

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR WHEELER COUNTY

IN THE MATTER OF THE DETERMINATION)
OF THE RELATIVE RIGHTS TO THE USE)
OF THE WATERS OF BRIDGE CREEK AND)
ITS TRIBUTARIES, A TRIBUTARY OF)
JOHN DAY RIVER, -----)

D E C R E E

Now at this time the above entitled matter coming on before the Court for the entry of a final decree upon the findings of fact and order of determination of the State Engineer dated August 23, 1927, as modified by supplemental findings of said State Engineer dated April 14, 1932, heretofore filed herein, exceptions to said latter findings having been filed with the Court by the following claimants herein, to-wit: Piety Hill Ditch Company, a partnership composed of some twenty-four users as mentioned in said Ditch Company's claim No. 61, Town Ditch Company, a partnership mentioned in proof of claim No. 87, and X. E. Hall, mentioned in Claims Nos. 38, 39, 40 and 41, said exceptions having been duly argued and submitted to the Court, and the Court having considered said exceptions and the record of the proceedings before the State Engineer and being fully advised in the premises, it is

CONSIDERED, ORDERED, ADJUDGED AND DECREED that the findings of fact and order of determination of the State Engineer dated August 23, 1927, as modified by the supplemental findings of said State Engineer dated April 14, 1932, heretofore filed in the office of the County Clerk of this County, hereby are confirmed in all things, and the rights to the use of the waters of Bridge Creek and its tributaries hereby are adjudicated, determined and settled as follows, to-wit:

1.

That on the 4th day of June, 1923, there was filed in the office of the State Engineer an order of the Circuit Court of the State of Oregon for Wheeler County, dated May 14, 1923, in the case of Nellie Siedow, plaintiff, vs. Milton Belcher, David Biggerstaff, George E. Jacobson and Emile H. Jacobson, defendants, directing that said cause be referred to the State Water Board for the purpose of adjudicating the relative rights of all water users from Bridge Creek and its tributaries. That the State Engineer thereupon entered an order directing that such determination be made, fixing a time for the making of the necessary surveys and examination, and the beginning and taking of such testimony as would enable him to determine the rights of the various claimants to the use of water from said stream, as provided by law.

2.

That a notice was prepared by the State Engineer setting forth the date when he or his assistants would begin the investigation of the flow of said Bridge Creek and its tributaries and the ditches diverting water therefrom, and said notice was published in two issues of the Mitchell Sentinel, a newspaper published weekly at Mitchell, Wheeler County, Oregon, and of general circulation in said county; said two issues being those of September 27th and October 4th, 1923, and the date of the last publication of said notice being more than ten days prior to the date fixed for the beginning of the measurements of said stream by the State Engineer.

3.

That the time when the State Engineer or his assistants should begin the examination of said stream and its tributaries was set for the 15th day of October, 1923. That at the time so specified, duly qualified assistants of the State Engineer did proceed to make an examination of said stream and its tributaries, and of the ditches and canals diverting water therefrom and of the land irrigated by the waters of said stream or its tributaries, which observations and measurements were reduced to writing and made a matter of record in his office. And the State Engineer did cause to be prepared a set of maps or plats, on a scale of measurement of four inches to the mile, showing with substantial accuracy the course of said stream and its tributaries, the location of the various ditches diverting water therefrom, and the number of acres of land which had been irrigated in each legal subdivision; blue prints of said maps and plats being now on file and a part of the record herein.

4.

That after said examination and measurements were completed, a notice was prepared by the State Engineer setting forth a time and place certain when he would begin the taking of testimony as to the relative rights of the various claimants to the use of the waters of said stream, and said notice was published in two issues of the Fossil Journal, a newspaper published weekly at Fossil, Wheeler County, Oregon, said two issues being those of April 11th and 18th, 1924, and said notice was published in two issues of the Mitchell Sentinel, a newspaper published weekly at Mitchell, Wheeler County, Oregon, said two issues being those of April 10th and 17th, 1924; both of said newspapers being of general circulation in said county, and the date of the last publication of said notice in each case being more than thirty days prior to the date fixed for the beginning of the taking of testimony by the State Engineer.

5.

That on the 1st day of April, 1924, the State Engineer did send by registered mail to each person, firm, or corporation claiming a right to the waters of said stream,

or any tributary thereof, and to each person, firm or corporation owning or being in possession of land bordering on or having access to said stream, or its tributaries, insofar as the names of said claimants, owners, firms or corporations could be reasonably ascertained, a notice similar to such published notice, setting forth a time and place when the State Engineer would commence the taking of testimony as to the relative rights of the various claimants to the waters of said stream, or its tributaries. And said State Engineer did enclose with each of said notices a blank form upon which said claimant or person in possession could present in writing all the particulars necessary for the determination of his rights to the waters of said stream, under oath.

6.

That the times and places when and where the said State Engineer or his duly authorized assistant should attend and take the testimony of the various claimants, were fixed as follows, to-wit:

On Tuesday, the 20th day of May, 1924, in the City Hall at Mitchell, Oregon;

On Wednesday, the 21st day of May, 1924, in the Circuit Court Room of the County Court House at Fossil, Oregon,

And for a period of 20 days beginning Friday, May 23, 1924, at the office of the State Engineer in the Capitol Building at Salem, Oregon.

That during the period so specified in said notice for the taking of testimony and statements and proofs of claim, claims to the use of the waters of said stream or its tributaries were filed by the following parties, to-wit:

Belcher, Barbara, Central Point, Oregon,
by Paul W. Childers, Attorney, The Dalles, Oregon
Boyd, John, Mitchell, Oregon
Brackett, John W., Mitchell, Oregon
Campbell, Maude A., Mitchell, Oregon
Cannon, Robert D., Mitchell, Oregon
Carroll, Anna A., White Salmon, Wash.,
by Carl Hendricks, Attorney, Fossil, Oregon
Cole, C. A., Mitchell, Oregon
Connolly, S. J., Mitchell, Oregon
Creason & Shoemaker Bros., Mitchell, Oregon,
by John H. Lewis, Attorney, Ry. Exch. Bldg., Portland, Oregon
Dove, W. H. & Thomas, Mitchell, Oregon
Federal Land Bank of Spokane, Washington,
by S. H. Wattenburg, Agent, Fossil, Oregon
Fitzgerald, Thomas, Mitchell, Oregon
Folston, Ralph, Mitchell, Oregon
Gage, W. L., Mitchell, Oregon
Gage, C. W., Mitchell, Oregon
Gilchrist, Ethel M., Prineville, Oregon,
by J. C. Gilchrist, Agent, Prineville, Oregon
Gilchrist, J. C., Prineville, Oregon
Gillenwater, Orlando, Mitchell, Oregon
Hall, X. E., Mitchell, Oregon
Howard, L. T., Mitchell, Oregon
Howden, S. H., Mitchell, Oregon
Jones, L. L., Mitchell, Oregon,
by Wallace & Graham, Attorneys, Prineville, Oregon
Keyes, Custer T., Mitchell, Oregon,
by Walter Keyes, Attorney, Salem, Oregon
Keyes, Sarah E., Mitchell, Oregon
Lower Town Ditch Co.,
by Paul Lynch, President, Mitchell, Oregon
Manning, John, Mitchell, Oregon
Monroe, D. V., Mitchell, Oregon
Mulvahill, M., Mitchell, Oregon

Old Gage Ditch, by A.R.Campbell, Pres., Mitchell, Oregon
 Piety Hill Ditch Company, by I.H.Jones, Mgr., Mitchell, Oregon
 Quint, Lola M., Box 9, Condon, Oregon
 Reynolds, P. H., Mitchell, Oregon
 Roberts, Joseph, Mitchell, Oregon
 Rosenbaum, R., Mitchell, Oregon
 Siedow, Nellie, Mitchell, Oregon,
 by R.C.Bradshaw, Attorney, The Dalles, Oregon
 Lewis, Adelaide, Mitchell, Oregon
 Sigfrit, J. L., Mitchell, Oregon
 Specht, Mrs. Sophia, 1204 Pine St., Silverton, Oregon
 (Ranch address: Mitchell, Oregon)
 Stephens, E. M., and Mary E., Burnt Ranch, Oregon
 Stephenson, Henry T., Mitchell, Oregon
 Stephenson, Mary E., Mitchell, Oregon
 Stoneman, Mahlon, Mitchell, Oregon
 Taylor, Ben, Mitchell, Oregon,
 by Jay H. Upton, Attorney, Bend, Oregon
 Taylor, E. W., Mitchell, Oregon
 Town Ditch Company, by A.King, Pres., Mitchell, Oregon
 Traver, H. A., Prineville, Oregon
 U. S. Forest Service, G.C.Blake, Ranger,
 Beaver Ranger Station, Mitchell, Oregon
 Vaughan, N. E., Mitchell, Oregon
 Wright, Frances, Mitchell, Oregon.

7.

That the following named persons were duly notified by registered mail and by publication of said notice as hereinbefore set forth, and that each of them, although so notified, has failed, neglected and refused to appear herein and submit proof of a right to the use of the waters of said stream or its tributaries, if any they have or claim, and that such parties are in default, and that such default is here and now entered against them, and each of them, and the said parties are hereby enjoined and inhibited from using or asserting any rights to the use of the waters of said stream, or any tributary thereof, except by, through or under the rights of the persons whose water rights are defined herein, or under and by virtue of permits issued by the State Engineer:

Aholt, B. F., Mitchell, Oregon
 Ainsworth, J. C., U.S.Nat. Bk.Bldg., Mitchell, Oregon
 Anderson, Fred, Mitchell, Oregon
 Baptist Church Parsonage, Mitchell, Oregon
 Belcher, Milton, Mitchell, Oregon
 Belcher, M., Myrtle Point, Oregon
 Belcher, William, Myrtle Point, Oregon
 Bennett, Ed., Mitchell, Oregon
 Biggerstaff, David, Mitchell, Oregon
 Blann, W. L. Mitchell, Oregon
 Boydston, May, Mitchell, Oregon
 Bravo, P., Mitchell, Oregon
 Burney, Mrs. M. J., Mitchell, Oregon
 Burney, Mrs. M. J., Bend, Oregon
 Campbell, A. R., Mitchell, Oregon
 Campbell, Mrs. E. M., Mitchell, Oregon
 Campbell, N. F., Mitchell, Oregon
 Carroll, Sam, White Salmon, Washington
 Connolly, M. J., North Sun Marco Apts., Spokane, Wash.
 Cooper, P., Vancouver, Wash.
 Cox, R. F., Mitchell, Oregon
 Crook County Bank, Prineville, Oregon
 Dedman, R. H., Mitchell, Oregon

Dietcherich, Ed M., 317 Main St., Vancouver, Wash.
 Drovatsky, Dora, Mitchell, Oregon
 Duggar, W. R., Mitchell, Oregon
 Eastridge, Jas. W., Mitchell, Oregon
 Fitzgerald, F., Mitchell, Oregon
 Fitzgerald, Mitchell, Oregon
 Folsom, William, Mitchell, Oregon
 Frier, Frank, Mitchell, Oregon
 Fuller, Frank, Mitchell, Oregon
 Gage, Bessie, Mitchell, Oregon
 Gage, Mrs. F. E., Mitchell, Oregon
 Gage, M. C., Mitchell, Oregon
 Gage, Tina, Mitchell, Oregon
 Gage, W. T., Mitchell, Oregon
 Grader, M., Mitchell, Oregon
 Guilber, S. H., Mitchell, Oregon
 Gunning, W. D., 320- 9th Ave., Nampa, Idaho
 Harlacher, E. P., 1300 Delavine St., Santa Barbara, Calif.
 Helms, A. W., Mitchell, Oregon
 Helms, Mrs. M. J., Mitchell, Oregon
 Howden, Stanley, Mitchell, Oregon
 Howden, S. J., Mitchell, Oregon
 Hillier, John E., 308 N. Smith Ave., Portland, Oregon
 Hutchings, Ira, 337 N. 9th St., Corvallis, Oregon
 Jacobson, E. H., Mitchell, Oregon
 Jacobson, Emile H., Mitchell, Oregon
 Jacobson, George H., Mitchell, Oregon
 Jewett, G. M., 740 McKnight Bldg., Minneapolis, Minn.
 John Day Land & Lumber Co., 811 N.Y. Life Bldg., Minneapolis, Minn.
 Jones, Elmer, (Siedow Ranch) Mitchell, Oregon
 Jones, J. H., Mitchell, Oregon
 Jordan, P. R., Mitchell, Oregon
 Keaton, Grover, Mitchell, Oregon
 Keeton, Jas. T., Mitchell, Oregon
 Keyes, Mrs. Ray, Mitchell, Oregon
 King, A., Mitchell, Oregon
 Leach, C. O., Mitchell, Oregon
 Leech, S. J., Mitchell, Oregon
 Lewis, C.G.F., Mitchell, Oregon
 Lynch, Paul, Mitchell, Oregon
 Magee, D. C., Mitchell, Oregon
 Mansfield, Mrs. J. M., Mitchell, Oregon
 McPhetridge, Ed., Mitchell, Oregon
 McTimmonds, Mrs. Ruby, Mitchell, Oregon
 McTimmonds, B. W., Mitchell, Oregon
 Mitchell High School, Mitchell, Oregon
 Nelson & Campbell, Mitchell, Oregon
 Nelson, George W., Mitchell, Oregon
 Nelson, Mrs. Tilly, Mitchell, Oregon
 Norton, Ned C., Mitchell, Oregon
 O'Brien, Mrs. Lille, Mitchell, Oregon
 O. K. Ranch & Cattle Co., Waterman, Oregon
 Osborn, Mr., Mitchell, Oregon
 Parrish, Mary E., Mitchell, Oregon
 Patten, W. T., Seattle, Wash.
 Payne, Chas., Mitchell, Oregon
 Payne, Elmer, Mitchell, Oregon
 Payne, G. W., Lessee of Biann Ranch, Mitchell, Oregon
 Payne, Jas., Mitchell, Oregon
 Payne, J. B., Mitchell, Oregon
 Payne, John, Mitchell, Oregon
 Payne, Thos., Mitchell, Oregon
 Payne, Willie, Mitchell, Oregon
 Pruett, Arthur, Mitchell, Oregon
 Puckett, William, Mitchell, Oregon
 Quinn, C. W., Mitchell, Oregon
 Reed, Mrs. D., Mitchell, Oregon
 Reed, W. E., Mitchell, Oregon
 Richards, J. W., Mitchell, Oregon
 Roach, J. E., 313 - 12th St., Eugene, Oregon
 Robbins, H. M., Mitchell, Oregon
 Roberts, J. H., Mitchell, Oregon
 Roberts, M. V., Mitchell, Oregon
 Rosenbaum, R., Mitchell, Oregon

Sasser, May, Mitchell, Oregon
Scholmeyer, Marie S., Nehalem, Oregon
Scott, R. E., Mitchell, Oregon
Skinner, H. F., Mitchell, Oregon
Specht, L. C., Mitchell, Oregon
Specht, Henry, Mitchell, Oregon
Stephenson, C. S., Mitchell, Oregon
Stephenson, Francis, Mitchell, Oregon
Stephenson, J. H., Mitchell, Oregon
Stephanson, Lee C., Mitchell, Oregon
Stewart, Dan, Mitchell, Oregon
Susan, L. A., Mitchell, Oregon
Vaughan, J. M., Mitchell, Oregon
Vaughan, Mrs. Mary, Mitchell, Oregon
Vinegar, George, Mitchell, Oregon
Wallace, M. E., Mitchell, Oregon
Weidert, P. C., Mitchell, Oregon
Wineberger, A. M., Mitchell, Oregon
Wineberger, H. R., Mitchell, Oregon
Woodward, T., Mitchell, Oregon
Zebley, H. A., Burt Ranch, Oregon.

8.

That upon the completion of the taking of such testimony and claims, the State Engineer did, on the 27th day of August, 1924, give notice by registered mail to each of the various claimants to the use of the waters of said stream, or its tributaries, that at the times and places named in said notice, to-wit:

On Wednesday and Thursday, September 17 and 18, 1924,
at the City Hall at Mitchell, Oregon;

On Friday, September 19, 1924, in the Circuit Court Room
of the County Court House at Fossil, Oregon,

And for a period of 11 days beginning with Tuesday,
September 23, 1924 and ending with Saturday, October 4,
1924 (Sunday excepted) at the office of the State Engineer
in the Capitol Building at Salem, Oregon,

the testimony and proofs of claim would be open to public inspection by the various claimants or owners. That a duly authorized representative of said State Engineer did, in accordance with said notice, keep said evidence and claims open to inspection at the times and places aforesaid.

That said notice did also state therein the county in which the determination of the State Engineer in said matter would be heard by the Circuit Court of the State of Oregon, to-wit: The County of Wheeler.

That due proof of the sending of said notice by registered mail, and the holding of said inspection, has been made and filed as a part of the record herein.

9.

That within the time fixed by law therefor, the following contests were

initiated by the filing with said State Engineer of notices of contest in writing:

Contest No. 1

Barbara Belcher, Contestant,
vs.
E.M. Stephens and Mary Stephens, Contestees.

Contest No. 2

Barbara Belcher, Contestant,
vs.
X. E. Hall, Contestee.

Contest No. 3

Barbara Belcher, Contestant,
vs.
Ben Taylor, Contestee.

Contest No. 4

Barbara Belcher, Contestant,
vs.
E. W. Taylor, Contestee.

Contest No. 5

Barbara Belcher, Contestant,
vs.
L. T. Howard, Contestee.

Contest No. 6

Barbara Belcher, Contestant,
vs.
A. Creason and Shoemaker, Contestees.

Contest No. 7

Barbara Belcher, Contestant,
vs.
L. L. Jones, Contestee.

Contest No. 8

Barbara Belcher, Contestant,
vs.
Nellie Siedow, Contestee.

Contest No. 9

Nellie Siedow, Contestant,
vs.
A. Creason and Shoemaker Brothers, Contestees.

Contest No. 10

Nellie Siedow, Contestant,
vs.
Ben Taylor, Contestee.

Contest No. 11

Nellie Siedow, Contestant,
vs.
Barbara Belcher, Contestee.

Contest No. 12

Nellie Siedow, Contestant,
vs.
E. W. Taylor, Contestee.

Contest No. 13

Nellie Siedow, Contestant,
vs.
E. M. Stephens and Mary E. Stephens, Contestees.

Contest No. 14

Ben Taylor, Contestant,
vs.
E. M. Stephens and Mary E. Stephens, Contestees.

Contest No. 15

L. L. Jones, Contestant,
vs.
Nellie Siedow, Contestee.

Contest No. 16

L. L. Jones, Contestant,
vs.
Creason and Shoemaker, Contestees.

Contest No. 17

L. L. Jones, Contestant,
vs.
W. L. Gage, Contestee.

Contest No. 18

L. L. Jones,
Barbara Belcher,
vs.
Contestant,
Contestee.

Contest No. 19

L. L. Jones,
Ben Taylor,
vs.
Contestant,
Contestee.

Contest No. 20

L. L. Jones,
Maud A. Campbell,
vs.
Contestant,
Contestee.

Contest No. 21

L. L. Jones,
E. M. Stephens and
Mary E. Stephens,
vs.
Contestant,
Contestees.

Contest No. 22

L. L. Jones,
J. L. Sigfrit,
vs.
Contestant,
Contestee.

Contest No. 23

C. T. Keyes,
Creason & Shoemaker,
E. M. Stephens and
Mary Stephens, and Ben Taylor,
vs.
Contestant,
Contestees.

Contest No. 24

Creason & Shoemaker Bros.,
L.L.Jones et al,
Robert D. Cannon,
vs.
Contestants,
Contestee.

Contest No. 25

Creason & Shoemaker Bros.,
L.L.Jones et al,
J. C. Gilchrist,
vs.
Contestants,
Contestee.

Contest No. 26

Creason & Shoemaker Bros.,
vs.
L. T. Howard,
Contestants,
Contestee.

Contest No. 27

Creason & Shoemaker Bros.,
vs.
Ben Taylor,
Contestants,
Contestee.

Contest No. 28

Creason & Shoemaker Bros.,
vs.
John Manning,
Contestants,
Contestee.

Contest No. 29

Creason & Shoemaker Bros.,
L.L.Jones, et al,
vs.
Francis Wright,
Contestants,
Contestee.

Contest No. 30

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
C. W. Gage,
Contestants,
Contestee.

Contest No. 31

Creason & Shoemaker Bros.,
L.L.Jones, et al,
vs.
John W. Brackett,
Contestants,
Contestee.

Contest No. 32

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
Orlando Gillenwater,
Contestants,
Contestee.

Contest No. 33

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
E. W. Taylor,
Contestants,
Contestee.

Contest No. 34

Creason & Shoemaker Bros.,
L. L. Jones et al,
vs.
Joseph Roberts,

Contestants,

Contestee.

Contest No. 35

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
Thomas Fitzgerald,

Contestants,

Contestee.

Contest No. 36

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
Ethel Gilchrist,

Contestants,

Contestee.

Contest No. 37

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
M. Mulvahill,

Contestants,

Contestee.

Contest No. 38

Creason & Shoemaker Bros.,
vs.
Barbara Belcher,

Contestants,

Contestee.

Contest No. 39

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
John Boyd,

Contestants,

Contestee.

Contest No. 40

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
The Federal Land Bank,

Contestants,

Contestee.

Contest No. 41

Creason & Shoemaker Bros.,
L. L. Jones, et al,
vs.
Anna Carrol,

Contestants,

Contestee.

Contest No. 42

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

Mahlon Stoneman,

Contestants,

Contestee.

Contest No. 43

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

N. E. Vaughan,

Contestants,

Contestee.

Contest No. 44

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

H. A. Traver,

Contestants,

Contestee.

Contest No. 45

Creason & Shoemaker Bros.,

vs.

L. L. Jones,

Contestants,

Contestee.

Contest No. 46

Creason & Shoemaker Bros.,

vs.

E. M. Stephens and
Mary E. Stephens,

Contestants,

Contestees.

Contest No. 47

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

United States Forest Service Beaver
Ranger Station,

Contestants,

Contestee.

Contest No. 48

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

Mary E. Stephenson,

Contestants,

Contestee.

Contest No. 49

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

W. L. Gage,

Contestants,

Contestee.

Contest No. 50

Creason & Shoemaker Bros.,
vs.

S. J. Connolly,

Contestants,

Contestee.

Contest No. 51

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

W. H. and Thomas Dove,

Contestants,

Contestees.

Contest No. 52

Creason & Shoemaker Bros.,

vs.

Nellie Siedow,

Contestants,

Contestee.

Contest No. 53

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

Lola M. Quint,

Contestants,

Contestee.

Contest No. 54

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

Adelaide Lewis,

Contestants,

Contestee.

Contest No. 55

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

Henry T. Stephenson,

Contestants,

Contestee.

Contest No. 56

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

R. Rosenbaum,

Contestants,

Contestee.

Contest No. 57

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

Mrs. Sophia Specht,

Contestants,

Contestee.

Contest No. 58

Creason & Shoemaker Bros.,
L. L. Jones, et al,

vs.

John W. Brackett,

Contestants,

Contestee.

That after the filing of said statements of contest, the State Engineer did fix a time and place for the hearing of each of said contests, and did on the 20th day of April, 1925, serve notice of hearing of said contests on each of the parties to said contests, the date fixed for hearing being more than thirty days and less than sixty days from the date the notice of hearing was served upon said parties. That due proof of serving of said notices has been made and filed as a part of the record herein.

That upon the date and at the place as fixed for said hearing, to-wit: May 25, 1925, at the hour of 9 o'clock A.M., in the City Hall at Mitchell, Wheeler County, Oregon, the hearing of said contests was commenced before the State Engineer and continued until all of said contests were fully disposed of.

11.

That after having been set down for hearing, and upon the date fixed for the beginning of the taking of testimony, the following contests were dismissed upon motion of contestant:

2. Barbara Belcher, Contestant, v. X. E. Hall, Contestee.
4. Barbara Belcher, Contestant, v. E. W. Taylor, Contestee.
5. Barbara Belcher, Contestant, v. L. T. Howard, Contestee.
12. Nellie Siedow, Contestant, v. E. W. Taylor, Contestee.
15. L. L. Jones, Contestant, v. Maud A. Campbell, Contestee.
17. L. L. Jones, Contestant, v. W. L. Gage, Contestee.
22. L. L. Jones, Contestant, v. J. L. Sigfrit, Contestee.
24. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Robert D. Cannon, Contestee.
25. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. J.C. Gilchrist, Contestee.
26. Creason & Shoemaker Bros., Contestants, v. L. T. Howard, Contestee.
28. Creason & Shoemaker Bros., Contestants, v. John Manning, Contestee.
29. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Francis Wright, Contestee.
30. Creason & Shoemaker Bros., L.L.Jones, et al, Contestants, v. C. W. Gage, Contestee.
31. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. John W. Brackett, Contestee.
32. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Orlando Gillenwater, Contestee.
33. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. E.W. Taylor, Contestee.
34. Creason & Shoemaker Bros., L.L.Jones, et al, Contestants, v. Joseph Roberts, Contestee.
35. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Thomas Fitzgerald, Contestee.
36. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Ethel Gilchrist, Contestee.
37. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. M. Mulvahill, Contestee.
39. Creason & Shoemaker Bros., L.L.Jones, et al, Contestants, v. John Boyd, Contestee.
40. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. The Federal Land Bank, Contestee.
41. Creason & Shoemaker Bros., L.L.Jones, et al, Contestants, v. Anna Carrol, Contestee.
42. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Mahlon Stoneman, Contestee.
43. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. N.E. Vaughan, Contestee.
44. Creason & Shoemaker Bros., L.L.Jones, et al, Contestants, v. H.A. Traver, Contestee.
46. Creason & Shoemaker Bros., Contestants, v. E.M. Stephens and Mary E. Stephens, Contestees.
47. Creason & Shoemaker Bros., L.L.Jones, et al, Contestants, v. United States Forest Service Beaver Ranger Station, Contestee.
48. Creason & Shoemaker Bros., L.L.Jones, et al, Contestants, v. Mary E. Stephenson, Contestee.

49. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. W.L.Gage, Contestee.
50. Creason & Shoemaker Bros., Contestants, v. S. J. Connolly, Contestee.
51. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. W. H. and Thomas Dove, Contestees.
53. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Lola M. Quint, Contestee.
54. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Adelaide Lewis, Contestee.
55. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Henry T. Stephenson, Contestee.
56. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. R. Rosenbaum, Contestee.
57. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. Mrs. Sophia Specht, Contestee.
58. Creason & Shoemaker Bros., L. L. Jones, et al, Contestants, v. John W. Brackett, Contestee.

12.

Contest No. 1

Barbara Belcher,
 Contestant,
 v.
 E.M. Stephens and Mary
 Stephens,
 Contestees.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contest:

"It is hereby stipulated by and between the Contestant and the Contestee herein, and agreed, that the rights of the Contestees shall be as set forth in their statement and proof of claim filed herein, to-wit: 71.3 acres, except that as to the four and four-tenths acres of said land irrigated by means of a pump, that the priority of said four and four-tenths acres shall be subsequent to the priority of the lands of the contestant as set forth in her statement and proof of claim filed herein, and the above contest is hereby dismissed and the answer thereto is also dismissed."

13.

Contest No. 3

Barbara Belcher,
 Contestant,
 v.
 Ben Taylor,
 Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contest:

"It is stipulated and agreed by and between Barbara Belcher, by Paul W. Childers, her attorney, and Ben Taylor, by Jay. H. Upton, his attorney, that said Ben Taylor is entitled to a priority date of 1868 for 159 acres of land, and that said Barbara Belcher shall be entitled, by right of prescription and adverse user, to irrigate 98.4 acres with the waters of Gable Creek prior to all of the balance of the lands belonging to said Ben Taylor.

"It is further stipulated and agreed that this agreement shall in no way be deemed as a waiver of the rights of priority claimed by the said Ben Taylor against any of the other users of the waters of said Bridge Creek and its tributaries."

Contest No. 6

Barbara Belcher, Contestant,
 v.
 A. Creason & Shoemaker, Contestees.

Contest No. 38

Creason & Shoemaker, Contestants,
 v.
 Barbara Belcher, Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contests:

"In Contest No.6, Barbara Belcher against Creason & Shoemaker Bros., and in Contest No.38, Creason & Shoemaker Brothers against Barbara Belcher, it is STIPULATED and agreed by and between the attorneys of record for the above mentioned parties that Creason & Shoemaker Bros., shall have a right to the diversion and use of the waters of Bridge Creek sufficient for the irrigation of 100 acres of land prior to Barbara Belcher's claim, and that Barbara Belcher shall then have a right to the irrigation of 98.4 acres of land, and that all other lands for which a water right may be allowed under the claims of Creason & Shoemaker Bros. to the waters of Bridge Creek or its tributaries, shall have a water right subsequent to the above mentioned right for 98.4 acres belonging to Barbara Belcher.

"It is understood and agreed, however, that in entering into this stipulation as between said contestant and said contestee that neither party thereto waives any rights or priority or otherwise as against any other claimants to the waters of Bridge Creek or its tributaries.

"Based upon the above stipulation, the two contests above mentioned are hereby withdrawn."

Contest No. 7

Barbara Belcher, Contestant,
 v.
 L. L. Jones, Contestee.

Contest No. 18

L. L. Jones, Contestant,
 v.
 Barbara Belcher, Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contests:

"Now as to Contest No.7, Barbara Belcher against L.L.Jones, and Contest No. 18, L.L.Jones against Barbara Belcher, it is agreed that Barbara Belcher is claiming a right to the use of the waters of Gable Creek for the irrigation of 98.4 acres with a date of priority of 1878, and that L.L.Jones is claiming a right to the use of the waters of Gable Creek for the irrigation of 22 acres with a date of priority of 1876, and it is further stipulated and agreed by and between the parties above named through their respective attorneys that each be given a right to the use of said waters to the amounts claimed, and that as to dates of priority the rights to said use shall be equal.

"Based upon the above mentioned stipulation, these two contests may be dismissed."

Contest No. 8

Barbara Belcher,
 Contestant,,
 vs.
 Nellie Siedow,
 Contestee.

Contest No. 11

Nellie Siedow,
 Contestant,
 vs.
 Barbara Belcher,
 Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contests:

"It is hereby stipulated by and between Barbara Belcher and Nellie Siedow that Contests Nos. 8 and 11, Barbara Belcher against Nellie Siedow and Nellie Siedow against Barbara Belcher, respectively, shall be settled as follows: It is agreed that Barbara Belcher shall have the right to irrigate 98.4 acres of land as claimed in her application, and Nellie Siedow shall have the right to irrigate 77.8 acres of land under proof #82, and as between the parties hereto they shall take equal priority.

"However, it is further stipulated and agreed that in the event of a shortage of water during any season hereafter, that a system of rotation shall be invoked, and that Barbara Belcher shall have a use of the water of Gable Creek under such rotation for a period of two days and Nellie Siedow shall have the use of the water of Gable Creek under such rotation for a period of one day. Provided, however, that at all times the said Nellie Siedow shall be entitled to, and receive, a sufficient amount of water for household, stock and domestic use, and said Barbara Belcher shall also have a right to the waters of said stream for household, stock and domestic use. And that the use of the water herein stipulated shall be and become appurtenant to the land."

Exceptions were filed to the above findings of the State Engineer in disposing of Contests Nos. 8 and 11 appearing at page 11 and being paragraph 16 of the State Engineer's Findings and Order of Determination. At the time set for hearing of contests a stipulation was read into the record, and it is alleged by the exceptions filed in behalf of Nellie Siedow Payne (formerly Nellie Siedow), that said stipulation as transcribed was not in accordance with the intentions of the parties wherein definite provisions were made in regard to rotation of the water to which the parties were entitled in event of shortage. The attorney for exceptor Payne has been notified of the hearings held in the above entitled matter but no appearance was made, nor upon subsequent notice has any effort been made, to settle the matter with the opposing party. The transcript of the testimony in regard to the stipulation will therefore be considered as indicating the agreement of the parties in settlement of the controversy, and the State Engineer's findings as originally entered should be and are hereby affirmed.

Contest No. 9

Nellie Siedow, Contestant,
 v.
 A. Creason & Shoemaker
 Brothers, Contestees.

Contest No. 52

Creason & Shoemaker Bros., Contestants,
 v.
 Nellie Siedow, Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contests:

"In Contest No. 9, Nellie Siedow against Creason & Shoemaker Bros., and in Contest No. 52, Creason & Shoemaker Bros. against Nellie Siedow, it is hereby STIPULATED and agreed by and between the attorneys of record for the above mentioned parties that Creason & Shoemaker Bros. shall have a right to diversion and use of the waters of Bridge Creek sufficient for the irrigation of 100 acres of land prior to Nellie Siedow's claim, and that Nellie Siedow shall then have a right to irrigation of 77.8 acres of land, and that all other lands for which a water right may be allowed under the claims of Creason & Shoemaker Bros. to the waters of Bridge Creek or its tributaries, shall have a water right subsequent to the above mentioned right of 77.8 acres belonging to Nellie Siedow.

"It is understood and agreed, however, that in entering into this stipulation as between said contestant and said contestee that neither party thereto waives any rights of priority or otherwise as against any other claimants to the waters of Bridge Creek or its tributaries."

Contest No. 10

Nellie Siedow, Contestant,
 v.
 Ben Taylor, Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contest:

"It is stipulated by and between Nellie Siedow, by her attorney, R. C. Bradshaw, and Ben Taylor, by his attorney, Jay H. Upton, that the said Ben Taylor has a priority date of the year 1868 for the irrigation of 159 acres of land on Bridge Creek and its tributaries, and that Nellie Siedow, an appropriator of the waters of Gable Creek, shall have the right, by right of prescription and adverse use, to the use of the waters for the irrigation of 77.8 acres prior to the remaining portion of the lands of the said Ben Taylor now irrigated from the waters of Bridge Creek and its tributaries.

"It is expressly stipulated and agreed, however, that said Ben Taylor in entering into this stipulation does not waive any date of priority for any of the water of Bridge Creek or its tributaries as against any other person or claimants on said stream."

Contest No. 13

Nellie Siedow, Contestant,
 v.
 E. M. Stephens &
 Mary E. Stephens, Contestees.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the

above contest:

"It is hereby stipulated by and between the Contestant and the Contestees herein, and agreed, that the rights of the Contestees shall be as set forth in their statement and proof of claim filed herein except that as to the four and four-tenths acres of land irrigated by means of a pump, that the priority of said four and four-tenths acres shall be subsequent to the priority of the lands of the Contestant as set forth in her statement and proof of claim filed herein, and the above contest is hereby dismissed and the answer thereto is also dismissed."

20.

Contest No. 14

Ben Taylor, Contestant,
v.
E. M. Stephens and
Mary E. Stephens, Contestees.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contest:

"It is hereby stipulated and agreed by and between the Contestant and the Contestees herein that the rights of the Contestees shall be as set forth in their statement and proof of claim filed herein except that as to 4 and four-tenths acres of said land irrigated by means of a pump, that the priority of said four and four-tenths acres shall be subsequent to the priority of the lands of the Contestant as set forth in his statement and proof of claim filed herein, and the above contest is hereby dismissed and the answer thereto is also dismissed."

21.

Contest No. 16

L. L. Jones, Contestant,
v.
Creason & Shoemaker Bros., Contestees.

Contest No. 45

Creason & Shoemaker Bros., Contestants,
v.
L. L. Jones, Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contests:

"In Contest No. 16, L. L. Jones against Creason & Shoemaker Bros., and also in the contest of Creason & Shoemaker Bros. against L.L.Jones, No. 45, it is STIPULATED and agreed by and between the respective parties, both Contestee and Contestant, through their respective attorneys, that Creason & Shoemaker Bros. shall be awarded a right to the use of water sufficient to irrigate 100 acres, as of a date prior in time to that of L. L. Jones, but that any other rights to the use of the waters of Bridge Creek or its tributaries by Creason & Shoemaker Bros. shall be inferior and subsequent in time to the rights claimed by L. L. Jones to said water.

"It is understood and agreed, however, that in entering into this stipulation as between said Contestants and said Contestees,

that neither party thereto waives any rights of priority or otherwise, as against any other claimants to the waters of Bridge Creek or its tributaries."

22.

Contest No. 19

L. L. Jones, Contestant,
v.
Ben Taylor, Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contest:

"It is stipulated by and between N. G. Wallace and Donald M. Graham, attorneys for L. L. Jones, Contestant, and Jay H. Upton, attorney for Ben Taylor, Contestee, that Ben Taylor is entitled to and shall be given a date of priority of the year 1868 for 159 acres, and that L. L. Jones shall be allowed a date of priority of 1871 for 100 acres; and the said Ben Taylor a right for 120.1 acres, and the said L. L. Jones a right for 53.5 acres, with an equal date of priority, immediately subsequent to the prior date of 1871 for which the 100 acres of L. L. Jones' claim heretofore mentioned has been stipulated. The above stipulation has no reference to the Ben Taylor claim to the waters of Bear Creek on which was filed no contest.

"It is understood and agreed, however, that in entering into this stipulation, as between the said Contestant and said Contestee, that neither party thereto waives any right of priority or otherwise, as against any other claimants to the waters of Bridge Creek or its tributaries."

23.

Contest No. 21

L. L. Jones, Contestant,
v.
E.M. Stephens and Mary E. Stephens, Contestees.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contest:

"It is hereby stipulated and agreed by and between the Contestant and the Contestees herein that the rights of the Contestees shall be as set forth in their statement of proof of claim filed herein except as to four and four-tenths acres of said land irrigated by means of a pump, that the priority of said four and four-tenths acres shall be subsequent to the priority of the lands of the Contestant as set forth in his statement and proof of claim filed herein, and the above contest is hereby dismissed and the answer thereto is also dismissed."

Contest No. 23

C. T. Keyes, Contestant,
 v.
 Creason & Shoemaker,
 E. M. Stephens and
 Mary E. Stephens, and
 Ben Taylor, Contestees.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, separate stipulations were entered into between Contestant and each of the three Contestees in the above contest, as follows:

C.T.Keyes, Contestant,)
 vs.)
 Creason & Shoemaker Bros.,)
 ----- Contestee.)

"For and in consideration of the mutual advantages accruing to the parties hereto, with respect to their water rights as set forth in the above entitled contest, it is HEREBY STIPULATED, UNDERSTOOD AND AGREED that as between the parties hereto, the rights of said C.T.Keyes in and to the waters of Keyes Creek, a tributary of Bridge Creek, as set forth in his statement and proof of claim, as filed in the above entitled proceedings, is prior and superior to the rights of A.Creason & Shoemaker Bros., as set forth in their statement and proof of claim to the waters of said Keyes Creek, and the State Engineer is so authorized to find, as between said parties, in the decree to be entered in the said proceedings, and the above contest is hereby withdrawn.

"IN WITNESS WHEREOF, we have hereunto set our hands this 25th day of May, 1925.

(Sgd) C. T. KEYES
 Contestant.

(Sgd) A.CREASON & SHOEMAKER BROS.
 by E. Shoemaker, Contestee."

C.T.Keyes, Contestant,)
 vs.)
 E.M.Stephens and)
 Mary Stephens, ----- Contestees.)

"It is hereby stipulated and agreed by and between the contestant and the contestee that the rights of the contestee shall be as set forth in their statement and proof of claim filed herein, and the rights of the contestor shall be as set forth in his statement and proof of claim as filed herein, and the above contest is hereby dismissed and the answer thereto is also dismissed.

"IN TESTIMONY WHEREOF, the respective parties hereto have hereunto set their hands at Mitchell, Oregon this 25th day of May, 1925.

(Sgd) C. T. KEYES
 Contestant

(Sgd) E.M.STEPHENS
 Contestee."

Custer T. Keyes, Contestant,)
 vs.)
 Ben Taylor, ----- Contestee.)

"It is hereby stipulated by and between the contestant and the contestee that the use of the water by the contestant of the waters of Keyes Creek as set forth in his statement and proof of claim does not infringe upon the rights of contestee as the stream dries up during the irrigation season as set forth in contestant's statement and proof of claim, and contestee agrees that he will not require contestant to release any of said waters of Keyes Creek during the irrigation season, and said Contest is hereby dismissed.

"In Witness Whereof the parties hereto have hereunto set their hands at Mitchell, Oregon, this 25th day of May, 1925.

(Sgd) H.H.& CARL HENDRICKS, PERCY A. CUPPER
 Attorneys for Contestant.

(Sgd) JAY H. UPTON, Attorney for Contestee.

Contest No. 27

Creason & Shoemaker Bros.,
 Contestant,
 v.
 Ben Taylor,
 Contestee.

That upon the date fixed for the beginning of the taking of testimony in this proceeding, the following stipulation was entered into in settlement of the above contest:

"It is stipulated by and between Creason & Shoemaker Brothers by John H. Lewis, their attorney, and Ben Taylor by Jay H. Upton, his attorney, that Ben Taylor shall be entitled to a water right for 159 acres with a priority date of 1868, and that Creason & Shoemaker Brothers are entitled to a right for 100 acres with a priority date of 1872, and that Ben Taylor is entitled to a right for 120.1 acres with a date immediately subsequent to the aforesaid priority of the said Creason & Shoemaker Bros., and that the said Creason & Shoemaker Bros., are entitled to a right for 100 acres with a date of priority immediately subsequent to the aforesaid 120.1 acres allotted to Ben Taylor.

"It is understood and agreed, however, that in entering into this stipulation as between said Contestant and said Contestee, that neither party thereto waives any rights of priority or otherwise, as against any other claimants to the waters of Bridge Creek or its tributaries.

"It is further understood and agreed that the water rights aforesaid shall be appurtenant to all of the lands claimed under the various proofs of claim, and not to any particular subdivision thereof."

That a stipulation was filed in this proceeding by and between Sarah E. Keyes and Custer T. Keyes, as follows:

"IT IS HEREBY STIPULATED, by and between Sarah E. Keyes and Custer T. Keyes, that the right of Custer T. Keyes as set forth in his statement and proof of claim in these proceedings to the waters of Keyes Creek are prior and superior to the rights of Sarah E. Keyes to the waters of said stream as set forth in her statement and proof of claim filed herein.

"In Witness Whereof the parties hereto have hereunto set their hands at Mitchell, Oregon, this 25th day of May, 1925.

(Sgd) SARAH E. KEYES

(Sgd) CUSTER T. KEYES "

Exceptions were filed by Ralph Folston to the findings of the State Engineer wherein said claimant was awarded a water right for 9 acres from Bridge Creek with date of priority of 1884. It is contended, as indicated by the exception that the land is entitled to a water right of priority of 1874. No appearance was made in behalf of the claimant at the time of hearing and consequently no evidence was introduced upon which to support the claim raised by the exception; therefore the State Engineer's findings as originally made will be affirmed.

Exceptions were filed by the Piety Hill Ditch Company, Town Ditch Company, Lower Town Ditch Company and X. E. Hall individually and as a representative of the Piety Hill Ditch Company to the findings of the State Engineer pertaining to the award of water rights to L. L. Jones under Proofs of Claims Nos. 47, 48, 49, 50, 51 and 52 appearing in the tabulation of water rights at pages 29 and 30 of the State Engineer's Findings and Order of Determination and also to those rights awarded Ben Taylor under Proofs of Claims Nos. 84 and 85 appearing in the tabulation of water rights at page 34 of the State Engineer's Findings and Order of Determination.

Prior to the hearing a stipulation dated March 3th, 1929 was filed by the above named exceptors other than X. E. Hall individually wherein it was stipulated that L. L. Jones be entitled to a water right for 100 acres with date of priority of 1871, which right should be recognized as prior to any and all rights claimed by the exceptor ditch companies or any user thereunder and that Ben Taylor should have a prior right to the use of water for 159 acres with priority of 1868 which right should be recognized as prior to any right claimed by any of the exceptor ditch companies. The stipulation further provided that in the event any one appeared at the hearing fixed on the exceptions filed by said ditch companies or any of them attempted to prosecute the same the stipulation should be null and void. It appears that X. E. Hall, a water user from the Piety Hill Ditch Company, made an appearance on the day set for hearing which in effect prevented the stipulation from being binding on the parties and as a consequence the issues raised by the exceptions were heard on the merits and testimony, and evidence was received in support thereof.

Claims of L. L. Jones

The State Engineer by his Findings and Order of Determination allowed L. L. Jones a water right as follows:

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
Jones, L. L. Mitchell, Ore. Proof #47 (Wallace & Graham, Attys., Prineville, Oregon). (See Par. 21, P. 13) (See Par. 22, P. 14) (See Par. 23, P. 14)	1889		28	Irrigation, domestic and stock	Jones Ditch #4	Bridge Creek	1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, 1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T. 11 S., R. 21 E., W.M.
Proof #48	1889		22.7	Irrigation, domestic and stock	Jones Ditch #5	Bridge Creek	7.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 11.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27 0.5 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T. 11 S., R. 21 E., W.M.
Proof #49 (See Par. 15, P. 10)	1876		22	Irrigation, domestic and stock	Jones Ditch #6	Gable Creek	4.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$.1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, 1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 11 S., R. 21 E., W.M.
Proof #50	1889		20.7	Irrigation, domestic and stock	Jones Ditch #2	Bridge Creek	3.9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, 1.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T. 11 S., R. 21 E., W.M.
Proof #51	1889		11.5	Irrigation, domestic and stock	Jones Ditch #3	Bridge Creek	3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, 3.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T. 11 S., R. 21 E., W.M.
Proof #52	1889		48.4	Irrigation, domestic and stock	Jones Ditch #1	Bridge Creek	5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 23 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.4 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T. 11 S., R. 21 E., W.M.

It appears that the Jones place as it is now known consisted at one time of three ranches known as the Butterfield, Sasser and Lloyd places. Just how these particular ranches were irrigated in relation to the present irrigation system now in use is not clear from the record. The whole contention on part of the exceptors appears to hinge on the acreage irrigated under ditches Nos. 1 and 2, and the testimony is largely confined to the irrigation between the period of 1896 and 1903 which raises the sole question as to whether or not due diligence was exercised by the claimant in perfecting his water right which would entitle him to the acreage and priority as claimed. The record indicates that these properties were first irrigated in the early eighties. During the year of 1884 water spouts destroyed the intakes and part of the ditches which necessitated changes in the points of diversion of both ditches Nos. 1 and 2, but the preponderance of the testimony would indicate that no enlargements of the ditches resulted when they were reconstructed and that they had sufficient capacity to serve the lands originally as now. One of the witnesses for the contestants testified that the old ditch, which is now known as ditch No. 1, irrigated 35 or 40 acres in 1884 and that it was so constructed as to serve the same lands now irrigated from it. While the State Engineer's maps indicate that there are 48.4 acres under irrigation from ditch No. 1, the claimant while on stand testified that 36 acres and a fraction were irrigated from said ditch.

As to the lands now being irrigated under the present Ditch No. 2 it appears that the first irrigation was prior to 1884. As to how many acres were then irrigated the testimony is conflicting and for the purposes of these findings immaterial, as the date of priority claimed is 1889. The original ditch which served the lands was reconstructed in 1897 or 1898 and the point of diversion moved up stream a quarter of a mile. The testimony as to the time when the lands under the ditch were prepared for irrigation and water applied is vague and uncertain, but it appears that when the point of diversion was changed 3 or 4 additional acres were irrigated which could not have been before the change. There is nothing in the record which would indicate that the claimant or his predecessors did not use due diligence in perfecting the water right awarded in the original findings of the State Engineer, but in view of the statement of claimant while on the witness stand that but 36 acres are now irrigated under Ditch No. 1, and 3 acres were included under ditch No. 2 which could not have been irrigated before it was reconstructed, the original findings will be modified so as to allow claimant a water right from ditch No. 1 for 17 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Township 11 South, Range 21 East, W. M., instead of 23 acres, and under ditch No. 1, 2 acres instead of 5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 11 South, Range 21 East, W.M., with priority of 1889 for the 2 acres and priority of 1897 for the 3 acres. In all other respects the original findings are affirmed.

Claims of Ben Taylor

The original findings of the State Engineer awarded water rights for the Ben Taylor lands as follows:

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
Taylor, Ben Mitchell, Oregon Proof No.83 (Jay H.Upton,Atty., Bend,Oregon.)	1877		23.5	Irrigation and domestic	Bear Creek Ditch	Bear Creek	1.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, 18. acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, T. 10 S., R. 20 E.,W.M.
Proof No.84 (See Par. 13,P. 9) (" " 18,P.12) (" " 20,P.13) (" " 22,P.14) (" " 25,P.16)	1868		119.7	Irrigation and domestic	Last Chance or Carrol Ditch	Bridge Creek	3.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 12.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, 5.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, 9.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 11 S., R. 21 E.,W.M. 11.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T. 10 S., R. 21 E.,W.M.
Proof No.85	1868		159.4	Irrigation and domestic	Sutton ditch	Bridge Creek	13.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 25.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, 0.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, T. 10 S., R. 20 E.,W.M. 10.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$.3 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, 3.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T. 10 S., R. 21 E.,W.M.

Originally the properties of Ben Taylor involved in these proceedings consisted of three ranches known as the Nichols, Miner and Carrol places. Although testimony introduced at the hearing did not show these properties irrigated prior to 1874, affidavits submitted with the proofs of claims indicated the first irrigation to have taken place in 1868. The lands are irrigated by two ditches known and referred to in the testimony as ditch No. 1, sometimes called the Carrol or Last Chance Ditch, and ditch No. 2, sometimes called the Sutton Ditch.

Originally the lands irrigated from the Last Chance Ditch or ditch No. 1 were served by what was known as the old Government ditch which was in existence prior to 1874 and delivered water to approximately 30 acres of land. The present ditch, according to the testimony, was constructed in 1880. As to whether or not this ditch was enlarged at this time is not disclosed by the testimony. It appears that by 1896, 75 acres were irrigated. Just when the remainder of the land was brought under irrigation is not clear from the testimony. The point of diversion was changed in 1902 or 1903 but no enlargement was made of the ditch or intake so as to indicate the use of more water than was originally intended to be appropriated. The testimony is clear that as much acreage and the same lands could be served by the ditch before the change in diversion as now.

Ditch No. 2, or the Sutton Ditch, appears to have been constructed prior to 1880 and before that time the lands now under the ditch were first irrigated by two old ditches. The testimony indicates that 10 or 15 acres were irrigated in 1878 and by 1896 50 acres or more were under irrigation. This acreage was considerably increased after 1903 when an extension was made to the main canal so as to include some 30 or 40 acres. Just when the additional acreage was put under irrigation can not be determined from the record, but there is no evidence which would warrant a denial of water rights as claimed, and the original findings of the State Engineer in respect to the claims of claimant under Proofs Nos. 84 and 85 should be affirmed.

29.

That in the distribution of water on Bridge Creek and its tributaries, the watermaster shall observe the provisions of the foregoing stipulations, as between the parties thereto. As against other water users on the stream, however, who are not parties to such stipulations, the rights of the parties shall be administered in accordance with their relative dates of priority as set forth in the tabulation hereinafter contained.

It appears that in some cases the carrying out of the provisions of the stipulations above quoted, affecting the distribution of water to certain appropriators,

may at times be so complicated as to render it impossible to enforce them without interfering with the rights of third parties, who are not bound by such stipulations. In the distribution of water by the water master, therefore, the provisions of such stipulations shall be observed and enforced as between the parties thereto only when the enforcement thereof will not be injurious to the rights of third parties. In the event of such injury the stipulations shall be disregarded by the water master and the rights of the parties affected shall be administered in accordance with their relative dates of priority as set forth in the tabulation hereinafter contained. It further appears that the rights mutually recognized in each other by the parties to some of the stipulations are not in fact in accordance with the true rights of said parties as decreed herein. It shall be expressly understood that such stipulations do not add to the rights of the parties thereto, as set forth in the tabulation hereinafter contained and that such stipulations apply only to the particular rights and lands designated in such stipulations as involved in this proceeding and recognized herein.

Where reference is made in a stipulation to a certain acreage owned by a claimant, it is to be understood that the stipulation applies to the water right claimed for that acreage, and no other. Where the particular acreage to which the stipulation is intended to apply is not clearly designated, it shall be deemed to apply to the acreage and rights involved in this proceeding, and in the particular contest disposed of by such stipulation.

The several stipulations wherein it is agreed that Creason & Shoemaker Brothers shall have a superior right to sufficient water for the irrigation of 100 acres (See Paragraphs 14, 17, 21, 25) shall be construed as applying to a certain 100 acres of the 152.9 acres of land for which a water right was claimed in this proceeding by said Creason & Shoemaker under priority of 1872, which 100 acres shall be selected and such selection adhered to by said Creason & Shoemaker throughout each irrigation season.

The same provision is made with respect to the rights of Ben Taylor involved in the stipulation entered into in Contest No. 27. The tracts of 159 and 120 acres may be selected by Ben Taylor but during any one irrigation season shall remain fixed, notwithstanding the provision of the third paragraph of said stipulation.

30.

That Bridge Creek watershed, comprising an area of about 340 square miles, lies in three adjoining counties, - Wheeler, Crook and Jefferson, with the greater portion in Wheeler County. The creek drains a portion of a spur of the Blue Mountains and empties into the John Day River near the Burnt Ranch Post Office. The general

direction of the main creek is northwesterly, with all principal tributaries flowing into it from the southwest slope, which is situated in the mountains and is partially forested while the northeastern slope is high, open desert land. The tributaries of Bridge Creek, in order of occurrence from its mouth upward, are: Bear Creek, Taylor Creek (or West Branch), Gable Creek, Nelson Creek and Mill Creek, from the southwest slope, and Keyes Creek from the northeast slope.

That the soils of the lands under irrigation consist of sandy and gravelly loams on the higher areas, and sedimentary deposits on the valley bottom areas. Irrigation is necessary for the raising of profitable crops. The crops raised consist of hardy grains, alfalfa, forage and root crops, garden truck and some orchard products.

That said Bridge Creek and its tributaries are perennial streams and their waters are subject to appropriation under the laws of the State of Oregon

31.

That at the time the various contests hereinbefore described came on for hearing and were settled by stipulation, a general stipulation was also entered into suggesting that jurisdiction be retained by the State Engineer for a period of two years for the purpose of making engineering studies of stream flow and return seepage from upper irrigated tracts, so that proper provisions might be made in the final decree for the administering of the various rights to the best advantage of all, with necessary restrictions on the individual diversions. The stipulation also provided a temporary duty of water to be used during the two-year period. It was urged by certain of the upper users that the more water that is taken out and used by them in the early part of the season, the more water is available for the users below during the dry part of the season later on, on the theory that the upper irrigated lands act as a storage of the early flood water so used, which later returns to the stream in the form of seepage.

It was also suggested that the stream be divided into two or more units for administrative purposes, and that the water be distributed in each unit without regard to the priorities of the rights in the other units.

Two irrigation seasons have elapsed since the above proceedings were had, during which there has been a water master in charge of the distribution of water on the stream under the direction of the State Engineer. The stipulations entered into in settlement of contests have been enforced to some extent and the rights in general have been administered according to relative priorities. From the information afforded by this opportunity of putting the proposed regulations into actual operation, and from the observations and studies made prior thereto, it seems best not to divide the stream

into units as above indicated. Considering all available data, the following limitations are made for the administration of the rights involved herein:

The rights to the use of the waters of Bridge Creek and its tributaries as involved herein, shall entitle the holders thereof to the use of the quantity of water which may be applied to a beneficial use, within the following limitations: The use of the water for irrigation purposes shall be confined to an irrigation season from March 1st to October 1st of each year, during which period the water diverted from all streams except Gable Creek and its tributaries shall not exceed a rate of one-fortieth of a cubic foot per second per acre of land irrigated before June 15th, and a rate of one-eightieth of a cubic foot per second per acre of land irrigated after June 15th. The records and evidence herein show that conditions on Gable Creek are radically different from those on the rest of the stream system. The water supply of that stream has been very deficient and the water users have been compelled to exact a high duty from the available flow. On Gable Creek and its tributaries the water diverted shall not exceed a rate of one-eightieth of a cubic foot per second per acre of land irrigated before June 15th, and a rate of one-hundredth of a cubic foot per second per acre of land irrigated after June 15th. The water used under these limitations shall be measured at the point of diversion from the stream. The basis of determining the quantity to which an appropriator is entitled at any time under the above limitations shall be the acreage actually prepared for irrigation and to which water may be beneficially applied in the production of crops.

32.

That the watermaster of the district in which Bridge Creek and its tributaries are situated may arrange such system or systems of rotation as may be best applicable to the conditions arising from time to time in the distribution of water on such stream. When two or more appropriators agree between themselves as to a manner and system of rotation in the use of their water, the water master shall distribute such water in accordance with such agreement, providing that in so doing he does not interfere with the rights of any appropriator not a member of such group or system of rotation.

That in case the water flowing in the channel of a stream or ditch sinks or fails to flow down the channel so as to be of beneficial use to an appropriator having the prior right to its use, the watermaster shall allow the diversion thereof by the next appropriator in order of priority who can make a beneficial use of such water.

That all parties herein allowed the right to the use of water for irrigation shall be entitled to use such water for stock and domestic purposes; provided, that during the irrigation season such appropriators shall not be entitled to divert any water for stock or domestic purposes in addition to the amount which they are entitled to divert for irrigation purposes. That outside of the irrigation season the right to the use of water for stock and domestic purposes as herein confirmed, entitles the owner of such right to divert and use such a quantity of water as is reasonably necessary for stock and domestic purposes, and to prevent the water in the ditches and channels used for such purposes from being completely frozen; provided, that the amount diverted for stock uses shall not exceed one-tenth of one cubic foot per second for each ranch or appropriator.

34.

That the rights to the use of water for irrigation purposes hereby confirmed are appurtenant to the lands herein described, and the rights of use of the waters of said stream and its tributaries by virtue of such rights are limited and confined to the irrigation of the lands described herein to the extent of said lands herein set forth, and the priorities of right herein confirmed confer no right of use of the waters of said stream and its tributaries on any lands other than those specified tracts to which such rights are herein set forth as appurtenant, and each and every person shall be and hereby is prohibited, restrained and enjoined from diverting and using water from said stream on such other lands without lawful permit first obtained from the State Engineer.

35.

That except as otherwise determined herein, the order of the rights of the respective appropriators of the waters of said stream and its tributaries, and in which order they are entitled to divert and use the said water shall be and is according to the date of the relative priority of the rights as herein set forth and determined, and the first in order of time according to the date of relative priority shall be and is the first in order of right, and so on down to the date of the latest right, and those having prior rights are entitled to divert and use the waters of said stream and its tributaries when necessary for beneficial use in connection with the irrigation of their respective lands or other useful and beneficial purposes for which they are decreed the right of use, at all times against those having subsequent rights, without let or hinderance, and whenever the water is not required by the appropriator having a prior right to its use for the purpose for which said water was appropriated, he must and shall permit it to flow down the natural channel of the stream as it was

wont to flow in its natural course without hinderance or diversion thereof, and those having subsequent rights are entitled to the use of such water and to divert the same to the extent of their rights of appropriation according to the order of priority of their rights; and at all times the waters shall be beneficially, economically and reasonably used without waste by those having a right to the use of such water, and no rights of appropriation are hereby confirmed to divert a greater quantity of water than such appropriator can beneficially use for the purpose to which the water is to be put.

36.

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

37.

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

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Belcher, Barbara Central Point, Oregon Proof No.1 (Paul W. Childers, Atty., The Dalles, Oregon.)	1878		43	Irrigation, domestic and stock	Ditch #2	Gable Creek	17.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 18 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8;
	1880		46.7		Ditch #1 (W. Side)		14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8; 2.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17;
	1882		8.7				8.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8; T. 12 S., R. 21 E., W.M.
Boyd, John Mitchell, Oregon Proof No. 2.	1901		26.1	Irrigation, domestic and stock	Maise	West Branch	6.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, T. 12 S., R. 20 E., W.M.
	1907		2	Irrigation, domestic and stock	Boyd West	West Branch	2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T. 12 S., R. 20 E., W.M.
Superseded by Cert. No. 40414 Brackett, John W. Mitchell, Oregon Proof No.4.	1882		40.9	Irrigation, and stock	Chitman- Howard	West Fork of Thompson Creek	10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 12 S., R. 20 E., W.M. 6.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 24.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18 T. 12 S., R. 21 E., W.M.
	1882		17.8	Irrigation	Two Chitman ditches	Thompson Creek	5.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, 2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, T. 12 S., R. 21 E., W.M.
Proof No.6,	1898		2	Irrigation	Lee Stephenson	Thompson Creek	2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T. 12 S., R. 21 E., W.M.
Campbell, Maude A. Mitchell, Oregon Proof No.7.	1884		7.2	Irrigation		Nelson Creek	4.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.2 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T. 12 S., R. 21 E., W.M.
Proof No.8.	Oct.9, 1919	0.25	20	Irrigation		Nelson Creek & White Butte Reservoir	12 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T. 12 S., R. 21 E., W.M.
(Rights under Permit No. 4325, Cert.No.3909.)							

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
Cannon, Robert D. Mitchell, Oregon Proof No.9.	1892		73.5	Irrigation	Butterfield Grisham ditch	West Branch	30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, 9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, T. 12 S., R. 20 E., W.M.
Proof No.10	1889		1	Irrigation	Orrick Creek	O'Kellie Creek tributary of W. Branch	1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 12 S., R. 20 E., W.M.
Proof No. 11	1908		1	Irrigation	Cannon ditch #2	O'Kellie Creek tributary of W. Branch	1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 12 S., R. 20 E., W.M.
Proof No.12	1898		6	Irrigation	Orrick ditch	West Branch (Taylor Creek)	6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 12 S., R. 20 E., W.M.
Carroll, Anna White Salmon, Wash. Proof No.13. (Carl Hendricks, Atty., Fossil, Oregon.)	1894		6.8	Irrigation, domestic and stock	Taylor ditch	Taylor Creek	4.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, T. 12 S., R. 20 E., W.M.
Cole, C. A. Mitchell, Oregon Proof No. 14	May 6, 1894		102.20	Irrigation, domestic and stock	Maxwell ditch	Maxwell Creek	0.2 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, 26.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 16.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 9.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, 5.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 17.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T. 12 S., R. 21 E., W.M.
Proof No. 15	Prior to 1909		2	Irrigation	Private ditch	Nelson Creek	2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, T. 12 S., R. 21 E., W.M.
Connolly, S. J. Mitchell, Oregon. Proof No.16.	1882		20.4	Irrigation	Besser ditch	Bridge Creek	6.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, T. 10 S., R. 20 E., W.M.
Proof No. 17	1901		24.5	Irrigation	Unsworth ditch	Bridge Creek	1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 12.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 10 S., R. 20 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
Creason & Shoemaker Bros. 1872 Mitchell, Oregon Proof No. 18 (John H. Lewis, Atty., Ry. Exchange Bldg. Portland, Oregon.) (See Par. 14, P. 16) (" " 17, " 18) (" " 21, " 19) (" " 25, " 22) (See Par. 24, P. 21) (See Par. 29, P. 27-28)	1872		25.1	Irrigation	Ditches and laterals	Bridge Creek	1.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, 0.2 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, 1.0 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, 1.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.7 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T. 12 S., R. 22 E., W.M.
Proof No. 19	1872		17.4	Irrigation, domestic and stock	Ditches and laterals	Keyes Creek	1.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.3 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, 0.5 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.9 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, T. 11 S., R. 22 E., W.M. 1.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, 0.8 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.3 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, 3.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 12 S., R. 22 E., W.M.
Proof No. 20	1872		110.4	Irrigation, domestic and stock	Ditches and laterals	Mill Creek	7.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T. 12 S., R. 21 E., W.M. 13.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 12.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, 1.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 12.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 21.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T. 12 S., R. 22 E., W.M.
Dove, W. H. & Thomas, Mitchell, Oregon Proof No. 21	1884		19.9	Irrigation and stock	Payne Dove Specht	West Fork of Thompson Creek	12.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T. 12 S., R. 20 E., W.M. 3.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, T. 12 S., R. 21 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
Federal Land Bank of Spokane, Washington Proof No. 22 (S.H. Wattenburg, Agt. Fossil, Oregon.)	1870		7.0	Irrigation	Ditch and dam	West Branch	4.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, T. 12 S., R. 20 E., W.M.
Proof No. 23	1892		41.8	Irrigation	Ditch from West Branch (Butterfield Grisham Ditch)	West Branch	23.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 12.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.8 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, T. 12 S., R. 20 E., W.M.
Proof No. 24	1874		13	Irrigation	Taylor lower ditch	West Branch	1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, T. 12 S., R. 20 E., W.M.
Fitzgerald, Thomas Mitchell, Oregon Proof No. 25	1892		15.7	Irrigation	Pierson Ditch	Bear Creek	9.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T. 11 S., R. 20 E., W.M.
Proof No. 26	Prior to 1889		41.8	Irrigation	Main Ditch	Bear Creek	2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9 0.5 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 9.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T. 11 S., R. 20 E., W.M.
Proof No. 27	1897		9.2	Irrigation	The Lower Ditch	Bear Creek	6.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, T. 11 S., R. 20 E., W.M.
Folston, Ralph Mitchell, Oregon Proof No. 28 (See Par. 27, P. 22)	1884		9	Irrigation	Folston's Lower Ditch	Bridge Creek	2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 11 S., R. 21 E., W.M. 7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T. 12 S., R. 21 E., W.M.
56516 Gage, W. L. Mitchell, Oregon Proof No. 29 7.5940 Δ POD 3 $\frac{1}{2}$ ac NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 36	1877		35.80	Irrigation	Tom Vowell Ditch (West Side)	West Branch	5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, 4.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, 2.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T. 11 S., R. 20 E., W.M.
Proof No. 30	1877		12.8	Irrigation, domestic and stock	H. McCollum Ditch (East Side)	West Branch	0.3 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36 2.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25 T. 11 S., R. 20 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
5049 Gilchrist, Ethel M. Prineville, Oregon Proof No. 32 (J.C. Gilchrist, Agt.) (A) CANCELED PC 50-1	1874		35	Irrigation, domestic and stock	Taylor Ditch	West Branch	9.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T. 12 S., R. 20 E., W.M.
Proof No. 33	1892		8	Irrigation, domestic and stock	Mansfield Rosenbaum Ditch	West Branch	7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T. 12 S., R. 20 E., W.M.
Gilchrist, J. C. Prineville, Oregon Proof No. 34	Aug. 10, 1915	0.68	54	Irrigation		Slide and Rail Creeks	15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11, 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, T. 12 S., R. 20 E., W.M.
(Rights under Permit No. 2602, Cert. No. 2189.)							
886 49206 - 49834 Gillenwater, Orlando Mitchell, Oregon Proof No. 35. F-3100 APD	1884		26.3	Irrigation and stock	Masterson Ditches	Gable Creek	16.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 12 S., R. 21 E., W.M.
Proof No. 36	1884		12	Irrigation and stock	Masterson Ditches	Gable Creek	1.0 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 11.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 12 S., R. 21 E., W.M.
Proof No. 37	1903		1	Irrigation	Payne Ditch	Thompson Creek	0.8 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 12 S., R. 21 E., W.M.
3567 Hall, X. E. Mitchell, Oregon Proof No. 38	1874 or 1875		6	Irrigation	Piety Hill Ditch	Bridge Creek	6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 12 S., R. 22 E., W.M.
(NOTE: This land is also irrigated under the Piety Hill Ditch under priority of 1896.)							
Proof No. 39	1873 or 1874		3.5	Irrigation	The BeLieu Ditch #2	Bridge Creek	2.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 12 S., R. 22 E., W.M.
Proof No. 40	1873 or 1874		5	Irrigation, domestic and stock	The BeLieu Ditch #2	Bridge Creek	4.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 12 S., R. 22 E., W.M.
Proof No. 41	1900		0.8	Irrigation	Grady Mast Ditch	Bridge Creek	0.8 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6 T. 12 S., R. 22 E., W.M.
Proof No. 42	Mar. 7, 1914	0.15	11.04	Irrigation		Mill Creek	6.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.94 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6, T. 12 S., R. 22 E., W.M.
(NOTE: Rights acquired under State Engineer's Permit No. 1918, Certificate No. 2204.)							

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
Hall, X. E. (continued) Mitchell, Ore. Proof No. 43	Feb. 25, 1914	2.5	200	Irrigation		Mill Creek	15 acres in SE 1/4 NE 1/4 22 acres in NE 1/4 SE 1/4 14 acres in NW 1/4 SE 1/4 14 acres in SW 1/4 SE 1/4 34 acres in NE 1/4 SW 1/4 35 acres in NW 1/4 SW 1/4 30 acres in SW 1/4 SW 1/4 24 acres in SE 1/4 SW 1/4 12 acres in SW 1/4 NW 1/4 Section 12, T. 12 S., R. 21 E., W.M.
(Rights acquired under State Engineer's Permit No. 1911, Certificate No. 3760.)							
Howard, L. T. Mitchell, Oregon Proof No. 44.	1908		11.1	Irrigation	Two Howard West Branch Ditches	West Branch	8.2 acres in SW 1/4 NW 1/4 0.9 acre in SE 1/4 NW 1/4 2.0 acres in NE 1/4 SW 1/4 Section 21, T. 11 S., R. 21 E., W.M.
Proof No. 45	1874		14.6	Irrigation	Howard Bridge Creek Ditch	Bridge Creek	2.1 acres in NE 1/4 NW 1/4 0.5 acre in SW 1/4 NW 1/4 11.0 acres in SE 1/4 NW 1/4 1.0 acre in NE 1/4 SW 1/4 Section 21, T. 11 S., R. 21 E., W.M.
Howden, S. H. Mitchell, Oregon Proof No. 46	1878		44.5	Irrigation, domestic and stock		Nelson Creek	11.5 acres in NE 1/4 NW 1/4 0.5 acre in SW 1/4 NW 1/4 30.5 acres in SE 1/4 NW 1/4 2 acres in NE 1/4 SW 1/4 Section 11, T. 12 S., R. 21 E., W.M.
Jones, L. L. Mitchell, Oregon Proof No. 47. (Wallace & Graham, Attys., Prineville, Oregon.) (See Par. 21, P. 19) (See Par. 22, P. 20) (See Par. 23, P. 20)	1889		28	Irrigation, domestic and stock	Jones Ditch #4	Bridge Creek	1 acre in NW 1/4 NE 1/4 3 acres in SW 1/4 NE 1/4 7 acres in SE 1/4 NE 1/4 8 acres in NE 1/4 NW 1/4 6 acres in NW 1/4 NW 1/4 2 acres in NE 1/4 SE 1/4 Section 27, 1 acre in NE 1/4 NE 1/4 Section 28, T. 11 S., R. 21 E., W.M.
Proof No. 48	1889		22.7	Irrigation, domestic and stock	Jones Ditch #5	Bridge Creek	7.8 acres in SW 1/4 NE 1/4 3.3 acres in NE 1/4 NW 1/4 11.1 acres in NW 1/4 NW 1/4 Section 27, 0.5 acres in NE 1/4 NE 1/4 Section 28, T. 11 S., R. 21 E., W.M.
Proof No. 49 (See Par. 15, p. 16)	1876		22	Irrigation, domestic and stock	Jones Ditch #6	Gable Creek	4.5 acres in SE 1/4 SW 1/4 0.1 acre in NE 1/4 SE 1/4 10.2 acres in NW 1/4 SE 1/4 5.7 acres in SW 1/4 SE 1/4 Section 28, 1.5 acres in NE 1/4 NW 1/4 Section 33, T. 11 S., R. 21 E., W.M.
Proof No. 50	1889		20.7	Irrigation, domestic and stock	Jones ditch #2	Bridge Creek	3.9 acres in SW 1/4 NE 1/4 3.5 acres in NE 1/4 NW 1/4 2.0 acres in SE 1/4 NW 1/4 Section 35 1.3 acres in NE 1/4 SW 1/4 5.0 acres in NW 1/4 SW 1/4 5.0 acres in SE 1/4 SW 1/4 Section 26, T. 11 S., R. 21 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
Jones, L. L. (continued)							
Proof No. 51	1889		11.5	Irrigation, domestic and stock	Jones Ditch #3	Bridge Creek	3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, 3.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T. 11 S., R. 21 E., W.M.
Proof No. 52 (See Par. 28, P. 23, 24 & 25.)	1889		39.4	Irrigation, domestic and stock	Jones Ditch #1	Bridge Creek	5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 17 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T. 11 S., R. 21 E., W.M.
	1897		3	Irrigation, domestic and stock	Jones Ditch #1	Bridge Creek	3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, T. 11 S., R. 21 E., W.M.
Keyes, Custer T. Mitchell, Oregon Proof No. 53 (See Par. 24, P. 21) (See " 26, " 22)	1873		18.9	Irrigation	Short ditches	Keyes Creek	3.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, 2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, T. 11 S., R. 22 E., W.M.
Keyes, Sarah E. Mitchell, Oregon Proof No. 54 (See Par. 26, P. 22)	1873		5	Irrigation, domestic and stock	Keyes Ditch	Keyes Creek	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T. 11 S., R. 22 E., W.M.
Lewis, Adelaide Mitchell, Oregon Proof No. 55 CANCELED FC 50-1 28 P. 23, 24, P. 25 (A1)	Prior to 1882		17.6	Irrigation	Ditches and laterals	West Branch and Slide Creek	0.8 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 9.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, T. 12 S., R. 20 E., W.M.
Lower Town Ditch Co. #3 by Paul Lynch, Pres., Mitchell, Oregon Proof No. 56	March, 1907		6	Irrigation and domestic	Ditch and headgates	Bridge Creek	2.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, 2.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, T. 11 S., R. 21 E., W.M.
Manning, John Mitchell, Oregon Proof No. 57	1882		57.2	Irrigation	Ditch and dam	Bridge Creek	10.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.8 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, 10.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 19.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24; 3.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, 6.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 10 R., S. 20 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
Monroe, D. V. Mitchell, Oregon Proof No. 58	1890		1/4	Irrigation	Monroe Ditch	Bridge Creek	1/4 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T. 11 S., R. 21 E., W.M.
Mulvahill, M. Mitchell, Oregon Proof No. 59	1874		42	Irrigation, domestic and stock	Taylor Ditch	West Branch	0.1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, T. 12 S., R. 20 E., W.M.
Old Gage Ditch By A.R. Campbell, Pres., Mitchell, Oregon Proof No. 60	1884		6.5	Irrigation	Old Gage Ditch	Bridge Creek	3.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T. 11 S., R. 21 E., W.M.
Superseded by Cert. No. 68324							
Piety Hill Ditch Co. I. H. Jones, Mgr., Mitchell, Oregon Proof No. 61	1896		26.8	Irrigation	Piety Hill Ditch	Bridge Creek	6.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 12 S., R. 22 E., W.M. 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T. 12 S., R. 21 E., W.M. 10.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 11 S., R. 21 E., W.M.
Quint, Lola M. Condon, Oregon Box 9. Proof No. 62	1902		15	Irrigation	Dam and Ditch	Thompson Creek	13 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 1, Sec. 25 T. 12 S., R. 20 E., W.M.
Reynolds, P. H. Mitchell, Oregon Proof No. 63	1901		0.2	Irrigation	Howard Ditch	Bridge Creek	0.2 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 11 S., R. 21 E., W.M.
Roberts, Joseph Mitchell, Oregon Proof No. 64	1897		14.5	Irrigation	Al Sargent Ditch	West Branch	1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, 0.5 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 11 S., R. 21 E., W.M.
Proof No. 65	1908		2	Irrigation	Roberts Ditch	West Branch	1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.0 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T. 11 S., R. 21 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
50407 Rosenbaum, R. Mitchell, Oregon Proof No.66	1904		10.3	Irrigation	Brick Woodward	West Branch	5.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, 5.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T. 12 S., R. 20 E., W.M.
Proof No.67	Prior to May 24, 1892		53.3	Irrigation	Mansfield Rosenbaum Ditch	West Branch	6.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, 27.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ (a) 7.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T. 12 S., R. 20 E., W.M.
(9) C.A. CANCELED, PC80-1 Sp. Or. Vol 134, P. 505 Sp. Or. V. 420, 429 T-5826 APD (all)							
Siedow, Nellie Mitchell, Oregon Proof No.80 (R.C. Bradshaw, Atty., The Dalles, Oregon.)	1903 (Upper Ranch)		13.7	Irrigation, domestic and stock	Six small ditches	Gable Creek	12.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$.8 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, T. 12 S., R. 21 E., W.M.
Proof No.81	1903		1.9	Irrigation, domestic and stock	Two Small ditches	Gable Creek	1.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, T. 12 S., R. 21 E., W.M.
Proof No.82 (See Par. 16, P.17) (See Par. 17, P.18) (See Par. 18, P.18) (See Par. 19, P.18)	1881		77.8	Irrigation, domestic and stock	Woodard or Siedow Ditch	Gable Creek	10.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 31.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 12 S., R. 21 E., W.M.
Sigfrit, J. L. Mitchell, Oregon Proof No.68	1872		56.8	Irrigation	Creek and temporary ditches	Keyes Creek and Springs in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4, T. 12 S., R. 22 E.	9.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, 3.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 16.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, 9.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T. 12 S., R. 22 E., W.M.
Specht, Mrs. Sophia 1204 Pine St. Silverton, Oregon (Ranch address: Mitchell, Oregon) Proof No.69	1881		47.4	Irrigation, domestic and stock	Brackett-Dove-Specht Ditch	Thompson Creek and Springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T.12 S., R.20 E.	6.0 acres in Lot 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34 acres in Lot 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2 acre in Lot 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.1 acres in Lot 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.1 acres in Lot 7, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T. 12 S., R. 20 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
Stephens, E. M. and Mary E. Burnt Ranch, Oregon Proof No. 70 (See Par. 12, P.15) (See Par. 19, P.18) (See Par. 20, P.19) (See Par. 23, P.20) (See Par. 24, P.21)	1865		66.9	Irrigation	Saltzman Ditch	Bridge Creek	3.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, T. 10 S., R. 20 E., W.M. 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, 7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 19 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T. 9 S., R. 20 E., W.M.
	1865		4.4	Irrigation	Pump	Bridge Creek	4.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T. 10 S., R. 20 E., W.M. (NOTE: The right for 4.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 10 S., R. 20 E. shall be subsequent to the priority of the lands of Barbara Belcher, Nellie Siedow, Ben Taylor and L.L. Jones.)
Stephenson, Henry T. Mitchell, Oregon Proof No. 71	April, 1904		26.8	Irrigation	East and West Ditches	Heflin Creek (Bear)	0.7 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 14.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.6 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, T. 12 S., R. 20 E., W.M.
Stephenson, Mary E. Mitchell, Oregon Proof No. 72	1896		2.3	Irrigation	Stephenson's Bear Lower North Ditch	Creek	2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, 0.3 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T. 11 S., R. 20 E., W.M.
Proof No. 73	1890		1.9	Irrigation	Stephenson's Bear Lower Ditch	Creek	1.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.2 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 11 S., R. 20 E., W.M.
Proof No. 74	1894		2	Irrigation	Stephenson's Bear South Side Ditch	Creek	1.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, T. 11 S., R. 20 E., W.M.
Proof No. 75	1893		11.9	Irrigation	Stephenson's Bear ditch and laterals	Creek	7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, 2.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 11 S., R. 20 E., W.M.
Proof No. 76	1883		17.2	Irrigation	Stephenson's Bear Ditch	Creek	2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 12 S., R. 19 E., W.M.
Proof No. 77	1874		2.5	Irrigation	Cougar Creek Ditch	Cougar Creek, trib. of Bear Creek.	2.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 12 S., R. 19 E., W.M.
Proof No. 78	1874		16.2	Irrigation		Bear Creek	3.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 12 S., R. 19 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
Stoneman, Mahlon Mitchell, Oregon Proof No. 79	Spring of 1896		6	Irrigation	Lee Stephenson Ditch	Dodds Creek, a trib. of Bear Creek	3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, T. 12 S., R. 19 E., W.M. 3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, T. 11 S., R. 19 E., W.M.
Taylor, Ben Mitchell, Oregon Proof No. 83 (Jay H. Upton, Atty., Bend, Oregon.)	1877		23.5	Irrigation and domestic	Bear Creek Ditch	Bear Creek	1.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, 18 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, 3.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, T. 10 S., R. 20 E., W.M.
Proof No. 84 (See Par. 13, P. 15) (" " 18, " 18) (" " 20, " 19) (" " 22, " 20) (" " 25, " 22) (" " 24, " 21) (See also Par. 28, pages 25, 26 & 27.) (" " " 29, Page 28)	1868		119.7	Irrigation and domestic	Last Chance or Carrol Ditch	Bridge Creek	3.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.8 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 12.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, 5.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, 9.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, 2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 11 S., R. 21 E., W.M. 11 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T. 10 S., R. 21 E., W.M.
Proof No. 85 (See Par. 28, P. 25-27.)	1868		159.4	Irrigation and domestic	Sutton Ditch	Bridge Creek	13.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 25.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, 0.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, T. 10 S., R. 20 E., W.M. 10.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$.3 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, 3.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T. 10 S., R. 21 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
42159 and 4848 50406 52608 Taylor, E. W. Mitchell, Oregon Proof No. 86 T-7839 Δ POD T-5738 Δ POD T-5788 Δ POD	1872		26.5	Irrigation, domestic and stock	Taylor Ditch	West Branch	4.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, 4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, T. 12 S., R. 20 E., W.M. 3.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.6 x 5.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T. 11 S., R. 20 E., W.M.
Town Ditch Co., By A. King, Pres., Mitchell, Oregon Proof No. 87	April 1894		7	Irrigation and domestic	Town Ditch	Bridge Creek	5.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 11 S., R. 21 E., W.M.
Traver, H. A. Prineville, Oregon Proof No. 88	June 4, 1919	0.13	10	Irrigation		Rail Creek, trib. John Day River	10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, T. 12 S., R. 20 E., W.M.
U.S. Forest Service, G.C. Blake, Ranger, Beaver Ranger Station, Mitchell, Oregon 44343	1902		8	Irrigation	Beaver Ranger Station	W. Branch Taylor Creek	8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T. 12 S., R. 20 E., W.M.
Vaughan, N. E. Mitchell, Oregon Proof No. 89 Proof No. 90	1898		4.6	Irrigation and stock	Vaughan Ditch (small)	Thompson Creek	2.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T. 12 S., R. 21 E., W.M.
Proof No. 90	1897		10	Irrigation and Stock	Vaughan Ditch (Large)	Thompson Creek	3.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T. 12 S., R. 21 E., W.M.
Wheeler County Trading Company, a corporation, (Successor to C.W. Gage)	1885		5	Irrigation, domestic and stock	Gage Ditch	Gage Creek, tributary to West Branch	5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T. 12 S., R. 20 E., W.M.
Wright, Frances Mitchell, Oregon Proof No. 91 Contest No. 29	1905		3.2	Irrigation, domestic and stock	Gable Creek Ditch #3	Gable Creek	3.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T. 12 S., R. 21 E., W.M.
Proof No. 92	May 1, 1908		6	Irrigation	Ditch #1	From a permanent Spring on Gable Creek Drainage	0.6 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T. 12 S., R. 21 E., W.M.
Proof No. 93	1905		2	Irrigation, domestic and stock	Gable Creek Ditch #2	Gable Creek	2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T. 12 S., R. 21 E., W.M.

(NOTE: This 2 acres is part of the land irrigated by Ditch No. 1 from spring in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of the same Section.)

Dated at Pendleton, Oregon this 30th day of March , 1957.

Calvin L. Sweek
Circuit Judge

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