# BEFORE THE STATE ENGINEER OF THE STATE OF ORECON Jackson County

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS OF THE VARIOUS CLAIMANTS TO THE USE OF THE WATERS OF ROGUE RIVER AND ITS TRIBUTARIES ABOVE THE MOUTH OF THE ILLINOIS RIVER IN JACKSON, JOSEPHINE, AND CURRY COUNTIES.

SUPPLEMENTAL FINDINGS OF FACT AND ORDER OF DETERMINATION

Now at this time the above-entitled matter coming on before the State Engineer for consideration and for the making of supplemental findings as to the completion of incheate rights to the use of the waters of said stream and its tributaries as allowed by the Decree of the Circuit Court of the State of Oregon for Jackson County, dated April 26, 1919, and hereinafter referred to as the Rogue River Decree; and it appearing that the time for the completion of each and all of said incheate rights has expired; that after due notice to the water users interested herein the State Engineer caused the proofs and evidence to be taken showing the extent of the completion of such rights in accordance with said decree; that a field survey of the lands reclaimed and irrigated in completion of said incheate rights was made in the years 1934-1935 under the direction of the State Engineer and a further investigation was made in January and May, 1939, in connection with said incheate rights and that a map prepared from said field survey together with the sworn statements of the water users relative to the completion of their rights have been taken and filed as a part of this record; the State Engineer now being fully advised in the premises makes the following Supplemental Findings of Fact and Order of Determination:

1.

That pursuant to the provisions of Paragraph 7 of the Rogue River Decree the State Water Board made the following extensions of time for the completion of the inchoate rights allowed therein:

(1) At a meeting held at Salem, Oregon, July 28, 1919, and reported in the Record of Proceedings of the State Water Board, Volume 1, at Page 329, said State Water Board made the following order, to-wit: "That the time for completion of all incheate rights on Rogue River and Little Butte Creek be, and the same is hereby extended to October 1, 1921."

(2) At a meeting held at Salem, Oregon, October 31, 1921, and reported in the Record of Proceedings of the State Water Board, Volume 1, at Page 418, said State Water Board made the following order, to-wit: "That the time within which the water covered by inchoate rights of the following parties shall be applied to beneficial use, be and the same is hereby extended to October 1, 1922:

NAME	PAGE &	COLUMN	OF	DECREE	
J. G. Gore	45	1			
Sivers Ditch Co. (Geo. Crawford,					
successor to Walter Galbraith)	45	2			
Geo. Beers	45	2 2			
Ed Dimick	45	2			
Wm. Hillis	45	2			
Estate of J. B. Hillis (by Carrie T.					
Hillis)	45	2			
W. A. Van Goethen	45	3			
Old Mill Ditch & Irrigation Co.	45	3			
H. W. Huntzinger	46	2 3 1 1			
Joe Milton	46	1			
J. C. Williams	46	1			
Ralph G. Jennings	48	1			
J. N. Matney	48	2			
E. E. Blanchard (successor to Frank					
Sutton)	52	· 3			
E. J. Cameron	53	3 2			
John Twohy	50	1			
Leonard Estate Co. (successor to	-				
Leonard Orchard Co.)	49	1			
Estate of Terrance Byrne (by John	• •				
Byrne)	53	2			
Table Rock District Improvement Co.					
(successor to Table Rock Ditch Co.)	43	3"			

(3) A further extension was made by a special order of the State Water Board, dated October 9, 1922, and recorded in Volume 1, Page 34, Special Order Record of the State Engineer, which is herein set out in part as follows:

"\*\*\*Now, Therefore, the Board having considered said application and being fully advised in the premises, it is ORDERED that the time be extended to October 1, 1923 for the completion of inchoate rights under said Decree of the Court, as allowed to the following parties, to-wit:

E. J. Cameron
Geo. Beers
Wm. Hillis
J. B. Hillis
W. A. Vangoethen
Old Mill Ditch & Irrigation Co.
Wm. G. Breeding
Barbara E. Estell."

That the following-named persons, firms, associations, and corporations were duly notified by registered mail, as required by law, of the commencing of the taking of proofs of appropriation of water of all parties claiming incheate rights to the use of the waters of the above-named stream or any of its tributaries:

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Abbott, B. F., Trail, Oregon
Abbott, Wm., Trail, Oregon
Adams, Frank H., Rogue River, Oregon
Ainsworth, M. M., Murphy, Oregon
Alger, W. A., Murphy, Oregon
Alger, W. H., Murphy, Oregon
Allen, Agnes E., Trail, Oregon
Allen, W. W. and Florence, Eagle Point,
Oregon
Allison, Byron B., Trail, Oregon

Alsop, A. O., Los Angeles, California
Alves, Joe, Applegate, Oregon
Alworth, Laura Mable, Trail, Oregon
Amy, Frank, Rogue River, Oregon
Anderson, Herman R., Eagle Point, Oregon
Arends, Albert and Minnie, Rogue River,
Oregon
Arnold, C. B., Central Point, Oregon
Ash, E. E., Trail, Oregon
Atchison, Samuel, Eagle Point, Oregon

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Baden, Roscoe, Wilderville, Oregon Baker, Henry and Minnie M., Rogue River, Baker, Sam, Grants Pass, Oregon Balderston, Chester E., Applegate, Oregon Banks, B. F., Williams, Oregon Barr, Clark D., c/o Harry Barr, Jacksonville, Oregon Bassett, George, Murphy, Oregon Beaufait, L. J. and Leela R., Eagle Point Beers, Geo. E., Rogue River, Oregon Bellows, C. E., Medford, Oregon Bellows, C. F., Eagle Point, Oregon Benedict, Fred, Applegate, Oregon Benner, Rosana, Murphy, Oregon Bennett, Henry, Applegate, Oregon Bertolette, J. E., Grants Pass, Oregon Bingham, John, Applegate, Oregon Bingham, Mrs. John, Applegate, Oregon Bishop, Frank, Medford, Oregon Blaess, Chas. E., Trail, Oregon Blanchard, Emma, Murphy, Oregon Blanchard, H. D., Murphy, Oregon Blanchard, O. S., Grants Pass, Oregon Blevins, Horace, Applegate, Oregon Blivens, W. D., Applegate, Oregon Blodgett, A. L., Williams, Oregon Boat, J. A., Williams, Oregon Boden, Roscoe, Grants Pass, Oregon Bodin, E. H., Placer, Oregon Bonney, Dan and Bessie, Jacksonville, Bonney, W. D., Grants Pass, Oregon Bousman, M. D., Grants Pass, Oregon Bowen, S. A., Murphy, Oregon

Bowden, J. H., Provolt, Oregon

Bradshaw, A. W., Central Point, Oregon Breeding Bros., Rogue River, Oregon Briggs, G. C., Central Point, Oregon Brinkernoff, T. J., Grave Creek, Oregon Brittson, V. E., Williams, Oregon Brock, Geo. A., Leland, Oregon Brock, Robert, Grave Creek, Oregon Brooks, Al, Rogue River, Oregon Brooks, Walter, Williams, Oregon Brosell, Ed., Applegate, Oregon Brown, Clair, Williams, Oregon Brown, E. J., Applegate, Oregon Brown, Etta, Applegate, Oregon Brown, J. J., Wilderville, Oregon Brown, S. B., Grants Pass, Oregon Bryant & Prink Mill, Jacksonville, Bryan, Mrs. Frank, Williams, Oregon Bryant, Mr. Frank, Williams, Oregon Buck, Gerald, Jacksonville, Oregon Buckley, George, Jacksonville, Oregon Buckley, James T., Jacksonville, Oregon Buckley, Mary C. and David, Jacksonville, Buckley, Rose A., Jacksonville, Oregon Buman, Chas., Ruch, Oregon Bunch, A. M., Williams, Oregon Burchell, E. A., Rogue River, Oregon Burchell, Mary, Rogue River, Oregon Burkhart, Martin, Rogue River, Oregon Burns, Bessie Virginia, Rogue River, Oregon Burns, F. L., Grants Pass, Oregon Burt, J. B., Rogue River, Oregon Burton, Jack, Merlin, Oregon Burroughs, Floyd, Grants Pass, Oregon Byrne, John, Jacksonville, Oregon

California Joint Stock Land Bank, San Francisco, California Cameron, Frank, Jacksonville, Oregon Cameron, Jno., Central Point, Oregon Cameron, Wilbur, Jacksonville, Oregon Campbell, Geo., Ruch, Oregon Cantrall, John, Jacksonville, Oregon Cantrall, Mary, Jacksonville, Oregon Cantrall, Miles, Ruch, Oregon Capsa, Otis, Eugene, Oregon Caris, Mrs. R., Murphy, Oregon Carl, Benda, Rogue River, Oregon Carl, Flossie Rexford, Provolt, Oregon Carl, Wm., Murphy, Oregon Carl, W. N., Applegate, Oregon Carlton, Edward W., Central Point, Oregon Carlton, Thomas A. and Herbert Carlton, Trail, Oregon Carris, Anna F., Rogue River, Oregon Carson, L. W., c/o Rey Tupping, Murphy, Oregon Cart, A. T., Wilderville, Oregon Carter, Ellen, Rogue River, Oregon Carter, William, Rogue River, Oregon Chamberlain, Homer, Trail, Oregon Chamberlain, L. A., Trail, Oregon Chapin, Clarence, Leland, Oregon Chapin, Clarence, Placer, Oregon Chapman, H. G., Grave Creek, Oregon Chase, L. B., Merill B., and Alice A. Chase, Central Point, Oregon Cherry, Armanda, Central Point, Oregon Christie, S. J., Grants Pass, Oregon

Church, W. H., Leland, Oregon Clark, Eugene, Trail, Oregon Clark, Minnie A., Rogue River, Oregon Clute, M. B. and L. H. Clute, Applegate, Oregon Cochrane, Ethel, Rogue River, Oregon Collins, A. E., Jacksonville, Oregon Collins, G. F., Jacksonville, Oregon Collins, S. C., Admr., Central Point, Oregon Collins, Sophie, Jacksonville, Oregon Combs, John, Grants Pass, Oregon Conover, A. M., Prospect, Oregon Cook, J. T., Murphy, Oregon Cook, O. N., Murphy, Oregon Coon, C., Williams, Oregon Cooper, F. S., Central Point, Oregon Cooper, Francis S., Medford, Oregon Cooper, Perry L., Central Point, Oregon Corbin, F. C., Ruch, Oregon Corbin, Fred G., Applegate, Oregon Cottrell, Josephine, Trail, Oregon Cougle, H., Williams, Oregon Cougle, R. M., Williams, Oregon Coulter, John F., Murphy, Oregon Courtney, David C. and Eva, Applegate, Oregon Crawford, George M., Rogue River, Oregon Crawford, Francis B., Rogue River, Oregon Creason, G. A., Williams, Oregon Criteser, T. P., Leland, Oregon Crockett, R. S., Hugo, Oregon Croft, Earl D., Gold Hill, Oregon Culy, C. F., Medford, Oregon Culy, Z. W., Jacksonville, Oregon Cunningham, T. C., Trail, Oregon

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Dale, Mrs. Gertrude, Harrisburg, Oregon
Dana, Chas. H., Central Point, Oregon
Dangerfield, Theodore, Jacksonville, Oregon
Davis, D. N., Ashland, Oregon
Davis, E. L., Williams, Oregon
Davis, L. N., Ashland, Oregon
Davis, W. M., Wolf Creek, Oregon
Davis, William, Grave Creek, Oregon
Dawson, Matthew T., Jacksonville, Oregon
Demer, H. H., Murphy, Oregon
Dennis, A. E. and Lillie, Rogue River, Oregon
Denny, L. V., Wonder, Oregon
Denny, S. V., Grants Pass, Oregon
Devlin, John, Jacksonville, Oregon
Dimmick, Mr. & Mrs. Ed. E., Rogue River, Oregon
Ditsworth, John F. & Maud, Trail, Oregon

Ditsworth, Maud, Jacksonville, Oregon
Dixon, Mr. C. E., Murphy, Oregon
Doak, J. H., Williams, Oregon
Dobbyn, Joseph B. and Christine E.
Dobbyn, Trail, Oregon
Doerner, Elsa, Pullman, Washington
Drake, Bertha B., Applegate, Oregon
Drake, Eva F., Murphy, Oregon
Draper, John, Grants Pass, Oregon
Dunham, H. D., Rogue River, Oregon
Dunlap, Chas., Central Point, Oregon
Dunlop, Robert, Grants Pass, Oregon
Dunn, F. W., Grants Pass, Oregon
Dunn, F. W., Grants Pass, Oregon
Durkee, I. E., Gold Hill, Oregon
Dusenberry, Smith A., Central Point, Oregon
Dutcher, J. C., Murphy, Oregon

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Earrn, Arthur, Murphy, Oregon Edmondson, W. L. and Sara E., Trail, Oregon Elder, Gilbert, Williams, Oregon Elder, Jesse, Williams, Oregon Elks Picnic Ground, Eagle Point, Oregon Ellis, Bert, Leland, Oregon
Ellis, Mrs. Eva, Rogue River, Oregon
Ellis, Frank and Mary, Applegate, Oregon
Elmore, Herbert and Berrie Elmore, Applegate,
Oregon
Engelhardt, J. C., Medford, Oregon

Fairburn, C. V., Applegate, Oregon
Farleigh, G. W., Grave Creek, Oregon
Farlow, Mrs. L. A., Rogue River, Oregon
Faucett, J. Z., Kirkland, Washington
Federal Land Bank, Spokane, Washington
Ferry, D. H., Gold Hill, Oregon
Field, Flossie, Applegate, Oregon
Fields, G., Provolt, Oregon
Finley Bros., Murphy, Oregon
Finley, David H., et al, Applegate,
Oregon
First National Bank, Medford, Oregon

First National Bank of Portland,
Portland, Oregon
Fixley, F. C., Williams, Oregon
Flippin, M. D., Grants Pass, Oregon
Floyd, Mrs. E. T., Wilderville, Oregon
Forest, G. H., Post, Oregon
Francis, H. E., Butte Falls, Oregon
Francis, Henry and Anne, Trail, Oregon
Franzen, C. A., Applegate, Oregon
Fraser, G. W., Rogue River, Oregon
Fur, Fish and Game Corporation, Prespect,
Oregon

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Gaines, Chas., Grants Pass, Oregon
Gaines, R. Charles, Grants Pass, Oregon
Galwas, A., Grants Pass, Oregon
Galwas, J. A., Murphy, Oregon
Garrett, J. M., Medford, Oregon
Gassaway, Clarence P. and Myrtle N. Gassaway,
Applegate, Oregon
Gates, Ernest and Luva, Eagle Point, Oregon
Gates, Gertrude T., Eagle Point, Oregon
Gay, Chas. B., Applegate, Oregon
Gentner, E., Murphy, Oregon
Gibson, Ed., Grants Pass, Oregon
Gibson, W. E., Grants Pass, Oregon
Gillis, Mrs. J. B., Applegate, Oregon
Gillis, Mrs. J. B., Applegate, Oregon
Gillmore, Arthur, Murphy, Oregon
Gillmore, Mrs. Jennie, Murphy, Oregon

Gillmore, R. A., Murphy, Oregon
Gillmore, W. S., Murphy, Oregon
Ginistead, M., Grants Pass, Oregon
Givens, Geo. A., Medford, Oregon
Givin, Geo. A., Medford, Oregon
Gordon, Marie E., Grants Pass, Oregon
Grants Pass and Josephine Bank,
Grants Pass, Oregon
Gray, A. D., Murphy, Oregon
Gray, Lincoln, Jacksonville, Oregon
Greenwood, F. O. and Pearl, Rogue River,
Oregon
Gregory, Blanche, Central Point, Oregon
Gregory, L. H., Central Point, Oregon
Griffith, J. H., Grants Pass, Oregon
Griffith, V. R., Rogue River, Oregon

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Haddaway, Roland, Hollywood, California Haight, Herbert and Alma, Medford, Oregon Haines, Dr. A. T., Prospect, Oregon Hair, J. E., Grants Pass, Oregon Hair, Mary M., Wonder, Oregon Hall, Molly, Williams, Oregon Hamilton, Chas., Jacksonville, Oregon Hamilton, Eva, Central Point, Oregon Hamilton, E. C., Central Point, Oregon Hamlin, J. W., Central Point, Oregon Hammons, E. F., Murphy, Oregon Hansen, C. T., Grants Pass, Oregon Hansley, Robt. F., Central Point, Oregon Hansley, Wm. M., Central Point, Oregon Harder, Ben E. & Elizabeth, Medford, Oregon Harmon, A. C., Murphy, Oregon Hartley, J. T., Williams, Oregon Hartzinger, H. W., Rogue River, Oregon Harr, Bert C., Jacksonville, Oregon Hastings, G. W., Trail, Oregon Hastings, Nora S., Trail, Oregon Haughan, D. C. and Ruby L., Rogue River, Oregon Haughbanks, Margaret L., Rogue River, Oregon Havert, Hatty, Rogue River, Oregon Hawk, Malinda J., Trail, Oregon Hawk, V. J., Butte Falls, Oregon Hawkey, U. G., Central Point, Oregon Hawkins, Edwin B. & C. L., Applegate, Oregon Hayes, Gene, Murphy, Oregon Hayes, I. E. and Wm., Murphy, Oregon Head, William, Ruch, Oregon Heinzman, L., Williams Helms, Dr. J. L., Grants Pass, Oregon Helms, R. I., Leland, Oregon Herriott, George N., Applegate, Oregon

Herriott, Helen C., Applegate, Oregon Herriott, J. B., Applegate, Oregon Herriott, T. W., Ruch, Oregon Hill, Callie R., Applegate, Oregon Hillis, E. B., Rogue River, Oregon Hillis, Edward S., Rogue River, Oregon Hillis, Mrs. Eva, Rogue River, Oregon Hillis, Lee, Rogue River, Oregon Hillis, Wm. L. & Bettie, Rogue River, Oregon Hilton, George, Grants Pass, Oregon Hoeffner, H. E., c/o U. S. Forest Service, Eugene, Oregon Hoffman, Geo., Applegate, Oregon Hogan, M. D., Applegate, Oregon Hogan, Olive May, Applegate, Oregon Holland, George, Grants Pass, Oregon Holzhauser, H. B., Williams, Oregon Holzhauser, R. F., Williams, Oregon Hoppe, Mrs. M., Murphy, Oregon Hopper, C. J., Grants Pass, Oregon Howe, James H. and Irwin, Trail, Oregon Howsley, W., Central Point, Oregon Hoxie, A. O., Williams, Oregon Hubbard, Ancel, Hubbard Bros., Medford, Oregon Hubbard, Ottis A., Trail, Oregon Huff, Mead R., Grants Pass, Oregon Hughes, E. W., Grants Pass, Oregon Hughes, L. E. and S. H. Hughes, Eagle Point, Oregon Hull Estate, Ben, Grants Pass, Oregon Hurt, J. B., Rogue River, Oregon Hussey, A. J., Grants Pass, Oregon Hutchinson, S. H., Rogue River, Oregon Hyde, F. R., Murphy, Oregon Hyde, L. W., Murphy, Oregon

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Jackson County, Medford, Oregon
Jacob, John, Williams, Oregon
Jacobson, N. A., Central Point, Oregon
Jenkins, David, Grants Pass, Oregon
Jensen, John S., Murphy, Oregon
Jess, Ben, Murphy, Oregon
Jess, Martha, Murphy, Oregon
John, Mary J. Estate, Williams, Oregon
Johnson, C. O., Provolt, Oregon
Johnson, D. B., Murphy, Oregon
Johnson, D. R., Williams, Oregon
Johnson, Ida, Wonder, Oregon
Johnson, John E. and Carrie Johnson,
Rogue River, Oregon

Johnson, O. B., Provolt, Oregon
Johnson, Oscar A., Murphy, Oregon
Johnson, Samuel, Murphy, Oregon
Johnston, S. L. and Lyda Johnston,
Applegate, Oregon
Jones, Ellis H., Rogue River, Oregon
Jones, Frank, Grants Pass, Oregon
Jones, Walter, Williams, Oregon
Jones, Wm. F. and Jennie M. Jones,
Rogue River, Oregon
Jones, W. J., Rogue River, Oregon
Jones, W. J., Rogue River, Oregon
Jones, W. M., Murphy, Oregon
Jordan, Emma J., Applegate, Oregon
Jordan, Wm., Ashland, Oregon
Josephine County, Grants Pass, Oregon

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Kendall, Reita, Applegate, Oregon Kerns, Mary, Ashland, Oregon Kiefer, J. H., Rogue River, Oregon Kilgore, C. E., Grants Pass, Oregon Kilgore, Vernon, Grants Pass, Oregon Kincaid, John H., Williams, Oregon King, E. A., Riverside, California Kinsman, Vm., Applegate, Oregon Kirk, C. V., Leland, Oregon Klingle, Emmet, Eagle Point, Oregon Klith, A. P., Rogue River, Oregon
Knighten, J. D., Murphy, Oregon
Knighten, J. L., Murphy, Oregon
Knutson, Frank, Applegate, Oregon
Knutson, Jennie M., Applegate, Oregon
Knutson, Laura, Applegate, Oregon
Knutzen, Henry, Applegate, Oregon
Krouse, Albert N. and Dora, Provolt, Oregon
Kubli, K. J., Applegate, Oregon
Kubli, Maud, Ruch, Oregon

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Langworthy, D. M., Grants Pass, Oregon
Lanier, Wm. L., Wilderville, Cregon
Large, E. H., Williams, Oregon
Large, W. W., Williams, Oregon
Larrimore, A., Williams, Oregon
Larson, Agnes, Murphy, Oregon
Larson, Jno. A., Prospect, Oregon
Lawless, John, Grants Pass, Oregon
Lawless, Mrs. Julia, c/o Claude Burkhart,
Murphy, Oregon
Laws, William, Rogue River, Oregon
Leach, E. J., Williams, Oregon
Learned, Geo., Applegate, Oregon
Learned, Geo., Applegate, Oregon
Lessig, G. W., Merlin, Oregon
Letteken, Benjamin, Murphy, Oregon
Letteken, S., Provolt, Oregon
Lettiken, John H., Provolt, Oregon
Lettiken, John H., Provolt, Oregon
Lewis, Ernest O., Grants Pass, Oregon
Lewis, Ervin, Jacksonville, Oregon
Lewis, Grace, Jacksonville, Oregon
Lewis, Perley, Grants Pass, Oregon

Lewman, R. F., Williams, Oregon
Lewman, Thomas E., Applegate, Oregon
Lichen, Fred, Provolt, Oregon
Light, Mrs. Ella, Grants Pass, Oregon
Lindsay, J. B., Eagle Point, Oregon
Lindsay, Jefferson B., Medford, Oregon
Lindsay, Richard, Grants Pass, Oregon
Linebough, Annie, Murphy, Oregon
Listman, Louie, San Francisco, California
Lloyd, Mrs. E. T., Grants Pass, Oregon
Loesch, L. R., Provolt, Oregon
Loekot, L. R., Provolt, Oregon
Loflin, Roy, Williams, Oregon
Lookout Lbr. Co., Rogue River, Oregon
Loughridge, Ernest, Grants Pass, Oregon
Lovelace, Edwin, Wilderville, Oregon
Loveless, Geo., Williams, Oregon
Lowden, I. C., Wilderville, Oregon
Lucore, W. C., Grants Pass, Oregon
Lydiard, Margaret D., Central Point, Oregon
Lydiard, Margaret D., Central Point, Oregon
Lynch, David M., Trail, Oregon

Maben, Peter H., Applegate, Oregon Madison, Frank, Eagle Point, Oregon Magerle, C. F., Rogue River, Oregon Mallory, Phoebe, Eagle Point, Oregon Manning, Clara D., Trail, Oregon Manning, Mrs. F. M., Prospect, Oregon Mansfield, Drusilla, Applegate, Oregon Mansfield, D. S., Williams, Oregon Mansfield, Robert, Williams, Oregon Markusen, Chris, Grants Pass, Oregon Markusen, Chris, Grants Pass, Oregon Mason, Joseph A., Applegate, Oregon Master, J. F., Wilderville, Oregon Matney, John, Ruch, Oregon May, Ira W., Grants Pass, Oregon Maynard, W. R., Grants Pass, Oregon McAlister, A., Williams, Oregon McCain, M., c/o M. Ginistead, Grants Pass, Oregon Pass, Oregon McCann, E. H., Grants Pass, Oregon McCann, Larry, Grants Pass, Oregon McCarthy, Andrew, Murphy, Oregon McCay, Lorne C. and Pearl L., Trail, Oregon McChesney, Joseph, Trail, Oregon McCollum, A. H., Grants Pass, Oregon McCracken, R. F., Glendale, Oregon McDaniels, Grace and W. H., Ruch, Oregon McDonald, Chas., Grants Pass, Oregon McDowell, L. M., Wonder, Oregon McDowell, T. M., Wilderville, Oregon McIlvain, Albert, Rogue River, Oregon McLeod, N. A., Grants Pass, Oregon Mead, Mrs. Rachel, Central Point, Oregon Mee, A. L. and Laid E., Applegate, Oregon Mee, Warren D., Applegate, Oregon Meek, H. G., Murphy, Oregon Megerle, Carl L., Rogue River, Oregon Megerle, Daniel P., Rogue River, Oregon

Messinger, Herman, Applegate, Oregon Messinger, Simon Estate, Williams, Oregon Millard, Betty and Joan, Eagle Point, Oregon Millard, Vivian, Eagle Point, Oregon Miller, Boyd, Trail, Oregon Miller, Captain, Central Point, Oregon Miller, C. W., Trail, Oregon Miller, C. W., Williams, Oregon Miller, Frank, Williams, Oregon Miller, Fred, Murphy, Oregon Miller, James W., Trail, Oregon Miller, Otto Wm., Rogue River, Oregon Miller, Sarah F., Central Point, Oregon Miller, Ted, Grants Pass, Oregon Milton, Ethel, Rogue River, Oregon Milton, W. H., Rogue River, Oregon Mitchel, L. M., Murphy, Oregon Mitchell, Wm. A., Grants Pass, Oregon Mitchell, W. M., Murphy, Oregon Modock Orchards, c/o Palmer Corp., Central Point, Oregon Moline, C. L., Wilderville, Oregon Moomaw, J. S., Williams, Oregon Moore, S. H. and Mary, Rogue River, Oregon Moore, Wm. D. and G. M., Rogue River, Oregon Moran, Mrs. W. A., Applegate, Oregon Morris, Eli, Leland, Oregon Morris, Walter E., Central Point, Oregon Morrison, Fannie A., Wilderville, Oregon Morrison, Gene, Williams, Oregon Morrison, M., Williams, Oregon Mortensen, Chris, Grants Pass, Oregon Mossey, F. L., Rogue River, Oregon Mullen, John R., Williams, Oregon Murphy, L. A., Williams, Oregon Murray, Mrs. Laurence, Grants Pass, Oregon Myers, Frank, Applegate, Oregon

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Natwick, Mrs. Ruth L., Medford, Oregon Neal, Chas., Leland, Oregon Neal, Chas., Placer, Oregon Nealon, Harry R., Central Point, Oregon Nealon, John L., Central Point, Oregon Nealon, Marion, Central Point, Oregon Nealon Estate, Central Point, Oregon Neathamer, Daniel E., Rogue River, Oregon Neathamer, James, Rogue River, Oregon
Neathamer, Jesse, Rogue River, Oregon
Neathamer, John and Mark, Rogue River, Oregon
Neathamer, S. E., Rogue River, Oregon
Neil, K. M. C., Grants Pass, Oregon
Nichol, Sara and Robert, Eagle Point, Oregon
Northwest Fur Trading Co., Ray Gillon, Mgr.,
Prospect, Oregon

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O'Brien, John A., Ruch, Oregon Oden, Anna, Rogue River, Oregon Oden, Bud, Rogue River, Oregon Oden, John T., Rogue River, Oregon Oden, O. G., Rogue River, Oregon Oden, Volney, Rogue River, Oregon Offenbacher, Fred, Ruch, Oregon Offenbacher, H., Ruch, Oregon Offenbacher, John, Ruch, Oregon Offenbacher, Ray and Mable, Ruch, Oregon Olsen, J. A., Glendale, Oregon Orr, Vern, Rogue River, Oregon Osenburg, Coby, Ruch, Oregon Osenburg, J. J., Ruch, Oregon Owen Oregon Lbr. Co., Medford, Oregon Owens, Anna M., Medford, Oregon Owens, Thomas, Rogue River, Oregon Owings, Wm., Rogue River, Oregon

Palm, Collie, Jacksonville, Oregon
Parsons, F. O., Grants Pass, Oregon
Patton, M. M., Placer, Oregon
Payne, D. H., Williams, Oregon
Pearce, Grace V. Applegate, Oregon
Pence, Jefferson, Williams, Oregon
Pendleton, Vern, Central Point, Oregon
Pernoll Estate, c/o John Pernoll, Murphy, Oregon
Pernoll, William, Applegate, Oregon
Perry, E. F., Murphy, Oregon
Perry, O. H., c/o E. F. Hannum,
Grants Pass, Oregon
Perry, O. H. Estate, Murphy, Oregon
Perry, Mrs. W. T., Murphy, Oregon
Peterson, John, Murphy, Oregon
Peterson, M. A., Bend, Oregon
Peterson, Victor E., Prospect, Oregon
Pettit, R. C., Grants Pass, Oregon

Pilcher, Lole and Zeb, Rogue River,
Oregon
Pixley, Dr. Chas., Grants Pass, Oregon
Phillips, Raymond and Edna, Jacksonville,
Oregon
Planalp, R., Provolt, Oregon
Pcellnitz, Ada A., Applegate, Oregon
Poellnitz, Ada A., Medford, Oregon
Pollard, Sam K., Ashland, Oregon
Pollard, Sam K., Talent, Oregon
Potter, Ford, Eagle Point, Oregon
Powers, A. E., Murphy, Oregon
Pratt, Marietta, Leland, Oregon
Preston, F. C., Jacksonville, Oregon
Price, Frank, Leland, Oregon
Provolt, E. V., Applegate, Oregon
Provolt, Glen, Applegate, Oregon
Purrier, Mrs. Adele, Rogue River, Oregon

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Ralston, B. E., Grants Pass, Oregon Ralston, J. H., Rogue River, Oregon Randolph, R. H., Murphy, Oregon Rankin, Clarence and Vida, Medford, Oregon Rankin, H. B., Eagle Point, Oregon Rannels, J. R., Grants Pass, Oregon-Ray, Robert and Mathew Ray, Ruch, Oregon Reames, Chas., Medford, Oregon Records, W. G., Williams, Oregon Reed, Harold E., Rogue River, Oregon Reed, L. L., Grants Pass, Oregon Reigle Bros., Williams, Oregon Rendleton, J. C. and V. H., Central Point, Oregon Rexford, Alice, Murphy, Oregon Rexford, C. M., Applegate, Oregon Richardson, C., Murphy, Oregon Richardson, J. V., Trail, Oregon Richardson, Vernon, Murphy, Oregon Richmond, R. E., Rogue River, Oregon Right, W. F., Rogue River, Oregon Rightmeier, E. L., Grants Pass, Oregon Ring, G. W., Gold Hill, Oregon Ritter, J. J., Rogue River, Oregon

Riverbanks Farms, c/o Forbes Fosberry, Mgr., Grants Pass, Oregon Riverbanks Farms, c/o Leonard Co., R. C. Burdick, Sec., Chicago, Illinois Robertson, J. T., Wonder, Oregon Robinson, C. C., Grants Pass, Oregon Robinson, Ernest, Grants Pass, Oregon Robinson, Mrs. John, Grave Creek, Oregon Robinson, John and Paul, Grants Pass, Oregon Robinson, J. R., Grants Pass, Oregon Robinson, Lora E., Grants Pass, Oregon Robinson, Lorn E., Grants Pass, Oregon Robinson, Scott, Grants Pass, Oregon Robinson, S. E., Grants Pass, Oregon Robinson, Wilfred S., Wilderville, Oregon Rogers, Howard E., Central Point, Oregon Rogue River, City of, Rogue River, Oregon Rorden, Fred N. and Anna, Central Point, Oregon Ross, Elmer, Medford, Oregon Rowden, M. C., Applegate, Oregon Rowles, John C., Grants Pass, Oregon Rowley, Richard, Williams, Oregon Rowley, R. W., Williams, Oregon Rucker, Mrs. Permelia, Grants Pass, Oregon Rusk, C. E., Grants Pass, Oregon

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Sandos, Paul E., Trail, Oregon
Sandoz, R. E., Trail, Oregon
Sawyer, D., Trail, Oregon
Schroder, Herman, Provolt, Oregon
Schwaiger, R., Murphy, Oregon
Scott, R. E., Hood River, Oregon
Seabrook, A. L., Central Point, Oregon
Seeley, Paul, c/o H. E. Richmond,
Rogue River, Oregon
Shadley, Benjamin H., Trail, Oregon
Shadley, Henry, Chiloquin, Oregon
Shafer, Violet R., Central Point, Oregon
Sharpe, V. O., Grants Pass, Oregon
Shermerhorn, G. H., Trail, Oregon
Silva, F. P., Grants Pass, Oregon
Silva, Tony, Grants Pass, Oregon
Simerville, Mrs. Elizabeth, Rogue River, Oregon
Simpson, W. E., Rogue River, Oregon

Sinclair, F. J., Trail, Oregon
Sinclair, Hilda, Trail, Oregon
Skinner, Mark, Superintendent of Banks,
Salem, Oregon
Smart, M., Grants Pass, Oregon
Smith, Anne E., Leland, Oregon
Smith, Mrs. Bernie, Ruch, Oregon
Smith, Chas. F., Leland, Oregon
Smith, Edward, Ruch, Oregon
Smith, Fred B., Central Point, Oregon
Smith, G. M., Rogue River, Oregon
Smith, Ida, Rogue River, Oregon
Smith, Ivan L., Gold Hill, Oregon
Smith, James U., Central Point, Oregon
Smith, John E., Central Point, Oregon
Smith, John E., Gold Hill, Oregon
Smith, Nellie, Central Point, Oregon

Smith, Ralph, Ruch, Oregon Smith, Rollin, Ruch, Oregon Smith, Samuel, Murphy, Oregon Smith, William, Ruch, Oregon Smith, W. J., Gold Hill, Oregon Smith, Wm. C., Grants Pass, Oregon Smithpeter, J. E., Rogue River, Oregon Snively, David, Murphy, Oregon Snively, Ella, Murphy, Oregon Sorensen, William, Applegate, Oregon Sparlin, George, Williams, Oregon Sparlin, Mrs. Ira, Williams, Oregon Sparrow, Alex, Central Point, Oregon State Land Board, c/o Jas. T. Chinnock, Grants Pass, Oregon State of Oregon, c/o Wilford Allen, Grants Pass, Oregon Staub, A. J., Provolt, Oregon

Staube, J. E., Murphy, Oregon Stephens, Calvin and Earl, Rogue River, Stephens, George Earl, Ruch, Oregon Sterling Mining Co., c/o D. Ford McCormick, Medford, Oregon Stone, Clayton, Applegate, Oregon Stone, Ellery, Provolt, Oregon Stone, Eva, Applegate, Oregon Stout, L. H. and L. M., Rogue River, Oregon Stowell, Geo. H., Medford, Oregon Strahah, Earl R., Rogue River, Oregon Stratton, S., Williams, Oregon Stringer, Scot W., Grants Pass, Oregon Sublette, Everett and Luvina, Trail, Oregon Summerville, Elizabeth, Rogue River, Oregon Sweeney, C. T., Murphy, Oregon Sweringen, Thomas, Williams, Oregon

-T-

Taylor Trusteeship (New York) Mrs. J. E.
Curtis, c/o Mrs. Kate Mallory,
Grants Pass, Oregon
Taylor, Edwin A., Jacksonville, Oregon
Taylor, E. H., Ruch, Oregon
Taylor, Jesse M. and Laura Taylor,
Jacksonville, Oregon
Taylor, Jud, Grants Pass, Oregon
Taylor, Scot, Grants Pass, Oregon
The Medford National Bank, Medford, Oregon
Thies, August, Fairbanks, Alaska
Thies, William, Grants Pass, Oregon

Throckmorton, Elmo, Applegate, Oregon
Throckmorton, Gladys Rose, Applegate, Oregon
Thompson, E. E., Rogue River, Oregon
Tollis, Zella E., Trail, Oregon
Treffern, James, Rogue River, Oregon
Trefren, Wm., Butte Falls, Oregon
Truax, George, Applegate, Oregon
Trumbly, C. A., Murphy, Oregon
Tucker, Nion R., Trail, Oregon
Tungate, Jack, Butte Falls, Oregon
Tuttle, Cap. S. M., Central Point,
Oregon

-U-

Ungerman, Mrs. Max, Grants Pass, Oregon

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Van Dusen, Harry H., Wilderville, Oregon Vargo, Anton, Wilderville, Oregon Varner, Jas., Williams, Oregon Vaughn, Phoebe, Central Point, Oregon Vaughn, R. B., Trail, Oregon Venable, Mrs. Mable, Ruch, Oregon Vilas, Eliz. E., Medford, Oregon Vineyard, Mrs. David, Williams, Oregon Vineyard, Kenneth, Williams, Oregon Vining, Fanny, Rogue River, Oregon Von Gothem, Edna, Rogue River, Oregon Von Gothem, Geo. F. and Albert, Rogue River, Oregon Von Stein, Harold M., Trail, Oregon

-F:-

Wagner, J. C., Jacksonville, Oregon Wait, Perry, Gold Hill, Oregon Walker, Emily, Merlin, Oregon Waller, T. B., Leland, Oregon Walter, T. B., Leland, Oregon Waltz, A. G., Murphy, Oregon Ware, Valentine S., Central Point, Warner, N. H., Williams, Oregon Watkins, Della B., Trail, Oregon Watkins, W. R., Rogue River, Oregon Watts, B. S., c/o Elizabeth Watts Estate, Murphy, Oregon Weaver, W. C., Grants Pass, Oregon Webber, M. O., Murphy, Oregon Webster, E. L., Medford, Oregon Weeks, John S., and Anna B., Trail, Oregon Weide, Carrie and J. L., Rogue River, Oregon Weidon, G. S., Murphy, Oregon Weiser, S. H., Leland, Oregon Welch, Andrew, Eagle Point, Oregon Weller, C. D., Wonder, Oregon Welter, C. D., Wonder, Oregon Wheeler, Emma, Grants Pass, Oregon Whitman, Mary F., Eagle Point, Oregon Whitstine, S., Murphy, Oregon

Whisonoutt, U. D., Grants Pass, Oregon Wickman, Mrs. Fred, Grants Pass, Oregon Wilcox, L. A., Murphy, Oregon Kilcox, Lester A., Applegate, Oregon Wilkinson, T. J., Williams, Oregon Williams, Henry H., Villiams, Oregon Williams, Thomas, Murphy, Oregon Williams, William A., Murphy, Oregon Williams, W. W., Rogue River, Oregon Wilson, D. C., Williams, Oregon Wilson, E. O., Central Point, Oregon Wilson, Ralph and Winona, Central Point, Wilson, W. F., Murphy, Oregon Wiltermood, A. B., Grants Pass, Oregon Wimer, J. A., Leland, Oregon Wimer, J. D., Leland, Oregon Wimer, S. H., Leland, Oregon Winkle, Dale, Prospect, Oregon Winteward, A. B., Murphy, Oregon Wood, David R., Central Point, Oregon Food, Francis G., Eagle Point, Oregon Woodard, Mrs. A., Grants Pass, Oregon Woodcock, Geo., Rogue River, Oregon Woodhouse, Harriet O., Eagle Point, Oregon Wyckoff, Geo. H., Central Point, Oregon

York, Bert, Murphy, Oregon York, Mrs. Chester, Applegate, Oregon York, Jess, Murphy, Oregon York, Henry Estate, Murphy, Oregon York, Willis Estate, Murphy, Oregon Young, C. F., Williams, Oregon Young, Chas. F., c/o G. W. Ring, Gold Hill, Oregon Young, Dr. S. A., Long Beach, California.

That on July 6 and 13, 1937, said notice was published in the Medford Mail-Tribune, a newspaper of general circulation published and printed at Medford, Jackson County, Oregon. Said notice was also published on said July 6 and 13, 1937, in the Grants Pass Daily Courier, a newspaper of general circulation printed and published at Grants Pass, Josephine County, Oregon.

3.

That pursuant to said notice proofs of appropriation were taken by the State Engineer at Grants Pass, Josephine County, Oregon, and Medford, Jackson County, Oregon, and for an extended period at Salem, Marion County, Oregon. That any of the persons, firms, associations, corporations, and their successors-in-interest listed above who failed and neglected to appear in these proceedings or to submit or offer any proof herein and any of the foregoing persons, firms, associations, corporations or their successors whose name does not appear in the ensuing sections of these findings is hereby declared to be in default and is deemed to have forfeited all rights to the use of the waters herein involved under the inchoate rights set out in the Rogue River Decree.

4.

That for the reasons set out therein a special order, dated August 2, 1939, was entered by the State Engineer and recorded in Volume 3, at Page 368, Special Order Record of the State Engineer. That said special order is set out herein and is made a part hereof as follows, to-wit:

"It appears that in the enumeration of the inchoate rights set out in paragraph 7 of the decree of the Circuit Court for Jackson County, dated April 26, 1919, that certain lands were designated as 'Irrigated' and others as 'to be irrigated'. It further appears that certain persons, believing at the time that their lands designated as 'Irrigated' had a vested right, did not submit proofs to cover the same within the time limit set by the State Engineer in the above entitled matter, but later, after the expiration of said time limit, did submit proofs covering said lands with the request that, in view of their erroneous opinion, said proofs be accepted and a finding thereon be made and included in the State Engineer's Order and Determination in the matter.

"NOW it appearing that in certain instances, the failure to submit proof was due not to neglect, but rather to a misunderstanding of the nature of the right allowed in said decree of the Circuit Court.

"THEREFORE, it is hereby ORDERED that the time be extended until August 15th, 1939, for accepting proofs of appropriation of inchoate rights to the use of water from Rogue River and its tributaries, covering lands designated as 'irrigated' in paragraph 7 of the Decree of the Circuit Court for Jackson County, deted April 26, 1919."

5.

That the following-named persons, firms, associations, and corporations have submitted proofs of appropriation which cover only those rights which have been determined as vested in Paragraph 6 of the Rogue River Decree and which, therefore, will not be considered herein:

Applegate, Evelyn, Williams, Oregon
Bowden, Joseph Henry, Kirk, Oregon
Cech, James and Wilma, Murphy, Oregon
Hannum, E. F., Grants Pass, Oregon
Heinzman, Ludwig and Rosa, Grants Pass, Oregon
Hoffman, George C., Applegate, Oregon
Lofland, Roy, Williams, Oregon
Markusen, Chris and Agnes, Grants Pass,
Oregon
McCarthy, Andrew, Grants Pass, Oregon
McCollum, A. H., Grants Pass, Oregon
Moomaw, Josephas, Williams, Oregon
Moomaw, J. S., Williams, Oregon
Moomaw, Cephas and Nellie, Williams, Oregon

Moore, Mary J., Rogue River, Oregon
Patterson, A. R. and Mable Ruth,
Williams, Oregon
Robinson, John B., Grants Pass, Oregon
Robinson, S. E., Grants Pass, Oregon
Ross, Elmer H., Applegate, Oregon
Rowley, Richard, Williams, Oregon
Schroeder, Bessie Myrtle and Herman,
Murphy, Oregon
Williams, T. C. (Thos.), Murphy,
Oregon
Williams, William W., Rogue River,
Oregon
Young, Charley F., Williams, Oregon

6.

That the following-named persons, firms, associations, and corporations have submitted proofs of appropriation wherein they request that certain amendments and corrections be made in the tabulation of rights determined as vested and found in Paragraph 6 of the Rogue River Decree and which, therefore, will not be considered herein:

Blodgett, A. L., Williams, Oregon Burkhart, Martin, Williams, Oregon Holzhauser, H. B., Williams, Oregon Pence, Jefferson, Williams, Oregon Polack, Mrs. Anna, Murphy, Oregon Messinger, Simon Estate, Grants Pass, Oregon Simmerville, Elizabeth A., Rogue River, Oregon Smith, W. J. and Nellie J., Gold Hill, Oregon York, Jess, Murphy, Oregon

7.

That at the time the original claims were filed in the above-entitled matter it appears that many of the claimants had not fully reclaimed the areas they contemplated irrigating and, therefore, were allowed an inchoate right to the number of acres in each legal subdivision which were to be fully reclaimed and irrigated within the time limit set out in the Rogue River Decree. It further appears that few, if any, of said claimants of inchoate rights had surveys made to determine the legal subdivisions in which the lands covered by said inchoate rights were located. This is taken into consideration in these findings, and in cases where the survey made under the direction of the State Engineer shows that the irrigated area in one legal subdivision is greater than the inchoate rights allowed by the Rogue River Decree and the irrigated area in snother legal subdivision under the same claim is less than the inchoate right allowed by said decree a completed right is allowed the number of acres irrigated in each legal subdivision, if claimed in the proof; provided, the aggregate of the acres irrigated does not exceed the total number of acres allowed an inchoate right by said decree and does not exceed the number of acres claimed to have been irrigated within the time limit set in the decree or as extended by the State Water Board or its successor.

That the water users and appropriators allowed rights herein to the use of water from any stream, lake and/or reservoir shall be governed by the Rogue River Decree, Paragraph 82, at Page 72, Column 2, which provides for rotation in the use of said waters.

9.

That in the ensuing paragraphs each of the proofs of appropriation submitted by the various claiments under the incheate rights set forth in Paragraph 7 of the Rogue River Decree is fully treated and an allowance is made setting forth the name and address of such appropriator, together with the amount of water in cubic foot per second, the stream or other source from which the water is used, the name of the ditch or other means by which the water so applied has been diverted, the date of priority, the uses to which the water is applied, the number of acres to which the water is applied, and the location or description of the land upon which the water is used,

10.

# Irwin H. and Rena M. Howe, Trail, Oregon:

Claimants are successors in part to E. E. Ash whose incheste might to the use of water from Rogue River is set out in the Rogue River Decree on Page 43, Column 1, under Proof 1, as follows: "Priority 1906; 1.00 second foot; for Irrigation of 49 acres; Allen ditch; Description of place of use: 24 acres in NE SNE; 13 acres in NE NNE; 4 acres in SE: NW:; 8 acres in SE: SW:; Sec. 3, Tp. 34 S., R. 1 W. W. M., Jackson County, Oregon."

Claiments have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 23.2 acres, to-vit: 16.7 acres in Lot 3; 2.6 acres in Lot 5; 3.9 acres in Lot 6, Sec. 3, Tp. 34 S., R. 1 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

The claimants are allowed a right to the use of 0.47 cubic foot per second of water from Rogue River, through the Allen Ditch, with a priority of 1906, for the irrigation of 23.2 acres located as follows:

- 3.9 acres in that part of Lot 6 (NET NV)
- lying West of Trail Creek
  2.1 acres in that part of Lot 5 (SEL NW2) lying West of Trail Creek and Rogue River
- 0.5 acre in that part of Lot 5 lying South
- and West of Rogue Acres

  16.7 acres in that part of Lot 3 ((NW SW SW )) NW SE MESICO Volido, N SE3 lying West of Rogue Acres,

Tp. 34 S., R. 1 W., W. M., Jackson County, Oregon.

The foregoing descriptions are smended to conform with the United States land survey.

## Agnes E. Allen, 241 W. San Fernando Blvd., Burbank, California:

Claimant is successor in part to E. E. Ash whose inchoate right to the use of water from Rogue River is set out in Paragraph 10 supra.

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 6.2 acres, to-wit: 4.8 acres in NET NWT and 1.4 acres in SET NWT, Sec. 3, Tp. 34 S., R. 1 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Rogue River, through Allen Ditch, with a priority of 1906, for the irrigation of 6.2 acres located as follows:

4.8 acres in Lot 6 (NEt NWt)

Sec. 3,

Tp. 34 S., R. 1 W., W. M.,

Jackson County, Gregon,
all within the following-described tract:
All that certain tract of land lying East
of Trail Greek, being situated in Government Lots 5 and 6 in Sec. 3, Tp. 34 S.,
R. 1 W., Jackson County, Oregon, and described in Deed Record, Volume 146, Page
606, Jackson County, Oregon, excepting that
portion described in Deed Records of Jackson
County, Oregon, Volume 185, Page 34, and
also less and excepting a strip of land described as follows:
Beginning at the SE corner of said tract,
thence West along the North bank of Rogue
River 210 feet; thence North to a point 138

feet North of the center of Crater Lake Highway; thence East to the East line of said tract; thence South to point of beginning,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

including about 18 acres,

# Frances M. Ash, Trail, Oregon:

Claimant is a successor in part to E. E. Ash whose inchoate right to the use of water from Rogue River is set out in Paragraph 10 next preceding.

Claimant has submitted a proof wherein she states that said inchoate right has been completed by irrigation to the extent of 1.5 acres in that part of Lot 6, Tp. 34 S., R. 1 W., W. M., described below. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

Claimant is allowed a right to the use of 0.03 cubic foot per second of water from Rogue River, through the Allen Ditch, with a priority of 1906, for the irrigation of:

1.5 acres in that part of Lot 6, described as follows:
Beginning at the SE corner of Government Lot 6 in Sec. 3,
Tp. 34 S., R. 1 W., W. M., Jackson County, Oregon, and
running thence West along the North bank of Rogue River
210 feet; thence North to a point 138 feet North of the
center line of the Crater Lake Highway; thence East to the
East line of said lot; thence South to the point of beginning,

being the full amount claimed in the proof.

12.

#### Phoebe Mallory, Trail, Oregon:

Claimant is a successor in part to E. E. Ash whose inchoate right to the use of water from Rogue River is set out in Paragraph 10 supra.

Claimant has submitted proof wherein she states that said inchcate right has been completed by irrigation to the extent of 6.9 acres, all in Lot 4, Sec. 3, Tp. 34 S., R. 1 W., W. M., Jackson County, Oregon. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

Claimant is allowed a right to the use of 0.14 cubic foot per second of water from Rogue River, through the Allen Ditch, with a priority of 1906, for the irrigation of:

6.9 acres all in Lot 4, Sec. 3, Tp. 34 S., R. 1 W., W. M., except that portion included in Rogue Acres, also except that part deeded to the State of Oregon for highway purposes, also except a right of way to the California-Oregon Power Co..

being the full amount claimed in the proof.

13.

## C. E. Bellows, Eagle Point, Oregon:

Claimant is successor to the Estate of F. H. Bellows whose inchoate right to the use of water from Rogue River is set out in the Rogue River Decree on Page 43, Column 2, under Proof 2, as follows: "Priority 1892; 1.25 second feet; for Irrigation of 50 acres;

Bellows ditch; Description of place of use: 2 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 15 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 10 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 8; 8 acres in NW<sup>1</sup>/<sub>4</sub> SV<sup>1</sup>/<sub>4</sub>; 15 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 9, Tp. 35 S., R. 1 W., W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 41 acres irrigated, to-wit: 2 acres in SE; NE; 12.3 acres in NE; SE; 4 acres in SE; SE; Sec. 8; 7.7 acres in NW; SW; 15 acres in SW; SW; Sec. 9, Tp. 35 S., R. 1 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.03 cubic feet per second of water from Rogue River, through the Bellows Ditch, with a priority of 1892, for the irrigation of 41 acres located as follows:

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

14.

# Ben E. Harder and Elizabeth Duncan Harder, Old Stage Road, Medford, Oregon:

Claimants are successors to Mrs. E. Bergman whose inchoate right to the use of water from Rogue River is set out in the Rogue River Decree on Page 43, Column 2, under Proof 3, as follows: "Priority 1901; 1.60 second feet for Irrigation of 80 acres; Veghte and Bergman Ditch; Description of place of use: 13 acres in NV NV NV 32 acres in SV NV NV Sec. 33; 15 acres in NE NE; 20 acres in SE NE; Sec. 32, Tp. 34 S., R. 1 V. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 27.2 acres, to-wit: 4.9 acres in NV NV NV 2; 20.7 acres in SV NV 2, Sec. 33; 0.7 acre in NE NE NE 1; 0.9 acre in SE NE 1, Sec. 32, Tp. 34 S., R. 1 W., W. M., Jackson County, Oregon.

Claimants have submitted a map prepared by C. Z. Boyden which shows as irrigated the lands claimed in the proof.

Claimants are allowed a right to the use of 0.54 cubic foot per second of water from Rogue River, through the Veghte and Bergman Ditch, with a priority of 1901, for the irrigation of 27.2 acres located as follows:

1.6 acres in Lot 1
Sec. 32;
4.9 acres in NW1 NW1
20.7 acres in Lot 1 (SW1 NW1)
Sec. 33,
Tp. 34 S., R. 1 W., W. M.,
Jackson County, Oregon

(For further rights allowed claimants to the use of water from Rogue River, see Paragraph 49 infra.)

15.

# George A. Givan, R. F. D. No. 3, Medford, Oregon:

Claimant was allowed an inchoate right to the use of water from Rogue River which is set out in the Rogue River Decree on Page 43, Column 2, under Proof 17, as follows:

"Priority 1898; 2.50 second feet; for Irrigation of 100 acres; Nichols and Co. ditch (1-6 int.); Description of place of use: 40 acres in NE<sub>4</sub> NN<sub>4</sub>; 40 acres in SE<sub>7</sub> NN<sub>4</sub>; 20 acres in NE<sub>4</sub> SN<sub>4</sub>, Sec. 6; Tp. 36 S., R. 1 W. W. M., Jackson County, Oregon."

The foregoing allowance and description were corrected by a decree of the Circuit Court of the State of Oregon for Jackson County, dated December 31, 1923, on file and of record in the office of the County Clerk of Jackson County. Said decree states in part as follows, to-wit:

"NOW, THEREFORE, it is hereby ORDERED that the Decree in the Circuit Court in the Rogue River Adjudication, be and the same is hereby entered to correct the description of the land referred to and to correct the said clerical error and to make the description of said lands in accordance with the following, to-wit:

20 acres in the SE NW 40 acres in the NE SW 584 40 acres in the SE SW 58c. 6,
Tp. 36 S., R. 1 V., V. M.,
Jackson County, Oregon,

and in all respects this order is entered for the purpose of making the correction in conformity with the petition, as fully set out herein."

Claimant has submitted proof wherein he states that said inchoate right as described in the foregoing decree of the Circuit Court has been completed by irrigation to the extent of 96 acres, to-wit: 18 acres in SE SW4; 35 acres in NE4 SW4; 43 acres in SE4 SW4, Sec. 6, Tp. 36 S., R. 1 W., W.M.

Claimant does not accept the map prepared from a survey made September 18, 1935, under the direction of the State Engineer, but has submitted a map prepared from a survey made by H. D. Powell, surveyor, on November 19, 1937, which purports to show correctly the location of the ditch and the lands irrigated therefrom. An investigation made in June, 1939, under the direction of the State Engineer, found that the areas shown as irrigated on the map submitted

by claimant include lands which are claimed to be and are in fact sub-irrigated only.

Sub-irrigation does not constitute a completion of the inchoate right as contemplated in the Rogue River Decree. The allowance made herein will be based, therefore, upon the survey and map made under the direction of the State Engineer.

Claimant is allowed a right to the use of 1.79 cubic feet per second of water from Rogus River, through Nichols and Co. Ditch, with a priority of 1898, for the irrigation of 71.8 acres located as follows:

13.8 acres in Lot 2 (SEL NWL)
25.0 acres in NEL SWL
33.0 acres in SEL SWL
Sec. 6,
Tp. 36 S., R. 1 W., W. M.,
Jackson County, Oregon

16.

## Thomas A. Carlton and Herbert L. Carlton, Prospect, Oregon:

Claimants are successors to Margaret Gordon whose incheate right to the use of water from Rogue River is set out in the Rogue River Decree on Page 43, Column 2, under Proof 19, as follows: "Priority 1893; 1.60 second feet; for Irrigation of 80 acres; Gordon ditch (1-3 int.); Description of place of use: 10 acres in SE<sub>4</sub> NE<sub>4</sub>; 40 acres in NE<sub>4</sub> SE<sub>4</sub>, Sec. 23; 30 acres in SW<sub>2</sub> NW<sub>2</sub>, Sec. 24, Tp. 33 S., R. 1 E. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 62.5 acres, to-wit: 9.8 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 28.2 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 23; 24.5 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 24, Tp. 33 S., R. 1 E., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 1.25 cubic feet per second of water from Regue River, through Gordon Ditch, with a priority of 1893, for the irrigation of 62.5 acres located as follows:

9.8 acres in SE NE NE 28.2 acres in NE SE Sec. 23;
24.5 acres in SW NW Sec. 24,
Tp. 33 S., R. 1 E., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

# Vida Rankin and Clarence Rankin, Eagle Point, Oregon:

Claimants are successors to C. A. Knight and A. G. Bishop whose inchoate right to the use of water from Rogue River is set out in the Rogue River Decree on Page 43, Column 3, under Proof 23, as follows: "Priority 1898; 4.00 second feet; for Irrigation of 160 acres; Nichols ditch (1-6 int.); Description of place of use: NEt, Sec. 6, Tp. 36 S., R. 1 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 146.6 acres, to-wit: 144.5 acres in NE<sub>1</sub>, Sec. 6; 2.1 acres in NE<sub>1</sub> NV<sub>1</sub>, Sec. 5, Tp. 36 S., R. 1 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 3.66 cubic feet per second of water from Rogue River, through Nichols and Co. Ditch No. 2, with a priority of 1898, for the irrigation of 146.6 acres located as follows:

```
2.1 acres in NW1 NW2
Sec. 5;
37.3 acres in NET NET
40.0 acres in NW1 NET
40.0 acres in SW1 NET
27.2 acres in SET NET
Sec. 6,
Tp. 36 S., R. 1 W., W. M.,
Jackson County, Oregon,
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being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

18.

## Mrs. Ruth L. Natwick, Rt. 3, Eagle Point, Oregon:

Claimant is successor in part to Otilla Ashpole whose inchoate right to the use of water from Rogue River is set out in the Rogue River Decree on Page 43, Column 3, under Proof 28, as follows: "Priority 1898; 3.9 second feet; for Irrigation of 155 acres, and Domestic and Stock use; Nichols and Co. ditch (1-2 int.); Description of place of use: 25 acres in NV NET; 25 acres in SV NET; 5 acres in NET SET; 35 acres in NV SET; 10 acres in SV SET; 40 acres in SET SET, Sec. 20; 7 acres in NV NET; 8 acres in SV NET; Sec. 29, Tp. 35 S., R. 1 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed for stock and domestic use and for irrigation to the extent of 80.1 acres, to-wit: 25 acres, including 15.2 acres sub-irrigated, in NV2 NE2 (Lot 1); 24.3 acres in SV2 NE2; 7.4 acres

in NE<sub>4</sub> SE<sub>4</sub>; 23.4 acres in NW<sub>4</sub> SE<sub>4</sub>, Sec. 20, Tp. 35 S., R. 1 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found that the area of 15.2 acres in Lot 1, Sec. 20, which claimant asserts is sub-irrigated, is only partially cleared and has not been reclaimed and irrigated to conform with the requirements of the Rogue River Decree for the completion of an incheate right. Therefore, in so far as the tract in question is concerned, the allowance made herein will cover only the 9.8 acres found to be reclaimed and irrigated by said survey of the State Engineer.

Claimant is allowed a right to the use of 1.63 cubic feet per second of water from Rogue River, through Nichols & Co. Ditch, with a priority of 1898, for domestic and stock use and for the irrigation of 64.9 acres located as follows:

```
9.8 acres in Lot 1 (NW NE)
24.3 acres in Lot 2 (SW NE)
7.4 acres in that part of NE SE and
23.4 acres in that part of Lot 3 (NW SE)
lying North of a line 1,485.6 feet
North of the South line of Sec. 20,
all in Sec. 20,
Tp. 35 S., R. 1 W., W. M.,
Jackson County, Oregon
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The foregoing descriptions are amended to conform with the United States land survey.

19.

# J. M. Garrett, Eagle Point, Oregon:

Claimant is successor in part to Otilla Ashpole whose inchoate right to the use of water from Rogue River is set out in Paragraph 18 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 66.8 acres, to-wit: 5 acres in NW½ SE½; 1.2 acres in NE½ SE½; 33.8 acres in SW½ SE½, Sec. 20; 13.7 acres in NW½ NE½; 13.1 acres in SW½ NE½, Sec. 29, Tp. 35 S., R. 1 W., W. M., Jackson County, Oregon. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.67 cubic feet per second of water from Rogue River, through Nichols & Co. Ditch, with a priority of 1898, for stock and domestic use and for the irrigation of 66.8 acres located as follows:

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1.2 acres in that part of NE SE and
5.0 acres in that part of Lot 3 (NW SE SE SE SE Sec. 20;
33.8 acres in SW SE SE Sec. 20;
13.7 acres in NW NE NE SE Sec. 29,
Tp. 35 S., R. 1 W., W. M.,
Jackson County, Oregon,
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being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

#### J. C. Engelhardt, Medford, Oregon:

Claimant is successor to Oldson and Berquist whose inchoate right to the use of water from Rogue River is set out in the Rogue River Decree on Page 43, Column 3, under Proof 29, as follows: "Priority 1898; 1.00 second foot; for Irrigation of 40 acres; Nichols and Co. ditch (1-6 int.); Description of place of use: 30 acres in SW1 NW1; 10 acres in NW1 SW1, Sec. 32, Tp. 35 S., R. 1 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 43.6 acres, to-wit: 25.5 acres in SV2 NV2; 17.8 acres in NV2 SW2; 0.3 acre in SE2 NV2, Sec. 32, Tp. 35 S., R. 1 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Although said survey found an irrigated area of 25.5 acres in Lot 2, Sec. 32, only 23.2 acres are included in the property described in claimant's proof; therefore, allowance will be made herein only for the 23.2 acres in said Lot 2, owned and irrigated by claimant. The remainder of the above-stated inchoate right allowed claimant's predecessors will cover only 16.8 acres in NV SW and nothing in SE NV of said Sec. 32. Allowance will be made herein accordingly.

Claimant is allowed a right to the use of 1.00 cubic foot per second of water from Rogue River, through Nichols & Co. Ditch, with a priority of 1898, for the irrigation of 40 acres located as follows:

Sec. 32, Tp. 35 S., R. 1 W., W. M., Jackson County, Oregon,

with descriptions amended to conform with the United States land survey. The inchoate rights found to be completed herein are fixed to conform with the irrigated areas as explained in Paragraph 7.

21.

# California Oregon Power Company, Medford, Oregon:

Claimant is successor to the California-Oregon Power Company whose inchoate right to the use of water from the North Fork of Rogue River is set out in the Rogue River Decree on Page 43, Column 3, under Proof 31, as follows: "Priority October 8, 1904; 150 second feet

for present use for power; right to increase to not to exceed 400 second feet, upon compliance with provisions of paragraph 12 of this decree; Prospect Flume; water diverted returned to stream at Power House; Description of place of use: Prospect Power Plant in W. NW., Sec. 6, Tp. 33 S., R. 3 E. W. M., Jackson County, Oregon."

Under the provisions of said Paragraph 12 of the Rogue River Decree, the State Water Board and its successor, the State Engineer, did extend the time of completion of the above-stated inchoate right from time to time and upon final application of the claimant did make an investigation as to the extent to which said inchoate right had been completed. Based upon said investigation, the claimant was allowed a right, as evidenced by certificate of water right recorded at Page 11282, Volume 10, State Record of Water Right Certificates, to the use of the waters of the North Fork of Rogue River not to exceed 400 cubic feet per second, for the development of 27,591 theoretical horsepower, with a date of priority of October 8, 1904, the place of use being the Prospect Power Plant located in the Water Novel 1, Sec. 6, Tp. 33 S., R. 3 E., W. M., Jackson County, Oregon.

22.

# Table Rock Ditch Company, Central Point, Oregon:

This company was allowed an inchoate right to the use of water from Rogue River which is set out in the Rogue River Decree on Page 43, Column 3, under Proof 38, as follows: "Priority September 22, 1888; 36.2 second feet; for Irrigation of 2892 acres, and Stock and Domestic use; Table Rock ditch; Description of place of use: 30 acres in NW4 NW4; 20 acres in SW1 NW1, Sec. 7, Tp. 36 S., R. 1 W. W. M.; 35 acres in NE1 NE1; 20 acres in NW1 NE1; 80 acres in St NEt; 32 acres in NEt SEt; 40 acres in NWt SEt; 35 acres in SWt SEt; 8 acres in SET SET; 40 acres in SET NWT; 35 acres in SWT NWT; 160 acres in SWT. Sec. 12; 10 acres in NWT NET; 35 acres in NE NY ; 40 acres in NY NY NY ; 35 acres in SW NY ; 10 acres in SE NY , Sec. 13; 35 acres in SEt NEt; 30 acres in SW: NEt; 30 acres in SEt NW; 40 acres in SW: NW; 320 acres in Sa, Sec. 11; 320 acres in Na; 5 acres in NV SEA; 10 acres in NE SWA; 5 acres in NV SVA, Sec. 14; 15 acres in NE NE 130 acres in NK NE 1; 80 acres in S NE 1; 160 acres in NK 3; 320 acres in Sa, Sec. 10; 80 acres in Na NEt; 35 acres in SW; NEt; 35 acres in SEt NEt; 80 acres in No NW2; 5 acres in SW2 NW2; 35 acres in SE2 NW2, Sec. 15; 20 acres in NW2 SW2; 40 acres in SW1 SW1; 30 acres in SE1 SW1, Sec. 3; 25 acres in NE1 SE1; 5 acres in NW1 SE1; 15 acres in SW1 SE1; 40 acres in SEt SEt, Sec. 4; 80 acres in Et NEt; 15 acres in NWt NEt; 15 acres in SW: NEt; 80 acres in E2 SE4; 15 acres in NW SE4; 30 acres in SW SE4, Sec. 9; 80 acres in N2 NE4; 10 acres in SW; NE;; 20 acres in NE; NW;; 30 acres in SE; NW;; 7 acres in SW; NW;, Sec. 16, Tp. 36 S., R. 2 W. W. M., Jackson County, Oregon."

Proofs have been submitted by persons, firms, and corporations under the foregoing inchoate right allowed the Table Rock Ditch Company, claiming water from the Rogue River, through Table Rock Ditch, for stock and domestic use and for the irrigation of 1,418.6 acres.

Each of said persons, firms, and corporations has accepted the map prepared from the survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom. Following are statements of the claims contained in said proofs, together with the allowances made thereon, aggregating 17.75 cubic feet per second of water, with a priority of September 22, 1888, for stock and domestic use and for the irrigation of 1,418.6 acres.

23.

#### Blanche Briggs, Central Point, Oregon:

Claimant has submitted proof wherein she states that said incheate right of the Table Rock Ditch Company has been completed for stock and domestic use and for irrigation to the extent of 19.4 acres, to-wit: 17.1 acres in SE<sup>1</sup>/<sub>4</sub> SV<sup>1</sup>/<sub>4</sub>, Sec. 10; 2.3 acres in NE<sup>1</sup>/<sub>4</sub> NV<sup>1</sup>/<sub>4</sub>, Sec. 15, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon.

Claimant is allowed a right to the use of 0.24 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for stock and domestic use and for the irrigation of:

19.4 acres in that part of Secs. 10 and 15, Tp. 36 S., R. 2 W., W. M., described as follows: The West half of the following-described tract of land: Beginning at the Southwest corner of D.L.C. 40; thence West to the East line of D.L.C. 43; thence South to the SE corner of D.L.C. 43; thence with meanders of Rogue River up-stream to a post on the right bank from which a maple 15 inches in diameter bears South 86 degrees East 28 links, an ash 15 inches in diameter bears North 36 degrees West 79 links; thence North to a post from which a Y pine 22 inches in diameter bears North 1 degree East 164 links; thence West 5.90 chains to the place of beginning, containing 155 acres, more or less; saving and excepting from the above-described tract the one-acre lot deeded to Table Rock School District, and also saving and excepting therefrom the 54 acres deeded to S. K. Adams as shown in 54-334, Deed Record, Jackson County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

24.

# California Joint Stock Land Bank of San Francisco, San Francisco, California:

Claimant has submitted proof wherein it is stated that said inchoate right of the Table Rock Ditch Company has been completed for stock and domestic use and for irrigation to the extent of 34.6 acres, to-wit: 15.1 acres in SW NW NW; 19.5 acres in NW SW, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.43 cubic foot per second of water from Rogue River, through the Table Rock Ditch, with a priority of September 22, 1888, for stock and domestic use and for the irrigation of:

34.6 acres within the E<sub>2</sub> E<sub>2</sub> of that certain tract or body of land the whole of which is described as Government Lots 8, 9, 10, and 11 in Sec. 10 and Government Lots 15 and 16 in Sec. 11, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

25.

# E. W. Carlton, Central Point, Oregon:

Claimant has submitted proof wherein he states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 79.7 acres, to-wit: 9.2 acres in SE<sub>2</sub> SV<sub>2</sub>; 40.3 acres in SV<sub>1</sub> SE<sub>2</sub>; 9.0 acres in SE<sub>2</sub> SE<sub>3</sub>, Sec. 11; 3.1 acres in NE<sub>2</sub> NV<sub>2</sub>; 14.5 acres in NV<sub>2</sub> NE<sub>1</sub>; 3.6 acres in NE<sub>1</sub> NE<sub>2</sub>, Sec. 14, Tp. 36 S., R. 2 V., W. N.

Claimant is allowed a right to the use of 1.00 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of 79.7 acres located as follows:

58.5 acres in that part of the  $E_3$  of the John B. Risley D.L.C. 42 in Sec. 11 and

21.2 acres in that part of the  $E_3^1$  of the John B. Risley D.L.C. 42 lying in the North part of Sec. 14, Tp. 36 S., R. 2 W., W. M., described as follows: Commencing at the NE corner of the John B. Risley D.L.C. 42 in Sec. 11, Tp. 36 S., R. 2 W., W. M., and from said corner running West on the North boundary of said claim 29 chains and 76 links; thence South 53 chains and 71 links; thence South 89° 45' East along the South boundary of said claim 29 chains and 76 links to the SE corner of said claim; thence North on the East boundary of said claim 53 chains and 83 links to the place of beginning, containing 160 acres, more or less; saving and excepting therefrom that portion of the premises heretofore sold to Scott V. Davis, described as the  $S_2^1$   $E_2^1$  of D.L.C. 42, Tp. 36 S., R. 2 W., W. M., containing 80 acres, more or less, together with a strip of land 25 feet in width, beginning at the SE corner of the N $_2^2$  E $_2^2$  of said D.L.C. and running thence North to the intersection of the county road,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

26.

# Merrill B. Chase and Alice Gill Chase, Central Point, Oregon:

Claimants have submitted proof wherein they state that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 18.9 acres in the NE<sub>4</sub> SW<sub>4</sub>, Sec. 10, Tp. 36 S., R. 2 W., W. M.

Claimants are allowed a right to the use of 0.24 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

18.9 acres in that part of Sec. 10, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon, described as follows:
Commencing at the NE corner of D.L.C. 43 in Tp. 36 S.,
R. 2 W., W. M., and running thence South 80 rods to the center of the county road; thence West along the center of said county road 40 rods; thence North 80 rods; thence East 40 rods to the place of commencing, containing 20 acres, more or less, (NEL SWA)

being the full amount claimed in the proof with description amended to conform with the United States land survey.

27.

## S. C. Collins, Administrator, Central Point, Oregon:

Claimant has submitted proof wherein he states that he has completed said incheate right of the Table Rock Ditch Company for domestic and stock use and for irrigation to the extent of 58.9 acres, as follows: 3.4 acres in NEL SWL; 16 acres in NWL SWL; 15 acres in SWL SWL; 24.5 acres in SEL SWL; Sec. 10, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right for 0.74 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

58.9 acres in that part of Sec. 10, Tp. 36 S., R. 2 W., W. M., described as follows:

Commencing at the NE corner of D.L.C. 43; thence South 160 rods; thence West 80 rods; thence North 160 rods; thence East 80 rods to the place of commencing, containing 80 acres, excepting a 60-foot road running through the entire tract from the East line to the West line and at a point on a line parallel with the North line of Finley Ranch; also excepting the following-described tract: Commencing at the NE corner of D.L.C. 43 in Tp. 36 S., R. 2 W., W. M., and running thence South 80 rods to the center of the county road; thence West along the center of said county road 40 rods; thence North 80 rods; thence East 40 rods to the place of commencing, containing 20 acres, more or less, (3.4 acres in NE4 SW4; 16.0 acres in NW4 SW4; 15.0 acres in SW; SW4; 24.5 acres in SE4 SW4)

being the full amount claimed in the proof with description amended to conform with the United States land survey.

28.

#### Perry L. Cooper, Central Point, Oregon:

Claimant has submitted proof wherein he states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 2.5 acres in the NW. Sw. Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.03 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

2.5 acres in that part of Lot 8, Sec. 11, Tp. 36 S., R. 2 W., W. M., described as follows:

Commencing at a point 285.2 feet East and 1,139.8 feet

North of the NW corner of D.L.C. 42 in Sec. 11, Tp. 36 S.,

R. 2 W., W. M., and running North 162.4 feet; thence East
668.5 feet; thence South 162.4 feet; thence West 668.5

feet to the point of beginning, excepting an easement for road purposes for 15 feet along the East line of said premises,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

29.

## Estate of Charles K. Dana, Gus Newbury, Executor, Medford, Oregon:

Claimant has submitted proof wherein he states that said inchoate right of Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 2.5 acres in NW4 SW4, Sec. 11, Tp. 36 S., R. 2 W., Jackson County, Oregon.

Claiment is allowed a right to the use of 0.03 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

2.5 acres in that part of Lot 8, Sec. 11, Tp. 36 S., R. 2 W., W. M., described as follows:
Commencing at a point 285.2 feet East and 977.4 feet North of the NW corner of D.L.C. 42 in Sec. 11, Tp. 36 S., R. 2 W., W. M.; running thence North 162.4 feet; thence East 668.5 feet; thence South 162.4 feet; thence West 668.5 feet to the place of beginning, except an easement for road purposes for 15 feet along the East side of said premises,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

30.

#### Federal Land Bank of Spokane, Spokane, Washington:

Claimant has submitted proof wherein it is stated that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 69.4 acres, to-wit: 25.9 acres in the south 30 acres of SE<sub>2</sub> NE<sub>2</sub>; 39.5 acres in NE<sub>2</sub> SE<sub>2</sub>; 4 acres in NE<sub>2</sub> SE<sub>3</sub>, Sec. 9, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.87 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of 69.4 acres located as follows:

25.9 acres in the south 30 acres of SEL NEL
Sec. 9;
43.5 acres in that part of the No of D.L.C. 44
located in Sec. 9, Tp. 36 S., R. 2 W., W. M.
(39.5 acres in NET SEL, 4.0 acres in NEL SEL)
all in Tp. 36 S., R. 2 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

31.

#### Ernest C. Hamilton, Central Point, Oregon:

Claimant has submitted proof wherein he states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 6.8 acres, to-wit: 3.8 acres in SE; NV; 3.0 acres in SV; NV; Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claiment is allowed a right to the use of 0.09 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of 6.8 acres located as follows:

3.0 acres in Lot 14 (SV4 NV4)
3.8 acres in Lot 13 (SE4 NV4)
Sec. 11,
Tp. 36 S., R. 2 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof with descriptions emended to conform with the United States lend survey.

32.

# Orville C. Hamilton, Central Point, Oregon:

Claimant has submitted proof wherein he states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 39.4 acres, to-wit: 2 acres in NE<sup>1</sup><sub>2</sub> NE<sup>1</sup><sub>4</sub>; 18.4 acres in SE<sup>1</sup><sub>4</sub> NE<sup>1</sup><sub>4</sub>; 19 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 10, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.49 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for stock and domestic use and for the irrigation of:

39.4 acres within the boundaries of the W2 E2 of that certain tract of land described as Government Lots 8, 9, 10, and 11 in Sec. 10 and Government Lots 15 and 16 in Sec. 11, all in Tp. 36 S., R. 2 W., W. M., (20.3 acres in Lot 9 (SE2 NE2); 17.2 acres in Lot 8 (NE2 SE2), Sec. 10; 0.9 acre in Lot 15 (SW2 NW2); 1.0 acre in Lot 16 (NW2 SW2), Sec. 11)

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

## U. G. Hawkey, Central Point, Oregon:

Claimant has submitted proof wherein he states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 52 acres, to-wit: 12 acres in SV SE SE; 40 acres in SE; SE; Sec. 9, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.65 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

52.0 acres in the Sb of that part of D.L.C. 44 in Sec. 9, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon, (12 acres in SW2 SE1; 40 acres in SE2 SE4)

being the full amount claimed in the proof with description amended to conform with the United States land survey.

34.

#### Robert F. Hensley and Cora E. Hensley, Central Point, Oregon:

Claimants have submitted proof wherein they state that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 5 acres in NW4 SW4, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimants are allowed a right to the use of 0.06 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

5.0 acres in that part of Lot 8 (NW SW2)

Tp. 36 S., R. 2 W., W. M., located as follows:
Beginning at a point 285.2 feet East and 651.6 feet
North of the NW corner of D.L.C. 42 in Sec. 11, Tp.
36 S., R. 2 W., W. M., Jackson County, Oregon, and running thence East parallel with the North line of said D.L.C. 42, 668.5 feet; thence North 325.8 feet; thence West parallel with the North line of said D.L.C. 42, 668.5 feet; thence South 325.8 feet to the point of beginning,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

35.

# William M. Housley and Mary Housley, Central Point, Oregon:

Claimants have submitted proof wherein they state that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 4.5 acres in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimants are allowed a right to the use of 0.06 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

4.5 acres in that part of Lot 8 (NW SV SV Sec. 11,

Tp. 36 S., R. 2 W., W. M., described as follows:
Beginning at a point 285.2 feet East of the NV corner of D.L.C. 42 in Sec. 11, Tp. 36 S., R. 2 W., W. M., running thence East along the North line of said D.L.C. 42, 668.5 feet; thence North 325.8 feet; thence West 668.5 feet; thence South 325.8 feet to the point of beginning, excepting an easement for road purposes for 15 feet along the East side of said premises,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

36.

## Nels A. Jacobson and Anna M. Jacobson, Central Point, Oregon:

Claiments have submitted proof wherein they state that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 5 acres in NV2 SV2, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimants are allowed a right to the use of 0.06 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

5.0 acres in that part of Lot 8 (NW SWA)
Sec. 11,

Tp. 36 S., R. 2 W., W. M., described as follows:
Beginning at a point 285.2 feet East and 325.8 feet North of the NW corner of D.L.C. 42 in Sec. 11, Tp. 36 S., R. 2 W., W. M.; running thence East parallel with the North line of said D.L.C. 42, 668.5 feet; thence North 325.8 feet; thence West parallel with the North line of said D.L.C. 42, 668.5 feet; thence South 325.8 feet to the place of beginning, excepting an easement for road purposes for 15 feet along the East line of said premises,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

37.

#### Margaret D. Lydiard, Central Point, Oregon:

Claimant has submitted proof wherein she states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 40 acres, to-wit: 16.6 acres in NV<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 15 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2.9 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2.4 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 2.7 acres in NV<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 0.4 acre in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 10, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.50 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

39.8 acres in the War was of a tract consisting of Lots 8, 9, 10, and 11, Sec. 10, and Lots 15 and 16, Sec. 11, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon,

being the full amount of the area claimed in the proof with descriptions amended to conform with the United States land survey.

38.

# Sarah F. Miller, Central Point, Oregon:

Claimant has submitted proof wherein she states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 40 acres, to-wit: 3.1 acres in  $NE_{\frac{1}{4}}^{1}$   $NE_{\frac{1}{4}}^{1}$ ; 17.9 acres in  $SE_{\frac{1}{4}}^{1}$   $NE_{\frac{1}{4}}^{1}$ ; 19 acres in  $NE_{\frac{1}{4}}^{1}$   $SE_{\frac{1}{4}}^{1}$ , Sec. 10, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.50 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

39.8 acres in the Et Wa of a tract of land described as Lots 8, 9, 10, and 11 in Sec. 10 and Lots 15 and 16 in Sec. 11, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon,

being the full amount of the area claimed in the proof with descriptions smended to conform with the United States land survey.

39.

# Frank R. Myers, Central Point, Oregon:

Claimant has submitted proof wherein he states that he has completed the said inchoate right of the Table Rock Ditch Company for domestic and stock use and for irrigation to the extent of 4.9 acres in NV2 SE2, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.06 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

4.9 acres in that part of Lot 10 (NW SEZ)

Tp. 36 S., R. 2 W., W. M., described as follows:
Commencing at a point on the North line of D.L.C. 42, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon, the same being marked by an iron pin in the center of the county road, the said point being the SW corner of that certain tract deeded to

the grantors herein by Malcolm M. Root, said deed being recorded in Volume 120, Page 142, Deed Records of Jackson County, Oregon; thence East along the North line of said D.L.C. 42, 25 rods; thence Northerly parallel with the West line of said tract (Malcolm M. Root to grantors) 32 rods; thence Westerly parallel with the South line of this tract 25 rods to the West line of said M. M. Root tract; thence South on the West line of said M. M. Root tract 32 rods to the place of beginning, containing five acres,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

40.

#### Palmer Corporation, Medford, Oregon:

Claimant has submitted proof wherein it is stated that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 418.9 acres, to-wit: 32.5 acres in SE; NE; 28.4 acres in NE; SE; 11.2 acres in SE; SE; SE; Sec. 11; 32 acres in SW; NW; 38.5 acres in SE; NW; 16 acres in NW; NE; 16 acres in NE; NE; 23 acres in SW; NE; 7.7 acres in NW; SE; 40 acres in NE; SV; 40 acres in NW; SW; 39 acres in SW; SW; 34.8 acres in SE; SV; Sec. 12; 28 acres in NW; NE; 25.5 acres in NE; NW; 0.5 acre in SE; NW; 5.8 acres in SW; NW; Sec. 13, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 5.24 cubic feet per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of 418.9 acres, located as follows:

```
22.2 acres in Lot 1 (SE) NE
 0.8 acre in NE corner of Lot 12 (SE NEt)
                        Sec. 11;
35.4 acres within that part of D.L.C.
     37, lying in Sec. 11;
13.7 acres within that part of D.L.C.
     38, lying in Sec. 11;
16.0 acres in Lot 6 (NE NE)
16.0 acres in NV4 NE4
19.4 acres in Lot 9 (SWE NEな)
 2.0 acres in Lot 10 (NW SEL)
18.0 acres in Lot 7 (SV4 NV4)
23.2 acres in Lot 8 (SE N.4)
                        Sec. 12;
114.0 acres within that part of D.L.C.
     37, lying in Sec. 12;
77.9 acres within that part of D.L.C.
     38, lying in Sec. 12;
20.5 acres within that part of D.L.C.
     38, lying in Sec. 13;
28.9 acres in that part of D.L.C. 41.
     lying in Sec. 13;
Sec. 13,
     Tp. 36 S., R. 2 W., W. M.,
     Jackson County, Oregon,
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being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

## Ada E. Rodgers, Central Point, Oregon:

Claimant has submitted proof wherein she states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 10 acres in the NET SWT, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

10.0 acres in that part of Lot 9 (NE STA) Sec. 11,

Tp. 36 S., R. 2 W., W. M., described as follows:
Beginning 1,622.2 feet East and 644.3 feet North of the NW corner of D.L.C. 42, Sec. 11, Tp. 36 S., R. 2 W., W. M.; running thence North 651.6 feet; thence West 668.5 feet on a line parallel with the North line of D.L.C. 42; thence South 651.6 feet; thence East on a line parallel with the said North line of said D.L.C. 42, 668.5 feet to the place of beginning, excepting and reserving therefrom an easement for road purposes for 15 feet along the West line of said premises,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

42.

#### Fred N. Rorden and Anna Rorden, Central Point, Oregon:

Claimants have submitted proof wherein they state that they have completed said inchoate right of the Table Rock Ditch Company for domestic and stock use and for irrigation to the extent of 238.6 acres, to-wit: 30 acres in NW\(\frac{1}{2}\) SW\(\frac{1}{2}\); 20 acres in SE\(\frac{1}{2}\) SW\(\frac{1}{2}\), Sec. 3; 40 acres in NE\(\frac{1}{2}\) NW\(\frac{1}{2}\); 40 acres in SW\(\frac{1}{2}\) NW\(\frac{1}{2}\); 3.4 acres in NW\(\frac{1}{2}\) NW\(\frac{1}{2}\); 25 acres in SW\(\frac{1}{2}\), NE\(\frac{1}{2}\); 24 acres in NW\(\frac{1}{2}\) SE\(\frac{1}{2}\); 16.2 acres in NE\(\frac{1}{2}\) SW\(\frac{1}{2}\), Sec. 10, Tp. 36 S., R. 2 W., W. M., Jackson County, Oregon.

Claimants are allowed a right to the use of 2.98 cubic feet per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of 238.6 acres, located as follows:

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

# Ruby Violet Schafer, Central Point, Oregon:

Claimant has submitted proof wherein she states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 31.5 acres, to-wit: 6.9 acres in SW\(\frac{1}{4}\) NE\(\frac{1}{4}\); 2.1 acres in SE\(\frac{1}{4}\) NE\(\frac{1}{4}\); 14.4 acres in NW\(\frac{1}{4}\) SE\(\frac{1}{4}\); 8.1 acres in NE\(\frac{1}{4}\) SE\(\frac{1}{4}\), Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.39 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

- 31.5 acres in that part of Sec. 11, Tp. 36 S., R. 2 W., V. M., Jackson County, Oregon, described as follows: Beginning at a stone monument at the NE corner of D.L.C. 42 in said township and range and thence running Northerly along the West line of D.L.C. 37 in said township and range a distance of 1,647.4 feet to the most Southerly SE corner of Lot 1 in said Sec. 11; thence running Westerly along the most Southerly line of said Lot 1, 356.5 feet, more or less, to the SW corner thereof; thence running North along the West line of said Lot 1, 943.8 feet, more or less, to the NW corner of said Lot 1, the same being also the NE corner of Lot 2 in said Sec. 11; thence running Westerly along the North line of said Lot 2, 644 feet, more or less, to the dividing line between this described tract and land on the West thereof; thence Southerly along said dividing line 2,591.2 feet, more or less, to the North line of said D.L.C. 42 at a point thereon marked by an iron pin in the center of the county road; thence running at an angle to the East from the last-mentioned course 89° 41' along said North line of said D.L.C. 42, 1,005.7 feet to the place of beginning, being all of Lot 11 and parts of Lots 2, 10, and 12 of said Sec. 11 and containing an area of 51.98 acres, more or less, excepting therefrom the following three tracts, to-wit:
  - (1) A right of way heretofore conveyed to the Drum-Bybee-Hunsaker-Pickens Ditch Co.
  - (2) The following tract described in deed recorded in Volume 97 at Page 508, Deed Records of said Jackson County, to-wit: Beginning at the NE corner of D.L.C. 39 which is on the West line of D.L.C. 37 in Tp. 36 S., R. 2 W., W. M., and running thence South on the line between D.L.C. Nos. 37 and 39, 100.5 feet; thence West 358.8 feet; thence North 100.5 feet and thence East 358.8 feet to the place of beginning, containing 0.82 acre, said tract being in the NE corner of Government Lot 12, in said Sec. 11.
  - (3) A tract described as follows:
    Commencing at a point on the North line of D.L.C. 42, Tp. 36 S.,
    R. 2 W., W. M., the same being marked by an iron pin in the center
    of the county road, the said point being the SW corner of that certain tract deeded to John Cameron and wife by Malcolm M. Root, said
    deed being recorded in Volume 120, Page 142, Deed Records of said
    Jackson County; thence running East along the North line of said
    D.L.C. 42, 25 rods; thence Northerly and parallel with the West line
    of said Cameron tract 32 rods; thence Westerly and parallel with the
    South line of said Cameron tract 25 rods to the West line of said
    Cameron tract; thence Southerly along said West line of said Cameron
    tract 32 rods to the place of beginning, containing 5 acres,

this being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

## Fred B. Smith and Leila Smith, Central Point, Oregon:

Claimants have submitted proof wherein they state that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 4.5 acres, to-wit: NET SVZ, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimants are allowed a right to the use of 0.06 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

4.5 acres in that part of Lot 9 (NE SV 1) Sec. 11.

Tp. 36 S., R. 2 W., W. M., described as follows:
Beginning at a point 953.7 feet East of the NW corner of D.L.C. 42 in Sec. 11, Tp. 36 S., R. 2 W., V. M., running thence East along the North line of said D.L.C. 42, 668.5 feet; thence North 325.8 feet; thence West 668.5 feet; thence South 325.8 feet to the place of beginning, excepting and reserving therefrom an easement for road purposes for 15 feet along the West line of said premises, Jackson County, Oregon,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

45.

## S. M. Tuttle and Emelia G. Tuttle, Central Point, Oregon:

Claimants have submitted proof wherein they state that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 46.7 acres, to-wit: 1.8 acres in SE<sub>4</sub> NW<sub>4</sub>; 5.9 acres in SW<sub>4</sub> NE<sub>4</sub>; 19.5 acres in NW<sub>4</sub> SE<sub>4</sub>; 19.5 acres in NE<sub>4</sub> SW<sub>4</sub>, Sec. 11, Tp. 36 S., R. 2 W., W. M.

Claimants are allowed a right to the use of 0.58 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of 46.7 acres located as follows:

1.4 acres in Lot 2 (SW2 NE2)
4.5 acres in Lot 12 (SW2 NE2)
1.8 acres in Lot 13 (SE2 NW2)
19.5 acres in Lot 9 (NE2 SW2)
19.5 acres in Lot 10 (NW2 SE2)
Sec. 11,
Tp. 36 S., R. 2 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

## Valentine S. Ware and Maud L. Ware, Central Point, Oregon:

Claimants have submitted proof wherein they state that they have completed said inchoate right of the Table Rock Ditch Company for domestic and stock use and for irrigation to the extent of 5 acres in the NET SWT, Sec. 11, Tp. 36 S., R. 2 V., W. M.

Claimants are allowed a right to the use of 0.06 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

Beginning at a point 1,622.2 feet East and 325.8 feet North of the NW corner of D.L.C. 42, Sec. 11, Tp. 36 S., R. 2 W., W. M., and running thence North 318.5 feet; thence West 668.5 feet on a line parallel with the North line of D.L.C. 42; thence South 318.5 feet; thence East on a line parallel with the North line of D.L.C. 42; thence South 318.5 feet; thence East on a line parallel with the North line of D.L.C. 42, 668.5 feet to the place of beginning, excepting an easement for road purposes for 15 feet along the West line of said premises, (NE# SW-4)

being the full amount claimed in the proof with description amended to conform with the United States land survey.

47.

## Ralph N. Wilson and Winona Wilson, Central Point, Oregon:

Claimants have submitted proof wherein they state that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 68.6 acres, to-wit: 35.8 acres in SWZ SEZ, Sec. 10; 29.4 acres in NWZ NEZ; 3.4 acres in SWZ NEZ, Sec. 15, Tp. 36 S., R. 2 W., W. M.

Claimants are allowed a right to the use of 0.86 cubic foot per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of:

68.6 acres in that part of Secs. 10 and 15,
Tp. 36 S., R. 2 W., W. M.,
described as follows:
The East half of the following-described land:
Beginning at the SW corner of D.L.C. 40 and running thence
West to the East line of D.L.C. 43; thence South to the SE
corner of D.L.C. 43; thence with meanders of Rogue River upstream to a post on the right bank from which a maple 15
inches in diameter bears South 86° East 28 links and an ash
15 inches in diameter bears North 36° West 79 links; thence
North to a post from which a yellow pine 22 inches in diameter
bears North 1° East 164 links; thence West 5.90 chains to the
place of beginning, containing 155 acres, more or less, all in
Secs. 10 and 15, Tp. 36 S., R. 2 W., W. M., excepting from the
above-described land the one-acre lot deeded to the Table Rock
School District and also excepting the 54 acres deeded to
S. K. Adams, as shown in 54-334, Deed Records, Jackson County,
Oregon.

Also including the following-described tract:
Beginning at a point on the North bank of Rogue River 58.71
chains, more or less, South of the NW corner of Government
Lot 7 in Sec. 10, Tp. 36 S., R. 2 W., W. M.; thence North
58.71 chains, more or less, to the NW corner of said Lot 7;

thence West 9.36 chains; thence South 58.71 chains, more or less, to the North bank of Rogue River; thence Easterly following the present meanderings of the North bank of said river 10 chains, more or less, to the place of beginning, containing 54.94 acres of land, excepting therefrom, however, the one-acre deeded off the NE corner of said described tract for school purposes; also excepting the road and ditch across the North end of said tract, (35.8 acres in SW\(\frac{1}{2}\) SE\(\frac{1}{2}\), Sec. 10; 29.4 acres in N\(\frac{1}{2}\) NE\(\frac{1}{2}\); 3.4 acres in SW\(\frac{1}{2}\) NE\(\frac{1}{2}\), Sec. 15, Tp. 36 S., R. 2 W., W. M.)

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

48.

#### George H. Wyckoff, Danmoore Hotel, Portland, Oregon:

Claimant has submitted proof wherein he states that said inchoate right of the Table Rock Ditch Company has been completed for domestic and stock use and for irrigation to the extent of 111.7 acres, to-wit: 21.8 acres in NV SV; 24 acres in SV SV, Sec. 10; 16.1 acres in NV; NV; Sec. 15; 26 acres in NV; NE; 23.8 acres in NE; NE; Sec. 16, Tp. 36 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 1.40 cubic feet per second of water from Rogue River, through Table Rock Ditch, with a priority of September 22, 1888, for domestic and stock use and for the irrigation of 111.7 acres located as follows:

- 45.8 acres in that part of Sec. 10,
  Tp. 36 S., R. 2 W., W. M.,
  described as follows:
  Beginning at the NE corner of D.L.C. 44 in Tp. 36 S.,
  R. 2 W., W. M.; running thence South on the East line of
  said D.L.C. 44, a distance of 39 chains 80 links to the
  South line of Sec. 10; thence West along the South line
  thereof 11 chains 30 links to the West line of Sec. 10;
  thence North on said section line 39 chains 80 links to
  the North line of said D.L.C. 44; thence East 11 chains 50
  links to the point of beginning, (21.8 acres in NV \$\frac{1}{4}\$ SW\$\frac{1}{4}\$;
  24 acres in SV\$\frac{1}{4}\$ SW\$\frac{1}{4}\$, Sec. 10)
- 16.1 acres in that part of Sec. 15,

  Tp. 36 S., R. 2 W., W. M.,

  described as follows:

  All of D.L.C. 43 except 80 acres sold to Lesh M. Collins

  described as follows:

  Commencing at the NE corner of said D.L.C. 43; thence

  running South 160 rods; thence West 80 rods; thence North

  160 rods; thence East 80 rods to the place of beginning

  (NET NET, Sec. 15)

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

## Ben E. Harder and Elizabeth Duncan Harder, Old Stage Road, Medford, Oregon:

Claimants are successors in part to P. S. Anderson whose inchoate right to the use of water from Rogue River is set out in the Rogue River Decree on Page 44, Column 1, under Proof 40, as follows: "Priority 1901; 5.22 second feet; for Irrigation of 313 acres; Veghte and Bergman ditch; Description of place of use: 10 acres in NE<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>; 30 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 15 acres in SE<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 33, Tp. 34 S., R. 1 W. W. M.; 32 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 25 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 37 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 36 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 30 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>5</sub>; 38 acres in NW<sup>1</sup>/<sub>4</sub> SV<sup>1</sup>/<sub>4</sub>; 15 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>5</sub>, Sec. 4; 20 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 5, Tp. 35 S., R. 1 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said incheate right has been completed by irrigation to the extent of 60.2 acres, to-wit: 17.1 acres in NW1 SW1; 3.9 acres in NEI SW1; 15.7 acres in SE1 SW2; 8.9 acres in SW2 SW2, Sec. 33, Tp. 34 S., R. 1 W., W. M.; 12.8 acres in NEI NW1; 1.8 acres in NW2 NW2, Sec. 4, Tp. 35 S., R. 1 W., W. M. Claimants have submitted a map prepared from a survey made by C. Z. Boyden, surveyor, which shows as irrigated the lands claimed in the proof.

It appears that in the Rogue River Decree the right allowed P. S. Anderson in the NW1, Sec. 33, Tp. 34 S., R. 1 W., W. M., covered lands owned by Mrs. E. Bergman who was allowed a right which is set out in said decree on Page 43, Column 2, under Proof 3, for the irrigation of lands in said NW1, Sec. 33. It is obvious that the rights allowed P. S. Anderson in said Sec. 33 should have been described as being in the SW1 thereof for the reason that other rights allowed him in said decree cover lands in Sec. 4, Tp. 35 S., R. 1 W., W. M., immediately adjoining said SW1. Therefore, said error is hereby corrected and the allowance herein made will be in accordance therewith.

Claimants are allowed a right to the use of 1.01 cubic feet per second of water from Rogue River, through Veghte and Bergman Ditch, with a priority of 1901, for the irrigation of 60.2 acres located as follows:

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3.9 acres in NET SWT 17.1 acres in Lot 2 (NWT SWT) 24.6 acres in Lot 3 (SWT SWT, SET SWT) Sec. 33,

Tp. 34 S., R. 1 W., V. M.
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12.8 acres in that part of NE<sub>4</sub> NV<sub>4</sub> and
1.8 acres in that part of Lot 1 (NV<sub>4</sub> NV<sub>4</sub>)
described as follows:
Beginning at the North quarter corner of Sec. 4, Tp. 35 S.,
R. 1 W., W. M.; thence West along the North line of said
Sec. 4, 1,435 feet; thence South 700 feet; thence East 1,435
feet; thence North 700 feet to the point of beginning.

Sec. 4,
Tp. 35 S., R. 1 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

The inchoate rights which are found to be completed herein are fixed to conform with the irrigated areas as explained in Paragraph 7.

(For further rights allowed claimants to the use of water from Rogue River, see Paragraph 14 supra.)

50.

# Jefferson B. Lindsay, Box 32, Eagle Point, Oregon:

Claimant is a successor in part to P. S. Anderson whose incheate right to the use of water from Rogue River is set out in Paragraph 49 supra.

Claimant has submitted a proof wherein he states that said inchoate right has been completed by irrigation to the extent of 82.4 acres, to-wit: 13.9 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 8.3 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 0.3 acre in SV<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 34.1 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 14.7 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 2.7 acres in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 8.4 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 4, Tp. 35 S., R. 1 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of 8.3 acres in Lot 1, Sec. 4, of which a strip 125 feet by 700 feet containing 1.8 irrigated acres is the property of Ben E. and Elizabeth Duncan Harder. The remaining irrigated area of 6.5 acres in said Lot 1 is the property of claimant and a right to the use of water for the irrigation thereof will be allowed herein accordingly.

Claimant is allowed a right to the use of 1.35 cubic feet per second of water from Rogue River, through Veghte and Bergman Ditch, with a priority of 1901, for the irrigation of 80.6 acres located as follows:

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Sec. 4,
except a strip of land 700 feet wide along the north end
of said NE NW ;

6.5 acres in Lot 1 (NW NW NW )
Sec. 4,
except a strip 125 feet by 700 feet in said Lot 1, the
property of B. E. and Elizabeth Duncan Harder;

0.3 acre in Lot 2 (SW NW )

34.1 acres in SE NV ;

14.7 acres in NE SV ;

2.7 acres in Lot 3 (NV SV SV )
Sec. 4,
Tp. 35 S., R. 1 W., W. M.,
Jackson County, Oregon
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The foregoing descriptions are amended to conform with the United States land survey.

## Mrs. Orbra Abbott, Butte Falls, Oregon:

Claimant is successor to the Estate of Wm. Abbott whose inchoate right to the use of water from Clark Creek is set out in the Rogue River Decree on Page 44, Column 1, under Proof 332, as follows: "Priority 1899; 1.25 second feet; for Irrigation of 50 acres; Wakefield ditch; Description of place of use: Irrigated and to be irrigated: 12 acres in NE<sup>1</sup>/<sub>4</sub> NV<sup>1</sup>/<sub>4</sub>; 18 acres in NV<sup>1</sup>/<sub>4</sub> NV<sup>1</sup>/<sub>4</sub>, Sec. 17; 12 acres in SV<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>6</sub>; 8 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>5</sub>, Sec. 18, Tp. 34 S., R. 2

E. W. M., Jackson County, Oregon."

completed by irrigation to the extent of 25.8 acres, to-wit: 19 acres in NE<sup>1</sup><sub>4</sub> NV<sub>4</sub>; 6.8 acres in NV<sup>1</sup><sub>4</sub> NV<sup>1</sup><sub>4</sub>, Sec. 17, Tp. 34 S., R. 2 E., V. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.65 cubic foot per second of water from Clark Creek, through Wakefield Ditch, with a priority of 1899, for the irrigation of 25.8 acres located as follows:

19.0 acres in NE NW7
6.8 acres in NW1 NW2
Sec. 17,
Tp. 34 S., R. 2 E., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof. This allowance is subject to the qualifications and stipulations set out in the Rogue River Decree, Paragraph 28, Page 61, Column 3.

52.

## Henry Earl Francis, Butte Falls, Oregon:

Claimant is successor to Malinda J. Hawk whose inchoate right to the use of water from Clark Creek is set out in the Rogue River Decree on Page 44, Column 1, under Proof 333, as follows: "Priority 1899; 1.30 second feet; for Irrigation of 65 acres; Wakefield ditch; Description of place of use: Irrigated: 10 acres in SW SW SW SW Sec. 8; 5 acres in SE SE SEC. 7, Tp. 34 S., R. 2 E. W. M.; to be Irrigated: 50 acres in above legal subdivisions; Jackson County, Oregon." Also "Priority 1899; 5.80 second feet, for Power; 75 foot head development of 20 horsepower. Wakefield ditch; water returned to stream on claimant's land."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 45.2 acres, to-wit: 4.1 acres in NW SW SW : 29 acres in SW SW SW : 1.9 acres in SE SW SW SW SE : 1.1 acres in NE SE : 9.1 acres in SE : SE : 9.1 acre

No claim is made in the proof for 5.8 cubic feet per second for power for which an inchoate right was allowed as shown above. The survey made under the direction of the State Engineer in October, 1935, revealed no water used for power; therefore, no right for power is herein allowed.

Claimant is sllowed a right to the use of 0.90 cubic foot per second of water from Clark Creek, through Wakefield Ditch, with a priority of 1899, for the irrigation of 45.2 acres located as follows:

being the full amount claimed in the proof. This allowance is subject to the qualifications and stipulations set out in the Rogue River Decree, Paragraph 28, Page 61, Column 3.

53.

#### R. M. Conley:

Claimant purports to be a successor in part to Malinda J. Hawk whose inchoate right to the use of water from Clark Creek for power purposes is set out in Paragraph 52 next preceding.

Claimant has submitted proof wherein he states that he is entitled to 5.87 second feet

of water from Clark Creek for power purposes under said inchoate right for the following reasons:

(1) that he purchased from Milinda J. Hawk the property to which said right was appurtenant;

(2) that he thereafter made application to the State Engineer to transfer said water right to other lands; (3) that said application was granted, and there was an application for the permit of water No. 5959 filed for the use of water upon said other lands; (4) that upon said application the State Engineer issued a certificate of water right recorded Vol. 2 Page 8973 granting a water right to 1.04 cubic feet per second of water to be used on said other lands; (5) that said right is vested; (6) that the water herein mentioned is the same water which was granted as inchoate right to Malinda J. Hawk.

Although application for transfer of use was made to the State Engineer as stated in claimant's proof, said application was denied by said State Engineer (see Special Order Record of the State Engineer, Volume 1, Page 51). Claimant's right to the use of water from Clark Creek for the irrigation of his lands was established by certificate of water right recorded at Page 8973, Volume 2, State Record of Water Right Certificates. This right does not include said inchoate right allowed Malinda J. Hawk nor does it incorporate any use for power purposes. Claimant must depend upon said certificate for water for irrigation and cannot be deemed a successor to Malinda J. Hawk.

Claimant is not allowed a right to the use of the 5.87 cubic feet per second of water from Clark Creek which he claims in his proof.

#### VINE MAPLE CREEK

54.

#### Everett R. Sublette and Luvenia Sublette, Trail, Oregon:

Claimants are successors to J. E. Higinbotham whose inchoate right to the use of water from Vine Maple Creek is set out in the Rogue River Decree on Page 44, Column 1, under Proof 334, as follows: "Priority 1907; 0.40 second feet; for Irrigation of 20 acres; Higin-botham ditch; Description of place of use: Irrigated: 12 acres in SW NE NE Sec. 2, Tp. 34 S., R. 1 E. W. M.; To be Irrigated: 8 acres in SW NE NE NE Sec. 2, Tp. 34 S., R. 1 E. W. M., Jackson County, Oregon."

In a suit in the Circuit Court of the State of Oregon for Jackson County brought by claimants against H. M. von Stein et al, Circuit Court Journal for Jackson County, Oregon, Volume 63, at Pages 346-7 and 483-4, the place of use was changed from the SW NE of Sec. 2, Tp. 34 S., R. 1 E., W. M., to the NW SW of said Sec. 2; the defendants were allowed a prior right to the use of 0.025 second foot of water from Vine Maple Creek for irrigation, domestic and stock use, and the claimants were allowed the use of 0.40 second foot of water from Vine Maple Creek for domestic use and irrigation subsequent to said 0.025 second foot but first, prior, and superior to all other rights to the use of water from Vine Maple Creek.

Claimants have submitted proof wherein they state that said inchoate right as amended by said decree has been completed for domestic and stock use and by irrigation to the extent of 20 acres in NW1 SW1, Sec. 2, Tp. 34 S., R. 1 E., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

Claimants are allowed a right to the use of 0.40 cubic foot per second of water from Vine Maple Creek, through Higinbotham Ditch, with a priority of 1907, for domestic use and for the irrigation of:

20 acres in NW1 SW1 Sec. 2, Tp. 34 S., R. 1 E., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

55.

#### Harold M. von Stein, Trail, Oregon:

Claimant is successor to Gus Nichols whose inchoate right to the use of water from Vine Maple Creek is set out in the Rogue River Decree on Page 44, Column 1, under Proof 366, as follows: "Priority 1908; 1.60 feet; for Irrigation of 80 acres and Stock; Vine Maple ditch; Description of place of use: To be Irrigated: 20 acres in NW\(\frac{1}{4}\) NW\(\frac{1}{4}\); 20 acres in SE\(\frac{1}{4}\) NW\(\frac{1}{4}\); 20 acres in NE\(\frac{1}{4}\) SW\(\frac{1}{4}\); 20 acres in NW\(\frac{1}{4}\); 2

Said Gus Nichols was also granted a vested right to the use of water from Vine Maple Creek which is set out in the said Rogue River Decree on Page 4, Column 1, under Proof 366, as follows: "Priority 1896; 0.40 second feet; for Irrigation of 20 acres and stock; Vine Maple ditch; \* \* Description of place of use: 10 acres in SE<sup>1</sup>/<sub>4</sub> NV<sup>1</sup>/<sub>4</sub>; 10 acres in NE<sup>1</sup>/<sub>4</sub> SV<sup>1</sup>/<sub>4</sub>, Sec. 11, Tp. 34 S., R. 1 E. W. M., Jackson County, Oregon." Under the provisions of Sec. 47-712, Oregon Code 1930, the State Engineer entered an order on March 31, 1937 (Special Order Record, Volume 3, Page 119), changing the right covering the 10 acres in the SE<sup>1</sup>/<sub>4</sub> NV<sup>1</sup>/<sub>4</sub> of said Sec. 11 to a right to the use of water for stock and domestic purposes, provided that the quantity of water diverted for such use shall not exceed 0.025 cubic foot per second during the irrigation season and domestic use shall include the irrigation of a garden and lawn not to exceed 2 acres.

On May 28, 1937, the Circuit Court of the State of Oregon for Jackson County entered a decree in the case of Everette R. Sublette and Luvenia Sublette vs. H. M. von Stein et al, Circuit Court Journal for Jackson County, Oregon, Volume 63 at Pages 346-7 and 483-4, wherein claimant was allowed a right to the extent of 0.025 second foot for domestic, stock, and irrigation to be used on 10 acres in the SE: NV: and 10 acres in the NE: SV: Sec. 11, Tp. 34 S., R. 1 E., W. M., with a right superior to others on Vine Maple Creek.

Claimant has submitted proof wherein he states that said inchoate right has been completed for stock use and by irrigation to the extent of 9.4 acres, to-wit: 7.4 acres in NV SV and 2 acres in NE SV SV SV. Sec. 11, Tp. 34 S., R. 1 E., W. M. Claimant in his proof also states that he accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

The amount claimed in the  $NE_{4}^{1}$   $SV_{4}^{1}$ , Sec. 11, is not allowed for the reason that 2 acres shown as irrigated therein are not irrigated from Vine Maple Creek but from Clark Creek and 0.5 acre shown as irrigated therein is covered by the above-stated vested right.

Claimant is allowed a right to the use of 0.15 cubic foot per second of water from Vine Maple Creek, through Vine Maple Ditch, with a priority of 1908, for domestic and stock use and for the irrigation of:

7.4 acres in NV; SW; Sec. 11,
Tp. 34 S., R. 1 E., W. M.,
Jackson County, Oregon

RICHARD CREEK

56.

# William Trefren, Butte Falls, Oregon:

Claimant is successor to Jasper Tungate whose inchoate right to the use of water from Richard Creek is set out in the Rogue River Decree on Page 44, Column 2, under Proof 339, as follows: "Priority 1908; 0.40 second foot; for Irrigation of 20 acres; Tungate ditch; Description of place of use: Irrigated: 13 acres in SE<sub>1</sub> NF<sub>4</sub>, Sec. 19; To be Irrigated: 7 acres in SE<sub>2</sub> NF<sub>4</sub>, Sec. 19, Tp. 35 S., R. 3 E. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has a vested right for the irrigation of 13 acres in the SE<sub>2</sub> NW<sub>2</sub>, Sec. 19, and that he has not completed the incheate right for the irrigation of 7 acres in SE<sub>2</sub> NW<sub>2</sub>, Sec. 19, Tp. 35 S., R. 3 E., W. M. The claim to a vested right for the irrigation of 13 acres in SE<sub>2</sub> NW<sub>2</sub>, Sec. 19, is in error as the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only incheate rights.

Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom. Said map shows an irrigated area of 9 acres in the SE<sub>2</sub> NV<sub>2</sub> of said Sec. 19, for which an allowance will be made herein.

Claimant is allowed a right to the use of 0.18 cubic foot per second of water from Richard Creek, through Tungate Ditch, with a priority of 1908, for the irrigation of:

9 acres in No SE NV2
Sec. 19,
Tp. 35 S., R. 3 E., V. M.,
Jackson County, Oregon

ELK CREEK

57.

## Boyd and Weston Miller, Trail, Oregon:

Claimants are successors to the Traders Trust Co. whose inchoate right to the use of water from Elk Creek is set out in the Rogue River Decree on Page 44, Column 2, under Proof 344, as follows: "Priority June, 1900; 0.30 second foot; for Irrigation of 11.75 acres; Heckathorn ditch; Description of place of use: Irrigated: 2 acres in NE<sub>1</sub> SE<sub>2</sub>; 1 acre in SV<sub>2</sub> SE<sub>3</sub>, Sec. 8; 2.75 acres in NE<sub>4</sub> NE<sub>4</sub>, Sec. 17, Tp. 33 S., R. 1 E. W. M., Jackson County, Oregon; To be Irrigated: 6 acres in said subdivisions."

Claimants have submitted proof wherein they state that said inchoate right has been completed to the extent of 8.6 acres irrigated, to-wit: 1.9 acres in SV<sub>1</sub> SE<sub>4</sub>, Sec. 8, and 6.7 acres in NV<sub>2</sub> NE<sub>4</sub>, Sec. 17, Tp. 33 S., R. 1 E., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

Claimants are allowed a right to the use of 0.22 cubic foot per second of water from Elk Creek, through Heckathorn Ditch, with a priority of June, 1900, for the irrigation of 8.6 acres located as follows:

1.9 acres in SV2 SE2
Sec. 8;
6.7 acres in NV2 NE2
Sec. 17,
Tp. 33 S., R. 1 E., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

58.

#### Della B. Watkins, Meaford, Oregon:

Claimant is successor to Carl T. Skyrman whose inchoate right to the use of water from the East Fork of Trail Creek is set out in the Rogue River Decree on Page 44, Column 3, under Proof 303, as follows: "Priority 1908; 0.63 second foot; for Irrigation of 34 acres; Skyrman ditch; Description of place of use: To be irrigated: 15 acres in NE<sub>4</sub> SW<sub>4</sub>; 19 acres in SE<sub>4</sub> SW<sub>4</sub>, Sec. 4, Tp. 33 S., R. 1 W. W. M., Jackson County, Oregon." Said Carl T. Skyrman was also granted a vested right to the use of water from the East Fork of Trail Creek which is set out in the Rogue River Decree on Page 5, Column 2, under Proof 303, as follows: "Priority 1898; 0.38 second foot; for Irrigation of 19 acres, and domestic and stock use; Skyrman ditch; \* \* Description of place of use: 6 acres in NE<sub>4</sub> SW<sub>4</sub>; 13 acres in SE<sub>4</sub> SW<sub>4</sub>, Sec. 4, Tp. 33 S., R. 1 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she states that the above inchoate right has been completed by irrigation to the extent of 37.4 acres, to-wit: 18.4 acres in NE' SW'; 19 acres in SE' SW'; Sec. 4, Tp. 33 S., R. 1 W., W. M. Claimant in her proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom only as to 18.4 acres in the NE' SW'; Sec. 4, shown as irrigated, of which 6 acres are covered by a vested right. The said map shows only 16.3 acres irrigated in the SE' SW'; Sec. 4, of which 13 acres are covered by a vested right whereas it is asserted in the proof that there are 19 acres irrigated in said tract. In the absence of a map prepared from an independent survey or other evidence of proof to support claimant's contention, the amount of land shown as irrigated on the map of the State Engineer is hereby taken as the basis of the allowance made herein.

The quantity of water allowed herein, together with the quantity heretofore allowed a vested right as set out above, is sufficient for the irrigation of the area found to be irrigated by the survey made under the direction of the State Engineer, to-wit: 18 acres in NE<sup>1</sup><sub>4</sub> SW<sub>2</sub> and 16.3 acres in SE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub> of said Sec. 4.

Claimant is allowed a right to the use of 0.31 cubic foot per second of water from the East Fork of Trail Creek, through Skyrman Ditch, with a priority of 1908, for stock and domestic use and for the irrigation of 15.7 acres located as follows:

12.4 acres in NEL SW:
3.3 acres in SE: SW:
Sec. 4,
Tp. 33 S., R. 1 W., W. M.,
Jackson County, Oregon

#### SPRINGS AT HEAD OF TIE CAMP CREEK

59.

## J. W. Richardson, Trail, Oregon:

Claimant was allowed an inchoate right to the use of water from the Springs at Head of Tie Camp Creek as set out in the Rogue River Decree on Page 44, Column 3, under Proof 308, as follows: "Priority 1908; 0.40 second foot; for Irrigation of 20 acres; and Stock; Richardson ditch; Description of place of use: To be irrigated: 20 acres in S<sub>3</sub>, Sec. 16, Tp. 33 S., R. 2 E. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for stock use and for irrigation to the extent of 5.5 acres in NE<sup>1</sup><sub>2</sub> SW<sup>1</sup><sub>3</sub>, Sec. 16, Tp. 33 S., R. 2 E., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

Claimant is allowed a right to the use of 0.11 cubic foot per second of water from the Springs at Head of Tie Camp Creek, through Richardson Ditch, with a priority of 1908, for the irrigation of:

5.5 acres in NE Sw. Sec. 16,
Tp. 33 S., R. 2 E., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

#### HOLE-IN-THE-GROUND CREEK

60.

## Joseph B. and Christine E. Dobbyn, Trail, Oregon:

Claimants are successors to J. F. Ditsworth whose inchoate right to the use of water from Hole-in-the-Ground Creek is set out in the Rogue River Decree on Page 44, Column 3, under Proof 316, as follows: "Priority 1900; 0.05 second foot; for Irrigation of 2 acres and Domestic and Stock; Ram or pumping; Description of place of use: 2 acres in SW1 SE1, Sec. 9, Tp. 33 S., R. 2 E. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 2 acres in SW1 SE1, Sec. 9, Tp. 33 S., R. 2 E., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

Claimants are allowed a right to the use of 0.05 cubic foot per second of water from Hole-in-the-Ground Creek through an unnamed ditch and pipe, with a priority of 1900, for domestic and stock use and for the irrigation of:

2 acres in SW1 SE1 except a strip of land 4 rods wide off the north side thereof Sec. 9,
Tp. 33 S., R. 2 E., W. M.,

being the full amount claimed in the proof.

#### GEPPERT CREEK

61.

# Doris M. Miller, c/o Neff & Frohnmayer, Medford, Oregon:

Claimant is successor to William and Earl Ulrich whose inchoate right to the use of water from Geppert Creek is set out in the Rogue River Decree on Page 45, Column 1, under Proof 328, as follows: "Priority 1906; 2.00 second feet; for Irrigation of 100 acres; Geppert ditch; Description of place of use: Irrigated: 30 acres in NE; NE; 30 acres in NW; NE; To be irrigated: 20 acres in SE; NE; 20 acres in SW; NE; all in Sec. 26, Tp. 33 S., R. 3 E. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she asserts a vested right for the irrigation of 60 acres, to-wit: 30 acres in NE<sub>4</sub> NE<sub>4</sub> and 30 acres in NW<sub>4</sub> NE<sub>4</sub>, Sec. 26, Tp. 33 S., R. 3 E., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant further states that said inchoate right has been completed by irrigation to the extent of 15.3 acres, to-wit: 5.4 acres in SE<sub>4</sub> NE<sub>4</sub> and 9.9 acres in SW<sub>4</sub> NE<sub>4</sub>, Sec. 26, Tp. 33 S., R. 3 E., W. M.

Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 20.4 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> and 27.2 acres in the NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 26, Tp. 33 S., R. 3 E., W. M., which will be considered in these findings as the area reclaimed in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 1.26 cubic feet per second of water from Geppert Creek, through Geppert Ditch, with a priority of 1906, for the irrigation of 62.9 acres located as follows:

20.4 acres in NE NE 27.2 acres in NW, NE 29.9 acres in SW; NE 25.4 acres in SE NE 25.4 acres in SE 25.4 NE 25.4 acres in SE 25.4 NE 25

#### LOST CREEK

62.

# Clara D. Manning, Prospect, Oregon:

Claimant is successor to Frank M. Manning whose inchoate right to the use of water from Lost Creek is set out in the Rogue River Decree on Page 45, Column 1, under Proof 314, as follows: "Priority 1908; 1.06 second feet; for Irrigation of 53 acres, and Domestic use; Manning ditch; Description of place of use: To be irrigated: 53 acres in Sec. 24, Tp. 33 S., R. 1 E. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed for domestic use and by irrigation to the extent of 30.8 acres, to-wit: 13.1 acres in SW<sub>1</sub> SE<sub>2</sub>; 17.7 acres in SE<sub>2</sub> SE<sub>4</sub>, Sec. 24, Tp. 33 S., R. 1 E., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and lands irrigated therefrom.

Claimant is allowed a right to the use of 0.62 cubic foot per second of water from Lost Creek, through Manning Ditch, with a priority of 1908, for domestic use and for the irrigation of 30.8 acres located as follows:

13.1 acres in SW SE SE SEC. 24,
Tp. 33 S., R. 1 E., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

BEAR CREEK

63.

#### Sam K. Pollard, Talent, Oregon:

Claimant is successor to J. W. Mills whose incheate right to the use of water from Bear Creek is set out in the Rogue River Decree on Page 45, Column 1, under Proof 44, as follows: "Priority Dec. 1908; 0.54 second foot; for Irrigation of 43 acres; Pump and Reservoir; Description of place of use: 43 acres in  $S_3^1$   $SW_4^1$ , Sec. 30; and  $N_3^1$   $NW_4^1$ , Sec. 31, Tp. 38 S., R. 1 E. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoat right has been completed by irrigation to the extent of 22 acres, to-wit: 10 acres in S<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>2</sub>, Sec. 30; 12 acres in N<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>2</sub>, Sec. 31, Tp. 38 S., R. 1 E., W. M. Claimant with his proof has also submitted a map prepared by the water master which purports to show correctly the location of the ditch and lands irrigated therefrom.

Claimant is allowed a right to the use of 0.28 cubic foot per second of water by pumping from Bear Creek, with a priority of December, 1908, for the irrigation of:

22 acres within the following-described tracts:
Beginning at the SW corner of D.L.C. 42, in Sec. 31, Tp.
38 S., R. 1 E., W. M., Jackson County, Oregon, running
thence East 1,314.7 feet to the SE corner of said D.L.C.;
thence North 171.6 feet to the South line of D.L.C. 43,
said township and range; thence East on the said South
line 127 feet to a point in the center of Bear Creek; thence
along the center of the channel of said creek North 20° 15'
West 302 feet; thence North 6° East 190 feet; thence North
40° East 500 feet; thence North 2° 30' West 167 feet; thence
North 36° 45' West 320 feet; thence South 85° West 700 feet;
thence South 54° 45' West 370 feet; thence South 18° West
220 feet; thence South 77° West 421 feet to where the center
line of said creek crosses the West line of D.L.C. 42; thence
South along said D.L.C. line 872 feet to the place of beginning,
containing 41.84 acres, more or less, according to survey.

Also beginning at a point 26 feet North of the SE corner of D.L.C. 42, Sec. 31, Tp. 38 S., R. 1 E., W. M., Jackson County, Oregon; thence South 53° East 287 feet; thence North 26° 18' West 350 feet; thence West 75 feet; thence South 141.6 feet to the place of beginning, (S3 SW2, Sec. 30; N3 NW2, Sec. 31)

being the full amount claimed in the proof with the description amended to conform with the United States land survey.

# HOBART LAKE, A TRIBUTARY OF NORTH OR MIDDLE FORK OF EMIGRANT CREEK, A TRIBUTARY OF BEAR CREEK

64.

## W. L. Davis and Estate of D. N. Davis, Route 1, Box 240, Ashland, Oregon:

Claimants are successors to W. L. Davis and D. N. Davis whose inchoate right to the use of water from Hobart Lake is set out in the Rogue River Decree on Page 45, Column 1, under Proof 293, as follows: "Priority July 20, 1908; 0.58 second foot; for Irrigation of 45 acres (storage); Hobart Lake Storage Works & Ditch; Reservoir and Storage Works in Hobart Lake; Description of place of use: Lands Irrigated: 3 acres in NET NWT; 2 acres in NWT SET, Sec. 8, Tp. 40 S., R. 3 E. W. M.; Lands to be irrigated: 5 acres in NET NWT; 8 acres in SET NWT; 7 acres in SWT NET; 5 acres in NWT SET; 5 acres in SET SET, Sec. 8; 10 acres in SET SWT, Sec. 5, Tp. 40 S., R. 3 E. W. M., Jackson County, Oregon."

Claimants' predecessors were also allowed a vested right to the use of water from the North or Middle Fork of Emigrant Creek which is set out in the Rogue River Decree on Page 9, Column 2, under Proof 290, as follows: "Priority 1892; 0.13 second foot; for Irrigation of 9 acres; Davis ditch; Description of place of use: 9 acres in NE<sup>1</sup><sub>2</sub> NW<sup>1</sup><sub>4</sub>, Sec. 8, Tp. 40 S., R. 3 E. W. M., Jackson County, Oregon." Said predecessors were further allowed a vested right to the use of water from the springs tributary to the North or Middle Fork of Emigrant Creek which is set out in the Rogue River Decree on Page 9, Column 2, under Proof 291, as follows: "Priority 1892; 0.10 second foot; for Irrigation of 5 acres, and Domestic and Stock use; Davis ditch; Description of place of use: 5 acres in NE<sup>1</sup><sub>2</sub> NW<sup>1</sup><sub>2</sub>, Sec. 8, Tp. 40 S., R. 3 E. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 21.5 acres, to-wit: 8 acres in NE' NW'; 2 acres in NW; SE'; 0.5 acre in SW; NE'; 1 acre in SE' SE', Sec. 8; 10 acres in SE' SW', Sec. 5, Tp. 40 S., R. 3 E., W. M. Claimants with their proof submitted a map prepared by Clinton A. Smith of Medford, Oregon, which purports to show correctly the location of the ditch and lands irrigated therefrom. Said map does not show an irrigated area of 2 acres in NW; SE', Sec. 8, claimed in the proof for which no allowance will be made.

Claimants are allowed a right to the use of 0.25 cubic foot per second of water from Hobart Lake, through the Hobart Lake Storage Works and Ditch, with a priority of July 20, 1908, for the irrigation of 19.5 acres located as follows:

10.0 acres in SEL SWL
Sec. 5;
0.5 acre in SWL NEL
8.0 acres in NEL NWL
1.0 acre in SEL SEL
Sec. 8,
Tp. 40 S., R. 3 E., W. M.,
Jackson County, Oregon

Claimants are also allowed a right to store water in Hobart Lake to irrigate the foregoing land.

To the extent of 8 acres in the NE<sub>1</sub> NW<sub>4</sub>, the foregoing right is supplemental to the vested right allowed the claimants' predecessors to the use of water from North or Middle Fork of Emigrant Creek and springs tributary thereto as set out above. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.013 cubic foot per second for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.014 cubic foot per second for each acre irrigated during the irrigation season.

## EVANS CREEK

65.

# George Beers, Rogue River, Oregon:

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and for the irrigation of 20.7 acres, to-wit: 16.5 acres in E<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 4.2 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 11, Tp. 35 S., R. 4 W., W. M. Claimant also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is not allowed a right to irrigate 4.2 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>2</sub>, Sec. 11, Tp. 35 S., R. 4 W., W. M., because said land was acquired by him subsequent to the Rogue River Decree and was not allowed an inchoate right therein.

Claimant is allowed a right to the use of 0.28 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of February 20, 1896, for stock and domestic use and for the irrigation of:

16.5 acres in Eg SW NEL
Sec. 11,
Tp. 35 S., R. 4 W., W. M.,
Jackson County, Oregon

Claimant is also successor in part to J. B. Hillis whose incheate right to the use of water from Evans Creek is set out in Paragraph 72 infra.

Claimant in his proof states that he has completed said inchoate right for stock and domestic use and for irrigation to the extent of 10.6 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 11, Tp. 35 S., R. 4 W., W. M., which is 0.6 acre more than the inchoate right allowed claimant's predecessor for the tract in question by the Rogue River Decree.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of 1896, for domestic and stock use and for the irrigation of:

10 acres in that part of the SET NET, Sec. 11, Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon, North of Evans Creek.

66.

# Ed E. Dimmick, Rogue River, Oregon:

Claimant was allowed an inchoate right to the use of water from Evans Creek which is set out in the Rogue River Decree on Page 45, Column 2, under Proof 367, as follows:

"Priority 1896; 0.42 second foot; for Irrigation of 25 acres, and Domestic and Stock use;

Williams & Whalen ditch; Description of place of use: Irrigated: 20 acres in SW1 NE1, Sec.

11, Tp. 35 S., R. 4 W., W. M.; To be irrigated: 4 acres in NW1 NE1; 1 acre in NW1 SE1, Sec. 11,

Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed to the extent of 31.1 acres, to-wit: 20 acres in  $\mathbb{W}_3^1$  SW $_4^1$  NE $_4^1$ ; 1 acre in  $\mathbb{W}_2^1$  NW $_4^1$ ; 9.6 acres in  $\mathbb{E}_3^1$   $\mathbb{E}_2^1$  SE $_4^1$  NW $_4^1$ ; 0.3 acre in  $\mathbb{E}_3^1$   $\mathbb{E}_3^1$  NE $_4^1$  NW $_4^1$ ; 0.2 acre in SE $_4^1$  NE $_4^1$  NW $_4^1$ , Sec. 11, Tp. 35 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is not herein allowed a right to the use of water for the irrigation of 9.6 acres in Bi Bi SE NWi, said land being already covered with a vested right granted to claimant's predecessor in part, William Waggoner, which is set out in the Rogue River Decree on Page 17, Column 1, as follows: "Priority 1896; 0.39 second foot; for Irrigation of 20 acres, and Domestic and Stock use; Williams & Whalen ditch; Description of place of use: 20 acres in SE; NWi, Sec. 11, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon." Claimant also is not allowed the right to the use of water for the irrigation of 0.5 acre in NE; NWi, Sec. 11, Tp. 35 S., R. 4 W., W. M., said land not being covered by an inchoate right nor by the above-stated vested right.

Claimant is allowed a right to the use of 0.35 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of 1896, for stock and domestic use and for the irrigation of 21 acres located as follows:

l acre in Wh NW NET 20 acres in Wh SWI NET Sec. 11, Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon

67.

# George M. and Frances B. Crawford, 372 Adams Street, Oakland, California:

Claimants are successors to Walter Galbreath whose inchoate right to the use of water from Evans Creek is set out in the Rogue River Decree on Page 45, Column 2, under Proof 369, as follows: "Priority 1898; 0.39 second foot; for Irrigation of 23 acres, and Domestic and Stock use; Sivers Ditch; Description of place of use: Irrigated: 3 acres in NE; NE; 2 acres in SE; NW; Sec. 34; To be irrigated: 10 acres in NE; NE; 8 acres in SE; NW; Sec. 34, Tp. 34 S., R. 3 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 15.2 acres, to-wit: 10.2 acres in NE' NE'; 3 acres in SE' NW'; 1.4 acres in NW' NE', Sec. 34; 0.6 acre in NW' NW', Sec. 35, Tp. 34 S., R. 3 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Claimants later requested that their proof be amended to agree with the area shown as irrigated on said map, and a right is allowed accordingly.

Claimants are allowed a right to the use of 0.23 cubic foot per second of water from Evans Creek, through Sivers Ditch, with a priority of 1898, for domestic and stock use and for the irrigation of 14 acres located as follows:

```
4.2 acres in NET NET

1.4 acres in NW; NET

4.8 acres in SW; NET

3.0 acres in SET NW;

Sec. 34;

0.6 acre in NW; NW;

Sec. 35,

Tp. 34 S., R. 3 W., W. M.,

Jackson County, Oregon
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The inchoate rights which are found to be completed herein are fixed to conform with the irrigated area as explained in Paragraph 7.

## Edward S. Hillis, Rogue River, Oregon:

Claimant is successor in part to Wm. Hillis whose inchoate right to the use of water from Evans Creek is set out in the Rogue River Decree on Page 45, Column 2, under Proof 371, as follows: "Priority 1881; 1.49 second feet; for Irrigation of 89 acres; Fielder or Hillis ditch; Description of place of use: Irrigated: 28 acres in NE½ NW½; 22 acres in SW½ NW½; 3 acres in NW½ NE½; 6 acres in NW½ NW½, Sec. 12; 10 acres in NW½ SE½, Sec. 11; To be irrigated: 20 acres in SE½ NE½, Sec. 11, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 48.1 acres, to-wit: 16.1 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 11; 2.2 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 19.3 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 10.4 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 0.1 acre in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 12, Tp. 35 S., R. 4 W., W. M.

Claimant does not accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the ditches and the lands irrigated therefrom. In substantiation of his proof, claimant has submitted a map prepared from a survey made by C. Z. Boyden, surveyor, which purports to show the lands irrigated. Said map, however, includes areas in brush and trees which are not reclaimed so as to constitute a completion of the incheate right as contemplated in the Rogue River Decree.

Claimant is allowed a right to the use of 0.69 cubic foot per second of water from Evans Creek, through Fielder or Hillis Ditch, with a priority of 1881, for the irrigation of 41.5 acres located as follows:

```
Sec. 11;
5.3 acres in NE NW;
2.0 acres in NW;
19.6 acres in SW; NW;
0.3 acre in SE; NW;
Sec. 12,
Tp. 35 S., R. 4 W., W. M.,
Jackson County, Oregon,
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being within that part of the foregoing tracts lying South of Evans Creek.

69.

#### Henry Baker, Rogue River, Oregon:

Claimant is successor in part to Wm. Hillis whose inchoate right to the use of water from Evans Creek is set out in the Rogue River Decree on Page 45, Column 2, under Proof 372, as follows: "Priority 1896; O.21 second foot; for Irrigation of 12 acres, and Domestic and Stock use; Williams & Whalen ditch; Description of place of use: Irrigated: 9 acres in SE SW1, Sec. 1; 1 acre in NE NW1, Sec. 12, Tp. 35 S., R. 4 W. W. M.; To be irrigated: 3 acres in SE SW1, Sec. 1, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 1.8 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 1, Tp. 35 S., R. 4 W., W. M. Claimant also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.03 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of 1896, for domestic and stock use and for the irrigation of:

1.3 acres in that part of  $SE_4^1$   $SW_4^1$  Sec. 1.

Tp. 35 S., R. 4 W., W. M., lying North of a line described as follows:
Beginning at a point 636.1 feet North of the quarter corner between Secs. 1 and 12, Tp. 35 S., R. 4 W., W. M.; running thence South 69° 27' West to the West line of SE½ SW2 of said Sec. 1,
Tp. 35 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

(For rights allowed claimant to the use of water from Sykes Creek, see Paragraph 106 infra.)

70.

# D. C. and Ruby L. Hougham, Rogue River, Oregon:

Claimants are successors in part to Wm. Hillis whose inchoate rights to the use of water from Evans Creek are set out in Paragraph 69 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 14.5 acres, to-wit: 11.7 acres in NW<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>4</sub>; 2.8 acres in NE<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>4</sub>, Sec. 11, Tp. 35 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

In a decree dated December 3, 1927, in the case of Wm. Hillis, Plaintiff, vs. Fred Cummings, Water Master for Jackson County, Charles Slater, Deputy Water Master for Jackson County, and Don Hoffman, also known as D. C. Hougham, Defendants, the Circuit Court for Jackson County denied said D. C. Hougham the right to the use of the Fielder or Hillis Ditch and the right to irrigate the NW: SE: of said Sec. 11 with the water allowed claimants' predecessor in the Rogue River Decree.

It appears that 9 acres in the NW<sub>2</sub> SE<sub>4</sub>, said Sec. 11, were irrigated in 1911 from the Fielder or Hillis Ditch; that subsequent to the decree of December 3, 1927, the claimants herein irrigated their land by pumping from Evans Creek, and that the survey made under the direction of the State Engineer in June, 1936, found irrigated areas of 14.5 acres in the NW<sub>4</sub> SE<sub>4</sub> and 2.8 acres in the NE<sub>4</sub> SE<sub>4</sub> of said Sec. 11.

The State Engineer, however, in view of the decree of December 3, 1927, does not believe he has authority to allow herein a right to the use of water from Evans Creek for the irrigation of the lands claimed in the proof under the above-stated inchoate right and no allowance is made herein therefor.

71.

# John T. Oden, Rogue River, Oregon:

Claimant is a successor in part to Wm. Hillis whose inchoate right to the use of water from Evans Creek is set out in Paragraph 69 supra.

In view of the fact that said survey of the State Engineer found no land irrigated in the tract in question, no allowance will be made herein to claimant in completion of the above-stated inchoate right.

72.

# Mrs. Adele Purrier, 933 N. Tujunja Avenue, Burbank, California:

Claimant is a successor in part to Wm. Hillis whose inchoate right to the use of water from Evans Creek is set out in Paragraph 69 suora.

Claimant is also successor to J. B. Hillis whose inchoate right to the use of water from Evans Creek is set out in the Rogue River Decree on Page 45, Column 2, under Proof 373, as follows: "Priority 1896; 1.04 second feet; for Irrigation of 62 acres, and Domestic and Stock use; Williams & Whalen ditch; Description of place of use: Irrigated: 12 acres in NE; NW;; 10 acres in SE; SW;, Sec. 12, Tp. 35 S., R. 4 W. W. M.; To be irrigated: 3 acres in NE; NW;; 25 acres in NW; NW;, Sec. 12; 10 acres in SE; NE;, Sec. 11; 2 acres in SE; NW;, Sec. 1, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she asserts a vested right for the irrigation of 21 acres, to-wit: 9 acres in SE SW, Sec. 1, and 12 acres in NE NW, Sec. 12, Tp. 35 S., R. 4 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate

rights. Claimant further states that said inchoate right has been completed for domestic and stock use and for irrigation to the extent of 16.4 acres, to-wit: 1 acre in SE SW2, Sec. 1, and 15.4 acres in NW2 NW2, Sec. 12, Tp. 35 S., R. 4 W., W. M.

Claimant does not accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom but has submitted a map prepared from a survey made by C. Z. Boyden, surveyor, which purports to show irrigated areas of 10 acres in SE½ SW½, Sec. 1; 12.5 acres in NE½ NW½ and 15 acres in NW½ NW½, Sec. 12, Tp. 35 S., R. 4 W., W. M.

The survey made under the direction of the State Engineer in June, 1936, and an Modified by Decice Velile, 2524 investigation made in May, 1939, found irrigated areas of 7.1 acres in NE<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>2</sub> and 11.9 acres in NW<sup>1</sup>/<sub>3</sub>, Sec. 12, Tp. 35 S., R. 4 W., W. M., which will be considered as the areas reclaimed and irrigated in so far as the tracts in question are concerned. The remaining areas of 5.4 acres in said NE<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> and 3.5 acres in said NW<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> are in brush and trees and not reclaimed and irrigated so as to constitute a completion of the inchoate right as contemplated in the Rogue River Decree.

Claimant is allowed a right to the use of 0.50 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of 1896, for domestic and stock use and for the irrigation of 29.5 acres located as follows:

10.0 acres in that part of SE1 SW2 described as follows:

Beginning at the SE corner of SE1 SW2, Sec. 1; thence North on the East line of said SE1 SW2 636.1 feet to the center of the county road; thence South 69° 27' West 216.6 feet along said road; thence South 79° 30' West 1,127.7 feet to the West line of SE1 SW2 of Sec. 1; thence South 356.4 feet to the SW corner of SE1 SW2 of said Sec. 1; thence East to the point of beginning,

Sec. 1;

7.6 acres in that part of NET NWT lying North of Evans Creek; 11.9 acres in that part of NWT NWT lying North of Evans Creek,
Sec. 12,
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Jackson County, Oregon

73.

#### O. W. Miller, Harbor, Oregon:

Claimant was allowed an inchoate right to the use of water from Evans Creek which is set out in the Rogue River Decree on Page 45, Columns 2 and 3, under Proof 374, as follows: "Priority Feb. 27, 1904; 0.34 second foot; for Irrigation of 20 acres; Miller ditch; Description of place of use: Irrigated: 1 acre in NE<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>; 3 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 26, Tp. 34 S., R. 3 W. W. M.; To be irrigated: 8 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 8 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 26, Tp. 34 S., R. 3 W. W. Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 0.5 acre in SET SWT, Sec. 26, Tp. 34 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.01 cubic foot per second of water from Evans Creek, through Miller Ditch, with a priority of February 27, 1904, for the irrigation of:

O.5 acre in SE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>
Sec. 26,
Tp. 34 S., R. 3 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

74.

## Jesse Neathamer, Rogue River, Oregon:

Claimant was allowed an inchoate right to the use of water from Evans Creek which is set out in the Rogue River Decree on Page 45, Column 3, under Proof 377, as follows:
"Priority May 1, 1899; 0.65 second foot; for Irrigation of 39 acres; Jesse Neathamer ditch;
Description of place of use: Irrigated: 21 acres in SE<sup>1</sup><sub>4</sub>, Sec. 6; NE<sup>1</sup><sub>2</sub>, Sec. 7; SW<sup>1</sup><sub>4</sub>, Sec. 5,
Tp. 35 S., R. 3 W. W. M., Jackson County, Oregon; To be Irrigated: 18 acres in the same sub-divisions."

Claimant has submitted proof wherein he claims that said inchoate right has been completed by irrigation to the extent of 39 acres, to-wit: 19.8 acres in SE<sup>1</sup><sub>4</sub>, Sec. 6; 15.2 acres in SW<sup>1</sup><sub>4</sub>, Sec. 5; 4 acres in NE<sup>1</sup><sub>5</sub>, Sec. 7, Tp. 35 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.65 cubic foot per second of water from Evans Creek, through Jesse Neathamer Ditch, with a priority of May 1, 1899, for the irrigation of 39 acres located as follows:

```
10.0 acres in NWL SWL
5.2 acres in SWL SWL
Sec. 5;
1.6 acres in NEL SEL
18.2 acres in SEL SEL
Sec. 6;
4.0 acres in NEL NEL
Sec. 7,
Tp. 35 S., R. 3 W., W. M.,
Jackson County, Oregon,
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being the full amount claimed in the proof with descriptions amended to conform with the areas shown as irrigated on the map accepted by the claimant.

## Paul S. Seeley, 1834 S. W. Vista Avenue, Portland, Oregon:

Claimant was allowed a right to the use of water from Evans Creek as set out in the Rogue River Decree on Page 45, Column 3, under Proof 379, as follows: "Priority 1902; 15.10 second feet; for Irrigation of 906 acres, and Domestic and Stock use; Vroman ditch; Description of place of use: Irrigated: 15 acres in NE' NE'; 19 acres in NW' NE'; 30 acres in SW' NE'; 2 acres in SE' NE'; 7 acres in NE' SW'; 5 acres in NW' SW'; 30 acres in SW' SW'; SW'; 10' acres in SE' SW'; Sec. 15; 8 acres in NE' NW'; 40 acres in NW'; NW'; 40 acres in SW'; NW'; 4 acres in SE'; NE'; 40 acres in NW'; SW'; 31-3/4 acres in SW'; SW'; Sec. 22; 10 acres in SE'; NE'; 10 acres in NE'; SE'; 35 acres in SW'; SE'; 30 acres in SE'; SW'; 20 acres in SW'; SW'; Sec. 10; 5 acres in SE'; SE'; 35 acres in SW'; SE'; 30 acres in SE'; SW'; 20 acres in SE'; NE'; 80 acres in NE'; NE'; 21 acres in SW'; NE'; 30 acres in SW'; NE'; 33 acres in NE'; SW'; 35 acres in NW'; SW'; 30 acres in SE'; NE'; 33 acres in NE'; SW'; 35 acres in NW'; SW'; 29'; acres in SE'; SW'; Sec. 15; 20 acres in NE'; SE'; 20 acres in SE'; SE'; 40 acres in SE'; SE'; Sec. 16; 6 acres in NE'; NE'; Sec. 21; 32 acres in NE; NW'; 36 acres in SE'; NW'; 37 SEC. 22, T. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that:

"This proof has been prepared covering all lands for which water rights were claimed by the undersigned in the adjudication proceedings. Some of this land has since been disposed of and other proofs may be submitted on part of these lands."

Claimant also states that he accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

The right allowed the claimant covers those irrigated lands shown to be owned by him and such other lands as are shown to be irrigated on the said map of the State Engineer which are covered by the inchoate right for which no separate or individual proof has been submitted. The remainder of the lands included in said inchoate right which has been reclaimed and irrigated will be dealt with in the succeeding paragraphs and is covered by the proofs of its several claimants.

Claimant is allowed a right to the use of 2.74 cubic feet per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of 164.1 acres located as follows:

```
24.5 acres in Lot 1 (SE SE, Sec. 21, and SW SW, Sec. 22)
                       (NET SET, Sec. 21, and NWT SWT, Sec. 22)
19.3 acres in Lot 4
21.4 acres in Lot 5 (SEt NEt, Sec. 21, and SW1 NW1, Sec. 22) 20.3 acres in Lot 6 (SEt NEt, Sec. 21, and SW1 NW1, Sec. 22) 20.5 acres in Lot 10 (SW2 SW2 and SE2 SW2, Sec. 15)
17.9 acres in Lot 11 (SW4, Sec. 15) except a 2-acre tract
     described as follows:
     Beginning at the NE corner of Lot 11, Pleasant Valley Farm
     Tracts as per plat thereof on file and of record in the
     office of the County Clerk of Jackson County, Oregon; thence
     Southwesterly along the Easterly line of said Lot 11 a dis-
     tance of 350 feet to a lateral ditch flume crossing said Lot
     11; thence Westerly along said flume 363 feet; thence North
     240 feet to the center of the channel of Evans Creek; thence
     Easterly along center of the channel of Evans Creek to the
     place of beginning, containing two acres, more or less, in
     the NE corner of Lot 11;
8.4 acres in Lot 13 (SE; SW;, Sec. 15)
10.0 acres in Lot 14 (NE; NW; and NW; NW;, Sec. 22)
5.9 acres in Lot 15 (NW;, Sec. 22)
 7.0 acres in Lot 16 (S_2^1 NW<sub>4</sub>, Sec. 22)
 2.0 acres in that part of Lot 19 South of a line 440 feet South
     of and parallel to the North line of said Lot 19 (SWI SWI,
     Sec. 22)
     All in Pleasant Valley Farm Tracts, as designated, numbered,
     and described on the official plat thereof now on record in
      the office of the County Clerk of Jackson County, Oregon.
 6.9 acres in the following-described tract:
     Beginning at a point on the North line of Sec. 15; Tp. 35
     S., R. 4 W., W. M., which is 708 feet West of the NE corner
      thereof; thence South 419.5 feet; thence North 830 15' West
      to the center of Evans Creek; thence in a Northeasterly di-
     rection along said creek to the North line of Sec. 15; thence
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East to the point of beginning, (N2 NE2, Sec. 15)

# A. I. Brooks, Rogue River, Oregon:

Claimant is a successor in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 21 acres, to-wit:

12 acres in NW SW SW, Sec. 22; 9 acres in NE SE, Sec. 21, Tp. 35 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.35 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of:

21 acres in Lot 3 of the Pleasant Valley Farm Tracts as designated, numbered, and described on the official plat thereof now on record in the office of the County Clerk of Jackson County, Oregon (NET SET, Sec. 21, and NWT SWT, Sec. 22)
Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with said plat of the Pleasant Valley Farm Tract.

# J. H. Kieper, Route 1, Box 30, Rogue River, Oregon:

Claimant is a successor in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 36.5 acres in NW<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>2</sub>, Sec. 22, Tp. 35 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.61 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of 36.5 acres in the following tracts:

16.0 acres in Lot 7 (NW1 NW2, SW1 NW2)

20.5 acres in Lot 8 of the Pleasant Valley Farm Tracts as designated on the official plat thereof now on record in the office of the County Clerk of Jackson County, Oregon, (NW1 NW2)

Sec. 22,

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Jackson County, Oregon,

being the full amount claimed in the proof with description amended to conform with said plat of Pleasant Valley Farm Tracts.

78.

# Bud Oden, Rogue River, Oregon:

Claimant is a successor in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 13.9 acres, to-wit: 2.5 acres in SEL SWL; 11.4 acres in NEL SWL, Sec. 15, Tp. 35 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.22 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of 13.1 acres as follows:

- 11.1 acres in Lot 12 of the Pleasant Valley Farm Tracts (NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>)
- 2.0 acres in that part of Lot 11, Pleasant Valley Farm Tracts, described as follows:
  Beginning at the NE corner of Lot 11, Pleasant Valley Farm Tracts as per plat thereof on file and of record in the office of the County Clerk of Jackson County, Oregon; thence Southwesterly along the Easterly line of said Lot 11 a distance of 350 feet to a lateral ditch flume crossing said Lot 11; thence Westerly along said flume 363 feet; thence North 240 feet to the center of the channel of Evans Creek; thence Easterly along center of the channel of Evans Creek to the place of beginning, containing two acres, more or less, in the NE corner of Lot 11, all in Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon, (NE4 SW4)

Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount of irrigated land owned by the claimant with description amended to conform with said plat of Pleasant Valley Farm Tracts.

#### Volney Oden, Route 1, Rogue River, Oregon

Claimant is a successor in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 7 acres in NE<sup>1</sup>/<sub>4</sub>, Sec. 15, Tp. 35 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.12 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of:

7 acres in the following-described tract:
Beginning at the NE corner of Sec. 15, To. 35 S., R. 4 W.,
W. M.; thence West 708 feet; thence South 419.5 feet; thence
South 83° 16' East 713 feet to the East line of said Sec. 15;
thence North along section line to the point of beginning,
containing 7.5 acres, more or less, in Jackson County, Oregon,
(NET NET, Sec. 15, Tp. 35 S., R. 4 W., W. M.)

being the full amount claimed in the proof. The right allowed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

80.

#### Vern L. Orr, Rogue River, Oregon:

Claimant is successor in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 25.5 acres, to-wit: 12.1 acres in SE½ SE½; 1.6 acres in NE½ SE½, Sec. 21; 10 acres in SW½ SW½; 1.8 acres in NW½ SW½, Sec. 22, Tp. 35 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.40 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for stock and domestic use and for the irrigation of:

24.1 acres in Lot 2 of the Pleasant Valley Farm Tracts as designated, numbered, and described on the official plat thereof now on record in the office of the County Clerk of Jackson County, Oregon, (NE1 SE1; SE1 SE1, Sec. 21; NW1 SW1; SW1 SW1, Sec. 22, Tp. 35 S., R. 4 W., W. M.)

being the area of said Lot 2 and the full amount of irrigated land therein owned by the claimant. The description set out in claimant's proof has been amended to conform with said plat of Pleasant Valley Farm Tracts.

## William F. Owings, Rogue River, Oregon:

Claimant is a successor in part to Paul S. Seeley whose inchoate right to the use of water from Evens Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 24 acres, to-wit: 4 acres in SWI NWI; 13 acres in NWI SWI; 4.5 acres in SEI NWI; 2.5 acres in SWI SWI, Sec. 22, Tp. 35 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.40 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of 24 acres located as follows:

- 8.5 acres in Lot 17 (Si NWi, Sec. 22) 12.0 acres in Lot 18 (NWi SWi, Sec. 22)
- 3.5 acres in that part of Lot 19 of said Pleasant Valley Farm Tracts described as follows:

  Beginning at the NW corner of said Lot 19; running thence along the North line of said lot to the NE corner thereof; thence in a Southerly direction along the East line thereof a distance of 440 feet; thence in a Westerly direction and parallel with the North line thereof to the East line of the road which bounds said lot on the West; thence in a Northerly direction along the East line of said road to point of beginning, (NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 22, Tp. 35 S., R. 4 W., W. M.)

being the full amount claimed in the proof with descriptions amended to conform with the plat of the Pleasant Valley Farm Tracts on file and now of record in the office of the County Clerk of Jackson County, Oregon.

82.

#### Zeb Pilcher, Rogue River, Oregon:

Claimant is a successor in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 54 acres, to-wit: 4.4 acres in NE<sub>2</sub> NE<sub>2</sub>; 15.9 acres in NW<sub>2</sub> NE<sub>4</sub>; 28.2 acres in SW<sub>1</sub> NE<sub>4</sub>; 3.5 acres in SE<sub>4</sub> NE<sub>2</sub>; 2 acres in NE<sub>2</sub> NW<sub>2</sub>, Sec. 15, Tp. 35 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.90 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of 54 acres located as follows:

4.4 acres in that part of NE | NE | and
15.9 acres in that part of NW | NE |
lying East of Evans Creek and South of the following-described
line:
Beginning at a point 1,237.9 feet South of the NE corner of
Sec. 15; thence North 75° 45' West 2,332 feet to the center of
Evans Creek
28.2 acres in SW | NE |
3.5 acres in SE | NE |
2.0 acres in that part of NE | NW |
lying East of Evans Creek
Sec. 15,
Tp. 35 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

83.

# Harold E. Reed, Rogue River, Oregon:

Claimant is successor in part to Paul Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that no land has been reclaimed and irrigated under the above incheate right and no allowance is made herein therefor.

84.

# Calvin and Earl Stephens, Rogue River, Oregon:

Claimants are successors in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 17 acres, to-wit: 10.4 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 6.6 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 15, Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.28 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of 17 acres located as follows:

10.4 acres in NE<sub>4</sub> NE<sub>4</sub>
6.6 acres in NW<sub>2</sub> NE<sub>4</sub>
Sec. 15,
Tp. 35 S., R. 4 W., W. M.,
all of which are included in the following-described tract:
Beginning 503.4 feet South of NE corner of Sec. 15, Tp. 35
S., R. 4 W., W. M.; thence South 734.5 feet; thence North
75° 45' West 2,332 feet to center of Evans Creek; thence
North 52° 15' East 689 feet along the center of Evans Creek;
thence South 83° 15' East 1,791 feet to beginning,

being the full amount claimed in the proof.

# James Trefren, Rogue River, Oregon:

Claimant is a successor in part to Paul S. Seeley whose inchoate right to the use of water from Evans Creek is set out in Paragraph 75 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 18.1 acres, to-wit: 2.5 acres in NW2 NW2, Sec. 22; 0.7 acre in SE2 SW2; 14.9 acres in SW2 SW2, Sec. 15, Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon.

Claimant is allowed a right to the use of 0.30 cubic foot per second of water from Evans Creek, through Vroman Ditch, with a priority of 1902, for domestic and stock use and for the irrigation of:

18.1 acres in Lot 9 of the Pleasant Valley Farm Tracts as designated, numbered, and described on the official plat thereof now of record in the office of the County Clerk of Jackson County, Oregon, (SW1 SW1; SE1 SW1, Sec. 15; NE1 NW1; NW1 NW1, Sec. 22, Tp. 35 S., R. 4 W., W. M.)

being the full amount claimed in the proof with description amended to conform with said plat of Pleasant Valley Farm Tracts.

86.

#### F. O. Greenwood, Rogue River, Oregon:

Claimant is successor to Bertha R. Sharp and D. J. Sharp whose inchoate right to the use of water from Evans Creek is set out in the Rogue River Decree on Page 45, Column 3, under Proof 380, as follows: "Priority 1904; 0.20 second foot; for Irrigation of 10 acres; Pump; Description of place of use: Irrigated: 3 acres in  $E_3^1$  SW<sup>1</sup><sub>4</sub>, Sec. 28, Tp. 35 S., R. 4 W. W. M.; To be irrigated: 7 acres in  $E_3^1$  SW<sup>1</sup><sub>4</sub>, Sec. 28, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 3 acres in N<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 28, Tp. 35 S., R. 4 W., W. M. In this the claimant is in error as the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 2 acres in NE<sub>1</sub> SW<sub>4</sub>, said Sec. 28, which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.04 cubic foot per second of water from Evans Creek, by pumping, with a priority of 1904, for the irrigation of:

2 acres in NE' SW' Sec. 28, Tp. 35 S., R. 4 W., W. M., Jackson County, Oregon

87.

#### Margaret Hughbanks, Rogue River, Oregon:

Claimant is a successor in part to W. A. Vangoethen whose inchoate right to the use of water from Evans Creek is set out in the Rogue River Decree on Page 45, Column 3, under Proof 384, as follows: "Priority 1896; 1.54 second foot; for Irrigation of 92 acres, and Domestic and Stock; Williams & Whalen ditch; Description of place of use: Irrigated: 27 acres in SW2 NW4; 6 acres in NE4 SW4; 40 acres in NW4 SW4, Sec. 11, Tp. 35 S., R. 4 W. W. M.; To be irrigated: 19 acres in NE4 SW4, Sec. 11, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she states that she has completed said inchoate right for domestic and stock use and by irrigation to the extent of 10.8 acres in NW1 SW1, Sec. 11, Tp. 35 S., R. 4 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of 1896, for domestic and stock use and for the irrigation of:

Sec. 11,
Tp. 35 S., R. 4 W., W. M.,
described as follows:
Commencing at a stake 5 chains East of the quarter section
corner between Secs. 10 and 11, Tp. 35 S., R. 4 W., W. M.,
Jackson County, Oregon, on the East and West center line of
Sec. 11, and from said beginning point thence East 6 chains;
thence South 12.90 chains to the Westerly side of the county
road; thence following the Westerly side of the county road
South 39° West 9.40 chains to the SE corner of a certain
10-acre tract under contract to one G. W. Brandon; thence
North on the East line of said tract 20 chains to the point
of beginning, containing 10 acres, more or less,

being the full amount owned and irrigated by the claimant.

88.

## Edna Van Goethem Galinat, Route 1, Box 42, Rogue River, Oregon:

Claimant is a successor in part to W. A. Vangoethen whose inchaate right to the use of water from Evans Creek is set out in Paragraph 87 next preceding.

Claimant has submitted proof wherein she states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 30.3 acres, to-wit: 23.7 acres in NE<sub>1</sub> SW<sub>2</sub>; 6.6 acres in NW<sub>2</sub> SW<sub>2</sub>, Sec. 11, Tp. 35 S., R. 4 W., W. M.

Claimant does not accept the map prepared from a survey made in June, 1936, under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. In substantiation of her proof, claimant has submitted a map prepared from a survey made in October, 1937, by C. Z. Boyden, surveyor, which purports to show the lands irrigated. A further investigation made in May, 1939, under the direction of the State Engineer found, however, that said map includes areas only partially cleared of brush and trees which are not reclaimed so as to constitute a completion of the inchoate right as contemplated in the Rogue River Decree.

Claimant is allowed a right to the use of 0.16 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of 1896, for domestic and stock use and for the irrigation of 9.8 acres located as follows:

4.4 acres in that part of the NET SWT, lying North of Evans Creek and South of the county road;
5.4 acres in that part of the NWT SWT, lying North of Evans Creek and South of the county road,

Sec. 11,

Tp. 35 S., R. 4 W., W. M.,

Jackson County, Oregon

89.

#### William E. Lange and Amy Lange, Rogue River, Oregon:

Claimants are successors in part to W. A. Vangoethen whose inchoate right to the use of water from Evans Creek is set out in Paragraph 87 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 10 acres in NW<sub>2</sub> SW<sub>2</sub>, Sec. 11, Tp. 35 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.17 cubic foot per second of water from Evans Creek, through Williems and Whalen Ditch, with a priority of 1896, for domestic and stock use and for the irrigation of:

Sec. 11,
Tp. 35 S., R. 4 W., W. M.,
described as follows:
Commencing at the quarter corner between Secs. 10 and 11,
Tp. 35 S., R. 4 W., W. M.; thence running South 20 chains;
thence East five chains; thence North 20 chains; thence West
five chains to the place of beginning containing 10 acres.

being the full amount claimed in the proof.

#### George and Albert Van Goethem, Rogue River, Oregon:

Claimants are successors in part to W. A. Vangoethen whose inchoate right to the use of water from Evans Creek is set out in Paragraph 87 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 39.2 acres, to-wit: 25.4 acres in SW½ NW½; 12.8 acres in NW½ SW½; 1 acre in NF½ SW½, Sec. 11, Tp. 35 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Of the 12.8 acres claimed as irrigated in NW½ SW½, said Sec. 11, 5.4 acres are included in the allowance made Edna Van Goethem Galinat. The allowance to claimants, therefore, will be only for the remaining 7.4 acres in said NW½ SW½.

Claimants are allowed a right to the use of 0.56 cubic foot per second of water from Evans Creek, through Williams and Whalen Ditch, with a priority of 1896, for domestic and stock use and for the irrigation of 33.8 acres located as follows:

25.4 acres in SW1 NW1 1.0 acre in that part of NE1 SW1, lying North of the county road;
7.4 acres in that part of NW1 SW2, lying North of the county road and East of a line paralleling and 11 chains East of the West line of said NW1 SW1 Sw2 Sec. 11,
Tp. 35 S., R. 4 W., W. M.,
Jackson County, Oregon

91.

# Old Mill Ditch and Irrigation Co., Rogue River, Oregon:

Under the Rogue River Decree, the above-named Old Mill Ditch and Irrigation Co. was allowed a right to the use of water from Evans Creek which is set out on Page 45, Column 3, and Page 46, Column 1, under Proofs 365, 368, 386, and 389, as follows: "Priority 1902; 6.57; for Irrigation of 394.25 acres, and Domestic and Stock use; Old Mill Ditch and Irrigation Co. ditch;" This is followed by a list of landowners and descriptions of lands irrigated and to be irrigated by each.

Proofs have been submitted by persons, firms, and corporations under the foregoing inchaste right allowed the Old Mill Ditch and Irrigation Co., claiming water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., for domestic and stock use and for the irrigation of 217.2 acres. The rights allowed herein to the claimants submitting said proofs aggregate 1.76 cubic feet per second of water for domestic and stock use and for the irrigation of 104.9 acres. The following are statements of the claims contained in said proofs, together with the lands owned and irrigated by each claimant under the above-inchcate right, and the rights allowed thereon.

# H. W. Huntzinger, 2040 Edgewood Drive, South Pasadena, California:

Claimant's land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek, is set out in the Rogue River Decree on Page 46, Column 1, as follows: "Irrigated, 8 acres in SE1 NW1; 7 acres in SW1 NW1, Sec. 4; To be irrigated, 10 acres in SW2 NW1, Sec. 4, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 10 acres in SW1 NW1, Sec. 4, Tp. 36 S., R. 4 W., W. M. Claimant also asserts a vested right for the irrigation of 15 acres, to-wit: 8 acres in SE1 NW1; 7 acres in SW1 NW2, said Sec. 4. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is also a successor in part to E. E. Oman who was granted a vested right to the use of water from Fielder Creek which is set out in the Rogue River Decree on Page 17, Column 1, under Proof 389, as follows: "Priority 1882; 0.35 second foot; for Irrigation of 14 acres; Upper & Lower Oman ditches; Description of place of use: 2 acres in SW1 NW1; 12 acres in SE1 NW1, Sec. 4, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

The survey made under the direction of the State Engineer in June, 1936, followed by a further investigation in May, 1939, found that claiment is not using water from Evans Creek for the irrigation of the lands for which he claims a completed incheate right, and of the property claimed in the proof the only irrigated area is 10.2 acres in SW1 NW1, Sec. 4, which is irrigated from Fielder Creek under the foregoing vested right.

Claimant, therefore, is not allowed a right to the use of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., for domestic and stock use, or for the irrigation of any of the lands herein described.

93.

#### Frank H. Adams, Rogue River, Oregon:

Claiment's land, covered by the above-stated right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., for irrigation, is set out in the Rogue River Decree on Page 46, Column 1, to-wit: "Irrigated, 25 acres in NE<sup>1</sup><sub>2</sub> SW<sup>1</sup><sub>4</sub>, Sec. 4; To be irrigated, 6 acres in NE<sup>1</sup><sub>2</sub> SW<sup>1</sup><sub>4</sub>, Sec. 4, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Modified Vol.

Claimant has submitted proof wherein he states that he has completed said inchoate right for domestic and stock use and by irrigation to the extent of 25.3 acres, to-wit: 16.7 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>; 8.6 acres in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 4, Tp. 36 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. However, it appears that, although the correct location of said lands is shown on said map, a careful check of the computations made in determining the area of the irrigated land owned by the claimant in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 4, Tp. 36 S., R. 4 W., W. M., shows the true irrigated area to be 3.7 acres.

The State Engineer on January 30, 1925, issued the following order as set out in Volume 1, Page 164, State Engineer's Special Order Record, to-wit:

"Now at this time this matter coming on before the State Engineer for consideration, on the application of F. H. Adams, and it appearing that by the decree of the Circuit Court in the Rogue River adjudication proceeding said Adams was allowed a water right from Evans Creek through the ditch of the Old Mill Ditch and Irrigation Company, for the irrigation of 31 acres in the NET SWT of Sec. 4, T. 36 S., R. 4 W., with priority of 1902; that said land lies above said ditch, and the water for the irrigation thereof has been pumped out of the ditch; that said applicant now proposes to extend his pipe line about 400 feet easterly and pump the water directly from Evans Creek, at a point about three-eights of a mile below the intake of the ditch; and it further appearing that an investigation of the conditions on the ground has been made by the local water master, and that no other rights will be injured or interfered with by such change; NOW THEREFORE, it is OPDERED, that said change in point of diversion be and the same is hereby approved."

Claimant is allowed a right to the use of 0.34 cubic foot per second of water by pumping from Evans Creek, with a priority of 1902, for domestic and stock use and for the irrigation of 20.4 acres described as follows:

3.7 acres in that part of the SE2 NW1, lying West of Evans Creek and South of a line beginning at the NW corner of the NE4 SW1 of said Sec. 4, Tp. 36 S., R. 4 W., W. M.; thence in a Northeasterly direction to a point in Evans Creek 470 feet Northwesterly of the center of said Sec.

4;
16.7 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>
Sec. 4,
Tp. 36 S., R. 4 W., W. M.,
Jackson County, Oregon

94.

#### John E. and Carrie P. Johnson, Route 1, Box 152, Rogue River, Oregon:

Claimants are successors in part to Joel Milton whose land, covered by the abovestated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from

Evans Creek, is set out in the Rogue River Decree on Page 46, Column 1, as follows: "Irrigated,
16 acres in SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, Sec. 4; To be irrigated, 4 acres in SW<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>4</sub>, Sec. 4, Tp. 36 S., R. 4 W.

W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 10 acres in SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, Sec. 4, Tp. 36 S., R. 4 W., W. M. Claimants also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.17 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of:

10.0 acres in that part of SW SE, lying East of Evans Creek Sec. 4,
Tp. 36 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

95.

## Ethel Milton, Rogue River, Oregon:

Claimant is a successor in part to Joel Milton whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co., is set out in Paragraph 94 next preceding.

Claimant has submitted proof wherein she states that said incheate right has been completed for domestic and stock use and by irrigation to the extent of 10.3 acres in  $SW_{4}^{L}$   $SE_{1}^{L}$ , Sec. 4, Tp. 36 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of:

10.3 acres in that part of SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>2</sub>, lying West of Evans Creek Sec. 4,

Tp. 36 S., R. 4 W., W. M.,

Jackson County, Oregon,

being the full amount claimed in the proof.

96.

# Carl L. Magerle, Rogue River, Oregon:

Claimant is successor to Mrs. Ida Magerle whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek, is set out in the Rogue River Decree on Page 46, Column 1, as follows: "Irrigated, 12 acres in NEZ NEZ; 6 acres in NWZ NEZ, Sec. 9; To be irrigated, 20 acres in NWZ NEZ, Sec. 9, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 18 acres, to-wit: 12 acres in NE' NE' and 6 acres in NW' NE', Sec. 9, Tp. 36 S., R. 4 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant further states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 19.1 acres in NW' NE', Sec. 9, Tp. 36 S., R. 4 W., W. M. Claimant also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of only 9.0 acres in NE' NE' of said Sec. 9 which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.57 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of 34.1 acres located as follows:

9.0 acres in that part of the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 9, lying West of Evans Creek and North of a line described as follows:
Beginning at a point on the East line of said Sec. 9 a distance of 776.16 feet South of the NE corner of said Sec. 9; thence South 75° 30' West 2,727.0 feet;
25.1 acres in that part of NW<sup>1</sup>/<sub>4</sub> North of said line Sec. 9,
Tp. 36 S., R. 4 W., W. M.,
Jackson County, Oregon

97.

# George A. Woodcock, Rogue River, Oregon:

Claimant is successor to D. P. Magerle whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co., is set out in the Regue River Decree on Page 46, Column 1, as follows: "Irrigated, 13 acres in NE<sup>1</sup>/<sub>4</sub>, Sec. 9; To be irrigated, 3 acres in NE<sup>1</sup>/<sub>4</sub>, Sec. 9, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 16 acres in NET NET, Sec. 9, Tp. 36 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.27 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of:

16 acres in that part of the NE<sup>1</sup> NE<sup>1</sup>, lying East of Evans Creek of which 2.5 acres lie above the ditch and are irrigated by pumping therefrom

Sec. 9,
Tp. 36 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

## Albert A. Arends, P. O. Box 208, Redwood City, California:

Claimant is successor to J. R. Robertson whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek for irrigation, is set out in the Rogue River Decree on Page 46, Column 1, as follows:

"Irrigated, 7 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 4 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 5 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>,

Sec. 9; To be irrigated, 2 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 3 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 9, Tp. 36 S., R. 4 W.

W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 21.3 acres, to-wit: 4.8 acres in NEL NEL; 1.5 acres in NW, NEL; 2.5 acres in SW, NEL; 12.5 acres in SEL NEL; Sec. 9, Tp. 36 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.36 cubic foot per second of water from Evens Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of 21.3 acres located as follows:

4.8 acres in NET NET 1.5 acres in NWT NET 2.5 acres in SWT NET 12.5 acres in SET NET

Sec. 9,
Tp. 36 S., R. 4 W., W. M.,
all of which are in that part of the following-described
land lying below the Old Mill Ditch, to-wit:
Commencing at the section corner common to Secs. 3, 4, 9,
and 10, Tp. 36 S., R. 4 W., W. M., Jackson County, Oregon;
thence South 0° 25' East along the section line common to
Secs. 9 and 10, 776.16 feet; thence South 75° 30' West 462.0
feet to the true point of beginning; thence running South
24° 57' East 602.2 feet; thence South 0° 25' East 248.6 feet;
thence East 198.0 feet to the section line; thence South 0° 25'
East along said section line 162.0 feet (to a point from which
the quarter section corner common to Secs. 9 and 10 bears
South 0° 25' East 793.3 feet); thence South 75° 30' West 796.0
feet; thence North 10° 00' West 207.5 feet; thence South 76°
00' West 1,893.0 feet, more or less, to the North and South
center line of Sec. 9; thence North along said center line
841.0 feet; thence North 75° 30' East 2,265.0 feet, more or
less, to the point of beginning,

being the full amount claimed in the proof.

99.

#### A. E. and Lillie Dennis, Rogue River, Oregon:

Claimants are successors to Lee Steers whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek for irrigation, is set out in the Rogue River Decree on Page 46, Column 1, as follows:

"Irrigated, 13 acres in SE\(\frac{1}{4}\) NE\(\frac{1}{4}\), Sec. 9; To be irrigated, 1 acre in SE\(\frac{1}{4}\) NE\(\frac{1}{4}\); 1 acre in SW\(\frac{1}{4}\) NE\(\frac{1}{4}\), Sec. 9, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 13.7 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 9, Tp. 36 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.23 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of:

13.7 acres in that part of the SEL NEL Sec. 9

Tp. 36 S., R. 4 W., W. M., described as follows:
Beginning at the quarter section corner common to Secs. 9 and 10, Tp. 36 S., R. 4 W., W. M., Jackson County, Oregon; thence running North 0° 25' West along the section line 793.3 feet; thence South 75° 30' West 796.0 feet; thence North 10° 00' West 207.5 feet; thence South 76° 00' West 1,893.0 feet, more or less, to the North and South center line of said Sec. 9; thence South along the said North and South center line 340 feet, more or less, to the center of said section; thence East along the East and West center line of said Sec. 9, 2,640.0 feet, more or less, to the point of beginning, the tract containing 23 acres, more or less.

being the full amount claimed in the proof.

100.

# Daniel P. Magerle and Ella M. Magerle, Rogue River, Oregon:

Claimants are successors to T. W. Conway whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek for irrigation, is set out in the Rogue River Decree on Page 46, Column 1, as follows:
"Irrigated, 2 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 9; To be irrigated, 3 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 9, Tp. 36
S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that they have completed said inchoate right to the use of water from Evans Creek for domestic and stock use and by irrigation to the extent of 3.3 acres in NE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 9, Tp. 36 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.06 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of:

3.3 acres in No NE SET Sec. 9, Sec. 9, Tp. 36 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

# Wm. H. Laws, Rogue River, Oregon:

Claimant's land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek for irrigation, is set out in the Rogue River Decree on Page 46, Column 1, as follows: "Irrigated, 4 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 9; To be irrigated, 6 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 9, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right for domestic and stock use and for irrigation to the extent of 4.3 acres in NE<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, Sec. 9, Tp. 36 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.07 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of:

4.3 acres in S2 NE2 SE2 Sec. 9, Tp. 36 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

102.

## Jesse W. Hollis, Rogue River, Oregon:

Claimant is successor to J. C. Williams whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek for irrigation, is set out in the Rogue River Decree on Page 46, Column 1, as follows: "Irrigated, 15 acres in NE' NE', Sec. 16; To be irrigated, 10 acres in NE' NE', 4 acres in NW NE', Sec. 16; 3 acres in NW NE', Sec. 15, Tp. 36 S., R. 4 W. W. M."

Claimant has submitted proof wherein he states that he has completed said inchoate right for domestic and stock use and by irrigation to the extent of 7.9 acres, to-wit: 6.8 acres in NE' NE', Sec. 16; 1.1 acres in NW NW, Sec. 15, Tp. 36 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., with a priority of 1902, for domestic and stock use and for the irrigation of 7.9 acres located as follows:

1.1 acres in that part of NW NW Sec. 15,
lying West of Evans Creek;
6.8 acres in that part of NE NE NE Sec. 16,

described as follows:
Beginning at the section corner common to Secs. 15, 16, 9, and 10, Tp. 36 S., R. 4 W., W. M.; thence South 40 rods on the section line; thence West 37 rods, more or less, to the center of the county road; thence Northerly along center of the county road to the intersection of the North line of Sec. 16, said township and range; thence East on said North line of said Sec. 16, 18½ rods to the place of beginning, containing 6.905 acres, more or less, Tp. 36 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

103.

#### Federal Land Bank of Spokane, Spokane, Washington:

Claimant is successor to E. W. Wilson whose land, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek, is set out in the Rogue River Decree on Page 46, Columns 1 and 2, as follows: "Irrigated, 8 acres in NET NET, Sec. 16; To be irrigated, 1 acre in NET, NET, Sec. 16, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein it is stated that said inchoate right has been completed by irrigation to the extent of 9 acres in  $S_3^1$   $N_3^2$   $NE_4^2$ , Sec. 16, Tp. 36 S., R. 4 W., W. M.

A survey made under the direction of the State Engineer found that the above-stated lands claimed in the proof as irrigated by the waters of Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., are, in fact, not irrigated thereby but are irrigated from the Rogue River, through the Evans Creek lateral of the Grants Pass Irrigation District, under State Engineer's Permit 8853. For this reason no allowance is made herein under the above-stated inchoate right.

1.04.

### W. J. Jones, Box 126, Rogue River, Oregon:

Claimant is a successor in part to Elmer E. Bagley whose lands, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co., are set out in the Rogue River Decree on Page 46, Column 2, as follows: "Irrigated, 8 acres in NW SW SW SW SEC. 10; 10 acres in SE SW SW SEC. 15; To be irrigated, 4 acres in NW SW SW SW SW SW SW SW SW SEC. 10; 25 acres in SE SW SW SEC. 15; 20 acres in NE NW SEC. 15; 20 acres in SE NW SEC. 22, Tp. 36 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 40.8 acres, to-wit: 30.0 acres in SE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 15, and 10.8 acres in NE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 22, Tp. 36 S., R. 4 W., W. M.

A survey made under the direction of the State Engineer found that the above-stated lands claimed in the proof as irrigated by the waters of Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., are, in fact, not irrigated therefrom but are irrigated by water from Rogue River, through the Evans Creek lateral of the Grants Pass Irrigation District, under State Engineer's Permit 8853. For this reason no allowance is made herein under the above-stated inchoate right.

105.

### A. P. Klith, Rogue River, Oregon:

Claimant is a successor in part to Elmer E. Bagley whose lands, covered by the above-stated inchoate right of the Old Mill Ditch and Irrigation Co. to the use of water from Evans Creek, are set out in Paragraph 104 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 9.2 acres in NE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 22, Tp. 36 S., R. 4 W., W. M.

A survey made under the direction of the State Engineer found that the lands claimed in the proof as irrigated by the waters of Evans Creek, through the ditch of the Old Mill Ditch and Irrigation Co., are, in fact, not irrigated thereby but are irrigated from the Rogue River, through the Evans Creek lateral of the Grants Pass Irrigation District, under State Engineer's Permit 8853. For this reason no allowance is made herein under the above-stated inchoate right.

#### SYKES CREEK

106.

### Henry Baker, Rogue River, Oregon:

Claimant is successor to Elizabeth A. Simerville whose inchaate right to the use of water from Sykes Creek is set out in the Rogue River Decree on Page 46, Column 2, under Proof 421, as follows: "Priority 1908; 0.07 second foot; for Irrigation of 4 acres; Hull ditch; Description of place of use: To be irrigated, 4 acres in NW4 SE4, Sec. 1, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon.

"0.33 second foot; for Irrigation of 20 acres; Sykes Creek ditch; Description of place of use: 20 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>2</sub>, Sec. 1, Tp. 35 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 17 acres, to-wit: 12.6 acres in NE SW and 4.4 acres in SE SW, Sec. 1, Tp. 35 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.28 cubic foot per second of water from Sykes Creek, through Sykes Creek Ditch, with a priority of 1908, for the irrigation of 17 acres located as follows:

12.6 acres in NE<sub>2</sub> SW<sub>2</sub>

4.4 acres in that part of SE<sub>3</sub> SW<sub>2</sub>

lying North of a line described as follows:
Beginning at a point 636.1 feet North of the quarter corner of Sec. 1, Tp. 35 S., R. 4 W., W. M.; thence South 69° 27'
West to the West line of the SE<sub>2</sub> SW<sub>2</sub> of said Sec. 1

Sec. 1,

Tp. 35 S., R. 4 W., W. M.,

Jackson County, Oregon,

being the full amount claimed in the proof. The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

(For claimant's right to the use of water from Evans Creek, for irrigation in the  $SE_2^L$   $SW_2^L$ , Sec. 1, Tp. 35 S., R. 4 W., W. M., see Paragraph 69.)

#### SARDINE CREEK

107.

#### Smith A. Dusenbury, Gold Hill, Oregon:

Claimant was allowed an inchoate right to the use of water from Sardine Creek which is set out in the Rogue River Decree on Page 46, Column 3, under Proof 472, as follows:

"Priority 1908; 1.60 second feet; for Irrigation of 112 acres; West and East Side ditches;

Description of place of use: To be irrigated: 25 acres in NE; SE; 15 acres in SW; SE;;

25 acres in SE; SE; Sec. 8; 32 acres in NW; NE; 15 acres in NE; NE; Sec. 17, Tp. 36 S.,

R. 3 W. W. M., Jackson County, Oregon."

Claimant was also allowed a vested right to the use of water from Sardine Creek which is set out in the Rogue River Decree on Page 20, Column 3, as follows: "Priority 1874; 0.25 second foot; for Irrigation of 15 acres; West ditch; Priority 1890; 0.17 second foot; for Irrigation of 10 acres; East ditch. Description of place of use: 7 acres in SW SE; Sec. 8; 10 acres in NE; NE; 8 acres in NW; NE; Sec. 17, Tp. 36 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 11.3 acres, to-wit: 4.9 acres in NET NET, Sec. 17, and 6.4 acres in SET SET, Sec. 8, Tp. 36 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey made in September, 1935, and an investigation made in May, 1939, under the direction of the State Engineer found that the area of 11.3 acres claimed as irrigated in the proof is not reclaimed and irrigated so as to constitute a completion of the inchoate right as contemplated in the Rogue River Decree. The area of 4.9 acres, however, claimed in the proof as irrigated in the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 17, Tp. 36 S., R. 3 W., W. M., is covered by the above-stated vested right. Claimant will be made no allowance herein in completion of the above-stated inchoate right.

108.

# J. E. Durkee, Gold Hill, Oregon:

Claimant is successor to J. H. Ring whose inchoate right to the use of water from Sardine Creek is set out in the Rogue River Decree on Page 46, Column 3, as follows: "Priority 1908; 0.15 second foot; for Irrigation of 8½ acres; Ring ditch; Description of place of use:

To be irrigated: 8½ acres in NE½ NW½, Sec. 28, Tp. 35 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that no land has been reclaimed under the above inchoate right and no allowance is herein made therefor.

109.

### James U. Smith, Gold Hill, Oregon:

Claimant was allowed an inchoate right to the use of water from Sardine Creek which is set out in the Rogue River Decree on Page 46, Column 3, as follows: "Priority 1908; 1.85 second feet; for Irrigation of 129 acres, and Storage; Smith ditches; Description of place of use: To be irrigated: 27 acres in SW SW SW SW Sec. 33, Tp. 35 S., R. 3 W. W. M.; 24 acres in NW; NW; 10 acres in SW SW; 38 acres in NE; SW; 30 acres in SE; SW, Sec. 4, Tp. 36 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant was also allowed a vested right to the use of water from Sardine Creek which is set out in the Rogue River Decree on Page 21, Column 1, under Proof 475, as follows: "Priority 1859; 0.17 second foot; for Irrigation of 10 acres; Priority 1835; 1.00 second foot for Irrigation of 59\frac{1}{3} acres; Smith ditches; Description of place of use: 2\frac{1}{3} acres in NW\frac{1}{4}; NW\frac{1}{4}; 25\frac{1}{3} acres in SW\frac{1}{4}; NW\frac{1}{4}; 36 acres in NW\frac{1}{4}; SW\frac{1}{4}; 5\frac{1}{3} acres in SW\frac{1}{4}, Sec. 4, Tp. 36 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right by irrigation to the extent of 87.7 acres, to-wit: 24 acres in NW\(\frac{1}{4}\) NW\(\frac{1}{4}\); 10 acres in SW\(\frac{1}{4}\) SW\(\frac{1}{4}\); 28.7 acres in NE\(\frac{1}{4}\) SW\(\frac{1}{4}\); 15 acres in SE\(\frac{1}{4}\) SW\(\frac{1}{4}\), Sec. 4, Tp. 36 S., R. 3 W., W. M. A survey made under the direction of the State Engineer found in the foregoing tracts an irrigated area of 115.1 acres, of which 69.0 acres are covered by the above-stated vested right. Allowance will be made for the remaining 46.1 acres reclaimed and irrigated in completion of said inchoate right.

Claimant is allowed a right to the use of 0.66 cubic foot per second of water from Sardine Creek, through Smith Ditches, with a priority of 1908, for the irrigation of 46.1 acres located as follows:

1.1 acres in Si NWi NWi 28.7 acres in NEI SWi 1.8 acres in NWi SWi 3.5 acres in SWi SWi 11.0 acres in SEI SWi Sec. 4,
Tp. 36 S., R. 3 W., W. M.,
Jackson County, Oregon

110.

# John E. Smith, Gold Hill, Oregon:

Claimant is a successor in part to James U. Smith whose inchoate right to the use of water from Sardine Creek is set out in Paragraph 109 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed for storage and by irrigation to the extent of 21.1 acres, to-wit: 10.7 acres in SW1 SW1, Sec. 33, Tp. 35 S., R. 3 W., W. M., and 10.4 acres in NW1 NW1, Sec. 4, Tp. 36 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made in September, 1935, under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found no evidence of storage on Sardine Creek nor did a further investigation of this matter made in May, 1939; therefore, no allowance for storage will be made in these findings.

Claimant is allowed a right to the use of 0.30 cubic foot per second of water from Sardine Creek, through Smith Ditches, with a priority of 1908, for the irrigation of 21.1 acres located as follows:

10.7 acres in SW Sec. 33, Sec. 33, Tp. 35 S., R. 3 W., W. M.

10.4 acres in NW NW NW Sec. 4,
Tp. 36 S., R. 3 W., W. M.,
Jackson County, Oregon

APPLEGATE RIVER

111.

#### M. M. Ainsworth, Murphy, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 47, Column 1, under Proof 641, as follows:
"Priority Feb. 1899; 0.16 second foot; for Irrigation of 11 acres; North Side ditch; Description of place of use: Irrigated: 1 acre in NE<sup>1</sup>/<sub>4</sub>, Sec. 19, Tp. 37 S., R. 5 W. W. M.; To be irrigated: 10 acres in NE<sup>1</sup>/<sub>4</sub>, Sec. 19, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 9.4 acres in NE<sub>4</sub> NE<sub>4</sub>, Sec. 19, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.14 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of 9.4 acres located as follows:

being the full amount claimed in the proof with description amended to conform with the United States land survey.

112.

### Bridge Point Ditch Co., Provolt, Oregon:

Under the Rogue River Decree, the above-named Bridge Point Ditch Co. was allowed an inchoate right to the use of water from the Applegate River which is set out on Page 47, Column 1, under Proof 644, as follows: "Priority Oct., 1898; 14.20 second feet; for Irrigation of 710 acres, and Domestic use; Bridge Point ditch." This is followed by a list of the land-owners, together with the lands under said ditch which are irrigated and to be irrigated by each.

Proofs have been submitted by persons, firms, and corporations under the foregoing incheate right allowed the Bridge Point Ditch Co., claiming water for domestic use and for the irrigation of 629.13 acres.

The several rights allowed herein to the claimants submitting said proofs aggregate 11.32 cubic feet per second for the irrigation of 566.2 acres.

The following are statements of the claims contained in said proofs, together with the lands owned and irrigated by each claimant under the above incheate right and the allowance made thereon. Additional Rights Allowed by Deene Vol. 14, pg. 430 6437

113.

### W. N. Carl, Murphy, Oregon:

Claimant is successor to A. Rehkopf whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River through Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 1, as follows: "Irrigated: 23 acres in SW1 NW1, Sec. 17, Tp. 38 S., R. 4 W. W. M.; To be irrigated: 5 acres in SW1 NW1, Sec. 17, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Medified

Claimant is also successor in part to Samuel Provolt whose lands, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Apple-gate River through Bridge Point Ditch, are set out in Paragraph 116 infra.

Claimant has submitted proof wherein he states that said inchoate rights have been completed for domestic use and by irrigation to the extent of 30.2 acres, to-wit: 28 acres in SW NW1, formerly the A. Rehkopf land, and 2.2 acres in SE1 NW2, formerly the Samuel Provolt land, Sec. 17, Tp. 38 S., R. 4 W., W. M. Claimant also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.60 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 30.2 acres located as follows:

being the full amount claimed in the proof.

(For rights allowed claimant from the Applegate River through New Berryman Ditch, see Paragraph 198 infra.)

#### 114.

### Estate of Charles M. Rexford by Dora L. Cook, Executrix, Murphy, Oregon:

Claimant is successor to C. M. Rexford whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River for irrigation and domestic use through Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 1, as follows: "Irrigated: 5 acres in NW: NW: Sec. 17; To be irrigated: 5 acres in SW: SW: Sw: Sec. 8; 17 acres in NW: NW: Sec. 17, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein it is stated that said inchoate right has been completed for domestic use and for irrigation to the extent of 11.4 acres in NW<sub>4</sub> NW<sub>4</sub>, Sec. 17, Tp. 38 S., R. 4 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.23 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

11.4 acres in NW1 NW1 Sec. 17,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

Claimant is also successor in part to William Sorenson whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Apple-gate River for irrigation through the Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 1, as follows: "Irrigated: 29 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 18; 20 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 9 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 7; To be irrigated: 7 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 15 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 18; 20 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 10 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein it is stated that said inchoate right has been completed for domestic use and for irrigation to the extent of 73.2 acres, to-wit: 18 acres in SW SE; 21.2 acres in SE; SE; Sec. 7; 2.0 acres in NW; NE; 32 acres in NE; NE; Sec. 18, Tp. 38 S., R. 4 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.46 cubic feet per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 73.2 acres located as follows:

18.0 acres in that part of SW1 SE1,
lying East of the highway;
21.2 acres in SE1 SE1
Sec. 7;
32.0 acres in NE1 NE1
2.0 acres in NW1 NE1
Sec. 18,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

115.

# Flossie Rexford Carl, Murphy, Oregon:

Claimant is successor in part to William Sorenson whose land, covered by the abovestated inchoate right of the Bridge Point Ditch Co. to the use of water from Applegate River for irrigation through Bridge Point Ditch, is set out in Paragraph 114 next preceding. Claimant has submitted proof wherein she states that said inchoate right has been completed for domestic use and for irrigation to the extent of 10 acres in SW<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, Sec. 7, Tp. 38 S., R. 4 W., W. M. It appears from a map prepared from a survey made under the direction of the State Engineer that said tract in SW<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, described below, contains only 8.5 acres of irrigated land, which area will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

8.5 acres in that part of the SW2 SEC. 7

Tp. 38 S., R. 4 W., W. M., described as follows:
Commencing at the SW corner of a ten-acre tract of land owned by E. U. Provolt, in Sec. 7, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon; running thence South 40 rods; thence East to the county road; thence Northerly along the East line of said public road to the SE corner of the above-described ten acres of land owned by said E. U. Provolt; thence West to the place of beginning, containing ten acres, more or less,

being the full amount of irrigated land owned by claimant as shown from the survey of the State Engineer.

(For claimant's right to the use of water from the Applegate River through S. H. Cook Ditch, see Paragraph 199 infra.)

116.

# Elery Stone, Provolt, Oregon:

Claimant is successor in part to E. N. Provolt whose land, covered by the abovestated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate
River for irrigation through Bridge Point Ditch, is set out in the Rogue River Decree on Page
47, Column 1, as follows: "Irrigated: 3 acres in SW1 SE1; 28 acres in NW1 SE1; 10 acres in
NE1 SE1, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon; 8 acres in SW1 SW1, Sec. 6;
23 acres in NW1 SE1; 10 acres in SW1 SE1, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County,
Oregon; To be irrigated: 5 acres in NW1 SE1, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine
County, Oregon; 7 acres in NW1 SE1; Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant is also a successor in part to Samuel Provolt whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River for irrigation through Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 2, as follows: "Irrigated: 5 acres in SW\(\frac{1}{2}\) NW\(\frac{1}{2}\); 3 acres in SE\(\frac{1}{2}\) NW\(\frac{1}{2}\); 12 acres in NE\(\frac{1}{2}\) SW\(\frac{1}{2}\); Sec. 17; Tp. 38 S. R. 4 W. W. M., Jackson County, Oregon; 38 acres in SE\(\frac{1}{2}\) SE\(\frac{1}{2}\); 15 acres in NE\(\frac{1}{2}\); Sec. 12; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon; To be irrigated: 8 acres in SE\(\frac{1}{2}\) NW\(\frac{1}{2}\); Sec. 17; Tp. 38 S. R. 4 W. W. M., Jackson County, Oregon; 1 acre in SE\(\frac{1}{2}\) SE\(\frac{1}{2}\); 22 acres in SW\(\frac{1}{2}\) SE\(\frac{1}{2}\); Sec. 1; 25 acres in NE\(\frac{1}{2}\) NE\(\frac{1}{2}\); Sec. 12; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon; 1 acre in SE\(\frac{1}{2}\) SE\(\frac{1}{2}\); Sec. 12; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon."

On December 23, 1925, the State Engineer issued an order in correction of the above description of the lands of Samuel Provolt which is set out in the Special Order Record of the State Engineer, Volume 1, at Pages 243 and 244, to-wit:

Board dated April 12, 1916, in the matter of the determination of rights to the waters of Rogue River and its tributaries, certain water rights from Applegate River were allowed in the name of Samuel Provolt, under the Bridge Point Ditch Company; that through typographical error one of the tracts of land for which a water right was awarded was described as '38 acres in the SE' SE' of Section 12', whereas it should have been described as '38 acres in the SE' SE' of Section 1'; that said tract is now owned by Mrs. Effic Farra, the applicant herein; that said error was carried into the decree of the Circuit Court of the State of Oregon for Jackson County dated April 26, 1919, entered in said proceeding, based upon the order of determination of the State Water Board; and it further appearing that the records pertaining to such water right should be corrected accordingly, NOW, THEREFORE,

"It is hereby ORDERED that in order to correct said land description, the water right awarded for said tract of land be, and the same is hereby, transferred, without loss of the priority of said right as heretofore established, to '38 acres in the SE½ SE½ of Section 1', the description of said Samuel Provolt right appearing in said Court Decree on page 47, column 2 (Order Record of State Water Board, Vol. 4) being amended to read as follows: 'SAMUEL PROVOLT: Irrigated: 5 acres in SW½ NW½; 3 acres in SE½ NW½; 12 acres in NE½ SW½; 4 acres in NW½ SW½; Sec. 17; Tp. 38 S. R. 4 W. W. M., Jackson County, Oregon; 38 acres in SE½ SE½; Sec. 1; 15 acres in NE½ NE½; Sec. 12; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon; 1 acre in SE½ SE½; Sec. 17; Tp. 38 S. R. 4 W. W. M., Josephine County, Oregon; 1 acres in SE½ SE½; Sec. 12; Tp. 38 S. R. 5 W. W. M., Josephine County, Oregon.'"

Claimant has submitted proof wherein he asserts a vested right for domestic use and for irrigation to the extent of 87 acres located as follows: 3 acres in SWL SEL; 28 acres in NWL SEL; 10 acres in NEL SEL; 38 acres in SWL SEL; Sec. 1, Tp. 38 S., R. 5 W., W. M., Josephina County, Oregon; 8 acres in SWL SWL, Sec. 6, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon. In this claimant is in error as the rights in question were allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only incheate rights.

Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey made under the direction of the State Engineer found an irrigated area of 2 acres in SW2 NE2 and 69.4 acres in SE2, Sec. 1, Tp. 38 S., R. 5 W., W. M., Josephine County, Oregon, and 11.5 acres in Sec. 6, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon, which will be considered in these findings as the areas reclaimed and irrigated in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 1.66 cubic feet per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 82.9 acres located as follows:

- 2.0 acres in that part of SW1 NE1, lying South of the Applegate River;
- 9.6 acres in that part of NE SEL, lying South of the Applegate River;
- 22.3 acres in that part of NW SEL, lying South of the Applegate River;
- Beginning at a point on the section line between Secs. 1 and 12, Tp. 38 S., R. 5 W., W. M., 590 feet West of the SE corner of said Sec. 1; thence running North 387.5 feet to the center of the county road; thence along the center line of said road North 57° West 759 feet; thence South 33° 45' West 165 feet; thence South 666.5 feet to the section line; thence East 730 feet to the point of beginning, containing 10 acres, more or less, in Sec. 1. Also, beginning at the SE corner of Sec. 1, Tp. 38 S., R. 5 W., W. M., and running thence West along the South line of said section a distance of 120 feet to the center line of said county road; thence Northwesterly along the center line of said county road to a point of intersection with the North line of the S\frac{1}{2} \text{SE}\frac{1}{2} \text{ of said Sec. 1; thence East a distance of 1,940 feet, more or less, to the East line of said section; thence South 1,320 feet to the place of beginning, containing 30.3 acres, more or less, (SW\frac{1}{2} \text{SE}\frac{1}{2}; \text{SE}\frac{1}{2} \text{SE}\frac{1}{2})

Tp. 38 S., R. 5 W., W. M., Josephine County, Oregon;

11.5 acres in that part of the Thomas Nickerson homestead located in SW2 SW2

Sec. 6, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon.

117.

# E. U. Provolt. Murphy, Oregon:

Claimant is successor in part to E. N. Provolt whose lands, covered by the above-stated incheate right of the Bridge Point Ditch Co. to the use of water from the Applegate River through Bridge Point Ditch, are set out in Paragraph 116 supra.

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 47.03 acres, to-wit: 35.03 acres in SE SW; 10 acres in SN SE, SE, Sec. 7; 2 acres in NE NW, Sec. 18, Tp. 38 S., R. 4 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

Claimant has also submitted an affidavit attached to and in support of his proof wherein he deposes and says that in the original proofs taken in this matter there was confusion as to the names E. N. Provolt and E. U. Provolt; that in said original proof the lands belonging to the claimant were misdescribed as in Sec. 10, Tp. 38 S., R. 4 W., W. M., whereas said lands should have been described as being in Secs. 7 and 18, said township and range; that in the Rogus River Decree the lands belonging to E. U. Provolt have been included in the lands belonging to E. N. Provolt; that in the aggregate the lands to which water rights were decreed in said decree include the lands belonging to this claimant, and that, by reason of the ownership of shares in the Bridge Point Ditch Co., claimant is entitled to divert water from Bridge Point Ditch for the lands described in the present proof irrespective of mistakes in the original decree.

Said affidavit cannot be considered in these findings as a basis for an allowance. Therefore, claimant must be refused the claim here made and no allowance will be made thereon save for 10 acres in SW SE, Sec. 7, Tp. 38 S., R. 4 W., W. M., which are covered by the above-stated inchoate right allowed E. N. Provolt to whom, in the absence of further evidence to the contrary, claimant appears to be a successor.

Claimant is allowed a right to the use of 0.20 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

10 acres in that part of No SW SEA, lying West of the highway

Sec. 7,

Tp. 38 S., R. 4 W., W. M.,

Jackson County, Oregon

118.

#### Glenn Provolt, Murphy, Oregon:

Claimant is successor in part to E. N. Provolt whose land, covered by the abovestated inchoate right to the use of water from the Applegate River for irrigation through Bridge Point Ditch, is set out in Paragraph 116 supra.

Claimant is also successor in part to J. A. Lewman whose land, covered by the above-stated inchoate right to the use of water from the Applegate River for irrigation through Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 2, as follows: "Irrigated: 29 acres in NE<sub>4</sub> SW<sub>2</sub>, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant is also successor in part to R. F. and Daisy V. Lewman whose lands, covered by the above-stated inchoate right to the use of water from the Applegate River for irrigation through Bridge Point Ditch, are set out in the Rogue River Decree on Page 47, Column 2, as follows: "Irrigated: 10 acres in  $\mathbb{W}_2^1$   $\mathbb{W}_3^1$   $\mathbb{NE}_4^1$   $\mathbb{SW}_4^1$ , Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for irrigation to the extent of 62 acres, to-wit: 23 acres in NW1 SE1; 39 acres in NE1 SW1, Sec. 7, Tp. 38 S., R. 4 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant further states that said inchoate right has been completed by irrigation to the extent of 5.4 acres in NW1 SE1, Sec. 7, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 28.4 acres in NW1 SE1 and 39.4 acres in NE1 SW1, said Sec. 7, for which allowance of only 39 acres was made. Of said 39 acres in NE1 SW2, Sec. 7, 4.2 acres were allowed T. E. Lewman in accordance with the exception noted in claimant's proof; therefore, allowance will be made herein only for the remaining 34.8 acres in said tract.

Claimant is allowed a right to the use of 1.26 cubic feet per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 63.2 acres located as follows:

Sec. 7,
except for the following-described tract:
Beginning at the NE corner of the NE SW1, said Sec. 7;
thence South along the East line of said NE SW1 a distance of 346.5 feet; thence North 36° 26' West 92 feet;
thence South 57° 35' West 695 feet; thence North along
a line parallel to the East line of said NE SW1 a distance of 266.25 feet; thence North 57° 35' East 561.5
feet; thence North 36° 26' West 114 feet to the North line
of said NE SW1; thence East along said North line a distance of 255.75 feet to the point of beginning;
28.4 acres in NW1 SE1
Sec. 7,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon

119.

# Callie R. Hill, Murphy, Oregon:

Claimant is successor to Chas. Field whose land, covered by the above-stated incheate right of the Bridge Point Ditch Co. to the use of water from the Applegate River through Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 1, as follows: "Irrigated: 14 acres in NW1 SW1; To be irrigated: 7 acres in NW1 SW2; 5 acres in SW1 SW1, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic use and by irrigation to the extent of 19.2 acres in NW<sup>1</sup><sub>2</sub> SW<sup>1</sup><sub>4</sub>, Sec. 7, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.38 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

19.2 acres in NW SW SW. 7,
Sec. 7,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

Claimant's land, covered by the above-stated inchoate right of the Bridge Point Ditch Co., is set out in the Rogue River Decree on Page 47, Column 1, as follows: "Irrigated: 20% acres in SE% NW%; 7 acres in SW% NW%; To be irrigated: 7 acres in SW% NW%; 4 acres in SE% NW%, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic use and by irrigation to the extent of 35.4 acres, to-wit: 22.3 acres in SE1 NW1 and 13.1 acres in SW1 NW2, Sec. 7, Tp. 38 S., R. 4 W., W. M. Claimant in this proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.71 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 35.4 acres located as follows:

13.1 acres in SW4 NW4
22.3 acres in SE4 NW4
all being within the following-described tract:
Beginning at the SE corner of NW4, Sec. 7; running thence
West 118.94 rods; thence North 53.808 rods; thence East
118.94 rods to the one-fourth section line of said Sec. 7;
thence South 53.808 rods to the place of beginning;
Sec. 7,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

Claimant is also successor to Ellen Stone whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River through Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Columns 1 and 2, as follows: "Irrigated: 8 acres in NET NWT; 13 acres in NWT NWT; 6 acres in SWT NWT; 6 acres in SWT NWT; 6 acres in SET NWT, Sec. 7; To be irrigated: 4 acres in NWT NWT; 4 acres in NET NWT; 2 acres in SET NWT, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for irrigation to the extent of 33.5 acres, to-wit: 8 acres in NET NWT; 13 acres in NWT NWT; 6 acres in SWT NWT; 6.5 acres in SET NWT, Sec. 7, Tp. 38 S., R. 4 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant further states that said inchoate right has been completed for domestic use and by irrigation to the extent of 2 acres in NET NWT, Sec. 7, Tp. 38 S., R. 4 W., W. M.

A survey made under the direction of the State Engineer found that claimant's land had an irrigated area of only 33 acres in that part of the NW1 of Sec. 7, Tp. 38 S., R. 4 W., W. M., covered by his proof which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned, no evidence having been submitted by the claimant in support of his exceptions to the survey of the State Engineer.

Claimant is allowed a right to the use of 0.66 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 33 acres located as follows:

10 acres in NET NWT

12 acres in NWT NWT

6 acres in SWT NWT

5 acres in SET NWT

all being within the following-described tract:
Beginning at the NE corner of the NWT of Sec. 7, Tp. 38 S.,
R. 4 W., W. M., and running thence West 118.94 rods; thence
South 106.92 rods; thence East 118.94 rods; thence North
106.92 rods to the point of beginning;

Sec. 7,

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Jackson County, Oregon

120.

### Herman Messinger, Provolt, Oregon:

Claimant's land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River through the Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 2, to-wit: "Irrigated: 23 acres in NW1 NW1; 101 acres in SW1 NW1; To be irrigated: 11 acres in SW1 NW1, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right for domestic use and for irrigation to the extent of 43.8 acres, to-wit: 22.5 acres in NW1 NW1; 10.4 acres in SW1 NW1; 10.9 acres in SW1 NW1, Sec. 7, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.88 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 43.8 acres located as follows:

22.5 acres in which Nwith Nwith plus a strip 7 rods wide off the West side of the Ed Nwith Nwit; 21.3 acres in which Swith Nwith, plus a strip 7 rods wide off the West side of the Ed Swith Nwith, less a tract in the Sw corner of the Swith Nwith of said Sec. 7, 231 feet North and South and 377.5 feet East and West, containing 2 acres,

Sec. 7,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

121.

### George Fields, Provolt, Oregon:

Claimant is successor to K. Fields whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River for irrigation through the Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 2, as follows: "Irrigated: 2 acres in SW1 NW2, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant is also successor in part to Samuel Provolt whose lands, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River for irrigation through the Bridge Point Ditch, are set out in Paragraph 116 supra.

Claimant has submitted proof wherein he states that said inchoate rights have been completed for domestic use and for irrigation to the extent of 46.5 acres, to-wit: 2 acres in SW1 NW1, Sec. 7, Tp. 38 S., R. 4 W., W. M.; 39.5 acres in SE1 NE1; 5 acres in NE1 NE1, Sec. 12, Tp. 38 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.93 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 46.5 acres located as follows:

2.0 acres in that part of SN NW NW. Sec. 7,

Tp. 38 S., R. 4 W., W. M.,

Jackson County, Oregon,

described as follows:

Commencing at the SW corner of the SW NW of said Sec. 7;

thence North 14 rods; thence East 22-6/7 rods; thence South

14 rods; thence West 22-6/7 rods to the place of beginning;

Sec. 12,

described as follows:
Commencing at the SE corner of said NET NET; thence North
10 rods along the section line; thence West 80 rods to the
West line of said NET NET; thence South along the West line
10 rods to the South line thereof; thence East 80 rods to
the point of beginning;

39.5 acres in SE1 NE1 Sec. 12,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

122.

#### R. H. Bentley, Murphy, Oregon:

Claimant is successor in part to Samuel Provolt whose lands, covered by the abovestated inchoate right of the Bridge Point Ditch Co., are set out in Paragraph 116 supra.

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer and set out in Paragraph 4 supra. In said proof claimant states that said inchoate right has been completed by irrigation to the extent of 28.2 acres, to-wit: 4.6 acres in SET NWT; 22 acres in NET SWT; 1 acre in NWT SWT; 0.6 acre in SWT NWT, Sec. 17, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Under the provisions of the aforesaid special order of the State Engineer, allowance will be made herein only for that part of the lands designated as irrigated in the Rogue River Decree which were found to be irrigated by said survey made under the direction of the State Engineer.

Claimant is allowed a right to the use of 0.33 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 16.6 acres located as follows:

0.6 acre in SW1 NW1
3.0 acres in SE1 NW1
12.0 acres in NE1 SW1
1.0 acre in NW2 SW1

Sec. 17, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon, all within the following-described tract: Commencing at the SE corner of NET SWI of Sec. 17, Tp. 38 S., R. 4 W., W. M., and running thence West to the county road; thence North 46° West 22.11 chains; thence North 35° 45' East 23.4 chains; thence East to the East line of SEt NW1; thence South to the place of beginning, containing 74.51 acres, more or less, and excepting from the above-described property that certain strip of land conveyed to J. L. Oscar and Izora Oscar, husband and wife, described as follows: Commencing at the SE corner of NET SWT of Sec. 17, Tp. 38 S., R. 4 W., W. M.; thence North 185 feet; thence Southwesterly 294 feet, more or less, to a point on the South line of NET SWI; thence East 185 feet to the point of beginning.

123.

## W. N. Carl, Murphy, Oregon:

For right allowed claimant as successor to Samuel Provolt, see Paragraph 113 supra.

124.

### Arthur J. Farra and Alma S. Farra, Jacksonville, Oregon:

Claimants are successors in part to Samuel Provolt whose lands, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Appleagate River for irrigation through the Bridge Point Ditch, are set out in Paragraph 116 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic use and by irrigation to the extent of 33.6 acres in NE<sup>1</sup><sub>4</sub> NE<sup>1</sup><sub>4</sub>, Sec. 12, Tp. 38 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.67 cubic foot per second of water from the Applegate River, through the Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

33.6 acres in NET NET

Sec. 12, Tp. 38 S., R. 5 W., W. M., Josephine County, Oregon, being within the following-described tract:

Beginning at the NW corner of the NET NET, Sec. 12, Tp. 38 S., R. 5 W., W. M.; thence South along the West line of said NE NE; a distance of 70 rods; thence East 80 rods to the East line of said Sec. 12; thence North to the NE corner of said Sec. 12; thence West along the North line of said Sec. 12, to the point of beginning, less and excepting the following-described tract:

Beginning at the NE corner of said Sec. 12 and running thence South 355 feet on the section line; thence West 55 feet to point of beginning; thence West 75 feet; thence South 50 feet; thence East 75 feet; thence North 50 feet, to point of beginning. Also less and except a tract of land described as follows: Beginning 214 feet South of the NE corner of said Sec. 12 on county line; thence West 150 feet; thence South 70 feet; thence East 150 feet to county line; thence North on county line 70

feet to beginning,

being the full amount claimed in the proof.

125.

### George Fields, Provolt, Oregon:

For right allowed claimant as successor to Samuel Provolt, see Paragraph 121 supra.

126.

# Oscar A. Johnson and Vivian Johnson, Murphy, Oregon:

Claimants are successors in part to Samuel Provolt whose lands, covered by the abovestated incheste right of the Bridge Point Ditch Co. to the use of water from the Applegate River for irrigation through Bridge Point Ditch, are set out in Paragraph 116 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic use and by irrigation to the extent of 8 acres, to-wit: 7.4 acres in SW SE; 0.6 acre in SE SE; Sec. 1, Tp. 38 S., R. 5 W., W. M.

Claimants in their proof state that 8.0 acres of their tract have been irrigated and that the survey made under the direction of the State Engineer in August, 1935, is in error. A careful check of the computations made in determining the area of the irrigated lands in question shows 5.4 acres irrigated in that part of the claiments' land in the SW: SE; and 0.6 acre in the SEt SEt of said Sec. 1. A further examination of the property in January, 1939, disclosed that the survey made in 1935 showed correctly the reclaimed and irrigated area.

Claimants are allowed a right to the use of 0.12 cubic foot per second of water from Applegate River, through the Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

> 6.0 acres in that part of St SEt Sec. 1 Tp. 38 S., R. 5 W., W. M., Josephine County, Oregon, described as follows: Beginning at a corner in Williams Creek 265 feet East from the NW corner of the S1 SE1, Sec. 1, Tp. 38 S., R. 5 W., W. M.; thence East along the North line of said  $S_2^1$   $SE_2^1$  of said Sec. 1 a distance of 425 feet to the Southerly side of

the county road; thence following the Southerly side of said road South 46° 53' East 375 feet to the Northwesterly corner of a church lot with a frontage of 44½ feet on said road and a depth of 71 feet back therefrom; thence South 57° East 563 feet; thence South 33° West 700 feet to Williams Creek; thence following said Williams Creek downstream North 34° 29' West 1,395 feet to the place of beginning, excepting the church lot heretofore described.

127.

#### Elery Stone, Provolt, Oregon:

For right allowed claimant as successor to Samuel Provolt, see Paragraph 116 supra.

128.

# Sam Letteken and Nellie Letteken, Murphy, Oregon:

Claimants are successors to G. A. Dunlap whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River for irrigation through the Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 2, as follows: "Irrigated: 13 acres in NE<sup>1</sup><sub>2</sub> SW<sup>1</sup><sub>2</sub>; 13 acres in SE<sup>1</sup><sub>2</sub> NW<sup>1</sup><sub>2</sub>, Sec. 1, Tp. 38 S., R. 5 W. W. M.; To be irrigated: 10 acres in SE<sup>1</sup><sub>2</sub> NW<sup>1</sup><sub>2</sub>; 2 acres in NE<sup>1</sup><sub>2</sub> SW<sup>1</sup><sub>2</sub>, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants' predecessor was also allowed a vested right to the use of water from Williams Creek which is set out on Page 26, Column 2, under Proof 813, as follows: "Priority 1890; 0.42 second foot; for Irrigation of 25 acres; York & Breedon ditch; Description of place of use: 13 acres in SEL NWZ; 12 acres in NEL SWZ, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic use and by irrigation to the extent of 38 acres, to-wit: 25 acres in SEL NWL; 13 acres in NEL SWL, Sec. 1, Tp. 38 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 11.9 acres in that part of the NEL SWL, Sec. 1, lying North of Bridge Point Ditch, which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimants are allowed a right to the use of 0.74 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of 36.9 acres located as follows:

25.0 acres in that part of SE1 NW1,
lying South of the Applegate River;
11.9 acres in that part of NE1 SW2,
lying North of the highway,
Sec. 1,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon

To the extent of 9.6 acres in SE2 NW2 and 11.9 acres in NE2 SW2, said Sec. 1, the foregoing right is supplemental to the vested right allowed claimants' predecessor to the use of water from Williams Creek, through York and Breedon Ditch, as set out above. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.02 cubic foot per second for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second per acre for each acre irrigated during the irrigation season.

129.

# Ralph W. Planalp, Murphy, Oregon:

Claimant is successor to E. Badger whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. for the use of water from the Applegate River for irrigation through the Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 2, as follows: "Irrigated: 62 acres in NW2 NW2; To be irrigated: 6 acres in NW2 NW2; 10 acres in SW2 SE2, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic use and for irrigation to the extent of 6.5 acres in NW1 NW1, Sec. 1, Tp. 38 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Applegate River, through the Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

6.5 acres in that part of NW1 NW2, lying South of the Applegate River, Sec. 1,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

(For claimant's right to the use of water from the Applegate River through the Laurel Hill Ditch, see Paragraph 146 infra.)

130.

# L. R. Loesch, Central Point, Oregon:

Claimant is successor to Louie Loesch whose land, covered by the above-stated inchoate right of the Bridge Point Ditch Co. to the use of water from the Applegate River for irrigation through the Bridge Point Ditch, is set out in the Rogue River Decree on Page 47, Column 2, as follows: "Irrigated: 6 acres in SW4 NW4, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for domestic use and for irrigation to the extent of 6 acres in SW WL, Sec. 1, Tp. 38 S., R. 5 W., W. M. In this the claimant is in error as the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 5.1 acres in the land described in the proof which will be considered as the area reclaimed and irrigated in these findings in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.10 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

5.1 acres within the following-described tract:

Beginning at a point 639 feet North of the half mile corner on the West line of Sec. 1, Tp. 38 S., R. 5 W., W. M., and running thence North 896 feet to the center of the county road; thence South 41° East 807 feet up the center of said county road; thence South 62° 13' West to the place of beginning, containing 6 acres of land, more or less, (SW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}

131.

# T. E. Lewman, Murphy, Oregon:

Claimant is successor in part to J. A. Lewman whose lands, covered by the abovestated inchoate right of the Bridge Point Ditch Co., are set out in Paragraph 118 supra.

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof, claimant states that said incheate right has been completed by irrigation to the extent of 4.2 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 7, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.08 cubic foot per second of water from Applegate River, through Bridge Point Ditch, with a priority of October, 1898, for domestic use and for the irrigation of:

4.2 acres in that part of the NEt SWt described as follows:
Beginning at the NE corner of the NEt SWt, Sec. 7; thence
South along the East line of said NEt SWt a distance of
346.5 feet; thence North 36° 26' West 92 feet; thence South
57° 35' West 695 feet; thence North along a line parallel

to the East line of said NET NWT a distance of 266.25 feet; thence North 57° 35' East 561.5 feet; thence North 36° 26' West 114 feet to the North line of said NET SWT; thence East along said North line a distance of 255.75 feet to the point of beginning

Sec. 7,

Tp. 38 S., R. 4 W., W. M.,

Jackson County, Oregon,

being the full amount claimed in the proof.

132.

#### Glenn Provolt, Murphy, Oregon:

For right allowed claimant as successor of J. A. Lewman, see Paragraph 118 supra.

133.

## William A. Mitchell, R. F. D. 3, Box 866, Grants Pass, Oregon:

Claimant is successor to W. H. Bateman whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 47, Column 2, under Proofs 666 and 667, as follows: "Priority Oct. 1900; 0.56 second foot; for Irrigation of 28 acres; Red Bluff ditch; Description of place of use: Irrigated: 18 acres in NW<sub>4</sub> SW<sub>4</sub>, Sec. 29, Tp. 36 S., R. 6 W. W. M.; To be irrigated: 10 acres in NW<sub>2</sub> SW<sub>4</sub>, Sec. 29, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant's predecessor, W. H. Bateman, was also allowed a vested right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 22, Column 1, as follows: "Priority Oct. 1900; 0.25 second foot; for Irrigation of 10 acres; Red Bluff ditch; Description of place of use: 10 acres in SW2 SW2, Sec. 29, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 9.6 acres in NW1 SW1, Sec. 29, Tp. 36 S., R. 6 W., W. M. Claimant also asserts a vested right for the irrigation of 24.4 acres, to-wit: 18 acres in said NW1 SW1; 6.4 acres in SW1 SW1, said Sec. 29. The claim of the vested right in the NW1 SW1 is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. To the extent of 6.4 acres in SW1 SW1, said Sec. 29, the area claimed in the proof is covered by the above-stated vested right. Allowance is made herein only for the area reclaimed and irrigated in completion of the above-stated inchoate right.

Claimant is allowed a right to the use of 0.55 cubic foot per second of water from Applegate River, through Red Bluff Ditch, with a priority of October, 1900, for the irrigation of:

27.6 acres in that part of NW1 SW1 lying below the Red Bluff Ditch,
Sec. 29,
Tp. 36 S., R. 6 W., W. M.,
Josephine County, Oregon

# Wilber W. Cameron, Jacksonville, Oregon:

Claiment is successor to Z. Cameron whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 47, Columns 2 and 3, under Proof 648, as follows: "Priority 1908; 0.16 second foot; for Irrigation of 8 acres; Comstock ditch; Description of place of use: To be irrigated: 8 acres in SE2 NW2, Sec. 33, Tp. 39 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 4.5 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 33, Tp. 39 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.09 cubic foot per second of water from Applegate River, through Comstock Ditch, with a priority of 1908, for the irrigation of:

4.5 acres in SEt NWt Sec. 33, Tp. 39 S., R. 3 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

Claimant was also allowed a right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 47, Column 3, under Proof 649, as follows:
"Priority 1902; 0.72 second foot; for Irrigation of 36 acres; Comstock ditch; Description of place of use: To be irrigated: 18 acres in NE<sup>1</sup><sub>1</sub> NW<sup>1</sup><sub>4</sub>; 13 acres in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>; 5 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 15, Tp. 39 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right by irrigation to the extent of 31 acres, to-wit: 18 acres in NE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>; 13 acres in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 15, Tp. 39 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.62 cubic foot per second of water from Applegate River, through the Comstock Ditch, with a priority of 1902, for the irrigation of 31 acres located as follows:

18 acres in NET NWT 13 acres in SET NWT Sec. 15, Tp. 39 S., R. 3 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof under said inchoate right.

#### J. T. Cook, Provolt, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 47, Column 3, under Proof 653, as follows: "Priority, Feb., 1899; 0.60 second foot; for Irrigation of 30 acres; North Side ditch; Description of place of use: Irrigated: 12 acres in Sw2 SE2, Sec. 36, Tp. 37 S., R. 5 W. W. M.; 2 acres in Nw2 NE2, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon. To be irrigated: 16 acres in same subdivisions."

Claimant has submitted proof wherein he states that he has completed said inchoate right by irrigation to the extent of 15.8 acres in SW2 SE2, Sec. 36, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant's proof taken with that of his successors in part, Oran W. and Gladys Cook, claim a total irrigated area of 32.4 acres which exceeds the above-stated inchoate right by 2.4 acres. The allowance herein made to each will be proportionate and to both will not exceed the total allowed in the decree.

Claimant is allowed a right to the use of 0.29 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of:

14.6 acres lying below the North Side Ditch in that part of D. L. C. 37 (SW2 SE2), described as follows:

Beginning at the SM corner Sec. 36, running thence North along the section line 19.46 chains to the North line of D. L. C. 37; thence Westerly along the North line of said D. L. C. 37 a distance of 36.6 chains, more or less, to the East line of the Willis York Estate; thence South to the South line of said Sec. 36; thence East along said line to the point of beginning

Sec. 36,

Tp. 37 S., R. 5 W., W. M.,

Josephine County, Oregon

The above description has been amended to conform with the United States land survey.

136.

#### Oran W. Cook and Gladys Cook, Provolt, Oregon:

Claimants are successors in part to J. T. Cook whose incheate right to the use of water from the Applegate River is set out in Paragraph 135 next preceding.

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 16.6 acres in NWT NET, Sec. 1, Tp. 38 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants' proof taken with that of their predecessor, J. T. Cook, claim a total irrigated area of 32.4 acres which exceeds the above-stated inchoate right by 2.4 acres. The allowance herein made to each will be proportionate and to both will not exceed the total allowed in the decree.

Claimants are allowed a right to the use of 0.31 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of:

15.4 acres lying below the North Side Ditch in that part of D.L.C. 37 (N2 NE2), described as follows:

Beginning at NE corner Sec. 1 and running thence South 13 chains; West 36.6 chains; North 13 chains; East 36.6 chains to point of beginning, containing 47.6 acres

Sec. 1,

Tp. 38 S., R. 5 W., W. M.,

Josephine County, Oregon

The above description has been amended to conform with the United States land survey.

137.

#### S. A. Bowen and Maude E. Bowen, Murphy, Oregon:

Claimants are successors to E. J. Brown whose incheate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 47, Column 3, under Proof 645, as follows: "Priority 1903; 1.10 second feet; for Irrigation of 55 acres; Swinden & Bunch ditch; Description of place of use: Irrigated: 12 acres in SW1 NW1; 51 acres in SE1 NW1; 7 acres in NW1 SW2, Sec. 20; To be irrigated: 20 acres in NE1 SW2; 10 acres in NW1 SW1, Sec. 20, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they assert a vested right to 25 acres, to-wit:

12 acres in SW1 NW1; 7 acres in NW1 SW1; 5 acres in SE1 NW1, Sec. 20, Tp. 37 S., R. 5 W.,

W. M. In this the claimants are in error in that the right in question was allowed subject to
the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

A survey made in July, 1936, under the direction of the State Engineer followed by a further investigation in January, 1939, found an irrigated area of only 24.4 acres in the SW1 NW1; SE1 NW1, and NW1 SW1, Sec. 20, Tp. 37 S., R. 5 W., W. M., which will be considered in these findings as the area reclaimed and irrigated so far as the tract in question is concerned.

Claimants are allowed a right to the use of 0.49 cubic foot per second of water from Applegate River, through Swinden and Bunch Ditch, with a priority of 1903, for the irrigation of:

24.4 acres in that part of the following-described property lying below the Swinden and Bunch Ditch and West of Grays Creek:

Beginning 14 chains East of the NW corner of the SW2 SW2, Sec. 20; running East 6 chains; North 10.75 chains; East 17.60 chains; North 20 chains; West 29.90 chains; South 20

chains; East 7.20 chains; South 10.75 chains to beginning, less 5 acres to Locke and less to road, (SW2 NW2; NW2; NW2 SW2)

Sec. 20, Tp. 37 S., R. 5 W., W. M., Josephine County, Oregon

138.

# Chas. O. McDonald, Murphy, Oregon:

Claimant is successor to Sudye J. Dahlberg whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 47, Column 3, under Proof 656, as follows: "Priority 1903: 0.83 second foot; for Irrigation of 44 acres; Swinden & Bunch ditch; Description of place of use: Irrigated: 7½ acres in SW½ NW½; 22 acres in SE½ NW½, Sec. 20, Tp. 37 S., R. 5 W., W. M.; To be irrigated: 12½ acres in SW½ NW½; 2 acres in SE½ NW½, Sec. 20, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof claimant states that said incheate right has been completed by irrigation to the extent of 26.6 acres, to-wit: 8.1 acres in Lot 1; 15.5 acres in Lot 2; 3 acres in SE NW, Sec. 20, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Under the provisions of the aforesaid special order of the State Engineer, allowance will be made herein for that part of the lands designated as irrigated in the Rogue River Decree which was found to be irrigated by the survey made under the direction of the State Engineer.

Claimant is allowed a right to the use of 0.52 cubic foot per second of water from Applegate River, through Swinden and Bunch Ditch, with a priority of 1903, for the irrigation of 26 acres located as follows:

7.5 acres in Lot 1 (SW; NW; )
15.5 acres in Lot 2 (SE; NW; )
3.0 acres in that part of D.L.C. 40,
lying East of Grays Creek (SE; NW; )
Sec. 20,
Tp. 37 S., R. 5 W., N. M.,
Josephine County, Oregon

The foregoing descriptions are amended to conform with the United States land survey.

# R. A. Gilmore, Murphy, Oregon:

Claimant is successor in part to James W. Gilmore whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 47, Column 3, under Proof 664, as follows: "Priority Feb. 1899; 0.58 second foot; for Irrigation of 29 acres; North Side ditch; Description of place of use: Irrigated: 6 acres in NE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub>; 6 acres in SE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub>, Sec. 18; 3 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 19, Tp. 37 S., R. 5 W. W. M.; To be irrigated: 10 acres in SE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub>, Sec. 18; 4 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 19, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 13 acres, to-wit: 4 acres in the SE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 18; 9 acres in the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 19, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.26 cubic foot per second of water from Applegate River, through the North Side Ditch, with a priority of February, 1899, for the irrigation of 13 acres located as follows:

Sec. 18,
described as follows:
Beginning at the SE corner of Sec. 18, Tp. 37 S., R. 5 W.,
W. M.; running thence West 80 rods; thence North 20 rods;
thence East 80 rods to the section line; thence South 20 rods to beginning;
9 acres in Lot 2 (NEL NEL)

Sec. 19,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

The rights allowed herein are fixed to conform with the irrigated area as explained in Paragraph 7.

140.

#### Anna B. Linebaugh, Murphy, Oregon:

Claimant is successor in part to James W. Gilmore whose incheate right to the use of water from the Applegate River is set out in Paragraph 139 supra.

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 6.6 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 18, Tp. 37 S., R. 5 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Applegate River, through the North Side Ditch, with a priority of February, 1899, for the irrigation of:

Sec. 18,

Tp. 37 S., R. 5 W., W. M.,

Josephine County, Oregon,

described as follows:

Beginning at a point 80 rods North of the SE corner of said

Sec. 18; thence West 80 rods; thence South 60 rods; thence

East 80 rods; thence North 60 rods to the place of beginning

excepting a parcel of land 209 feet square situated in the

extreme SW corner of said property,

being the full amount claimed in the proof ..

141.

### Bert Harr, Jacksonville, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River on Page 47, Column 3, under Proof 671, as follows:

"Priority 1898; 0.68 second foot; for Irrigation of 27 acres; Bruce Buck ditch; Description of place of use: To be irrigated: 10 acres in NE NE; 12 acres in NW NE; 42 acres in NE; NE; 12 acres in NW, NE; 42 acres in NE; NW; Sec. 2, Tp. 41 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said incheate right for irrigation to the extent of 21.5 acres, to-wit: 10.5 acres in  $NE_4^1$   $NE_4^1$ ; 7 acres in  $NW_4^1$   $NE_4^1$ ; 4 acres in  $NE_4^1$   $NW_4^1$ , Sec. 2, Tp. 41 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.54 cubic foot per second of water from Applegate River, through Bruce Buck Ditch, with a priority of 1898, for the irrigation of 21.5 acres located as follows:

10.5 acres in NET NET
7.0 acres in NWT NET
4.0 acres in NET NWT
all South of the Applegate River
Sec. 2,
Tp. 41 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

142.

#### A. G. Fortner and R. A. Miles, Route 1, Murphy, Oregon:

Claimants are successors to H. L. Herzinger and A. S. Sargent whose inchoate rights to the use of water from the Applegate River are set out in the Rogue River Decree on Page 47, Column 3, and Page 48, Column 1, under Proofs 673 and 674, as follows:

"Priority 1908; 1.20 second feet; for Irrigation of 60 acres; Herzinger & Sargent ditch; Description of place of use: Irrigated: 14 acres in NW1 NW1; 6 acres in SW1 NW1, Sec. 6; To be irrigated: 40 acres in W2 NW2, Sec. 6, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon.

"Priority Feb., 1899; 1.20 second feet; for Irrigation of 60 acres; North Side ditch; Description of place of use: Irrigated: 7 acres in NET NET; 3 acres in SWT NET, Sec. 1; To be irrigated: 50 acres in NET, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof claimants state that said inchoate rights have been completed by irrigation to the extent of 44.6 acres, to-wit: 1 acre in SW1 WW1; 31.4 acres in NW1 SW1; 1.2 acres in SW1 SW1, Sec. 6, Tp. 38 S., R. 4 W., W. M., and 6.7 acres in NE1 SE1; 3.1 acres in SE2 NE2; 1.2 acres in SW2 NE2, Sec. 1, Tp. 38 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Under the provisions of the aforesaid special order of the State Engineer, allowance will be made herein only for that part of the lands designated as irrigated by the Rogue River Decree which was found to be irrigated by said survey made under the direction of the State Engineer.

Claimants are allowed a right to the use of 0.02 cubic foot per second of water from Applegate River, through Herzinger and Sargent Ditch, with a priority of 1908, for the irrigation of:

1.0 acre in SW: NW: Sec. 6,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon

Claimants are also allowed a right to the use of 0.02 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for irrigation of:

1.2 acres in SW1 NE1
Sec. 1,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon

143.

# K. J. Kubli, Murphy, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 48, Column 1, under Proof 676, as follows:

"Priority 1906; 0.22 second foot; for Irrigation of 11 acres; S. H. Cook ditch; Description of place of use: Irrigated: 8 acres in NW<sub>2</sub> NE<sub>2</sub>, Sec. 7; To be irrigated: 3 acres in NW<sub>2</sub> NE<sub>2</sub>, Sec. 7, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said incheate right for irrigation to the extent of 9.8 acres in NW NE, Sec. 7, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.20 cubic foot per second of water from Applegate River, through the S. H. Cook Ditch, with a priority of 1906, for the irrigation of:

9.8 acres in NW NE Sec. 7,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

144.

# Maure Kubli, Applegate, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 48, Column 1, under Proof 677, as follows:

"Priority 1908; 0.79 second foot; for Irrigation of 39% acres; Kublii or Keelor & Fowler ditch;

Description of place of use: To be irrigated: 6 acres in SW SW; 12 acres in SE% SW; 1 acres in SW SE%; Sec. 23; 5% acres in NE% NE%; 12 acres in NW% NE%; 3 acres in NE% NW%, Sec. 26,

Tp. 38 S., R. & W. W. M., Jackson County, Oregon."

Claimant was also allowed a vested right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 23, Column 1, as follows: "Priority 1866; 2.33 second feet; for Irrigation of 93 acres, and Domestic and Stock use; Fowler & Keeler ditch; Description of place of use: 4 acres in SW1 SW1; 13 acres in SE1 SW1; 16 acres in SW1 SE1, Sec. 23; 26 acres in NE1 NE1; 24 acres in NW1 NE1; 10 acres in NE1 NW1, Sec. 26, Tp. 38 S., R. 4 W. W. Jackson County, Oregon."

Claimant has submitted proof wherein she states that the above inchoate right has been completed by irrigation to the extent of 39.5 acres, to-wit: 6 acres in SW1 SW1; 12 acres in SE1 SW1; 1 acre in SW1 SE1, Sec. 23; 51 acres in NE1 NE1; 12 acres in NW1 NE1; 3 acres in NE1 NW1, Sec. 26, Tp. 38 S., R. 4 W., W. M. Regarding the map prepared from a survey made under the direction of the State Engineer, claimant states:

"Map shows the ditch correctly, and the map also shows the approximate location of the land that is plowed; however, the map does not show all of the land under irrigation, in that it omits an entire strip of land, which strip of land lies between the Applegate River, and the land shown on the map to be irrigated, and extends from the South line of Lot 3, in Section 23, Township 38 South, Range 4 West, continuously between the Applegate River and said land shown to be irrigated by said map, as aforesaid, to the East line of Section 26, said Township and Range; the said strip of land omitted from said map as being irrigated, as aforesaid, is shaded in red ink on the map, marked 'Exhibit A', attached hereto, and made a part hereof."

A careful inspection of said strip made in May, 1939, under the direction of the State Engineer revealed it to be in brush and trees and not reclaimed so as to constitute a completion of the inchoate right as contemplated in the Rogue River Decree.

The areas claimed in the proof in the SWL SWL, Sec. 23, and NEL NEL, NWL NEL, and NEL NWL, Sec. 26, Tp. 38 S., R. 4 W., W. M., are fully covered by the above-stated vested right and no additional allowance will be made therefor. To the extent of 13 acres in SEL SWL and 16 acres in SWL SEL, said tracts are covered by above-stated vested right, and allowance will be made herein for only the remaining 3.1 acres in SEL SWL and 3.6 acres in SWL SEL as reclaimed and irrigated in completion of the incheate right.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Applegate River, through Kubli or Fowler and Keeler Ditch, with a priority of 1908, for the irrigation of 6.7 acres located as follows:

3.1 acres in SE SW; 3.6 acres in SW; SE; Sec. 23, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon

The right allowed herein is fixed to conform with the irrigated areas as explained in Paragraph 7.

145.

# Laurel Hill Ditch Co., Murphy, Oregon:

Under the Rogue River Decree, the Laurel Hill Ditch Co. was allowed an inchoate right to the use of water from the Applegate River which is set out on Page 48, Column 1, under Proof 678, as follows: "Priority Feb., 1892; 11.42 second feet; for Irrigation of 570.61 acres; Laurel Hill ditch; \* \* \* (Total irrigated, 388.61 acres; total to be irrigated, 182 acres)." This is followed by a list of landowners, together with the lands under said ditch irrigated and to be irrigated.

Proofs have been submitted by persons, firms, and corporations under the foregoing inchoate right allowed the Laurel Hill Ditch Co., claiming water for domestic use and for the irrigation of 475.31 acres. The several rights allowed herein to the claimants submitting said proofs aggregate 9.11 cubic feet per second for the irrigation of 455.71 acres.

The following are statements of the claims contained in said proofs, together with the lands owned and irrigated by each claimant under the above inchoate right and the allowance made thereon.

## Ralph W. Planalp, Murphy, Oregon:

Claimant is successor to E. Badger whose land, covered by the above-stated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River for irrigation through the Laurel Hill Ditch, is set out in the Rogue River Decree on Page 48, Column 1, as follows: "Irrigated: 15 acres in NW<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 1, Tp. 38 S., R. 5 W. W. M.; To be irrigated: 5 acres in NW<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right to the use of water for the irrigation of 15 acres and a completed inchoate right for the irrigation of 5 acres all in NW1 NW1, Sec. 1, Tp. 38 S., R. 5 W., W. M. The claim of a vested right is in error as the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 25.2 acres in NW1 NW2, Sec. 1, Tp. 38 S., R. 5 W., W. M., of which 6.5 acres are irrigated from the Bridge Point Ditch. The remaining 18.7 acres will be considered in these findings as the area reclaimed and irrigated under the Laurel Hill Ditch in so far as the land in question is concerned.

Claimant is allowed a right to the use of 0.37 cubic foot per second of water from Applegate River, through the Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of:

18.7 acres in that part of NW NW NW NW lying South of the Applegate River Sec. 1,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon

(For right to the use of water for the foregoing land from the Applegate River through the Bridge Point Ditch, see Paragraph 129 supra.)

147.

# Jess York, Murphy, Oregon:

Claimant was allowed an inchoate right under the above-stated Laurel Hill Ditch Co. to the use of water from the Applegate River through the Laurel Hill Ditch, for the irrigation of the land set out in the Rogue River Decree on Page 48, Column 1, to-wit:

"Irrigated: 17 acres in SE½ SE½, Sec. 35; To be irrigated: 16 acres in SW½ SE½; 10 acres in SE½ SE½, Sec. 35, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that he has completed said right to the use of water from the Applegate River for irrigation to the extent of 18.4 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 35, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.37 cubic foot per second of water from Applegate River, through the Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of:

18.4 acres in SE4 SE4
Sec. 35,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

(For right allowed claimant from Applegate River through North Side Ditch, see Paragraph 196 infra.)

148.

# W. F. Willson and D. J. Willson, Rt. 1, Box 37, Murphy, Oregon:

Claimants are successors in part to J. W. York whose land, covered by the abovestated inchoate right of the Laurel Hill Ditch Co., is set out in Paragraph 147 supra.

Claimants have submitted proof wherein they assert a vested right to the use of water for the irrigation of 27 acres in NW\(\frac{1}{2}\) SE\(\frac{1}{2}\) and state that an inchoate right has been completed by irrigation to the extent of 16 acres in SW\(\frac{1}{2}\) SE\(\frac{1}{2}\), Sec. 35, Tp. 37 S., R. 5 W., W. M. The claim of a vested right is in error as the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 18.7 acres in NW\(\frac{1}{2}\) SE\(\frac{1}{2}\) and 29.7 acres in SW\(\frac{1}{2}\) SE\(\frac{1}{2}\), Sec. 35. Of the latter, only 16 acres lie below the Laurel Hill Ditch and these, with the 18.7 acres in the NW\(\frac{1}{2}\) SE\(\frac{1}{2}\) of said Sec. 35, will be considered in these findings as the areas reclaimed and irrigated in so far as the land in question is concerned.

Claimants are also successors to W. A. Fern whose land, covered by the above-stated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River for irrigation through the Laurel Hill Ditch, is set out in the Rogue River Decree on Page 48, Column 1, as follows: "Irrigated: 27 acres in NE SE, Sec. 35, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

On October 12, 1920, the State Water Board made the following order which is set out on Page 361, Volume 1, Record of Proceedings of State Water Board, to-wit:

"A petition by W. F. Willson of Murphy for a transfer of water right to correct an error in land description, under the right granted to W. A. Fern on the Laurel Hill Ditch under the Rogue River decree (p.48) was considered, and it appearing that the facts stated in the petition are substantiated by the Water Master of that district and the same being plainly a clerical error, it was ORDERED that the petition be granted, and that the water right allowed for '27 acres in the NE½ SE½ of Sec. 35, T. 37 S. R. 5 W. W. M.,' be transferred and become appurtenant without loss of priority date, to 27 acres in the NW½ SE½ of said section, and that proper notation of such change be made on the records."

The above change is duly noted and the allowance herein is made in accordance therewith.

Claimants are allowed a right to the use of 0.69 cubic foot per second of water from Applegate River, through Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 34.7 acres located as follows:

18.7 acres in NW SE 16.0 acres in SW SE 25.

Sec. 35,

Tp. 37 S., R. 5 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

(For rights allowed claimant to the use of water from Williams Creek, see Paragraph 267 infra.)

149.

# C. A. Trumbly, Murphy, Oregon:

Claimant is successor to A. F. Knox and J. G. Knox whose land, covered by the abovestated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate
River for irrigation through Laurel Hill Ditch, is set out in the Rogue River Decree on Page
48, Column 1, as follows: "Irrigated: 39 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 7 acres in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 23 acres in
SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 9 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 35; To be irrigated: 9 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 20 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>;
1 acre in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 35, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 82.8 acres, to-wit: 29.9 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 9.2 acres in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 32.2 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>5</sub>; 11.5 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 35, Tp. 37 S., R. 5 W., W. M., Josephine County, Oregon. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.66 cubic feet per second of water from Applegate River, through Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 82.8 acres located as follows:

32.2 acres in SW1 NW1
11.5 acres in SE1 NW1
29.9 acres in NE1 SW1
9.2 acres in NW1 SW1
Sec. 35,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

150.

### W. F. Willson and D. J. Willson, Rt. 1, Box 37, Murphy. Oregon:

For right allowed claimants as successors to W. A. Fern, see Paragraph 148 supra.

151.

### Will Davis, Keyes, California:

Claimant is successor to Z. D. Hyde whose land, covered by the above-stated inchoate right of Laurel Hill Ditch Co., is set out in the Rogue River Decree on Page 48, Column 1, as follows: "Irrigated: 6 acres in NW1 NW1, Sec. 35; To be irrigated: 30 acres in NW1 NW1, Sec. 35, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant is also successor in part to A. A. Hyde whose land, covered by the above inchoate right of Laurel Hill Ditch Co., is set out in the Rogue River Decree on Page 48, Column 1, as follows: "Irrigated: 5 acres in NE; NE; 20 acres in NW; NE; 9 acres in SW; NE; 25 acres in SE; NE; To be irrigated: 35 acres in NE; NE; 20 acres in NW; NE; Sec. 34, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 14.1 acres, to-wit: 7.5 acres in NW1 NW1, Sec. 35; 2.6 acres in NE1 NE1; 4 acres in SE1 NE2, Sec. 34, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.28 cubic foot per second of water from Applegate River, through the Laurel Hill Ditch, with a pricrity of February, 1892, for the irrigation of 14.1 acres located as follows:

2.6 acres in that part of NE NE and
4.0 acres in that part of SE NE Sec. 34,
described as follows:
Beginning at the SE corner of the NE of said Sec. 34 and
running thence West 13 rods; thence North 130 rods; thence
East 13 rods; thence South 130 rods to the place of beginning;
7.5 acres in NW NW NW Sec. 35,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

# L. W. Hyde, Murphy, Oregon:

Claimant is successor in part to A. A. Hyde whose land, covered by the above-stated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River for irrigation through Laurel Hill Ditch, is set out in Paragraph 151 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed for irrigation to the extent of 39.8 acres, to-wit: 30.8 acres in NW1 NE1; 9 acres in SW1 NE1, Sec. 34, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.80 cubic foot per second of water from Applegate River, through Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 39.8 acres located as follows:

30.8 acres in NW1 NE1

9.0 acres in SW2 NE2

all being in the W3 of that part of the NE2 of Sec. 34,
lying West of a line 13 rods West of the East line of
said Sec. 34,
Sec. 34,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

153.

# F. R. Hyde, Murphy, Oregon:

Claimant is successor in part to A. A. Hyde whose land, covered by the above-stated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River for irrigation through Laurel Hill Ditch, is set out in Paragraph 151 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 51.3 acres, to-wit: 28.4 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 18.2 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2.5 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2.2 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 34, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.03 cubic feet per second of water from Applegate River, through Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 51.3 acres located as follows:

28.4 acres in NE1 NE2
2.5 acres in NW1 NE2
2.2 acres in SW2 NE2
18.2 acres in SE2 NE2
all in the E3 of that part of the NE2 of Sec. 34, lying
West of a line 13 rods West of the East line of said Sec. 34;
Sec. 34,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

#### G. C. Weedon, Murphy, Oregon:

Claimant is successor in part to Wm. Haberman whose land, covered by the above-stated incheate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River for irrigation through Laurel Hill Ditch, is set out in the Rogue River Decree on Page 48, Columns 1 and 2, as follows: "Irrigated: 24 acres in NE+ NW+, Sec. 34; 12 acres in SE+ SW+; 26 acres in SW+ SW+; 15 acres in NW+ SW+, Sec. 27; To be irrigated: 15 acres in SE+ SW+, Sec. 27; 7 acres in NE+ NW+, Sec. 34, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant in his proof states that 41.6 acres have been reclaimed and irrigated. Claimant also states that said inchoate right has been completed by irrigation to the extent of 8.3 acres, to-wit: 2.5 acres in NW\(\frac{1}{2}\) NW\(\frac{1}{2}\), Sec. 34; 5.8 acres in SW\(\frac{1}{2}\) SW\(\frac{1}{2}\), Sec. 27, Tp. 37 S., R. 5 W., W. M. He further asserts a vested right for irrigation to the extent of 39 acres, to-wit: 24 acres in NE\(\frac{1}{2}\) NW\(\frac{1}{2}\), Sec. 34, and 15 acres in SE\(\frac{1}{2}\) SW\(\frac{1}{2}\), Sec. 27, Tp. 37 S., R. 5 W., W. M. In this the claimant is in error in that the rights in question were allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 9.6 acres in SE\(\frac{1}{2}\) SW\(\frac{1}{2}\), Sec. 27, and 23.7 acres in NE\(\frac{1}{2}\) NW\(\frac{1}{2}\), Sec. 34, Tp. 37 S., R. 5 W., W. M., which will be considered in these findings as the areas reclaimed and irrigated in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 0.83 cubic foot per second of water from Applegate River, through Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 41.6 acres located as follows:

5.8 acres within a strip of land 220 feet wide on the East side of SW1 SW2, Sec. 27;
9.6 acres in SE1 SW1 Sec. 27;
23.7 acres in NE1 NW1 220 feet wide on the East side of NW1 NW2 Sec. 34,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon

The foregoing right is fixed to conform with the irrigated area as explained in Paragraph 7 herein.

155.

Josephine Powers (Administratrix of the Estate of A. E. Powers, Deceased). Murphy, Oregon:

Claimant is successor in part to Wm. Haberman whose land, covered by the abovestated incheate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River for irrigation through Laurel Hill Ditch, is set out in Paragraph 154 next preceding.

Claimant has submitted proof wherein she states that the above inchoate right has been completed to the extent of 41 acres, to-wit: 26 acres in SW2 SW2; 15 acres in NW2 SW2, Sec. 27, Tp. 37 S., R. 5 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.82 cubic foot per second of water from Applegate River, through the Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 41 acres located as follows:

15 acres in the West 1,100 feet of NW SW SW Sec. 27,

Tp. 37 S., R. 5 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

156.

#### W. M. Jones, Grants Pass, Oregon:

Claimant is successor to Jeff Lindsay whose land, covered by the above-stated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River, is set out in the Rogue River Decree on Page 48, Column 2, as follows: "Irrigated: 0.06 acre in SEI SEI; 19.05 acres in NEI SEI; 30 acres in SEI NEI, Sec. 28; To be irrigated: 4 acres in NEI SEI; 2 acres in SEI SEI, Sec. 28, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant is also successor to Effice Farra whose land, covered by the above-stated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River, is set out in the Rogue River Decree on Page 48, Column 2, as follows: "Irrigated: 26 acres in SW NE1; 1 acre in SE1 NW1, Sec. 28, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate rights have been completed by irrigation to the extent of 76.11 acres, to-wit: 19.11 acres in E<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>; 30.0 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 26 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 1.0 acre in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 28, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts reservedly the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.52 cubic feet per second of water from Applegate River, through Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 76.11 acres located as follows:

26.0 acres in SW1 NE1
30.0 acres in SE1 NE1
1.0 acre in SE1 NW1
19.0 acres in NE1 SE1
0.11 acre in SE1 SE1
Sec. 28,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

## Charles T. and Mary E. Sweeney, Medford, Oregon:

Claimants' land, covered by the above-stated inchoate right of the Laurel Hill Ditch Co. to the use of water from the Applegate River for irrigation through Laurel Hill Ditch, is set out in the Rogue River Decree on Page 48, Column 2, as follows: "Irrigated: 12 acres in NW1 SW1; 10 acres in SW1 SW1; 11 acres in SE1 SW1; 1 acre in SW1 SE1, Sec. 21; To be irrigated: 4 acres in SW1 SW1; 4 acres in SE1 SW1, Sec. 21, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that they have completed said inchoate right by irrigation to the extent of 41.5 acres, to-wit: 12 acres in NW1 SW1; 14 acres in SW1 SW1; 15 acres in SE1 SW1; 0.5 acre in SW1 SE1, Sec. 21, Tp. 37 S., R. 5 W., W. M. A survey made under the direction of the State Engineer found an irrigated area of only 9.7 acres in SW1 SW1 of said Sec. 21 which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.74 cubic foot per second of water from Applegate River, through Laurel Hill Ditch, with a priority of February, 1892, for the irrigation of 37.2 acres located as follows:

12.0 acres in NW1 SW1
9.7 acres in SW1 SW1
15.0 acres in SE1 SW1
0.5 acre in SW2 SE1
Sec. 21,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon

158.

### Emma Blanchard, c/o Paul Blanchard, Legal Department, Armour & Co., Chicago, Illinois:

Claimant is successor to M. N. Loughridge whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 48, Column 2, under Proof 680, as follows: "Priority 1903; 1.62 second feet; for Irrigation of 81 acres; Swinden & Bunch ditch; Description of place of use: Irrigated: 6 acres in SW1 NW1; 13 acres in NW1 SW1, Sec. 20; 6 acres in SE1 NE1; 6 acres in NE1 SE1, Sec. 19; To be irrigated: 28 acres in SW1 SW1; 8 acres in NW1 SW1, Sec. 20; 4 acres in NE1 SE1; 10 acres in SE1 SE1, Sec. 19, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she asserts a vested right for the irrigation of 31 acres, to-wit: 6 acres in SW1 NW1; 13 acres in NW1 SW1, Sec. 20; 6 acres in SE1 NE1; 6 acres in NE1 SE1, Sec. 19, Tp. 37 S., R. 5 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

Claimant further states that said inchoate right has been completed by irrigation to the extent of 1 acre in NE SET, Sec. 19, Tp. 37 S., R. 5 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 27.6 acres in the land described in claimant's proof, which area will be taken in these findings as the land reclaimed and irrigated in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 0.55 cubic foot per second of water from Applegate River, through Swinden and Bunch Ditch, with a priority of 1903, for the irrigation of:

27.6 acres in that part of the following-described property lying below the Swinden and Bunch Ditch:
Beginning at the SE corner of the SE\$\frac{1}{2}\$ of Sec. 19;
running North 20 chains; East 14 chains; North 10.75
chains; West 7.20 chains; North 20 chains; West 10.10
chains; North 7.50 chains to the river; West 2.90 chains;
South 61 chains; East 5.40 chains to the place of beginning, containing 61.66 acres, more or less, lying and being in Secs. 19 and 20, (SE\$\frac{1}{2}\$ NE\$\frac{1}{2}\$ & NE\$\frac{1}{2}\$ SE\$\frac{1}{2}\$, Sec. 19;
SW\$\frac{1}{2}\$ NW\$\frac{1}{2}\$ & SW\$\frac{1}{2}\$ SW\$\frac{1}{2}\$, NE\$\frac{1}{2}\$ & NE\$\frac{1}{2}\$ SE\$\frac{1}{2}\$, Sec. 19;
SS\$\frac{1}{2}\$ NW\$\frac{1}{2}\$ & SW\$\frac{1}{2}\$ SW\$\frac{1}{2}\$, NE\$\frac{1}{2}\$ & NE\$\frac{1}{2}\$ SE\$\frac{1}{2}\$, Sec. 19;
SS\$\frac{1}{2}\$ NW\$\frac{1}{2}\$ & SW\$\frac{1}{2}\$ SW\$\frac{1}{2}\$, NE\$\frac{1}{2}\$ & NE\$\frac{1}{2}\$ SE\$\frac{1}{2}\$, Sec. 19;
SS\$\frac{1}{2}\$ NW\$\frac{1}{2}\$ & SW\$\frac{1}{2}\$ SW\$\frac{1}{2}\$, NE\$\frac{1}{2}\$ & NE\$\frac{1}{2}\$ SE\$\frac{1}{2}\$, Sec. 19;
SS\$\frac{1}{2}\$ NW\$\frac{1}{2}\$ & SW\$\frac{1}{2}\$ SW\$\frac{1}{2}\$, Oregon

159.

#### J. N. Matney, Ruch, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 48, Column 2, under Proof 681, as follows:

"Priority 1901; 1.6 second feet; for Irrigation of 25 acres, and Domestic use; Offenbacher & O'Brien ditch; Description of place of use: Irrigated, 10 acres in SW1 NW1; 10 acres in SE1 NW1; To be irrigated, 5 acres in SE1 NW1, all in Sec. 29, Tp. 38 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right for domestic use and by irrigation to the extent of 25 acres, to-wit: 10.3 acres in SW1 NW1; 14.7 acres in SE1 NW1, Sec. 29, Tp. 38 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.6 cubic feet per second of water from Applegate River, through Offenbacher and O'Brien Ditch, with a priority of 1901, for domestic use and for the irrigation of 25 acres located as follows:

10.3 acres in Lot 1 (SW2 NW2)
14.7 acres in W3 SE2 NW2
Sec. 29,
Tp. 38 S., R. 3 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

# Emil Gentner, Route 1, Murphy, Oregon:

Claimant is successor to the Estate of J. S. McFadden, Deceased, whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 48, Column 2, under Proof 683, as follows: "Priority Feb., 1899; 1.80 second feet; for Irrigation of 126 acres; North Side ditch; Description of place of use: Irrigated: 4 acres in NE<sub>1</sub> SE<sub>2</sub>; 17 acres in NW<sub>2</sub> SE<sub>2</sub>; 2 acres in SW<sub>2</sub> SE<sub>3</sub>; 3 acres in SE<sub>1</sub> SE<sub>2</sub>, Sec. 27; To be irrigated: 100 acres in Sec. 27; and in SW<sub>2</sub> SW<sub>2</sub>, Sec. 26, all in Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said right has been completed by irrigation to the extent of 51.3 acres, to-wit: 4 acres in SE1 NW1; 2.1 acres in NE1 SW2; 22.3 acres in NW1 SE1; 5.7 acres in SW1 SE1; 6.8 acres in SE1 SE1; 1.2 acres in SW1 NE1; 4.6 acres in NE1 SE1, Sec. 27; 4.6 acres in SW1 SW1, Sec. 26, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom except that in SW1 SW1, Sec. 26, Tp. 37 S., R. 5 W., W. M., an area of 2.5 acres is omitted. This correction is duly noted and accepted by the State Engineer.

Claimant is allowed a right to the use of 0.73 cubic foot per second of water from Applegate River, through the North Side Ditch, with a priority of February, 1899, for the irrigation of 51.3 acres located as follows:

```
Sec. 26;

1.2 acres in SW1 NE1

4.0 acres in SE1 NE1

2.1 acres in NE1 SE1

4.6 acres in NE2 SE2

22.3 acres in NW1 SE2

5.7 acres in SW1 SE2

6.8 acres in SE1 SE1

Sec. 27,

Tp. 37 S., R. 5 W., W. M.,

Josephine County, Oregon,
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being the full amount claimed in the proof.

161.

## Murphy Ditch Co., Grants Pass, Oregon:

Under the Rogue River Decree, the above-named Murphy Ditch Co., a corporation, was allowed an inchoate right to the use of water from the Applegate River which is set out on Page 48, Column 2, under Proof 687, as follows: "Priority 1902; 17.38 second feet; for Irrigation of 868.90 acres; Murphy ditch; Lands actually irrigated under ditch aggregate 458 acres; to be irrigated 410.9 acres." This is followed by a list of landowners and descriptions of land irrigated and to be irrigated by each.

Proofs have been submitted by persons, firms, and corporations under the foregoing inchaste right allowed the Murphy Ditch Co., claiming water from the Applegate River through Murphy Ditch for the irrigation of 544.72 acres. The several rights allowed herein to the claimants submitting said proofs aggregate 10.38 cubic feet per second for the irrigation of 519.22 acres. Following are statements of claims contained in said proofs, together with the lands owned and irrigated by each claimant under the above inchaste right and the rights allowed thereon.

162.

# Wilhelmina T. Perry, Route 3, Grants Pass, Oregon:

Claimant's land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River through the Murphy Ditch for irrigation, is set out in the Rogue River Decree on Page 48, Column 2, as follows: "Irrigated, 4 acres; 4 acres in NW4 NW4; To be irrigated, 43 acres; 20 acres in NW4 NW4, Sec. 19; 4 acres in NE4 NE4; 19 acres in SE4 NE4, Sec. 24, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that she has completed said inchoate right by irrigation to the extent of 14.9 acres, to-wit: 7.8 acres in NW1 NW1, Sec. 19, Tp. 37 S., R. 5 W., W. M.; 3.9 acres in NE1 NE1; 3.2 acres in SE1 NE1, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

It appears from the above that the decree shows Sec. 24 to be located in Tp. 37 S., R. 5 W., W. M. This is an obvious error as the Murphy Ditch does not irrigate that section, while Sec. 24, Tp. 37 S., R. 6 W., W. M., adjoins Sec. 19, Tp. 37 S., R. 5 W., W. M., and is irrigated from said ditch. It is recommended, therefore, that the right allowed Mrs. Wilhelmina T. Perry to the use of water from the Applegate River, through the Murphy Ditch, as set out in the Rogue River Decree on Page 48, Column 2, be corrected to read "Irrigated, 4 acres; 4 acres in NW\(\frac{1}{2}\) NW\(\frac{1}{2}\); To be irrigated, 43 acres; 20 acres in NW\(\frac{1}{2}\) NW\(\frac{1}{2}\), Sec. 19, Tp. 37 S., R. 5 W. W. M.; 4 acres in NE\(\frac{1}{2}\) NE\(\frac{1}{2}\); 19 acres in SE\(\frac{1}{2}\) NE\(\frac{1}{2}\), Sec. 24, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant is allowed a right to the use of 0.30 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 14.9 acres located as follows:

7.8 acres in NW1 NW2

Sec. 19,

Tp. 37 S., R. 5 W., W. M.

3.9 acres in NE1 NE2

3.2 acres in SE1 NE2

Sec. 24,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof with description amended to conform with the abovestated recommendation.

#### Oscar D. Boyer, Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in the Rogue River Decree on Page 48, Columns 2 and 3, as follows: "Irrigated, 93 acres; 20 acres in SW1 NE1; 25 acres in NE1 NW1; 15 acres in NW1 SE1; 33 acres in SE1 NW1; To be irrigated, 60 acres; 16 acres in SW1 NE1; 23.2 acres in NW1 SE1; 5.7 acres in SE1 NW1; 15 acres in NE1 NW1; all in Sec. 24, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 6.8 acres in NW1 SE1, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.14 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

6.8 acres in SW NW SE Sec. 24,
Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

164.

#### F. A. J. Gallwas, c/o C. J. Hopper, Route 3, Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co., are set out in Paragraph 163 supra.

Claimant has submitted proof by C. J. Hopper which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof, claimant states that said inchoate right has been completed by irrigation to the extent of 9 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.18 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

Modified M.6. 9.52A

Decree 12: 9 acre
road

9 acres in (that part of NE NW1, (lying North of the county road) described as follows:
Beginning 604 feet South of N1 corner of Sec. 24; running South 554 feet to North line of county road; thence on North line of road North 46° 52' West 58.4 feet; North 17° 44' West 175.9 feet; North 47° 12' West 157 feet; North 42° 38' East 329.4 feet to beginning, containing 1.29 acres; and all that part of the SE1 NE1 NW2, lying South of the county road, containing 8.0 acres, more or less, except right of way for road 15 feet wide along the West side; Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

165.

# Cecil Zina Gimmestad (Administratrix of Estate of Georgietta G. McCain, Deceased), Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimant has submitted proof wherein it is stated that said inchoate right has been completed by irrigation to the extent of 7 acres in SE1 NW1, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the land irrigated therefrom.

Claimant is allowed a right to the use of 0.14 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

7 acres in SW: SE: NW: Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

166.

#### Mikkel Gimmestad and Cecil Gimmestad, Route 3, Grants Pass, Oregon:

Claimants are successors in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 25.1 acres, to-wit: 9.6 acres in SW\(\frac{1}{4}\) NE\(\frac{1}{4}\); 0.2 acre in NW\(\frac{1}{4}\) NE\(\frac{1}{4}\); 7.3 acres in SW\(\frac{1}{4}\) NE\(\frac{1}{4}\); 8.0 acres in NW\(\frac{1}{4}\) SE\(\frac{1}{4}\), Sec. 24, Tp. 37 S., R. 6 W., W. M. A survey made in 1936 under the direction of the State Engineer found an irrigated area of 7 acres in NW\(\frac{1}{4}\) SE\(\frac{1}{4}\), Sec. 24, and not 8 acres as claimed in the proof. Claimants state that one

acre was washed out in a flood in 1927. For said one acre no allowance is made for the reason that it does not appear to be in such condition that beneficial use of water can be made thereon as contemplated in the decree. Said survey further found an irrigated area of only 6.3 acres in SE SW NET, Sec. 24, Tp. 37 S., R. 6 W., W. M., which will be considered in these findings as the areas reclaimed and irrigated in so far as the tracts in question are concerned.

Claimants are allowed a right to the use of 0.46 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 23.1 acres located as follows:

0.2 acre in that part of SW1 NW1 NE1
lying South of Murphy road;
6.3 acres in SE1 SW1 NE1
9.6 acres in NW1 SW1 NE1
7.0 acres in NW2 NW1 SE1
Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon

167.

## C. J. Hopper, Route 3, Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 16.5 acres in NET NWT, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.33 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 16.5 acres located and described as follows:

9.5 acres in that part of NET NWT Sec. 24,

described as follows:
Beginning at a point in the middle of the county road on
the North line of Sec. 24, Tp. 37 S., R. 6 W., W. M., 131
feet East of the NW corner of the NEt NWt of said section;
running thence in a Southeasterly direction along the middle
of said county road a distance of 1,250 feet; thence Northeasterly 395 feet to a point on the line between the NWt and
NEt of said section a distance of 542 feet from the North
line of said section; thence North 542 feet to the North line
of said section; thence West along said North line 1,189 feet
to the place of beginning, containing 13 acres, more or less;

1.0 acre in that part of NE NW Sec. 24,

described as follows:
Beginning at the SE corner of the NW NET NW of Sec. 24,
Tp. 37 S., R. 6 W., W. M.; thence East 240 feet to the middle
of the county road; thence Northwesterly along the middle of

the county road to a point where said road intersects the North and South line between the NW1 NE1 NW1 and NE1 NE1 NW1 of the said section; thence South to the place of beginning containing one acre, more or less;

6.0 acres being the South 6 acres of the SW NE NE NW Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

168.

## Clark B. Knapp, 6950 De Celis Place, Van Nuys, California:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co., are set out in Paragraph 163 supra.

Claiment has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In his proof, claimant states that said inchoate right has been completed by irrigation to the extent of 9.8 acres in NW1 SE1 NW1, Sec. 24, Tp. 37 S., R. 6 W., W. M.

Claimant is allowed a right to the use of 0.19 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

9.8 acres in NW SE NW Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

169.

# Louis Listmann, 1720 Hopkins Street, Oakland, California:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated incheate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 15.9 acres, to-wit: 7.2 acres in SW1 NE1; 8.7 acres in SE1 NW1, Sec. 24, Tp. 37 S., R. 6 W., W. M.

Claimant is allowed a right to the use of 0.32 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 15.9 acres located as follows:

7.2 acres in SW SW NET
8.7 acres in SET SET NW
Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

170.

## Charles McDonald, Route 3, Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 9.8 acres in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.20 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

9.8 acres in NE SE NW Sec. 24, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

171.

#### E. L. Rightmier, Route 3, Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 16.3 acres, to-wit: 7.8 acres in SWI NEI; 8.5 acres in NWI SEI, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.33 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 16.3 acres located as follows:

7.8 acres in NET SWT NET 8.5 acres in SET NWT SET Sec. 24, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon,

#### W. O. Sharp, Route 3, Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 3 acres in NW<sub>4</sub> SE<sub>4</sub>, Sec. 24, Tp. 37 S., R. 6 W., W. M. He also asserts a vested right for the irrigation of 5.2 acres in said NW<sub>4</sub> SE<sub>4</sub>, Sec. 24. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Regue River Decree which includes only inchoate rights.

A survey made in 1936 under the direction of the State Engineer found an irrigated area of 6.2 acres in NET NWT SET and not 8.2 acres as claimed in the proof, of which claimant states that 2 acres were washed out in a flood. For said 2 acres no allowance is herein made for the reason that it does not appear to be in such condition that beneficial use of water can be made thereon as contemplated in the Rogue River Decree.

Claimant is allowed a right to the use of 0.12 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

6.2 acres in NET NW SEL Sec. 24, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon

173.

#### Elsie Woodard, Route 3, Grants Pass, Oregon:

Claimant is successor in part to the Madrona Land Co. whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 163 supra.

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 11.12 acres in NEt NWt, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.22 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

11.12 acres in that part of Wa NET NWT Sec. 24,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

lying South of the county road and North of the South 6 acres of the SWT NET NWT of said Sec. 24,

### Edward Gibson and Josephine Gibson, Route 3, Grants Pass, Oregon:

Claimants are successors to Josephine Messinger whose land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 34 acres; 34 acres in NW1 NW1; To be irrigated, 6 acres; 6 acres in NW1 NW1; All in Sec. 24, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 39.2 acres in NW<sub>2</sub> NW<sub>2</sub>, Sec. 24, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.78 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

39.2 acres in NW1 NW1 Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

175.

# John Lawless, Route 2, Grants Pass, Oregon:

Claimant is successor to Emil Rutishauser whose land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 18 acres; 8 acres in SW1 NW1, Sec. 24; 10 acres in SW1 SW1, Sec. 13, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for irrigation to the extent of 18 acres, to-wit: 10 acres in SWL SWL, Sec. 13; 8 acres in SWL NWL, Sec. 24, Tp. 37 S., R. 6 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

A survey made under the direction of the State Engineer found an irrigated area of only 9.4 acres in SW1 SW2, Sec. 13, and 8 acres in SW1 NW1, Sec. 24, Tp. 37 S., R. 6 W., W. M., which will be considered in these findings as the area reclaimed and irrigated in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 0.35 cubic foot per second of water from Applegate River, through Murphy Ditch, with a pricrity of 1902, for the irrigation of 17.4 acres located as follows:

9.4 acres in that part of SW1 SW2 Sec. 13,

Tp. 37 S., R. 6 W., W. M.,

described as follows:

Beginning at SW corner of said Sec. 13; thence East 60 rods;

North 1 rod; Northwesterly in a straight line 79.3 rods to
a point on the West line of Sec. 13; South 52 rods to point
of beginning;

8.0 acres in that part of SW NW NW lying North of the Applegate River Sec. 24,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon

176.

## O. V. and Vada E. Humrick, Route 3, Grants Pass, Oregon:

Claimants are successors to H. S. Wynant whose land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from Applegate River, is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 15 acres; 15 acres in NW1 NW1, Sec. 13; To be irrigated, 55 acres; 25 acres in NW1 NW1, Sec. 13; 30 acres in SW1 SW1, Sec. 12, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof claimants state that said inchoate right has been completed by irrigation to the extent of 15 acres in NW<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>2</sub>, Sec. 13, Tp. 37 S., R. 6 W., W. M. Claimants also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found that no land is reclaimed and irrigated in said  $NW_4^1$ ,  $NW_4^1$ , Sec. 13, Tp. 37 S., R. 6 W., W. M., and no allowance will be made herein therefor.

177.

# Tony Silva and Isabel Silva, Route 2, Box 75, Grants Pass, Oregon:

Claimants are successors to W. H. Parkey whose land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 87½ acres; 8½ acres in NE½ SW½; 27 acres in NW½ SW½; 30 acres in SW½ SW½; 22 acres in SE½ SW½, Sec. 13, Tp. 37 S., R. 6 W. W. M.; To be irrigated, 58½ acres; 18 acres in SE½ SW½; 31½ acres in NE½ SW½; 9 acres in NW½ SW½, Sec. 13, Tp. 37 S., R. 6 W. W. M.,

Josephine County, Oregon."

Claimants have submitted proof wherein they assert a vested right for the irrigation of 87.5 acres, to-wit: 8.5 acres in NE<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>2</sub>; 27 acres in NW<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>2</sub>; 30 acres in SW<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>2</sub>; 22 acres in SE<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>2</sub>, Sec. 13, Tp. 37 S., R. 6 W., W. M. In this the claimants are in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimants further state that the above inchoate right has been completed by irrigation to the extent of 1.9 acres, to-wit: 0.1 acre in NE<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>2</sub>; 1.8 acres in NW<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>2</sub>, Sec. 13, Tp. 37 S., R. 6 W., W. M.

Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of only 28.8 acres in SW SW and 20.2 acres in SE SW, Sec. 13, Tp. 37 S., R. 6 W., W. M., which will be considered in these findings as the area reclaimed and irrigated in so far as the tracts in question are concerned.

Claimants are allowed a right to the use of 1.73 cubic feet per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 86.4 acres located as follows:

8.6 acres in NEt SW.

28.8 acres in NWt SW., except the following-described land:
Beginning 12 rods South of the NW corner of the SW. of
Sec. 13; thence South 40 rods; thence East 10 rods; thence
North 8 rods; thence East 3 rods; thence North 32 rods;
thence West 13 rods to the point of beginning;

28.8 acres in SM1 SM2, except the following-described land:
Beginning at the SW corner of Sec. 13, Tp. 37 S., R. 6 W.,
W. M.; running thence North 52 rods; thence Southeasterly
a distance of 79.3 rods to a point 60 rods East along the
South line of Sec. 13 and 1 rod North thereof; thence South
1 rod to said South line of Sec. 13; thence West along said
line a distance of 60 rods to the point of beginning, containing 10 acres, more or less;

20.2 acres in SE<sub>2</sub> SW<sub>2</sub>
Sec. 13,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon

178.

#### D. M. Langworthy, Route 3, Grants Pass, Oregon:

Claimant is successor in part to W. H. Parkey whose lands, covered by the abovestated inchoate right of the Murphy Ditch Co., are set out in Paragraph 177 next preceding.

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof claimant states that said inchoate right has been completed by irrigation to the extent of 2.2 acres in NW1 SW1, Sec. 13, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.04 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

2.2 acres in that part of NW SW SW described as follows:

Beginning 12 rods South of the NW corner of the SW of Sec. 13; running thence South along section line 32 rods to NW corner of the land conveyed to School District 12; thence East 13 rods; thence North 32 rods; thence West 13 rods to place of beginning,

Sec. 13,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

179.

## Julia Lawless, Route 1, Box 20, Grants Pass, Oregon:

Claimant is successor to John Lawless whose land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 4 acres; 4 acres in NE<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>2</sub>, Sec. 23; To be irrigated, 36 acres; 3 acres in NE<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>2</sub>; 20 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 23; 13 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 24, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 7 acres in No No. 1 No. 2, Sec. 23, Tp. 37 S., R. 6 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of only 6.5 acres in No No No No. 1 No.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

6.5 acres in No No NE NE NE NE Sec. 23, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon

180.

# D. M. Langworthy, Route 3, Grants Pass, Oregon:

Claimant's land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River through Murphy Ditch for irrigation, is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 5 acres; 5 acres in NET NET, Sec. 23; To be irrigated, 8 acres; 8 acres in NET NET, Sec. 23, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant is allowed a right to the use of 0.19 cubic foot per second of water from the Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

9.6 acres in the South 30 acres of NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 23, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

181.

## J. L. Helms, Route 2, Grants Pass, Oregon:

Claimant is successor in part to James W. Warner whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 37 acres; 2 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 35 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 14; To be irrigated, 42 acres; 38 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 4 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 14, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 56.9 acres, to-wit: 20 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 36.9 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 14, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.14 cubic feet per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 56.9 acres located as follows:

being the full amount claimed in the proof.

(For allowance made claimant for the use of water from the Applegate River through Red Bluff Ditch, see Paragraph 210 infra.)

(For allowance made claimant for the use of water from the Applegate River through Jess Ditch, see Paragraph 192 infra.)

## Otis A. Kapsa and Myrtle Kapsa, 553 West 6th Street, Eugene, Oregon:

Claimants are successors in part to James W. Warner whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 181 next preceding.

Claimants are also successors in part to R. L. Coe whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 1343 acres; 22 acres in SE1 NE1; 81 acres in NE1 NE1; 28 acres in NW1 SE1; 40 acres in NE2 SE1; 36 acres in SE1 SE1, Sec. 14; To be irrigated, 49.5 acres; 18 acres in SE1 NE1; 313 acres in NE2 NE2; Sec. 14, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 56.4 acres, to-wit: 8.5 acres in NE<sub>2</sub> NE<sub>2</sub>; 34.1 acres in SE<sub>2</sub> NE<sub>2</sub>; 1.0 acre in SW<sub>2</sub> NE<sub>2</sub>; 12.8 acres in NW<sub>2</sub> SE<sub>2</sub>, Sec. 14, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom except for an area in NE<sub>2</sub> NE<sub>2</sub> which claimants state should be 8.5 acres instead of 2.5 acres found by said survey. The additional area claimed is in brush and trees and is not reclaimed and irrigated as contemplated by the Rogue River Decree. Said survey also found an irrigated area of only 23.1 acres in SE<sub>2</sub> NE<sub>2</sub> and 1 acre in a strip of land owned by the claimants in SW<sub>2</sub> NE<sub>2</sub>, Sec. 14, which areas will be considered in these findings as the areas reclaimed and irrigated in so far as the tracts in question are concerned.

Claimants are allowed a right to the use of 0.79 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 39.4 acres located as follows:

2.5 acres in NEt NEt
1.0 acre in that part of SW1 NEt
described as follows:

Beginning at the SE corner of SW NEL, Sec. 14, Tp. 37 S., R. 6 W., W. M., and running thence West 4 rods; thence North 40 rods to a bank or bluff; thence East 4 rods to the East line of SW NEL of said Sec. 14; thence South 40 rods to the place of beginning, containing one acre, more or less;

23.1 acres in SE NE

12.8 acres in that part of NW SE described as follows:

Beginning at the NE corner of NW SE SE, Sec. 14, Tp. 37 S., R. 6 W., W. M., and running thence South 509.5 feet to the NE corner of the tract of land now or formerly owned by J. H. Shawl; thence West a distance of 977.0 feet to the Easterly bank of the Applegate River; thence Northwesterly along the bank of said river to the East and West quarter section line; thence East along said quarter section line 1,116.0 feet to an iron pipe at place of beginning,

Sec. 14, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon

#### H. E. Haefner, 4242 N. E. Failing Street, Portland, Oregon:

Claimant is successor in part to R. L. Coe whose lands, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, are set out in Paragraph 182 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 86.2 acres, to-wit: 39.6 acres in NEI SEI; 12 acres in NWI SEI; 34.6 acres in SEI SEI, Sec. 14, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.72 cubic feet per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 86.2 acres located as follows:

39.6 acres in NE½ SE½

12.0 acres in that part of NW½ SE½

described as follows:

Beginning at the SE corner of the NW½ SE½, Sec. 14, Tp.

37 S., R. 6 W., W. M.; thence North parallel to section

line 818 feet; thence West parallel to East and West

quarter section line 977 feet to the bank of the Apple
gate River; thence Southeasterly along said bank to the

South line of NW½ SE½; thence East 266 feet to the point

of beginning;

34.6 acres in SE½ SE½

Sec. 14,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

184.

### Otis A. Kapsa and Myrtle Kapsa, 553 West 6th Street, Eugene, Oregon:

For right allowed claimants as successors to R. L. Coe, see Paragraph 182 supra.

185.

## W. C. Lucore, Route 3, Box 740, Grants Pass, Oregon:

Claimant is successor to Lavina E. Bull whose land, covered by the above-stated inchoate right of the Murphy Ditch Co., is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 12 acres in SW2 NW2, Sec. 14, Tp. 37 S., R. 6 W. W. M.; To be irrigated, 25 acres; 5 acres in NW2 NW2; 20 acres in SE2 NW2, Sec. 14, Tp. 37 S., R. 6 W. W. W. W. M., Josephine County, Oregon."

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and which is set out in Paragraph 4 supra. In his proof, claimant states that said

inchoate right has been completed by irrigation to the extent of 8.5 acres in SW1 NW1, Sec. 14, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of:

8.5 acres in SW1 NW1 Sec. 14,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

186.

# W. C. Weaver, Route 2, Box 552, Grants Pass, Oregon:

Claimant is successor to L. D. Cole whose land, covered by the above-stated inchoate right of the Murphy Ditch Co. to the use of water from the Applegate River for irrigation through Murphy Ditch, is set out in the Rogue River Decree on Page 48, Column 3, as follows: "Irrigated, 14 acres; 9 acres in NEI NWI; 5 acres in SEI NWI, Sec. 14; To be irrigated, 21 acres in NEI NWI; 7 acres in NWI, Sec. 14, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 20.9 acres, to-wit: 16 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 4.9 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 14, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said map shows an irrigated area of only 4.5 acres in that part of the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Sec. 14 owned by the claimant which will be used as a basis for the rights allowed herein in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.41 cubic foot per second of water from Applegate River, through Murphy Ditch, with a priority of 1902, for the irrigation of 20.5 acres located as follows:

16.0 acres in NE NW 1

4.5 acres in NW 1 NW 2

except a parcel of land commencing at the SW corner of the NW 1 NW 2, Sec. 14; thence East 751 feet; thence North 165 feet; thence West 751 feet; thence South 165 feet to the point of beginning,

Sec. 14,

Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon

#### E. J. Brown, Applegate, Oregon:

Claimant is successor to J. C. and Matilda Grubb whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 48, Column 3, under Proof 691, as follows: "Priority 1906; 3.33 second feet for Irrigation of 1662 acres; New Berryman ditch; Description of place of use: Irrigated, 513 acres; 52 acres in SW2 NE2; 17 acres in SE2 NW2; 20 acres in NE2 SW2; 9 acres in NW2 SE2; To be irrigated, 115 acres; 27 acres in SW2 NE2; 6 acres in SE2 NW2; 6 acres in NE2 SW2; 5 acres in NW2 SW2; 24 acres in NE2 SE2; 17 acres in NW2 SE2, Sec. 22, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant's predecessors, J. C. and Matilda Grubb, were also allowed a vested right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 22, Column 3, as follows: "Priority 1894; 1.03 second feet; for Irrigation of 51% acres, and Stock use; New Berryman ditch; Description of place of use: 5% acres in SW NE; 17 acres in SE; NW; 20 acres in NE; SW; 9 acres in NW; SE; Sec. 22, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said incheate right has been completed by irrigation to the extent of 115 acres, to-wit: 27 acres in SW1 NE1; 22 acres in SE1 NW1; 6 acres in NE1 SW1; 17 acres in NW1 SE1; 6 acres in SE1 NE2; 8 acres in SW1 NW1; 5 acres in NW1 SW2; 24 acres in NE1 SE1, Sec. 22, Tp. 38 S., R. 4 W., W. M.

Claimant does not accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 129.7 acres, to-wit: 18.5 acres in SW1 NE1; 34 acres in SE1 NW1; 31 acres in NE1 SW1; 30.7 acres in NW1 SE1; no acres in SE1 NE1; 3 acres in SW1 NW2; 0.5 acre in NW1 SW1; 12 acres in NE1 SE1, Sec. 22, Tp. 38 S., R. 4 W., W. M., which, in the absence of further evidence to substantiate claimant's claim, will be considered in these findings as the areas reclaimed and irrigated in so far as the tracts in question are concerned.

To the extent of 51.5 acres; namely, 5.5 acres in SW2 NE2; 17 acres in SE2 NW2; 20 acres in NE2 SW2, and 9 acres in NW2 SE2, Sec. 22, Tp. 38 S., R.4 W., W. M., the foregoing tracts are covered by the above-stated vested right and allowance will be made herein only for the remaining areas in said tracts which were found to be reclaimed and irrigated by the survey made under the direction of the State Engineer.

Claimant is allowed a right to the use of 1.56 cubic feet per second of water from Applegate River, through New Berryman Ditch, with a priority of 1906, for the irrigation of:

78.2 acres in that part of D.L.C. 38, lying East of Thompson Creek and South of the Applegate River, (13 acres in SW1 NET; 3 acres in SW1 NW1; 17 acres in SE1 NW1; 11 acres in NET SW1; 0.5 acre in NW1 SW1; 12 acres in NET SE1; 21.7 acres in NW1 SE1)

Sec. 22,

Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

with description amended to conform with the United States land survey.

188.

## Finley Brcs. (D. H. Finley and Francis Finley), Murphy, Oregon:

Claimants were allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 49, Column 1, under Proof 692, as follows: "Priority 1906; 1.97 second feet; for Irrigation of 98% acres, and Stock; New Berryman ditch; Description of place of use: Irrigated, 62 acres; 35 acres in SW NE%; 19% acres in SE% NE%; 5 acres in NE% SE%; To be irrigated, 36% acres; 4 acres in SW NE%; 15% acres in SE% NE%; 2 acres in NW SE%; 15 acres in NE% SE%, Sec. 18, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that they have completed said inchoate right for stock use and for irrigation to the extent of 96.6 acres, to-wit: 38.7 acres in SW1 NE1; 33.2 acres in SE1 NE1; 5.4 acres in NW1 SE1; 19.3 acres in NE1 SE1, Sec. 18, Tp. 38 S., R. 4 W., W. M. Claimants also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 1.93 cubic feet per second of water from Applegate River, through New Berryman Ditch, with a priority of 1906, for stock use and for the irrigation of 96.6 acres located as follows:

38.7 acres in SWI NED
33.2 acres in SEI NED, except the Ed SEI SEI NED
19.3 acres in NED SEI, except the Ed Ed
5.4 acres in NWI SEI
Sec. 18,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof. The incheate rights which are found to be completed herein are fixed to conform with the irrigated areas as explained in Paragraph 7.

189.

#### Hattie F. Foerst, Murphy, Oregon:

Claimant is successor to George H. Foerst whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 1, as follows:

"Priority 1906; 0.30 second foot; for Irrigation of 15 acres; New Berryman ditch; Description of place of use: Irrigated, 3 acres; 3 acres in NET SET; To be irrigated, 12 acres; 7 acres in NET SET; 5 acres in SET NET, Sec. 18, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant is also successor to August Rehkopf whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Columns 2 and 3, under Proof 693, as follows: "Priority 1906; 1.61 second feet; for Irrigation of 80% acres, and Stock use; New Berryman ditch; Description of place of use: Irrigated, 14 acres in Swit NWit; 1 acre in NW: SW: 12 acres in NEt SW: 72 acres in SEt SW:, Sec. 17, Tp. 38 S., R. 4 W. W. M.; To be irrigated, 3 acres in SW1 NW1; 3 acres in NE1 SW2; 38 acres in NW1 SW2; 10 acres in SW1 SW2; 22 acres in SE SW2, Sec. 17, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon.

Claimant has submitted proof wherein she states that said inchoate rights have been completed for stock use and by irrigation to the extent of 34 acres, to-wit: 10 acres in NE4 SE4; 5 acres in SEt NEt, Sec. 18; 3 acres in SWt NWt; 16 acres in NWt SWt, Sec. 17, Tp. 38 S., R. 4 W., W. M.

A survey made under the direction of the State Engineer found an irrigated area of only 4.8 acres in SE NEt, Sec. 18, Tp. 38 S., R. 4 W., W. M., which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

The claimant is allowed a right to the use of 0.68 cubic foot per second of water from Applegate River, through New Berryman Ditch, with a priority of 1906, for the irrigation of 33.8 acres located and described as follows:

> 3.0 acres in that part of SW NW and 16.0 acres in that part of NW SW Sec. 17,

described as follows: Beginning at quarter section between Secs. 17 and 18, Tp. 38 S., R. 4 W., W. M.; thence South 20 chains to the sixteenth corner; thence East along sixteenth line 7.65 chains to a pipe for a corner; thence North 20.83 chains to the center of the county road to a pipe for a corner; thence along the county road in a Northwesterly course 9.25 chains, more or less, to the line between Secs. 17 and 18 to an iron pipe for a corner; thence South on said section line 6.55 chains, to the place of beginning; 4.8 acres in E2 SE2 SE2 NE2 10.0 acres in E2 E2 NE2 SE2

Sec. 18,

Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon

Claimant also is allowed a right to the use of water from Applegate River, through the New Berryman Ditch, with a priority of 1906, for stock use. Said right is appurtenant to the 3 acres in SW and 16 acres in NW SW, Sec. 17, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon, described above.

## River Banks Farm, c/o Forbes W. Fosbery, Route 3, Grants Pass, Oregon:

Claimant is successor to Leonard Orchards Co. whose inchoate rights to the use of water from the Applegate River are set out in the Rogue River Decree on Page 49, Column 1, under Proof 702, as follows: "Priority Feb., 1898; 14.00 second feet; for Irrigation of 840 acres, and Stock; Miller ditch; Description of place of use: Irrigated, 380 acres; 40 acres in SW1 NE1; 40 acres in SE2 NW1; 10 acres in NW1 SW2; 80 acres in W2 SE2; 10 acres in SE1 NE2; 40 acres in NE2 SW2; 35 acres in NE2 SE2; 35 acres in SE2 SE2; 5 acres in NE2 NW2; 10 acres in SW2 NE2; 10 acres in NW2 NW2; 10 acres in NW2 SW2; 5 acres in NW2 NW2; 5 acres in NW2 SW2; 5 acres in NW2 SW2; 5 acres in SW2 SW2; 5 acres

Priority Jan., 1909; 5.34 second feet; for Irrigation of 320 acres; Miller ditch;

Description of place of use: Irrigated, 35 acres; 20 acres in SE½ SW½, Sec. 19; 10 acres in NW½ SE½; 5 acres in NE½ NW½, Sec. 30, Tp. 36 S., R. 6 W. W. M.; To be irrigated, 285 acres;

40 acres in SW½ SW½; 20 acres in SE½ SW½, Sec. 19; 30 acres in NW½ SE½; 35 acres in NE½ NW½;

40 acres in NW½ NW½, Sec. 30, Tp. 36 S., R. 6 W. W. M.; 80 acres in E½ SE½; 40 acres in NE½ NE½,

Sec. 24, Tp. 36 S., R. 7 W. W. M., Josephine County, Oregon.

On December 12, 1921, the above rights were amended by order of the State Water Board as set out in Special Order Record of the State Engineer, Volume 1, Page 23, as follows:

consideration at this time, and it appearing that by decree of the Circuit Court for Jackson County dated April 26, 1919, the Leonard Orchards Company, predecessor of the petitioner herein, was awarded water rights from Applegate River (page 49, column 1); that through error an excessive acreage was allowed water rights in certain sub-divisions, while other sub-divisions were not allowed sufficient rights; and that the record should therefore be corrected: NOW, THEREFORE, it is hereby ORDERED that the waters awarded to 5 acres in the SEL NEL of Section 19, T 36 S. R. 6 W. under date of 1898, may be applied to the NWL NEL of said section; that the waters awarded to 5 acres in the NEL NWL of Section 30, T 36 S. R. 6 W under date of 1909, may be applied to the SWL NEL of said section; and that the waters awarded to 15 acres in the NWL SEL of Section 30, T 36 S. R. 6 W., under date of 1898, may be applied to the SWL SEL of Section 30, T 36 S. R. 6 W., under date of 1898, may be applied to the SWL SEL of Section 30, T 36 S. R. 6 W., under date of 1898, may be applied to the SWL SEL of Section 24, T 36 S. R. 7 W W. M.

In so far as the tracts in question are concerned, the findings herein are based on the foregoing special order and it is recommended that said special order be approved.

Claimant has submitted proofs wherein it asserts a vested right under priority date of February, 1898, for stock use and for the irrigation of 385.2 acres and claims that an inchaste right has been completed under said priority date of 1898 for stock use and for irrigation to the extent of 184.6 acres located as follows: 40 acres (vested) in SWI NEI;

40 acres (vested) in SEL NWL; 10 acres (vested), 27.3 acres (inchoate) in NWL SWL; 40 acres (vested) in NWL SEL; 39.1 acres (vested) in SWL SEL; 10 acres (vested) in SEL NEL; 39.1 acres (vested) in NEL SWL; 35 acres (vested) in NEL SEL; 15.4 acres (inchoate) in NWL NWL; 35 acres (vested) in SEL SEL; 14.2 acres (inchoate) in NEL NWL; 38.3 acres (inchoate) in SWL NWL, Sec. 19; 25 acres (vested) in NEL NEL; 10 acres (vested), 5 acres (inchoate) in SWL NEL; 37 acres (vested) in NWL NEL; 10 acres (vested), 4.2 acres (inchoate) in NWL SEL; 10 acres (vested) in NEL NWL; 22.6 acres (inchoate) in SEL NWL; 5 acres (vested), 1.8 acres (inchoate) in NEL SWL, Sec. 30, Tp. 36 S., R. 6 W., W. M.; 12.4 acres (inchoate) in NEL NEL; Sec. 25; 36.1 acres (inchoate) in SEL NEL; 0.4 acre (inchoate) in SWL NEL; 6.9 acres (inchoate) in NWL SEL; 2.2 acres (inchoate) in SWL SEL; Sec. 24, Tp. 36 S., R. 7 W., W. M.

Claimant has also submitted proofs wherein it asserts a vested right under priority date of January, 1909, for the irrigation of 20 acres and claims that an inchoate right has been completed under said priority date of January, 1909, for irrigation to the extent of 213.5 acres located as follows: 20 acres (vested), 18.2 acres (inchoate) in SE SW1; 37.2 acres (inchoate) in SW1 SW2, Sec. 19; 29 acres (inchoate) in NE1 NW2; 24 acres (inchoate) in NW1 NW2, Sec. 30, Tp. 36 S., R. 6 W., W. M.; 32.6 acres (inchoate) in NE2 NE2; 39.5 acres (inchoate) in NE2 SE2; 33 acres (inchoate) in SE2 SE3; Sec. 24, Tp. 36 S., R. 7 W., W. M.

The claimant is in error in claiming the above as vested rights in that they were all allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

Claimant in the proofs also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. The areas found irrigated by said survey are considered in these findings as the areas reclaimed and irrigated under and in accordance with the Rogue River Decree and are taken as the basis for the allowance made herein.

Claimant is not allowed herein a right under the above-stated inchoate rights to the use of water from the Applegate River under dates of priority of February, 1898, and January, 1909, for the irrigation of the following lands set out in the proofs: 12.6 acres in NW1 NW1; 22.3 acres in SW1 NW1; 5.8 acres in NW1 SW1, Sec. 19, Tp. 36 S., R. 6 W., W. M., and 16.5 acres in NE1 SE1; 32.6 acres in NE1 NE2, Sec. 24, Tp. 36 S., R. 7 W., W. M. It appears from the proofs that the foregoing lands were not irrigated until 1927 which does not constitute a completion of the inchoate right here in question.

Claimant is allowed a right to the use of 7.67 cubic feet per second of water from Applegate River, through Miller Ditch, with a priority of February, 1898, for stock use and for the irrigation of 460.4 acres located as follows:

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3.0 acres in Lot 3 (NW NE)
37.2 acres in SW NE
 5.4 acres in Lot 2 (SEt NEt)
14.2 acres in NET NWA
2.8 acres in NWA NWA
16.0 acres in SW: NW
40.0 acres in SET NWA
39.1 acres in NET SWA
31.5 acres in NWA SWA
24.2 acres in NE SE
40.0 acres in NW SE
35.9 acres in SEL SEL
                    Sec. 19;
21.0 acres in NET NET 37.0 acres in NWE NET
15.0 acres in SW2 NE
 5.0 acres in NE NW
22.6 acres in SEt NY
 6.8 acres in No NE SM
10.0 acres in Ha NW SE
                    Sec. 30,
      Tp. 36 S., R. 6 W., W. M.
 2.2 acres in SWE SEE
                    Sec. 24;
12.4 acres in NET NE
      Sec. 25,
Tp. 36 S., R. 7 W., W. M.,
      Josephine County, Oregon
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Claimant is also allowed a right to the use of 3.28 cubic feet per second of water from Applegate River, through Miller Ditch, with a priority of January, 1909, for the irrigation of 196.6 acres located as follows:

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37.2 acres in SWI SWI
38.2 acres in SEI SWI
Sec. 19;
3.0 acres in SWI NEI
34.0 acres in NEI NWI
24.0 acres in NWI NWI
4.2 acres in NI NWI SEI
Sec. 30,
Tp. 36 S., R. 6 W., W. M.
23.0 acres in SEI SEI
33.0 acres in SEI SEI
Sec. 24,
Tp. 36 S., R. 7 W., W. M.,
Josephine County, Oregon
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191.

#### John H. Letteken, Provolt, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 49, Column 2, under Proof 690, as follows:

"Priority 1906; 0.25 second foot; for Irrigation of 12% acres; New Berryman ditch; Description of place of use: Irrigated, 10 acres; 10 acres in SE; NW; To be Irrigated, 2% acres; 2% acres in SE; NW; Sec. 18, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

82447

Claiment has submitted proof wherein he states that he has completed said inchoate right to the extent of 12.8 acres in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 18, Tp. 38 S., R. 4 W., W. M. Claiment in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.25 cubic foot per second of water from Applegate River, through New Berryman Ditch, with a priority of 1906, for the irrigation of:

12.5 acres in SEL NW:
Sec. 18,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount allowed in the Rogue River Decree.

192.

#### J. L. Helms, Grants Pass, Oregon:

Claimant is successor in part to K. M. C. Neill whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 2, under Proof 670, as follows: "Priority Feb., 1897; 3.41 second feet; for Irrigation of 170% acres; Jess ditch; Description of place of use: Irrigated, 8 acres in SW4 NE4; 18% acres in NE4 SE4; 33 acres in NW4 SE4; 20 acres in SE4 SE4, Sec. 31, Tp. 36 S., R. 6 W. W. M.; To be irrigated, 28 acres in SW4 NE4; 29 acres in SE4 NE4; 34 acres in SW4 SE4, Sec. 31, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 79.5 acres, to-wit: 8 acres in SW NE; 18.5 acres in NE; SE; 33 acres in NW; SE; 20 acres in SE; SE; Sec. 31, Tp. 36 S., R. 6 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only incheate rights. Claimant also states that said incheate right has been completed by irrigation to the extent of 93.8 acres, to-wit: 18 acres in SW; NE; 14.8 acres in NE; SE; 23.7 acres in SE; NE; 37.3 acres in SW; SE; Sec. 31, Tp. 36 S., R. 6 W., W. M.

Claimant in his proof does not accept the map prepared from a survey made in August, 1936, under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom but has submitted a map which purports to show correctly the lands irrigated by the claimant. An investigation made in May, 1939, under the direction of the State Engineer found that said map includes an area of 8 acres in the SW NE and 1.2 acres in the NW SE, Sec. 31, Tp. 36 S., R. 6 W., W. M., which is in brush and trees and not reclaimed and irrigated so as to constitute a completion of the inchoate right as contemplated in the Rogue River Decree. Said map submitted by claimant shows an irrigated area of only 12.7 acres

in the SE SE, said Sec. 31, instead of 20 acres as claimed in the proof. Therefore, allowance will be made herein for said 12.7 acres, being considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 3.14 cubic feet per second of water from Applegate River, through Jess Ditch, with a priority of February, 1897, for the irrigation of 156.8 acres located as follows:

18.0 acres in SW1 NET

23.7 acres in SE2 NET

both lying South of the following line which bounds the

K. M. C. Neill property in SE2 NET, Sec. 31, Tp. 36 S.,

R. 6 W., W. M.:

Beginning at a point on the West line of the NET of said

Sec. 31, 1,682 feet South of the NT corner of said Sec. 31;

thence South 45° 21' East 222.7 feet; South 61° 14' East

207.2 feet; South 51° 36' East 273.5 feet; South 27° 24'

East 46.7 feet; South 63° 47' East 167.3 feet; North 5° 17'

East 140.4 feet; North 29° 47' West 378.4 feet; North 25°

14' East 150 feet; North 76° 13' East 100.7 feet; South 78°

20' East 874.3 feet; North 1° 18' West to the North line of

Standard of said Sec. 31; thence West along said North line

to the NW corner of said Standard Net North 10 standard North line

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to the NW corner of said Standard North line

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12.7 acres in SET SET

Sec. 31,

Tp. 36 S., R. 6 W., W. M.,

Josephine County, Oregon

(For allowance made claimant for the use of water from the Applegate River through Murphy Ditch, see Paragraph 181 supra.)

(For allowance made claimant for the use of water from the Applegate River through Red Bluff Ditch, see Paragraph 210 infra.)

193.

## K. M. C. Neill and Ada Louise Neill, Ardencraig, Grants Pass, Oregon:

Claimants were allowed an inchoate right to the use of water from the Applegate River which is set out in Paragraph 192 next preceding.

Claimants have submitted proof wherein they state that they have completed said inchoate right by irrigation to the extent of 5.7 acres, to-wit: 4.5 acres in SN\(\frac{1}{4}\) NE\(\frac{1}{4}\); 1.2 acres in SE\(\frac{1}{4}\) NE\(\frac{1}{4}\), Sec. 31, Tp. 36 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. A careful check of the computations of the irrigated areas found by said survey shows 3.5 acres in that part of SN\(\frac{1}{4}\) NE\(\frac{1}{4}\) and 1.2 acres in that part of SE\(\frac{1}{4}\) NE\(\frac{1}{4}\), said Sec. 31, described below, which will be considered in these findings as the area reclaimed and irrigated by the claimants in so far as the tract in question is concerned.

Claiments are allowed a right to the use of 0.09 cubic foot per second of water from Applegate River, through Jess Ditch, with a priority of February, 1897, for the irrigation of 4.7 acres located as follows:

3.5 acres in SW NEL

1.2 acres in SE NEL

all in that part of Sh NEL

Sec. 31.

lying North of the following-described line:
Beginning at a point 1,682 feet South of the Nt corner of said Sec. 31; thence South 45° 21' East 222.7 feet; thence South 61° 14' East 207.2 feet; thence South 51° 36' East 273.5 feet; thence South 27° 24' East 46.7 feet; thence South 63° 47' East 167.8 feet; thence North 5° 17' East 140.4 feet; thence North 29° 47' West 378.4 feet; thence North 25° 14' East 150.0 feet; thence North 76° 13' East 100.7 feet; thence South 78° 20' East 874.3 feet; thence North 1° 18' West to the North line of the St NEt of said Sec. 31,
Tp. 36 S., R. 6 W., W. M.,
Josephine County, Oregon

194.

## John Offenbacher, Ruch, Oregon:

Claimant is successor to John and Fred Offenbacher whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 2, under Proof 697, as follows: "Priority 1908; 0.28 second foot; for irrigation of 14 acres; Fowler or Offenbacher ditch; Description of place of use: To be irrigated, 7 acres in NW4 SW4; 7 acres in SW4 SW4, Sec. 30, Tp. 38 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant is allowed a right to the use of 0.28 cubic foot per second of water from Applegate River, through Fowler or Offenbacher Ditch, with a priority of 1908, for the irrigation of 14 acres located as follows:

8.4 acres in D.L.C. 39 (7.0 acres in NW1 SW2 and 1.4 acres in SW2 SW2)
5.6 acres in Lot 7 (SW2 SW2)
Sec. 30,
Tp. 38 S., R. 3 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

## A. C. Harmon, Murphy, Oregon:

Claimant is successor to Mrs. N. E. Osborn whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 2, under Proof 699, as follows: "Priority Feb., 1899; 0.60 second foot; for Irrigation of 30 acres; North Side ditch; Description of place of use: Irrigated, 10 acres; 10 acres in NW1 NW1; To be irrigated, 20 acres; 20 acres in NW1 NW1; all in Sec. 21, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 13.6 acres in NW<sub>2</sub> NW<sub>4</sub>, Sec. 21, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.27 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of:

13.6 acres in NW NW NW Sec. 21,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

196.

#### Jess York, Murphy, Oregon:

Claimant is successor to the Oscar Creek Consolidated Mining Co. whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 2, under Proof 700, as follows: "Priority Fab., 1899; 0.20 second foot; for Irrigation of 10 acres; North Side ditch; Description of place of use: Irrigated, 8 acres; 4 acres in SW1 SW1, Sec. 22; 4 acres in SE1 SE1, Sec. 21; To be irrigated, 2 acres in same subdivisions; all in Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof claimant states that said inchoate right has been completed by irrigation to the extent of 8 acres, to-wit: 5.2 acres in SET SET, Sec. 21, and 2.8 acres in SWT SWT, Sec. 22, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Under the provisions of the aforesaid special order of the State Engineer, allowance will be made herein only for that part of the lands designated as irrigated in the Rogue River Decree which was found to be irrigated by said survey made under the direction of the State Engineer.

Claimant is allowed a right to the use of 0.14 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of 6.8 acres located as follows:

> 4.0 acres in SE SE Sec. 21; 2.8 acres in SWA SWA Sec. 22, Tp. 37 S., R. 5 W., W. M., Josephine County, Oregon

(For right allowed claimant to the use of water from Applegate River through Laurel Hill Ditch, see Paragraph 147.)

197.

# Estate of Nancy Pernoll, c/o Jno. W. Pernoll, Applegate, Oregon:

Claimant is successor to Nancy Pernoll whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 2, under Proof 704, as follows: "Priority 1906; 0.60 second foot; for Irrigation of 30 acres; S. H. Cook ditch; Description of place of use: To be irrigated, 30 acres; 30 acres in St NET; NET SEt, Sec. 7; NW SW, Sec. 16, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon.

It appears that an error was made in the original decree in showing the St MEL and NE: SE as being located in Sec. 7, whereas said land in fact is located in Sec. 17, Tp. 38 S., R. & W., W. M., and is so claimed in the proof. It is hereby recommended that the Rogue River Decree be corrected accordingly. The allowance here is made in conformity with said recommendation.

Claimant has submitted proof wherein it is stated that said inchoate right for irrigation has been completed to the extent of 30 acres, to-wit: 12.9 acres in SH NET; 10.1 acres in NET SET, Sec. 17; 7 acres in NWT SWT, Sec. 16, Tp. 38 S., R. 4 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.60 cubic foot per second of water from Applegate River, through S. H. Cook Ditch, with a priority of 1906, for the irrigation of 30 acres located as follows:

7.0 acres in NW1 SW2
Sec. 16;
12.9 acres in SW1 NE1
10.1 acres in NE1 SE1
Sec. 17,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

198.

## W. N. Carl, Murphy, Oregon:

Claimant is successor to August Rehkopf whose incheate right to the use of water from the Applegate River through New Berryman Ditch is set out in the Rogue River Decree on Page 49, Columns 2 and 3, under Proof 693, as follows: "Priority 1906; 1.61 second feet; for Irrigation of 80% acres, and Stock use; New Berryman ditch; Description of place of use: Irrigated, 14 acres in SWA NWA; 1 acre in NWA SWA; 1% acres in NEA SWA; 7% acres in SEA SWA, Sec. 17, Tp. 38 S., R. 4 W. W. M.; To be irrigated, 3 acres in SWA NWA; 3 acres in NEA SWA; 38 acres in NWA SWA; 10 acres in SWA SWA; 2% acres in SEA SWA; Sec. 17, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 24 acres, to-wit: 14 acres in SW1 NW1; 1 acre in NW1 SW1; 12 acres in NE1 SW2; 72 acres in SE1 SW1, Sec. 17, Tp. 38 S., R. 4 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

Claimant in his proof further states that said inchoate right has been completed for stock use and by irrigation to the extent of 33.4 acres, to-wit: 3 acres in SW1 NW1; 16.1 acres in NW1 SW1; 3 acres in NE1 SW2; 22 acres in SE1 SW2; 8.8 acres in SW1 SW1, Sec. 17, Tp. 38 S., R. 4 W., W. M. Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of 35 acres in SW1 NW1, said Sec. 17, of which 28 acres are irrigated through Bridge Point Ditch (see Paragraph 113 supra). Allowance will be made herein only for the remaining 7 acres reclaimed and irrigated through New Berryman Ditch in so far as the tract in question is concerned.

That part of claimant's property located in the NE<sub>2</sub> SW<sub>2</sub>, said Sec. 17, contains 3.82 acres, more or less, according to the description given in the proof which will be considered herein as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.93 cubic foot per second of water from Applegate River, through New Berryman Ditch, with a priority of 1906, for stock use and for the irrigation of 46.7 acres located as follows:

> 7.0 acres in that part of SW NW described as follows: Beginning at the SE corner of NET SW1, Sec. 17; thence West 11 chains; thence North 46° West 22.11 chains to the true point of beginning; thence North 46° 45' East 9.90 chains; thence North 38° 15' West 4.02 chains; thence North 45° East 19.02 chains; thence West 29.83 chains to the West line of said Sec. 17; thence South 13.45 chains to the center of the county road; thence Southwesterly along the center of said county road to the point of beginning; 17.1 acres in that part of NW  $\frac{1}{4}$  SW  $\frac{1}{4}$

described as follows:

Commencing at an iron pipe set for a corner on the quarter line being 20 chains South and 7.65 chains East from the quarter section corner between Secs. 17 and 18, Tp. 38 S., R. 4 W., W. M., in Jackson County, Oregon, and running thence East 12.35 chains to the SE corner of the NW1 SW1; thence North 8.50 chains to a pipe in center of county road; thence North 46° West in center of county road 17 chains, more or less, to an iron pipe for a corner; thence South 20.83 chains to the place of beginning, containing 17.87 acres, more or

3.8 acres in that part of NET SWIT described as follows: Commencing at the SW corner of NET SWT of Sec. 17, Tp. 38 S., R. 4 W., W. M., in Jackson County, Oregon, and running thence East 9 chains; thence North 46° West along the center of the county road 13 chains, more or less, to an iron pipe for a corner; thence South 8.50 chains to the place of beginning,

containing 3.82 acres, more or less; 10.0 acres in Lot 3 (SEt SW1)

8.8 acres in SW SW

Sec. 17, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon

(For right allowed claimant for the use of water from Applegate River through Bridge Point Ditch, see Paragraph 113 supra.)

199.

#### Flossie Rexford Carl, Murphy, Oregon:

Claimant is successor to Mrs. Alice Rexford whose incheate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 3, under Proof 710, as follows: "Priority 1906; 0.22 second foot; for Irrigation of 11 acres; S. H. Cook ditch; Description of place of use: To be irrigated, 11 acres; 11 acres in St SW1, Sec. 8, and in NET NWT, Sec. 17, To. 38 S., R. 4 W. W. M., Jackson County, Oregon.

Claimant has submitted proof wherein she states that said incheate right has been completed by irrigation to the extent of 23.5 acres, to-wit: 11 acres in NET NW1; 12.5 acres in NW NET, Sec. 17, Tp. 38 S., R. 4 W., W. M. Claiment is in error in claiming 12.5 acres in said NW2 NE4, Sec. 17, under an inchoate right, said tract being covered only by a vested right which is set out in the Rogue River Decree on Page 22, Column 2, under the name of Elmer J. Brown. Claimant is allowed a right to the use of 0.22 cubic foot per second of water from Applegate River, through S. H. Cook Ditch, with a priority of 1906, for the irrigation of:

11 acres in NET NWT Sec. 17,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount allowed in the Rogue River Decree under the above-stated inchoate right.

(For claimant's right to the use of water from the Applegate River through Bridge Point Ditch, see Paragraph 115 supra.)

200.

#### Laurel M. Vermaas, Murphy, Oregon:

Claimant is successor to I. G. Roberts whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 3, under Proof 711, as follows: "Priority 1908; 0.60 second foot; for Irrigation of 30 acres; Roberts ditch; Description of place of use: To be irrigated, 30 acres; 15 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>2</sub>; 15 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 6, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant's predecessor, I. G. Roberts, was also allowed a vested right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 23, Column 3, as follows: "Priority 1886; 0.75 second foot; for Irrigation of 30 acres; Hoxis or Roberts ditch; Description of place of use: 15 acres in NET SW1; 15 acres in SET SW1, Sec. 6, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 9 acres in the SEL SWL, Sec. 6, Tp. 38 S., R. 4 W., W. M., described as follows: Beginning at a point 845 feet North of the SL corner of Sec. 6, Tp. 38 S., R. 4 W., W. M.; thence West 170 feet; thence South 29° 30' East 115 feet; thence West to the West line of SEL SWL of Sec. 6; thence North 322 feet; thence East to the East line of said SEL SWL of Sec. 6; thence South 222 feet to the place of beginning, containing 9.42 acres, more or less.

It appears that the claimant's proportionate share of the foregoing vested right is sufficient to cover the 9 acres within the boundaries of the above-described property as claimed in the proof and, therefore, no additional right in completion of the said incheate right is herein allowed.

201.

## Bertha B. Drake, Route 1, Murphy, Oregon:

Claimant is successor in part to I. G. Roberts whose incheate right to the use of water from the Applegate River is set out in Paragraph 200 next preceding.

Claimant has submitted proof wherein she states that no land has been reclaimed and irrigated under the above inchoate right, and no allowance is herein made therefor.

#### Gladys Rose Throckmorton, Applegate, Oregon:

Claimant was allowed an inchoate right to the use of water from the Applegate River which is set out in the Rogue River Decree on Page 49, Column 3, under Proof 694, as follows:

"Priority 1906; 1.97 second feet; for Irrigation of 98½ acres; New Berryman ditch; Description of place of use: Irrigated, 22 acres in SW½ NE½; 1 acre in SE½ NE½; 3 acres in NW½ SE½, Sec. 21; To be irrigated, 72½ acres as follows: 7½ acres in SE½ NE½; 8 acres in SW½ NE½; 30 acres in SE½ NW½; 7 acres in NE½ SW½, Sec. 21; 11 acres in SW½ NW½; 9 acres in NW½ SW½, Sec. 22, Tp. 38

S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she states that she has completed said inchoate right for irrigation to the extent of 89.5 acres, to-wit: 29.1 acres in SW1 NE1; 5.3 acres in SE1 NE2; 3 acres in NW1 SE1; 26.5 acres in SE1 NW2; 7 acres in NE1 SW2, Sec. 21; 12.5 acres in SW1 NW1; 6.1 acres in NW1 SW2, Sec. 22, Tp. 38 S., R. 4 W., W. M. Claimant is in error in including 11.5 acres in SW1 NW1; Sec. 22, in her claim under the above-stated inchoate right as said area is covered by a vested right allowed Gladys Rose in the Rogue River Decree on Page 23, Column 3, under Proof 694. Allowance is made herein for 0.8 acre only in said SW1 NW1; Sec. 22, as the area found by a survey made under the direction of the State Engineer to be reclaimed and irrigated in completion of the above-stated inchoate right.

Said survey made under the direction of the State Engineer found an irrigated area of only 2 acres in NW1 SE1, Sec. 21, and not 3 acres as claimed in the proof. Said 2 acres will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 1.54 cubic feet per second of water from Applegate River, through New Berryman Ditch, with a priority of 1906, for the irrigation of 76.8 acres located as follows:

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29.1 acres in SW1 NE1
5.3 acres in SE1 NE2
26.5 acres in SE1 NW2
7.0 acres in NE1 SW1
2.0 acres in NW2 SE1
Sec. 21;
0.8 acre in Lot 5 (SW1 NW1)
6.1 acres in that part of D.L.C.
38, lying West of Thompson
Creek (NW1 SW1)
Sec. 22,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon
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Above descriptions are amended to conform with the United States land survey.

## Ellen G. Hanson, Box 6, Tracyton, Washington:

Claimant is successor to W. J. Russell whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 3, under Proof 714, as follows: "Priority Feb., 1899; 1.26 second feet; for Irrigation of 75% acres; North Side ditch; Description of place of use: Irrigated, 16% acres; 12% acres in NE% NE%; 4 acres in NW% NE%, Sec. 20; To be irrigated, 59 acres; 22% acres in NE% NE%; 21% acres in NW% NE%; 15 acres in NE% NW%, Sec. 20, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 34.9 acres, to-wit: 19.2 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 10.6 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 5.1 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 20, Tp. 37 S., R. 5 W., W. M.

Claimant is allowed a right to the use of 0.58 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of 34.9 acres located as follows:

19.2 acres in NET NET
10.6 acres in NWI NET
5.1 acres in E2 NET NWI
Sec. 20,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

204.

# Ira W. May, Route 3, Grants Pass, Oregon:

Claimant is successor to Charles Smith whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 3, under Proofs 717-718, as follows: "Priority Oct., 1900; 0.70 second foot; for Irrigation of 35 acres; Red Bluff ditch; Description of place of use: Irrigated, 20 acres; 15 acres in NW1 NW1; 5 acres in SE1 NW1, Sec. 29; To be irrigated, 15 acres; 15 acres in NW1 NW2, Sec. 29, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 19.8 acres in NW NW and 5 acres in SE NW , Sec. 29, Tp. 36 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.50 cubic foot per second of water from Applegate River, through Red Bluff Ditch, with a priority of October, 1900, for the irrigation of 24.8 acres located as follows:

19.8 acres in NW1 NW1
5.0 acres in SE1 NW1
Sec. 29,
Tp. 36 S., R. 6 W., W. M.,
Josephine County, Oregon

The inchoate right which is found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

205.

#### Samuel Smith, Route 1, Box 122, Murphy, Oregon:

Claimant is successor to Sam Smith and M. McLeod whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 49, Column 3, and Page 50, Column 1, under Proof 719, as follows: "Priority Feb., 1899; 0.67 second foot; for Irrigation of 40 acres; North Side ditch; Description of place of use: Irrigated, 21 acres; 21 acres in NE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 21; To be irrigated, 19 acres; 19 acres in Sec. 21, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 33.2 acres, to-wit: 4.4 acres in SW1 NE1; 28.8 acres in NE1 SE1, Sec. 21, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.55 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of 33.2 acres located as follows:

4.4 acres in Swi NEi 28.8 acres in NEi SEi Sec. 21, Tp. 37 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

206.

#### Klla A. Snively, Route 3, Grants Pass, Oregon:

Claimant is successor in part to Susie Smith whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 1, under Proof 720, as follows: "Priority Feb., 1899; 0.50 second foot; for Irrigation of 25 acres; North Side ditch; Description of place of use: Irrigated, 15 acres; 8 acres in SW1 NE1; 7 acres in NW1 SE1, Sec. 18; To be irrigated, 10 acres, in same subdivisions; all in Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 11 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 18, Tp. 37 S., R. 5 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.22 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of:

Sec. 18,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,
being within the following-described tract:
Beginning at a point 30 rods North of the center of Sec. 18,
Tp. 37 S., R. 5 W., W. M.; thence East 80 rods to the East
line of the SW1 NE1 of said section; thence South 30 rods;
thence West 80 rods to the center of said Sec. 18; thence
North to the place of beginning,

being the full amount claimed in the proof.

207.

### David G. Snively, Route 3, Box 996, Grants Pass, Oregon:

Claimant is successor in part to Susie Smith whose incheate right to the use of water from the Applegate River is set out in Paragraph 206 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 14 acres in NW4 SE4, Sec. 18, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.28 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of:

14 acres in N2 NW4 SE2
Sec. 18,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

#### Fred Lichens, Provolt, Oregon:

Claimant is successor to Mrs. L. M. Spencer whose incheate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 1, under Proof 695, as follows: "Priority 1906; 2.43 second feet; for Irrigation of 1212 acres; New Berryman ditch; Description of place of use: Irrigated, 702 acres as follows: 18 acres in NW4 SE4; 153 acres in SW4 SE4; 25 acres in NE4 SW4; 12 acres in SE4 SW4, Sec. 12; To be irrigated, 51 acres as follows: 183 acres in NW4 SE4; 243 acres in SW4 SE4; 7 acres in SE4 SW4; 1 acre in NE4 SW4, Sec. 12, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for irrigation to the extent of 70.5 acres, to-wit: 18.0 acres in NW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>; 15.5 acres in SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>; 25 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>; 12 acres in SE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 12, Tp. 38 S., R. 5 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant further states that he has completed the said inchoate right to the extent of 51 acres, to-wit: 16.7 acres in NW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>; 24.4 acres in SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>; 9.9 acres in SE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub> in said Sec. 12.

A survey made under the direction of the State Engineer found an irrigated area of only 116.9 acres in the NW SEL, SW SEL, NEL SW , and SEL SW , Sec. 12, Tp. 38 S., R. 5 W., W. M. Said area of 116.9 acres will be considered in these findings as the area reclaimed and irrigated in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 2.34 cubic feet per second of water from Applegate River, through New Berryman Ditch, with a priority of 1906, for the irrigation of 116.9 acres located as follows:

24.9 acres in Lot 4 (NE½ SN½)
17.4 acres in SE½ SW½
34.7 acres in Lot 3 (NW½ SE½)
39.9 acres in SW½ SE½
Sec. 12,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon

Above descriptions are amended to conform with the United States land survey.

To the extent of 22 acres in Lot 4, 15 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, and 4 acres in Lot 3, the foregoing right supplements the vested right allowed the predecessor to the claimant to the use of water from Williams Creek which is set out in the Rogue River Decree on Page 26, Column 3, under Proof 823, as follows: "Priority 1875; 0.69 second foot; for Irrigation of 41 acres; Spencer ditch; Description of place of use: 22 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 15 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>5</sub>; 4 acres in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 12, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.02 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second per acre for each acre irrigated during the irrigation season.

209.

# E. H. Taylor, Jesse Taylor, and Laura Taylor, Ruch, Oregon:

Claimants are successors to H. H. Taylor whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 1, under Proof 723, as follows: "Priority 1908; 0.98 second foot; for Irrigation of 49 acres; Sturgis or Hamilton ditch; Description of place of use: To be irrigated, 4 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 17 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 10 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 18 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 4, Tp. 39 S., R. 3 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said incheate right has been completed by irrigation to the extent of 49 acres, to-wit: 17 acres in NW1 NE1; 4 acres in NE1 NE1; 10 acres in SW1 NE1; 18 acres in SE1 NE1, Sec. 4, Tp. 39 S., R. 3 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.98 cubic foot per second of water from Applegate River, through Sturgis or Hamilton Ditch, with a priority of 1908, for the irrigation of:

49 acres in Lots 3 and 4 and that part of D.L.C. 47, lying West of Applegate River, (4.0 acres in NET NET; 17.0 acres in NWT NET; 9.3 acres in SWT NET and Lot 4; 18.7 acres in SET NET and Lot 3, West of the Applegate River)

Sec. 4,

Tp. 39 S., R. 3 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey. The inchoate rights which are found to be completed herein are fixed to conform with the irrigated areas as explained in Paragraph 7.

210.

# J. L. Helms, Route 2, Grants Pass, Oregon:

Claimant is successor to John Twohy whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 1, under Proof 724, as follows: "Priority Oct., 1900; 2.40 second feet; for Irrigation of 120 acres; Red Bluff ditch; Description of place of use: Irrigated, 30 acres; 10 acres in SW1 NW1, Sec. 29; 20 acres in NE1 SE1, Sec. 30; To be irrigated, 90 acres; 40 acres in SE1 NE1; 20 acres in NE1 SE1, Sec. 30; 30 acres in SW1 NW1, Sec. 29, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 97.3 acres, to-wit: 40 acres in SW1 NW1, Sec. 29; 32.0 acres in NE1 SE1; 25.3 acres in SE1 NE2, Sec. 30, Tp. 36 S., R. 6 W., W. M. A survey made under the direction of the State Engineer in August, 1936, and a further investigation made in January, 1939, found no evidence of irrigation in SE1 NE2, said Sec. 30; therefore, no allowance will be made herein in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 1.44 cubic feet per second of water from Applegate River, through Red Bluff Ditch, with a priority of October, 1900, for the irrigation of 72 acres located as follows:

40 acres in SW2 NW2 Sec. 29; 32 acres in NE2 SE2 Sec. 30, Tp. 36 S., R. 6 W., W. M., Josephine County, Oregon

(For right allowed claimant for the use of water from the Applegate River through Murphy Ditch, see Paragraph 181 supra.)

(For right allowed claimant for the use of water from the Applegate River through Jess Ditch, see Paragraph 192 supra.)

211.

#### H. D. Blanchard, Murphy, Oregon:

Claimant is successor to W. H. and H. P. Vedder whose incheate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 1, under Proof 725, as follows: "Priority Feb., 1899; 0.80 second foot; for Irrigation of 40 acres; North Side ditch; Description of place of use: Irrigated, 36 acres; 17 acres in NEI NWI; 19 acres in NWI NWI, Sec. 20; To be irrigated, 4 acres; 4 acres in NWI, Sec. 20, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof claimant states that said inchoate right has been completed by irrigation to the extent of 20.2 acres, to-wit: 10 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> and 10.2 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 20, Tp. 37 S., R. 5 W., W. M., Josephine County, Oregon.

Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.40 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of 20.2 acres located as follows:

10.0 acres in Wg NET NWT 10.2 acres in NWT NWT Sec. 20, Tp. 37 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

212.

#### G. H. Meek, Murphy, Oregon:

Claimant is successor in part to W. H. and H. P. Vedder whose inchoate right to the use of water from the Applegate River is set out in Paragraph 211 next preceding.

By a special order of the State Engineer, dated September 16, 1925, recorded in Volume 1, Page 215, Special Order Record of the State Engineer, the above-stated inchoate right was amended as follows:

Oregon for Jackson County dated Apr. 26, 1919, in the matter of the determination of rights to the waters of Rogue River and its tributaries, water rights were allowed in the name of W. H. and H. P. Vedder from Applegate River, for the irrigation of 17 acres in the NET NWT and 19 acres in the NWT NWT of Section 20, T. 37 S. R. 5 W. W. M. through the North Side ditch with date of priority of 1899 (Order Record of State Water Board, Vol. 4, p. 50); that said lands and water rights were later sold to H. D. Blanchard; that a recent survey shows that about 3 acres of said irrigated land is over the line in the SWT of Section 17 to the north, owned by W. H. Vedder; that said W. H. Vedder after discovering this fact has purchased from H. D. Blanchard the water right for said 3 acres and a proportionate interest in the North Side ditch, as shown by a certain conveyance from H. D. & Stella A. Blanchard to W. H. Vedder dated August 28, 1925, and recorded in Volume 2 at p. 256 of Miscellaneous Records of the State Engineer;

"And it further appearing that the records pertaining to such water right should be corrected accordingly, NOW, THEREFORE,

"It is hereby ORDERED that the records of the State Engineer as to the water right for 13 acres in NET NWT and 13 acres in NWT NWT of Sec. 20, T. 37 S. R. 5 W. W. M. as adjudicated to and being a part of said 17 acres and 19 acres as above described, be and the same are hereby corrected to read '13 acres in the SWT SWT and 13 acres in the SET SWT of Section 17, T. 37 S. R. 5 W. W. M. II.

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Special Order Record, Volume 3, Page 368, and set out herein in Paragraph 4 supra. In said proof claimant states that said inchoate right as amended has been completed by irrigation to the extent of 1.5 acres in  $SE_4^1$   $SW_4^1$ , Sec. 17, Tp. 37 S., R. 5 W., W. M. Claimant also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.03 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of:

1.5 acres in SEt SW:
Sec. 17,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

### Ray Offenbacher and Maybelle Offenbacher, Ruch, Oregon:

Claimants are successors in part to W. H. Venable whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 1, under Proof 726, as follows: "Priority 1902; 1.46 second feet; for Irrigation of 73 acres; Goodwill ditch; Description of place of use: Irrigated, 41 acres; 10 acres in NEL SW1; 13 acres in NEL SE1; 18 acres in NW1 SE1, Sec. 29; To be irrigated, 32 acres; 5 acres in NN SW1; 27 acres in NN SE1, Sec. 29, Tp. 38 S., R. 3 W. W. H., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 15 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 29, Tp. 38 S., R. 3 W., W. M. Claimants later submitted an amendment to their proof so as to include 11.9 acres in W<sup>1</sup><sub>2</sub> NW<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>4</sub>, Sec. 29, Tp. 38 S., R. 3 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants in their proof further assert a right under State Engineer's Permit No. 12809, to the use of water for the irrigation of an additional 6.4 acres in NET SWT and 0.5 acre in NWT SWT, Sec. 29, Tp. 38 S., R. 3 W., W. M. The right to irrigate said lands is evidenced by certificate of water right recorded at Page 12048, Volume 11, State Record of Water Right Certificates, in the office of the State Engineer; is fully covered thereby, and no allowance is herein made therefor.

Claimants are allowed a right to the use of 0.54 cubic foot per second of water from Applegate River, through Goodwill Ditch, with a priority of 1902, for the irrigation of 26.9 acres located as follows:

15.0 acres in NE SN SE SEC. 29,
Tp. 38 S., R. 3 W., W. M.,
Jackson County, Oregon

214.

### Bessie Smith, Ruch, Oregon:

Claimant is successor in part to W. H. Venable whose inchoate right to the use of water from the Applegate River is set out in Paragraph 213 next preceding.

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 3.6 acres in NW<sub>2</sub> SE<sub>4</sub>, Sec. 29, Tp. 38 S., R. 3 W., W. M. Claimant also asserts a vested right for the irrigation of 31 acres, to-wit: 13 acres in NE<sub>4</sub> SE<sub>4</sub>; 18 acres in NW<sub>4</sub> SE<sub>4</sub>, Sec. 29, Tp. 38 S., R. 3 W., W. M. In this the claimant is in error in that the right in question was allowed in the Rogue River Decree under the provisions of Paragraph 7 which includes only inchoate rights.

Claimant in her proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 12.7 acres in  $NE_{4}^{1}$   $SE_{4}^{1}$  and 10 acres in  $E_{2}^{1}$   $NW_{4}^{1}$   $SE_{4}^{1}$ , Sec. 29, which will be considered in these findings as the area reclaimed and irrigated in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 0.45 cubic foot per second of water from Applegate River, through Goodwill Ditch, with a priority of 1902, for the irrigation of 22.7 acres located as follows:

12.7 acres in NEt SEt
10.0 acres in Et NWt SEt
Sec. 29,
Tp. 38 S., R. 3 W., W. M.,
Jackson County, Oregon

215.

#### Rosanna Benner, Route 3, Box 998, Grants Pass, Oregon:

Claimant is successor to W. G. White whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 1, under Proof 706, as follows: "Priority Feb., 1899; 0.16 second foot; for Irrigation of 8 acres; North Side ditch; Description of place of use: To be irrigated: 8 acres in SE<sub>4</sub> NE<sub>4</sub>, Sec. 18, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 4.5 acres in SE<sub>4</sub> NE<sub>4</sub>, Sec. 18, Tp. 37 S., R. 5 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.09 cubic foot per second of water from Applegate River, through North Side Ditch, with a priority of February, 1899, for the irrigation of:

4.5 acres in SE NE NE Sec. 18,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

216.

# Wilderville Irrigation Co., Wilderville, Oregon:

Under the Rogue River Decree, the above-named Wilderville Irrigation Co. was allowed an inchoate right to the use of water from the Applegate River which is set out on Page 50, Columns 1 and 2, under Proof 727, as follows: "Priority Feb., 1899; 15.98 second feet; for Irrigation of 799 acres; Wilderville ditch; \* \* \* Total irrigated, 327 acres; total to be irrigated, 472 acres." This is followed by a list of landowners, together with the lands under said ditch irrigated and to be irrigated.

Proofs have been submitted by persons, firms, and corporations under the foregoing inchoate right allowed the Wilderville Irrigation Co., claiming water for the irrigation of 533.55 acres. The several rights allowed herein to the claimants submitting said proofs aggregate 9.51 cubic feet per second for the irrigation of 475.15 acres.

The following are statements of the claims contained in said proofs, together with the lands owned and irrigated by each claimant under the above inchoate right and the allowance made thereon.

217.

## Richard C. Gaines, Wilderville, Oregon:

Claimant is successor to Adeline Close whose land, covered by the above-stated inchoate right of the Wilderville Irrigation Co., is set out in the Rogue River Decree on Page 50, Column 2, under Proof 728, as follows: "Irrigated, 38 acres; 15 acres in NET SWE; 23 acres in NWE SWE, Sec. 6; To be irrigated, 22 acres; 22 acres in NE SE, Sec. 6, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer. and set out in Paragraph 4 supra. In his proof claimant states that said inchoate right has been completed by irrigation to the extent of 46.7 acres, to-wit: 33.3 acres in NE SW1; 13.4 acres in NW4 SW4, Sec. 6, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Under the provisions of the aforesaid special order of the State Engineer, allowance will be made herein only for that part of the lands designated as irrigated in the Rogue River Decree which was found to be irrigated by the survey made under the direction of the State Engineer.

Claimant is allowed a right to the use of 0.57 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 28.4 acres located as follows:

> 15.0 acres in NE SW: 13.4 acres in NW: SW: Sec. 6, Tp. 37 S., R. 6 W., Josephine County, Oregon

> > 218.

# George Holland, Route 2, Grants Pass, Oregon:

Claimant is successor to Mrs. M. E. Holland whose land, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River, is set out in the Rogue River Decree on Page 50, Column 2, under Proof 729, as follows: "Irrigated, 20 acres; 13 acres in SW: SE:, Sec. 6; 7 acres in NW: NE:, Sec. 7, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon.\*

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 20 acres, to-wit: 13 acres in SW2 SE2, Sec. 6; 7 acres in NW2 NE2, Sec. 7, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.40 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 20 acres located as follows:

12.7 acres in Eg SWZ SEZ

Sec. 6;

7.3 acres in that part of Eg NWZ NEZ

below the Wilderville Ditch

Sec. 7,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

The incheate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

219.

# Ernest Loughridge, Route 2, Box 454, Grants Pass, Oregon:

Claimant's land, covered by the above-stated incheate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, is set out in the Rogue River Decree on Page 50, Column 2, under Proof 730, as follows:
"Irrigated, 25 acres; 12 acres in SW2 SW2, Sec. 5; 13 acres in SE2 SE2, Sec. 6; To be irrigated, 55 acres; 28 acres in SW2 SW2, Sec. 5; 27 acres in SE2 SE2, Sec. 6, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right for irrigation to the extent of 34.7 acres, to-wit: 16.5 acres in SW2 SW2, Sec. 5; 18.2 acres in SE2 SE2, Sec. 6, Tp. 37 S., R. 6 W., W. M.

Claimant is allowed a right to the use of 0.69 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 34.7 acres located as follows:

16.5 acres in SW SW. SW. Sec. 5;

18.2 acres in SE SE. Sec. 6,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

### C. C. Robinson, Route 2, Box 455, Grants Pass, Oregon:

Claimant's land, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River, is set out in the Rogue River Decree on Page 50, Column 2, under Proof 731, as follows: "Irrigated, 27 acres; 7 acres in SW NET; 20 acres in NW SET, Sec. 6; To be irrigated, 21 acres; 9 acres in SW NET; 12 acres in NW SET, Sec. 6, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 48 acres, to-wit: 17.2 acres in SW4 NE4; 30.8 acres in NW4 SE4, Sec. 6, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.96 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 48 acres located as follows:

17.2 acres in that part of SW NET and
30.8 acres in that part of NW SET,
all lying West of the Applegate River,
Sec. 6,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

221.

## K. K. Robinson, c/o Radburn Robinson, Route 2, Grants Pass, Oregon:

Claimant is successor to R. M. Robinson whose lands, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, are set out in the Rogue River Decree on Page 50, Column 2, under Proof 732, as follows: "Irrigated, 95 acres; 12 acres in NE½ NW½; 28 acres in NW½ NW½; 23 acres in SW½ NW½; 16 acres in SE½ NW½; 5 acres in NE½ SW½; 4 acres in NW½ SE½, Sec. 8; 7 acres in SE½ NE½, Sec. 7. To be irrigated, 220 acres; 30 acres in NE½ NW½; 40 acres in NW½ NW½; 35 acres in SW½ NW½; 32 acres in SE½ NW½; 33 acres in NE½ SW½; 30 acres in NW½ SE½, Sec. 8; 20 acres in SE½ NE½, Sec. 7, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 40 acres, to-wit: 11 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 19.5 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 9.5 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 8, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 7 acres in that part of the NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> owned by the claimant and not 9.5 acres as claimed in the proof. Said area of 7 acres will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned. Said survey also found an irrigated area of only 10 acres in that part of the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> owned by the claimant and not 11 acres as claimed in the proof. Said area of 10 acres will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.73 cubic foot per second of water from Applegate River, through the Wilderville Ditch, with a priority of February, 1899, for the irrigation of 36.5 acres located as follows:

10.0 acres in NEL NWL

19.5 acres in Wa SEL NWL

7.0 acres in Ea Wa NEL SWL

all being within the following-described tract:
Beginning at the SW corner of NEL SWL of Sec. 8, Tp. 37

S., R. 6 W., W. M.; running North 240 rods to the North
line of Sec. 8; thence East 39 rods; thence South 240

rods; thence West 39 rods to beginning; less and excepting
a strip of land 80 rods long by 20 rods wide off West side
of NEL SWL, Sec. 8, said strip containing 10 acres,

Sec. 8,

Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon

222.

#### Ennis Robinson, Route 2, Box 494, Grants Pass, Oregon:

Claimant is successor in part to R. M. Robinson whose lands, covered by the abovestated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River, are set out in Paragraph 221 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 8 acres in What NET SWT, Sec. 8, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claiment is allowed a right to the use of 0.16 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of:

8 acres in Wa Wa NET SWA Sec. 8, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon,

### Radburn Robinson, Route 2, Box 500, Grants Pass, Oregon:

Claimant is successor in part to R. M. Robinson whose lands, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River, are set out in Paragraph 221 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 58.45 acres, to-wit: 1-3/4 acres in NE½ NW½; 15 acres in SE½ NW½; 21 acres in NE½ SW½; 19.7 acres in NW½ SE½; 1 acre in SW½ SE½, Sec. 8, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.17 cubic feet per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 58.45 acres located as follows:

1.75 acres in NET NWT
15.00 acres in SET NWT
21.00 acres in NET SWT
all lying within a strip of land 41
rods wide off the East side thereof;
19.7 acres in that part of NWT SET,
lying West of the Applegate River;
1.0 acre in that part of SWT SET,
lying North of the county road running
Easterly and Westerly
Sec. 8,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

224.

Estate of R. M. Robinson, S. E. Robinson, Administrator, Route 2, Box 510, Grants Pass, Oregon:

The lands of R. M. Robinson, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River, are set out in Paragraph 221 supra.

Proof has been submitted by S. E. Robinson, Administrator of the Estate of R. M. Robinson, Deceased, wherein it is stated that said inchoate right has been completed by irrigation to the extent of 5 acres in NET SWT, Sec. 8, Tp. 37 S., R. 6 W., W. M.

It appears that said 5 acres in NE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 8, are included in the proof submitted by Ennis Robinson and allowance was made therefor. (See Paragraph 222 supra.) No allowance is made herein under said proof submitted by S. E. Robinson, Administrator.

### S. E. Robinson, Route 2, Box 510, Grants Pass, Gregon:

Claimant is successor in part to R. M. Robinson whose lands, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, are set out in Paragraph 221 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 73.9 acres, to-wit: 35.5 acres in NW1 NW1; 38.4 acres in SW1 NW1, Sec. 8, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 1.48 cubic feet per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 73.9 acres located as follows:

35.5 acres in NW1 NW1
38.4 acres in SW1 NW1
Sec. 8,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

226.

#### J. R. Lindsay and Alice L. Lindsay, Route 2, Grants Pass, Oregon:

Claimants are successors in part to R. M. Robinson whose lands, covered by the above-stated incheate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, are set out in Paragraph 221 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 1.5 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 7, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.03 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of:

1.5 acres in that part of SET NET
lying below the Wilderville Ditch
Sec. 7,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,
being within the following-described tract:

Beginning at the NW corner of the SE1 NE1 of Sec. 7, Tp. 37 S., R. 6 W., W. M., in Josephine County, Oregon, and running thence South 229 feet; thence East 420 feet; thence North 88.75 feet; thence East 450 feet; thence North 140.25 feet to the North line of said legal subdivision; thence West 870 feet to the place of beginning,

being the full amount claimed in the proof.

227.

# James P. Ward, 113 East 11th Street, Medford, Oregon:

Claimant is successor in part to R. M. Robinson whose lands, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, are set out in Paragraph 221 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 25 acres in SE<sub>4</sub> NE<sub>4</sub>, Sec. 7, To. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.50 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of:

25 acres in SEt NEt Sec. 7, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon, less and excepting those certain parcels of real estate conveyed to the Beaver Portland Cement Company for railroad right of way purposes, said parcel of land being more particularly described in Volume 55, Deed Records, at Pages 436-7, and in Volume 56, Deed Records, at Page 415, Records of Josephine County, Oregon, said excepted parcel containing approximately 1.5 acres; also less and excepting a tract of land conveyed to J. R. Lindsay and Alice Lindsay, being more particularly described as follows: Beginning at the NW corner of the SEL NET of Sec. 7, and running thence South 229 feet; thence East 420 feet; thence North 88.75 feet; thence East 450 feet; thence North 140.25 feet to the North line of said legal subdivision; thence West 870 feet to the place of beginning, containing about 3.25 acres; also less and excepting the right of way of the county road across said described premises. Also subject to an easement for a roadway 20 feet in width granted to the said J. R. Lindsay and Alice Lindsay extending from the South line of the tract conveyed to said Lindsays to the county road as described in conveyance recorded in Volume 63, at Page 163, Deed Records of Josephine County, Oregon,

### W. S. Robinson, Route 2, Grants Pass, Oregon:

Claimant's land, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, is set out in the Rogue River Decree on Page 50, Column 2, under Proof 733, as follows: "Irrigated, 8 acres; 5 acres in SE SE; 2 acres in SE SE; Sec. 8; To be irrigated, 30 acres; 30 acres in SW SE2, Sec. 8, all in Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right for irrigation to the extent of 30.5 acres, to-wit: 28 acres in SW1 SE1; 2.5 acres in SET SET, Sec. 8, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

An area of 20 acres in the SW2 SE2, Sec. 8, above the Wilderville Ditch has a right to the use of water from the Applegate River by pumping into the Highland Ditch under certificate of water right recorded at Page 4921, Volume 5, State Record of Water Right Certificates. Water is secured for this area by pumping from the Applegate River and, therefore, only that irrigated area of 6.5 acres lying below the Wilderville Ditch will be considered in these findings as reclaimed and irrigated under the inchoate right allowed the claimant in the Rogue River Decree.

Claimant is allowed a right to the use of 0.18 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 9 acres located as follows:

> 6.5 acres in SW1 SE1 2.5 acres in SE2 SE1 Sec. 8, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon

> > 229.

## W. E. Kemp, Route 3. Box 668, Grants Pass, Oregon:

Claimant is successor to A. M. Ruttencutter whose land, covered by the above-stated inchoate right of the Wilderville Irrigation Co., is set out in the Rogue River Decree on Page 50, Column 2, under Proof 734, as follows: "Irrigated, 16 acres; 2 acres in SEt SW1; 12 acres in SW: SE:, Sec. 6; 2 acres in NW: NEt, Sec. 7, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In his proof claimant states that said inchoate

right has been completed by irrigation to the extent of 16 acres, to-wit: 2 acres in SEL SWL;

12 acres in SWL SEL, Sec. 6; 2 acres in NWL NEL, Sec. 7, Tp. 37 S., R. 6 W., W. M. Claimant
in his proof also accepts the map prepared from a survey made under the direction of the State
Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.32 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 16 acres located as follows:

2 acres in that part of SE\(\frac{1}{2}\) SW\(\frac{1}{4}\) lying below the Wilderville Ditch
12 acres in W\(\frac{1}{2}\) SW\(\frac{1}{2}\) Sec. 6;
2 acres in that part of W\(\frac{1}{2}\) NW\(\frac{1}{2}\) NW\(\frac{1}{2}\) lying below the Wilderville Ditch
Sec. 7,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

1.0

230.

### Frank P. and Della Silva, Route 2, Grants Pass, Oregon:

Claimants are successors to Paul Ruttencutter whose land, covered by the abovestated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate
River for irrigation through Wilderville Ditch, is set out in the Rogue River Decree on Page 50,
Column 2, under Proof 735, as follows: "Irrigated, 30 acres; 30 acres in NE1 NE2, Sec. 7;
To be irrigated, 7 acres; 7 acres in NE1 NE2, Sec. 7, all in Tp. 37 S., R. 6 W. W. M., Josephine
County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 37 acres in NE<sup>1</sup><sub>4</sub> NE<sup>1</sup><sub>4</sub>, Sec. 7, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed the right to the use of 0.74 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of:

37 acres in NE NE NE Sec. 7,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

### N. A. McLeod. Grants Pass. Oregon:

Claimant is successor to Andrew E. Sheehan whose land, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, is set out in the Rogue River Decree on Page 50, Columns 2 and 3, under Proof 736, as follows: "Irrigated, 23 acres; 4 acres in SW4 SW4, Sec. 31, Tp. 36 S., R. 6 W. W. M.; 23 acres in NW4 NW4; 162 acres in NE4 NW4, Sec. 6, Tp. 37 S., R. 6 W. W. M.; To be irrigated, 92 acres; 10 acres in SW4 SW4, Sec. 30, Tp. 36 S., R. 6 W. W. M.; 233 acres in NE4 NW4; 183 acres in NW4 NW4; 40 acres in SW4 NW4, Sec. 6, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has called attention to the above-stated allowance of 10 acres in the SW1 SW1, Sec. 30, Tp. 36 S., R. 6 W., W. M. Claimant states that this tract was considerable distance from said Andrew E. Sheehan's land and was described in error and prays that it be corrected. The matter is, therefore, called to the attention of the Court with the recommendation that the description of the place of use of said right allowed Andrew E. Sheehan be changed to read "SW1 SW2, Sec. 31, Tp. 36 S., R. 6 W., W. M." to conform with these findings.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 65.0 acres, to-wit: 13 acres in SW1 SW2; 5.6 acres in SE1 SW1, Sec. 31, Tp. 36 S., R. 6 W., W. M.; 9.5 acres in NW1 NW2; 33.7 acres in NE1 NW1; 3.2 acres in SE1 NW2, Sec. 6, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 0.8 acre in SE4 SW4; 23 acres in SW4 SW4 (of which 17 acres are irrigated from other sources, see Paragraphs 245 and 246 infra), all in Sec. 31, Tp. 36 S., R. 6 W., W. M.; also only 30.4 acres in NE4 NW4, Sec. 6, Tp. 37 S., R. 6 W., W. M. These will be considered in the findings as the areas reclaimed and irrigated in completion of said inchoate right in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 1.00 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 49.9 acres located as follows:

6.0 acres in that part of SW1 SW2 lying East of Slate Creek
0.8 acre in SE1 SW2 Sec. 31,
Tp. 36 S., R. 6 W., W. M.

30.4 acres in NET NWT

9.5 acres in that part of NWT NWT

lying East of Slate Creek

3.2 acres in SET NWT

Sec. 6,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon

(For water rights from Slate Creek and Chapin Creek allowed that part of the SW1 SW1, Sec. 31, Tp. 36 S., R. 6 W., W. M., and that part of the NW1 NW2, Sec. 6, Tp. 37 S., R. 6 W., W. M., lying West of Slate Creek, see Paragraphs 245 and 246 infra.)

232.

#### W. T. Miller, Grants Pass, Oregon:

Claimant is successor in part to Andrew Sheehan whose lands, covered by the abovestated inchoate right of the Wilderville Irrigation Co., are set out in Paragraph 231 supra.

Claimant has submitted proof wherein he asserts a right under certificate of water right recorded at Page 3254, Volume 4, State Record of Water Right Certificates, for the irrigation of 25 acres in SW2 NW2, Sec. 6, Tp. 37 S., R. 6 W., W. M. Claimant in his proof makes no claim under the above-stated inchoate right and no allowance will be made herein in completion thereof.

233.

### Don M. Flippin and Della D. Flippin, 2042 East 131st Street, Compton, California:

Claimants are successors to F. V. Stevenson whose land, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, is set out in the Rogue River Decree on Page 50, Column 3, under Proof 737, as follows: "Irrigated, 26 acres; 26 acres in SW1 NW1, Sec. 16, Tp. 37 S., R. 6 W. W. M.; To be irrigated, 12 acres; 12 acres in SW2 NW1, Sec. 16, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants are also successors in part to Elba Woodard whose land, covered by the above-stated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, is set out in the Rogue River Decree on Page 50, Column 3, under Proof 738, as follows: "Irrigated, 2 acres; 2 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 16; To be irrigated, 13 acres; 13 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 16, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate rights have been completed by irrigation to the extent of 15.3 acres, to-wit: 14.9 acres in SW1 NW1; 0.4 acre in SE1 NW2, Sec. 16, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.31 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of 15.3 acres located as follows:

14.9 acres in that part of Ed SW1 NW1,
North of Wilderville Ditch

0.4 acre in SE1 NW1,
being a strip of land 16.5 feet wide on the West side of
the SE1 NW1 North of Wilderville Ditch
Sec. 16,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

234.

# Lorrayne (Larry) McCann, Route 2, Box 525, Grants Pass, Oregon:

Claimant is successor in part to F. V. Stevenson whose lands, covered by the abovestated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River, are set out in Paragraph 233 next preceding.

Claimant has submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In said proof claimant states that said incheate right has been completed by irrigation to the extent of 10.4 acres in SW2 NW2, Sec. 16, Tp. 37 S., R. 6 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.21 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of:

10.4 acres in Wa SWA NWA Sec. 16, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon

235.

### Don M. Flippin and Della D. Flippin, 2042 East 131st Street, Compton, California:

For right allowed claimants as successors in part to Elba Woodard, see Paragraph 233 supra.

236.

## Lora E. Robinson, Route 2, Box 532, Grants Pass, Oregon:

Claimant is successor in part to Elba Woodard whose lands, covered by the abovestated inchoate right of the Wilderville Irrigation Co. to the use of water from the Applegate River for irrigation through Wilderville Ditch, are set out in Paragraph 233 supra.

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 15 acres in SE NW2, Sec. 16, Tp. 37 S., R. 6 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.30 cubic foot per second of water from Applegate River, through Wilderville Ditch, with a priority of February, 1899, for the irrigation of:

> 15 acres in SEt NWt Sec. 16, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

237.

#### Mary E. Murray, Route 2, Grants Pass, Oregon:

Claimant is successor in part to Charles Woelffle whose inchoate right to the use of water from the Applegate River is set out in the Rogue River Decree on Page 50, Column 3, under Proof 703, as follows: "Priority Feb., 1898; 1.00 second foot; for Irrigation of 50 acres; Miller ditch; Description of place of use: Irrigated, 2 acres in Not SEt; 16 acres in SW4 SE4, Sec. 30; 2 acres in NE4 NW4, Sec. 31; To be irrigated, 8 acres in NW4 SE4; 18 acres in SW SET, Sec. 30; 4 acres in NET NWT, Sec. 31, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 8 acres in SWA SEL, Sec. 30, Tp. 36 S., R. 6 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.16 cubic foot per second of water from Applegate River, through Miller Ditch, with a priority of February, 1898, for the irrigation of:

> 8 acres in SW SE Sec. 30, Tp. 36 S., R. 6 W., W. M. Josephine County, Oregon, W. M., being all of SW SE, said Sec. 30, West of the Applegate River, less a tract owned by John C. Rawls described as follows: Beginning at the NW corner of SW2 SE2, Sec. 30, Tp. 36 S., R. 6 W., W. M.; thence East 542 feet to the county road; thence South 12° West 292 feet along said road; thence West to the West line of SW2 SE2 of said Sec. 30; thence North 285 feet to the point of beginning,

### John C. Rawls, Route 2, Grants Pass, Oregon:

Claimant is successor in part to Charles Woelffle whose incheate right to the use of water from the Applegate River is set out in Paragraph 237 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 12 acres, to-wit: 8 acres in NW4 SE4; 4 acres in SW4 SE4, Sec. 30, Tp. 36 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.24 cubic foot per second of water from Applegate River, through Miller Ditch, with a priority of February, 1898, for the irrigation of 12 acres located and described as follows:

described as follows:

Beginning 20 chains North and 54 links West of St corner of Sec. 30; running North 3° West 10.11 chains; East 10.35 chains to road; South 12° West 10.30 chains; West 35 rods to beginning; acres in that part of SWt SEt described as follows:

Beginning at the NW corner of SWt SEt, Sec. 30, Tp. 36 S., R. 6 W., W. M.; thence East 542 feet to the county road; thence South 12° West 292 feet along said road; thence West to the West line of the SWt SEt of said Sec. 30; thence North 285 feet to the point of beginning,

Sec. 30,

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Josephine County, Oregon,

being the full amount claimed in the proof.

239.

### B. E. Ralston, Route 2, Grants Pass, Oregon:

Claimant is successor in part to Charles Woelffle whose inchaate right to the use of water from the Applegate River is set out in Paragraph 237 supra.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 2.2 acres in NE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 31, Tp. 36 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.04 cubic foot per second of water from Applegate River, through Miller Ditch, with a priority of February, 1898, for the irrigation of:

2.2 acres in NEt NWt Sec. 31,
Tp. 36 S., R. 6 W., W. M.,
Josephine County, Oregon,
except the St St and 1 acre in the NE corner 264 feet North and South and 165 feet East and West,

240.

## Rachel M. Brown and Phil Brown, Wonder, Oregon:

Claimants are successors to J. J. Brown whose inchoate right to the use of water from Slate Creek is set out in the Rogue River Decree on Page 50, Column 3, under Proof 742, as follows: "Priority 1908; 0.18 second foot; for Irrigation of 9 acres; Brown ditch; Description of place of use: To be irrigated, 2 acres in NE<sub>2</sub> NW<sub>2</sub>; 3 acres in NW<sub>2</sub> NW<sub>2</sub>; 4 acres in SW<sub>2</sub> NW<sub>2</sub>, Sec. 11, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 7.6 acres, to-wit: 2.8 acres in  $NW_{4}^{1}$ ;  $NW_{4}^{1}$ ; 3.6 acres in  $SW_{4}^{1}$ ,  $NW_{4}^{1}$ ; 1.2 acres in  $NE_{4}^{1}$ ,  $NW_{4}^{1}$ , Sec. 11, Tp. 37 S., R. 7 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.15 cubic foot per second of water from Slate Creek, through Brown Ditch, with a priority of 1908, for the irrigation of 7.6 acres located as follows:

1.2 acres in NE NW 2 2.8 acres in NW 2 3.6 acres in SW 2 NW 2 Sec. 11, Tp. 37 S., R. 7 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

241.

### Luke M. McDowell, 1643 6th Avenue, Los Angeles, California:

Claimant is successor to C. Fenner whose incheate right to the use of water from Slate Creek is set out in the Rogue River Decree on Page 50, Column 3, under Proof 757, as follows: "Priority 1903; 0.42 second foot; for Irrigation of 21 acres; Fenner ditch; Description of place of use: Irrigated, 10 acres in SW NEZ; 5 acres in SEZ NWZ, Sec. 18; To be irrigated, 6 acres in SEZ NWZ, Sec. 18, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for irrigation to the extent of 15 acres, to-wit: 10 acres in SW NE; 5 acres in SE; NW, Sec. 18, Tp. 37 S., R. 7 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights.

Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of only 9.2 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>2</sub>, Sec. 18, Tp. 37 S., R. 7 W., W. M., which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.28 cubic foot per second of water from Slate Creek, through Fenner Ditch, with a priority of 1903, for the irrigation of 14.2 acres located as follows:

9.2 acres in SNA NEA
5.0 acres in SEA NWA
Sec. 18,
Tp. 37 S., R. 7 W., W. M.,
Josephine County, Oregon

242.

#### Mary M. Hair Estate by H. M. Hair, Grants Pass, Oregon:

Claimant was allowed an inchoate right to the use of water from Slate Creek which is set out in the Rogue River Decree on Page 50, Column 3, under Proof 743, as follows:

"Priority 1908; 0.13 second foot; for Irrigation of 5 acres; Brown ditch; Description of place of use: To be irrigated, 5 acres in SEt SW1, Sec. 10, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon."

Claimant was also allowed a vested right to the use of water from Slate Creek which is set out in the Rogue River Decree on Page 24, Column 1, as follows: "Priority 1892; 0.25 second foot; for Irrigation of 10 acres, and Domestic and Stock use; Brown ditch; Description of place of use: 1 acre in NE<sub>2</sub> SN<sub>2</sub>; 5 acres in SE<sub>2</sub> SN<sub>2</sub>; 4 acres in SN<sub>4</sub> SE<sub>2</sub>, Sec. 10, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein the above-stated vested right is asserted.

Claimant in the proof also states that no land has been irrigated in completion of the above-stated inchoate right. Therefore, no allowance will be made herein.

243.

## Edwina Lovelace, Wilderville, Oregon:

Claimant is successor to Hannah D. Jones whose inchoate right to the use of water from Slate Creek is set out in the Rogue River Decree on Page 50, Column 3, under Proof 744, as follows: "Priority 1908; 0.36 second foot; for Irrigation of 18 acres; Jones or Lovelace ditch; Description of place of use: To be irrigated, 18 acres in NW<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 1, Tp. 37 S., R. 7 W. W. N., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 2.4 acres, to-wit: 1.9 acres in SE1 NW1; 0.4 acre in NE1 SW1; 0.1 acre in NW1 SE1, Sec. 1, Tp. 37 S., R. 7 W., W. M. Claimant in her proof

also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.05 cubic foot per second of water from Slate Creek, through Jones or Lovelace Ditch, with a priority of 1908, for the irrigation of 2.4 acres located as follows:

1.9 acres in SEL NWL

0.4 acre in NEL SWL

0.1 acre in NWL SEL

Sec. 1,

Tp. 37 S., R. 7 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

244.

### I. C. Lowden, Wonder, Oregon:

Claimant was allowed an inchoate right to the use of water from Slate Creek which is set out in the Rogue River Decree on Page 50, Column 3, under Proof 746, as follows:

\*\*Priority 1908; 0.10 second foot; for Irrigation of 6 acres; Brown ditch; Description of place of use: To be irrigated, 6 acres in NET SET, Sec. 10, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon.

Claimant has submitted proof wherein he states that he has completed said inchoate right for irrigation to the extent of 5 acres, to-wit: 2.2 acres in NET SET; 2.8 acres in SET NET, Sec. 10, Tp. 37 S., R. 7 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.03 cubic foot per second of water from Slate Creek, through Brown Ditch, with a priority of 1908, for the irrigation of 5.0 acres located as follows:

2.8 acres in St SEt NEt 2.2 acres in NEt SEt Sec. 10, Tp. 37 S., R. 7 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

245.

# N. A. McLeod, Grants Pass, Oregon:

Claimant is successor to Andrew E. Sheehan whose inchoate right to the use of water from Slate Creek is set out in the Rogue River Decree on Page 51, Column 1, under Proof 749, as follows: "Priority 1908; 0.16 second foot; for Irrigation of 8 acres; Slate Creek or Sheehan ditch; Description of place of use: To be irrigated, 8 acres in SW2 SW2, Sec. 31, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant's predecessor was also allowed a vested right to the use of water from Slate Creek which is set out in the Rogue River Decree on Page 24, Column 2, as follows:

"Priority 1892; 0.54 second foot; for Irrigation of 27 acres; Slate Creek or Sheehan ditch;

Description of place of use: 11 acres in SW4 SW4, Sec. 31, Tp. 36 S., R. 6 W. W. M.; 16

acres in NW4 NW4, Sec. 6, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 35.5 acres, to-wit: 3 acres in NW<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>; 14.5 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 31, Tp. 36 S., R. 6 W., W. M., and 18 acres in NW<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 6, Tp. 37 S., R. 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

The areas claimed in the proof are covered by the above-stated vested right to the extent of 11 acres in SW1 SW1, Sec. 31, Tp. 36 S., R. 6 W., W. M., and 16 acres in NW1 NW1, Sec. 6, Tp. 37 S., R. 6 W., W. M. The area claimed in the NW1 SW2, said Sec. 31, is covered to the extent of 3.2 acres by the allowance made from Chapin Creek (see Paragraph 246 infra). Allowance will be made herein only for the remaining areas irrigated and reclaimed in completion of the said inchoate right.

Claimant is allowed a right to the use of 0.16 cubic foot per second of water from Slate Creek, through Slate Creek or Sheehan Ditch, with a priority of 1908, for the irrigation of 8 acres located as follows:

2 acres in NW2 SW2 4 acres in SW2 SW2 Sec. 31, Tp. 36 S., R. 6 W., W. M.

2 acres in NW2 NW2 Sec. 6, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon

The inchoate rights found to be completed herein are fixed to conform with the irrigated areas as explained in Paragraph 7.

(For right allowed claimant to the use of water from the Applegate River, see Paragraph 231 supra.)

(For right allowed claimant to the use of water from Chapin Creek, see Paragraph 246 infra.)

246.

#### N. A. McLeod, Crants Pass, Oregon:

Claiment is successor to Andrew E. Sheehan whose inchoate right to the use of water from Chapin Creek is set out in the Rogue River Decree on Page 51, Column 1, under Proof 751, as follows: "Priority 1908; 0.25 second foot; for Irrigation of 10 acres; Sheehan ditch; Description of place of use: To be irrigated, 4 acres in NW SW SW SEC. 31, Tp. 36 S., R. 6 W. W. M.; 6 acres in SW SW SW Sec. 6, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant's predecessor was also allowed a vested right to the use of water from Chapin Creek which is set out in the Rogue River Decree on Page 24, Column 2, as follows:
"Priority 1885; 0.05 second foot; for Irrigation of 2 acres, and Domestic and Stock use;
Sheehan ditch and pipe; Description of place of use: 2 acres in SW2 SW2, Sec. 31, Tp. 36 S.,
R. 6 W..W. M. Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 2.2 acres in NW4 SW4, Sec. 31, Tp. 36 S., R. 6 W., W. M. Claimant further states in his proof:

"It might also be well to call attention at this time to two very obvious errors in the original Decree. \* \* \* Under Chapin Creek, the Decree gives a right in the SW1 SW2 of Section 6. This error is also an obvious one \* \* \* and what was intended was undoubtedly either the NW1 NW2 of Section 6, or the SW2 SW4 of Section 31.

"The Claimant herein further demands the right to use all inchoate rights given in Chapin Creek to supplement his rights under Slate Creek, if and at such times as there shall be insufficient water in the latter Creek to give him as much water for irrigation thereunder as he is entitled to."

It appears impractical to irrigate the SW1 SW2, Sec. 6, Tp. 37 S., R. 7 W., W. M., from Chapin Creek and that an error was made in describing said tract as the place of use. It is, therefore, recommended that Proof 751, as set out on Page 51, Column 1, of the Rogue River Decree be changed to read as follows: "Priority 1908; 0.25 second foot; for Irrigation of 10 acres; Sheehan ditch; Description of place of use: To be irrigated, 4 acres in NW1 SW1; 6 acres in SW1 SW1, Sec. 31, Tp. 36 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 5.2 acres in said NW<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 31, of which 2 acres are covered by the allowance made claimant from Slate Creek (see Paragraph 245 supra). This allowance was a reduction by one acre of the amount claimed in the proof and for which there was no inchoate right from Slate Creek. Therefore, it appears that said one acre should have been claimed from Chapin Creek, and allowance will be made herein accordingly.

Claiment is allowed a right to the use of 0.25 cubic foot per second of water from Chapin Creek, through Sheehan Ditch, with a priority of 1908, for the irrigation of 10 acres located as follows:

5.2 acres in NW SW SW 4.8 acres in SW SW Sec. 31,
Tp. 36 S., R. 6 W., W. M.,
Josephine County, Oregon

To the extent of 2 acres in NW SW and 4.8 acres in SW SW, Sec. 31, Tp. 36 S., R. 6 W., W. M., the foregoing right is supplemental to the right allowed the claimant from Slate Creek as set out in Paragraph 245 supra. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.025 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.025 cubic foot per second of water for each acre irrigated during the irrigation season.

(For right allowed claimant to the use of water from Applegate River through Wilderville Ditch, see Paragraph 231 supra.)

#### ELLIOTT CREEK

247.

# Adam Thomas Cart, Wonder, Oregon:

Claimant was allowed an inchcate right to the use of water from Elliott Creek which is set out in the Rogue River Decree on Page 51, Column 1, under Proof 752, as follows: "Priority 1904; 0.14 second foot; for Irrigation of 5\frac{1}{2} acres; Cart ditch; Description of place of use: Irrigated, \frac{1}{2} acre in SE\frac{1}{2} NE\frac{1}{2}, Sec. 15; To be irrigated, 5 acres in SE\frac{1}{2} NE\frac{1}{2}, Sec. 15, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right by irrigation to the extent of 3 acres in NE<sub>1</sub> NE<sub>2</sub>, Sec. 15, Tp. 37 S., R. 7 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.08 cubic foot per second of water from Elliott Creek, through Cart Ditch, with a priority of 1904, for the irrigation of:

being the full amount claimed in the proof.

The inchoate right which is found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

#### RIGHT AND LEFT HAND FORKS OF SLATE CREEK

248.

#### Edwin V. and Blanche Denney, Wonder, Oregon:

Claimants are successors to Gustav A. Karner whose inchoate right to the use of water from the Left Hand Fork of Slate Creek is set out in the Rogue River Decree on Page 51, Column 2, under Proof 758, as follows: "Priority 1903; 0.64 second foot; for Irrigation of 32 acres; Mathews ditch; Description of place of use: Irrigated, 3 acres in SW SW, Sec. 7; 8 acres in NET NWT; 15 acres in NWT NWT, Sec. 18; To be irrigated, 6 acres in NWT NWT, Sec. 18, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon."

Due to error in that it did not conform to the facts, the foregoing allowance was amended by a decree of the Circuit Court of the State of Oregon for Jackson County, dated December 12, 1921, on file and of record in the office of the County Clerk for Jackson County to read as follows:

#### "LEFT HAND OR WEST FORK OF SLATE CREEK.

"Chas. Fetzner, Brownsville, Minn., by Jos. Fetzner, Atty. in fact, Grants Pass, Oregon. (successor to Gustav A. Karner, Proof 753, Vol. 11) Priority 1885; O.2 Second foot; for irrigation of 10 acres, domestic and stock; Hiatt Ditch #1; description of place of use; Irrigated, 2 acres in SW2 SW2; Sec. 7; 8 acres in NW2 NW2 Sec. 18; T. 37 S. R. 7 W. W. M., Josephine County, Oregon.

\*Priority 1885; O.1 second foot; for irrigation of 5 acres, domestic and stock; Hiatt Ditch #2; description of place of use; Irrigated, 5 acres in NW; Sec. 18, T. 37 S. R. 7 W. W. M., in Josephine County, Oregon.

# \*RIGHT HAND OR EAST FORK OF SLATE CREEK.

"CHAS. FETZNER, Brownsville, Minn., by Jos. Fetzner, Atty. in fact, Grants Pass, Oregon, (successor to Gustav A. Karner, Proof 758, Vol. 11); Priority 1903; 0.64 second foot; for irrigation of 32 acres, domestic and stock; Mathews Ditch; Description of place of use; Irrigated, 5 acres in SWZ SWZ, Sec. 7; 6 acres in NEZ NWZ; 15 acres in NEZ NEZ, Sec. 18; To be irrigated, 6 acres in NWZ NWZ, Sec. 18, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon.

"(NOTE) This diversion is supplemental to the 15 acres irrigated from the Left Hand or West Fork of Slate Creek through Hiatt Ditches Nos. 1 & 2, and irrigates 17 acres in addition thereto."

Claimant has submitted proof which was accepted under the provision of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In their proof claimants state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 17.3 acres, to-wit: 9 acres in SW1 SW1, Sec. 7; 0.6 acre in NE1 NW1; 7.7 acres in NW1 NW1, Sec. 18, Tp. 37 S., R. 7 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.17 cubic foot per second of water from the Left Hand Fork of Slate Creek, through Hiatt Ditches Nos. 1 and 2, with a priority of 1885, for domestic and stock use and for the irrigation of 8.6 acres located as follows:

1.0 acre in SW SW Sec. 7;

Sec. 7;

0.6 acre in NE NW NW Sec. 18,

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Josephine County, Oregon

Claimants are also allowed a right to the use of 0.35 cubic foot per second of water from the Right Hand Fork of Slate Creek, through Mathews Ditch, with a priority of 1903, for domestic and stock use and for the irrigation of 17.3 acres located as follows:

9.0 acres in SW2 SW2
Sec. 7;
0.6 acre in NE2 NW2
7.7 acres in NW2 NW2
Sec. 18,
Tp. 37 S., R. 7 W., W. M.,
Josephine County, Oregon

To the extent of 1 acre in SW SW, Sec. 7, 7 acres in NW NW, Sec. 18, and 0.6 acre in NET NW, Sec. 18, the foregoing right from the Right Hand Fork of Slate Creek is supplemental to the right allowed claimants from the Left Hand Fork of Slate Creek. Said supplemental right is limited to use on the land to which it is appurtenant in an amount not exceeding 0.02 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season.

### CHANKY CREEK

249.

### Richard A. Lindsay, Route 2, Grants Pass, Oregon:

Claimant was allowed an inchoate right to the use of water from Chancy Creek which is set out in the Rogue River Decree on Page 51, Column 2, under Proof 765, as follows:

"Priority 1908; 0.20 second foot; for Irrigation of 10 acres; Lindsay ditch; Description of place of use: To be irrigated, 10 acres in SEI NWI and in NI SWI, Sec. 18, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right for irrigation to the extent of 4.2 acres in SE4 NW4, Sec. 18, Tp. 37 S., R. 6 W., W. M. Claimant's proof was later amended to include a claim for the use of water from Chaney Creek

for the irrigation of 1.4 acres in NW1 SW2, said Sec. 18. Claimant in his proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.11 cubic foot per second of water from Chaney Creek, through Lindsay Ditch, with a priority of 1908, for the irrigation of 5.6 acres located as follows:

4.2 acres in SET NWT

1.4 acres in NWT SWT

Sec. 18,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

250.

### Mrs. E. T. Lloyd, Wilderville, Oregon:

Claimant is successor to John Lloyd whose inchoate right to the use of water from Chaney Creek is set out in the Rogue River Decree on Page 51, Column 2, under Proof 766, as follows: "Priority 1908; 0.12 second foot; for Irrigation of 6 acres; Sarah Griffin ditch; Description of place of use: To be irrigated, 6 acres in SW1 SW1, Sec. 13, and SE1 SE1, Sec. 14, Tp. 37 S., R. 7 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 1.0 acre in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 14, Tp. 37 S., R. 7 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.02 cubic foot per second of water from Chaney Creek, through Sarah Griffin Ditch, with a priority of 1908, for the irrigation of:

1.0 acre in SEL SEL Sec. 14,

Tp. 37 S., R. 7 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

251.

# C. H. McCann, Route 3, Grants Pass, Oregon:

Claimant was allowed inchoate rights to the use of water from Chaney Creek which are set out in the Rogue River Decree on Page 51, Column 2, under Proofs 767 and 768, as follows: "Priority 1902; 0.42 second foot; for Irrigation of 25 acres; McCann ditch; Description of place of use: Irrigated, 12 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 18; To be irrigated, 13 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 18, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon.

"Priority 1908; 0.28 second foot; for Irrigation of 14 acres; McCollum and McCann ditch; Description of place of use: 3 acres in NW NET; 4 acres in NW NT, Sec. 18; 7 acres in SW SET SET, Sec. 7, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant in his proofs also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Under the provisions of the aforesaid special order of the State Engineer, allowance will be made herein only for that part of the lands designated as irrigated by the Rogue River Decree which was found to be irrigated by said survey made under the direction of the State Engineer.

Claimant is allowed a right to the use of 0.20 cubic foot per second of water from Chaney Creek, through McCann Ditch, with a priority of 1902, for the irrigation of:

12.0 acres in NW1 NE1 Sec. 18,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon

Claimant is also allowed a right to the use of 0.17 cubic foot per second of water from Chaney Creek, through McCollum and McCann Ditch, with a priority of 1908, for the irrigation of 8.3 acres located as follows:

5.3 acres in SW2 SE2 SE2 Sec. 7; 3.0 acres in NW2 NE2 Sec. 18, Tp. 37 S., R. 6 W., W. M., Josephine County, Oregon

## LITTLE CHANEY CREEK

252.

#### Ethel and Ora Bull and Gladys and John Combs, Route 3, Box 508, Grants Pass, Oregon:

Claimants are successors to B. F. Bull whose inchoate right to the use of water from Little Chaney Creek is set out in the Rogue River Decree on Page 51, Column 2, under Proof 772, as follows: "Priority March, 1900; 1.00 second foot; for Irrigation of 60 acres; Bull or Little Chaney Creek; Description of place of use: Irrigated, 12 acres in NW\$\frac{1}{4}\$ SE\$\frac{1}{4}\$, Sec. 18; to be irrigated, 35 acres in SW\$\frac{1}{4}\$ NE\$\$\frac{1}{4}\$; 13 acres in NW\$\frac{1}{4}\$ SE\$\$\frac{1}{4}\$, Sec. 18, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said incheate right has been completed by irrigation to the extent of 12 acres in NW2 SE2, Sec. 18, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 10.5 acres in  $NW_4^2$  SE $_4^1$ , said Sec. 18, which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimants are allowed a right to the use of 0.18 cubic foot per second of water from Little Chaney Creek, through Bull or Little Chaney Creek Ditch, with a priority of March, 1900, for the irrigation of:

10.5 acres in NW1 SE1
Sec. 18,
Tp. 37 S., R. 6 W., W. M.,
Josephine County, Oregon

BULL CREEK

253.

### Max and L. O. Ungerman, Route 2, Box 519, Grants Pass, Oregon:

Claimants are successors to L. B. Akers whose inchoate right to the use of water from Bull Creek is set out in the Rogue River Decree on Page 51, Column 3, under Proof 774, as follows: "Priority 1908; 0.20 second foot; for Irrigation of 10 acres; Akers ditch; Description of place of use: To be irrigated, 10 acres in NW4 NE4, Sec. 20, Tp. 37 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 3.6 acres in NW1 NE1, Sec. 20, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.07 cubic foot per second of water from Bull Creek, through Akers Ditch, with a priority of 1908, for the irrigation of:

3.6 acres in NW4 NE4

Sec. 20,

Tp. 37 S., R. 6 W., W. M.,

Josephine County, Oregon,

#### MURPHY CREEK

254.

#### Jesse Delbert and Elizabeth Thies Knighten, Route 3, Box 5, Klamath Falls, Oregon:

Claimants are successors in part to the Madrona Land Co. whose inchoate rights to the use of water from Murphy Creek are set out in the Rogue River Decree on Page 51, Column 3, under Proofs 779, 780, and 781, as follows: "Priority 1908; 0.34 second foot; for Irrigation of 27 acres; Murphy ditch No. 1; Description of place of use: To be irrigated, 27 acres in NW1 SE1, Sec. 19, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon.

Priority 1908; 1.62 second feet; for Irrigation of 1293 acres; Murphy ditch No. 2;

Description of place of use: To be irrigated, 10.4 acres in SE2 SE2, Sec. 25, Tp. 37 S., R. 6 W.

W. M.; 30 acres in NW2 NE2; 6.7 acres in NE2 NW2; 10 acres in SW2 NW2; 4.1 acres in NW2 SW2;

11.8 acres in SW2 SW2, Sec. 30; 31.2 acres in NE2 NE2; 7.5 acres in SE2 SW2; 2 acres in NE2 SE2;

2.5 acres in SW2 SE2; 13.3 acres in SE2 SE2, Sec. 19, Tp. 37 S., R. 5 W. W. M., Josephine County,

Oregon.

"Priority 1908; 0.65 second foot; for Irrigation of 51.6 acres; Murphy ditch No. 3; Description of place of use: To be irrigated, 13.4 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 17.6 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 36; 4.8 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 25, Tp. 37 S., R. 6 W. W. M.; 15.8 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 30, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said incheate rights have been completed by irrigation through Murphy Ditch No. 1 to the extent of 7.5 acres in NW<sub>2</sub> SE<sub>2</sub>, Sec. 19, Tp. 37 S., R. 5 W., W. M. A survey made under the direction of the State Engineer found an irrigated area of only 7.0 acres in NW<sub>2</sub> SE<sub>2</sub>, Sec. 19, which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimants are allowed a right to the use of 0.09 cubic foot per second of water from Murphy Creek, through Murphy Ditch No. 1, with a priority of 1908, for the irrigation of:

7.0 acres in Tract 49, Madrona Tracts, and Lots 1, 2, and 3, Block 3, Madrona Tracts (NWI SEI)
Sec. 19,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon

Description is amended to conform with the plat of the Madrona Tracts as filed and made of record with the County Clerk of Josephine County, Oregon.

255.

## Ray C. Deister and Vivian Deister, Murphy, Oregon:

Claimants are successors in part to the Madrona Land Co. whose inchoate rights to the use of water from Murphy Creek are set out in Paragraph 254 supra.

Claimants have submitted proof wherein they state that said inchoate rights have been completed by irrigation through Murphy Ditch No. 2 to the extent of 7.8 acres in NW1 NE1, Sec. 30, Tp. 37 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.10 cubic foot per second of water from Murphy Creek, through Murphy Ditch No. 2, with a priority of 1908, for the irrigation of:

7.8 acres in Tract 18, Madrona Tracts (NW1 NE1)
Sec. 30,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof with description amended to conform with the plat of Madrona Tracts as filed and made of record with the County Clerk of Josephine County, Oregon.

256.

# Samuel Johnson, Murphy, Oregon:

Claimant is successor in part to the Madrona Land Co. whose inchoate rights to the use of water from Murphy Creek are set out in Paragraph 254 supra.

Claimant is also successor in part to E. M. Cockerline who was allowed a vested right to the use of water from Murphy Creek which is set out in the Rogue River Decree on Page 25, Columns 1 and 2, under Proof 780, as follows: "Priority 1871; 3.66 second feet; for irrigation of 256 acres; Murphy ditch No. 2; Description of place of use: 21 acres in SE½ SE½, Sec. 25, Tp. 37 S., R. 6 W. W. M.; 10 acres in NW½ NE½; 20 acres in SW½ NE½; 31 acres in NE½ NW½; 27 acres in SW½ NW½; 40 acres in SE½ NW½; 21½ acres in NE½ SW½; 35 acres in NW½ SW¼, Sec. 30; 5 acres in SE½ SW½; 8 acres in NW½ SE½; 37½ acres in SW½ SE½, Sec. 19, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that the said inchoate right has been completed by irrigation to the extent of 14.5 acres in NW<sub>4</sub> NE<sub>4</sub>, Sec. 30, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

The area claimed in the proof as irrigated is covered by the above-stated vested right for irrigation to the extent of 3.1 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 30, Tp. 37 S., R. 5 W., W. M. Allowance will be made herein only for the remaining 11.4 acres in said tract reclaimed and irrigated in completion of said inchoate right.

Claimant is allowed a right to the use of 0.14 cubic foot per second of water from Murphy Creek, through Murphy Ditch No. 2, with a priority of 1908, for the irrigation of:

11.4 acres in Tract 17, Madrona Tracts, (NW1 NE1)

Sec. 30,

Tp. 37 S., R. 5 W., W. M.,

Josephine County, Oregon

Description is amended to conform with the plat of the Madrona Tracts as filed and made of record with the County Clerk of Josephine County.

257.

# Theodore and Anna Miller, 719 N. 7th Street, Grants Pass, Oregon:

Claimants are successors in part to the Madrona Land Co. whose inchoate rights to the use of water from Murphy Creek are set out in Paragraph 254 supra.

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 31.1 agres, to-wit: 12.7 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 18.4 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 36, Tp. 37 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.39 cubic foot per second of water from Murphy Creek, through Murphy Ditch No. 3, with a priority of 1908, for the irrigation of 31.1 acres located as follows:

12.7 acres in NET NET
18.4 acres in NET NET
Sec. 36,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

258.

### John Leroy Nelson and Osa Leota Nelson, Murphy, Oregon:

Claimants are successors in part to the Madrona Land Co. whose incheate rights to the use of water from Murphy Creek are set out in Paragraph 254 supra.

Claimants are also successors in part to E. M. Cockerline whose vested right to the use of water from Murphy Creek is set out in Paragraph 256 supra.

Claimants have submitted proof wherein they assert a right for the irrigation of 6.8 acres in SW2 SE2, Sec. 19, Tp. 37 S., R. 5 W., W. M., under the above-stated vested right. Claimants in their proof also state that no land has been irrigated in completion of the above-stated incheate right, and no allowance will be made herein therefor.

259.

#### Robert Mansfield, Murphy, Oregon:

Claimant is successor to W. S. Bailey whose inchoate right to the use of water from Caris Creek is set out in the Rogue River Decree on Page 52, Column 1, under Proof 790, as follows: "Priority 1908; 0.09 second foot; for Irrigation of 5 acres; W. S. Bailey ditch; Description of place of use: To be irrigated, 5 acres in SE<sub>2</sub> NW<sub>2</sub>, Sec. 36, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 5 acres in SE NW, Sec. 36, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.09 cubic foot per second of water from Caris Creek, through W. S. Bailey Ditch, with a priority of 1908, for the irrigation of:

5 acres in SEt NW:
Sec. 36,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

The foregoing allowance is made subject to the stipulation set out in Paragraph 18 of the Rogue River Decree on Page 59, Columns 1 and 2.

260.

## Bessie Myrtle (Caris) Schroeder and Herman Schroeder, Murphy, Oregon:

Claimants are successors to P. W. Caris whose inchoate right to the use of water from Caris Creek is set out in the Rogue River Decree on Page 52, Column 1, under Proof 791, as follows: "Priority 1908; 0.22 second foot; for Irrigation of 13 acres; Caris ditch; Description of place of use: To be irrigated, 13 acres in SE2 SE4, Sec. 25, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon, and in SW2 SW4, Sec. 30, Tp. 37 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 13 acres in SET SET, Sec. 25, Tp. 37 S., R. 5 W., W. M., Josephine County, and SWT SWT, Sec. 30, Tp. 37 S., R. 4 W., W. M., Jackson County, Oregon. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.22 cubic foot per second of water from Caris Creek, through Caris Ditch, with a priority of 1908, for the irrigation of:

13 acres in that part of Sec. 25, (SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>)
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,
and in that part of Sec. 30, (SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>)
Tp. 37 S., R. 4 W., W. M.,
Jackson County, Oregon,
lying within D.L.C. 40,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey.

The above allowance is made subject to the stipulation set out in Paragraph 18 of the Rogue River Decree on Page 59, Columns 1 and 2.

#### WILLIAMS CREEK

261.

## Oliver A. Fick, Williams, Oregon:

Claimant is successor in part to J. D. Dixon whose incheate right to the use of water from Williams Creek is set out in the Rogue River Decree on Page 52, Column 1, under Proof 812, as follows: "Priority Jan. 14, 1904; 1.00 second foot; for Irrigation of 50 acres, and Stock; Dixon & Caldwell ditch; Description of place of use: Irrigated, 11 acres in SW1 NW1; 4 acres in SE1 NW1, Sec. 35, Tp. 38 S., R. 5 W. W. M.; To be irrigated, 29 acres in SW1 NW1; 6 acres in SE1 NW2, Sec. 35, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for stock use and by irrigation to the extent of 20.3 acres, to-wit: 6.4 acres in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>; 13.9 acres in SW<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 35, Tp. 38 S., R. 5 W., W. M.

Claimant is allowed a right to the use of 0.41 cubic foot per second of water from Williams Creek, through Dixon and Caldwell Ditch, with a priority of January 14, 1904, for stock use and for the irrigation of 20.3 acres located as follows:

13.9 acres in No SWA NWA
6.4 acres in SEA NWA
Sec. 35,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

262.

## R. W. Rowley, Williams, Oregon:

Claimant is successor in part to J. D. Dixon whose inchoate right to the use of water from Williams Creek is set out in Paragraph 261 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed for stock use and by irrigation to the extent of 12.2 acres in  $S_2^{\frac{1}{2}}$   $S_{7/2}^{\frac{1}{2}}$   $N_{7/2}^{\frac{1}{2}}$ , Sec. 35, Tp. 38 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.24 cubic foot per second of water from Williams Creek, through Dixon and Caldwell Ditch, with a priority of January 14, 1904, for stock use and for the irrigation of:

12.2 acres in S2 SW2 NW2 Sec. 35,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

263.

## O. B. Johnson and Marian Johnson, Provolt, Oregon:

Claimants are successors to J. C. Jones whose inchoate rights to the use of water from Williams Creek are set out in the Rogue River Decree on Page 52, Columns 1 and 2, under Proof 816, as follows: "Priority Dec., 1908; 0.64 second foot; for Irrigation of 32 acres; Spencer ditch; Description of place of use: To be irrigated, 15 acres in NE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub>; 17 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon." and under Proof 817, as follows: "Priority Dec., 1908; 0.52 second foot; for Irrigation of 26 acres; Provolt ditch; Description of place of use: To be irrigated, 23 acres in Lot 1; 3 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants' predecessor was also allowed vested rights to the use of water from Williams Creek which are set out in the Rogue River Decree on Page 26, Column 3, under Proof 817, as follows: "Priority 1869; 0.25 second foot; for Irrigation of 15 acres; Provolt ditch; Description of place of use: 1 acre in Lot 1; 14 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon." and under Proof 816, as follows: "Priority 1875; 0.05 second foot; for Irrigation of 2 acres; Spencer ditch; Description of place of use: 2 acres in NE4 SE4, Sec. 12, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proofs wherein they state that the above-stated inchoate rights for irrigation through Spencer Ditch have been completed to the extent of 35.2 acres, to-wit: 8.7 acres in NEt SEt; 26.5 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W., W. M., and through Provolt Ditch to the extent of 33.5 acres, to-wit: 7 acres in Lot 1; 26.5 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W., W. M. Claimants in their proofs also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants have duplicated in their proofs the claim for 26.5 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W., W. M. Said tract was found by the said survey to be irrigated through the Spencer Ditch; therefore, only one allowance will be made thereon.

The areas claimed in the proofs as irrigated are covered by the above-stated vested right for irrigation through Provolt Ditch to the extent of 1 acre in Lot 1; through Spencer Ditch to the extent of 2 acres in NE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub> and 14 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W., W. M. Allowance will be made herein only for the remaining 6 acres in Lot 1 which are irrigated through Provolt Ditch and 6.7 acres in NE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub> and 12.5 acres in Lot 2, Sec. 12, Tp. 38 S., R. 5 W., W. M., which are irrigated through Spencer Ditch, being the areas reclaimed and irrigated in completion of the above inchoate right.

Claimants are allowed a right to the use of 0.38 cubic foot per second of water from Williams Creek, through Spencer Ditch, with a priority of December, 1908, for the irrigation of 19.2 acres located as follows:

12.5 acres in Lot 2 (SW1 NE1)
6.7 acres in NE2 SE1 North of the highway
Sec. 12,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon

Claimants are also allowed a right to the use of 0.12 cubic foot per second of water from Williams Creek, through Provolt Ditch, with a priority of December, 1908, for the irrigation of:

6.0 acres in Lot 1 (NW1 NE1)
Sec. 12,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon

264.

## Drusilla S. Mansfield, Williams, Oregon:

Claimant is successor to James T. Kenedy whose inchoate right to the use of water from Williams Creek is set out in the Rogue River Decree on Page 52, Column 2, under Proof 818, as follows: "Priority June, 1908; 0.17 second foot; for Irrigation of 12 acres; Kennedy ditch; Description of place of use: Irrigated, 2 acres in NW2 NE2, Sec. 23; 4 acres in SW2 SE2, Sec. 14; To be irrigated, 3 acres in NW2 NE2, Sec. 23; 3 acres in SW2 SE2, Sec. 14, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein it is stated that said incheate right has been completed by irrigation to the extent of 11 acres, to-wit: 4 acres in SW1 SE1, Sec. 14; 7 acres in NW2 NE2, Sec. 23, Tp. 38 S., R. 5 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.16 cubic foot per second of water from Williams Creek, through Kennedy Ditch, with a priority of June, 1908, for the irrigation of 11 acres located as follows:

Sec. 14;
7 acres in Lot 3 (NW NE)
Sec. 23,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof with descriptions amended to conform with the United States land survey. The inchoate rights which are found to be completed herein are fixed to conform with the irrigated areas as explained in Paragraph 7.

265.

## C. L. Richardson, Murphy, Oregon:

Claimant is successor in part to Emma Francis Truax and Emma G. Macy whose inchoate right to the use of water from Williams Creek is set out in the Rogue River Decree on Page 52, Column 2, under Proof 827, as follows: "Priority June, 1890; 0.69 second foot; for Irrigation of 48 acres; York & Breedon ditch; Description of place of use: To be irrigated, 33 acres in NW1 SW1; 5 acres in SW1 SW2; 10 acres in SE1 SW1, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessors were also allowed a vested right to the use of water from Williams Creek which is set out in the Rogue River Decree on Page 26, Column 3, under Proof 820, as follows: "Priority 1872; 0.40 second foot; Priority June, 1890; 0.13 second foot; for Irrigation of 37 acres; Watts & Topping and York & Breedon ditches; Description of place of use: 30 acres in SEZ SWZ; 7 acres in NWZ SWZ, Sec. 1, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 10 acres in NW; SW; Sec. 1, Tp. 38 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

The area claimed in the proof as irrigated is covered by the above-stated vested right for irrigation to the extent of 7 acres. Allowance will be made herein for the remaining 3 acres reclaimed and irrigated in completion of said inchoate right.

Claimant is allowed a right to the use of 0.04 cubic foot per second of water from Williams Creek, through York and Breedon Ditch, with a priority of June, 1890, for the irrigation of:

3 acres in that part of NW2 SW2

Sec. 1,

Tp. 38 S., R. 5 W., W. M.,

Josephine County, Oregon,

described as follows:

A strip of land 346 feet wide across the North end of said

NW2 SW2 and a strip of land 234 feet wide off the West side

thereof.

### V. Richardson, Murphy, Oregon:

Claimant is successor in part to Emma Francis Truax and Emma G. Macy whose inchoate right to the use of water from Williams Creek is set out in Paragraph 265 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 9.2 acres in NW<sub>2</sub> SW<sub>3</sub>, Sec. 1, Tp. 38 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.13 cubic foot per second of water from Williams Creek, through York and Breedon Ditch, with a priority of June, 1890, for the irrigation of:

9.2 acres within that part of NW2 SW2

Sec. 1,

Tp. 38 S., R. 5 W., W. M.,

Josephine County, Oregon,

described as follows:

All of said NW2 SW2, except a strip off the North side

346 feet wide and a strip off the West side 234 feet

wide,

being the full amount claimed in the proof.

267.

## W. F. Willson, Route 1, Box 37, Murphy, Oregon:

Claimant is successor to Minerva Topping whose inchoate right to the use of water from Williams Creek is set out in the Rogue River Decree on Page 52, Column 2, under Proof 824, as follows: "Priority Dec., 1908; 0.06 second foot; for Irrigation of 4 acres; Watts & Topping ditch; Description of place of use: To be irrigated, 4 acres in SEL SW4, Sec. 35, Tp. 37 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 1.4 acres in SE SW1, Sec. 35, Tp. 37 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.02 cubic foot per second of water from Williams Creek, through Watts and Topping Ditch, with a priority of December, 1908, for the irrigation of:

1.4 acres in SE1 SW1
Sec. 35,
Tp. 37 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

(For rights allowed claimant to the use of water from the Applegate River through Laurel Hill Ditch, see Paragraph 148 supra.)

268.

## Benjamin S. Watts, Murphy, Oregon:

Claimant is successor to Alex Watts whose inchoate right to the use of water from Williams Creek is set out in the Rogue River Decree on Page 52, Column 2, under Proof 825, as follows: "Priority Dec., 1908; 0.80 second foot; for Irrigation of 56 acres; Watts & Topping ditch; Description of place of use: To be irrigated, 40 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 6 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 8 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 2 acres in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 2, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessor, Alex Watts, was also allowed a vested right to the use of water from Williams Creek which is set out in the Rogue River Decree on Page 27, Column 1, as follows: "Priority 1858; 1.34 second feet; for Irrigation of 80 acres; Watts & Topping ditch; Description of place of use: 34 acres in SW1 NE1; 40 acres in SE1 NE1; 6 acres in NE1 SE1, Sec. 2, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proofs wherein he states that said inchoate right has been completed by irrigation to the extent of 48.5 acres, to-wit: 40 acres in NW NET; 1.5 acres in NW SET; 7 acres in NET SET, Sec. 2, Tp. 38 S., R. 5 W., W. M. Claimant in his proofs also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Allowance is made herein for only 1.2 acres in the NET SET, Sec. 2, as the remaining 6 acres in said tract which are irrigated are covered by the above-stated vested right.

Claimant is allowed a right to the use of 0.61 cubic foot per second of water from Williams Creek, through Watts and Topping Ditch, with a priority of December, 1908, for the irrigation of 42.7 acres located as follows:

40.0 acres in NW1 NE1
1.2 acres in NW1 SE1
1.5 acres in NW1 SE2
Sec. 2,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon

## WEST FORK OF WILLIAMS CREEK

269.

## Mrs. Frank Bryan (Emma Bryan), Williams, Oregon:

Claimant was allowed an inchoate right to the use of water from the West Fork of Williams Creek which is set out in the Rogue River Decree on Page 52, Column 2, under Proof 840, as follows: "Priority Oct. 1, 1908; 0.72 second foot; for Irrigation of 50 acres, and Domestic and Stock use; Bryan ditch; Description of place of use: To be irrigated, 20 acres in NET SWT; 30 acres in SET SWT, Sec. 18, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 2 acres in SEL SWL, Sec. 18, Tp. 39 S., R. 5 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.03 cubic foct per second of water from West Fork of Williams Creek, through Bryan Ditch, with a priority of Oct. 1, 1908, for domestic and stock use and for the irrigation of:

2 acres in SEt SWt Sec. 18, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

270.

## Mrs. J. T. Hartley, Williams, Oregon:

Claimant is successor to J. T. Hartley whose inchoate right to the use of water from the West Fork of Williams Creek is set out in the Rogue River Decree on Page 52, Column 2, under Proof 842, as follows: "Priority, Dec., 1908; 0.59 second foot; for Irrigation of 41 acres, and Domestic and Stock use; Hartley ditch; Description of place of use: To be irrigated, 40 acres in SW NEZ; 1 acre in SEZ NEZ, Sec. 4, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessor was also allowed a vested right to the use of water from the West Fork of Williams Creek which is set out in the Rogue River Decree on Page 27, Column 1, as follows: "Priority, April 1, 1900; 0.65 second foot; for Irrigation of 39 acres; Hartley ditch; Description of place of use: 39 acres in SE NE Sec. 4, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessor was also allowed a vested right to the use of water from Munger Creek which is set out in the Rogue River Decree on Page 28, Column 2, under Proof 852, as follows: "Priority 1881; 0.49 second foot; for Irrigation of 29 acres; Hartley ditch; Description of place of use: 2 acres in NW1 NE1; 27 acres in SW1 NE1, Sec. 4, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she claims a completed inchoate right for irrigation to the extent of 9 acres in NW2 NE2, Sec. 4, Tp. 39 S., R. 5 W., W. M., from Munger Creek and also a completed inchoate right for 16.3 acres in NE2 NE2, said Sec. 4, from the West Fork of Williams Creek.

With regard to the foregoing claims, it is stated in the proof:

"Can be supplied from the W. Fork of Williams Creek, in which Inchoate rights exist. The right is reserved to claim from either source for lands under irrigation."

It appears that claimant's predecessor was allowed no inchoate right to the use of water from Munger Creek nor was he allowed an inchoate right from the West Fork of Williams Creek to irrigate the NE<sub>4</sub> NE<sub>4</sub>, said Sec. 4. Claimant must rely upon the above-stated vested right and upon certificate of water right recorded at Page 2038, Volume 3, and certificate of water right recorded at Page 3308, Volume 4, State Record of Water Right Certificates, under which claimant was granted the right to irrigate 15 acres in NE<sub>4</sub> NE<sub>4</sub> and 2 acres in NW<sub>4</sub> NE<sub>4</sub>, Sec. 4. No additional rights will be allowed herein in completion of the alleged inchoate rights claimed in the proof.

271.

## Amos Smith and Susie Smith, Route 3, Grants Pass, Oregon:

Claimants are successors to Frank M. and Anna LeRoy whose inchoate right to the use of water from the West Fork of Williams Creek is set out in the Rogue River Decree on Page 52, Column 3, under Proof 845, as follows: "Priority Dec., 1908; 1.00 second foot; for Irrigation of 70 acres; Hartley ditch; Description of place of use: To be irrigated, 40 acres in SE<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>3</sub>; 30 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 34, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 32.4 acres, to-wit: 10.8 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 21.6 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 34, Tp. 38 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.46 cubic foot per second of water from the West Fork of Williams Creek, through Hartley Ditch, with a priority of December, 1908, for the irrigation of 32.4 acres located as follows:

21.6 acres in SE NE less the following-described tracts: Beginning at the NE corner of SEt NEt, Sec. 34; thence South along the section line 198 feet; thence West 382 feet; thence North 198 feet; thence East 382 feet to point of beginning; also less and excepting a triangular strip of land conveyed to J. T. Lovell, recorded in Volume 57, Page 131, Deed Records, Josephine County, and described as follows, to-wit: Beginning at an oak tree about 30 feet South of Williams Store and Postoffice and running thence Southeasterly to the NW corner of the John J. Sparlin tract; thence North along the East line of said Sec. 34 to a point opposite the place of beginning, thence West to the place of beginning; 10.8 acres in NET SET subject to that certain easement of road purposes conveyed by Frank M. LeRoy and Anna LeRoy to Henry Norton and Elizabeth M. Norton by deed recorded in Volume 46, Deed Records, Josephine

County, Oregon, at Page 125, less and excepting 4 acres here-

tofore deeded to School District #16; Sec. 34, Tp. 38 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

## W. G. Records, Route 3, Box 92, Hermit, California:

Claimant is successor to Frank Sutton whose inchoate right to the use of water from the West Fork of Williams Creek is set out in the Rogue River Decree on Page 52, Column 3, under Proof 847, as follows: "Priority Dec., 1908; 1.62 second feet; for Irrigation of 113 acres; Chapman ditch; Description of place of use: To be irrigated, 35 acres in NE<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>2</sub>; 14 acres in NW<sup>1</sup>/<sub>4</sub>; 24 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 40 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 3, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessor, E. E. Blanchard (successor to Frank Sutton), was allowed a vested right to the use of water from the West Fork of Williams Creek which is set out in the Rogue River Decree on Page 27, Column 2, as follows: "Priority June 1, 1875; 0.25 second foot; for Irrigation of 15 acres; Priority 1907; 0.54 second foot; for Irrigation of 32 acres; Chapman ditch; Description of place of use: 5 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 26 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 16 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 3, Tp. 36 S., R. 5 W. W. M., Josephine County, Oregon."

In the case of Blanchard vs. Hartley, 111 Ore. 308, at Page 315, the foregoing vested right was modified and corrected so as to make said 47 acres appurtenant to the entire No NWL, Sec. 3, Tp. 39 S., R. 5 W., W. M.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 31.5 acres, to-wit: 19.8 acres in NE NW; 11.5 acres in SW NW; 0.2 acre in SE NW; Sec. 3, To. 39 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of 73.0 acres in No NW and SW NW, of which 47 acres are covered by the above-stated vested right as modified by the Supreme Court.

Allowance will be made herein for the remaining 26 acres which are reclaimed and irrigated in completion of said incheate right in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 0.37 cubic foot per second of water from West Fork of Williams Creek, through Chapman Ditch, with a priority of December, 1908, for the irrigation of 26.2 acres located as follows:

26.0 acres in No NWL and SWL NWL 0.2 acre in SEL NWL Sec. 3, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon

273.

## Gilbert S. Elder, Williams, Oregon:

Claimant is successor to S. M. Wertz whose inchoate right to the use of water from the West Fork of Williams Creek is set out in the Rogue River Decree on Page 52, Column 3, under Proof 849, as follows: "Priority Dec., 1908; 0.66 second foot; for Irrigation of 46

acres; Wertz ditch; Description of place of use: To be irrigated, 33 acres in NEt SEt; 3 acres in NWt SEt; 10 acres in SWt SEt, Sec. 7, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessor, S. M. Wertz, was also allowed a vested right to the use of water from the West Fork of Williams Creek which is set out in the Rogue River Decree on Page 27, Column 2, as follows: "Priority 1890; 0.60 second foot; for Irrigation of 36 acres; Wertz ditch; Description of place of use: 7 acres in NE<sub>2</sub> SE<sub>2</sub>; 22 acres in NE<sub>2</sub> SE<sub>2</sub>; 7 acres in SW1 SE1, Sec. 7, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 49.3 acres, to-wit: 12.8 acres in NE<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub>; 25.5 acres in NW<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub>; 11 acres in SW<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>2</sub>, Sec. 7, Tp. 39 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

The areas claimed in the proof as irrigated are covered by the above-stated vested right to the extent of 36 acres. Allowance will be made herein for the remaining 13.3 acres reclaimed and irrigated in completion of said inchoate right.

Claimant is allowed a right to the use of 0.19 cubic foot per second of water from West Fork of Williams Creek, through Wertz Ditch, with a priority of December, 1908, for the irrigation of 13.3 acres located as follows:

5.8 acres in NET SET
3.5 acres in NET SET
4.0 acres in SET SEC. 7,
Tp. 39 S., R. 5 W., W. M.,
Josephine County, Oregon

## MUNGER CREEK

274.

## Kenneth Vineyard, Williams, Oregon:

Claimant is successor to Sarah Hoxie whose inchoate right to the use of water from Munger Creek is set out in the Rogue River Decree on Page 52, Column 3, under Proof 868, as follows: "Priority, Dec., 1908; 0.26 second foot; for Irrigation of 18 acres; Hoxie ditch; Description of place of use: To be irrigated, 18 acres in NW4 SW4, Sec. 5, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessor was also allowed a vested right to the use of water from Munger Creek which is set out in the Rogue River Decree on Page 28, Column 2, as follows:

"Priority, Nov. 1, 1895; 0.37 second foot; for Irrigation of 22 acres; Hoxie ditch; Description of place of use: 22 acres in NW2 SW2, Sec. 5, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 22 acres in NW1 SW1, Sec. 5, Tp. 39 S., R. 5 W., W. M. Claimant in his proof states that no land has been irrigated in completion of the above-stated inchoate right, and no allowance will be made herein therefor.

#### GOODWIN GULCH

275.

## Asa O. Hoxie, Williams, Oregon:

Claimant was allowed an inchoate right to the use of water from Goodwin Gulch which is set out in the Rogue River Decree on Page 52, Column 3, under Proof 869, as follows:

"Priority Dec., 1908; 0.32 second foot; for Irrigation of 24 acres; Hoxie or Goodwin ditch;

Description of place of use: To be irrigated, 24 acres in S2 SE1, Sec. 8, Tp. 39 S., R. 5 W.

W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 3.1 acres, to-wit: 1.4 acres in SW1 SE1; 1.7 acres in SE1 SE1, Sec. 8, Tp. 39 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.04 cubic foot per second of water from Goodwin Gulch, through Hoxie or Goodwin Ditch, with a priority of December, 1908, for the irrigation of 3.1 acres located as follows:

1.4 acres in SMT SET 1.7 acres in SET SET Sec. 8, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

LONE CREEK

276.

# Esther Large, Williams, Oregon:

Claimant is successor to Charles A. Hoxie whose inchoate right to the use of water from Lone Creek is set out in the Rogue River Decree on Page 52, Column 3, under Proof 872, as follows: "Priority Dec., 1908; 0.22 second foot; for Irrigation of 15 acres; Hoxie and Lone Creek Ditches; Description of place of use: To be irrigated, 15 acres in SW1 SW1, Sec. 8, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant's predecessor was also allowed a vested right to the use of water from Lone Creek which is set out in the Rogue River Decree on Page 29, Column 1, as follows:

"Priority Sept., 1890; 0.14 second foot; for Irrigation of 7 acres; Hoxie or Lone Creek ditch; Description of place of use: 7 acres in SWL SWL, Sec. 8, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 15 acres in SW2 SW2, Sec. 8, Tp. 39 S., R. 5 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 8.6 acres in said SW1 SW2, Sec. 8.

Of this area 7 acres are covered by the above-stated vested right. Allowance will be made herein for the remaining 1.6 acres reclaimed and irrigated in completion of said inchoate right.

Claimant is allowed a right to the use of 0.02 cubic foot per second of water from Lone Creek, through Hoxie and Lone Creek Ditch, with a priority of December, 1908, for the irrigation of:

1.6 acres in SW: Sw: Sec. 8,
Tp. 39 S., R. 5 W., W. M.,
Josephine County, Oregon

#### EAST FORK OF WILLIAMS CREEK

277.

### Walter Brooks, Palo Alto, California:

Claimant was allowed an incheate right to the use of water from the East Fork of Williams Creek which is set out in the Rogue River Decree on Page 52, Column 3, under Proof 875, as follows: "Priority 1908; 0.14 second foot; for Irrigation of 8 acres; Brooks ditch; Description of place of use: To be irrigated, 8 acres in NW4 SE4, Sec. 23, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant was also allowed a vested right to the use of water from the East Fork of Williams Creek which is set out in the Rogue River Decree on Page 27, Column 2, as follows:

"Priority 1895; 0.24 second foot; for Irrigation of 12 acres; Brooks ditch; Description of place of use: 12 acres in NW1 SE1, Sec. 23, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 12.8 acres in NW1 SE1, Sec. 23, Tp. 39 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

The area claimed in the proof as irrigated is covered by the above-stated vested right to the extent of 12 acres. Allowance will be made herein for the remaining 0.8 acre reclaimed and irrigated in completion of said inchoate right.

Claimant is allowed a right to the use of 0.01 cubic foot per second of water from East Fork of Williams Creek, through Brooks Ditch, with a priority of 1908, for the irrigation of:

O.8 acre in NW1 SE1
Sec. 23,
Tp. 39 S., R. 5 W., W. M.
Josephine County, Oregon

278.

#### D. C. Wilson, Williams, Oregon:

Claimant is successor to Herbert A. Johnson whose inchoate right to the use of water from the East Fork of Williams Creek is set out in the Rogue River Decree on Page 53, Column 1, under Proof 877, as follows: "Priority Dec., 1908; 0.72 second foot; for Irrigation of 50 acres; Johnson ditch; Description of place of use: To be irrigated, 25 acres in NE<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>; 25 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 14, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted an affidavit from said Herbert A. Johnson that the foregoing description of the lands allowed an inchoate right was erroneous and should have been 25 acres in NEI SWI and 25 acres in SEI SWI, Sec. 14, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon. Claimant also submits a statement sworn to by H. B. Hammond who claims to be the present owner of the NEI NWI and SEI NWI of said Sec. 14 and who authorizes the correction of the description. Therefore, the State Engineer recommends to the Court that the error in description in the decree be corrected accordingly.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigated to the extent of 11.5 acres in SE2 SW2, Sec. 14, Tp. 39 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from East Fork of Williams Creek, through Johnson Ditch, with a priority of December, 1908, for the irrigation of:

11.5 acres in SET SET SET.

Sec. 14,

Tp. 39 S., R. 5 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof with description amended to conform with the abovestated recommendation.

#### CLAPBOARD GULCH

279.

## A. R. Patterson and Mabel Ruth Patterson, Williams, Oregon:

Claimants are successors to Andrew Cantrall whose inchoate right to the use of water from Clapboard Gulch is set out in the Rogue River Decree on Page 53, Column 1, under Proofs 883 and 876, as follows: "Priority Dec., 1908; 0.14 second foot; for Irrigation of 10 acres; Benjamin ditch; Description of place of use: To be irrigated, 10 acres in SE<sub>2</sub> NE<sub>2</sub>, Sec. 10, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants' predecessor, Andrew Cantrall, was also allowed a vested right to the use of water from Clapboard Gulch which is set out in the Rogue River Decree on Page 29, Column 1, as follows: "Priority 1890; 0.16 second foot; for Irrigation of 8 acres; Philpot ditch; Description of place of use: 6 acres in NE NE NE RECE in SE NE NE NE NE NE Sec. 10, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 10 acres in SE<sub>2</sub> NE<sub>2</sub>, Sec. 10, Tp. 39 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey, made in July and August, 1935, found an irrigated area of only 1.1 acres in SE2 NE2, Sec. 10, Tp. 39 S., R. 5 W., W. M., which is fully covered by the above-stated vested right. A further investigation made in January, 1939, found that the 10.0 acres of inchoate right claimed as irrigated in the proof are in brush and trees and not reclaimed and irrigated so as to constitute a completion of the above-stated inchoate right. Therefore, no allowance will be allowed herein thereon.

280.

## Levi Knutson and Kathryn Knutson, Williams, Oregon:

Claimants are successors to Marianne Sargent whose incheate right to the use of water from Clapboard Gulch is set out in the Rogue River Decree on Page 53, Column 1, under Proof 885, as follows: "Priority May 13, 1904; 0.53 second foot; for Irrigation of 37 acres; Sargent ditch; Description of place of use: To be irrigated, 37 acres in SW1 SE1, Sec. 2, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 34.5 acres in SW1 SW2, Sec. 2, Tp. 39 S., R. 5 W., W. M. Claimants also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Claimants further state in their proof that:

"The printed Decree records this description as SM2 of SE2 of said Section 2. Claim will be accepted subject to future correction as to location. Marianne Sargent originally owned the SW2 of SW2 of Section 2. By mistake the description in the original Decree was given as the SW2 of SE2 and hence the Decree to be rendered in this proceeding should be corrected. If necessary, will upon advice obtain certificate of local abstract office to effect that Marianne Sargent never owned the SW2 of SE2 of Section 2."

In support of the above contention of error, affidavits have been submitted from the Josephine County Abstract Company, certifying that Marianne Sargent was never the owner of the SW SE, Sec. 2, Tp. 39 S., R. 5 W., W. M., and from Mrs. Etta Sparlin and Lester Sparlin, the present owners of said SW SE, stating that "we do not or never have taken water from Clapboard Gulch under the Sargent water right as it lays below our property and could not be used by the Sparlin property."

In view of the above affidavits as well as the findings of the survey made under the direction of the State Engineer, it is recommended to the Court that the above-stated incheate right be corrected to read "Priority May 13, 1904, 0.53 second foot; for Irrigation of 37 acres; Sargent Ditch; Description of place of use: To be irrigated, 37 acres in SW4 SW4, Sec. 2, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon."

Claimants are allowed a right to the use of 0.49 cubic foot per second of water from Clapboard Gulch, through Sargent Ditch, with a priority of May 13, 1904, for the irrigation of:

34.5 acres in SH; SW; Sec. 2, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

The foregoing allowance is made in accordance with the above-stated recommendation to the Circuit Court.

281.

#### Eugene F. Morrison, Williams, Oregon:

Claimant is successor to Edward Snell whose inchoate right to the use of water from Clapboard Gulch is set out in the Rogue River Decree on Page 53, Column 1, under Proof 886, as follows: "Priority Dec., 1908; 0.26 second foot; for Irrigation of 18 acres; Stackpole ditch; Description of place of use: To be irrigated, 18 acres in E<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>2</sub>, Sec. 10, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 12.1 acres in NET SET, Sec. 10, Tp. 39 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from Clapboard Gulch, through Stackpole Ditch, with a priority of December, 1908, for the irrigation of:

12.1 acres in NET SET

Sec. 10,

Tp. 39 S., R. 5 W., W. M.,

Josephine County, Oregon,

being the full amount claimed in the proof.

CHERRY GULCH

282.

#### Clair O. Brown, Williams, Oregon:

Claimant is successor to J. O. Brown whose inchoate right to the use of water from Cherry Gulch, a tributary of East Fork of Williams Creek, is set out in the Rogue River Decree on Page 53, Column 1, under Proof 891, as follows: "Priority May 6, 1905; O.17 second foot; for Irrigation of 10 acres; R. L. Moffitt ditch; Description of place of use: Irrigated, 1 acre in SW1 NE1; To be irrigated, 9 acres in SW1 NE1; all in Sec. 2, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 1 acre in SW2 NE2, Sec. 2, Tp. 39 S., R. 5 W., W. M. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant further states that said inchoate right has been completed by irrigation to the extent of 9 acres in SW2 NE2, Sec. 2, Tp. 39 S., R. 5 W., W. M. Claimant does not accept the map prepared from a survey made in July, 1935, under the direction of the State Engineer which shows an irrigated area of only 7.1 acres in SW2 NE2, said Sec. 2. A further investigation made under the direction of the State Engineer in May, 1939, found the irrigated area determined by the survey of July, 1935, to be correct. Therefore, in the absence of further proof to substantiate claimant's contention, the area found by said survey will be taken in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimant is allowed a right to the use of 0.12 cubic foot per second of water from Cherry Gulch, a tributary of East Fork of Williams Creek, through R. L. Moffitt Ditch, with a priority of May 6, 1905, for the irrigation of:

7.1 acres in SW2 NET

Sec. 2,

Tp. 39 S., R. 5 W., W. M.,

Josephine County, Oregon

283.

#### T. J. Wilkinson, Williams, Oregon:

Claiment was allowed an inchoate right to the use of water from Powell Creek which is set out in the Rogue River Decree on Page 53, Column 1, under Proof 833, as follows:

"Priority Dec., 1908; 0.86 second foot; for Irrigation of 60 acres; Jos. Bricker ditch;

Description of place of use: To be irrigated, 37 acres in NET NET; 3 acres in NWT NET; 5

acres in SWT NET, Sec. 15; 15 acres in SWT SET, Sec. 10, Tp. 38 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that he has completed said incheate right by irrigation to the extent of 6.2 acres in NET NET, Sec. 15, Tp. 38 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.09 cubic foot per second of water from Powell Creek, through Jos. Bricker Ditch, with a priority of December, 1908, for the irrigation of:

6.2 acres in NE NE Sec. 15,
Tp. 38 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

#### LITTLE APPLEGATE RIVER

284.

## Frank Cameron, Jacksonville, Oregon:

Claimant is successor to E. J. Cameron whose inchoate right to the use of water from the Little Applegate River is set out in the Rogue River Decree on Page 53, Column 2, under Proof 913, as follows: "Priority 1908; 1.94 second foot; for Irrigation of 97 acres, and Domestic and Stock use; Deming ditch; Description of place of use: Lands irrigated or to be irrigated; 4 acres in SW1 SW1, Sec. 2; 33 acres in SW1 SE2; 30 acres in SE1 SE1, Sec. 3; 17 acres in NE1 NE1, Sec. 10; 13 acres in NW1 NW1, Sec. 11, Tp. 39 S., R. 3 W. W. N., Jackson County, Oregon."

Claimant's predecessor, E. J. Cameron, was also allowed a vested right to the use of water from the Little Applegate River which is set out in the Rogue River Decree on Page 30, Column 1. This was amended by a decree of the Circuit Court for Jackson County, dated June 18, 1926, to conform with the mandate of the Supreme Court of the State of Oregon (117 Ore. 477), which decree is set out in part as follows:

"ORDERED, ADJUDGED AND Decreed that E. J. Cameron, her successors in interest and assigns, is entitled to the use during each irrigation season of each and every year, of three cubic feet per second of the waters of Little Applegate, a tributary of Big Applegate, which is a tributary of Rogue River, through what is known as the Farmers Ditch out of said Little Applegate, under the Davidson appropriation, for the irrigation of 105 acres of land in Jackson County, Oregon described as follows, to-wit;

"Eleven acres in the Southeast quarter of the Southwest quarter of Section 3, Township 39 South of Range 3 West of W. M. and four acres in the Southwest quarter of the Southeast quarter of said section; twenty-two acres in the Northeast quarter of the Northeast quarter; nineteen acres in the Northwest quarter of the Northeast quarter; five acres in the Southeast quarter of the Northeast quarter of Section 10, said township and range; and fourteen acres in the Southwest quarter of the Northwest quarter and thirteen acres in Northeast quarter of the Southwest quarter and eight acres in the Northwest quarter of the Southeast quarter and eight acres in the Northwest quarter of the Southeast quarter and eight acres in the Southwest quarter of the Southeast quarter of Section 11, said Township and Range.

And to use at all times through said ditch so much thereof as is necessary for the watering of livestock, and for domestic use upon said premises. That her right to the use of said water for said purposes has a priority of the year 1854; that her right to the use of said water for said purposes is prior in time and right to the rights of Maggie Buckley, William Cameron, the heirs and successors of John Devlin, deceased, H. H. Taylor and John Wolfe, and each and all thereof."

Claimant has submitted proof wherein he states that the above-stated inchoate right has been completed for domestic and stock use and by irrigation to the extent of 98 acres, to-wit: 5 acres in SW1 SW1, Sec. 2; 33 acres in SW2 SW1; 30 acres in SE1 SE1, Sec. 3; 17 acres in NE1 NE1, Sec. 10; 13 acres in NW1 NW1, Sec. 11, Tp. 39 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 28.4 acres in SEL SEL, Sec. 3, which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned. Allowance will be made herein only for 31 acres in SWL SEL, Sec. 3, the remainder of the land irrigated in said tract being covered by the above-stated vested right.

Claimant is allowed a right to the use of 1.89 cubic feet per second of water from Little Applegate River, through Deming Ditch, with a priority of 1908, for domestic and stock use and for the irrigation of:

```
94.4 acres in D.L.C. 37

Tp. 39 S., R. 3 W., W. M.,
Jackson County, Oregon,
(5.0 acres in SET SET, Sec. 2; 31.0 acres in SET SET,
28.4 acres in SET SET, Sec. 3; 17.0 acres in NET NET,
Sec. 10; 13.0 acres in NWT NWT, Sec. 11, Tp. 39 S.,
R. 3 W., W. M.)
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The inchoate right found completed in the SW1 SW2, Sec. 2, Tp. 39 S., R. 3 W., W. M., is fixed to conform with the area reclaimed and irrigated as explained in Paragraph 7.

The above description is amended to conform with the United States land survey.

#### SQUAW CREEK

285.

## Veva C. McDaniel, Box 226, Vacaville, California:

Claimant is successor in part to the Estate of Terrence P. Byrne whose inchoate rights to the use of water from Squaw Creek are set out in the Rogue River Decree on Page 53, Column 2, under Proofs 993 and 994, as follows: "Priority Dec., 1908; 0.27 second foot; for Irrigation of 8 acres and Domestic, Stock and Storage; Thurman & Collins ditch; Squaw Lake reservoir; Description of place of use: To be irrigated, 1 acre in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 5 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 1, Tp. 41 S., R. 4 W. W. M., Jackson County, Oregon.

"Priority Dec., 1908; 0.20 second foot; for Irrigation of 6 acres, and Storage;

Byrne ditch, and Squaw Lake reservoir; Description of place of use: To be irrigated, 6 acres
in SET NET, Sec. 1, Tp. 41 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant's predecessor was also allowed vested rights to the use of water from Squaw Creek which are set out in the Rogue River Decree on Page 33, Column 1, as follows: "Priority 1876; 0.60 second foot; for Irrigation of 18 acres, and Domestic, Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir; Description of place of use: 3 acres in SW1 SE1, Sec. 36, Tp. 40 S., R. 4 W. W. M.; 2 acres in NE1 NE1; 10 acres in NW1 NE1; 3 acres in NE1 NW1, Sec. 1, Tp. 41 S., R. 4 W. W. M., Jackson County, Oregon.

"Priority 1894; 0.24 second foot; for Irrigation of 7 acres and storage; Byrne ditch, Squaw Lake reservoir; Description of place of use: 7 acres in NW NET, Sec. 1, Tp. 41 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she states that said inchoate rights have been completed for domestic and stock use and for storage and by irrigation to the extent of 4.6 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 1, Tp. 41 S., R. 4 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of 4.6 acres in the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 1, Tp. 41 S., R. 4 W., W. M., of which 3 acres are covered by the above-stated vested right. Allowance will be made herein only for the remaining 1.6 acres as the area reclaimed and irrigated in completion of the above-stated inchoate right.

Claimant is allowed a right to the use of 0.05 cubic foot per second of water from Squaw Creek, with a priority of December, 1908, for storage in Squaw Lake Reservoir and for domestic and stock use and for the irrigation through Thurman and Collins Ditch of:

1.6 acres in NEL NWL
Sec. 1,
Tp. 41 S., R. 4 W., W. M.,
Jackson County, Oregon

#### Gerald W. Buck, Jacksonville, Oregon:

Claimant is successor in part to the Estate of Terrence P. Byrne whose inchoate rights to the use of water from Squaw Creek are set out in Paragraph 285 next preceding.

Claimant's predecessor, Terrence P. Byrne, was also allowed vested rights to the use of water from Squaw Creek which are set out in Paragraph 285 next preceding.

Claimant has submitted proof wherein he states that said inchoate rights have been completed for domestic, stock, and storage use and by irrigation to the extent of 22.8 acres, to-wit: 5.7 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 13.8 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2.7 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 0.6 acre in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 1, Tp. 41 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

The area claimed in the proof of 13.8 acres in the NW NE4, Sec. 1, Tp. 41 S., R. 4 W., W. M., is covered by the above-stated vested right; therefore, no allowance will be made thereon. No allowance will be made herein for the 5.7 acres claimed in the NE4 NE4, Sec. 1, Tp. 41 S., R. 4 W., W. M., as said irrigated tract is not the property of the claimant. No allowance will be made for the 2.7 acres claimed in the SW NE4, said Sec. 1, as this tract did not belong to the claimant's predecessor and was not included in the Rogue River Decree.

Claimant is allowed a right to the use of 0.02 cubic foot per second of water from Squaw Creek, with a priority of December, 1908, for storage in Squaw Lake Reservoir, and for domestic and stock use and for the irrigation through Byrne Ditch of:

O.6 acre in SET NET Sec. 1,

Tp. 41 S., R. 4 W., W. M.,

Jackson County, Oregon

287.

# Grace Lewis, Jacksonville, Oregon:

Claimant is successor in part to Terrence P. Byrne whose inchoate right to the use of water from Squaw Creek is set out in Paragraph 285 supra.

Claimant is also successor to Mrs. Louise Harr whose vested right is set out in the Rogue River Decree on Page 33, Column 2, under Proof 998, as follows: "Priority 1876; 0.67 second foot; for Irrigation of 20 acres, and Domestic, Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir; Description of place of use: 6 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 2 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 1, Tp. 41 S., R. 4 W. W. M.; 2 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 10 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 6, Tp. 41 S., R. 3 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she asserts the above-stated vested right but makes no claim under the above inchoate right. No allowance will be made herein therefor.

## A. E. Collins, Jacksonville, Oregon:

Claimant was allowed an inchoate right to the use of water from Squaw Creek which is set out in the Rogue River Decree on Page 53, Column 2, under Proof 995, as follows: "Priority Dec., 1908; 0.40 second foot; for Irrigation of 12 acres, and Stock and Storage; Thurman & Collins ditch and Squaw Lake reservoir; Description of place of use: To be irrigated, 12 acres in SE SW1, Sec. 36, Tp. 40 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant was also allowed a vested right to the use of water from Squaw Creek which is set out in the Rogue River Decree on Page 33, Column 2, under Proof 995, as follows: "Priority 1876; 0.50 second foot; for Irrigation of 15 acres, and Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir; Description of place of use: 15 acres in SE4 SW4, Sec. 36, Tp. 40 S., R. 4 W. W. M., Jackson County, Oregon." and under Proof 996, as follows: "Priority 1872; 0.14 second foot; for Irrigation of 4 acres; Collins ditch; Description of place of use: 4 acres in SE4 SW4, Sec. 36, Tp. 40 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted an unattested proof wherein he asserts the above-stated vested right. In said proof no claim is made for lands irrigated in completion of the above-stated inchoate right, and no allowance will be made herein therefor.

289.

#### Raymond Phillips, Jacksonville, Oregon:

Claimant is successor to John Haskins whose inchoate right to the use of water from Squaw Creek is set out in the Rogue River Decree on Page 53, Column 2, under Proof 997, as follows: "Priority 1908; 0.34 second foot; for Irrigation of 10 acres, and Domestic and Stock; Haskins ditch; Description of place of use: To be irrigated, 10 acres in NW<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 6, Tp. 41 S., R. 2 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 10 acres in  $NW_{4}^{1}$   $SW_{4}^{1}$ , Sec. 6, Tp. 41 S., R. 2 W., W. M.

Claimant is allowed a right to the use of 0.34 cubic foot per second of water from Squaw Creek, through Haskins Ditch, with a priority of 1908, for domestic and stock use and for the irrigation of:

10 acres in Lot 6 (NW SW SW Sec. 6, Tp. 41 S., R. 2 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof with description amended to conform with the United States land survey.

# Clark D. Barr, c/o Harry D. Barr, Jacksonville, Oregon:

Claimant is successor to P. F. Swayne whose incheate right to the use of water from Squaw Creek is set out in the Rogue River Decree on Page 53, Column 2, under Proof 999, as follows: "Priority Dec., 1908; 0.94 second foot; for Irrigation of 28 acres, and Domestic, Stock and Storage; Thurman & Collins ditch, and Squaw Lake reservoir; Description of place of use: To be irrigated, 15 acres in NET NET; 7 acres in NET; 12 acres in NET NET; 1 acres in NET NET; 1 acres in SET NET; 1 acres in SET NET; Sec. 36, Tp. 40 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 28 acres, to-wit:

15 acres in NE<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>2</sub>; 7 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 1.5 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 1 acre in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 3.5 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 36, Tp. 40 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.94 cubic foot per second of water from Squaw Creek, with a priority of December, 1908, for storage in Squaw Lake Reservoir and for domestic and stock use and for the irrigation of 28 acres through Thurman & Collins Ditch located as follows:

11.4 acres in NEL NEL
10.8 acres in NEL NEL
1.5 acres in NEL NEL
0.8 acre in SWL NEL
3.5 acres in SEL NEL
Sec. 36,
Tp. 40 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

## THOMPSON CREEK

291.

### E. B. Hogan, P. A. Hogan, Olive Hogan, R. U. Chambers, Applegate, Oregon:

Claimants are successors to M. D. Hogan whose inchoate right to the use of water from Thompson Creek is set out in the Rogue River Decree on Page 53, Columns 2 and 3, under Proof 1011, as follows: "Priority 1907; 0.56 second foot; for Irrigation of 39 acres; Smith ditch; Description of place of use: Irrigated, 20 acres in SEL SEL; 9 acres in SEL, Sec. 32; To be irrigated, 3 acres in SEL SEL; 2 acres in SEL NEL; 5 acres in NEL SEL, Sec. 32, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 39 acres, to-wit: 23 acres in SE½ SE½; 9 acres in SW½ SE½; 2 acres in SE½ NE½; 5 acres in NE½ SE½, Sec. 32, Tp. 38 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 22.5 acres in SET SET, Sec. 32, which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

Claimants are allowed a right to the use of 0.55 cubic foot per second of water from Thompson Creek, through Smith Ditch, with a priority of 1907, for the irrigation of 38.5 acres located as follows:

2.0 acres in SEt NET
5.0 acres in NET SET
9.0 acres in that part of SWt SET
lying East of Thompson Creek
22.5 acres in SET SET
Sec. 32,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon

(For right to the use of water from O'Brien and Sturgis Forks of Carberry Fork of the Applegate River for the irrigation of the foregoing land, see Paragraph 303 infra.)

292.

#### David C. Courtney, Eva L. Courtney, and Eva T. Moran, Applegate, Oregon:

Claimants are successors to Oscar Knox and C. C. Presley whose inchoate right to the use of water from Thompson Creek is set out in the Rogue River Decree on Page 53, Column 3, under Proof 1012, as follows: "Priority 1907; 0.43 second foot; for Irrigation of 30 acres; Smith ditch; Description of place of use: Irrigated, 15 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 8; 7 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 5, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon; To be irrigated, 8 acres in same subdivisions."

Claimants' predecessors were allowed a vested right to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 1, under Proof 1018, as follows: "Priority 1878; 0.29 second foot; for Irrigation of 17 acres, and Domestic and Stock; Louden ditch; Description of place of use: 3 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 12 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 8; 2 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 5, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 23.7 acres, to-wit: 20.7 acres in SE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub> and 3 acres in SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, Sec. 5, Tp. 39 S., R. 4 W., W. M. Claimants also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 19.6 acres in SE SW1, said Sec. 5, of which 2 acres are covered by the above-stated vested right. Allowance will be made herein only for the remaining 17.6 acres reclaimed and irrigated in completion of the inchoate right in so far as the tract in question is concerned.

Claimants are allowed a right to the use of 0.29 cubic foot per second of water from Thompson Creek, through Smith Ditch, with a priority of 1907, for the irrigation of 20.6 acres located as follows:

17.6 acres in SEL SWL 3.0 acres in SWL SEL Sec. 5, Tp. 39 S., R. 4 W., W. M., Jackson County, Oregon

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

(For claimants' rights to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, see Paragraph 307 infra.)

293.

## Frank Knutzen, Applegate, Oregon:

Claimant is successor in part to D. W. Knutzen whose inchoate right to the use of water from Thompson Creek is set out in the Rogue River Decree on Page 53, Column 3, under Proof 1014, as follows: "Priority 1903; 0.18 second foot; for Irrigation of 12½ acres; Knutzen & Gordon ditch; Description of place of use: Irrigated, 6 acres in SN1 SN1, Sec. 28; To be irrigated, 6½ acres in SE1 SN2, Sec. 28, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 6 acres in SW1 SW1, Sec. 28, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.09 cubic foot per second of water from Thompson Creek, through Knutzen and Gordon Ditch, with a priority of 1903, for the irrigation of:

6.0 acres in Sa Swa Swa Swa Sec. 28, Sec. 28, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

(For right to use of water from O'Brien and Sturgis Forks of Carberry Creek of Applegate River for the irrigation of 6 acres in the foregoing tract, see Paragraph 309 infra.)

### Warren D. Mee, Applegate, Oregon:

Claimant is successor in part to D. W. Knutzen whose inchoate right to the use of water from Thompson Creek is set out in Paragraph 293 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 6.4 acres in SE<sub>1</sub> SW<sub>2</sub>, Sec. 28, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.09 cubic foot per second of water from Thompson Creek, through Knutzen and Gordon Ditch, with a priority of 1903, for the irrigation of:

Sec. 28,

Tp. 38 S., R. 4 W., W. M.,

Jackson County, Oregon,

being within the following-described tract:

Beginning at the NE corner of SE SM of said Sec. 28;

thence South 9 rods to the upper bank of the Hinkle Ditch;

thence Southwesterly along said upper bank 78 rods; thence

Northwesterly 31 rods to a laurel tree at the county road;

thence along the county road Northeasterly 31 rods to the

South line of the NE SW of said section; thence East 65

rods to the place of beginning,

being the full amount claimed in the proof.

(For a right to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River for the irrigation of 10 acres in the foregoing tract, see Paragraph 313 infra.)

295.

## L. E. and A. C. Millard, Applegate, Oregon:

Claimants are successors to J. J. Knutzen whose inchoate right to the use of water from Thompson Creek is set out in the Rogue River Decree on Page 53, Column 3, under Proof 1016, as follows: "Priority 1907; 0.72 second foot; for Irrigation of 50 acres; Smith ditch; Description of place of use: To be irrigated, 50 acres in NE1; NE1 SW1; NW1 SE1, Sec. 5, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they assert a vested right for the irrigation of 50 acres in SW1 NE1 NE1 SW2, and NW2 SE2, Sec. 5, Tp. 39 S., R. 4 W., W. M. In this the claimants are in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimants in their proof accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found a total irrigated area of 35.6 acres in SW1 NE1, NE1 SW1, and NW1 SE1, said Sec. 5, which will be considered in these findings as the area reclaimed and irrigated in so far as the tracts in question are concerned.

Claimants are allowed a right to the use of 0.51 cubic foot per second of water from Thompson Creek, through Smith Ditch, with a priority of 1907, for the irrigation of 35.6 acres located as follows:

8.6 acres in SW: NE; 10.0 acres in NE; SW: 17.0 acres in NW: SE; Sec. 5, Tp. 39 S., R. 4 W., W. M., Jackson County, Oregon

(For supplemental right to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, see Paragraph 311 infra.)

KENNY CREEK

296.

## C. W. Culy, Jacksonville, Oregon:

Claimant was allowed an inchoate right to the use of water from Kenny Creek which is set out in the Rogue River Decree on Page 53, Column 3, under Proof 990, as follows:

"Priority 1908; 0.40 second foot; for Irrigation of 20 acres; Culy ditch; Description of place of use: To be irrigated, 20 acres in SW2 SE2, Sec. 18, Tp. 40 S., R. 3 W. W. M.,

Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right by irrigation to the extent of 7.3 acres in SW1 SE1, Sec. 18, Tp. 40 S., R. 3 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.15 cubic foot per second of water from Kenny Creek, through Culy Ditch, with a priority of 1908, for the irrigation of:

7.3 acres in that part of Swi Ski North and West of Applegate River Sec. 18,
Tp. 40 S., R. 3 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

297.

## Thompson Creek Irrigation Association, Applegate, Oregon:

The Thompson Creek Irrigation Association was allowed inchoate rights to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River which are set out in the Rogue River Decree on Page 53, Column 3, as follows: "Priority 1857; 2.50 second feet; Priority 1906; 6.25 second feet; for Irrigation of 934 acres, and Domestic and Stock; Thompson Creek Irrigation Association ditch." This is followed by a list of landowners and members of the association with descriptions of lands irrigated and to be irrigated by each.

Proofs have been submitted by persons, firms, and corporations under the foregoing inchoate rights allowed the Thompson Creek Irrigation Association, claiming a right for domestic and stock use and for the irrigation of 861.8 acres. The several rights allowed herein to the claimants submitting said proofs aggregate 2.26 cubic feet per second with a priority of 1857 and 5.64 cubic feet per second with a priority of 1906 for the irrigation of 842.4 acres.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

The following are statements of the claims contained in said proofs, together with the lands owned and irrigated by each claimant under the above inchoate rights and the allowance made thereon.

298.

# Errol I. Smith, Administrator, and John E. Smith, Applegate, Oregon:

Claimants are successors to John Bingham whose lands, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, are set out in the Rogue River on Page 53, Column 3, and Page 54, Column 1, under Proof 1056, as follows: "12 acres in NW<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>4</sub>; 12 acres in SW<sup>1</sup><sub>2</sub> SE<sup>1</sup><sub>4</sub>; 18 acres in SE<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, Sec. 24, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted an amendment to a proof filed by their immediate predecessor, Ella F. Bingham, wherein they state that the said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 42 acres, to-wit: 18 acres in SEL SEL; 15.5 acres in SWL SEL; 8.5 acres in NWL SEL, Sec. 24, Tp. 39 S., R. 5 W., W. M.

Claimants are allowed a right to the use of 0.11 cubic foot per second of water with a priority of 1857 and 0.28 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 42.0 acres located as follows:

8.5 acres in NW1 SE1 15.5 acres in SW2 SE1 18.0 acres in SE1 SE1 Sec. 24, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

Of the foregoing right, that appurtenant to 7 acres in the SN SEL and 18 acres in the SEL SEL, Sec. 24, Tp. 39 S., R. 5 W., W. M., is supplemental to vested rights allowed the claimants' predecessors, Jas. Bingham and John Bingham, to the use of water from Thompson Creek which are set out in the Rogue River Decree on Page 33, Column 3, under Froofs 1003 and 1004, as follows: "Priority 1882; 0.52 second foot; for Irrigation of 36 acres, and Domestic and Stock; Houston ditch; Description of place of use: 15 acres in NEL SEL; 21 acres in SEL SEL, Sec. 24, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon." and "Priority 1872; 0.14 second foot; for Irrigation of 7 acres, and Domestic and Stock; John S. Miller ditch; Description of place of use: 7 acres in SW SEL, Sec. 24, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.

299.

## Clarence P. and Myrtle N. Gassaway, Applegate, Oregon:

Claimants are successors to M. F. Bingham whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree

on Page 54, Column 1, under Proof 1048, as follows: "25 acres in NEt SWA; 25 acres in SEt SWA; 5 acres in SWA SWA, Sec. 18; 15 acres in NET NWA; 15 acres in NWA NWA, Sec. 19, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 52.2 acres, to-wit:

11.7 acres in NW1 NW1; 15.0 acres in NE1 NW2, Sec. 19; 4.8 acres in SW1 SW1; 20.7 acres in SE1 SW1, Sec. 18, Tp. 39 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.14 cubic foot per second of water with a priority of 1857 and 0.35 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 52.2 acres located as follows:

4.8 acres in SWL SWL
20.7 acres in SEL SWL
Sec. 18;
15.0 acres in NEL NWL
11.7 acres in Lot 1 (NWL HWL)
Sec. 19,
Tp. 39 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The foregoing description has been amended to conform with the United States land survey.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 4.8 acres in SW2 SW2, 20.7 acres in SE2 SW2, Sec. 18, and 11.7 acres in Lot 1, Sec. 19, the foregoing right is supplemental to vested rights allowed claimants' predecessor, M. F. Bingham, to the use of water from Thompson Creek and Nine Mile Creek which are set out in the Rogue River Decree on Page 33, Column 3, and Page 34, Column 2, under Proofs 1005 and 1027, respectively, as follows: "Priority 1901; 0.40 second foot; for Irrigation of 28 acres, and Domestic and Stock; James Rock ditch; Description of place of use: 10 acres in NW2 NW2, Sec. 19; 3 acres in SW2 SW2; 15 acres in SE2 SW2, Sec. 18, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon.

"Priority 1895; 0.26 second foot; for Irrigation of 13 acres, and Domestic and Stock; 0.39 second foot (supplemental to Jas. Rock ditch); for Irrigation of 27 acres, and Domestic and Stock; Nine Mile ditch; Description of place of use: 10 acres in NET NWT; 7 acres in NWT NWT, Sec. 19; 13 acres in SET SWT; 10 acres in SWT SWT, Sec. 18, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season.

300.

#### Herbert Elmore and Bessie Elmore, Applegate, Oregon:

Claimants are successors to Horace R. Bliven whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, under Proof 1007, as follows: "15 acres in SW SE4, Sec. 32, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 14.3 acres in  $SW_4^1$   $SE_4^1$ , Sec. 32, Tp. 38 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.04 cubic foot per second of water with a priority of 1857 and 0.10 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of:

14.3 acres in that part of SW2 SE2
lying West of Thompson Creek
Sec. 32,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

301.

# Pauline, Herbert, and Bessie Elmore, Applegate, Oregon:

Claimants are successors to the Estate of C. H. Elmore whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, under Proof 1055, as follows: "20 acres in SW1 NE1; 12 acres in NE1 SW1; 40 acres in NW2 SE2, Sec. 32, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 73.3 acres, to-wit: 27.5 acres in SW1 NE1; 6.8 acres in NE1 SW2; 39 acres in NW2 SE1, Sec. 32, Tp. 38 S., R. 4 W., W. M. Claimants in their proof accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. The total amount claimed in the proof exceeds the inchoate right allowed in the decree by 1.3 acres for which no allowance will be made herein.

Claimants are allowed a right to the use of 0.19 cubic foot per second of water with a priority of 1857 and 0.48 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 72 acres located as follows:

26.2 acres in SW1 NE1
6.8 acres in NE1 SW1
39.0 acres in NW1 SE1
Sec. 32,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon

The inchoate right which is found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 18.7 acres in SW2 NE2, 6.8 acres in NE2 SW2, 39 acres in NW2 SE2, the foregoing right is supplemental to a vested right allowed claimants' predecessor to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 33, Column 3, under Proof 1008, as follows: "Priority Sept. 15, 1905; 1.03 second feet; for Irrigation of 72 acres, and Stock; Elmore ditch; Description of place of use: 20 acres in SW2 NE2; 12 acres in NE2 SW2; 40 acres in NW2 SE2, Sec. 32, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.

## Edwin B. Hawkins and Claude L. Hawkins, Applegate, Oregon:

Claimants are successors to Daniel Hilkey whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, under Proof 1050, as follows: "10 acres in NW1 NW1, Sec. 33; 40 acres in NE1 NE1; 11 acres in NW1 NE1, Sec. 32; 6 acres in NE1 SE1; 5 acres in SW1 SE1, Sec. 29, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 83 acres, to-wit: 40 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 11 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 32; 8 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 5 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 29; 19 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 33, Tp. 38 S., R. 4 W., W. M. The total amount claimed in the proof exceeds the inchoate right allowed in the decree by 11 acres for which no allowance will be made herein.

Claimants are allowed a right to the use of 0.19 cubic foot per second of water with a priority of 1857 and 0.48 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 72 acres located as follows:

8.0 acres in NET SET

3.4 acres in SWT SET

Sec. 29;

39.6 acres in NET NET

8.0 acres in NWT NET

Sec. 32;

13.0 acres in NWT NWT

Sec. 33,

Tp. 38 S., R. 4 W., W. M.,

Jackson County, Oregon

The inchoate right allowed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 2.5 acres in NE<sub>4</sub> SE<sub>4</sub>, 3.4 acres in SE<sub>4</sub> SE<sub>4</sub>, Sec. 29; 39.6 acres in NE<sub>4</sub> NE<sub>4</sub>, 8 acres in NW<sub>2</sub> NE<sub>4</sub>, Sec. 32, and 3.7 acres in NW<sub>4</sub> NW<sub>4</sub>, Sec. 33, Tp. 38 S., R. 4 W., W. M., the foregoing right supplements a vested right allowed claimants predecessor to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 33, Column 3,

under Proof 1013, as follows: "Priority 1863; 1.03 second feet; for Irrigation of 72 acres, and Domestic and Stock; Weintrout ditch; Description of place of use: 40 acres in NE<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>2</sub>; ll acres in NW<sub>2</sub> NE<sup>1</sup>/<sub>2</sub>, Sec. 32; 6 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 5 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 29; 10 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 33, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.

303.

### E. B. Hogan, P. A. Hogan, Olive Hogan, and R. U. Chambers, Applegate, Oregon:

Claimants are successors to M. D. Hogan whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, under Proof 1049, as follows: "27 acres in SEL NEL; 15 acres in NEL SEL; 9 acres in SWL SEL; 22 acres in SEL SEL, Sec. 32, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 74 acres, to-wit: 26.0 acres in SE<sub>2</sub> NE<sub>2</sub>; 15 acres in NE<sub>2</sub> SE<sub>2</sub>; 22 acres in SE<sub>2</sub> SE<sub>2</sub>; 9 acres in SW<sub>2</sub> SE<sub>3</sub>; 3 acres in NW<sub>4</sub> SE<sub>4</sub>, Sec. 32, Tp. 38 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

No allowance is made to claimants for 3 acres in NW SE, Sec. 32, To. 38 S., R. 4 W., W. M., for the reason that the allowance made to Pauline, Herbert, and Bessie Elmore includes said land (see Paragraph 301).

Claimants are allowed a right to the use of 0.19 cubic foot per second of water with a priority of 1857 and 0.48 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 72 acres located as follows:

26 acres in SE1 NE1
15 acres in NE1 SE1
9 acres in that part of SW1 SE1
lying East of Thompson Creek
22 acres in SE1 SE1
Sec. 32,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 1.5 acres in SE<sub>2</sub> NE<sub>2</sub>, 2.5 acres in NE<sub>3</sub> SE<sub>4</sub>, 9 acres in that part of SW SE<sub>2</sub> lying East of Thompson Creek, and 22 acres in SE<sub>3</sub> SE<sub>4</sub>, said Sec. 32, the foregoing right is supplemental to a right allowed claimants to the use of water from Thompson Creek which is set out in Paragraph 291 supra and to a vested right allowed the claimants' predecessor which is set out in the Rogue River Decree on Page 33, Column 3, under Proof 1010, as follows:

"Priority 1890; 0.31 second foot; for Irrigation of 21½ acres, and Stock; Harrington ditch;
Description of place of use: 12½ acres in SE½ NE½; 9 acres in NE½ SE½, Sec. 32, Tp. 38 S.,
R. 4 W. W., Jackson County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.014 cubic foot per second of water for each acre irrigated during the irrigation season.

#### 304.

## S. L. Johnston (successor to Mrs. Mary B. Orr), Applegate, Oregon:

Claimant's land, which is covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, under Proof 1053, as follows: "31 acres in NW NE4; 19 acres in SW NE4; 11 acres in NE4 NW; 28 acres in SE1 NW, Sec. 18, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon; 35 acres in NE4 NE4, Sec. 24, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 80.0 acres, to-wit: 25.0 acres in NW2 NE2; 19.5 acres in SW2 NE2; 9.8 acres in NE2 NW2; 25.7 acres in SE2 NW2, Sec. 18, Tp. 39 S., R. 4 W., W. M.

Claimant is allowed a right to the use of 0.22 cubic foot per second of water with a priority of 1857 and 0.54 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of the Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 80 acres located as follows:

25.0 acres in NW1 NE1
19.5 acres in SW1 NE1
9.8 acres in NE1 NW1
25.7 acres in SE1 NW1
Sec. 18,
Tp. 39 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 8.0 acres in NW NE NE NE NE NE NE NE NW NE NE NW NE NE NW NW NE NW

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water per acre for each acre irrigated during the irrigation season.

*3*05 。

## Charles W. Reams, Medford, Oregon:

Claimant is successor to G. S. Kindle whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, as follows: "12 acres in SW1 SE1; 13 acres in NW1 SE1, Sec. 18, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof in which he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 26.9 acres, to-wit: 14.1 acres in SW1 SE1 and 12.8 acres in NW1 SE1, Sec. 18, Tp. 39 S., R. 4 W., W. M. The foregoing claim exceeds the allowance made in the Rogue River Decree by 1.9 acres. Therefore, allowance is made herein for only 12.2 acres in SW1 SE1 of said Sec. 5.

Claimant is allowed a right to the use of 0.07 cubic foot per second of water with a priority of 1857 and 0.17 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 25 acres located as follows:

12.8 acres in NW1 SE4 12.2 acres in SW2 SE2 Sec. 18, Tp. 39 S., R. 4 W., W. M., Jackson County, Oregon

The inchoate right found completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 6 acres in the SW2 SE2, said Sec. 18, the foregoing right supplements a vested right allowed claimant's predecessor to the use of water from Dry Gulch which is set out in the Rogue River Decree on Page 34, Column 3, under Proof 1034, as follows: "Priority 1900; 0.12 second foot; for Irrigation of 6 acres, and Domestic use; Kindle ditch; Description of place of use: 6 acres in SW2 SE2, Sec. 18, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season.

306.

#### Ada A. Poellnits, 1121 E. Main Street, Medford, Oregon:

Claimant is successor in part to Oscar Knox and C. C. Presley whose lands, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, are set out in the Rogue River Decree on Page 54, Column 1, under Proof 1052, as follows: "3 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 12 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 8; 2 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 5; 10 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 6; 15 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 25 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 7, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 45.2 acres, to-wit: 8.9 acres in SET SWT, Sec. 6; 21.0 acres in NET NWT; 15.3 acres in NWT NWT, Sec. 7, Tp. 39 S., R. 4 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.12 cubic foot per second of water with a priority of 1857 and 0.30 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 45.2 acres located as follows:

Sec. 6;

21.0 acres in NET NWT

15.3 acres in NWT NWT

Sec. 7,

Tp. 39 S., R. 4 W., W. M.,

Jackson County, Oregon,

being the full amount claimed in the proof.

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

307.

# David C. Courtney, Eva L. Courtney, and Eva T. Moran, Applegate, Oregon:

Claimants are successors in part to Oscar Knox and C. C. Presley whose lands, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, are set out in Paragraph 306 next preceding.

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 17 acres, to-wit: 14.2 acres in NW1 NW1; 1.5 acres in NE1 NW2, Sec. 8, and 1.3 acres in SW1 SW2, Sec. 5, Tp. 39 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.05 cubic foot per second of water with a priority of 1857 and 0.11 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 17 acres located as follows:

1.3 acres in SW1 SW1
Sec. 5;
1.5 acres in NE1 NW2
14.2 acres in NW1 NW2
Sec. 8,
Tp. 39 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

The foregoing right supplements a vested right allowed claimants' predecessors to the use of water from Thompson Creek as set out in the Rogue River Decree on Page 34, Column 1, under Proof 1018, as follows: "Priority 1878; 0.29 second foot; for Irrigation of 17 acres, and Domestic and Stock; Louden ditch; Description of place of use: 3 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; 12 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 8; 2 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 5, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

It also supplements the right allowed claimants to the use of water from Thompson Creek which is set out in Paragraph 292 supra.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.017 cubic foot per second of water for each acre irrigated during the irrigation season.

308.

### Henry M. Bennett and Blanche L. Bennett, Applegate, Oregon:

Claimants are successors to Anna Knutzen whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, as follows: "28 acres in SE1 NW1, Sec. 28, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 23.5 acres in  $SE_4^1$   $NW_4^1$ , Sec. 28, Tp. 38 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.06 cubic foot per second of water with a priority of 1857 and 0.16 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of:

23.5 acres in SE NW Sec. 28,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

309.

## Frank Knutzen, Applegate, Oregon:

Claimant is successor in part to D. W. Knutzen whose lands, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, are set out in the Rogue River Decree on Page 54, Column 1, under Proof 1057, as follows: "30 acres in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>; 14 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 28; 30 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 29, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 31 acres, to-wit: 6 acres in SW1 SW1, Sec. 28; 25 acres in SE1 SE1, Sec. 29, Tp. 38 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.08 cubic foot per second of water with a priority of 1857 and 0.21 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 31 acres located as follows:

6 acres in St SWt SWt SWt Swt Sec. 28;
25 acres in St Nt SEt SEt and St SEt SEt Sec. 29,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

(For claimant's rights to the use of water from Thompson Creek for the irrigation of 6 acres in  $S_2^1$  SW2 SW2 of said Sec. 28, see Paragraph 293 supra.)

310.

## Mrs. Jessie M. Kinsman, Applegate, Oregon:

Claimant is successor in part to D. W. Knutzen whose lands, covered by the abovestated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, are set out in Paragraph 309 next preceding.

Claimant has submitted proof wherein she states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 43 acres, to-wit:

30 acres in NW1 SW1; 8 acres in SW1 SW2, Sec. 28; 5 acres in SE1 SE1, Sec. 29, Tp. 38 S., R. 4 W.,
W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.12 cubic foot per second of water with a priority of 1857 and 0.29 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 43 acres located as follows:

30 acres in NW1 SW1 SW1 8 acres in NN SW1 SW1 SW1 Sec. 28;
5 acres in NN NN SEL SEL Sec. 29,
Tp. 38 S., R. 4 W., W. M.,
Jackson County, Oregon,

being the full amount claimed in the proof.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

## L. E. and A. C. Millard, Applegate, Oregon:

Claimants are successors to J. J. Knutzen whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, under Proof 1051, as follows: "50 acres in NE1; NE1 SW1; NW1 SE1, Sec. 5, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 35 acres, to-wit: 8 acres in SW1 NE1; 10 acres in NE1 SW2; 17 acres in NW1 SE1, Sec. 5, Tp. 39 S., R. 4 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.09 cubic foot per second of water with a priority of 1857 and 0.23 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 35 acres located as follows:

8 acres in SW2 NE2 10 acres in NE2 SW2 17 acres in NW2 SE2 Sec. 5, Tp. 39 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

The foregoing right is supplemental to the right allowed claimants to the use of water from Thompson Creek as set out in Paragraph 295 supra. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.

## Lyda Mee and Anderson Mee, Applegate, Oregon:

Claimants' land, covered by the above-stated inchoate right of the Thompson Creek
Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork
of Applegate River, is set out in the Rogue River Decree on Page 54, Column 1, under Proof 1054,
as follows: "20 acres in SW1 SE1; 20 acres in NW1 SE1; 14 acres in SW1 NE1; 20 acres in SE1 NE1,
Sec. 7, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimants have submitted proof wherein they state that they have completed said inchoate right for domestic and stock use and for irrigation to the extent of 53 acres, to-wit: 6 acres in SW2 SE2; 28 acres in NW2 SE2; 13 acres in SW2 NE2; 6 acres in SE2 NE2, Sec. 7, Tp. 39 S., R. 4 W., W. M. Claimants also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 5.6 acres in SE2 NE2 and 13.2 acres in SW2 SE2, said Sec. 7, which will be considered in these findings as the areas reclaimed and irrigated in so far as the tracts in question are concerned.

Claimants are allowed a right to the use of 0.14 cubic foot per second of water with a priority of 1857 and 0.35 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 52.8 acres located as follows:

13.2 acres in SW1 NE1
5.6 acres in SE1 NE1
28.0 acres in NW1 SE1
6.0 acres in SW1 SE1
Sec. 7,
Tp. 39 S., R. 4 W., W. M.,
Jackson County, Oregon

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from C'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 13 acres in SW2 NE2, 5.6 acres in SE2 NE2, 3 acres in NW2 SE2, and 2 acres in SW2 SE2, said Sec. 7, the foregoing right is supplemental to the vested right allowed claimants to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 1, under Proof 1020, as follows: "Priority 1869; 0.20 second foot; for Irrigation of 10 acres, and Domestic and Stock; Priority 1872; 0.18 second foot; for Irrigation of 9 acres, and Domestic and Stock; J. W. Mee ditches No. 1 and No. 2; Description of place of use: 8 acres in SW2 NE2; 6 acres in SE2 NE2; 3 acres in NW2 SE2; 2 acres in SW2 SE2, Sec. 7, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon." It is also supplemental

to the vested right allowed claimants to the use of water from Darniel Gulch which is set out in the Rogue River Decree on Page 34, Column 2, under Proof 1026, as follows: "Priority 1873; 0.13 second foot; for Irrigation of 5 acres, and Domestic and Stock; James Mee ditch; Description of place of use: 5 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Sec. 7, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season, except for the 5 acres in the  $SW_{\frac{1}{4}}$   $SE_{\frac{1}{4}}$ , said Sec. 7, under the above-stated vested right from Darniel Creek which will be limited to a total diversion from all sources not to exceed 0.026 cubic foot per second for each acre irrigated during the irrigation season.

313.

## Warren D. Mee, Applegate, Oregon:

Claimant's land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Columns 1 and 2, under Proof 1046, as follows: "20 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>2</sup>; 10 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>2</sub>; 5 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 20 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 15 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; 20 acres in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>; 20 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 28, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that he has completed said inchoate right for domestic and stock use and by irrigation to the extent of 110 acres, to-wit: 10 acres in NE<sub>2</sub> NE<sub>2</sub>; 16.4 acres in SE<sub>2</sub> SW<sub>2</sub>; 3.0 acres in NW<sub>2</sub> NE<sub>2</sub>; 19.7 acres in SW<sub>2</sub> NE<sub>2</sub>; 12 acres in SE<sub>2</sub> NE<sub>2</sub>; 26.7 acres in NW<sub>2</sub> SE<sub>2</sub>; 22.2 acres in NE<sub>2</sub> SW<sub>2</sub>, Sec. 28, Tp. 38 S., R. 4 W., W. M.

Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.30 cubic foot per second of water with a priority of 1857 and 0.74 cubic foot per second of water with a priority of 1906, from 0'Brien and Sturgis Forks of Carberry Fork of Applegate River, through the Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 110 acres located as follows:

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10.0 acres in NET NET
3.0 acres in NWT NET
19.7 acres in SWT NET
12.0 acres in SET NET
22.2 acres in NET SWT
16.4 acres in that part of SET SWT
described as follows:
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Beginning at the NE corner of SEL SWL of Sec. 28, Tp. 38 S., R. 4 W., W. M; thence South 9 rods to the upper bank of the Hinkle Ditch; thence Southwesterly along said upper bank 78 rods; thence Northwesterly 31 rods to a laurel tree at the county road; thence along the county road northeasterly 31 rods to the South line of the NEL SWL of said section; thence East 65 rods to the place of beginning; 26.7 acres in NWL SEL

Sec. 28, Tp. 38 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

The incheate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 1.8 acres in NE<sub>4</sub> NE<sub>4</sub>, 10 acres in SW<sub>4</sub> NE<sub>4</sub>, 12 acres in SE<sub>4</sub> NE<sub>4</sub>, 14 acres in NW<sub>4</sub> SE<sub>4</sub>, said Sec. 28, the foregoing right is supplemental to the vested rights allowed the claimant to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 1, Proof 1023, as follows: "Priority 1872; 0.65 second foot; for Irrigation of 45 acres and Domestic and Stock; Hinkle ditch; Description of place of use: 10 acres in SW<sub>4</sub> NE<sub>4</sub>; 12 acres in SE<sub>4</sub> NE<sub>4</sub>; 9 acres in NE<sub>2</sub> NE<sub>4</sub>; 14 acres in NW<sub>4</sub> SE<sub>4</sub>, Sec. 28, Tp. 38 S., R. 4 W. W. M., Jackson County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.

314.

# Chester Lou Balderston, Applegate, Oregon:

Claimant is successor to Fritz Ruch whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 2, as follows: "6 acres in SE\(\frac{1}{4}\) SW\(\frac{1}{4}\); 8 acres in NE\(\frac{1}{4}\) SW\(\frac{1}{4}\); 8 acres in NW\(\frac{1}{4}\) SW\(\frac{1}{4}\), Sec. 7, Tp. 39 S., R. 4 W. W. M., Jackson County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed for domestic and stock use and by irrigation to the extent of 22 acres, to-wit: 6 acres in SEL SWL; 8 acres in NEL SWL; 8 acres in NWL SWL, Sec. 7, Tp. 39 S., R. 4 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.06 cubic foot per second of water with a priority of 1857 and 0.15 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 22 acres located as follows:

8 acres in NET SWT 8 acres in NWT SWT 6 acres in SET SWT Sec. 7, Tp. 39 S., R. 4 W., W. M., Jackson County, Oregon,

being the full amount claimed in the proof.

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

315.

## Chester York Estate by Wilma Messinger, Applegate, Oregon:

Claimant is successor to W. C. Sparks whose land, covered by the above-stated inchoate right of the Thompson Creek Irrigation Association to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, is set out in the Rogue River Decree on Page 54, Column 2, as follows: "40 acres in SEI NWI; 40 acres in NEI SWI, Sec. 36, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein a vested right to 10 acres in the SE NW and 10 acres in the NE SW, Sec. 36, Tp. 39 S., R. 5 W., W. M., is asserted. In this the claimant is in error in that the right in question was allowed subject to the provisions of Paragraph 7 of the Rogue River Decree which includes only inchoate rights. Claimant also states that the above inchoate right has been completed for domestic and stock use and by irrigation to the extent of 15.4 acres in SE NW, said Sec. 36. Claimant in the proof accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom. Said survey found an irrigated area of 25.4 acres in SE NW and 8 acres in NE SW which will be considered in these findings as the areas reclaimed and irrigated in so far as the tracts in question are concerned.

Claimant is allowed a right to the use of 0.09 cubic foot per second of water with a priority of 1857 and 0.22 cubic foot per second of water with a priority of 1906, from O'Brien and Sturgis Forks of Carberry Fork of Applegate River, through Thompson Creek Irrigation Association Ditch, for domestic and stock use and for the irrigation of 33.4 acres located as follows:

25.4 acres in SE2 NW2 8.0 acres in NE2 SW2 Sec. 36, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon

The water allowed herein shall be distributed in accordance with the ownership of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second, or its equivalent in case of rotation, for each acre irrigated during the irrigation season.

To the extent of 10 acres in SE<sub>2</sub> NW<sub>2</sub> and 8 acres in NE<sub>1</sub> SW<sub>2</sub>, the foregoing right is supplemental to a vested right allowed claimant's predecessor to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 2, under Proof 1044, as follows: "Priority 1876; 0.34 second foot; for Irrigation of 20 acres, and Stock; Beckner ditch; Description of place of use: 10 acres in SE<sub>2</sub> NW<sub>2</sub>; 10 acres in NE<sub>2</sub> SW<sub>2</sub>, Sec. 36, Tp. 39 S., R. 5 W. W. M., Josephine County, Oregon."

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.017 cubic foot per second of water for each acre irrigated during the irrigation season.

316.

# Elmer Ross, Applegate, Oregon:

On behalf of Elmer Ross of Applegate, Oregon, attention has been called by one S. L. Johnston to an alleged error in the Rogue River Decree wherein, on Page 54, Column 1, said S. L. Johnston is allowed an incheate right to the use of water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River for the irrigation of 35 acres in the NET NET, Sec. 24, Tp. 39 S., R. 5 W., W. M., Josephine County, Oregon. It is stated by said S. L. Johnston that said right should have been in the name of Walter Miller, predecessor to said Elmer Ross, and that said land should have been described as being in the SET of said Sec. 24.

Although the statement of said S. L. Johnston would justify a claim by said Elmer Ross, there has been, in fact, no proof received from him to cover the land in question. Therefore, no allowance can be made herein thereon.

#### JUMP-OFF-JOE CREEK

317.

## C. T. Hansen, Route 1, Box 525, Grants Pass, Oregon:

Claimant is successor to E. C. Neely and Florence M. Cochrane, whose inchoate right to the use of water from Jump-off-Joe Creek is set out in the Rogue River Decree on Page 54, Column 2, under Proof 535, as follows: "Priority 1904; 0.86 second foot; for Irrigation of 60

acres; Neely ditch; Description of place of use: Lands to be irrigated: 20 acres in NW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>; 20 acres in SW<sup>1</sup><sub>4</sub> SE<sup>1</sup><sub>4</sub>, Sec. 2; 20 acres in NW<sup>1</sup><sub>4</sub> NE<sup>1</sup><sub>5</sub>, Sec. 11, Tp. 35 S., R. 6 W. W. M., Josephine County, Oregon.<sup>n</sup>

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 68 acres, to-wit: 5 acres in NE<sub>4</sub> NE<sub>4</sub>; 13 acres in SE<sub>4</sub> NE<sub>4</sub>; 20 acres in NW<sub>2</sub> SE<sub>4</sub>; 30 acres in SE<sub>4</sub> SW<sub>2</sub>, Sec. 2, Tp. 35 S., R 6 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Said survey found an irrigated area of only 2.6 acres in NW SE, Sec. 2, Tp. 35 S., R. 6 W., W. M., which will be considered in these findings as the area reclaimed and irrigated in so far as the tract in question is concerned.

No allowance will be made for 5 acres in the NET and 13 acres in the SET NET, said Sec. 2, which tracts are not included in the above incheate right.

Claimant is allowed a right to the use of 0.47 cubic foot per second of water from Jump-off-Joe Creek, through Neely Ditch, with a priority of 1904, for the irrigation of 32.6 acres located as follows:

30.0 acres in SEL SWL 2.6 acres in NWL SEL Sec. 2, Tp. 35 S., R. 6 W., W. M., Josephine County, Oregon

The incheate right found to be completed in the  $SE_4^1$   $SW_4^1$ , said Sec. 2, is fixed to conform with the irrigated area as explained in Paragraph 7.

318.

## Willard D. Bonney, Route 1, Box 724, Grants Pass, Oregon:

Claimant is successor to the Swastika Mining Co. whose inchoate right to the use of water from Jump-off-Joe Creek is set out in the Rogue River Decree on Page 54, Column 2, under Proof 565, as follows: "Priority 1908; 0.22 second foot; for Irrigation of 15 acres; Brown or Pollock ditch; Description of place of use: Lands to be irrigated: 5 acres in SEZ NWZ; 2 acres in NEZ SWZ; 8 acres in SEZ SWZ, Sec. 32, Tp. 34 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 10 acres, to-wit: 2 acres in NE<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub> and 8 acres in SE<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 32, Tp. 34 S., R. 5 W., W. M. Claimant in his proof also accepts a map prepared from a survey made by Tom R. Pearce, registered engineer of Grants Pass, Oregon, under the direction of the State Engineer, as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.15 cubic foot per second of water from Jump-off-Joe Creek, through Brown or Pollock Ditch, with a priority of 1908, for the irrigation of 10 acres located as follows:

1.4 acres in NET SWT 8.6 acres in SET SWT all lying South of Jump-off-Joe Creek Sec. 32, Tp. 34 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

The inchoate right which is found to be completed herein is fixed to conform with the irrigated areas as explained in Paragraph 7.

319.

## Charles E. Metz and Henrietta E. Metz, Route 1, Box 756, Grants Pass, Oregon:

Claimants are successors to the Three Pines Timber Co. whose inchoate right to the use of water from Jump-off-Joe Creek is set out in the Rogue River Decree on Page 54, Column 2, under Proof 539, as follows: "Priority 1908; 0.55 second foot; for Irrigation of 38% acres; Brown or Pollock ditch; Description of place of use: Lands to be irrigated, 12% acres in SEN NWN; 18 acres in SWN; 18 acres in SWN; 8 acres in NWN; SWN; Sec. 4, Tp. 35 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 1.8 acres, to-wit: 0.2 acre in SW1 NW1; 1.6 acres in SE1 NW1, Sec. 4, Tp. 35 S., R. 5 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.03 cubic foot per second of water from Jump-off-Joe Creek, through Brown or Pollock Ditch, with a priority of 1908, for the irrigation of 1.8 acres located as follows:

0.2 acre in SW NW4
1.6 acres in SE NW4
Sec. 4,
Tp. 35 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

#### BUMMER GULCH

320.

#### Merle Gilbert and F. Burton, Merlin, Oregon:

Claimants are successors to the Lemuel T. Green Estate whose inchoate right to the use of water from Bummer Gulch is set out in the Rogue River Decree on Page 54, Column 2, under Proof 544, as follows: "Priority Feb., 1907; 0.29 second foot; for Irrigation of 20 acres;

Bummer Gulch ditch; Description of place of use: Lands irrigated, 10 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 5, Tp. 35 S., R. 6 W. W. M.; Lands to be irrigated, 10 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 5, Tp. 35 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof which was accepted under the provisions of a special order of the State Engineer recorded in Volume 3, Page 368, Special Order Record of the State Engineer, and set out in Paragraph 4 supra. In their proof claimants state that said inchoate right has been completed by irrigation to the extent of 8.4 acres in NE<sub>2</sub> SW<sub>2</sub>, Sec. 5, Tp. 35 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.12 cubic foot per second of water from Bummer Gulch, through Bummer Gulch Ditch, with a priority of February, 1907, for the irrigation of:

8.4 acres in NET SWT Sec. 5, Tp. 35 S., R. 6 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

#### GRAVE CREEK

321.

#### Mary Kerns, Grave Creek, Oregon:

Claimant is successor to L. A. Lewis whose inchoate right to the use of water from Grave Creek is set out in the Rogue River Decree on Page 54, Column 3, under Proof 578, as follows: "Priority 1908; O.17 second foot; for Irrigation of 10 acres; Browning ditch; Description of place of use: Lands to be irrigated, 5 acres in SE\(\frac{1}{2}\) NE\(\frac{1}{2}\), Sec. 8; 5 acres in NE\(\frac{1}{2}\) NW\(\frac{1}{2}\), Sec. 9, Tp. 34 S., R. 5 W. W. N., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 10 acres, to-wit: 4.7 acres in NE<sup>1</sup><sub>2</sub> NE<sup>1</sup><sub>3</sub>, Sec. 8; 4.6 acres in NE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>; 0.7 acre in SW<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 9, Tp. 34 S., R. 5 W., W. M. Claimant in her proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.17 cubic foot per second of water from Grave Creek, through Browning Ditch, with a priority of 1908, for the irrigation of 10 acres located as follows:

4.7 acres in that part of NET NET

described as follows: Commencing at the NE corner of Sec. 8, Tp. 34 S., R. 5 W., W. M., and running thence West 5.84 chains; thence South 9.13 chains; thence West 4.50 chains; thence South 16° West 11.35 chains; thence South to center of Grave Creek; thence following the center of Grave Creek up-stream to the point of its intersection with the East line of said Sec. 8; thence North on said section line to place of beginning;

4.6 acres in NET NWT 0.7 acre in SWT NWT North of Grave Creek

Sec. 9,

Tp. 34 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

The inchoate right which is found to be completed herein is fixed to conform with the irrigated areas as explained in Paragraph 7.

# W. S. and Ethel M. Stanwood (successors to E. H. Boden and Sarah E. Boden), P. O. Box 723. Santa Barbara, California:

Claimants are successors to Fidelia A. Lane who was allowed a vested right to the use of water from Grave Creek which is set out in the Rogue River Decree on Page 37, Column 2, under Proof 577, as follows: "Priority May, 1907; 0.20 second foct; for Irrigation of 10 acres; Browning ditch (permissive use); Description of place of use: 6 acres in SW NEt; 4 acres in NW NET, Sec. 8, Tp. 34 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants' immediate predecessors, E. H. Boden and Sarah F. Boden, have submitted proof wherein they assert the above-stated vested right and claim that they have completed an inchoate right by irrigation to the extent of 4 acres in NW4 NE4, Sec. 8, Tp. 34 S., R. 5 W., W. M.

No additional allowance will be made herein for said 4 acres in NW1 NEt for the reason that no inchoate right was allowed in the decree therefor.

323.

## Mattie M. Patton, Leland, Oregon:

Claimant is successor to E. G. Patton whose inchoate right to the use of water from Grave Creek is set out in the Rogue River Decree on Page 54, Column 3, under Proof 584, as follows: "Priority 1908; 0.07 second foot; for Irrigation of 4 acres; Browning ditch; Description of place of use: Lands to be irrigated: 4 acres in NW4 NE4, Sec. 8, Tp. 34 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein she states that said inchoate right has been completed by irrigation to the extent of 4 acres in NW NEt, Sec. 8, Tp. 34 S., R. 5 W., W. M.

Claimant also states in her proof that water is used for mining and milling purposes. No provision is made in the Rogue River Decree for such use by claimant's predecessor, and no allowance will be made herein therefor.

Claimant is allowed a right to the use of 0.07 cubic foot per second of water from Grave Creek, through Browning Ditch, with a priority of 1908, for the irrigation of:

4 acres below the Browning ditch in that part of the following-described property in NW1 NE1

Tp. 34 S., R. 5 W., W. M.,
Josephine County, Oregon:
Commencing 7.72 chains West of the NE corner of Sec. 8, Tp.
34 S., R. 5 W., W. M.; thence South 16° West 20.75 chains;
thence West 6.50 chains; thence South about 120 feet to a
point 30 feet East of the NE corner of the Town of Placer;
thence West 30 feet to the NE corner of the Town of Placer;
thence South 78° West 460 feet to the NE corner of Lot 2, in
Block 5, Town of Placer; thence North 12° West 700 feet;
thence South 48 3/4° West 705 feet; thence North to the North
line of Sec. 8; thence East to beginning,

being the full amount claimed in the proof for irrigation.

324.

### J. D. and Georgie Wimer, Grave Creek, Oregon:

Claimants are successors in part to Lizzie Williams whose inchoate right to the use of water from Grave Creek is set out in the Rogue River Decree on Page 54, Column 3, under Proof 586, as follows: "Priority 1908; 0.77 second foot; for Irrigation of 46 acres; Harkness ditch; Description of place of use: Lands to be irrigated, 20 acres in SW1 NW1; 12 acres in NE1 SW1; 6 acres in NW1 SE1, Sec. 12; 8 acres in SE1 NE1, Sec. 11, Tp. 34 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 0.7 acre in SW1 NW1, Sec. 12, Tp. 34 S., R. 6 W., W. M. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.01 cubic foot per second of water from Grave Creek, through Harkness Ditch, with a priority of 1908, for the irrigation of:

0.7 acre in that part of SW4 NW4

Tp. 34 S., R. 6 W., W. M.,
Josephine County, Oregon,
described as follows:
Beginning at a point 250 feet East of the NW corner of SW4 NW4,
Sec. 12, Tp. 34 S., R. 6 W., W. W.; thence running South 1,320
feet to the East and West subdivision line through the center of
said Sec. 12; thence East 250 feet; thence Northeasterly 1,480 feet
to a point which is 900 feet East of the point of beginning; thence
West 900 feet to the point of beginning,

being the full amount claimed in the proof under said inchoate right.

#### H. G. Chapman, 229 West 15th Street, Long Beach, California:

Claimant is successor in part to Lizzie Williams whose inchoate right to the use of water from Grave Creek is set out in Paragraph 324 next preceding.

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 1.6 acres, to-wit: 0.6 acre in SE<sub>2</sub> NE<sub>2</sub>, Sec. 11, and 1 acre in SW2 NW2, Sec. 12, Tp. 34 S., R. 6 W., W. M. Claimant in his proof also accepts a map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.03 cubic foot per second of water from Grave Creek, through Harkness Ditch, with a priority of 1908, for the irrigation of 1.6 acres located as follows:

Sec. 11;

1.0 acre in that part of SW4 NW2

Sec. 12,

Tp. 34 S., R. 6 W., W. M.,

Josephine County, Oregon,

described as follows:

Commencing at a point from which the N2 corner of Sec. 11,

Tp. 34 S., R. 6 W., W. M., bears North 41° 17' West 9.677

chains; thence South 58° 25' East 1,549.4 feet to the point

of beginning; thence South 62° 53' East 1,320 feet; thence

North 628.5 feet; thence North 62° 53' West 1,320 feet; thence

South 628.5 feet to the point of beginning,

being the full amount claimed in the proof under said inchoate right.

326.

# Jefferson and Mary Wimer, Leland, Oregon:

Claimants are successors in part to Lizzie Williams whose inchoate right to the use of water from Grave Creek is set out in Paragraph 324 supra.

Claimants' predecessor was also allowed a vested right to the use of water from Grave Creek which is set out in the Rogue River Decree on Page 37, Column 3, as follows:

"Priority 1863; 0.97 second foot; for Irrigation of 58 acres, and Domestic and Stock; Harkness ditch; Description of place of use: 16 acres in SW NW; 2 acres in SE; NW; 6 acres in NE; SW; 4 acres in NW; SE; Sec. 12; 15 acres in NE; NE; 12 acres in NW; NE; 3 acres in SE; NE; Sec. 11, Tp. 34 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that 13.1 acres have been irrigated in SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>, Sec. 12, Tp. 34 S., R. 6 W., W. M., of which 8 acres are in completion of their inchoate right and 5.1 acres have a vested right. In this the claimants are in error in that their predecessor was allowed a vested right of only 2 acres in said SE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>4</sub>; therefore,

of the 13.1 acres irrigated therein 11.1 acres will be considered as having been irrigated in completion of said inchoate right allowed claimants' predecessor on land now owned by claimants. Claimants in their proof also accept the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimants are allowed a right to the use of 0.20 cubic foot per second of water from Grave Creek, through Harkness Ditch, with a priority of 1908, for the irrigation of:

11.1 acres in that part of SE1 NW1
within the following-described tract:
Beginning at a point on the West line of NW1 SE1, Sec. 12,
a distance of 64 rods North of the SW corner of said NW1 SE1;
thence North 67° West 1,400 feet; thence North 27° 55' East
33 rods; thence in a Northeasterly direction to the NE corner
of SE1 NW1, said Sec. 12; thence South along the East line of
said SE1 NW1 to the point of beginning;
Sec. 12,
Tp. 34 S., R. 6 W., W. M.,
Josephine County, Oregon

#### BURGESS CREEK AND SHANKS CREEK

327.

## W. H. Church, Leland, Oregon:

Claimant is successor to Geo. W. Blalock whose inchoate right to the use of water from Burgess Creek and Shanks Creek is set out in the Rogue River Decree on Page 54, Column 3, under Proofs 629 and 630, as follows: "Priority 1908; 0.29 second foot; for Irrigation of 17 acres; One ditch from Shanks Gulch and one from Burgess Gulch; Description of place of use: Lands to be irrigated, 17 acres in SW4 SE4, Sec. 12, Tp. 34 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant's predecessor was also allowed a vested right to the use of water from Burgess Creek and Shanks Creek which is set out in the Rogue River Decree on Page 40, Column 2, as follows: "Priority April, 1893; 0.26 second foot; for Irrigation of 13 acres; one ditch from Burgess Creek and one ditch from Shanks Creek; Description of place of use: 13 acres in SW1 SE1, Sec. 12, Tp. 34 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he asserts a vested right for the irrigation of 13 acres in SWT SET, Sec. 12, Tp. 34 S., R. 6 W., W. M. Claimant in his proof also states that no land has been irrigated in completion of the above-stated inchoate right, and no allowance will be made herein therefor.

## MILL CREEK, A TRIBUTARY OF DOG CREEK, A TRIBUTARY OF GRAVE CREEK

328.

# Estate of Thomas B. Criteser, c/o Mrs. Loraine S. Criteser, West 8th Apts., Apt. 26, Eugene, Oregon:

Claimant is successor to Thos. P. Criteser whose inchoate right to the use of water from Mill Creek, a tributary of Dog Creek, a tributary of Grave Creek, is set out in the Rogue River Decree on Page 55, Column 1, under Proof 619, as follows: "Priority 1908; 0.07 second foot; for Irrigation of 4 acres; Criteser ditch; Description of place of use: Land to be irrigated, 4 acres in SW4 SW4, Sec. 9, Tp. 34 S., R. 6 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein it is stated that said inchoate right has been completed by irrigation to the extent of 4.0 acres in S<sub>2</sub> NW<sub>4</sub> SW<sub>4</sub>, Sec. 9, Tp. 34 S., R. 6 W., W. M. Claimant in the proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.07 cubic foot per second of water from Mill Creek, a tributary of Dog Creek, a tributary of Grave Creek, through Criteser Ditch, with a priority of 1908, for the irrigation of:

4 acres in St NW SW. Sec. 9,
Tp. 34 S., R. 6 W., W. M.,
Josephins County, Oregon,

being the full amount claimed in the proof.

The inchoate right allowed herein is fixed to conform with the irrigated areas as explained in Paragraph 7.

#### BURGESS CREEK, BENJAMIN GULCH OR SLAGLE CREEK

329.

#### Roland Haddaway, 845 North Westmount Drive, West Hollywood, California:

Claimant is successor to Nm. O. Benjamin whose inchoate right to the use of water from Burgess Creek, Benjamin Gulch or Slagle Creek is set out in the Rogue River Decree on Page 55, Column 1, under Proof 627, as follows: "Priority 1908; 1.12 second feet; for Irrigation of 67 acres; Benjamin ditch; Description of place of use: Lends to be irrigated, 20 acres in NET SWT; 17 acres in NWT SET; 30 acres in SWT SET, Sec. 6, Tp. 34 S., R. 5 W. W. M., Josephine County, Oregon."

Claimant has submitted proof wherein he states that said inchoate right has been completed by irrigation to the extent of 1 acre in SWI SEI, Sec. 6, Tp. 34 S., R. 5 W., W. M. Claimant in his proof also accepts the map prepared from a survey made under the direction of the State Engineer as showing correctly the location of the ditch and the lands irrigated therefrom.

Claimant is allowed a right to the use of 0.017 cubic foot per second of water from Burgess Creek, Benjamin Gulch or Slagle Creek, through Benjamin Ditch, with a priority of 1908, for the irrigation of:

l acre in SW SE. Sec. 6, Tp. 34 S., R. 5 W., W. M., Josephine County, Oregon,

being the full amount claimed in the proof.

The foregoing right is subject to the provisions of Paragraph 21, Page 59, of the Rogue River Decree.

330.

# John H. and Sarah J. Robinson, Grave Creek, Oregon:

Claimants are successors to Samuel Pettengill and C. H. Bean whose inchoate right to the use of water from Burgess Creek, Benjamin Gulch or Slagle Creek is set out in the Rogue River Decree on Page 55, Column 1, under Proof 628, as follows: "Priority 1908; 1.34 second feet; for Irrigation of 80 acres; Bean Ditch; Description of place of use: Lands to be irrigated, 40 acres in SW4 NE4; 20 acres in SE4 NE4; 20 acres in NW4 SE4, Sec. 7, Tp. 34 S., R. 5 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they state that said inchoate right has been completed by irrigation to the extent of 71.6 acres, to-wit: 21.8 acres in SW# NE#; 0.8 acre in NW# SW#; 18.4 acres in NE# SW#; 7.3 acres in SE# NE#; 16.3 acres in NW# SE#; 7.0 acres in SE# NW#, Sec. 7, Tp. 34 S., R. 5 W., W. M.

Claimants are allowed a right to the use of 1.19 cubic feet per second of water from Burgess Creek, Benjamin Gulch or Slagle Creek, through Bean Ditch, with a priority of 1908, for the irrigation of 71.6 acres located as follows:

21.8 acres in SW1 NE1
7.3 acres in SE1 NE1
7.0 acres in SE1 NE1
18.4 acres in NE1 SW1
0.8 acre in NW1 SW1
16.3 acres in NW1 SE1
Sec. 7,
Tp. 34 S., R. 5 W., W. M.,
Josephine County, Oregon,

being the full amount claimed in the proof.

The foregoing right is subject to the provisions of Paragraph 21, Page 59, of the Rogue River Decree.

The inchoate right found to be completed herein is fixed to conform with the irrigated area as explained in Paragraph 7.

#### COYOTE CREEK

331.

# S. J. Taylor and R. R. Lawton, Grants Pass, Oregon:

Claimants are successors in part to John Kelly whose incheate right to the use of water from Coyote Creek is set out in the Rogue River Decree on Page 55, Column 1, under Proof 601, as follows: "Priority 1908; 0.13 second foot; for Irrigation of  $7\frac{1}{4}$  acres; McIntosh ditch; Description of place of use: Lands to be irrigated,  $2\frac{1}{2}$  acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ ; 5 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 24, Tp. 33 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants are also successors to H. A. Perkins whose inchoate right to the use of water from Coyote Creek is set out in the Rogue River Decree on Page 55, Column 2, under Proof 602, as follows: "Priority 1908; 0.12 second foot; for Irrigation of 7 acres; MacIntosh ditch; Description of place of use: Lands to be irrigated, 7 acres in SE<sup>1</sup><sub>4</sub> SW<sup>1</sup><sub>4</sub>, Sec. 24, Tp. 33 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants' predecessor in part, John Kelly, was allowed a vested right to the use of water from Coyote Creek which is set out in the Rogue River Decree on Page 39, Column 1, as follows: "Priority 1879; 0.05 second foot; for Irrigation of 2 acres; J. C. Dysert ditch, 1-3 int.; Description of place of use: 2 acres in NW4 SW4, Sec. 24, Tp. 33 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants' predecessor, H. A. Perkins, was allowed a vested right to the use of water from Coyote Creek which is set out in the Rogue River Decree on Page 39, Column 1, as follows: "Priority 1879; 0.47 second foot; for Irrigation of 23 acres; J. C. Dysert ditch, 2-3 int.; Description of place of use: 9 acres in SW4 SW4; 19 acres in SE4 SW4, Sec. 24, Tp. 33 S., R. 6 W. W. M., Josephine County, Oregon."

Claimants have submitted proof wherein they assert a vested right for the irrigation of 18 acres, to-wit: 2 acres in W2 NW2 SW2; 9 acres in W2 SW2 SW2; 7 acres in SE2 SW2, Sec. 24, Tp. 33 S., R. 6 W., W. M. Claimants in their proof make no further claim in completion of the above-stated inchaate rights, and no allowance will be made herein therefor.

332.

Except as otherwise modified herein, the incheate rights which have been completed by the various appropriators of water from the Rogue River and its tributaries above the mouth of the Illinois River, arranged in tabulated form with the dates of relative priority of such appropriations, the amount of water allowed under each appropriation, the number of acres to which such appropriations are applied and are now limited, the use or uses to which said 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:

				<u> </u>			
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
32713				ROGUE RIVER			
Howe, Irwin H. and Howe, Hena M. Trail, Oregon (See Findings,	1906	0.47	23.2	Irrigation	Allen Ditch	Rogue River	3.9 acres in that part of Lot 6 (NE# NW#) lying West of Trail Creek 2.1 acres in that part of
Paragraph 10)				Cancera:	Sp. Cr. 101.1.	2 / 9 3 3 4	Lot 5 (SE NW4) lying West of Trail Creek
46553	change diversio	in point n - 5P. 0. 4, P. 332	0 K			. (	and Rogue River  0.5 acre in that part of  Lot 5 lying South and
•	also 39.0	r. V. 8 P	174	1 = Ac. +rsf. 5p.0	, Vol. 12, p. 14	2 A	West of Rogue Acres 16.7 acres in that part of Lot 3((NW4 SW4)) lying
Th	is 1º Ac Trsf	aback +	oirfi.		Madified by Decree Vol.16, P.523	NN SE NE SW	Sect of Rogue Acres Sec. 3,
32714	-208) Sp.Or.	V.19, p.34	59		1) ECTE VOL.16, 19.523		Tp. 34 S., R. 1 W.W.H., Jackson County, Oregon
Allen, Agnes E.	1906	0.13	6.2	Irrigation	Allen	Rogue -	4.8 acres in Lot 6 (N码 NV法)
241 W. San Fernando Blvd.,	ch. pt. of a	V.	3,8	in Lot G(NENW	Ditch		1.4 acres in Lot 5 (SE NE) Sec. 3, Tp. 34 S., R. 1 W.W.M.,
California		1		,			Jackson County, Oregon,
(See Findings, Paragraph 10a)	Governm	ent Lots	5 & 6	in Sec. 3, Tp.	34 S., R. 1	W., Jacks	l Creek, being situated in on County, Oregon, and de-
	portion	describe	d in D	eed Records of	Jackson Cou	nty, Orego	ty, Oregon, excepting that p, Volume 185, Page 34, and
	corner	of said t	ract,	thence West ald	ong the Nort	h bank of 1	vs: Beginning at the SE Rogue River 210 feet; thence ke Highway; thence East to the
22715							; including about 18 acres.
32715 Ash, Frances II.	1906	0.03	1.5	Irrigation	Allen	Rogue	1.5 acres in that part of
Trail, Oregon (See Findings,					Ditch	River	Lot 6, described as follows:
Paragraph 11)	Jackson	County,	Oregon	, and running	hence West	along the l	rp. 34 S., R. 1 W., W. II., North bank of Rogue River
	Lake Hi	shway; th	ence E	ast to the East	line of sa		nter line of the Crater ence South to the point of
• •				n Lot 6) (N時 I			Sec. 3, Tp. 34 S., R. 1:W.W.H.,
32717	,				,,		Jackson County, Oregon
Mallory, Phoebe Trail, Oregon	1906	0.14	6.9	Irrigation	Allen Ditch	Rogue River	6.9 acres in Lot 4 Sec. 3,
(See Findings, Paragraph 12)	Recorde	din Misc	1. Recor	ylvia Oliver ds , Vol. 2, p. 1294			Tp. 34 S., R. 1 W.W.M. Jackson County, Oregon,
<i>i</i>	cha	oge in p	Vol. 4,	f diversion P. 374	;		except that portion in- cluded in Rogue Acres
50906 -32718 Bellows, C. E. Engle Point,	1892	1.03	41.0	Irrigation	Bellows Ditch	Rogue River	2.0 acres in that part of Lot 2, described as
Oregon (See Findings, Paregraph 13)			,		Ch. At. of Div. Sp. Or. Vol. 12 p.462	Chairt of Div	follows: Commencing at the SE corner of said Lot 2, Sec. 8,
					F- 4266 A po		Tp. 35 S., R. 1 W., W. M.; thence North
						,	20 rods; thence East 40 rods; thence South 20 rods; thence West
		1.0 Ac 7	Tref. Sp	Or. V. 24, P. Z	37 —		40 rods to the point of beginning.
			· '			Manager to the second s	16.3 acres in Lot 3 Sec. 8;
•		2. 0 Ac 2. 8 Ac.	Tr=f. 5	0 0r. V. 24, P. Div. for 79 Ac	237		7.7 acres in NV4 SV4 15.0 acres in Lot 1 Sec. 9,
		chg.	51. 01	13.1 1 15.0 Ac	h 6 0	e en e	Tp. 35 S., R. 1 W.W.M., Jackson County, Oregon
			,		SUPPLALE	NTAL FINDI	IGS - NOGUE RIVER - Page 237
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<i>,</i>	•				•		•		
Name and Postoffice A 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
39713 44	184								
Harder, Ben E. a Harder, Elizabe Duncan Old Stage Road Medford, Orego (See Findings, Paragraph 14)	and th d,	1901  Shg. in pt.  Sp. Or. Vol. 7  Sp. Or. Vol. 7	0.54 et div - p. 534 Cose 1, p. 90	<b>27.2</b>	Irrigation	Veghte & Bergmen Ditch	Rogue River	4.9 acre 20.7 acre	Sec.32; s in Not 1 Sec.32; s in Not 1 (Sol Not) Sec.33, 34 S., R. 1 W.W.M., son County, Oregon
Givan, George A. R. F. D. No. 3 Medford, Orego (See Findings, Paragraph 15)	•	1898 No. 36708	1.79	71.8	Irrigation	Nichols & Co. Ditch	Rogue River	25.0 acre 33.0 acre	s in Lot 2 (SE/ NE/) s in NE/ SE/ s in SE/ SE/ Sec. 6, 36 S., E. 1 W.W.M., son County, Oregon
Carlton, Thomas	83	1893	1.25	62.5	Irrigațion	Gordon	Rogue	_9.8 acre	s in SEA NEA
and Carlton, Herbert Prospect, Ore (See Findings, Paragraph 16)	t L.	10,7	***	V2.07		Ditch	River	28.2 acre -24.5 acre Tp.	s in NET SET Sec.23; s in SWT NWT Sec.24, 33 S., R. 1 E.W.M., son County, Oregon
(See Findings, Paragraph 17) <sup>s</sup>	Gert. No.  Gert. No.  Gert. No.  Gert. No.  Superseded by  Cert. No.  Cert. No.	4528 d p. 4≥0	66.6 66.6 33007 47382 48665	146.6	Trrigation	Nichols & Co. Ditch	Rogue River	37.3 acre 40.0 acre 40.0 acre 27.2 acre	s in No. No. No. Sec. 5; s in No.
Natwick, Mrs. Ru R. F. D. No. 1 Eagle Point, Oregon	ıth L.	1898	1.63	64.9	Irrigation, domestic and stock	Nichols & Co. Ditch	Rogue River	24.3 acrs	s in Lot 1 (NET NET) s in Lot 2 (SET NET)
(See Findings, Paragraph 18)					Chin pt of o Sp Or. Vol. 8, p.	1iv 82		NED 23.4 acre Lot Nort 1,49 the Sec. all Tp.	s in that part of SE4 and s in that part of 3 (NW SE4) lying h of a line 5.6 feet North of South line of 20; in Sec. 20, 35 S., R. 1 W.W.M., son County, Oregon

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
Garrett, J. M. Eagle Point, Oregon 43982 (See Findings, Paragraph 19)	1898	1.67	66.8	Irrigation, domestic and stock	Nichols & Co. Ditch	River	1.2 acres in that part of  NE SE and 5.0 acres in that part of  Lot 3 (NW SE ) lying  South of a line 1,485.6  feet North of the  South line of Sec. 20; 8.8 acres in SW SE
	"·F.	7 24, p.1	.298	. 0/2		1,3	Sec. 20; Sec. 20; Sec. 20; Sec. 20; Sec. 20; Sec. 20; Sec. 29, Tp. 35 S., R. 1 W.W.M., Jackson County, Oregon

Engelhardt, J. C.
Medford, Oregon
(See Findings,
Paragraph 20)
Superseded by 57596
Gent. No. 38305

·200

1898 1.00 40.0 Irrigation Nichols Rogue & Co. River Ditch

23.2 acres in Lot 2
(SW2 NW2)
except the followingdescribed tract:

Beginning at the NE corner of Lot 2; thence South 38.5 feet; thence West to the intersection of an irrigation ditch; thence in a Southwesterly direction along the center line of said ditch a distance of 500 feet; thence at right angles by the most direct route to the East bank of the Rogue River; thence in a Northeasterly direction along said bank to the North line of Lot 2; thence East along said North line to the point of beginning.

T-4567 A POD SPO, V 33, P719

16.8 acres in NW1 SW1
Sec. 32,
Tp. 35 S., R. 1 W.W.M.,
Jackson County, Oregon

California Oregon Power Company Medford, Oregon (See Findings, Paragraph 21)

Table Rock Ditch Company Central Point, Oregon (See Findings, Paragraph 22) (Note. The allowances made under the incheate right of the Table Rock Ditch Company are awarded the following claimants to whom individual certificates of water right will be issued.)

Briggs, Blanche Central Point, Oregon (See Findings, Paragraph 23)

19.4 acres in that part of 0.24 19.4 Sept. Irrigation, Table Rogue Rock Secs. 10 and 15, 22. domestic River 1888 Ditch Tp. 36 S., R. 2 W.W.M., and stock described as follows:

The West half of the following-described tract of land: Beginning at the SW corner of D. L. C. 40; thence West to the East line of D. L. C. 43; thence South to the SE corner of D. L. C. 43; thence with meanders of Rogue River up-stream to a post on the right bank from which a maple 15 inches in diameter bears South 86° East 28 links, an ash 15 inches in diameter bears North 36° West 79 links; thence North to a post from which a Y pine 22 inches in diameter bears North 1° East 164 links; thence West 5.90 chains to the place of beginning, containing 155 acres, more or less; saving and excepting from the above-described tract the one-acre lot deeded to Table Rock School District, and also saving and excepting therefrom the 54 acres deeded to S. K. Adams as shown in 54-334, Deed Record, Jackson County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Cubic	Feet   Number		Name of Ditch	Stream	Description of Land or Place of Use
California Joint Stock Land Bank of San Francisco San Francisco, California (See Findings, Paragraph 24)	Sept. 22, 1888	0.43	34.6	Irrigation, stock and domestic		Rogue 34.6	of that certain tract or body of land the whole of which is described as Government Lots 8, 9, 10 and 11 Sec.10; and Government Lots 15 and 16 Sec.11, Tp. 36 S., R. 2 E.W.M., Jackson County, Oregon
32773							
Carlton, E. W. Central Point, Oregon (See Findings, Paragraph 25)	Sept. 22, 1888	1.00	79 <b>.7</b>	Irrigation, stock and domestic		River	sacres in that part of the E2 of the John B. Risley D.L.C. 42 Sec.11; acres in that part of the E2 of the John B. Risley D.L.C. 42 lying in the North part of Sec.14, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon,
	2 W. W. chains a along the said clasto the p therefroes the S less, to	M., and nd 76 li e South im; then lace of m that p le El of e El of	from sainks; the boundary ce North beginning ortion of D.L.C. 4	d corner runn nce South 53 of said clai on the East g, containing f the premise 2, Tp. 36 S., rip of land 2	ing West on t chains and 71 m 29 chains a boundary of s 160 acres, m s heretofore R. 2 W. W. M 5 feet in wid	he North bour links; thence nd 76 links to aid claim 53 ore or less; sold to Scott to, containing th, beginning	desc. 11, Tp. 36 S., E. dary of said claim 29 de South 89° 45° East to the SE corner of chains and 83 links saving and excepting t V. Davis, described t 80 acres, more or that the SE corner intersection of the
Chase, Merrill B. and Chase, Alice Gill Central Point,	Sept. 22, 1888	0.24	18.9	Irrigation, stock and domestic		Rogue 18.9 River	o acres in that part of Sec.10, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon,
Oregon (See Findings, Paragraph 26)	thence S of said	outh 80 county r	rods to oad 40 r	the center of	the county rorth 80 rods;	oad; thence W thence East	described as follows: W. M., and running West along the center 40 rods to the place
<b>32</b> 7 / o							
Collins, S. C. Administrator, Central Point, Oregon	Sept. 22, 1888	0.74	58.9	Irrigation, atock and domestic		Rogue 58.9 River	acres in that part of Sec.10, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon,
(See Findings, Paragraph 27)	thence Nacres, eto the Wanch; sof D.L.C center of thence Nacres, market street, m	orth 160 excepting lest line lso exce . 43 in of the co	rods; to a 60-for and at opting the Tp. 36 Sunty roserods; the ess (3.	hence East 80 of road runni a point on a se following-d ., R. 2 W. W. d; thence Wes ence East 40 4 acres in NE	rods to the ng through th line parallel escribed trace. M., and runn t along the crods to the p	place of comme e entire trace with the Nor t: Commencing ing thence So enter of said lace of comme	described as follows:  i; thence West 30 rods;  mencing, containing 80  it from the East line  ith line of Finley  ag at the NE corner  outh 80 rods to the  i county road 40 rods;  maining, containing 20  ivit, 15.6 acres in Svisvi

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
Cooper, Perry L. Central Point, Oregon (See Findings, Paragraph 28)	22, 1888 Commencing 42 in Sec. 668.5 feet	at a poi 11, Tp. ; thence	nt 285 36 S., South	R. 2 W., W.M., 162.4 feet; the	Rock F Ditch  d 1,139.8 f and runnin	Teet North of See North 162. S.5 feet to	Lot 8, Sec. 11, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon, described as follows: the NW corner of D.L.C. 4 feet; thence East the point of beginning, East line of said
Dana, Charles K. Se Estate of, Gus Newbury, Executor Medford, Oregon (See Findings, Paragraph 29)	Commencing 42 in Sec. 668.5 feet	at a poi 11, Tp. ; thence	int 285 36 S., South	R. 2 W., W.M.; 162.4 feet; the	Rock F Ditch nd 977.4 fee running thence West 66	et North of mence North 1 58.5 feet to	Lot 8, Sec. 11, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon, described as follows: the NW corner of D.L.C. 162.4 feet; thence East the place of beginning, t side of said premises.
Federal Land Bank of Spokane Spokane, Washington (See Findings, Paragraph 30)	Sept. 22, 1888	0.87 69	-	Irrigation, domestic and stock		liver	.9 acres in the South 30 acres of SE4 NE4 Sec. 9; .5 acres in that part of the N2 of D.L.C. 44 located in Sec. 9, (39.5 acres in NE4 SE4) 4.0 acres in NW4 SE4) Tp. 36 S., R. 2 W.W.H., Jackson County, Oregon
Hamilton, Ernest C. Central Point, Oregon (See Findings, Paragraph 31)	Sept. 22, 1888	0.09		Irrigation, domestic and stock		River	.0 acres in Lot 14 (SWA NWA) .8 acres in Lot 13 (SEA NWA) Sec. 11, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon
Hamilton, Orville C. Central Point, Oregon (See Findings, Paragraph 32)	22, 1888 as Governm (20.3 acre	ent Lots s in Lot 4 NW4); ]	8, 9, 9 (SE) 1.0 acr	NE計); 17.2 aci	Rock Finance Ditch	Government Los (NEL SEL),	.4 acres within the boundaries of the Windsties of the Windsties of the Windstein Eight of that certain tract of land described ots 15 and 16 in Sec. 11, Sec. 10; 0.9 acre in a Tp. 36 S., R. 2 W.W.M.,
Hawkey, U. G. Central Point, Oregon (See Findings, Paragraph 33)	Sept. 22, 1888	0.65		Irrigation, domestic and stock		Rogue 52 River	.0 acres in the St of that part of D.L.C. 44, (12.0 acres SW4 SE4; 40 acres SE4 SE4) Sec. 9, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon

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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
Hensley, Robert F. and Hensley, Cora E. Central Point, Oregon (See Findings, Paragraph 34)	in Sec. I parallel thence We	g at a poi 11, Tp. 36 with the est parall	S., R. North	. 2 W.W.M., Jac line of said D.	kson County L.C. 42, 66	et North of y, Oregon, a 58.5 feet; t	.0 acres in that part of Lot 8, (NW1 SW1)  Sec. 11,  Tp. 36 S., R. 2 W.W.M.,  Jackson County, Gregon, located as follows: the NW corner of D.L.G. 42 and running thence East hence North 325.8 feet; 68.5 feet; thence South
Housley, William M. and Housley, Mary Central Point,	Sept. 22, 1888	0.06	4.5	Irrigation, domestic and stock	Table Rock Ditch	Rogue River	4.5 acres in that part of Lot 8, (NW SW ) Sec.11, Tp. 36 S., R. 2 W.W.M.,
Oregon (See Findings, Paragraph 35)	S., R. 2 thence No	W.W.M.; rorth 325.8	unning feet;	thence East al	ong the No. 8.5 feet;	rth line of thence South	Jackson County, Oregon, described as follows: C. 42 in Sec. 11, Tp. 36 said D.L.C. 42, 668.5 feet; 325.8 feet to the point feet along the East side
Jacobson, Nels A.  and Jacobson, Anna M.  Central Point,	Sept. 22, 1888	0.06	5.0	Irrigation, domestic and stock	Table Rock Ditch	Rogue River	5.0 acres in that part of Lot 8, (NW/2 SW/2) Sec. 11, Tp. 36 S., R. 2 W.W.H.,
Oregon (See Findings, Paragraph 36)	in Sec. I of said I North lin	ll, Tp. 36 ).L.C. 42, ne of said g, excepti	668.5 D.L.C.	. 2 W.W.M.; run feet; thence N . 42, 668.5 fee	ning thence forth 325.8 t; thence 8	East paral fest; thenc South 325.8	Jackson County, Oregon, described as follows: the NW corner of D.L.C. 42 lel with the North line e West parallel with the feet to the place of t along the East line
2000 - 0							
Lydiard, Margaret D. Central Point, Oregon (See Findings, Paragraph 37)	Sept. 22, 1888	0.50	39.8	Irrigation, domestic and stock	Table Rock Ditch	Rogue River	39.8 acres in the W2 W2 of a tract consisting of Lots 8, 9, 10, and 11, Sec. 10; and Lots 15 and 16, Sec. 11,
							Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon
గబా⊹ు ∕ Miller, Sarah F.	Sept.	0.50	39.8	Irrigation,	Table	Rogue	39.8 acres in the B\(\frac{1}{2}\) W\(\frac{1}{2}\) of
Central Point, Oregon (See Findings, Paragraph 38)	22, 1888	V. 70	J7•0	domestic and stock	Rock Ditch	River	a tract of land described as Lots 8, 9, 10, and 11 in Sec. 10 and Lots 15 and 16 in Sec. 11, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon
							•

Central Point, 22, domestic Rock River Lot 10, (IMF) SEC. Sec. Sec Findings, Paragraph 39)  Read and stock Ditch Ditch Sec. Sec. Tp. 36 S., R. 2 Sec. 1  Commencing at a point on the North line of D.L.C. 42, Tp. 36 S., R. 2 Sec. 1  Commencing at a point on the North line of D.L.C. 42, Tp. 36 S., R. 2 Sec. 1  Commencing at a point on the North line of D.L.C. 42, Tp. 36 S., R. 2 Sec. 1  Commencing at a point on the North line of D.L.C. 42, Tp. 36 S., R. 2 Sec. 1  Commencing at a point on the North line of and Twent deeded the grantors by Malcoln M. Roct said deed being recorded in Vol. 120, Page 142, Deed Records Jackson Country, Oregon; thenece Bast along the North line of easi D.L.C. 42, 25 to the West line of said M. Nort tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of seid M. Roct tract; thence South on the West line of Soc. 11 Sec. 11; 137 acres within the of D.L.C. 37, 17 in Sec. 11; 137 acres within the of D.L.C. 38, 17 in Sec. 11; 137 acres within the of D.L.C. 38, 19 in Sec. 13 Sec. 1 S	Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Central Point, 22, described and stock Ditch Cregon 1888 and stock Ditch See See Findings, Paragraph 39)  Commencing at a point on the Horth line of D.L.C. 42, Tp. 26 S., R. 2 County, Oregon, the same being marked by an iron min in the center of the county the said point being the SW corner of that certain tract deeded the grantors by Malcolm M. Root, seld deed being recorded in Vol. 120, Page 142, Deed Records Jackson County, Oregon; thence East along the North line of said LL. 42, 27 or thouse Rorthswiy perallel with the Neat line of said tract (Malcolm M. Root to greators) 27 codes thence Meeterly parallel with the South line of said tract (Malcolm M. Root to greators) 27 codes thence Meeterly parallel with the South line of said M. Root tract; thence South on the West line of said M. Root tract 32 rods to the place of beginning, containing five acres.  Palmer Corporation Modiford, Oregon (See Findings, Paragraph 40)  Sept. 5.24 418.9 Ivrigation, Table Rogus (Malcolm M. Root tract); thence South on the West line of said M. Root tract; thence South on the West line of said M. Root tract); thence South on the West line of said M. Root tract); thence South on the West line of said M. Root tract); the Rogus (Malcolm M. Roo	327 12							
Commencing at a point on the North line of D.L.C. 42, Tp. 36 s., R. 2 W.M., Jee County, Oregon, the same being merked to an iron pin in the county the said point being the SW corner of that certain tract deeded to the grantors by Malcolm M. Root, said deed being recorded in Vol. 120, Page 42, Deed Records Jackson County, Oregon; themce East along the North line of said D.L.C. 42, 25 to themce Northerty parallel with the Sweth line of said tract (Malcolm M. Root to grantors) 32 rods; thence Westerly parallel with the South line of this tract 25 to the West tine of said M. M. Root tract; thence South on the West Line of said M. Root tract 32 rods to the place of beginning, containing five acres.  Sept. 5.24 418.9 Irrigation, Table Rogue (SE) MSC. 13 1888 and stock Nitro Nitro 121 (SE) MSC. 13 1888 and stock Nitro 131 (SE) MSC. 13 13.7 acres within the of D.L.C. 37, 13 in Sec. 11; 13.7 acres within the of D.L.C. 36, 13 in Sec. 11; 13.7 acres within the of D.L.C. 36, 13 in Sec. 11; 16.0 acres in Lot 6 (MSC) MSC. 13 16.0 acres in Lot 8 (MSC) MSC. 13 16.0 acres within the of D.L.C. 37, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 38, 13 in Sec. 13 16.0 acres within the of D.L.C. 48, 13 in Sec. 13 16.0 acres within the of D.L.C. 4	Central Point, Oregon See Findings,	22,	0.06	ď	lomestic	Rock I	•	Lot 10, (NW4 SE4) Sec. 11, Tp. 36 S., R. 2 W.W.M.  Jackson County, Oregon described as follows:
Palmer Corporation   Sept.   5.24   418.9   Irrigation,   Table   Rogue   Rock   River   (SEC M)   (SEC M)		County, O the said by Malcol Jackson C thence No grantors) to the We	regon, the point being m M. Root ounty, Greatherly per 32 rods; st line of	same ng the ng the said egon; t arallel thence f said	being marked SW corner of deed being re thence East al with the West Westerly par M. M. Root tr	by an iron pithat certain corded in Volong the North t line of saitable with theact; thence is	in in the ce tract deede 1. 120, Page 1 line of se 1d tract (Me 10 South lin South on the	onter of the county road, and to the grantors herein 142, Deed Records of aid D.L.C. 42, 25 rods; alcolm M. Root to be of this tract 25 rods a West line of said M.
Medford, Oregon   22,	827 (3)							
Sec. 1  35.4 acres within the of D.L.C. 37, ly in Sec. 11;  13.7 acres within the of D.L.C. 38, ly in Sec. 11;  16.0 acres in Lot 6  (NNE* in Sec. 11;  16.0 acres in Lot 6  (NNE* in Sec. 11;  16.0 acres in Lot 9  (SNE* in Lot 7)  2.0 acres in Lot 10  (NNE* in Lot 7)  2.1 acres in Lot 10  (NNE* in Lot 7)  (NNE* in Lot 7)  (NNE* in Lot 7)  23.2 acres in Lot 3  (NNE* in Lot 7)  Sec. 1  114.0 acres within the of D.L.C. 38, ly sec. 1  20.5 acres within the of D.L.C. 38, ly sec. 1  23.9 acres in Lot 8  (NNE* in	Palmer Corporation Medford, Oregon (See Findings,	22,	5.24 4		domestic	Rock I	River	2.2 acres in Lot 1 (SE NE 1) 3.8 acre in NE corner of Lot 12 (SE NE 1)
13.7 scres within the							33	Sec. 11; 5.4 acres within that par of D.L.C. 37, lying
16.0 acres in Lot 6 (NEA NEA NEA NEA NEA NEA NEA NEA NEA NEA					·		13	in Sec. 11; 3.7 acres within that par of D.L.C. 35, lying
16.0 acres in NWA NPA 19.4 acres in Lot 9 (SWA NPA 2.0 acres in Lot 10 (NWA S 18.0 acres in Lot 3 (SWA NPA 23.2 acres within the of D.L.C. 37, lyi Sec. 1  77.9 acres within the of D.L.C. 38, ly Sec. 1  20.5 acres within the of D.L.C. 38, ly Sec. 1  28.9 acres in that ps D.L.C. 41, lying Sec. 1  10.9 acres in Lot 8 (NWA NPA Sec. 1) Sec. 1							16	
2.0 ecres in Lot 10								o.O acres in NW NE
(SW) N23.2 acres in Lot 3 (SE) N Sec. I 114.0 acres within that of D.L.C. 37, lyi Sec. I 77.9 acres within that of D.L.C. 38, ly Sec. I 20.5 acres within that of D.L.C. 38, ly Sec. I 23.9 acres in that per D.L.C. 41, lying Sec. I 10.9 acres in Lot 8 (N24 N Sec. I								2.0 acres in Lot 10 (NW $\frac{1}{4}$ SE $\frac{1}{4}$ )
Sec. 1  114.0 acres within that of D.L.C. 37, lying Sec. 1  77.9 acres within that of D.L.C. 38, ly Sec. 1  20.5 acres within that of D.L.C. 38, ly Sec. 1  28.9 acres in that per D.L.C. 41, lying Sec. 1  10.9 acres in Lot 8  (NE4 N								(S₩Į NWĮ)
Sec. 1 77.9 acres within the of D.L.C. 38, ly Sec. 1 20.5 acres within the of D.L.C. 38, ly Sec. 1 28.9 acres in that per D.L.C. 41, lying Sec. 13 10.9 acres in Lot 8 (NE4 N Sec. 1)							112	Sec. 12; 4.0 acres within that per of D.L.C. 37, lying in
20.5 acres within the of D.L.C. 38, ly Sec. 1 28.9 acres in that per D.L.C. 41, lying Sec. 13 10.9 acres in Lot 8 (NE4 N							7	Sec. 12; 7.9 acres within that par of D.L.C. 38, lying i
28.9 acres in that per D.L.C. 41, lying Sec.13 10.9 acres in Lot 8 (NE4 N							20	Sec. 12; 0.5 acres within that par of D.L.C. 38, lying 1
10.9 acres in Lot 8 (NE $_4^1$ N Sec. 1	7						25	Sec. 13; 3.9 acres in that part of D.L.C. 41, lying in
							10	(n <b>e</b> 1 ne 1
Jackson County, Orego								Sec. 13, p. 36 S., R. 2 W.W.M., ackson County, Oregon

• Rodgers, Ada E. Central Point, Oregon (See Findings, Paragraph 41)

Sept. 22, 1888

0.13

10.0 Irrigation, domestic and stock

Table Rock Ditch Rogue River 10.0 acres in that part of Lot 9 (NE社 SW社)

Sec. 11, Tp. 36 S., R. 2 W.W.H., Jackson County, Oregon, described as follows:

Beginning 1,622.2 feet East and 644.3 feet North of the NW corner of D.L.C. 42, Sec. 11, Tp. 36 S., R. 2 W.W.M.; running thence North 651.6 feet; thence West 668.5 feet on a line parallel with the North line of D.L.C. 42; thence South 651.6 feet; thence East on a line parallel with the said North line of said D.L.C. 42, 668.5 feet to the place of beginning, excepting and reserving therefrom an easement for road purposes for 15 feet along the West line of said premises.

corden, Fred N. and Sept. corden, Anna 22, Central Point, 1888 Oregon (See Findings, Paragraph 42)	2.98 23	đ	rrigation, lomestic and stock	24 44 44 44 40	.0 acres in NW1 SW1 .0 acres in SE2 SW4 .0 acres in SE2 SW4 .4 acres in Lot 2 .4 acres in Lot 3 .5 acres in Lot 3 .6 acres in NE1 NW1 .0 acres in SW2 NW2 .0 acres in SE4 NW2 .0 acres in SE4 NW2 .1 acres in Lot 5 .1 acres in Lot 4 .2 acres in Lot 4 .3 acres in Lot 4 .4 acres in Lot 4 .5 acres in Lot 4 .7 SE4 .8 acres in Lot 4 .8 acres in Lot 5 .8 acres in Lot 4 .8 acres in Lot 5 .8 acres in Lot 4 .8 acres in Lot 5 .8 acres in Lot 4 .8 acres in Lot 5 .8 acres

Schafer, Ruby Violet Central Point, Oregon (See Findings, Paragraph 43)

327

31.5 acres in that part of 31.5 Irrigation, 0.39 Table Rogue Sept. domestic Rock River Sec. 11, 22, 1888 and stock Ditch Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon, described as follows:

Beginning at a stone monument at the NE corner of D.L.C. 42 in said township and range and thence running Northerly along the West line of D.L.C. 37 in said township and range a distance of 1,647.4 feet to the most Southerly SE corner of Lot 1 in Sec. 11; thence running Westerly along the most Southerly line of said Lot 1, 356.5 feet, more or less, to the SW corner thereof; thence running North along the West line of said Lot 1, 943.8 feet, more or less, to the NW corner of said Lot 1, the same being also the NE corner of Lot 2 in said Sec. 11; thence running Westerly along the North line of said Lot 2, 644 feet, more or less, to the dividing line between this described tract and land on the West thereof; thence Southerly along said dividing line 2,591.2 feet, more or less, to the North line of said D.L.C. 42 at a point thereon marked by an iron pin in the center of the county road; thence running at an angle to the East from the last-mentioned course 89° 41' along said North line of said D.L.C. 42, 1,005.7 feet to the place of beginning, being all of Lot 11 and parts of Lots 2, 10, and 12 of said Sec. 11 and containing an area of 51.98 acres, more or less, excepting therefrom the following three tracts, to-wit:

- (1) A right of way heretofore conveyed to the Drum-Bybee-Hunsaker-Pickens Ditch Co.
- (2) The following tract described in deed recorded in Volume 97 at Page 508, Deed Records of said Jackson County, to-wit: Beginning at the NE corner of D.L.C. 39 which is on the West line of D.L.C. 37 in Tp. 36 S., R. 2 W.W.M., and running thence South on the line between D.L.C. Nos. 37 and 39, 100.5 feet; thence West 358.8 feet; thence North 100.5 feet and thence East 358.8 feet to the place of beginning, containing 0.82 acre, said tract being in the NE corner of Government Lot 12, in said Sec.11.
- (3) A tract described as follows: Commencing at a point on the North line of D.L.C. 42, Tp. 36 S., R. 2 W.W.M., the same being marked by an iron pin in the center of the county road, the said point being the SW corner of that certain tract deeded to John Cameron and wife by Malcolm M. Root, said deed being recorded in Volume 120, Page 142, Deed Records of said Jackson County; thence running East along the North line of said D.L.C. 42, 25 rods; thence Northerly and parallel with the West line of said Cameron tract 32 rods; thence Westerly and parallel with the South line of said Cameron tract 25 rods to the West line of said Cameron tract; thence Southerly along said West line of said Cameron tract 32 rods to the place of beginning, containing 5 acres.

Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use				
			,							
S., R. 2 I	at a poin	it 953	thence East al	ong the Nort	River  ner of D.L. th line of	said D.L.C. 42, 668.5 feet:				
of beginn:	ing, excep	oting a	and reserving t	herefrom an	easement f	or road purposes for 15				
•	0.58 4	6.7	Irrigation,		•	l.4 acres in Lot 2 (SW2 NE3)				
1888			and stock	Ditch		4.5 acres in Lot 12 (SW NE)				
					:	1.8 acres in Lot 13				
			•		1	(SE4 NW4) 9.5 acres in Lot 9				
					1	(NE축 SF분) 9.5 acres in Lot 10 (NF축 SE분)				
						Sec. 11, Tp. 36 S., R. 2 W.W.H., Jackson County, Oregon				
Sent.	0.06	5.0	Irrigation	Tahla F	e de la composición dela composición de la composición dela composición de la compos	5.0 acres described as				
22, 1888	0.00	,,,	domestic and stock		_	follows: Beginning at a point 1,622.2 feet				
North of t	he NW cor	ner of	D.L.C. 42, Se	c. 11, Tp. 3	6 S., R. 2	East and 325.8 feet W. W., and running				
of D.L.C. line of D.	42; thenc L.C. 42,	e Sout 668.5	th 318.5 feet; feet to the pla	thence East ace of begin	on a line	parallel with the North pting an easement for				
					,					
Sept. 22, 1888	<b>0.86</b> 6		Irrigation, domestic and stock		-	8.6 acres in that part of Secs. 10 and 15, Tp. 36 S., R. 2 W.W.H., Jackson County, Oregon,				
described as follows: The East half of the following-described land: Beginning at the SW corner of D.L.C. 40 and running thence West to the East line of D.L.C. 43; thence South to the SE corner of D.L.C. 43; thence with meanders of Rogue River up-stream to a post on the right bank from which a maple 15 inches in diameter bears South 86° East 28 links and an ash 15 inches in diameter bears North 36° West 79 links; thence North to a post from which a yellow pine 22 inches in diameter bears North 1° East 164 links; thence West 5.90 chains to the place of beginning, containing 155 acres, more or less, all in Secs. 10 and 15, Tp. 36 S., R. 2 W. W. M., excepting from the above-described land the one-acre lot deeded to the Table Rock School District and also excepting the 54 acres deeded to										
	Sept. 22, 1888  Beginning S., R. 2 I thence Nor of beginni feet along  Sept. 22, 1888  North of t thence Nor of D.L.C. line of D. road purpo  Sept. 22, 1888  The East h and runnin D.L.C. 43; from which inches in yel ow pin to the pla Tp. 36 S., deeded to	Sept. 0.06 22, 1888  Beginning at a point S., R. 2 W.W.M., ruthence North 325.8 of beginning, excepteet along the West 22, 1888  Sept. 0.58  Sept. 0.66  22, 1888  The East half of the and running thence b.L.C. 42; thence line of D.L.C. 42, road purposes for lender in diameter yellow pine 22 inches to the place of beg Tp. 36 S., R. 2 W. deeded to the Table	Sept. 0.06 4.5  22, 1888  Beginning at a point 953. S., R. 2 W.W.M., running thence North 325.8 feet; of beginning, excepting a feet along the West line  Sept. 0.58 46.7  22, 1888  North of the NW corner of thence North 318.5 feet; of D.L.C. 42; thence Sout line of D.L.C. 42, 668.5 road purposes for 15 feet  Sept. 0.86 68.6  22, 1838  The East half of the foll and running thence West to D.L.C. 43; thence with me from which a maple 15 inches in diameter bears yellow pine 22 inches in to the place of beginning Tp. 36 S., R. 2 W. W. M., deeded to the Table Rock	Sept. 0.06 4.5 Irrigation, domestic and stock  Beginning at a point 953.7 feet East of S., R. 2 W.W.M., running thence East all thence North 325.8 feet; thence West 66 of beginning, excepting and reserving t feet along the West line of said premis  Sept. 0.58 46.7 Irrigation, domestic and stock  Sept. 0.59 46.7 Irrigation, domestic and stock  Sept. 0.59 46.7 Irrigation, domestic and stock  The East half of the fellowing the West feet along the West feet and running thence west to the East lime D.L.C. 43; thence with meanders of Rogular from which a maple 15 inches in diameter inches in diameter bears North 36° West yellow pine 22 inches in diameter bears to the place of beginning, containing from the place of the Table Rock School Districtions and stock school Districtions an	Sept. 0.06 4.5 Irrigation, Table 22, 1838 and stock Ditch  Sept. 0.06 5.0 Irrigation, Table 6 domestic Rock and stock Ditch  Sept. 0.06 5.0 Irrigation, Table 6 domestic Rock and stock Ditch  Sept. 0.06 5.0 Irrigation, Table 6 domestic Rock and stock Ditch  Sept. 0.58 46.7 Irrigation, Table 6 domestic Rock 6 domestic	Sept. 0.06 4.5 Irrigation, Table Rogue 22, 1888 and stock Ditch  Sept. 0.06 5.0 Irrigation, Table Rogue domestic Rock River and stock Ditch  Sept. 0.58 46.7 Irrigation, Table Rogue domestic Rock River and stock Ditch  Sept. 0.58 46.7 Irrigation, Table Rogue domestic Rock River and stock Ditch  Sept. 0.58 46.7 Irrigation, Table Rogue domestic Rock River domestic Rock River Ditch  Sept. 0.58 46.7 Irrigation, Table Rogue domestic Rock River Ditch  Sept. 0.58 46.7 Irrigation, Table Rogue domestic Rock River Ditch  Sept. 0.58 46.7 Irrigation, Table Rogue domestic Rock River Ditch  Sept. 0.66 5.0 Irrigation, Table Rogue domestic Rock River Ditch  Sept. 0.66 5.0 Irrigation, Table Rogue domestic Rock River Ditch  Sept. 0.66 5.0 Irrigation, Table Rogue domestic Rock River Ditch  Sept. 0.66 5.0 Irrigation, Table Rogue domestic Rock River Ditch  Sept. 0.66 68.6 Irrigation, Table Rogue River Up-stable Rogue River Up-stable Rogue River Up-stable River Ditch Rock River Ditch Rogue River Up-stable Rogue River Up-stable Rogue River Up-stable Rogue River Up-stream to a Rrom which a maple 15 inches in diameter bears South 86 East Inches in diameter bears North 10 Rost 164 Inches Inches in diameter bears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North 10 Rost 164 Inches North Pass 164 Inches In diameter Dears North Rost Rost Rost Rost Rost Rost Rost Rost				

Also including the following-described tract: Beginning at a point on the North bank of Rogue River 58.71 chains, more or less, South of the NW corner of Government Lot 7 in Sec. 10, Tp. 36 S., R. 2 W. W. M.; thence North 58.71 chains, more or less, to the NW corner of said Lot 7; thence West 9.36 chains; thence South 58.71 chains, more or less, to the North bank of Rogue River; thence Easterly, following the present meanderings of the North bank of said river 10 chains, more or less, to the place of beginning, containing 54.94 acres of land, excepting therefrom, however, the one-acre deeded off the NE corner of said described tract for school purposes; also excepting the road and ditch across the North end of said tract (35.8 acres SW SE SE Sec. 10; 29.4 acres NW NE NE 3.4 acres SW NE NE Sec. 15, Tp. 36 S., R. 2 W. W. M.).

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fee Per Secon	et Number Acres	Use	Name of Dite	h Stream	Description of Land or Place of Use
32711 coff, George H. Canmoore Hotel Cortland, Oregon see Findings, aragraph 48)	Sept. 22, 1888 Beginning	1.40 1 at the		Irrigation, domestic and stock er of D.L.C.	Table Rock Ditch	River	.8 acres in that part of Sec. 10, Tp. 36 S., R. 2 W.W.M., Jackson County, Oregon, described as follows: W. M.; running thence
	South on the line of Second Second D	the East ec.10; t ec. 10; .L.C. 44	line of hence We thence M ; thence	said D.L.C. est along the lorth on said	44, a dista South line section lin ins 50 links	nce of 39 cha thereof 11 ch e 39 chains 8	ins 80 links to the South ains 30 links to the West 0 links to the North line of beginning (21.3 acres
•						16	.1 acres in that part of Sec. 15, Tp. 36 S., R. 2 W.W.M. Jackson County, Oregon
	Commencing	g at the	NE corr nce Nort	er of said D.	L.C. 43; th	ence running	described as follows: ribed as follows: South 160 rods; thence e place of beginning
	(g <u>u</u> ,					23 26	.8 acres in NEA NEA .0 acres in NWA NEA Sec. 16, Tp. 36 S., R. 2 W.W.M.
. ,							Jackson County, Oregon
arder, Ben E. and arder, Elizabeth	1901		60.2	Irrigation	Veghte & Bergman Ditch		.9 acres in NET SET .1 acres in Lot 2 (NET SET)
Duncan Old Stage Road Medford, Oregon See Findings, Paragraph 49)	sp. orv. 7 cha pl. o	of div., p. 534 & use	) ) (O)	·			.6 acres in Lot 3 (SM4 SW4, SE4 SW4) Sec. 33, Tp. 34 S., R. 1 W.W.H., .8 acres in that part of
zezegzegn 477						, 1	NET NET and .8 acres in that part of Lot 1 (NWT NET) de- scribed as follows:
	West along	g the No:	rth line	warter corner of said Sec. North 700 feet	. 4, 1,435 f	eet; thence S	-
							Sec. 4, Tp. 35 S., R. 1 W.W.M., Jackson County, Oregon
827-2 <b>48246</b>							
indsay, Jefferson B.  Box 32  Eagle Point, Oregon See Findings, Paragraph 50)	1901	1.35	80.6	Irrigation	Veghte & Bergman Ditch	Rogue 13 River	.9 acres in NE NW NW Sec. 4, except a strip of land 700 feet wide along the north end of said NE NW NW
				Chg. in pt. a. Sp.Or. Vol. 8,	fdiv p.360	6	.5 acres in Lot 1 (NW4 NW4) Sec. 4,
			ó	chq. pt ()	div.		except a strip 125 by 700 feet in said Lot 1, the property of B. E. and Elizabeth Duncan Harder
						34 14 2	.3 acre in Lot 2 (SW4 NW4) .1 acres in SE4 NW4 .7 acres in NE4 SW4 .7 acres in Lot 3 (NW4 SW4) .4 acres in Lot 4 (SW4 SW4) Sec. 4,
							Tp. 35 S., R. 1 W.W.M., Jackson County, Oregon

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
				CLARK CREEK	-		
Abbott, Mrs. Orbra Butte Falls, Oregon (See Findings, Paragraph 51)	1899	0.65	25.8	Irrigation	Wake- field Ditch		9.0 acres in NE NN
	(Note.	stipulation	ons se	is subject to t out in the R age 61, Column	ogue River D	ations and ecree,	outlines volumey, or egon
Francis, Henry Earl Butte Falls, Oregon Guperseded by (See Findings, Cort. No. 38)	lolo"i		Sp. 0	(, Y, 2 > 1 P, 70 .	Ditch	Creek	L.l acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> O.l acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Sec. 7;
Paragraph 52) Superseded by Cert. No.		.s Hc. Trs	t. Sp.	Cr. V. 2 390-			3.0 acres in SW2 SW2 1.9 acres in SE2 SW2 Sec. 8, Tp. 34 S., R. 2 E.W.M., Jackson County, Oregon
	(Note.	and stipul	lations	is subject to s set out in t age 61, Column	he Rogue Rive		secusin country, oregin
					:		
Conley, R. M. care of Chas. W. Reams Medford, Oregon (See Findings, Paragraph 53)					٠.		
·			_				
			7	INE MAPLE CRE	KK		
Sublette, Everett R and Sublette, Luvenia	1907	0.40	0.0	Irrigation and domestic	Higin- botham Ditch	Vine 20 Maple Creek	0.0 acres in NW4 SW4 Sec. 2, Tp. 34 S., R. 1 E.W.M.,
Trail, Oregon (See Findings, Paragraph 54)							Jackson County, Oregon
32777 47402 ¢	4 <b>9</b> 45	O					

7.4 acres in NET STA Sec. 11,
Tp. 34 S., R. 1 E.W.M.,
Jackson County, Oregon

Irrigation,

domestic .

and stock

Vine

Maple Ditch Vine

Maple

Creek

von Stein, Harold M. Trail, Oregon (See Findings, Paragraph 55)

1908

0.15

7.4

•					•		
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
				RICHARD CREE	K		
32708				AND PROCESSION OF THE PROCESSI	2.00 miles		
Trefren, William Butte Falls,	1908	0.18	9.0	Irrigation	Tungate Ditch	Richard 9.	O acres in N2 SE4 NE4 Sec. 19,
Oregon (See Findings, Paragraph 56)							Tp. 35 S., R. 3 E.W.M., Jackson County, Oregon
				ELK CREEK			
-							
·							
327: 3							
Miller, Boyd	June,	0.22	8.6	Irrigation	Heckathorn		9 acres in SW4 SE4 Sec. 8;
and Miller, Weston	1900	ł		. of Div. 1.9 ac.	Ditch	Creek	7 acres in NW NET
Trail, Oregon (See Findings,			Sp. Dr.	Vol. 13, 543	\$ **n	man die de	Sec. 17, Tp. 33 S., R. 1 E.W.M.,
Paragraph 57)					e <sub>y</sub>	oc 01. 4. 13.36.2	Jackson County, Oregon
						. ·	
				· _			
			EAST	FORK OF TRAI	L CREEK		•
noru o							
32760 Watkins, Della B.	1908	0.31	15.7	Irrigation,	Skyrmen	East 12.	4 acres in NE SW
Medford, Oregon	1,00	0.01	٠.,	domestic	Ditch	Fork 3.	3 acres in SE4 SW4
(See Findings, Paragraph 58)				and stock		of Trail	Sec. 4, Tp. 33 S., R. 1 W.W.M.,
						Creek	Jackson County, Oregon
•							,
•							
		O.	NDTNOG	ASS TIPAD OF BIT			
•		<u>o</u>	TILINGS .	AT HEAD OF TI	e vant varre		•
$32761$ $\angle$ Richardson, J. W.	1908	0.11	5.5	Irrigation	Richar-	Springs 5.	5 acres in NET SWT
Trail, Oregon (See Findings,					son Di <b>tc</b> h	at Head of Tie	Sec. 16, Tp. 33 S., R. 2 E.W.M.,
Paragraph 59)					. 22 0011	Camp	Jackson County, Oregon
						Creek	
				TO 1000 PROVIDE CO			
			HOL	e_in_the_grou	ND CHEEK		
32702							
✓ Dobbyn, Joseph B. and	1900	0.05	2.0	Irrigation, domestic	Unnamed Ditch	Hole- 2. in-the-	O acres in SW1 SE1 except a strip of land
Dobbyn, Christine E.				and stock	& pipe	Ground	4 rods wide off the
Trail, Oregon (See Findings,						Creek	North side thereof Sec. 9,
Paragraph 60)							Tp. 33 S., R. 2 E.W.H.,
							Jackson County, Oregon
				•			

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fe Per Secon	t Number	Use ·	Name of Ditch	Stream	Description of Land or Place of Use
	<u>'</u>		<u>'</u>	GEPPERT CREEK			
62763  filler, Doris M.  c/o Neff & Frohn- mayer  Medford, Oregon  (See Findings,  Paragraph 61)	<b>1906</b>	1.26	62.9	Irrigation	Geppert Ditch	Geppert Creek	20.4 acres in NEA NEA 27.2 acres in NEA NEA 9.9 acres in SEA NEA 5.4 acres in SEA NEA Sec. 26, Tp. 33 S., R. 3 E.W.M. Jackson County, Oregon
				LOST CREEK			
32774 Manning, Clara D. Prospect, Oregon (See Findings, Paragraph 62)	1908	0.62	30.8	Irrigation and domestic	Manning Ditch	Lost Creek	13.1 acres in SWI SEI 17.7 acres in SEI SEI Sec. 24, Tp. 33 S., R. 1 E.W.M. Jackson County, Oregon
				BEAR CREEK			
32705 Collerd, Sam K. Talent, Oregon	Dec., 1908	0.28	22.0	Irrigation	Pumping from	Bear Creek	22.0 acres within the following-described
ollard, Sam K.	1908	0.28 8.1 acres 50.0 c.1	Cancelle	d			·

# HOBART LAKE, A TRIBUTARY OF NORTH OR MIDDLE FORK OF EMIGRANT CREEK, A TRIBUTARY OF BEAR CREEK

\$77er ( 3							
Davis, W. L. and Davis, D. N., Estate of	July 20, 1908	0.25	19.5	Irrigation	Hobart Lake Storage	Hobart Lake	10.0 acres in SE1 SE1 Sec. 5;  0.5 acre in SE1 NE1 SE1
R. F. D. No. 1					Works &		8.0 acres in NET NWT
Box 240					Ditch		1.0 acre in $SE_4^1$ $SE_4^1$
Ashland, Oregon							Sec. 8,
(See Findings,							Tp. 40 S., R. 3 E.W.M., Jackson County, Oregon
Paragraph 64)							accept county, oregon

(Note. To the extent of 8.0 acres in NE<sup>1</sup><sub>4</sub> NW<sup>1</sup><sub>2</sub>, the foregoing right is supplemental to the vested right allowed the claimant's predecessors to the use of water from North or Middle Fork of Emigrant Creek and springs tributary thereto as set out in the Rogue River Decree on Page 9, Column 2, under Proof 290. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.013 cubic foot per second for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.014 cubic foot per second for each acre irrigated during the irrigation season.)

76182 at 49032 EVANS CREEK 16.5 Irrigation, Williams Evans 16.5 acres in E Sw NE Beers, George Feb. 0.28 Sec. 11; Rogue River, 20, domestic Rс Creek Tp. 35 S., R. 4 W.W.M., Thalon 1896 and stock Oregon Jackson County, Oregon (See Findings Ditch Paragraph 65) 1896 0.17 10.0 Irrigation, Williams Evans /20 10.0 acres in that part of T#4037 the SE4 NE4, Sec. 11, domestic & Creek Tp. 35 S., R. 4 W.W.H., and stock Mhalen Jackson County, Oregon, and the second Ditch North of Evans Creek Dimmick, Ed E. Williams 1.0 acre in Wa NW NE 1896 0.35 21.0 Irrigation, 20.0 acres in Wa SWA NES domestic 80 Creek Rogue River, and stock Whalen Sec. 11, Oregon Tp. 35 S., R. 4 W.W.M., Ditch (See Findings Ochyper In the periode Sp. On Yol, 28 P " 1 To 3000) Jackson County, Oregon Paragraph 66) Crawford, George M. 4.2 acres in NET NET Irrigation, Sivers Evans 1898 0.23 14.0 1.4 acres in NW NET 4.8 acres in SW NE domestic Ditch Creek and Crawford, Frances B. and stock 3.0 acres in SE4 NW4 372 Adams Street Oakland, California Sec. 34;

(See Findings,

Paragraph 67)

Frakaa

0.6 acre in NW NW

Sec. 35,

Tp. 34 S., R. 3 W.W.M., Jackson County, Oregon

Name and Postoffice A of Appropriate	r	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Hillis, Edward S. Rogue River, Oregon (See Findings, Paragraph 68)	. 18	40 <b>6</b> 881 (	0.69 41 PaO <sub>J</sub> SpO <sub>r</sub>		Irrigation		Creek 5. 2. 19.	3 acres in SE1 NE1 Sec. 11; 3 acres in NE2 NE2 0 acres in NW1 NE2 6 acres in SW1 NW2 3 acre in SE2 NW2 Sec. 12, Tp. 35 S., R. 4 W.W.M.,
· ·								Jackson County, Oregon, being within that part of the foregoing tracts lying South of Evans Creek
40****	roeded by ert. No. 504	52						
Baker, Henry Rogue River, Oregon (See Findings, Paragraph 69)		396 (Cancels 1.2	~	•	Irrigation, domestic and stock		Evens 1. Creek	S acres in that part of SE4 SW4 Sec. 1, Tp. 35 S., R. 4 W.W.M., lying north of a line described as follows:
Hougham, D. C. and Hougham, Ruby L. Rogue River, Oregon (See Findings,								
Paragraph 70)				•				
Oden, John T. Rogue River, Oregon (See Findings, Paragraph 71)								
Purrier, Mrs. Ade 933 N. Tujunja Burbank, Calife (See Findings, Paragraph 72)	Ave.	\$ <b>9</b> 6 (	0.50 29	(	Irrigation, lomestic and stock	Williams & Whalen Ditch	Evans l Creek	0.0 acres in that part of the SE <sup>1</sup> <sub>4</sub> SW <sup>1</sup> <sub>4</sub> described as follows: Beginning at the SE corner of the
	of 79 35	the cour 30' Wes	nty road; st 1,127. to the Si	thence 7 feet	o South 69° 27 to the West 1	" West 216.6 ine of the SI	feet along	636.1 feet to the center said road; thence South c. 1; thence South ce East to the point of Sec. 1;

beginning.

Sec. 1;

Sec. 12,

7.6 acres in that part of NET NET lying

North of Evans Creek
11.9 acres in that part of
the NW NW lying
North of Evans Creek

Tp. 35 S., R. 4 W.W.M., Jackson County, Oregon

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Date of
Relative
Priority
    Name and Postoffice Address
of Appropriator
                                                      Number
                                                                                                                     Description of Land or
Place of Use
                                                                                Name of Ditch
                                                                                                 Stream
                                                                     Use
    32773
Miller, O. W.
                               Feb.
                                            0.01
                                                    0.5
                                                                               Miller
                                                                                                      O.5 acre in SE1 SW4
                                                             Irrigation
                                                                                             Evens
    Harbor, Oregon
                                 27,
                                                                               Ditch
                                                                                             Creek
                                                                                                                             Sec. 26,
                                        Ozigrin in a tok 10 713
  (See Findings,
                               1904
                                                                                                              Tp. 34 S., R. 3 W.W.M.,
  Paragraph 73)
                                                                                                              Jackson County, Oregon
                               Bourson 489 16 : 48917
            Superseder by
       7482 con no 39365 100 40398 + 43648 + 44081
                                                                  44077
                                                                                            Evens \rightarrow 10.0 acres in NW_4^1 SW_4^2
                               May 1,
                                            0.65 39.0
                                                             Irrigation
                                                                               Jesse
/ Neathamer, Jesse
   Rogue River,
                                                                                             Creek > 5.2 acres in SW4 SW4
                               1899
                                                                               Neat-
                                          Sec. 5;
   Oregon
                                                                                                         1.6 acres in NE_4^1 SE_4^1
 (See Findings,
                                                                                                  18.2 acres in SE SE
  Paragraph 74)
                                                                                                                              Sec. 6;
                                                                                                      4.0 acres in NET NET
                  Superseded by 3508 2 37489,374902 42160 448012

Gert. No. 3508 2 36442 36842 46576 448012

15ta Trs. Sp. Or. V/II-11
                                                                                                                             Sec. 7,
                                                                                                              Tp. 35 S., R. 3 W.W.M.,
                                                                                                              Jackson County, Oregon
                                                                                   THYOIL APOD 468 76 $ Sp. Or. V37 p. 288, T. 5214
                                                                                                               7 Sp. Or. V. 32 p. 256, T-5197
       327 6
                                                                                             Evans 24.5 acres in Lot 1
Seeley, Paul S.
                                                                            Ditch Creek

chapted the Creek
                                                                                                              (SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 21, and SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 22)
   1834 S. W. Vista Trs. Sp. Or. V. Lp. 15
                                                                                                     (SE<sub>4</sub> SE<sub>4</sub>, Sec.
SW<sub>4</sub> SW<sub>4</sub>, Sec.
19.3 acres in Lot 4
                                                             and stock
   Avenue
   Portland, Oregon Statute by 45664
                                            45716
57576
57576
57577
                                                                                                              (NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 21, and NW<sub>4</sub> SW<sub>4</sub>, Sec. 22)
 (See Findings,
                                                                                5, Oh 1.16 /20
                     Tr.Sp. Or. 424p 196
  Paragraph 75)
                                                                                                        21.4 acres in Lot 5
                                                                     cha pt. 20. 3p. 1 . . . . . . . . . . . (SE1 NE1, Sec. 21, and SW1 NW1, Sec. 22)
    48874 54494 56331 57578
7-5126 4 POUTPOD + SALSERW, SOLIS; 4 SOL MEMON, SOL 22
  T-2514 Spec. Or. V32p.356
                                                                  chapitair Spur. V.18, p. 389-20.3 acres in Lot 6
    T-5139 A PON FRED DESC SWALL, 1286 SENW
                                                                                                              (SE<sup>1</sup> NE<sup>1</sup>, Sec. 21, and SW NW<sup>1</sup>, Sec. 22)
   T-1140 & POVERD 1200 HESW, See
                                                                   Ch.pt of Div. Sp. 01. 101. 23p461 - 20.5 acres in Lot 10
    T- 514 1 A POUT POD + THE MUSE 1750 FORFE STEEL
                                                                                                              (SW SW and SE SW ,
   7-5197 A PONTROD 143 OC
                                                                   43 ac Ch. pt Div. Sp. Di. V. 23p 461.
                                                                                                               Sec. 15)
   T-5299 A POU I TO L SWEW Sec 22 T- SEED A POD T-5250 A POU I TO SWEW Sec 22
                                                                  136 oc chan. In pt of div. 17.9 acres in Lot 11 (SW1,

Sp. 6. Vol. 8, 4.493

8.2 No. chy. in pt. of div.

Sp. 0r. Vol. 15, p. 408

17.9 acres in Lot 11 (SW1,

Sec. 15) except a 2-acre

tract described as

follows:
                                Beginning at the NE corner of Lot 11, Pleasant Valley Farm Tracts as per plat thereof
                                on file and of record in the office of the County Clerk of Jackson County, Oregon;
                                thence Southwesterly along the Easterly line of said Lot 11 a distance of 350 feet
                                to a lateral ditch flume crossing said Lot 11; thence Westerly along said flume 363
                                feet; thence North 240 feet to the center of the channel of Evans Creek; thence
                                Easterly along center of the channel of Evans Creek to the place of beginning contain-
                                ing two acres, more or less, in the NE corner of Lot 11.
                                                                                                         8.4 acres in Lot 13
                                                                                                               (SE SW Sec. 15)
                                                                                                        10.0 acres in Lot 14
                                                                                                               (NET NW and NW NW
                                                                                                               Sec. 22)
                                                                                                        5.9 acres in Lot 15
                                                                                                              (NW1, Sec. 22)
                                                                                                        7.0 acres in Lot 16
                                                                                                               (Sa NW4, Sec. 22)
                                                                                                         2.0 acres in that part of
                                                                                                              Lot 19 South of a line
                                440 feet South of and parallel to the North line of said Lot 19 (SW2 SW2, Sec. 22)
                               All in Pleasant Valley Farm Tracts, as designated, numbered and described on the
                                official plat thereof now on record in the office of the County Clerk of Jackson
                                County, Oregon.
                                                                                                        6.9 acres in the follow-
                                                                                                              ing described tract:
                                Beginning at a point on the North line of Section 15, Tp. 35 S., R. 4 W.W.M., which is
                                708 feet West of the NE corner thereof; thence South 419.5 feet; thence North 83º 15'
                                West to the center of Evans Creek; thence in a Northeasterly direction along said
                                Creek to the North line of Section 15; thence East to the point of beginning, (N2 NE2)
```

Sec. 15,

Tp. 35 S., R. 4 W.W.M., Jackson County, Oregon.

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
Brooks, A. I. Rogue River, Oregon (See Findings, Paragraph 76)		•	0.35 21	ď	2 2 m O ,		vens 21. reek	O acres in Lot 3 of the Pleasant Valley Farm tracts as designated, numbered, and described on the official plat thereof now on record in the office of the
T. 425 Ipic. or. v22 the			32,75	<i>\$</i> /				County Clerk of Jack- son County, Oregon (NE4 SE4, Sec. 21, and NW4 SW4, Sec. 22) Tp. 35 S., R. 4 W.W.M., Jackson County, Oregon
<b>3</b> 7629								
Kieper, J. H. Route 1, Box 30 Rogue River, Oregon (See Findings, Paragraph 77)	1	1902	o.61 36		Irrigation, domestic and stock chq.pl.	Ditch C	reek 20	0.0 acres in Lot 7  (NW1 NW1, SW1 NW1)  0.5 acres in Lot 8 of the Pleasant Valley Farm  3 Tracts as designated on the official plat thereof now on record in the office of the County Clerk of Jackson County, Oregon (NW1 NW1)  Sec. 22,
								Tp. 35 S., R. 4 W.W.M., Jackson County, Oregon
82779			30	264				
Oden, Bud Rogue River, 577 Oregon 577 (See Findings, 577)	1 07	celled - sp. or R <b>902</b>		3.1	Irrigation, domestic and stock	Ditch (	lreek	.l acres in Lot 12 of the Pleasant Valley Farm Tracts (NE4 SW4; SE4 SW4) .0 acres in that part of
Paragraph 78) T-5/2  7-5/4  Sp. Or. V.31.p.288 T-32/4	* 4	POUTPOD 2	OL HESW		Ò			Lot 11, Pleasant Valley Farm Tracts, described as follows:
T-5218 APOU 24-3L NEST-SCIS T-5550 A POD ALL OF T-5218	t a t a	on file and thence Sout a lateral d thence Nort long cente teres, more	of record hwesterly itch flum th 240 feet or of the or less,	ed in to along the cross to to the channer in the c	the office of to the Easterly ssing said Lot the center of to ol of Evans Cre	the County Cl line of said 11; thence T the channel o eek to the pl	lerk of Jack I Lot 11 a d Westerly alo of Evana Cre Lace of begi	ts as per plat thereof son County, Oregon; istance of 350 feet to ng said flume 363 feet; ek; thence Easterly uning, containing two S., R. 4 W. W. M.,
	J	ackson Cou	nty, Ore	gon,				$(NE_4^1 SW_4^1)$ Sec. 15, Tp. 35 S., R. 4 W.W.M., Jackson County, Oregon
32781 - 32781 - 51190 3	,	ac cancele ac cancele	d Sport	u 38, l 2. 38, l	247 – PC 83- j 248 – PC 83- i	2 3	(ā) 3.	
Oden, Volney 55250 R. F. D. No. 1 Rogue River, Oregon	1	902	0.12	7.0	Irrigation, domestic and stock	Vroman E Ditch C	evens 7 Freek	one acres in the follow- ing-described tract: Beginning at the NE corner of Sec. 15,
(See Findings, Paragraph 79)	8	3º 16' Eas	t 713 fee point of	t to t	the East line of	of said Sec. ing 7.5 acres	15; thence :	9.5 feet; thence South North along section ess, in Jackson County,
			10	cre of	above transfe	rred -		
(m)		•		`	- )/- 000			

(a) T-5026 A POUTPOD 3º AL (C-32782)

		1			<del></del>			
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
Orr, Vern L. Rogue River, Oregon Partly (See Findings, 500r Paragraph 80)	1902 Camuled * . Vol. 32p9 Chy	1. jots of a.	% for 1. 26, P 1. for 1	Irrigation, domestic and stock  12.   ac (7-321), 393 2.0 ac (7-3215), 390	Vroman Ditch	Evans Creek	24.1	acres in Lot 2 of the Pleasant Valley Farm Tracts as designated, numbered and described on the official plat thereof now on record in the office of the County Clerk of Jackson County, Oregon (NE1 SE1; SE1 SE1, Sec. 21; NW4 SW4; SW4 SW4, Sec. 22, Tp. 35 S., E. 4 W.W.M.).
/200 - amanagay	A ROULED 2  7-52-47 : Each  Celed (Lot!  Beginning  lot to thereof a  North list  thence is	fie work  () Spon g at the he NE com a distance he thereo n a North	V. 38,  NW correct the cof 44 f to the correct the cor	pz49 - Pc83 ner of said Lo ereof; thence 40 feet; thence ne East line of	Ditch  1-14  of 19; runnin in a Souther of the road w the East li	ly direct rly direc hich boun- ne of sei	12.0 3.5 along ion altion adds said rose	acres in Lot 17  (S2 NW4, Sec. 22) acres in Lot 18  (NW4 SW4, Sec.22) acres in that part of Lot 19 of Pleasant Valley Farm Tracts described as follows: the North line of said long the East line and parallel with the id lot on the West; d to point of beginning ounty, Oregon).
Pilcher, Zeb Rogue River, Oregon (See Findings, Paragraph 82)  7-4389	1902 A POU 1		5 <b>4.</b> 0	Irrigation, domestic and stock		✓ ;	15.9 s 15.9 s 1 1 1 1 1 28.2 s 3.5 s	acres in that part of NET NET and acres in that part of NWT NET lying East of Evans Creek, South of the following-described line: Beginning at a point 1,237.9 feet South of the NE corner of Sec. 15; thence North 75° 45' West 2,332 feet to the center of Evans Creek acres in SET NET acres in SET NET acres in SET NET

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amoun Cubic Fe Per Secon	et   Number	Use	Name of Dit	ch Stream	Description of Land or Place of Use
56491	I				'		
ephens, Calvin	1902	0.28	17.0	Irrigation,	Vroman		0.4 acres in NE1 NE1
Rogue River,	A Pad alle ed - sp. or Rec.	Vol. 4 P.	<u>27</u> 6	domestic and stock	Ditch .	Creek	6.6 acres in NW4 NE4 Sec. 15, Tp. 35 S.,R. 4 W.W.W., Jackson County, Oregon all of which are in- cluded in the followin
50.01, 12.00°9	South 734	5 feet; ' 15' Eas	thence t 689 fe	North 75° 45	West 2,332	feet to ce	described tract: S., R. 4 W. W. M.; thence enter of Evens Creek; thence thence South 83° 15' East
58 NICELLE 41281							
refren, James Rogue River, Oregon See Findings.	1902		18.1	Irrigation, domestic end stock	Vroman Ditch	Evans 1 Creek	8.1 acres in Lot 9 of the Pleasant Valley Farm Tracts as designated, numbered, and describe
Paragraph 85) chy	pote or av	13	eriye, 23	ή P375 (75.3)49		on the official plat thereof now of record in the office of the County Clerk of Jackson County, Oregon (State Swan, Sea Swan, Sea Swan, Sea Swan, New	
32708							
reenwood, F. O. Rogue River, Oregon See Findings, Paragraph 36)	1904	0.04	2.0	Irrigation	By Pumping	Evans Creek	2.0 acres in NET SWI Sec. 28, Tp. 35 S., R. 4 W.W.M Jackson County, Oregon
32779 aghbanks, Margaret Rogue River, Oregon 4399	1 <b>8%</b>	0.17	10.0	Irrigation, domestic and stock	Williams & Whalen Ditch	Evens A	0.0 acres in NW1 SW1 Sec. 11, Tp. 35 S., R. 4 W.W.M
See Findings,	YON DECA	4 1179		· · · · · · · · · · · · · · · · · · ·			Jackson County, Oregon
aragraph 87)	Commencing 11, Tp. 3 of Sec. 1 chains to the count under con	ng at a s 35 S., R. 11, and f the Wes ty road S atract to	4 W. W. rom said terly si outh 39° one G.	M., Jackson beginning pide of the co	County, Ore oint thence unty road; thains to the thence North	gon, on the East 6 chai hence follo SE corner on the Eas	described as follows: corner between Secs. 10 and Exact and West center line ins; thence South 12.90 owing the Westerly side of of a certain 10-acre trace at line of said tract 20 or less.
32790	1 dol	0.16		*	SM4 7 7 4		I I name is the Attack court of
Goethem  Route 1, Box 42  Rogue River, 439	<b>1896</b>	0.16	9.8	Irrigation, domestic and stock	Williams & Whalen Ditch	Evans Creek	4.4 acres in that part of the NE4 SE4, lying north of Evans Creek and South of the coun

Route 1, Box 42

Rogue River, 43970

Oregon

(See Findings,
Paragraph 88)

and stock

Whalen
Ditch

To ad;

Sec. 11,

Tp. 35 S., R. 4 W.W.M.,
Jackson County, Oregon

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
Lange, William E. and Lange, Amy Rogue River, Oregon	1896			Irrigation, domestic and stock	Williams & Whalen Ditch	Creek	acres in NW4 SW4 Sec. 11, Tp. 35 S., R. 4 W.W., Jackson County, Oregon, described as follows:
(See Findings, Paragraph 39)  Superseded by Cert, No. 4393	West 5 ch	mning Sou	th 20	chains; thence	een Secs. 10 a e East 5 chair ng, containing	is; thence No	5 S., R. 4 W. W. M.; rth 20 chains; thence
: Sp. Or. v.24p/1 32742	20		,				
Van Goethem, George and Van Goethem, Albert Rogue River, Oregon (See Findings, Paragraph 90)	<b>1896</b> 3967	0.56 3		Irrigation, domestic and stock	Williams & Whalen Ditch	Creek 1.0	acres in SW1 NW1 acre in that part of NE1 SW1 lying North of the county road acres in that part of NW1 SW1 lying North of the county road and East of a line paralleling and II chains East of the West line of said NW1 SW1 Sec. II,
Old Mill Ditch and Irrigation Co. Rogue River, Oregon (See Findings, Paragraph 91)		n Co. are	award	ed the follows			Jackson County, Oregon  Mill Ditch and  idual certificates
32793		geral de	Dec	rec ) ch 13, p 4	/ £ 5		
Huntzinger, H. W. 2040 Edgewood Drive Pasadena, California (See Findings, Paragraph 92)		In nance	, ;	CAKTAGO			
Adams, Frank H. Rogue River, Oregon (See Findings, Paragraph 93)	1902 the NW co	rner of t	20.4 he NE	Irrigation, domestic and stock SW1 of said S	pumping Co. 4, Tp. 36	reck S., R. 4 W.	acres in that part of the SE NW lying West of Evans Creek and South of a line beginning at W. M.; thence in a
	Northeast of said S			to a point in	Evans Creek A		acres in NET SWT Sec. 4, Tp. 36 S., R. 4 W.W.M., Jackson County, Oregon

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second		Use	Name of Ditch	Stream		Description of Land or Place of Use
Johnson, John E. and Johnson, Carrie P. Route 1, Box 152 Rogue River, Oregon (See Findings, Paragraph 94)	1902	0.17	10.0	Irrigation, domestic and stock	Old Mill Ditch and Irrigation Co. Ditch	Evans Creek	10.0	acres in that part of SW1 SE1 lying east of Evans Creek Sec. 4, Tp. 36 S., R. 4 W.W.M.M., Jackson County, Oregon
Milton, Ethel Rogue River, Oregon (See Findings, Paragraph 95)	1902	0.17	10.3	Irrigation, domestic and stock	Old Mill Ditch and Irrigation Co. Ditch	Evans Creek	10.3	acres in that part of SW1 SE1 lying West of Evans Creek Sec. 4, Tp. 36 S., R. 4 W.W.H., Jackson County, Oregon
Magerle, Carl L. Rogue River, Oregon (See Findings, Paragraph 96)	of the NE	at a po	34.1 oint on of said	Trrigation, domestic and stock  the East line Sec. 9; thence	Old Mill Ditch and Irrigation Co. Ditch of said Sec.	Evans Creek 9 a dis 30' West	tance 2,72'	acres in that part of the NE1 NE1, Sec. 9, lying West of Evans Creek and North of a line described as follows: of 776.16 feet South 7.0 feet.  acres in that part of NW1 NE1 north of said line  Sec. 9, Tp. 36 S., R. 4 W.W.M., Jackson County, Oregon
Woodcock, George A. Rogue River, Oregon (See Findings, Paragraph 97) T- 3092 A POD	C		ň .	Irrigation, Comestic And stock	Old Mill Ditch and Irrigation Co. Ditch	Evans Creek	16.0	acres in that part of the NE1 NE1, lying East of Evans Creek of which 2.5 acres lie above the ditch and are irrigated by pumping therefrom Sec. 9, Tp. 36 S., R. 4 W.W.H., Jackson County, Oregon
Arends, Albert A. P. O. Box 208 Redwood City, California (See Findings, Paragraph 98) T-529/ A Pob T-54/7 A Pob	Jackson C Secs. 9 a of beginn 248.6 fee along sai	g at the county, 0 and 10, 7 ing; the ct; thence d section	regon; 76.16 f nce run e East on line	thence South ( est; thence So ning South 24° 198.0 feet to 162.0 feet (to	outh 75° 30' love 57' East 602 the section love a point from	long the West 462 2.2 feet Line; th which	1.5 2.5 12.5 10, sect: 0 fee; the quence of	acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Sec. 9, Tp. 36 S., R. 4 W.W.M., Jackson County, Oregon, all of which are in that part of the following-described land lying below the Old Mill Ditch, to-wit: Tp. 36 S., R. 4 W.W.M., ion line common to set to the true point nce South 0° 25' East South 0° 25' East larter section corner hence South 75° 30'

						1	
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
3277% commission Albert A. (continued)	1,893 fee along sa	et, more o	r less Line	, to the North 841.0 feet; th	h and South ce	enter line o	e South 76° 00' West of Sec. 9; thence North 2,265.0 feet, wore or
Dennis, A. E.  and Dennis, Lillie Rogue River, Oregon (See Findings,	1902 07		13.7	Irrigation, domestic and stock	Old Mill Ditch and Irrigation Co. Ditch	Evans 13 Creek	3.7 acres in that part of the SET NET, Sec.9, Tp. 36 SR. 4 W.W.M., Jackson County, Oregon described as follows:
Paragraph 99)	793.3 fee feet; the center li 340 feet, West cent	ackson Conet; thence ence South ine of said, more or ter line of	ounty, (se South 76° ( id Sec. less, of said	Oregon; thence h 75° 30' West 00' West 1893. . 9; thence So to the center	e running Nort t 796.0 feet; .0 feet, more outh along the r of said sect 40.0 feet, mor	th 0° 25' We thence Nort or less, to e said North tion; thence re or less,	est along the section line th 10° 00' West 207.5 o the North and South and South and South and South the East along the East and to the point of bagin-
Magerle, Daniel P. and Magerle, Ella M. Rogue River, Oregon (See Findings, Paragraph 100)	1902	0.06	3.3	Irrigation, domestic and stock	Old Mill Ditch and Irrigation Co. Ditch	Evans 3 Creek	3.3 acres in No ME SEA Sec. 9, Tp. 36 S., R. 4 W.W.M., Jackson County, Oregon
32802 Laws, Wm. H. Rogue River, Oregon (See Findings, Paragraph 101)	1902	0.07	4.3	Irrigation, domestic and stock	Old Mill Ditch and Irrigation Co. Ditch	Evans 4. Creek	.3 acres in St NEt SEt Sec. 9, Tp. 36 S., R. 4 W.W.M., Jackson County, Oregon
Hollis, Jesse W. Rogue River, Oregon (See Findings, Paragraph 102)	1902	0.13	7.9	Irrigation, domestic and stock	Old Mill Ditch and Irrigation Co. Ditch	Creek 6	.l acres in that part of NW2 NW2, Sec. 15, lying West of Evans Creek 0.8 acres in that part of 65 NE2 NE2, Sec. 16, described as follows:
	to the cathe inter on said N	hence Sout enter of t rsection o North line res. more	th 40 m the cou of the e of se or les	rods on the se unty road; the North line of aid Sec. 16, 1	ection line; the ence Northerly Sec. 16, said	chence West in along center of the state of	d 10, Tp. 36 S., R. 4 W. 37 rods, more or less, er of the county road to and range; thence East beginning, containing  Tp. 36 S., R. 4 W.W.M., Jackson County, Oregon
Federal Land Bank of Spokane Spokane, Washington (See Findings, Paragraph 103)							,

					, <u>-</u>		
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Dit	ch Stream	Description of Land or Place of Use
Jones, W. J. Box 126 Rogue River, Oregon (See Findings, Paragraph 104)							
Klith, A. P. Rogue River, Oregon (See Findings, Paragraph 105)							
			<u> </u>	SYKES CREEK			
54947  Baker, Henry Rogue River, Oregon (See Findings, Paragraph 106)	1908 4.4 Ac.: Beginni	O.28 I	17.0 r. V. 22.5 : oint 636	Irrigation	Sykes Creek Ditch of the que to the We	Sykes Creek Larter corne est line of	12.6 acres in NE <sup>1</sup> / <sub>4</sub> SN <sup>1</sup> / <sub>4</sub> 4.4 acres in that part of SE <sup>1</sup> / <sub>4</sub> SN <sup>1</sup> / <sub>4</sub> lying north of a line described as follows:  or of Sec. 1, Tp. 35 S., R. the SE <sup>1</sup> / <sub>4</sub> SN <sup>1</sup> / <sub>4</sub> of said Sec. 1, Sec. 1,
						4.	Tp. 35 S., R. 4 W.W.H. Jackson County, Oregon
,			<u> 1</u>	SARDINE CREEK			
Dusenbury, Smith A. Gold Hill, Oregon (See Findings, Paragraph 107)	,						
Durkee, J. E. Gold Hill, Oregon (See Findings, Paragraph 108)							
32805 Smith, James U. Gold Hill, Gregon (See Findings, Paragraph 109)	1908	0.66	<b>46.1</b>	Irrigation	Smith Ditches	Creek 2	1.1 acres in S2 NW2 NW2 NW2 28.7 acres in NE1 SW2 3.5 acres in SW2 SW2 3.5 acres in SE2 SW2 11.0 acres in SE2 SW2 Sec. 4, Tp. 36 S., R. 3 W.W.M., Jackson County, Oregon

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amoun Cubic Fe Per Seco	eet Number	Use	Name of Dit	ch Stream	Description of Land or Place of Use
Smith, John E.  Gold Hill,  Oregon  (See Findings,  Paragraph 110)	1908	0.30	21.1	Irrigation	Smith Ditches	Creek	10.7 acres in SW1 SW1 Sec. 33, Tp. 35 S., R. 3 W.W.M., 10.4 acres in NW1 NW1 Sec. 4, Tp. 36 S., R. 3 W.W.M., Jackson County, Oregon
			A	PPLEGATE RIVES	<u>}</u>		
492644 02607 46878 54	510						
Ainsworth, M. M. Murphy, Oregon (See Findings, Paragraph 111) T-4000 T-4729 add'   Po	1899	O.14  Chg. in  Sp Or. V	9.4 pt.ofc 101.6, p.18	Irrigation		Applegate River	8.7 acres in that part of D.L.C. 40 lying North of Applegate River (NEA NEA)  0.7 acre in Lot 2 (NEA NEA)  Sec. 19,  Tp. 37 S., R. 5 W.W.H.,  Josephine County, Oreg.
Bridge Point Ditch Co. Provolt, Oregon (See Findings, Paregraph 112)	are awa		followi				Bridge Point Ditch Co. tificates of water right
32803					<b>D.</b> 4.1.	B = 2 =	30 O some a din dibah wasah se
Carl, W. N.  Murphy, Oregon (See Findings, Paragraph 113)	0ct., 1898	0.60	30.2	Irrigation and domestic	Point	Apple- gate River	28.0 acres in that part of SW/2 NW/2 lying North of the county road 2.2 acres in that part of SE/2 NW/2 described as
	West of	the NE; thence	corner t	hereof; thence	South 350	45' West to	follows: 17, which is 671.22 feet the West line of said ence East to the point
							Sec. 17, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
32809							
Rexford, Charles M. Estate of, by Dora L. Cook, Executrix Murphy, Oregon	Oct., 1898	0.23	11.4	Irrigation and domestic	Point	åpple- l gate River	11.4 acres in NW1 NW1 Sec. 17, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
(See Findings, Paragraph 114)	0et., 1898	1.46	73.2	Irrigation and domestic	Point	gate River	18.0 acres in that part of  SW4 SE4 lying East of the highway  21.2 acres in SE4 SE4 Sec. 7;
For additional rig Bridge Point Ditch Se	lits Allow Decre	ed Horn	(				32.0 acres in NET NET 2.0 acres in NWT NET Sec. 18, Tp. 38 S., R. 4 W.W.H.,
Vol. 14, pgs. 430 and 32810 32811							Jackson County, Oregon

Description Authorises   Description Authori									
Carl, Ploset Easterd Hurphy, Oregon (See Findings, Paragraph 115)  Commencing at the SW corner of a 10-acre trant of land owned by Experimental State of the county for owner of a 10-acre trant of land owned by Experimental State of the county for owner of a 10-acre trant of land owned by Experimental State of the county for owner of a 10-acre trant of land owned by Experimental State of the county for owner of a 10-acre trant of land owned by Experimental State of the county for owner of a 10-acre trant of land owned by Experimental State of the county for owner of a 10-acre trant of land owned by Experimental State of the county from the county for owner of a 10-acre trant of land owned by Experimental State of the county from the county from the county from the speciment of the State owner of the showe-described 10 cares of land owned by Experimental State of the place of beginning, containing 10 acres, more or less.  State Ellipt Provoil, oregon (See Findings, Paragraph 116)  State of the State of the St corner of acid See. 1; themses running North 257, 5 feet to the speciment of the county from the speciment of th		SS Relative	Cubic Feet		Use	Name of Dit	ch Stream		Description of Land or Place of Use
Stone, Elery Provolt, Cregon (See Findings, Paragraph 116)  Stone, Cregon (See Findings, Paragraph 116)  Reginning at a point on the section line between Secs. 1 and 12, Tp. 38 S., R. 5 M.M., 590 feet West of the SE corner of said Sec. 1; these swinning North 397.5, feat to the center of the country road; thence Santh 39 45.7 Nest 165 feet; themes South 66.5, feet to the section line; thence Rest 759 feet; themes South 39 45.7 Nest 165 feet; themes South 59 45.8 Nest 165 feet; themes South 59 58 Nest 165 feet; themes South 1,320 feet to the place of beginning, containing 30.3 acres, zero or less, themes South 1,320 feet to the place of beginning, containing 30.3 acres, zero or less, South 59 58 Nest 165 feet; themes South 1,320 feet to the place of beginning to the River of the Appleaum 158 Nest 165 Nest 165 feet; themes North 59 58 Nest 165 Nest 165 feet; themes North 59 58 Nest 165 Nest 16	Carl, Flossie Rexfor Murphy, Oregon (See Findings,	Commenciant Tp. 38 S. East to the SE co	ng at the Si , R. 4 W. I the county p orner of the	corne V. M., road; t	and lomestic  r of a 10-ac Jackson Coun hence Northe -described 1	Point Ditch  re tract of ty, Oregon, rly along th O acres of 1	gate River  land owned running the East line	i by inence ne of by s	the SH SE SE SEC. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon, described as follows: E. U. Provolt, in Sec. 7, South 40 rods; thence seid public road to aid E. U. Provolt; thence
Stone, Riery Provolt, Gregon (See Findings, Paragraph 116)  1898		N850 00	one prace o	ः १५४म	ming, conva	Mane ac acc		2 201	:
Beginning at a point on the section line between Secs. 1 and 12, Tp. 38 S., R. 5 W.M.M., 590 feet Nest of the St corner of said Sec. 1; thence runting line of said road North 377.5 feet to the center of the country road; thence along the center line of said road North 579 West 779 feet; thence South 339 45 West 165 feet; thence South 665. feet to the section line; thence East 730 feet to the point of beginning, contenting 10 acres, some or less, in Sec. 1. Also, beginning at the SE corner of Sec. 1, Tp. 18 S., R. 5 W.M.M., and running thence West along the South line of said country road; thence South interesection with the North line of the 58 ER\$ of said Sec. 1; thence East edistance of 1,990 feet, some or less, to the section of the 58 ER\$ of said Sec. 1; thence East edistance of 1,990 feet, some or less, to the section of the 58 ER\$ of said Sec. 1; thence East edistance of 1,990 feet, some or less, to the section of the 58 ER\$ of said Sec. 1; thence East edistance of 1,990 feet, some or less, to the section of the 58 ER\$ of said Sec. 1; thence East edistance of 1,990 feet, some or less, to the section of the 58 ER\$ of said Sec. 1; thence East Sec. 1, Tp. 38 S., R. 5 W.M.M., Josephine Country, Oregon (See Findings, Paragraph 117)  228.4  Provolt, E. U.  Murphy, Oregon (See Findings, Paragraph 118)  Oct., 1.26 63.2 Irrigation Eridge Apple—  West Sec. 2, Tp. 38 S., R. 4 W.M.M., Jackson Country, Oregon Country, Ore	Stone, Elery Provolt, Oregon (See Findings,		1.66 8		and	Point	gate	9.6 22.3	SW1 NEt lying South of the Applegate River acres in that part of NE1 SE1 lying South of the Applegate River acres in that part of NW1 SE1 lying South of the Applegate River acres in the following-
Provolt, E. U. Murphy, Oregon (See Findings, Paragraph 117)  Provolt, Glenn Murphy, Oregon (See Findings, Paragraph 118)  Provolt, Glenn Murphy, Oregon  Marghy, Oregon  Monestic  Monesti		590 feet center of 759 feet line; the in Sec. running center 1: county re thence E	West of the count; thence Some East 7; and Loo, be thence West ine of said and to a post a distant	e SE co y road; uth 33° 30 fect eginnin along county int of ace of	orner of said thence alon 45' West 16 to the point ag at the SE the South 11 road; thence intersection 1,940 fest,	Sec. 1; the g the center of feet; then corner of Sec. 1; then corner of Sec. 2 Northwest with the Newson or less	ence running line of ace South ing, contage. 1, Tp. section a certy along orth line s, to the	ng No said 666.5 ining 38 S dista the of th East	Tp. 38 S., R. 5 W.W.K., rth 387.5 feat to the road North 57° West feet to the section 10 acres, more or less, R. 5 W.W.M., and nce of 120 feet to the center line of said section; line of said section; line of said section; Sec. 1, Sec. 1, Tp. 38 S., R. 5 W.W.M.,
Provolt, E. U. Murphy, Oregon (See Findings, Paragraph 117)  Provolt, Glenn Murphy, Oregon (See Findings, Paragraph 118)  Provolt, Glenn Murphy, Oregon (See Findings, Paragraph 118)  Provolt, Glenn Murphy, Oregon (See Findings, Paragraph 118)  Beginning at the NE corner of the NE's SW's, said Sec. 7; thence South along the East line of said NE's SW's a distance of 246.5 feet; thence North along a line parallel to the East line of said NE's SW's a distance of 266.25 feet; thence North 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1								11.5	the Thomas Nickerson Homestead located in SW2 SW2 Sec. 6, Tp. 38 S., R. 4 W.W.M.,
Murphy, Oregon (See Findings, Paragraph 117)  Real Decree See. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon  Lightly See. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon  Lightly See. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon  Murphy, Oregon (See Findings, Paragraph 118)  Beginning at the NE corner of the NE SW4, said Sec. 7; thence South along the East line of said NE SW4 a distance of 346.5 feet; thence North 36° 26' West 92 feet; thence South 36° 26' West 92 feet; thence North 36° 26	32844								
Provolt, Glenn Murphy, Oregon (See Findings, Paragraph 118)  Beginning at the NE corner of the NE SW1, said Sec. 7; thence South along the East line of said NE SW1 a distance of 346.5 feet; thence North 36° 26' West 92 feet; thence South 57° 35' West 695 feet; thence North along a line parallel to the East line of said NE SW1 a distance of 266.25 feet; thence North 57° 35' East 561.5 feet; thence North 36° 26' West 114 feet to the North line of said NE SW1; thence East along said	Murphy, Oregon (See Findings, Paragraph 117)	<b>1898</b>	cree		and	Point	gate	10.0	No SWA SEA lying West of the highway Sec. 7, Tp. 38 S., R. 4 W.W.,
Provolt, Glenn  Murphy, Oregon (See Findings, Paragraph 118)  Beginning at the NE corner of the NE SW1, said Sec. 7; thence South along the East line of said NE SW1 a distance of 346.5 feet; thence North 36° 26' West 92 feet; thence South 36° 26' West 114 feet to the North line of said NE SW1; thence East along said  North line a distance of 255 75 feet to the point of beginning	45503								
Beginning at the NE corner of the NE; SW; said Sec. 7; thence South along the East line of said NE; SW; a distance of 346.5 feet; thence North 36° 26' West 92 feet; thence South 57° 35' West 695 feet; thence North along a line parallel to the East line of said NE; SW; a distance of 266.25 feet; thence North 57° 35' East 561.5 feet; thence North 36° 26' West 114 feet to the North line of said NE; thence East along said	Provolt, Glenn Murphy, Oregon (See Findings,		1.26 6		and	Point	gate	34.8	except for the following-
and a series and and	see court pecree	of said N South 57° said NE <sub>2</sub> North 36°	E計 SW: a di ' 35' West ( SW: a dista ' 26' West ]	istance 695 fee mce of 114 fee	of 346.5 fe t; thence No 266.25 feet t to the Nor	et; thence North along a thence North Line of a	lorth 36° ; line paral th 57° 35° said NE <sup>1</sup> / <sub>4</sub> SI	26' Wi Llel Eas Va; ti	est 92 feet; thence to the East line of t 561.5 feet; thence hence East along said

28.4 acres in NW4 SE4, Sec. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon ROGUE RIVER - Page 261

SUPPLEMENTAL FINDINGS

				<u> </u>				
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second		Use	Name of Di	tch Stream	1	Description of Land or Place of Use
32836								
Hill, Callie R. Murphy, Oregon (See Findings, Paragraph 119)	Oct., 1898	0.38 1		rrigation and lonestic	Bridge Point Ditch	Apple- gate River	19.2	Sec. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
	Oct., 1898	0.71 3		rrigation and lomestic	Bridge Point Ditch	Apple- gate River		acres in SW1 NW1 acres in SE1 NW1 all being within the following-described
	North 53.	808 rods;	thence	or of $NW_4^1$ , See East 118.94 to the place	rods to the	e quarter s	est ecti	tract: 118.94 rods; thence on line of said Sec. 7;
					•			Sec. 7, Tp. 38 S., R. 4 W.W.H., Jackson County, Oregon
	Oct., 1898		đ	rrigation and omestic	Bridge Point Ditch	gate River	12.0 6.0 5.0	acres in NE NW acres in NW NW NW acres in SW NW acres in SE NW acres in SE NW all being within the following-described tract:
	thence we	st 118.94	rods;	r of the NW thence South point of beg	i 106.92 rodi	Tp. 38 S., s; thence E	R. A. Cast	4 W.W.M., and running 118.94 rods; thence
								Sec. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
تربين seded by	_							
-328 7 Cert. No. 49836								
Messinger, Herman Provolt, Oregon (See Findings, Paragraph 120)	0ct., 1898	0.88 43		rrigation and omestic	Bridge Point Ditch	gate River		acres in Wa NWA NWA plus a strip 7 rods wide off the West side of the Ea NWA NWA acres in Wa SWA NWA plus a strip 7 rods
					nere Canadel			wide off the West side of the E2 SW2 NW2, less a tract in the SW corner of the SW2 NW2 of said Sec. 7, 231 feet North and South and 377.5 feet East and West, containing 2 acres
,								Sec. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
32828 Fields, George Provolt, Oregon (See Findings, Paragraph 121)	0et., 1898	<b>0.9</b> 3 46		Irrigation and lomestic	Bridge Point Ditch	Apple gate River	2.0	acres in that part of Sw Nw described as follows:
raragraph izij		7 rods; t					rods	th 14 rods; thence to the place of Sec. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon acres in that part of NET NET, described as
	line; then West line	ice West S 10 rods t	0 rods	to the West	line of sai	d NEt NEt;	ther	follows:  Is along the section  Ice South along the  Is to the point of
	beginning.					:		acres in SE1 NE1, Sec. 12, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg.

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
32810							
Bentley, R. H. Murphy, Oregon (See Findings, Paragraph 122)	Oct., 1898	0.33 1	.6.6 1	Irrigation end domestic	Point	gate 3. River 12.	6 acre in SW1 NW1 0 acres in SE1 NW1 0 acres in NE1 SW1 0 acre in NW1 SW1 Sec. 17
	Commencing	at the S	E corne	er of NE's Swa	of Sec. 17,	Tp. 38 S.,	Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon, all within the follow- ing-described tract: R. 4 W. W. M., and run-
	35° 45' Ea the place above-desc Oscar, hus of Sec. 17	st 23.4 c of beginn ribed pro band and , Tp. 38 or less,	hains; ing, co perty t wife, c S., R. to a p	thence East to ontaining 74.5 that certain s described as for 4 W. W. H.; the	o the East 1 1 acres, more trip of land ollows: Com nence North	ine of SEA e or less, conveyed i mencing at 185 feet; i	All chains; thence North NW1; thence South to and excepting from the to J. L. Oscar and Izora the SE corner of NE1 SW1 thence Southwesterly 294 thence East 185 feet to
	one point	or pegimi	THE•				<i>;</i>
Carl, W. N. Murphy, Oregon (See Findings, Paragraph 123)							
	/	0.67	33.6	Irrigation			6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
Farra, Alma S. Jacksonville, Oregon	1898			and domestic		gato River	Sec. 12, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg., being within the fol- lowing-described tract:
	South alon to the Eas	g the Wes t line of the Nort	t line said a h line	of said $NE_3^1$ $NE_4$	Ed a distance North to the	e of 70 roo	R. 5 W. W. M.; thence described space: As; thence East 80 rods ar of said Sec. 12; thence denning, less and except—
	section li	ne; thenc th 50 fes	e West	55 feet to the	e point of b	eginning; t	South 355 feet on the thence West 75 feet; ot, to the point of
,	South of t	he NE cor eet; then	ner of	said Sec. 12	on county li	ne; thence	Beginning 214 feet West 150 feet; thence th on county line 70
Fields, George Provolt, Oregon (See Findings, Paragraph 125)							
	0ct., 1 <b>898</b>	0.12	6.0	Irrigation and domestic	Bridge Point Ditch	Apple- gate River	6.0 acres in that part of S2 SE2, Sec. 1, Tp.38 S.,R. 5 W.W.H., Josephine County, Oregon, described

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Numb Acre		Name of Dito	h Stream		Description of Land or Place of Use
32821( Sont)							I .	
Johnson, Oscar A. and Johnson, Vivian (continued)	St SEt. Se said St Si Si county row 375 feet to on said rethence Sou Creek down	sc. 1, Tp. $\frac{1}{4}$ of said ad; thence to the Normal and a uth 33° We nestream N	. 38 ( l Sec fol thwe depth sst 70	S., R. 5 W.W. 1, a distantion the Sosterly corner to of 71 feet 00 feet to Wi	M.; thence Ea ce of 425 fee utherly side of a church back therefro lliams Creek; 1,395 feet t	st along to the soft said relative with a m; thence for the control of the contro	the No Souths oad So a from South ollowi	NW corner of the orth line of erly side of the outh 46° 53' East ntage of 44½ feet in 57° East 563 feet; ing said Williams beginning, except-
Stone, Elery Provolt, Oregon (See Findings, Paragraph 127)								
295: 9								
Letteken, Sam and Letteken, Nellie Provolt, Oregon (See Findings, Paragraph 128)	0ct., 1898	0.74 3	96.9	Irrigation and domestic	Bridge Point Ditch	Apple- gate River		acres in that part of SE1 NW1, lying South of the Applegate River; acres in that part of NE1 SW1, lying North of the highway  Sec. 1, Tp. 38 S., R. 5 W.W.H., Josephine County, Oreg.
	the foregoeser to set out i supplement appurtens irrigated shall not	coing right the use in the Rogardal right and in an identify the during the control of the contr	of war Richard	supplemental eter from Wil- ever Decree or ewed herein in ent not exceed crigation seasons cubic foot per	to the veste liams Creek to Page 26, Co s limited to ing 0.02 cubi son, and the	d right all hrough You lumn 2, un use on the c foot per quantity r	lowed k and der F land seco	NE1 SW1, said Sec. 1, d claimants' prede- d Breedon Ditch, as Proof 813. The d to which it is and for each acre from all sources acre irrigated
Planslp, Ralph W. Murphy, Oregon (See Findings, Paragraph 129)	0ct., 1898	0.13	6.5	Irrigation and domestic	Bridge Point Ditch	Apple- gate River	6.5	acres in that part of the NWA NWA, lying South of the Applegate River Sec. 1, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg.

328/4

Oregon

(See Findings,

Loesch, L. R. Central Point,

Paragraph 130)

Oct., 1898 0.10

5.1 Irrigation

and

domestic

Beginning at a point 639 feet North of the half mile corner on the West line of Sec. 1, Tp. 38 S., R. 5 W.W.M., and running thence North 896 feet to the center of the county road; thence South 41° East 807 feet up the center of said county road; thence South 62° 13' West to the place of beginning, containing 6 acres of land, more or less.

(SW1 NW1, NW1 NW1)

Sec. 1,

Bridge

Point

Ditch

Apple-

gate

River

Sec. 1, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg.

5.1 acres within the

tract:

following-described

of Appropriator	Priority	Per Secon	a   120105					
32873 Lewman, T. E. Murphy, Oregon (See Findings, Paragraph 131)	0ct., 1898	0.08	4.2	Irrigation and domestic	Bridge Point Ditch	Apple- gate River		acres in that part of the NE4 SW4 described as follows:
	of said South 57 said NE <sub>2</sub> North 36	NE SWA 35' We NWA a d 26' We	a dista est 695 listance est 114	nce of 346.5 fe feet; thence No of 266.25 feet	eet; thence orth along t; thence N orth line of	North 36° a line par orth 57° ; said NE	· 26' i rallel 35' Eas S联表; t	along the East line West 92 feet; thence to the East line of st 561.5 feet; thence thence East along said  Sec. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
Provolt, Glenn Murphy, Oregon (See Findings, Paragraph 132)								
Superceded by	<del>380</del> 42174	1						
Mitchell, William A. R. F. D. No. 3 Box 866	0ct., 1900	0.55	27.6	Irrigation	Red Bluff Ditch	Apple- gate River	27.6	acres in that part of NWA SWA lying below the Red Bluff Ditch,
Grants Pass, Oregon (See Findings, Paragraph 133)	Sp Or V	123 p H	8					Sec. 29, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg.
32817 32813 32813								
Cameron, Wilber W. Jacksonville, Oregon (See Findings, Paragraph 134)	1902	0.62 Ch. Pt. 00 Sp. Or. V	1.7 1.16	Irrigation 4 281	Com- stock Ditch	Apple- gate River		acres in NE1 NW1 acres in SE1 NW1 Sec. 15, Tp. 39 S., R. 3 W.W.M., Jackson County, Oregon
	1903	0.09	4.5	Irrigation	Com- stock Ditch	Apple- gate River	4.5	acres in SE1 NW1 Sec. 33, Tp. 39 S., R. 3 W.W.M., Jackson County, Oregon
<b>32</b> 80								
Cook, J. T. Provolt, Oregon (See Findings, Paragraph 135)	řeb., 1899	0.29	14.6	Irrigation	North Side Ditch	Apple- gate River	14.6	acres lying below the North Side Ditch in that part of D.L.C. 37 (SW4 SE4) described as follows:
,	the sect the Nort line of	ion line of the Will	19.46 of said lis York	chains to the B	North line stance of 3 s South to	of D.L.C. 6.6 chain	37; tl	ming thence North along hence Westerly along e or less, to the East of said Sec. 36; thence
	Bas v and	as basa	2230	, one point of	,			Sec. 36, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
0000								
Cook, Oran W. and Cook, Gladys Provolt, Oregon	Feb., 1899	0.31	15.4	Irrigation	North Side Ditch	Apple- gate River		acres lying below the North Side Ditch in that part of D.L.C. 37 (N1 NE1), described as follows:
(See Findings, Paragraph 136)	Beginnin chains;	g at the North 13	NE cor	ner of Sec. 1 and a sec. 1 and	and running ains to poi	thence So int of begi	outh 1: inning	3 chains; West 36.6, containing 47.6 acres, Sec. 1, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg.

Number Acres

Use

Name and Postoffice Address of Appropriator Description of Land or Place of Use

Stream

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
32842 47051 5	<u> </u>						
Bowen, S. A.	1903	0.49	24.4	Irrigation			.4 acres in that part of
Bowen, Maude E. Murphy, Oregon (See Findings, Paragraph 137)	5p.01	in pt. of r. Vol. 6, p.	58		Ditch	gate River	the following-described property lying below the Swinden and Bunch Ditch and West of Grays Creek:
T-4230 Spec. Or. V32.p327	chains; South 20	North 10. chains;	75 chai East 7.	ns; East 17.6	O chains; No uth 10.75 ch	rth 20 chain sins to begi	. 20; running East 6 s; West 29.90 chains; nning, less 5 acres Sec. 20, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
•							sobogizate councy; oreg.
326: 3 49050 WHI	2						
McDonald, Chas. O. Murphy, Oregon (See Findings, Paragraph 138)	-	0.52 pt. of a Val. 6, p. 5		Irrigation	Ec	gate 19	.5 acres in Lot 1 (SW NW) 6.5 acres in Lot 2 (SE NW) 8.0 acres in that part of D.L.C. 40 lying East of
T-4230 Spec. Or. V32 p277	7,51.	, c., p.	O				Grays Creek (SE NW4)
7-4690 4 pou part	•€ F-4231	0 Sp 0,V	34,P4	09			Sec. 20, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
328-7 54518							
Gilmore, R. A.  Murphy, Oregon (See Findings, Paragraph 139)	Feb., 1899	0.26 thg in pt. sp. Or Vol.	13.0 of div. 6, p. 18	Irrigation		Apple- 4 gate River	.0 acres in that part of SE <sup>1</sup> <sub>4</sub> SE <sup>1</sup> <sub>4</sub> , Sec. 18; described as follows:
		thence No	rth 20	rods; thence			running thence West ion line; thence
7-4729 Add') POD		Shq. in st. p. Or. Veli	of div			.g	(NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>5</sub> ) Sec. 19, Tp. 37 S., R. 5 W.W.H., Josephine County, Oreg.
See Findings, Paragraph 140)	Feb., 1899	0.13 Chg. in pt Sp Or Vol.	6.6 6.05 div	Irrigation	Side	Apple- 6 gate River	.6 acres in that part of SEA SEA Sec. 18, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
7-4729 Add'l POD	rods; the	nce South	60 ro	ls; thence Eas	t 80 rods; t	hence North	described as follows: c. 18; thence West 80 60 rods to the place of in the extreme SW corner
Con the	1188						•
<del>628.5.</del> Section (Marr, Bert	1898 - 1898	0.54	21.5	Irrigation	Bruce	Apple- 10	.5 acres in NE1 NE1
Jacksonville, Oregon (See Findings,	1,576	0.54	ر ه شم	11112601011	Buck	gate 7	.0 acres in NWA NEA .0 acres in NEA NWA, all South of the
Paragraph 141)							Applegate River, Sec. 2,
T3669							Tp. 41 S., R. 4 W.W.M., Jackson County, Oregon

				<u> </u>				
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
Fortner, A. G. and Miles, R. A. R. F. D. No. 1	1908	0.02	1.0	Irrigation	Herzinger & Sargent Ditch	Apple- : gete River	1.0	acre in SW: NW: Sec. 6, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
Murphy, Oregon (See Findings, Paragraph 142)	Feb., 1899	0.02	1.2	Irrigation	North Side Ditch	Apple- gate River	1.2	acres in SN4 NE2 Sec. 1, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg.
32838 Kubli, K. J. Murphy, Oregon (See Findings, Paragraph 143)	<b>1906</b> 	<b>0.20</b> <sub>n,</sub> ध्राप (न र	<b>9.8</b> ગ્રુકપ)	Irrigation  6.4 acres \$ 3.4 Cancell	S. H. Cook Ditch CANCELED Spec. Or. cd - sp. or Rec. Vol.	gate River v.36p329	9.8	acres in NW4 NE4 Sec. 7, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
Superación by 4	7280, a.55	6685						
Talk of the control	1908	0.13	6.7	Irrigation	Kubli or Fowler & Keeler Ditch			acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>2</sub> Sec. 23, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
Laurel Hill Ditch Co. Murphy, Oregon (See Findings, Paragraph 145)	are ex	The allo arded the a issued.	follo	made under th ming claimants	e inchoate ri	lght of th Ividual ce	e Le rtii	urel Hill Ditch Co. Ficates of water right
328 %							۰.	
Planalp, Ralph W. Murphy, Oregon (See Findings, Paragraph 146)	Feb., 1892	0.37	18.7	Irrigation	Laurel H111 Ditch	Apple- 1 gate River	8.7	acres in that part of NW1 NW2 lying South of Applegate River Sec. 1, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg.
328-1								
York, Jess Murphy, Oregon (See Findings, Paragraph 147)	Feb., 1892	0.37	18.4	Irrigation	Laurel Hill Ditch	Apple- 1 gate River	8.4	scres in SE <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>2</sub> Sec.35, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
Willson, W. F. and Willson, D. J. R. F. D. No. 1 Box 37 Murphy, Oregon (See Findings, Paragraph 148)	Feb., 1892	0.69	34.7	Irrigation	Laurel Hill Ditch			acres in NW1 SE1 acres in SW1 SE1 Sec. 35, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.

	Data of		_				
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second		Use	Name of Ditch	Stream	Description of Land or Place of Use
Trumbly, C. A.  Murphy, Oregon (See Findings, Paragraph 149)  T# 4018 A900  T# 4018 A9	Feb., 1892 Particl Cancer Sp On Vol-31	1.66	Acres	Irrigation	Leurel Hill Ditch pt. of div Sp.C	Apple- 32.2 gate 11.8	Place of Use  2 acres in SWA NWA 5 acres in SEA NWA 7 acres in NEA SWA 2 acres in NWA SWA Sec. 35, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
32844 Davis, Will Keyes, California (See Findings, Paragraph 151)		at the sorth 130 :	Sig com		of said Sec.	gate River 4.0 34 and runni South 130 re	o acres in that part of NEL NEL and acres in that part of SEL NEL Sec. 34, described as follows: ing thence West 13 rods; ods to the place of
						7.5	Sec. 35, Sec. 35, Tp. 37 S., R. 5 W.W.H., Josephine County, Oreg.
328 ; Hyde, L. W. Murphy, Oregon (See Findings, Paragraph 152)	Feb., 1892	0.80	39.8	Irrigation			acres in NW1 NE1 cores in SW2 NE2 all being in the W2 of that part of NE2 of Sec. 34 lying West of a line 13 rods West of the East line of said Sec. 34 Sec. 34 Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
328 16 /Hyde, F. R. Murphy, Oregon (See Findings, Paragraph 153)	Feb., 1892	1.03	51.3	Irrigation	Hill	gate 2.5 River 2.2	acres in NE <sub>4</sub> NE <sub>4</sub> 5 acres in NW <sub>4</sub> NE <sub>4</sub> 2 acres in SW <sub>4</sub> NE <sub>4</sub> 2 acres in SE <sub>4</sub> NE <sub>4</sub> all in the E <sub>2</sub> of that part of the NE <sub>4</sub> of Sec. 34 lying West of a line 13 rods West of the East line of said Sec. 34  Sec. 34  Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.

	Data of	A ***						
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amoun Cubic Fe Per Seco	eet Number	Use	Name of Ditch	Stream		Description of Land or Place of Use
Weedon, G. C. Murphy, Oregon (See Findings, Paragraph 154)	Feb., 1892	0.83	41.6	<b>Irrigation</b>	Laurel Hill Ditch	Apple- gate River	9.6 23.7	acres within a strip of land 220 feet wide on the East side of SNA SNA, Sec. 27 acres in SEA SWA Sec. 27; acres in NEA NWA acres within a strip of land 220 feet wide on the East side of NNA NWA Sec. 34, Tp. 37 S., R. 5 W.W., Josephine County, Oreg.
Powers, Josephine (Administratrix of the Estate of A. E. Powers, Deceased) Murphy, Oregon See Findings, Paragraph 155)	Feb., 1892	0.82	41.0	Irrigation	Laurel Hill Ditch	Apple- gate River		acres in the West 1,100 feet of NW4 SW4 acres in the West 1,100 feet of SW4 SW4 Sec. 27, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
328 13 Jones, W. M. Grants Pass, Oregon (See Findings, Paragraph 156)	Feb., 1892	1.52	76.11	Irrigation	Laurel Hill Ditch	Apple- gate River	30.0 1.0 19.0	acres in SW1 NE1 acres in SE1 NE2 acre in SE1 NW1 acres in NE1 SE1 l acre in SE2 SE4 Sec. 28, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
Sweeney, Charles T.  and Sweeney, Mary E.  Medford, Oregon (See Findings, Paragraph 157)	Feb., 1892	0.74	37.2	Irrigation	Leurel Hill Ditch	Apple- gate River	9.7 15.0	acres in NW1 SW2 acres in SW2 SW2 acres in SE1 SW2 acre in SW1 SE2 Sec. 21, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
Blenchard, Emma c/o Paul Blanchard Legal Department Armour & Co. Chicago, Illinois (See Findings, Paragraph 158)	Beginning chains; I North 7.5	g at the North 10 50 chain	SE corn .75 chai s to the beginnin	ns; West 7.20 river; West g, containing	chains; Nor 2.90 chains; 61.66 acres	th 20 cha South 61 , more or	North ins; chai	acres in that part of the following-described property lying below the Swinden and Bunch Ditch: 20 chains; East 14 West 10.10 chains; ns; East 5.40 chains , lying and being and Swing Swing, Sec. 20)

Secs. 19 and 20,

Tp. 37 S., R. 5 W.W.M.,

Josephine County, Oreg.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second			Name of Ditch	Stream		Description of Land or Place of Use
Matney, J. N. Ruch, Oregon (See Findings, Paragraph 159)	1901 45063 7 → 56499	<b>,</b>	25.0	Irrigation and domestic	Offenbacher and O'Brien Ditch	gate		acres in Lot 1 (SW4 NW4) acres in W2 SE4 NW4 Sec. 29, Tp. 38 S., R. 3 W.W.M., Jackson County, Oregon
Gentner, Emil R. F. D. No. 1 Murphy, Oregon (See Findings, Paragraph 160)  T 3734 (34841) th 20	Feb., 1899	0.73	5 <b>1.3</b>	Irrigation	North Side Ditch  x Trfs. 9p.Or.	gate River Vol.16, p 461 Vol.16, p 461 * 2	1.2 4.0 2.1 4.6 22.3 5.7 6.8	acres in SW1 SW1 Sec. 26; acres in SW1 NE1 acres in SE1 NW1 acres in NE1 SW1 acres in NE1 SE1 acres in NW1 SE1 acres in SW2 SE2 acres in SE1 SE2 Sec. 27, Tp. 37 S., R. 5 W.W.H., Josephine County, Oreg.
Murphy Ditch Co. Grants Pass, Oregon (See Findings, Paragraph 161)	(Note. The awarded to will be in	the lotrom	ices ma	ide under the Laimants to wh	inchoate righ Iom individual	t of the M certifics	lurph ites	ny Ditch Co. are of water right
Perry, Wilhelmina T. R. F. D. No. 3 Grants Pass, Oreg. (See Findings, Paragraph 162)	1902	0.30 1	14.9	Irrigation	Ditch	gate River	3.9 3.2	acres in NW1 NW1 Sec. 19, Tp. 37 S., R. 5 W.W.M. acres in NE1 NE2 acres in SE1 NE2 Sec. 24, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
325 5 Boyer, Oscar D. Grants Pass, Oregon (See Findings, Paragraph 163)	1902	0.14	6.8	Irrigation	Ditch g	apple ga <b>te</b> Liver		acres in SW2 NW4 SE2 Sec. 24 Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
/ 328: wo	3000	0.38	<b>^</b> •	Total makilan	Maria de la companya		2.0	Modifica Fy Dograc Police Post
c/o C. J. Hopper R. F. D. No. 3 Grants Pass,	of county 44' West 1 beginning,	604 feet road; the 175.9 feet , containi unty road,	ence or t; Northing 1.2 , conta	n North line o th 47° 12' Wes 29 acres; and aining 8.0 acr	Ditch g R of Sec. 24; r of road North st 157 feet; N all that part	tate liver unning Sou 46° 52' We forth 42° 3 t of the SE	uth 5 est 5 38' E 24 NE pt ri	acres in that part of) NET NWT(lying North of the county road) described as follows: 554 feet to North line 58.4 feet; North 17° East 329.4 feet to ET NWT lying South light of way for road  Sec. 24, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.

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
32807 64729							
Gimmestad, Cecil Zina	1902	-		Irrigation		Apple- 7	7.0 acres in SW4 SE4 NH4 Sec. 24,
(Administratrix of Estate of Georgietta G. McCain, Deceased Grants Pass, Oregon (See Findings,	7-4849	Add'l	000 -	7 <sup>2</sup> ac		River	Tp. 37 S., R. 6 H.W.M., Josephine County, Oreg.
Peragraph 165)							
328/3							
Gimmestad, Mikkel and Gimmestad, Cecil R. F. D. No. 3 Grants Pass, Oregon (See Findings,	1902	0.46 2	23.1	Irrigation	Ditch	gate River	0.2 acre in that part of SW1 NW1 NE1 lying South of Murphy road 6.3 acres in SE1 SW2 NE1 9.6 acres in NW1 SW1 NE1 7.0 acres in NW1 NW1 SE2 Sec. 24,
Paragraph 166)							Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
328.3 <b>⊬Hopper, C. J.</b>	1902	0.33	16.5	Irrigation	Murphy I	Apple-	9.5 acres in that part of
R. F. D. No. 3 Grants Pass, Oregon (See Findings, Paragraph 167)	Tp. 37 S., running the distance of the NW1 ar section; to said North	R. 6 W.V nence in s of 1,250 f nd NET of thence Nor	V.M., 1 South Seet; to said s th 542	31 feet East of the start of th	he county ref f the NW con tion along terly 395 fe nce of 542 f orth line of	mer of the the middle o eet to a poi feet from the f said section	NET NET of Sec. 24, described as follows: North line of Sec. 24, NET NWT of said section; of said county road a int on the line between he North line of said ion; thence West along ing 13 acres, more or
	less.				22		1.0 acre in that part of NET NWT, Sec. 24, described as follows:
• • • • • • • • • • • • • • • • • • •	thence East the middle South line	et 240 fee of the o between	t to t county the NW	the middle of t road to a poin	he county re t where said NEI NEI NWI	pad; thence I road inter of said sec	37 S., R. 6 W. W. M.; Northwesterly along reects the North and ction; thence South
,						(	6.0 acres being the South 6 acres of the Swap NET NWA Sec. 24,
							Tp. 37 S., R. 6 W.W. M., Josephine County, Oreg.
32862 64721							
Knapp, Clark B. 6950 De Celis Place Van Nuys, California See Findings, Paragraph 168)	1902 <i>F- 484</i>	0.19 7 Add <sup>3</sup> /	9.8 <i>PoD</i>	Irrigation	Murphy Ditch	Apple- 9 gate River	9.8 acres in NW1 SE1 NW1 Sec. 24, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Ame Cubic Per S	ount Feet econd Num Acre		Name of Dit	ch Stream	Description of Land or Place of Use
32861 /Listman, Louie 1720 Hopkins Street Oakland, California	1902	0.32	15.9	Irrigation	Murphy Ditch	Apple- gate River	7.2 acres in SW SW NEW SE. SET NWA Sec. 24, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
(See Findings, Paragraph 169)							• • • •
<b>82</b> 802		•					
McDonald, Charles R. F. D. No. 3 Grants Pass, Oregon (See Findings, Paragraph 170)	1902	0.20	9.8	Irrigation	Murphy Ditch	Apple- gate River	9.8 acres in NET SET NWT Sec. 24, Tp. 37 S., R. 6 W.W., Josephine County, Oreg.
<b>32</b> 8 ( <b>3</b>			-4 -				er d
Rightmier, E. L. R. F. D. No. 3 Grants Pass, Oregon (See Findings, Paragraph 171)	1902	0.33	16.3	Irrigation	Murphy Ditch	Apple- gate River	7.8 acres in NET SW: NET 8.5 acres in SET NWT SET Sec. 24, Tp. 37 S., R. 6 W.W., Josephine County, Oreg.
328-4 Sharp, W. O. R. F. D. No. 3 Grants Pass, Oregon (See Findings,	1902	0.12	6.2	Irrigation	Murphy Diten	Apple- gate River	6.2 acres in NE NW SE Sec. 24, Tp. 37 S., R. 6 W.W.W., Josephine County, Creg.
Paragraph 172)							
328< <u>5</u> .							72 70 1- 41-1 6
Woodard, Elsie R. F. D. No. 3 Grants Pass, Oregon (See Findings, Paragraph 173)	1902	0.22	11.12	Irrigation	Murphy Ditch	Apple- gate River	11.12 acres in that part of W2 NE2 NW2, Sec. 24, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg., lying South of the county road and North of the South 6 acres of the SW2
3	-						NET NET of said Sec. 24.
<b>32</b> 806							
Gibson, Edward and Gibson, Josephine R. F. D. No. 3 Grants Pass, Oregon (See Findings, Paragraph 174)	1902	0.78	39.2	Irrigation	Ditch	Apple- gate River	39.2 acres in NWA NWA Sec. 24, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.

Amount Cubic Feet Per Second Name and Postoffice Address of Appropriator Use Name of Ditch Stream Description of Land or Place of Use 50911 254050 17.4 Lawless, John 1902 0.35 Irrigation Murphy Apple-9.4 acres in that part of R. F. D. No. 2 Ditch gate SN SN Grants Pass, River Sec. 13, Oregon Tp. 37 S., R. 6 W.W.M., (See Findings described as follows: Paragraph 175) Beginning at SW corner of said Sec. 13; thence East 60 rods; North 1 rod; Northwesterly in a straight line 79.3 rods to a point on the West line of Sec. 13; South 52 rods to point of beginning. 8.0 acres in that part of T-4860 Add'I pop 8º 2 c SWNW, Scc 24 Swa Nea, lying North of the Applegate River Sec. 24, Tp. 37 S., R. 6 W.W.H., Josephine County, Oreg. Humrick, O. V. and Humrick, Vada E. R. F. D. No. 3 Grants Pass, Oregon (See Findings Paragraph 176) 328(3 Silva, Tony 8.6 acres in NE SW 1902 86.4 1.73 Irrigation Murphy Apple-28.8 acres in NWA SWA, and gate Ditch except the following-Silva, Isabel River R. F. D. No. 2 described land: Beginning 12 rods South of the NW corner of the SW of Sec. 13; thence South 40 Box 75 rods; thence East 10 rods; thence North 8 rods; thence East 3 rods; thence North Grants Pass, Oreg. 32 rods; thence West 13 rods to the point of beginning. (See Findings, Paragraph 177) 28.8 acres in Sal Sal, except the followingdescribed land: Beginning at the SW corner of Sec. 13, Tp. 37 S., R. 6 W. W. M.; running thence North 52 rods; thence Southeasterly a distance of 79.3 rods to a point 60 rods East along the South line of Sec. 13 and 1 rod North thereof; thence South 1 rod to said South line of Sec. 13; thence West along said line a distance of 60 rods to the point of beginning containing 10 acres, more or less. 20.2 acres in SE4 SW4 Sec. 13, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg. 32863 1902 0.04 2.2 2.2 acres in that part of Langworthy, D. M. Irrigation Murphy Apple-NW SW , described as R. F. D. No. 3 Ditch gate Grants Pass, River follows: Oregon (See Findings Beginning 12 rods South of the NW corner of the SW of Sec. 13, running thence South along section line 32 rods to NW corner of the land conveyed to School District 12; Paragraph 178)

Sec. 13,

Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.

thence East 13 rods; thence North 32 rods; thence West 13 rods to place of beginning.

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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
12870 Lawless, Julia R. F. D. No. 1 Box 20 Grants Pass, Oregon (See Findings, Paragraph 179)	1902	0.13	6.5	Irrigation	Murphy Ditch	Apple- 6.5 gate River	acres in N2 N2 NE4 NE4 Sec. 23, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
Languorthy, D. M. R. F. D. No. 3 Grants Pass, Oregon (See Findings, Paragraph 180)	1902	0.19	<b>9.</b> 6	Irrigation	Murphy Ditch	Apple- 9.6 gate River	acres in the South 30 acres on NE
51987							•
Helms, J. L. R. F. D. No. 2 Grants Pass, Oregon (See Findings,	1902 Beginning	•		Irrigation er of the SWA !	Murphy Ditch  WEA; thence W	gate 36.9 River	acres in NW1 NR1 acres in SW1 NE4 except the following-described tract: thence North 40 reds;
Paragraph 181)	thence Eas	st 4 rods	to the	e East line of	said SW4 NE	; thence Sou	th 40 reds to point
T- 4372 A P	of beginn:	ing.					Sec.14, Tp: 37 S., R. 6 W.W.,
49/93 - 55697 488-7 756-95	, , , ,						Josephine County, Greg.
and 7-53/7 Kapsa, Myrtle	1902		9.4	Irrigation	Murphy Ditch		acres in NE
553 West 6th Street Eugene, Oregon (See Findings, Paragraph 182)	thence Wes	st 4 rods Line of S	; then	ce North 40 roo of said Sec. :	ls to a bank L4; thence So	or bluff; the	W.W.M., and running ence East 4 rods to to the place of
	beginning	, contain	_	e acre, more o	-	23.1	acres in SE2 NE2
				128 Heres Transf	Served Sp. Dr. Vo	/10,5183~ 12.8	acres in that part of NWA SEA, described as follows:
,	by J. H. S Applegate West quar	ith 509.5 Shawl; th River; t ter secti	feet ence W hence l on lin	to the NE corne est a distance Northwesterly	or of the tra of 977.0 fee along the bar along said	ect of land not to the Eas ak of said ri	W. W. M., and running ow or formerly owned terly bank of the ver to the East and on line 1,116.0 feet
	<i>‡</i>						Sec. 14, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
55694 55694 5665 T-4372	A 100 7 //						
	Beginning North para	at the Sallel to	E cornsection	n line 818 feet the bank of the	t; thence We: ne Applegate	gate 12. River , Tp. 37 S., st parallel t River; thence	o acres in NET SET  O acres in that part of NWT SET, described as follows: R. 6 W. W. M.; thence o East and West quarter e Southeasterly along the point of beginning;
				-			6 acres in SE SEC. 14, Sec. 14, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
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Name and Postoffice Address	Date of Relative	Amount Cubic Feet	Number	Use	Name of Ditch	Stream	Description of Land or
of Appropriator	Priority	Per Second	Acres	Use	name of Diten	Stream	Place of Use
Kapsa, Otis A.							
and Kapsa, Myrtle 553 West 6th St. Eugene, Oregon							
(See Findings, Paragraph 184)		. and surt					
Superanded by  Cart. No.  Superanded by  Cart. No.  Cart. No.  Cert. No.  Cert. No.  48257	2 4276 48 976	+5578O	-				
Cert. No. 48257 / Lucore, W. C.	7 <u>-</u> 20496 T <b>1902</b>	0.17	8.5	Irrigation	Murphy	Apple-	8.5 acres in SW4 NW4
R. F. D. No. 3 Box 740 Grants Pass,			,		Ditch	gate River	Sec. 14, Tp. 37 S., R. 6 W.W.M.,
Oregon				13 p 387			Josephine County, Oreg.
(See Findings, Paragraph 185)			men er 1200 ser				
<b>328</b> 73	,						a.c. a
Weaver, W. C. R. F. D. No. 2 Box 552 Grants Pass, Oregon (See Findings, Paragraph 186)	1902	0.41 2	0.5	Irrigation	Murphy Ditch	Apple- gate River	16.0 acres in NET NWA  4.5 acres in NWA NWA  except a parcel of land commencing at the SW corner of the NWA NWA, Sec. 14; thence East 751 feet; thence North 165 feet;
							thence West 751 feet; thence South 165 feet to the point of begin- ning, Sec. 14, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
<b>328</b> 79							•
Brown, E. J. Applegate, Oregon (See Findings, Paragraph 187)	1906	1.56 78	3.2	Irrigation	New Berry- man Ditch	Apple- gate River	78.2 acres in that part of D.L.C. No. 38 lying East of Thompson Creek and South of the Apple- gate River (13 acres SNA NEA, 3 acres SNA NNA, 17 acres SEA NNA, 11 acres NEA SNA, 0.5
•							acre NW SW 1, 12 acres NE SE 1, 21.7 acres NW SE 2) Sec. 22, Tp. 38 S., R. 4 W.W.W., Jackson County, Oregon
32830  Finley Bros. (D. H. Finley and Francis Finley) Murphy, Oregon (See Findings, Paragraph 188)	1906	1.93 9	6.6	Irrigation	New Berry- man Ditch	Apple- gate River	38.7 acres in SW1 NE1 33.2 acres in SE1 NE2, except the E2 SE2 SE1 NE2 19.3 acres in NE1 SE1, except the E2 E2 5.4 acres in NW1 SE1 Sec. 18,
							Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fee Per Secon	t Number Acres	Use	Name of Dit	ch Stream	·	Description of Land or Place of Use
ECSS1			-	-		,		
oerst, Hattie F. Murphy, Oregon	1906	0.68 33	8.8 Ir	rigation	New Berry-	Apple- gate	3.0	acres in that part of SW1 NW1 and
See Findings,	•	•			man	River	16.0	acres in that part of
Paragraph 189)	7				Ditch			NWA SWA Sec. 17,
	South 20 chains to	chains to a pipe fo	the sixte	enth corner; thence	r; thence Es North 20.83	st along chains to	the s	described as follows: R. 4 W.W.M.; thence ixteenth line 7.65 center of the county orthwesterly course
	9.25 chair	ns, more	or less,	to the line	between Sec	s. 17 and	18 t	o an iron pipe for a ce of beginning.
								acres in E2 SE4 SE4 NE4 SE4 SE4 SE4 SE4 Sec. 18,
								Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
	1906		Ste	ock	New	Apple-	3.0	acres in that part of
					Berry- man Ditch	gate River	16.0	SW NW and acres in that part of NW SW
						٠.		Sec. 17, Tp. 38 S., R. & W.W.M.,
	•				•			Jackson County, Oregon, described above.
		-						
32853	170.75	7.67 4	60.4 Ir	rigation	Miller	Apple-	3.0	acres in Lot 3
R. F. D. No. 3 Grants Pass, Oregon	Feb., 1898	7.07 40		d stock	Ditch	gate River	37.2	(NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ acres in Lot 2 (SE $\frac{1}{4}$ NE $\frac{1}{4}$ )
c/o Forbes W. Fosbery								acres in NE NE
See Findings, Paragraph 190)								acres in NW1 NW1 acres in SW1 NW2
taragraph 190)							40.0	acres in SE4 NE4
								acres in NE SW:
				,			24.2	acres in NE $_4^{ m I}$ SE $_4^{ m I}$
								acres in NWT SET acres in SWT SET
								acres in $SE_4^{\underline{I}}$ $SE_4^{\underline{I}}$
							21.0	Sec. 19; acres in NET NET
							37.0	acres in NWI NET
								acres in SW1 NE1 acres in NE1 NW1
,					- I-	The second second	22.6	acres in SET NWT
					Trans	Edul		acres in No NE SNA acres in No NWA SEA
					Ser Spiller !	LA 3,	10.0	Sec. 30,
					11.		2.2	Tp. 36 S., R. 6 W.W.M. acres in SW1 SE1
								Sec. 24;
DI I die changed							12.4	acres in NE <sup>1</sup> NE <sup>1</sup> Sec. 25,
Pt. of div. changed for all lands under					~;			Tp. 36 S., R. 7 W.W.M.,
Miller ditch - See				•		13 3 540		Josephine County, Oreg.
Sp.Or. Vol 6, p.87	Jan., 1909	3.28	196.6	[rrigation	Miller Ditch	Apple- gate		acres in SE SE SW 35 22.7
sp.ov. Vol. 8, 372						River	3.0	Sec. 19; acres in SW1 NR1
5p.0v. voite 5p - 1							34.0	acres in NE4 NW4
							4.2	acres in NW NW SE
							_,,,,,,	Sec. 30,
							23.0	Tp. 36 S., R. 6 W.W.M. acres in NET SET
•							33.0	acres in SET SET
								Sec. 24, Tp. 36 S., R. 7 W.W.M.,
								Josephine County, Oreg.

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fe Per Secon	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Letteken, John H. Provolt, Oregon (See Findings, Paragraph 191)	1906	0.25	12.5	Irrigation	New Berry- man Ditch	Apple- 12. gate River	.5 acres in SE1 NW1 Sec. 18, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
Helms, J. L. Grants Pass, Oregon	Feb., 1897			Irrigetion	Jess Ditch		O acres in SWA NEW 7 acres in SEA NEW both lying South of the
(See Findings, Paragraph 192)			17.01 Di 18. Vol. 10,,				following line which bounds the K.M.C. Neill property in Sa NE4,
T-4769 A POD	the N <sup>1</sup> / <sub>4</sub> co 207.2 fee East 167. 25° 14' F North 1°	orner of et; Sout 8 feet; last 150 18' Wes 16 to th	said Seh 51° 36 North 5 North 5 I feet; Not to the	ec. 31; thence b' East 273.5; 6° 17' East 14' North 76° 13' 1 e North line o	South $45^{\circ}$ 2 feet; South : 0.4 feet; No.7 feet for $100.7$	1' East 222.7 27° 24' East rth 29° 47' F eet; South 78 said Sec. 31; e South 362 f 33. 31.	Sec. 31, Tp. 36 S., R. 6 W.W.M.: 31, 1,682 feet South of 7 feet; South 61° 14' Fast 46.7 feet; South 63° 47' West 378.4 feet; North 3° 20' East 874.3 feet; 5 thence West along said Feet, more or less, to  3 acres in NE4 SE4 5 acres in NE4 SE4 7 acres in SE4 SE4 7 acres in SE4 SE4 Sec. 31, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg.
Neill, K. M. C. and Neill, Ada Louise	Feb., 1897	0.09	4.7	Irrigation	Jess Ditch		5 acres in SW1 NET 2 acres in SET NET all in that part of SET
Ardencraig Grants Pass, Oregon (See Findings, Paragraph 193)	45° 21' F East 273. feet; the North 25°	ast 222 5 feet; nce Nor 14' Ea	thence th 5° 17 st 150.0	thence South South 27° 24' 'East 140.4 : feet; thence	61° 14' Eas East 46.7 for feet; thence North 76° 1	t 207.2 feet; eet; thence S North 29°47' 3' East 100.7	NEL, Sec. 31, lying North of the following- described line: I Sec. 31; thence South thence South 51° 36' South 63°47' East 167.8 West 378.4 feet; thence feet; thence South 78° of the Sz NEL of said  Sec. 31, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg.
32866 Offenbacher, John Ruch, Oregon (See Findings, Paragraph 194)	1908 0	.28	14.0	Irrigation	. or	gate River	4 acres in D.L.C. 39 (7.0 acres in NW1 SW2 and 1.4 acres in SW1) 6 acres in Lot 7 (SW1 SW2) Sec. 30, Tp. 38 S., R. 3 W.W.M., Jackson County, Oregon
56376 t 545 6 S. pass Harmon, A. C. Murphy, Oregon (See Findings, Paragraph 195)  7-9729 Add) P.		•27 • in pt.	13.6 of div.	Irrigation  U 10ac	Side	Apple- 13. gate River	6 acres in NW1 NW2 Sec. 21, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fee Per Secon	et   Number	Use	Name of Ditch	Stream		Description of Land or Place of Use
, <del>- 22552</del> <b>56348</b>								
York, Jess	Feb.,	0.14	6.8	Irrigation	North	Apple-	4.0	acres in SE4 SE4
Murphy, Oregon (See Findings, Paragraph 196)	1899				Side Ditch	gate River	2.8	Sec. 21; acres in SW1 SW1 Sec. 22,
7-5926 1 POU 4° ac s	ESE							Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
48358								
Estate of Nancy	1906	0.60	30.0	Irrigation	S.H.	Apple-	7 C	acres in NW SW4
Pernoll c/o Jno. W.					Cook Ditch	gate River		Sec. 16; acres in SW; NE;
Pernoll Applegate, Oregon							10.1	acres in NET SET Sec. 17,
(See Findings, Paragraph 197)								Tp. 38 S., R. 4 W.W.H., Jackson County, Oregon
十31/54								
52985 + 56015								
Carl, W. N.	1906	0.93	46.7	Irrigation	New	Apple-	7.0	acres in that part of
Murphy, Oregon (See Findings,				and stock	Berry- man	gate River		SWA NWA, described as follows: Beginning
Paragraph 198)					Ditch			at the SE corner of NE <sub>2</sub> SW <sub>2</sub> , Sec. 17;
								e true point of begin- 5' West 4.02 chains;
	thence	North 45°	East 19	9.02 chains;	thence West 29	9.83 chair	ns to	the West line of
. •								unty road; thence of beginning.
J-5265 A POD 232C	sunn; 13	ic Nusu					17.1	acres in that part of NR4 SR4, described as
	Commenc	ing at an	iron pi	lpe set for a	corner on the	e quarter	line	follows: being 20 chains South
	and 7.6	5 chains	East fro	om the quarter	r section com	ner betwe	en Se	cs. 17 and 18, Tp. 38
	the SE	corner of	the NW	SW4; thence	North 8.50 cl	hains to	a pip	East 12.35 chains to e in center of county
	•		-		. •		-	more or less, to an of beginning, contain-
	ing 17.	87 acres,	more of	r less.	1		3. 8	acres in that part of
								NET SWT, described as follows:
								. 4 W.W.M., in Jackson 46° West along the center
	of the	county ro	ad 13 c	hains, more or		iron pipe	for	a corner; thence South
,							10.0	acres in Lot 3
								$(SE_4^1 SW_4^1)$ acres in $SW_4^1 SW_4^1$
								Sec. 17, Tp. 38 S., R. 4 W.M.,
,								Jackson County, Oregon
49453								•
Carl, Flossie Rexford Murphy, Oregon	1906	0.22	11.0	Irrigation		Apple- gate	11.0	acres in NE NW1 Sec. 17,
(See Findings, Paragraph 199)						River		Tp. 38 S., R. 4 W.W.K., Jackson County, Oregon

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
Vermaas, Laurel M. Murphy, Oregon (See Findings, Paragraph 200)							
Drake, Bertha B. R. F. D. No. 1 Murphy, Oregon (See Findings, Paragraph 201)							
Throckmorton, Gladys Rose Applegate, Oregon (See Findings, Paragraph 202)	1906	1.54 76	.8	Irrigation	Berry- 8	gate 5 River 26	1.1 acres in SW4 NE4 1.3 acres in SE4 NE4 1.5 acres in SE4 NW4 1.0 acres in NE4 SW4 2.0 acres in NW4 SE4 2.0 acres in Lot 5 (SW4 NW4) 3.1 acres in that part of D.L.C. 38 lying West of Thompson Creek  (NW4 SW4) Sec. 22, Tp. 38 S., R. 4 W.W.M, Jackson County, Oregon
		hg. in pt. c p Or. Yol. 6,		Irrigation	Side 8	rate 10	2.2 acres in NE1 NE2 2.6 acres in NW1 NE2 3.1 acres in E2 NE2 NW2 Sec. 20, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
	0ct., 1900			Irrigation  Or. Vol. 12, p 31	Bluff g	ipple- 19 gate 5 iver	2.8 acres in NW1 NW2 NW2 1.0 acres in SE4 NW4 Sec. 29, Tp. 36 S.,R. 6 W.W.M., Josephine County, Oreg.
	Feb., 1899	0.55 3	33.2	Irrigation	Side g		.4 acres in SW1 NE1 8.8 acres in NE1 SE2 Sec. 21, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Dite	ch Stream	n	Description of Land or Place of Use
Snively, Ella A. R. F. D. No. 3 Grants Pass, Oregon (See Findings, Paragraph 206)	Beginning thence Ea	g at a poir ast 80 rods ance West 8	of div op. 18 at 30 re	ods North of e East line (	of the SWH N	Ed of sai	8, Tp. d sect	Sec. 18, Sec. 18, Tp. 37 S.,R. 5 W.M., Josephine County, Oreg. being within the following-described tract: 37 S., R. 5 W.M.; tion; thence South 30 North to the place of
Snively, David G. R. F. D. No. 3 Box 996 Grants Pass, Oregon (See Findings, Paragraph 207) T- +724 Ac.	Sp	<b>0.28</b> ] hg . hr pri. 0, b.Or. Vel. 6, j	fair.	<b>Irr</b> igation	North Side Ditch	Apple- gate River	14.0	acres in No NW SE Sec. 18, Sec. 18, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
32893 Lichens, Fred Provolt, Oregon (See Findings, Peragraph 208)	S p. C	in pt. of d. Dr. Vol. 9 p. 19	iy. 14	Irrigation  22 acres in I	New Eerry- man Ditch	Apple- gate River	17.4 34.7 39.9	acres in Lot 4 (NE1 SN1) acres in SE1 SN2 acres in Lot 3 (NN1 SE1) acres in SN1 SE2 Sec. 12, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg. and 4 acres in Lot 3,
	claimant decree of It is ap each acr sources	t to the us on Page 26, The supplem opurtenant re irrigate	of we column the column that is an an an and during exceed	ater from Wil n 3, under Pr right allowed amount not en ng the irriga 0.02 cubic f	liams Creek cof 823. herein is ceeding 0.0 tion season	which is limited t 2 cubic f , and the	o use	on the land to which er second of water for city used from all or each acre irrigated
Taylor, E. H. Taylor, Jesse and Taylor, Laura Ruch, Oregon (See Findings, Paragraph 209)	1908	0.98	9.0	Irrigation	Sturgis or Hamilton Ditch	Apple- gate River		acres in Lots 3 and 4 and that part of D.L.C. 47 lying West of Applegate River (4.0 acres in NET NET 17.0 acres in NWT NET 9.3 acres in SWT NET and Lot 4, 18.7 acres in SET NET and Lot 3, West of the Applegate River) Sec. 4, Tp. 39 S., R. 3 W.W.M., Jackson County, Oregon
Oregon -5 p. C	Oct., 1900 1- of div.	9 5 <b>9</b>	<b>72.0</b>	Irrigation	Red Bluff Ditch	Apple- gate River	32.0	acres in Sw1 Nw1 Sec. 29; acres in NE1 SE1 Sec. 30, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg.

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
Superdu ====================================	d by + 48/51 25418	31				'	············	
Blanchard, H. D. Murphy, Oregon (See Findings, Paragraph 211)  7376	Feb., 1899		ož J.	Irrigation  No.	Side		10.2	acres in W2 NE2 NW2 acres in NW2 NW2 Sec. 20, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
5451 a								
Meek, G. H. Murphy, Oregon (See Findings, Paragraph 212)	Feb., 1899 ch 21 Add') Por	ho phay		Irrigation	Side	Apple— gate River	1	acres in SET SWT Sec. 17, Tp. 37 S., R. 5 W.W.M., Josephine County, Oreg.
<del>329⊖3.</del>								
Offenbacher, Ray and Offenbacher, Maybelle Ruch, Oregon (See Findings, Paragraph 213)	Supersul 202  Cert. No	<u>3</u> 9/	6 <b>.9</b> 1	Irrigation	will	Apple- gate River	11.9	acres in NE1 SW1 acres in W2 NW1 SE1 Sec. 29, Tp. 38 S., R. 3 W.W.M., Jackson County, Oregon
i in	39835							
Smith, Bessie Ruch, Oregon (See Findings, Paragraph 214)	1902	0.45 22		Irrigation	will		10.0	acres in NET SET acres in ET NWT SET Sec. 29, Tp. 38 S., R. 3 W.W.M., Jackson County, Oregon
Benner Rosanna								
R. F. D. No. 3 Box 998 Grants Pass,	Feb., 1899 Chg. Sp.C	. in pt. of Or Vol. b. p		Irrigation	Side	Apple— gate River		acres in SEA NEA Sec. 18, Tp. 37 S., R. 5 N.W.M., Josephine County, Oreg.
Wilderville Irrigation Co. Wilderville, Oregon (See Findings, Paragraph 216)	Co. are		he foll					erville Irrigation ificates of water
32906 Gaines, Richard C. Wilderville, Oregon (See Findings, Paragraph 217)	Feb., 1899	0.57 28	<b>3.4</b> 1	Irrigation	ville	Apple- gate River		acres in NE1 SE2 acres in NW1 SE2 Sec. 6, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fee Per Secon	t Number	Use	Name of Ditc	h Stream		Description of Land or Place of Use
Holland, George R. F. D. No. 2 Grants Pass, Oregon (See Findings, Paragraph 218)	Feb., 1899	0.40	20.0	Irrigation	Wilder- ville Ditch	Apple- geto River		acres in E2 SW4 SE4 Sec. 6; acres in that part of E2 NW4 NE4 below the Wilderville Ditch Sec. 7; Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
Loughridge, Ernest R. F. D. No. 2	5550 Feb., 1899	0.69	34.7	Irrigation	Wilder- ville	Apple-	16.5	acres in SW2 SW2 Sec. 5:
Box 454 Grants Pass, Oregon (See Findings, Paragraph 219)					Ditch	River	18.2	Sec. 6, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
<del>32903</del> 3659436595,36 ( <b>Robinson, C. C.</b>	.596 <b>Fe</b> b.,	0.96	48.0	Irrigation	Wilder-	Apple-	17.2	acres in that part of
R. F. D. No. 2 Box 455 Grants Pass, Oregon (See Findings, Paragraph 220)	1899	rin H	6(	of the ties	ville Ditch	gate River		SW4 NE4 and acres in that part of NW4 SE4, all lying West of the Applegate River Sec. 6, Tp. 37 S., R. 6 W.W.H., Josephine County, Oreg.
· 32910								
Robinson, K. K. c/o Radburn Robinson R. F. D. No. 2 Grants Pass, Oregon (See Findings,	Feb., 1899	0.73	36.5	Irrigation	Wilder- ville Ditch	Apple- gate River	19.5	acres in NE4 NW4 acres in W2 SE4 NW4 acres in E2 W2 NE4 SW4 all being within the following-described tract:
Paragraph 221)	240 rods	to the Nest 39 ro	North li	ine of Sec. 8; beginning; les	thence Eas	t 39 rods; ting a stri	thene ip of	W.W.M.; running North ce South 240 rods; land 80 rods long by ining 10 acres. Sec. 8, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
32911 Robinson Fonis	Fah	0.16	8.0	Irrigation	Wilder-	Apple-	8.0	acres in Wa Wa NES SWA
Robinson, Ennis R. F. D. No. 2 Box 494 Grants Pass, Oregon (See Findings, Paragraph 222)	Feb., 1899	0.10		` ************************************	ville	appie- gate River		Sec. 8, Tp. 37 S., R. 6 W.W, Josephine County, Oreg.

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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
Robinson, Radburn R. F. D. No. 2 Box 500 Grants Pass, Oregon (See Findings, Paragraph 223)	Feb., 1899	1.17 5	8.45	Irrigation	Wilder- ville Ditch	Apple- gate River	1.75 acres in NE NW 1 15.00 acres in SE NW 2 21.00 acres in NE SW 2 all lying within a strip of land 41 rods wide off the East side thereof; 19.7 acres in that part of NW 1 SE 1 lying West of the Applegate River; 1.0 acre in that part of SW 1 SE 1 lying North of the county road running Easterly and Mesterly  Sec. 8,
Estate of R. M. Robinson Robinson, S. E. Administrator R. F. D. No. 2 Box 510 Grants Pass, Oregon (See Findings, Paragraph 224)							Tp. 37 S., R. 6 W.W.M. Josephine County, Ores
32913  Robinson, S. E. R. F. D. No. 2 Box 510 Grants Pass, Oregon (See Findings, Paragraph 225)	Feb., 1899	1.48 73	3.9	Trrigation	ville	Apple- gate River	35.5 acres in NW1 NW2 NW2 38.4 acres in SW2 NW2 Sec. 8, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
Lindsay, J. R. and Lindsay, Alice L. R. F. D. No. 2 Grants Pass, Oregon (See Findings, Paragraph 226)	ine Coun North 88	ty, Oregor .75 feet;	, and thence	running thence	ville Ditch  NE4 of Sec. South 229 t; thence No	feet; the	1.5 acres in that part of  SET NET lying below the  Wilderville Ditch,  Sec. 7,  Tp. 37 S., R. 6 W.W.M.,  Josephine County, Oreg.  being within the follow- ing-described tract:  7 S., R. 6 W.W.M., in Joseph- nce East 420 feet; thence 5 feet to the North line of of beginning.
32915  Ward, James P.  113 East 11th St.  Medford, Oregon (See Findings, Paragraph 227)	Cement C particul Deed Rec containi	excepting ompany for arly descriptions, at Ing approxi	those railr ibed i age 41 imately	road right of w n Volume 55, 1 5, Records of 1.5 acres; al	ville Ditch  13 /9 230 els of real  vey purposes Deed Records Josephine Olso less and	, said par , at Page: county, Or excepting	25.0 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>7</sub> Sec. 7, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg., nveyed to the Beaver Portland real of land being more s 436-7 and in Volume 56, egon, said excepted parcel g a tract of land conveyed y described as follows:

SUPPLEMENTAL FINDINGS - ROGUE RIVER - Page 283

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fee Per Secon			Name of Ditch	Stream	Description of Land or Place of Use
32915 ( cont.)	l						
Ward, James P. (continued)	feet; the North 14 to the pright of an easem Alice Linto the control of the contr	ence East 0.25 feet lace of l way of t ent for a ndsay ext ounty ros	t 420 i t to the beginning the constant the constant tending and as of the constant tending the constant tending tending the constant tending tending tending the constant tending	Seet; thence North line ing, containing mty road acrossy 20 feet ing from the Sou	forth 88.75 for of said legal about 3.25 pass said description width grants of the conveyance reconveyance re	et; then a subdividual acres al ribed project to the lettract of the second sec	running thence South 229 ce East 450 feet; thence sion; thence West 870 feet so; less and excepting the mises. Also subject to said J. R. Lindsay and conveyed to said Lindsays Volume 63, at Page 163,
Robinson, W. S. R. F. D. No. 2 Grants Pass, Oregon (See Findings, Paragraph 228)	Feb., 1899	0.18	9.0	Irrigation	Wilder- ville Ditch	Apple- gate River	6.5 acres in SW SE SE Sec. 8, Sec. 8, Tp. 37 S., R. 6 W.W.M. Josephine County, Oreg.
32917							
Kemp, W. E. R. F. D. No. 3 Box 668 Grants Pass, Oregon	Feb., 1899	0.32	16.0	Irrigation	Wilder- ville Ditch	Apple- gate River	2.0 scres in that part of SE4 SW4 lying below the Wilderville Ditch 12.0 acres in W2 SW4 SE4 Sec. 6,
(See Findings, Paragraph 229)					•	•	2.0 acres in that part of the Work NWA NEW lying below the Wilderville Ditch  Sec. 7,  Tp. 37 S., R. 6 W.W.M.,  Josephine County, Oreg.
<b>32</b> 913					•		
Silva, Frank P. and Silva, Della R. F. D. No. 2 Grants Pass, Oregon (See Findings, Paragraph 230)	Feb., 1899	0.74	37.0	Irrigation	Wilder- ville Ditch	Apple- gate River	37.0 acres in NE
7							
32973							
McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 231)	Feb., 1 <b>899</b>	1.00	49.9	Irrigation	Wilder- ville Ditch	gate River	6.0 acres in that part of SW1 SW1 lying East of Slate Creek 6.8 acre in SE1 SW1 Sec. 31, Tp. 36 S., R. 6 W.W.W.
				* transferre Sp Or. Vol	ed - Sec , 4, p .532	;	30.4 acres in NE1 NW1  * 9.5 acres in that part of     NW1 NW1 lying East of     Slate Creek  3.2 acres in SE1 NW1     Sec. 6,     Tp. 37 S., R. 6 W.W.M.,     Josephine County, Oreg.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amoun Cubic Fo Per Seco	eet   Numbe		Name of D	Ditch Stream		Description of Land or Place of Use
Miller, W. T. Grants Pass, Oregon (See Findings, Paragraph 232)								
1200 44 960								
Flippin, Don M.	Feb.,	0.31	15.3	Irrigation	Wilder- ville	Apple~	14.9	acres in that part of E2 SW4 NW1 North of
and Flippin, Della D. 2042 East 131st St. Compton, California (See Findings, Paragraph 233)	1899				Ditch	River	0.4	Wilderville Ditch acre in SE½ NW½, being a strip of lend 16.5 feet wide on the West side of the SE½ NW½ North of Wilderville Ditch Sec. 16, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
100								
McCann, Lorrayne (Larry) R. F. D. No. 2 Box 525 Grants Pass, Oregon (See Findings, Paragraph 234)	Feb., 1899	0.21	10.4	Irrigation	Wilder- ville Ditch	Apple- gate River	10.4	Sec. 16, Sec. 16, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
Flippin, Don M. and Flippin, Della D. 2042 East 131st St. Compton, California (See Findings, Paragraph 235)								
Robinson, Lora E. R. F. D. No. 2 Box 532 Grants Pass, Oregon (See Findings, Paragraph 236)	Feb., 1899	0.30	15.0	Irrigation	Wilder- ville Ditch	Apple- gate River	15.0	acres in SE1 NW1 Sec. 16, Tp. 37 S., R. 6 W.W.M., Josephine County, Oreg.
<del>22921</del> 48459								
Murray, Mary E. R. F. D. No. 2 Grants Pass, Oregon (See Findings, Paragraph 237)	by John C	. Rawls	describe	ed as follows:	Beginnin	g at the NW	River corn	Sec. 30, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg., , less a tract owned er of SW4 SE4, Sec. 30,
	292 feet	along sa	id road		to the Wes	t line of t		thence South 12° West SEt of said Sec. 30;

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
32925 # Sp. Oc.	Val. 19. p. 470						
Rawls, John C. R. F. D. No. 2 Grants Pass, Oregon	Feb., 1898	0.24	12.0	Irrigation	Miller Ditch	Apple- 8.0 gate River	acres in that part of NW1 SE1, described as follows:
(See Findings, Paragraph 238)		0.11 chai	ns; Ea				. 30, running North 10.30 chains; West
41782		Val. 7, P. 2;				<b>*</b> 4.0	acres in that part of SW4 SE4 described as follows:
	542 feet	to the co he West 1	unty reine of	oad; thence So	uth 12° West	t 292 feet alc	w.w.M.; thence East ng said road; thence orth 285 feet to the Sec. 30,
	point	pegiming	,•				Tp. 36 S., R. 6 W.W.W., Josephine County, Oreg.
<del>829</del> )							₽
Ralston, B. E. R. F. D. No. 2 Grants Pass, Oregon	Feb., 1898	0.04	2.2	Irrigation	Miller Ditch	Apple- 2.2 gate River	Sec. 31, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg.,
(See Findings, Paragraph 239)	ch pr	Vol. 7, P.	20	Section Property 5	38 <b>7</b> ( )		except the S2 S2 and 1 acre in the NE corner 264 feet North and South
	<b>J</b> 7 .67 ·	voi. 1, p.	,		,		and 165 feet East and West.
,				SLATE CREEK			
				COMMENTS OF STREET			
No Cost Beach							
Brown, Rachel M. and Brown, Phil	1908 pt.o.f di	v. change	7.6 ed-Sea	Irrigation	Brown Ditch	Creek 2.6	acres in NET NET acres in NWT NWT acres in SWT NET
Wonder, Oregon (See Findings,	Sp. Or. Vol	_					Sec. 11, Tp. 37 S., R. 7 W.W.M.,
Paragraph 240)	Manadas) y		15 =	404			Josephine County, Oreg.
32927							
McDowell, Luke M. 1643 6th Avenue Los Angeles, California (See Findings,	1903 Canceled Sp		14.2 <u>15<sub>p</sub> 5</u>	Irrigation	Fenner Ditch		acres in SWA NEA acres in SEA NWA Sec. 18, Tp. 37 S., R. 7 W.W.M., Josephine County, Oreg.
Paragraph 241)							

Hair, Mary M. (Estate) By H. M. Hair Grants Pass, Oregon (See Findings, Paragraph 242)

McLood, N. A. 1908 0.16 8.0 Irrigation Slate Slate 2.0 acres in NW SW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 6, Tp. 37 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 6, Tp. 37 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 6, Tp. 37 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 36 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 37 S., R. 6 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW Sec. 31, Tp. 37 S., R. 8 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Chapin 5.2 acres in NW Sec. 31, Tp. 37 S., R. 8 N.W.W., Josephine County, Oreg.  McLood, N. A. 1908 0.25 10.0 Irrigation Chapin 5.2 acres in NW Sec. 31, Tp. 37 S., R. 8 N.W.W., Josephine County, Oreg.  Mc		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
Lowden, I. C. 1908 0.08 5.0 Irrigation Brown Slate 2.8 acres in St St 1824 2.7 Ronder, Oregon (See Findings, Paragraph 244)  McLeod, N. A. 1908 0.16 8.0 Irrigation Slate Creek Creek 4.0 acres in Nat St St Sec. 10, Josephine County, Oregon (See Findings, Paragraph 245)  McLeod, N. A. 1908 0.16 8.0 Irrigation Slate Creek Creek 4.0 acres in Nat St St Sec. 21, Tp. 37 S., R. 6 N.N.M., Josephine County, Oregon (See Findings, Paragraph 245)  CHAPIN CREEK  CREAK CHAPIN CREEK  CREAK CHAPIN CREEK  CHAPIN CREEK  CHAPIN CREEK  CHAPIN CREEK  CHAPIN CREEK  CREAK CHAPIN CREEK  CREAK CHAPIN CREEK  CREAK CHAPIN CREEK  CHAPIN CR	/	Wilderville, Oregon (See Findings, Cancelle	ǰ	h. Pt. o. ( )	/12/	n.setha	or Lovelace	Creek	0.4 0.1	acre in NET SNT acre in NNT SET Sec. 1, Tp. 37 S., R. 7 W.W.M.,
McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 245)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 245)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)  McLeod, N. A. Grants Pass, Oregon (See Findings, Pass,		Lowden, I. C. Wonder, Oregon (See Findings,		0.08	5 <b>.</b> 0	Irrigation			2.2	sec. 10, Tp. 37 S., R. 7 W.W.M.,
McLeod, N. A.  Grants Pass, Oregon (See Findings, Paragraph 246)  (Note. To the extent of 2.0 acres in NW; SW; and 4.8 acres in SW; SW; Sec. 31, 36 S., R. 6 W.W.M., the foregoing right is supplemental to the right allowed the claimant from Slate Creek. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an anount not exceeding 0.025 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shell not exceed 0.025 cubic foot per second of water for each acre irrigated during the irrigation season.)  ELLIOTT CREEK  32931  Cart, Adam Thomas Wonder, Oregon (See Findings, Tp. 37 S., R. 7 W.W.M., Tp. 37 S., R. 7 W.W.M., Tp. 37 S., R. 7 W.W.M.,		McLeod, N. A. Grants Pass, Oregon (See Findings,		0.16	8.0	Irrigation	Creek or Sheeban		4.0 2.0	acres in SWI SWI Sec. 31, Tp. 36 S., R. 6 W.W.M., acres in NWI NWI Sec. 6, Tp. 37 S., R. 6 W.W.M.,
McLeod, N. A.  Grants Pass, Oregon (See Findings, Paragraph 246)  1908  0.25 10.0 Irrigation Sheehan Chapin 5.2 acres in NW2 SW2 Sec. 31, Tp. 36 S., R. 6 W.W.M., Sec. 31, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg.  (Note. To the extent of 2.0 acres in NW2 SW2 and 4.8 acres in SW2 SW2, Sec. 31, Tp. 36 S., R. 6 W.W.M., the foregoing right is supplemental to the right allowed the claimant from Slate Creek. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.025 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.025 cubic foot per second of water for each acre irrigated during the irrigation season.)  ELLIOTT CREEK  32901  Cart, Adam Thomas Wonder, Oregon (See Findings, Tp. 37 S., R. 7 W.W.M., Tp. 37 S., R. 7 W.W.M.,			.*			CHAPIN CREEK				
per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.025 cubic foot per second of water for each acre irrigated during the irrigation season.)  ELLIOTT CREEK  32931  Cart, Adam Thomas 1904 0.08 3.0 Irrigation Cart Elliott 3.0 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Wonder, Oregon Ditch Creek Sec. 15, (See Findings, Tp. 37 S., R. 7 W.W.W.,	i /	McLeod, N. A. Grants Pass, Oregon (See Findings, Paragraph 246)	(Note. To 36 S., R. claimant f	the exte 6 W.W.M. rom Slat	nt of , the e Cree	2.0 acres in N foregoing right k. The supple	Ditch  Vi SWi and 4.  t is supplemental right	Creek  8 acres i ental to t allowed h	in Switche recei	Sec. 31, Sec. 31, Tp. 36 S., R. 6 W.W.M., Josephine County, Oreg.  A SWA, Sec. 31, Tp.  ight allowed the n is limited to use
Cart, Adam Thomas 1904 0.08 3.0 Irrigation Cart Elliott 3.0 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Wonder, Oregon Ditch Creek Sec. 15, (See Findings, Tp. 37 S., R. 7 W.W.M.,		,	per second quantity u	of wate sed from	r for	each acre irrig ources shall no	gated during ot exceed 0.0	the irrig	gatio	n season, and the
Cart, Adam Thomas 1904 0.08 3.0 Irrigation Cart Elliott 3.0 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Wonder, Oregon Ditch Creek Sec. 15, (See Findings, Tp. 37 S., R. 7 W.W.M.,						ELLIOTT CREEK				
	V.	Cart, Adam Thomas Wonder, Oregon (See Findings,	1904	0.08	3.0	Irrigation				•

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
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# RIGHT HAND FORK AND LEFT HAND FORK OF SLATE CREEK

63773

Carried Contraction							
Denney, Edwin V. and Denney, Blanche Wonder, Oregon (See Findings, Paragraph 248)	<b>188</b> 5	0.17	<b>8.6</b>	Irrigation, (domestic * and stock	Hiatt Ditches Nos. 1 and 2	Left Hand Fork of Slate Creek	*1.0 acre in SN4 SN4 Sec. 7; 0.6 acre in NE4 NN4 7.0 acres in NN4 NN4 Sec. 18, Tp. 37 S., R. 7 N.W.M., Josephine County, Oreg.
Bothaman a secondary of the secondary of		0.35 *	17.3	Irrigation, domestic and stock	Mathews Ditch	Right Hand Fork of Slate Creek	9.0 acres in SW4 SW4 Sec. 7 0.6 acre in NE1 NW4 7.7 acres in NW4 NW4 Sec. 18, Tp. 37 S., R. 7 W.N.M., Josephine County, Oreg.

(Note. To the extent of 1 acre in  $SW_4^1$ ,  $SW_4^2$ , Sec. 7, 7 acres in  $NW_4^1$ ,  $NW_4^1$ , Sec. 18, and 0.6 acre in  $NE_4^1$ ,  $NW_4^1$ , Sec. 18, the foregoing right from the Right Hand Fork of Slate Creek is supplemental to the right allowed claimants from the Left Hand Fork of Slate Creek. Said supplemental right is limited to use on the land to which it is appurtenant in an amount not exceeding 0.02 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season.)

#### CHANEY CREEK

5293 <u>3</u>							
Lindsay, Richard A. R. F. D. No. 2 Grants Pass, Oreg. (See Findings, Paragraph 249)	1908	0.11	5.6	Irrigation	Lindsay Ditch	Cheney Creek	S.6 acres in SE NW NW SW Sec. 18,  Tp. 37 S., R. 6 W.W.M.,  Josephine County, Oreg.
7 52934							
Lloyd, E. T. (Mrs.) Wilderville, Oregon (See Findings, Paragraph 250)	1908	0.02	1.0	Irrigation	Sarah Griffin Ditch	Chancy Creek	1.0 acre in SE <sup>1</sup> SE <sup>1</sup> Sec. 14,  Tp. 37 S., R. 7 W.W.M.,  Josephine County, Oreg.

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second		Use	Name of Ditch	Stream	Description of Land or Place of Use
82925							
McCann, C. H. R. F. D. No. 3 Grants Pass, Oregon	1902	0.20	12.0	Irrigation	McCann Ditch	Chaney Creek	12.0 acres in NW4 NE4 Sec. 18, Tp. 37 S., R. 6 W.W.M., Josephine County, Ore.
(See Findings, Paragraph 251)	1908	0.17	8.3	Irrigation	McCollum and McCann Ditch	Chaney Creek	5.3 acres in SW4 SE2 SE2 Sec. 7; 3.0 acres in NW4 NE4 Sec. 18,
-							Tp. 37 S., R. 6 W.W.M., Josephine County, Ore.
			<u>LI"</u>	TLE CHANEY CE	EEK		
48259 -52936 -							
Bull, Ethel Bull, Ora Combs, Gladys and	March, 1900	0.18	10.5	Irrigation	Bull or Little Chaney	Little Chaney Creek	10.5 acres in NW1 SE1 Sec. 18, Tp. 37 S., R. 6 W.W.M., Josephine County, Ore.
Combs, John	r, pt- of a	else. Tjoi t	3. Vo / .	26, Y. 124 (Tr	Greek Ditch		sosepinine country, ore.
				BULL CREEK			
529c.:			n. (	<b>.</b>	A3a	D. 33	2 4 seems in her her
Ungerman, Max and Ungerman, L. O. R. F. D. No. 2 Box 519 Grants Pass,	1908	0.07	3.6	Irrigation		Bull Creek	3.6 acres in NW4 NE4 Sec. 20, Tp. 37 S., R. 6 W.W.K., Josephine County, Ores
Oregon (See Findings, Paragraph 253)	•						
			1	MURPHY CREEK			
329 උලි <b>C</b> ancelled-sp.	or Rec. Vol.	23 p. 173	-			,	
Knighten, Jesse Delbert and Knighten, Elisabeth Thies	1908	0.09	7.0	Irrigation		Murphy Creek	7.0 acres in Tract 49, Madrona Tracts, and Lots 1, 2, and 3, Block 3, Madrona Tracts (NW1 SE1)
R. F. D. No. 3 Box 5 Klamath Falls, Oregon (See Findings,							Sec. 19, Tp. 37 S., R. 5 W.W.E., Josephine County, Ore.
Paragraph 254)							•

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fee Per Secon	t Number	Use	Name of Ditch	Stream	Description of Land or Place of Use
Deister, Ray C. and Deister, Vivian Murphy, Oregon (See Findings, Paragraph 255)	1908	0.10	7.8	Irrigation		Murphy Creak	7.8 acres in Tract 18, Madrona Tracts (NW NE NE NE Sec. 3 Tp. 37 S., R. 5 W.W. Josephine County, Or
Johnson, Samuel Murphy, Oregon (See Findings, Paragraph 256)	1908	0.14	L <b>1.</b> 4	Irrigation		Murphy Creek	11.4 acres in Tract 17,  Madrona Tracts (NW1 NE1) Sec. 3 Tp. 37 S., R. 5 W.W.  Josephine County, Or
Miller, Theodore and Miller, Anna 719 N. 7th Street Grants Pass, Ore. (See Findings, Paragraph 257)	1908	0 <b>.39</b> 3	31.1 ac	Irrigation		Murphy Creek	12.7 acres in NET NET 18.4 acres in NWT NET Sec. Tp. 37 S., R. 6 W.W. Josephine County, Ord
Nelson, John Leroy and Nelson, Osa Leota Murphy, Oregon (See Findings, Paragraph 258)							
				CARIS CREEK			
32901 Mansfield, Robert Murphy, Oregon (See Findings, Paragraph 259)	1908	0.09	5.0	Irrigation		Caris Creek	5.0 acres in SE1 NW1 Sec. 3 Tp. 37 S., R. 5 W.W.L Josephine County, Ore
32942 Schroeder, Bessie Myrtle (Caris) and Schroeder, Herman Murphy, Oregon (See Findings, Paragraph 260)	1908			Irrigation		Caris Creek	13.0 acres in that part of Sec. 2 (SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> )  Tp. 37 S., R. 5 W.W.M. Josephine County, Ore and in that part of Sec. 3 (SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> )  Tp. 37 S., R. 4 W.W.M.

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Name and Postoffice Address of Appropriator	Date of Relative Priority	e Cubi		nber Use	Name of 1	Ditch Stream	m	Description of Land or Place of Use
			<b>9</b> 5	VILLIAMS CREEK				
: 			•					
ick, Oliver A. Williams, Oregon See Findings, Paragraph 261)	Jan. 14, 1904	0.41	20.3	Irrigation and stock	Dixon and Caldwell Ditch	Williams Creek	13.9 6.4	acres in N2 SW4 NW4 acres in SE4 NW4 Sec. 35, Tp. 38 S., R. 5 W.W.M., Josephine County, Ore.
44962 a 55499	Pt. at div. Sp. On Val.	Change 1 ** , 5.58 1.1 . p.40	र्स: इ.				,	
Rowley, R. W. Williams, Oregon (See Findings, Paragraph 262)	Jan. 14, 1904	0.24	12.2	Irrigation and stock	Dixon and Caldwell Ditch	Williams Creek	12.2	Sec. 35, Tp. 38 S., R. 5 W.W., Josephine County, Ore.
1 3, 945 3, 945	oded: Sportin Vol.	~ 53 K 12 pr 4 115						
Johnson, O. B. and Johnson, Marian Provolt, Oregon (See Findings,	Dec., 1908	0.38	19.2	Irrigation	Spencer Ditch	Williams Creek		acres in Lot 2 (SW1 NE1) acres in NE1 SE1 North of the highway Sec. 12,
Paragraph 263)								Tp. 38 S., R. 5 W.W.W., Josephine County, Ore.
	Dec., 1908	0.12	6.0	Irrigation	Provolt Ditch	Williams Creek	6.0	ecres in Lot 1 (NW2 NE2) Sec. 12,
				sp. or. vol. 9,	div 0.428 0.413-19			Tp. 38 S., R. 5 W.W.M., Josephine County, Ore.
* 329 - T <b>4 55498</b>								
Mansfield, Drusilla 8. Williams, Oregon (See Findings, Paragraph 264)	June, 1908	0.16	11.0	Irrigation	Kennedy Ditch	Williams Creek		acres in SW <sup>1</sup> SE <sup>1</sup> Sec. 14; acres in Lot 3 (NW <sup>1</sup> NE <sup>1</sup> )
T3517								Sec. 23, Tp. 38 S., R. 5 W.W.M.,

(S Tp. 38 S., R. 5 W.W.M., Josephine County, Ore. 329:3 Richardson, C. L. June, 0.04 3.0 Irrigation Williams 3.0 acres in that part of York Murphy, Oregon (See Findings, Paragraph 265) NEW SWA Creek 1890 and Sec. 1,
Tp. 38 S., R. 5 W.W.H.,
Josephine County, Ore., 14.0f div. changed -Sp. Or. Vol 9, p. 178 Breedon Ditch

Name and Postoffic of Appropria	e Address tor	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Dit	ch Stream	Description of Land or Place of Use
32979		•	0.12	0.0	T3 A.J	35 3 -	W.3.1.	
Richardson, V Murphy, Ore (See Findings Paragraph 26	gon	June, 1890	0.13	9.2	Irrigation	York and Breedon Ditch	Williams Creek	9.2 acres within that part of NW1 SW1 Sec. 1, Tp. 38 S., R. 5 W.W.M., Josephine County, Oregon,
		Ch.in pt. Sp.Or. Vol.	ot div 9, p. 178					described as follows: All of said NW4 SW4 except a strip off the North side 346 feet wide and a strip off the West side 234 feet wide.
32200								
/ Willson, W. F R. F. D. No Box 37 Murphy, Ore (See Findings Paragraph 26	gon	Dec., 1908	0.02	1.4	Irrigation	Watts and Topping Ditch	Williams Creek	1.4 acres in SET SWT Sec. 35, Tp. 37 S., R. 5 W.W.M., Josephine County, Oregon
Watts, Benjam Murphy, Ore (See Findings Paragraph 26	gon 7 - 46	Dec., 1908 543 A POU		2.7 /w'4 NI /w'4 SE	Irrigation	Natts and Topping Ditch	Williams Creek	40.0 acres in NW1 NE1 1.2 acres in NE1 SE2 1.5 acres in NW1 SE4 Sec. 2, Tp. 38 S., R. 5 W.W.H., Josephine County, Oregon
		v - v		WEST	FORK OF WILLI	AMS CREEK		
Bryan, Mrs. F. (Emma Bryan) Williams, O. (See Findings Paragraph 26	regon	Oct.1, 1908 <sup>elled-sp.</sup> or Re		2.0 B 304	Irrigation, domestic and stock	Bryan Ditch	West Fork Williams Creek	2.0 acres in SE1 SW2 Sec. 18, Tp. 39 S., R. 5 W.W.M., Josephine County, Oregon
			-405,	7 . STOCK STREET				

Hartley, Mrs. J. T. Williams, Oregon (See Findings, Paragraph 270) 54972 -32952 THATE

32953

32954

Smith, Amos and

Smith, Susie R. F. D. No. 3 Grants Pass,

Oregon (See Findings, Paragraph 271) Dec., Irrigation 0.46 32.4 1908

Hartley Ditch

West Fork Williams

6.6 Actost. Sp Or. Val. 12. p. 77 21.6 acres in SE<sup>1</sup> NE<sup>1</sup> less the followingdescribed tracts:

Creek

Creek

Beginning at the NE

corner of SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>,

Sec. 34; thence South along the section line 198 feet; thence West 382 feet; thence

North 198 feet; thence East 382 feet to point of beginning; also less and excepting
a triangular strip of land conveyed to J. T. Lovell, recorded in Volume 57, Page 131, Deed Records, Josephine County, and described as follows, to-wit:

chq. in pt. 07 div. Sp. 01. 1/2 p. 187 Sp. 24. Val. 13 p. 164

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditc	h Stream		Description of Land or Place of Use
3292 11 11 4.		,						
Smith, Amos and Smith, Susie (continued)	running th	ence Sout ig the Eas	heaste: t line	rly to the NW	corner of 34 to a pos	the John J	. Span	nd Post Office and rlin tract; thence s place of beginning,
	in Volume	46, Deed	Record		County, Ore	gon, at Pa	M. No	acres in NE <sub>4</sub> SE <sub>4</sub> subject to that certain easement of road purposes conveyed by orton by deed recorded 5, less and excepting  Sec. 34, Tp. 38 S., R. 5 W.H.M.,
- 64								Josephine County, Ore.
55386 54970 45515 Becords, W. G.	-							
Records, W. G. R. F. D. No. 3 Box 92 Hermit, California (See Findings, Paragraph 272)	1908 CA	<b>0.37 2</b> γυθίσκος γυγΑνγού	1 Page	Irrigation	Chapman Ditch	West Fork of Williams Creek		acres in N2 NW1 and SW4 NW1 acre in SE1 NW2 Sec. 3, Tp. 39 S., R. 5 W.W.M., Josephine County, Ore.
⊧ <b>329</b> 03								
Elder, Gilbert S. Williams, Oregon (See Findings, Paragraph 273)	Dec., 1908	0.19 1	<b>3.3</b> :	Irrigation	Wertz Ditch	West Fork of Williams Creek	3.5	acres in NE <sub>4</sub> SE <sub>4</sub> acres in NW <sub>4</sub> SE <sub>4</sub> acres in SW <sub>4</sub> SE <sub>4</sub> sec. 7, Tp. 39 S., R. 5 W.W.M., Josephine County, Ore.

## MUNGER CREEK

Vineyard, Kenneth Williams, Oregon (See Findings, Paragraph 274)

## GOODWIN GULCH

Hoxie, Asa O. Williams, Oregon (See Findings, Paragraph 275)	Dec., 1908	0.04	3.1	Irrigation	Hoxie or Goodwin Ditch	Goodwin Gulch	1.4 acres in SW1 SE1 1.7 acres in SE1 SE2 Sec. 8, Tp. 39 S., R. 5 W.W.M., Josephine County, Ore.
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Name and Postoffice Addre	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
			2	LONE CREEK			
32958 Large, Esther Williams, Oregon (See Findings, Paragraph 276)	Dec., 1908	0.02 1	.6 I	rrigation	Howie and Lone Creek Ditch	Lone Creek	1.6 acres in SW1 SW1 Sec. 8,  Tp. 39 S., R. 5 W.W.M.,  Josephine County, Oreg.
			EAST F	ORK OF WILL	CAMS CREEK		
32963 Brooks, Walter Palo Alto, California (See Findings, Paragraph 277)	1908	0.01 0	.8 I	rrigation		East Fork of Williams Creek	0.8 acre in NW1 SE1 Sec. 23, Tp. 39 S., R. 5 W.W.M., Josephine County, Oreg.
32965 Wilson, D. C. Williams, Oregon (See Findings, Paragraph 278)	Dec., 1908	0.17 11	.5 I	rrigation	Johnson Ditch	East Fork of Williams Creek	11.5 acres in SE <sup>1</sup> SW <sup>1</sup> Sec. 14, Sec. 14, Tp. 39 S., R. 5 W.W.M., Josephine County, Oreg.
				CLAPBOARD G	ULCH		
Patterson, A. R. and Patterson, Mabel Williams, Oregon (See Findings, Paragraph 279)							
Knutson, Levi and Knutson, Kathryn Williams, Oregon (See Findings, Paragraph 280)	May 13, 1904			rrigation	Sargent Ditch	Clap- board Gulch	34.5 acres in SW1 SW1 Sec. 2, Tp. 39 S., R. 5 W.W.M., Josephine County, Oreg.

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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
Morrison, Eugene F. Williams, Oregon (See Findings, Paragraph 281)	Dec., 1908	0.17	12.1	Irrigation	Stackpole Ditch	Clap- board Gulch	12.1	acres in NE <sup>1</sup> SE <sup>1</sup> Sec. 10, Tp. 39 S., R. 5 W.W.M., Josephine County, Oreg.
				CHERRY GULC	<u> </u>			
Brown, Clair O. Williams, Oregon (See Findings, Paragraph 282)	May 6, 1905	0.12	7.1	Irrigation	R. L. Moffitt Ditch	Cherry Gulch	7.1	acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Sec. 2, Tp. 39 S., R. 5 W.W.M., Josephine County, Oreg.
			•	POWELL CREE	<u> K</u>			
Wilkinson, T. J. Williams, Oregon (See Findings, Paragraph 283)		<b>0.09</b> Ch. Pt. of Fp.Or. Vol.11		Irrigation	Jos. Bricker Ditch	Powell Creek	6.2	acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Sec. 15, Tp. 38 S., R. 5 W.W.M., Josephine County, Oreg.
			LIT	TLE APPLEGATE	RIVER			
Cameron, Frank Jacksonville, Oregon (See Findings,	1908	1.89	94.4	Irrigation, domestic and stock	Ditch	Little Apple- gate River	94.4	4 acres in D.L.C. 37, Tp. 39 S., R. 3 W.W.M., Jackson County, Oregon
Paragraph 284)	(5.0 acre 17.0 acr	s in $SW_{\frac{1}{4}}$ es in $NE_{\frac{1}{4}}$	SW1 Se NE1, S	ec. 2; 31.0 ac Sec. 10; 13.0	eres in SW $\frac{1}{4}$ S acres in NW $\frac{1}{4}$	E}, 28.4 a NW}, Sec.	cres 11,	in SEt SEt, Sec. 3; Tp. 39 S., R. 3 W.W.M.)
				SQUAW CREE	<b>SK</b>			
McDaniel, Veva C.  Box 226  Vacaville, California (See Findings, Paragraph 285)	Dec., 1908	0.05	1.6	Irrigation, domestic, stock and storage	and Collins Ditch	Squaw Creek, Squaw Lake Reser- voir	1.0	5 acres in NE NW Sec. 1, Sec. 1, Tp. 41 S., R. 4 W.W.M., Jackson County, Oregon

			_				
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Fee Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
82005 Buck, Gerald W. Jacksonville, Oregon (See Findings, Paragraph 286)	Dec., 1908	0.02	0.6	Irrigation, domestic, stock and storage	Byrne Ditch	Squaw Creek, Squaw Lake Reser- voir	O.6 acre in SEL NEL Sec. 1, Tp. 41 S., R. 4 W.W.M., Jackson County, Oregon
Lewis, Grace Jacksonville, Oregon (See Findings, Paragraph 287)					•		
Collins, A. E. Jacksonville, Oregon (See Findings, Paragraph 288)							
Phillips, Raymond Jacksonville, Oregon (See Findings, Paragraph 289)	1908	0.34	10.0	Irrigation, domestic and stock	Haskins Ditch	Squaw Creek	10.0 acres in Lot 6 (NW4 SW4) Sec. 6, Tp. 41 S., R. 2 W.W.M., Jackson County, Oregon
Barr, Clark D. c/o Harry D. Barr Jacksonville, Oregon (See Findings, Paragraph 290)	Dec., 1908	0.94	28.0	Irrigation, domestic, stock and storage	& Collins Ditch	Squaw Creek, Squaw Lake Reser- voir	11.4 acres in NE1 NE1 10.8 acres in NE1 NE2 1.5 acres in NE1 NE2 0.8 acre in SW1 NE2 3.5 acres in SE1 NE2 Sec. 36, Tp. 40 S., R. 4 W.W.M., Jackson County, Oregon
			I	HOMPSON CREEK			
	•						•
Hogan, E. B. Hogan, P. A. Hogan, Olive and Chambers, R. U. Applegate, Oregon (See Findings, Paragraph 291)	1907	0.55	38 <b>.</b> 5	Irrigation		'hompson Freek	2.0 acres in SE1 NE1 5.0 acres in NE1 SE2 9.0 acres in that part of SW1 SE1 lying East of Thompson Creek 22.5 acres in SE1 SE1 Sec. 32, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon

				<del></del>				
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	. Use	Name of Ditch	1 Stream		Description of Land or Place of Use
Courtney, David C. Courtney, Eva L. and Moran, Eva T. Applegate, Oregon (See Findings, Paragraph 292)	1907	0.29 2	0.6	Irrigation		Thompson Creek		acres in SE; SE; acres in SW; SE; Sec. 5, Sec. 5, Tp. 39 S., R. 4 W.W.M., Jackson County, Oregon
<ul> <li>Knutzen, Frank</li> <li>Applegate,</li> <li>Oregon</li> <li>(See Findings,</li> <li>Paragraph 293)</li> </ul>	1903	0.09	6.0	Irrigation		Thompson Creek	6.0	acres in S2 SW2 SW2 Sec. 28, Tp. 38 S., R. 4 W.W.H., Jackson County, Oregon
Mee, Warren D. Applegate, Oregon (See Findings, Paragraph 294)	upper bar thence No county ro	g at the N nk of the orthwester oad Northe	E corn Hinkle ly 31 asterl	Ditch; thence rods to a laur	and Gordon Ditch  of said Sec e Southwesterel tree at the South li	rly along the count	nce Sor said r	acres in SE <sup>1</sup> SW <sup>1</sup> Sec. 28, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon, being within the following-described tract: uth 9 rods to the upper bank 78 rods; thence along the W <sup>1</sup> of said section;
Millard, L. E. and Millard, A. C. Applegate, Oregon (See Findings, Paragraph 295)	1907 ∖.\ <sup>⊕</sup> <del>X.</del> Cand	\c.		Irrigation		Thompson Creek	10.0	acres in SW1 NE1 acres in NE1 SW2 acres in NE1 SW2 acres in NW2 SE2 Sec. 5, Tp. 39 S., R. 4 W.W.H., Jackson County, Oregon

# KENNY CREEK

Culy, C. W. Jacksonville, Oregon	1908	0.15	7.3	Irrigation	Culy Ditch	Kenny Creek	7.3 acres in that part of SW4 SE4, North and West of Applegate River
(See Findings, Paragraph 296)							Sec. 18, Tp. 40 S., R. 3 W.W.M., Jackson County, Oregon

Name and Postoffice Address of Appropriator

Date of Relative 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

#### O'BRIEN AND STURGIS FORKS OF CARBERRY FORK OF APPLEGATE RIVER

Thompson Creek
Irrigation
Association
Applegate,
Oregon
(See Findings,
Faragraph 297)

(Note. The allowances made under the incheate right of the Thompson Creek Irrigation Association are awarded the following claimants to whom individual certificates of water right will be issued.

The water allowed herein shall be distributed in accordance with the owner-ship of shares in Thompson Creek Irrigation Association and the rules and regulations thereof; provided, however, that the right to the use of said water from O'Brien and Sturgis Forks of Carberry Fork of Applegate River shall not exceed 0.0094 cubic foot per second or its equivalent in case of rotation, for each acre irrigated during the irrigation season.)

Smith, Errol I.
Administrator,
and
Smith, John E.
Applegate,
Oregon
(See Findings,

Paragraph 298)

32975

1857 8.5 acres in NW SE Thompson O'Brien 42.0 Irrigation, 15.5 acres in SW2 SE2 1906 0.28)domestic Creek and Irriga-18.0 acres in SE4 SE4 and stock Sturgis Forks of Sec. 24, tion Carberry Tp. 39 S., R. 5 W.W.M., Associa-Josephine County, Oreg. Fork of tion Ditch **Applegate** River

(Note. Of the foregoing right, that appurtenant to 7 acres in the SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> and 18 acres in the SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Sec. 24, Tp. 39 S., R. 5 W. W. M., is supplemental to vested rights allowed the claimants' predecessors, Jas. Bingham and John Bingham, to the use of water from Thompson Creek which are set out in the Rogue River Decree on Page 33, Column 3, under Proofs 1003 and 1004.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.)

Gassaway, Clarence P.
and
Gassaway, Myrtle N.
Applegate, Oregon
(See Findings,
Paragraph 299)

1857 0.14) O'Brien 4.8 acres in SW1 SW4 52.2 Irrigation, Thompson 20.7 acres in SEL SWA and 1906 0.35) domestic Creek Sec. 18; and stock Irriga-Sturgis Forks of 15.0 acres in NET NW4 tionCarberry 11.7 acres in Lot 1 Associa-(MM FMM) Fork of tion Sec. 19, Applegate Ditch Tp. 39 S., R. 4 W.W.M., River Jackson County, Oregon

(Note. To the extent of 4.8 acres in  $SW_4^1$ ,  $SW_4^1$ , 20.7 acres in  $SE_1^1$ ,  $SW_4^1$ , Sec. 18, and 11.7 acres in Lot 1, Sec. 19, the foregoing right is supplemental to vested rights allowed claimants' predecessor, M. F. Bingham, to the use of water from Thompson Creek and Nine Mile Creek which are set out in the Rogue River Decree on Page 33, Column 3, and Page 34, Column 2, under Proofs 1005 and 1027.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season.)

Elmore, Herbert
and
Elmore, Bessie
Applegate,
Oregon
(See Findings,
Paragraph 300)

1857 0.04) Irrigation, Thompson O'Brien 14.3 acres in that part of 14.3 domestic Creek end SWA SEA, lying West of 1906 Irriga-Thompson Creek 0.10) and stock Sturgis Forks of tion Sec. 32, Carberry Associa-Tp. 38 S., R. 4 W.W.M., tion Fork of Jackson County, Oregon Applegate River Ditch

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

32073

Elmore, Pauline Elmore, Herbert and Elmore, Bessie Applegate, Oregon (See Findings, Paragraph 301)	1857 1906	0.19 ) 0.48 )	72.0	Irrigation, domestic and stock	Thompson Creek Associa- tion Ditch	O'Brien and Sturgis Forks of Carberry Fork of Applegate River	26.2 acres in SW4 NE4 6.8 acres in NE4 SW4 39.0 acres in NW4 SE4 Sec. 32, Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon
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(Note. To the extent of 18.7 acres in  $SN_4^1$   $NE_4^1$ , 6.8 acres in  $NE_4^1$   $SN_4^2$ , 39 acres in  $NN_4^1$   $SE_4^1$ , the foregoing right is supplemental to a vested right allowed claimants predecessor to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 33, Column 3, under Proof 1003.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.00% cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.)

32973

Hawkins, Edwin B.	1857	0.19 )	72.0	Irrigation, domestic	Thompson Creek	O'Brien and		acres acres			
Hawkins, Claude L. Applegate, Oregon	1906	0.48)		and stock	Associa- tion Ditch	Sturgis Forks of Carberry		acres acres			29;
(See Findings, Paragraph 302)						Fork of Applegate River	13.0	acres	•	Sec.	33,
								Tp. 38			.W.M., regon

(Note. To the extent of 2.5 acres in NE1 SE1; 3.4 acres in SW1 SE1, Sec. 29; 39.6 acres in NE1 NE1; 8 acres in NW1 NE2, Sec. 32, and 3.7 acres in NW1 NW2, Sec. 33, Tp. 38 S., R. 4 W.W.H., the foregoing right supplements a vested right allowed claimants' predecessor to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 33, Column 3, under Proof 1013.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.)

Hogan, Olive Hogan, E. B. Hogan, P. A. and Chambers, R. U.

32900

Chambers, R. U.
Applegate,
River
(See Findings,
Paragraph 303)

26.0 acres in SE1 NE1 O'Brien 1857 Irrigation, Thompson 72.0 domestic and 15.0 acres in NE4 SE4 Creek 9.0 acres in that part of Irriga-Sturgis 1906 0.48) and stock Forks of SW1 SE1, lying East of tion Carberry Thompson Creek Associa-22.0 acres in SE4 SE4 tion Fork of Applegate Sec. 32, Ditch River Tp. 38 S., R. 4 W.W.M., Jackson County, Oregon

(Note. To the extent of 1.5 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 2.5 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, 9 acres in that part of SW<sup>1</sup>/<sub>1</sub> SE<sup>1</sup>/<sub>4</sub> lying East of Thompson Creek, and 22 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, said Sec. 32, the foregoing right is supplemental to a right allowed claimants to the use of water from Thompson Creek which is set out in Paragraph 291 supra and to a vested right allowed the claimants' predecessor which is set out in the Rogue River Decree on Page 33, Column 3, under Proof 1010.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.)

Name and Postoffice Address of Appropriator	Relative Priority	Cubic Feet Per Second	Number Acres	Use	Name of Ditc	h Stream	Description of Land or Place of Use
32961							
Johnston, S. L. (Successor to	1857	0.22 )	.0 Ir	rigation,	Thompson	O'Brien	25.0 acres in NWA NEA
Mrs. Mary B. Orr) Applegate, Oregon (See Findings, Paragraph 304)	1906	0.54 )	do	mestic d stock	Creek Irrigation Association Ditch	and Sturgis Forks of Carberry Fork of Applegate River	19.5 acres in SWA NEA  9.8 acres in NEA NWA  25.7 acres in SEA NWA  Sec. 18,  Tp. 39 S., R. 4 W.W.M.,  Jackson County, Oregon
•••	16 acres vested 1 from The	$s$ in SE $rac{1}{4}$ NW right allow	à, sai ed cla	d Sec. 18, imant's pre	the right all edecessor, Mrs	owed hereing. Mary B. (	NI NEI, 1 acre in NEI NWI, n is supplemental to the Orr, to the use of water cree on Page 34, Column 1,

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water per acre for \* each acre irrigated during the irrigation season.)

325 <b>22</b>							
Reams, Charles W. Medford, Oregon (See Findings, Paragraph 305)	1857 1906	0.07) ) 25.0 0.17)	Irrigation, domestic and stock	Thompson Creek Irrigation Association Ditch	O'Brien and Sturgis Forks of Carberry Fork of Applegate River	12.2 ac Tr Ja	

(Note. To the extent of 6 acres in the  $SW_4^1$   $SE_4^1$ , said Sec. 18, the foregoing right supplements a vested right allowed claimant's predecessor to the use of water from Dry Gulch which is set out in the Rogue River Decree on Page 34, Column 3, under Proof 1034.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season.)

<b>32</b> 963					•			
Poellnitz, Ada A. 1121 E. Main Street Medford, Oregon (See Findings, Paragraph 306)	1857 1906	0.12 ) 0.30 )	45.2	Irrigation, domestic and stock	Thompson Creek Irrigation Association Ditch	O'Brien and Sturgis. Forks of Carberry Fork of Applegate River	21.0	scres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Sec. 6; acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Sec. 7, Tp. 39 S., R. 4 W.W.M. Jackson County, Oregon

Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres Use	Name of Dit	tch Stream	Description of Land or Place of Use
		_			
1906	0.05 ) ) 17 0.11 )		Creek Irrigation	o'Brien and Sturgis Forks of Carberry Fork of Applegate River	1.3 acres in SW1 SW1 Sec. 5; 1.5 acres in NE1 NW1 14.2 acres in NW1 NW1 Sec. 8; Tp. 39 S., R. 4 W.W.M., Jackson County, Oregon
to the us	se of water	from Thompson	Creek as set ou		
it is appropriate it is appropriately approp	purtenant i acre irrig ces shall r	n an amount not rated during the lot exceed 0.017	exceeding 0.00 irrigation see cubic foot per	094 cubic fo	oot per second of water he quantity used from
1857			Thompson Creek	O'Brien end	23.5 acres in SE NW Sec. 28,
<b>190</b> 6 (	0.16)	and stock	Irrigation Association Ditch	Sturgis Forks of Carberry Fork of Applegate River	Tp. 38 S., R. 4 W.W.H., Jackson County, Oregon 134 Ac. Trst. p.Co. Val.10 p. 627
·					
	) 31	Irrigation, O domestic	Thompson Creek	O'Brien end	6.0 acres in S2 SW4 SW4 Sec. 28
1906	0.21 )	and stock	Irrigation Association Ditch	Sturgis Forks of Carberry Fork of Applegate River	25.0 acres in So No SEA  SEA and So SEA SEA  Sec.29,  Tp. 38 S., R. 4 W.W.M.,  Jackson County, Oregon
			Thompson Creek	O'Brien and	30.0 acres in NW1 SW1 SW2 8.0 acres in N2 SW1 SW2
1906	0.29 )	and stock	lrrigation Association Ditch		Sec. 28; 5.0 acres in No No SET SET Sec. 29, Tp. 38 S., R. 4 W.W.H., Jackson County, Oregon
1906	) 35. 0.23 )	and stock	Thompson Creek Irrigation Association Ditch	O'Brien and Sturgis Forks of Carberry	*8.0 acres in SW; NE; 10.0 acres in NE; SW; 17.0 acres in NW; SE; Sec. 5, Tp. 39 S., R. 4 W.W.M.,
	1857 1906  (Note. The to the use Page 34, The same of the source of the	Relative   Per Second     1857   0.05   17     1906   0.11   17     (Note. The foregoing to the use of water Page 34, Column 1,	Relative Per Second Names Use Priority Per Second Names Use Note: The foregoing right supplem to the use of water from Thompson Page 34, Column 1, under Proof 101  The supplemental right allo it is appurtenent in an amount not for each acre irrigated during the all sources shall not exceed 0.017 irrigated during the irrigation self. Second Names II. 1857 0.06 (and stock)  1857 0.08 (and stock)  1857 0.08 (and stock)  1857 0.09 (and stock)	Relative Per Second Acres Use Name of Market Priority Per Second 1906 0.11 17.0 domestic Greek Irrigation Association Ditch 17.0 domestic Greek Irrigation Association Ditch 1906 0.11 20.11 and stock Irrigation Page 34, Column 1, under Proof 1018.  The supplemental right allowed heroin is it is appurtenant in an amount not exceeding 0.00 for each acre irrigated during the irrigation seall sources shall not exceed 0.017 cubic foot per irrigated during the irrigation season.)  1857 0.06 1 23.5 domestic Greek Irrigation Association Ditch 1906 0.21 1906 0.21 1906 0.21 1906 0.21 1906 0.29 1906 0.23 1906 0	1857 0.05   Irrigation, Thompson O'Brien and stock Irrigation Sturgls and stock Irrigation Sturgls and stock Irrigation Sturgls and stock Irrigation Sturgls Sturgls Applegate River  (Note. The foregoing right supplements a vested right allow to the use of water from Thompson Creek as set out in the Read Sturglation of the use of water from Thompson Creek as set out in the Read Sturglation of the use of water from Thompson Creek as set out in the Read Sturglation of the use of water from Thompson Creek as set out in the Read Sturglation of the use of water from Thompson Creek as set out in the Read Sturglation of the use of water from Thompson Creek as set out in the Read Sturglation of the Use o

(Note. The foregoing right is supplemental to the right allowed claim use of water from Thompson Creek as set out in Paragraph 295 supra.)
(see next page)

Name and Postoffice Address of Appropriator

Date of Relative Priority

Date of Relative Priority

Amount Cubic Feet Per Second

Number Acres

Use Name of Ditch Stream

Place of Use Place of Use

32757(2001)

Millard, L. E. and Millard, A. C.

(continued)

(Note. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season and the quantity used from all sources shall not exceed 0.0143 cubic foot per second of water for each acre irrigated during the irrigation season.)

Mee, Lyda and Mee, Anderson Applegate, Oregon (See Findings, Paragraph 312)

1857 13.2 acres in SW NE 0.14) Irrigation, Thompson O'Brien 5.6 acres in SE4 NET 28.0 acres in NW SE4 52.8 domestic Creek and 0.35) 1906 and stock Irrigation Sturgis Association Forks of 6.0 acres in SW4 SE4 Carberry Sec. 7, Ditch Fork of Tp. 39 S., R. 4 W.W.M., Applegate Jackson County, Oregon River

(Note. To the extent of 13 acres in  $SW_4^1$   $NE_4^1$ , 5.6 acres in  $SE_4^1$   $NE_4^1$ , 3 acres in  $NW_4^1$   $SE_4^1$ , and 2 acres in  $SW_4^1$   $SE_4^1$ , said Sec. 7, the foregoing right is supplemental to the vested right allowed claimants to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 1, under Proof 1020.

It is also supplemental to the vested right allowed claimants to the use of water from Darniel Gulch which is set out in the Rogue River Decree on Page 34, Column 2, under Proof 1026.

The supplemental right allowed herein is limited to use on the land to which it is appurtenent in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second of water for each acre irrigated during the irrigation season, except for the 5 acres in the  $SW_4^1$   $SE_4^1$ , said Sec. 7, under the above-stated vested right from Darniel Creek which will be limited to a total diversion from all sources not to exceed 0.026 cubic foot per second for each acre irrigated during the irrigation season.)

Mee, Warren D.

32991

Applegate, Oregon (See Findings, Paragraph 313)

1857	0.30 )		Irrigation,	Thompson	O'Brien		acres in NET NET
1906	0.74 )	110.0	domestic and stock	Creek Irrigation Association Ditch	and Sturgis Forks of Carberry Fork of Applegate River	19.7 12.0 22.2	acres in NW4 NE4 acres in SW4 NE4 acres in SE4 NE4 acres in NE4 SW4 acres in that part of SE4 SW4, described as follows:

Beginning at the NE corner of  $SE_4^1$   $SW_4^2$  of Sec. 28, Tp. 38 S., R. 4 W.W.M., thence South 9 rods to the upper bank of the Hinkle Ditch; thence Southwesterly along said upper bank 78 rods; thence Northwesterly 31 rods to a laurel tree at the county road; thence along the county road Northeasterly 31 rods to the South line of the  $NE_4^1$   $SW_4^1$  said Section; thence East 65 rods to the place of beginning.

26.7 acres in NW4 SE4
Sec. 28,
Tp. 38 S., R. 4 W.W.M.,
Jackson County, Oregon

(Note. To the extent of 1.8 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 10 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 12 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 14 acres in NW<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>, said Sec. 28, the foregoing right is supplemental to the vested rights allowed the claimant to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 1, Proof 1023.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.143 cubic foot per second of water for each acre irrigated during the irrigation season.)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second Num		Name of Ditch	Stream	Description of Land or Place of Use
35954 55	888					
Balderston, Chester Lou	1857	0.06 ) 22.0	Irrigation, domestic	Thompson Creek		3.0 acres in NE 7 SN4 3.0 acres in NW4 SN4
Applegate, Oregon (See Findings,	1906	0.15 )	and stock	Irrigation Association	Sturgia % 6	$5.0$ acres in $SE_4^I$ $SR_4^I$ Sec. 7,
Paragraph 314)	340000 ., 2., 1.	37 - 17 - 17 - 17 - 17 - 17 - 17 - 17 -		Ditch	Carberry Fork of Applegate River	Tp. 39 S., R. 4 W.W.H.,
02003					O'Brien	
York, Chester Estate	1857	0.09 ) ) 33.4	Irrigation, domestic	Thompson Creek	and // 2	8.0 acres in SE1 NWA 8.0 acres in NE1 SW1
By Wilma Messinger Applegate, Oregon (See Findings, Paragraph 315)	1906	0.22 )	and stock	Irrigation Association Ditch	Forks of Carberry Fork of Applegate River	Sec. 36, Tp. 39 S., R. 5 W.W.H., Josephine County, Oreg.

(Note. To the extent of 10 acres in  $SE_4^1$   $NW_4^1$  and 8 acres in  $NE_4^1$   $SW_4^1$ , the foregoing right is supplemental to a vested right allowed claimant's predecessor to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 2, under Proof 1044.

The supplemental right allowed herein is limited to use on the land to which it is appurtenent in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.017 cubic foot per second of water for each acre irrigated during the irrigation season.)

Ross, Elmer Applegate, Oregon (See Findings, Paragraph 316)

329 1

#### JUMP-OFF-JOE CREEK

Hansen, C. T. R. F. D. No. 1 Box 525 Grants Pass, Oregon (See Findings, Paragraph 317)	1904	0.47	32.6 /		Neely Ditch	Jump- off- Joe Greek	30.0 acres in SE2 SW2 2.6 acres in NW2 SE2 Sec. 2, Tp. 35 S., R. 6 W.W.M., Josephine County, Oreg.
32965							
Bonney, Willard D. R. F. D. No. 1	1908	0.15	10.0	Irrigation	Brown	Jump- off-	1.4 acres in NE SWA
Box 724 Grants Pass, Oregon (See Findings, Paragraph 318)	Canceled Sp.		26 <sub>P.</sub> 3	<u>i</u>	Pollock Ditch	Joe Creek	Sec. 32, Tp. 34 S., R. 5 W.W.M., Josephine County, Oreg., all lying South of Jump-off-Jce Creek

	Date of Relative	Amount	Number	Use	Name of Dit	ch Stream	Description of Land or
Name and Postoffice Address of Appropriator	Relative Priority	Cubic Feet Per Second		Use	Name of Bit		Place of Use
41648 Tro Sp. Oc. V	15,448						
Metz, Charles E. and	1908	0.03	1.8	Irrigation	Brown or Pollock	Jump off Joe	0.2 acre in $SW_4^1$ $NW_4^1$ 1.6 acres in $SE_4^1$ $NW_4^1$ Sec. 4,
Metz, Henrietta R. F. D. No. 1 Box 756 Grants Pass, Oregon (See Findings, Paragraph 319)	<i>```</i>			<i>i</i>	Ditch	Creek	Tp. 35 S., R. 5 W.W.H., Josephine County, Oreg.
Gilbert, Merle	46273			BUMMER GULCH			•
Gilbert, Merle and Burton, F. Merlin, Oregon (See Findings, Paragraph 320)	Feb., 1907	0.12	8.4	Irrigation	Bummer Gulch Ditch	Bummer Gulch	S.4 acres in NE <sup>1</sup> SW <sup>1</sup> Sec. 5,  Tp. 35 S., R. 6 W.W.H.,  Josephine County, Oreg.
				GRAVE CREEK			
220							
Kerns, Mary	1908	0.17	0.0	Irrigation	Browning	Grave	4.7 acres in that part of

Grave Creek, Sec. 3; Oregon described as follows: (See Findings, Commencing at the NE corner of Sec. 8, Tp. 34 S., R. 5 W.W.M., and running thence West 5.84 chains; thence South 9.13 chains; thence West 4.50 chains; thence South 16° West Paragraph 321) 11.35 chains; thence South to center of Grave Creek; thence following the center of Grave Creek up-stream to the point of its intersection with the East line of said Sec. 8; thence North on said section line to place of beginning.

Ditch

Creek

4.6 acres in NET NET 0.7 acre in Swa NWa North of Grave Creek Sec. 9, Tp. 34 S., R. 5 W.W.H., Josephine County, Oreg.

NET NET

Stanwood, W. S. and Stanwood, Ethel M. (Successors to E. H. Boden and Sarah E. Boden) P. O. Box 723 Santa Barbara, California (See Findings Paragraph 322)

·		_					
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
C2933	A 2 8 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1						
Patton, Mattie M. Leland, Oregon (See Findings, Paragraph 323)	1908	0.07	4.0	Irrigation	Browning Ditch	Grave Creek	ing Ditch in that part of the following described property in NW4 NE4 Sec. 8,
•	south 16° a point 3 the NE co of Lot 2,	West 20. O feet Earmer of the in Block Sest 705 f	.75 cha ast of the tow 5, to	tins; thence We the NE corner m of Placer; to wm of Placer;	est 6.50 chai of the town thence South thence North	ins; thence of Placer; 78° West 4 112° West '	Tp. 34 S., R. 5 W.W.M., Josephine County, Oreg. 34 S., R. 5 W.W.M.; thence South about 120 feet to thence West 30 feet to 60 feet to the NE corner 700 feet; thence South 63; thence East to
<b>2</b> 24(-)							
Wimer, J. D. and Wimer, Georgie Grave Creek,	1908	0.01	0.7	Irrigation	Harkness Ditch	Grave ( Creek	0.7 acre in that part of SW NW NW Sec. 12, Tp. 34 S., R. 6 W.W.M.,
Oregon (See Findings, Paragraph 324)	6 W. W. H	he center point wh	runni of sa ich ia	ng South 1,320 aid Sec. 12; th 900 feet East	) feet to the ence East 25	East and to Control of the East and the East	Josephine County, Oreg., described as follows: \$\frac{1}{4}\$, Sec. 12, Tp. 34 S., R. West subdivision line ence Northeasterly 1,480 ming; thence West 900
1. <b>33</b> 600							
Chapman, H. G. 229 West 15th Street Long Beach, California (See Findings, Paragraph 325)	1908	0 <b>.0</b> 3	1.6 I	rrigation		Creek	Sec. 11; 1.0 acre in SE1 NE1 Sec. 11; 1.0 acre in that part of SW1 NW1 Sec. 12, Tp. 34 S., R. 6 W.W.M., Josephine County, Oreg., described as follows:
	bears Nor	th 41° 17 of begin nce North	" West ming;	: 9.677 chains; thence South 6	thence Sout 2º 53' East	th 58° 25' 1 1,320 feet	o. 34 S., R. 6 W.W.M., East 1,549.4 feet to thence North 628.5 5 feet to the point
2267							·
Wimer, Jefferson and Wimer, Mary Leland, Oregon				rrigation	Ditch	Creek	.l acres in that part of SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> , within the following-described tract:
(See Findings, Paragraph 326)	North of North 27°	the SW co 55' East $\frac{1}{4}$ , said S	rner o 33 ro Sec. 12	of said NW4 SE4 ods; thence in	; thence Nor a Northeaste	rth 67° Westerly direct:	distance of 64 rods 1,400 feet; thence on to the NE corner said SE <sup>1</sup> <sub>4</sub> NW <sup>1</sup> <sub>4</sub> to the Sec. 12, Tp. 34 S., R. 6 W.W.M., Josephine County, Oreg.

## BURGESS CREEK AND SHANKS CREEK

Church, W. H. Leland, Oregon (See Findings, Paragraph 327)

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
	1					·	

#### MILL CREEK, A TRIBUTARY OF DOG CREEK, A TRIBUTARY OF GRAVE CREEK

7. 4.0 acres in Sh NW SW SW Estate of Thomas B. 1908 0.07 4.0 Irrigation Criteser Mill Sec. 9, Criteser Ditch Creek Tp. 34 S., R. 6 W.W.M., Josephine County, Oreg. c/o Mrs. Loraine S. Criteser West 8th Apts. Apt. 26 Eugene, Oregon (See Findings,

## BURGESS CREEK, BENJAMIN GULCH OR SLAGLE CREEK

Paragraph 328)

Taylor, S. J. and Lawton, R. R. Grants Pass,

Oregon (See Findings, Paragraph 331)

33003 1.0 acre in SW SE Haddaway, Roland 845 North West-1908 Benjamin 0.017 1.0 Irrigation Burgess Ditch Creek, Sec. 6, Tp. 34 S., R. 5 W.W.M., Josephine County, Oreg. Benjamin mount Drive, Gulch or West Hollywood, Slagle California Cresk (See Findings Paragraph 329) -3300121.8 acres in SET NET 7.3 acres in SET NET 7.0 acres in SET NET Robinson, John H. 1908 1.19 71.6 Irrigation Burgesa Creek, and Ditch Robinson, Sarah J. Benjamin 18.4 acres in NE4 SWA Grave Creek, Gulch or 0.8 acre in NW SW Oregon Slagle (See Findings, Creek 16.3 acres in NW4 SE4 Paragraph 330) Sec. 7, Tp. 34 S., R. 5 W.W.M., Josephine County, Oreg.

COYOTE CREEK

These supplemental findings are concerned orimarily with the completion of those inchoate water rights which are set out in Paragraph 7 of the Rogue River Decree. Said inchoate rights, which are tabulated in Paragraph 332 next preceding, were all initiated prior to February 24, 1909, on which date the Oregon Water Code became effective. Rights initiated after that date are evidenced by permits and certificates issued by the State Engineer. Each and every appropriator having rights under such a permit or certificate for the use of water from Rogue River and its tributaries above the mouth of the Illinois River shall have such rights as are provided by law and by the rules and regulations of the State Engineer and shall be administered in a like manner as those rights herein determined.

And the State Engineer of Oregon, being fully advised in the premises, it is hereby CONSIDERED and ORDERED that the aforesaid parties have completed their inchoate rights to the use of the waters of Rogue River and its tributaries above the mouth of the Illinois River and the same are hereby determined and settled in accordance with and as set out in the foregoing supplemental findings.

Dated this 10th day of January, 1940, at Salem, Oregon.

State Engineer

I hick him

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