

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR JOSEPHINE COUNTY

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

DECREE UPON EXCEPTIONS TO THE FINDINGS
OF THE STATE ENGINEER IN FAVOR OF
ED BECHTEL AND MAYBELLE BECHTEL.

The above entitled matter came on to be heard before the Court, Honorable H. D. Norton, Judge, presiding, upon the exceptions filed by Ed Bechtel and Maybelle Bechtel, husband and wife, in and to the waters of Deer Creek, a tributary of the Illinois River, a tributary of Rogue River; and the Court having heard the evidence adduced in behalf of said exceptions filed by them in and to the waters of Deer Creek, a tributary of the Illinois River, a tributary of Rogue River as to the duty of water and rotation in use of water from Deer Creek through what is known as the Hiatt Ditch, and the Court having heard the evidenced adduced in behalf of said exceptions and having duly considered the same, together with the Findings of the State Engineer, and now being advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED that Ed Bechtel and Maybelle Bechtel be, and they are hereby decreed to be the owners of the waters of Deer Creek through the ditch originally dug and constructed from Deer Creek to the lands hereinafter described and known as The Hiatt Ditch, having a priority of 1885, to the amount and extent of one cubic foot per second of water for each fifty (50) acres of land irrigated during the irrigation season, which season is fixed and determined as the period from April 1st to November 1st of each year, as allowed by the State Engineer of the State of Oregon in his Findings on file in this Court, for the acreage and lands described therein and hereinafter described, and in addition thereto the said Ed Bechtel and Maybelle Bechtel jointly are hereby awarded an additional one cubic foot per second out of the unappropriated waters of Deer Creek with a priority of July 7, 1932, subject to all prior rights in and to the waters of said Creek by others.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the waters of Deer Creek to be flowed and conducted to the lands to be irrigated thereby of Ed Bechtel and Maybelle Bechtel shall be distributed thereto in accordance with the Findings of the State Engineer and rotated, if and when necessary, by mutual consent and agreement of the parties and their successors, or those in privity with them, or if they are unable to agree, then by the State Engineer or under his authority in accord with the amount of the flow of the waters through said Hiatt Ditch as the same may be applied to all of the lands irrigated during each and any irrigation season.

The description of the lands of Ed Bechtel and Maybelle Bechtel upon which said waters may be used are:

28 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$),
30.3 acres in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$),
7.9 acres in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$),
22.8 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$), and
all in Section 10;

2.4 acres in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), and
4.5 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$),
all in Section 11, Township 38 South, Range 8 West of the Willamette Meridian.

H. D. NORTON
Circuit Judge

Endorsements:

5067-E

In the Circuit Court of the State of
Oregon for Josephine County.

In the Matter of the Determination of the
Relative Rights to the Use of the Waters
of Illinois River and its Tributaries, a
Tributary of Rogue River.

DECREE UPON EXCEPTIONS TO THE FINDINGS
OF THE STATE ENGINEER IN FAVOR OF ED BECHTEL
AND MAYBELLE BECHTEL
DECREE

Filed Aug. 14, 1934

F. L. Coon, County Clerk

By _____ Deputy Clerk.

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STATE OF OREGON)
) ss.
County of Josephine)

I, F. L. COON, County Clerk and ex-officio Clerk of the Circuit Court of said County
and State, do hereby certify that I have carefully compared the foregoing copy of Decree with
the original, and that it is a true and correct copy thereof and of the whole thereof as the
same appears on file and of record in my office and in my custody.

Witness my hand and the seal of said Court affixed June 26, 1935.

F. L. COON

Clerk.

By (Signed) ELIZABETH CHAPIN

Deputy.

(S E A L)

STATE OF OREGON)
) SS
County of Marion)

I, CHAS. E. STRICKLIN, State Engineer of Oregon, do hereby certify that the foregoing copy of DECREE upon exceptions to the Findings of the State Engineer in favor of ED BECHTEL and MAYBELLE BECHTEL, in the Matter of the Determination of the Relative Rights to the Use of the Waters of ILLINOIS RIVER and its tributaries, a tributary of Rogue River, has been compared with the original and that it is a full, true and correct copy of such Decree as the same was received and entered of record in my office this 31st day of July, 1935.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of July, 1935.

CHAS. E. STRICKLIN,
State Engineer.