

IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR JACKSON COUNTY

INCHOATE WATER RIGHTS ALLOWED BY DECREE)
OF THE COURT DATED APRIL 26, 1919, AND)
DECREES SUPPLEMENTAL THERETO.)
IN THE MATTER OF THE DETERMINATION OF)
THE RELATIVE RIGHTS OF THE VARIOUS)
CLAIMANTS TO THE WATERS OF ROGUE RIVER)
AND ITS TRIBUTARIES, ABOVE THE MOUTH)
OF ILLINOIS RIVER.)

DECREE ON HEARING OF
EXCEPTIONS OF E. A. KING
TO THE STATE ENGINEER'S
SUPPLEMENTAL FINDINGS AND
ORDER OF DETERMINATION.

The above matter having come on to be heard on the 7th day of November, 1940,
due notice of such hearing having been given to the State Engineer of the State of Oregon,
and no one appearing to contest the exceptions as filed by E. A. King, and the court
having considered the proofs offered by the said E. A. King:

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED,

1. That E. A. King is entitled to a vested right to the use of water from Evans
Creek through the Old Mill Ditch and Irrigation Co. Ditch, as follows:

For domestic and stock use, and for the irrigation of 15.2
acres in the South Half of the Northwest Quarter, also for the
irrigation of one-half acre below the Old Mill Ditch and Irrigation
Co. ditch in the Southeast Quarter of the Northwest Quarter, of
Section 4 in Township 36 South, Range 4 West, of the Willamette
Meridian, in Jackson County, Oregon.

2. That that portion of the State Engineer's Supplemental Findings and Order
of Determination in the above entitled matter, set forth as paragraph 92 on page 65 of
said supplemental findings, as follows:

"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 irriga-
tion of any of the lands herein described."

- is not equitable insofar as the rights of said E. A. King are concerned, and is
hereby disapproved and set aside.

DATED this 25th day of November, 1940.

H. D. NORTON
Circuit Judge

STATE OF OREGON)
County of Jackson) ss

I, G. R. CARTER, County Clerk of the above named County and State, and
Clerk of the Circuit Court of the County of Jackson, and State of Oregon, do hereby
certify that the foregoing copy of DECREE has been by me compared with the original

1. (ROGUE RIVER - Decree on 1.
Supl. Findings)

*Suppl. Findings
Vol. 13, p. 385
Certificate
32793*

and that it is a transcript therefrom, and of the whole of such original decree as the same appears of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 25th day of November, A. D. 1940.

G. R. CARTER, Clerk

(SEAL CIRCUIT COURT
JACKSON COUNTY)

By Helen Dugan, Deputy.

STATE OF OREGON)
) SS
COUNTY OF MARION)

I, CHAS. E. STRICKLIN, State Engineer of the State of Oregon, do hereby certify that the foregoing copy of Decree on Exceptions of E. A. King to the State Engineer's Supplemental Findings in re: ROGUE RIVER Inchoate Rights, is a full and correct copy of such decree as the same was received in this office and entered of record herein this 4th day of February, 1941.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of February, 1941.


CHAS. E. STRICKLIN,
State Engineer