
							3 acres in NE 1/4 NW 1/4
							Section 12,
							10 acres in NE 1/4 NW 1/4
							10 acres in NW 1/4 SE 1/4
							5 acres in SW 1/4 SE 1/4
							10 acres in SE 1/4 SE 1/4
							Section 13,
							10 acres in NW 1/4 NE 1/4
							10 acres in SE 1/4 NE 1/4
							Section 14,
							10 acres in NE 1/4 NE 1/4
							Section 24,
							T. 37 S. R. 2 W. V. 70.
							15 acres in SE 1/4 SW 1/4
							5 acres in NE 1/4 SW 1/4
							Section 14,
							10 acres in NW 1/4 NE 1/4
							Section 21,
							40 acres in NE 1/4 SE 1/4
							10 acres in NE 1/4 NW 1/4
							Section 22,
							10 acres in NW 1/4 SW 1/4
							10 acres in SE 1/4 SW 1/4
							20 acres in NW 1/4 SE 1/4
							20 acres in NE 1/4 SE 1/4
							10 acres in SW 1/4 SE 1/4
							Section 24,
							10 acres in SE 1/4 NE 1/4
						5 acres in NW 1/4 SE 1/4	
						5 acres in NE 1/4 SE 1/4	
						10 acres in NE 1/4 SW 1/4	
						10 acres in NE 1/4 NW 1/4	
						Section 25,	
						40 acres in NE 1/4 SW 1/4	
						3 acres in SW 1/4 SW 1/4	
						Section 26,	
						7 acres in SE 1/4 SE 1/4	
						Section 27,	
						10 acres in NW 1/4 NW 1/4	
						10 acres in SW 1/4 NW 1/4	
						10 acres in NE 1/4 SW 1/4	
						10 acres in NW 1/4 SE 1/4	
						10 acres in SW 1/4 SE 1/4	
						Section 35,	
						T. 36 S. R. 2 W. V. 71.	

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
Seefield, Charles Lake Creek, Ore. (Proof 1123, Vol. 15)	Nov. 1906	0.30	12	Irrigation, domestic and stock	Seefield	South Fork of Little Butte Creek	* 7.5 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 2 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 10, * 2.5 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 11, T. 37 S. R. 2 E.W.M.
Sidley, Michael Jr. (Successor to Frank Ceol) Lake Creek, Ore. (Proof 1067, Vol. 15)	1884	0.75	30	Irrigation	Rechter	N. Fk. of Little Butte Creek	30 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 21, T. 36 S. R. 2 E.W.M.
				(Subject to terms of Court decree. Paragraph 15, page 21.)	See		
Sidley, Michael, Sr. Lake Creek, Ore.	1896	0.30	12	Irrigation	Rogue River Valley Canal Company Canal	South Fork of Little Butte Creek	12 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 30, T. 36 S. R. 2 E.W.M.
				(Subject to agreement with Rogue River Valley Canal Company. See Paragraph 14, page 20.)			
Smith, Phebe M. Ashland, Ore. (Proof 1145, Vol. 15)	1865	1.70	100	Irrigation	Minnie Smith	Dead Indian Creek	15 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 30 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 15 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 20 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 20 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 10, T. 38 S. R. 3 E.W.M.
Spencer, Aden C. Ashland, Ore. (Proof 1128, Vol. 15)	1904	0.90	50	Irrigation	Spencer Ditches	West Branch of Dead Indian Creek	11 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 5 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 9 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 5 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 20 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 20, T. 38 S. R. 3 E.W.M.
Terrill, Chas. E. Medford, Ore. (Proof 1130, Vol. 15)	1863	0.86	34.5	Irrigation, domestic and stock	Old Henry Brown	Little Butte Creek	16 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 5 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 13 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 0.5 acre in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 10, T. 36 S. R. 1 E.W.M.
	1890	0.22	8.6				1 acre in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 4 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 1 acre in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 10, 2.6 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 11, T. 36 S. R. 1 E.W.M.
Tonn, L. Lake Creek, Ore. (Proof 1132, Vol. 15)	1882	0.30	12	Irrigation	Tonn & Peck	South Fork of Little Butte Creek	2 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 2 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 20 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 4, T. 37 S. R. 2 E.W.M.
<i>pt. of div changed. Sp. Or. Vol. 6, p. 44</i>	1904	0.30	12	Irrigation	Tonn		

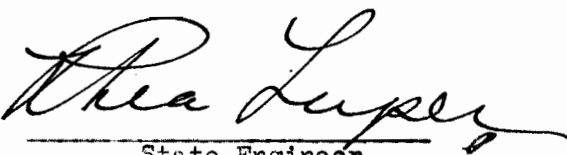
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Tucker, R. E. Brownsboro, Ore. (Proof 1133, Vol.15)	1875	0.5	21.5	Irrigation	Tucker	Little Butte Creek	6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
	1908	0.5	19.5				7.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
Tyrrell, J. H. Lake Creek, Ore. (Proof 1134, Vol.15)	1878	0.43	20	Irrigation	Tyrrell	Lost Creek	3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 17 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T. 37 S. R. 2 E.W.M.
Ulrich, William, Medford, Ore. (Proof 1135, Vol.15)	1883	0.10	4	Irrigation	Little Butte Ditch Company	Little Butte Creek	4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Van Winkle, Mrs. L. R. (Successor to Louis J. Hessler) Yamhill, Ore. (Proof 1096, Vol.15)	1902	0.33	13	Irrigation & domestic	Hessler	Little Butte Creek	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T. 36 S. R. 1 E.W.M.
Walsh, John (Successor to Charles Randles) Lake Creek, Ore. (Proofs 1120 & 1121, Vol.15)	1885	0.65	34.5	Irrigation	Randles & Ragsdale	South Fork of Little Butte Creek	22.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 12 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, 12.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, T. 37 S. R. 2 E.W.M.
	1887	0.38	17.5	Irrigation, domestic and stock	Randles		
Wilhite, C. E. (Successor to T. L. Farlow) Lake Creek, Ore. (Proof 1080, Vol.15)	July 1, 1907	0.55	27.5	Irrigation and stock	Farlow	South Fork	3.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.8 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 37 S. R. 2 E.W.M.
Wyant, L. H. (Successor to A. H. Thompson) Lake Creek, Ore. (Proof 1131, Vol.15)	May 12, 1896	0.30	12	Irrigation	Rogue River Valley Canal Co. Canal	South Fork of Little Butte Creek	12 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 36 S. R. 2 E.W.M.

(Subject to agreement with Rogue River Valley Canal Co.  
See Paragraph 14, page 20.)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use	
Young, Nicholas (Heirs of) Eagle Point, Ore.	1899	1.17	56.2	Irrigation	Young and Britt	Little Butte Creek		
							T. C. Dugan -----	4 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 9,
							P. L. Young -----	4.7 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 2.3 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 4,
								11 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 1 acre in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 9,
							Clara Young -----	8 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 9,
							Nick Young -----	12.2 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 9,
							Mrs. C. Givan -----	5.5 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 4,
Mrs. James Owen -----	7.5 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 4,							
							T. 36 S. R. 1 W. W. M.	
Zundel, Golden & Harold (Successors to W. C. Daley) Lake Creek, Ore. (Proof 1078, Vol. 15)	1871	0.90	35.5	Irrigation	Daley	North Fork of Little Butte Creek	22 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	
	1886	1.50	47.0				25.5 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> 35 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 20, T. 36 S. R. 2 E. W. M.	
	1896	0.30	10	Irrigation	Rogue River Valley Canal Co. Canal	South Fork of Little Butte Creek	10 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 29, T. 36 S. R. 2 E. W. M.	
	1908	1.00	59.3	Irrigation	Chapman-Ceol-Daley (Rechter)	North Fork of Little Butte Creek	25 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> 7.8 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> 14.5 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> 12 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 20, T. 36 S. R. 2 E. W. M.	
				(Subject to terms of Court decree. See Paragraph 15, page 21.)				

And the State Engineer of Oregon, having carefully considered all matters submitted herein, recommends to the Court that the relative rights of the various claimants to the use of the waters of Little Butte Creek and its tributaries, be determined and settled as set forth in the foregoing modified findings and order of determination, and that all motions and exceptions to the contrary, whether specifically mentioned therein or not, be denied and dismissed.

Dated this 17th day of April, 1928, at Salem, Oregon.

  
State Engineer.