

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

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

DECREE.

Now at this time coming on to be considered and decreed the above entitled matter for the purpose of entering herein a final decree, and due notice having been given heretofore of the time and place for hearing, and consideration of all objections and exceptions and matters in issue involved in this proceeding to all attorneys now representing water users herein, and the Court having heretofore fixed the _____ day of December, 1945, for the appearance herein of all water users and exceptors and their attorneys of record so far as known, and the Court having examined the records and files in this proceeding, and it appearing to the Court therefrom that certain Modified Findings and an Order of Determination herein were heretofore filed with the Clerk of this Court on the 15th day of December, 1925, and that subsequently additional evidence was submitted to the Court under order of this Court filed herein December 31, 1927, and that thereafter a Second Modified Findings and Order of Determination was made by Charles E. Stricklin, State Engineer of Oregon, on April 17, 1928, and thereafter filed with the County Clerk of Jackson County, Oregon, to which findings and order of determination exceptions were thereafter filed by various of the claimants to the use of the waters of said Little Butte Creek and its various tributaries, and the Court having considered the several and various exceptions, objections and matters herein involved, and further finding that M. F. Hanley, contestor, objector, and exceptor in various contests and exceptions heretofore filed herein, died heretofore in Jackson County, Oregon, and that the son of the said M. F. Hanley, to wit, M. P. Hanley, is now the owner of all lands and appurtenant water rights heretofore determined in this proceeding by said State Engineer to belong to M. F. Hanley, the original claimant herein, for said lands and water rights, more particularly described in these proceedings in said findings and order of determination of said State Engineer dated December 31, 1925, and the so-called modified findings and order of determination of said State Engineer dated April 17, 1928;

And it further appearing to the Court that on the 31st day of December, 1927, the entire proceedings herein were re-referred to the State Engineer for further findings and order of determination, and that thereafter and on the 17th day of April, 1928, the said State Engineer did make second modified findings and order of determination herein for the purpose of determining the various matters raised by exceptions and additional evidence

made and filed herein, and the said various findings of the State Engineer now being on file with the Clerk of this Court;

And it further appearing to the Court from the records and files herein that the Medford Irrigation District is the successor in interest to the Rogue River Valley Canal Company, in respect to the ownership of certain water rights heretofore determined to belong to the Rogue River Valley Canal Company, a corporation, as successor in interest to Fish Lake Water Company, a corporation;

And it further appearing to the Court that Rogue River Irrigation District is also interested in the use of the waters of said Little Butte Creek as a successor in interest of the ownership of water rights heretofore claimed by the Rogue River Valley Canal Company;

And it further appearing that said Medford Irrigation District is the owner of certain permits issued by the State Engineer of Oregon, now of record in the office of said State Engineer, for the appropriation of surplus waters of the North Fork of Little Butte Creek, and tributaries thereof, and for storage purposes in Four Mile Lake and Fish Lake, all of which are a matter of record in the office of said State Engineer;

And it further appearing to the Court that in addition to its several permits the said Medford Irrigation District is the owner of an appropriation of water from said Little Butte Creek heretofore determined to belong to Rogue River Valley Canal Company jointly with Rogue River Irrigation District, for the appropriation of 10.5 second feet, priority September 14, 1899, for the irrigation of 1470 acres of land outside the water shed of said Little Butte Creek;

And it further appearing to the Court from the records and files herein that all lands within said Medford Irrigation District and within said Rogue River Irrigation District, lie outside of and beyond the water shed of the said Little Butte Creek;

And the Court further finding that certain changes in ownership have occurred since the said findings and orders of determination of the State Engineer were made in regard to the ownership of lands, and with appurtenant water rights, claiming or entitled to the use of water from said Little Butte Creek, and its various tributaries;

And it further appearing that in open Court after hearing all claimants appearing at the last hearing held heretofore before this Court in regard to said stream, accepted the findings and order of determination of said State Engineer of date April 17, 1928, except as hereinafter expressly modified or otherwise determined by this decree;

And the Court having given due consideration to all claims, exceptions, findings and orders of determination, and contests heretofore herein filed, and all objections heretofore

made herein, and being now fully advised in the premises:

NOW, THEREFORE, the Court does hereby make and direct to be entered of record herein its final decree herein in regard to all claims, matters, contests, objections, exceptions, and the several findings and orders of determination herein heretofore filed or made, and does decree as follows:

1.

That the Second Modified Findings and Order of Determination of said State Engineer heretofore filed with the Clerk of this Court and dated April 17, 1928, signed by Rhea Luper, State Engineer of the State of Oregon, be and the same hereby are adopted by this Court and hereby approved in all things except as hereinafter expressly modified, determined, or otherwise decreed.

2.

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

3.

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

and use such amount in excess of the quantity hereinafter allowed him for continuous use as the rotation system or plan hereinafter provided for shall permit. Rotation in the use of water shall at all times be subject to the control and direction of the water master of the district.

4.

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

5.

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

6.

That the rights of appropriation of the several claimants, as herein determined, are and shall remain appurtenant to the lands of said claimants as hereinafter described, as provided by law.

7.

That a system of rotation in the use of water among the several appropriators of small amounts of water in the same neighborhood, or through the same ditch, has been in use, more or less, upon said stream and its tributaries and adds greatly to the duty which said water may be made to perform. In the absence of an agreement between appropriators arranging for such rotation and the manner in which such water shall be used in rotation, the water master of the district in which said stream and its tributaries may hereafter be situated, may, when practicable, arrange such appropriators in groups or systems of rotation, first giving the appropriator who is first in priority an amount of water equal to the combined appropriations of all the appropriators in said group or system for a length of time bearing the same ratio to the whole time required to make a complete rotation through the whole group of appropriators as the appropriation of the first appropriator bears to the combined appropriations of said appropriators, and shall next serve the next appropriator in priority with a like amount of water for his proportionate time, and so on, until all the

appropriators in said group are served; then the distribution of water shall be repeated in the same manner throughout the irrigation season. In case of two or more appropriators in said group or system having the same priority, then the said water master shall distribute the water as between those appropriators having the same priority to the one whose ditch taps the stream nearest the source, first, and the next lower down, next, and so on. In case of two or more appropriators having equal priorities and diverting water through the same ditch, the said water master shall distribute the water as between said appropriators to the one whose lands are first covered by said ditch and nearest the head thereof, first, and to the next lower down on said ditch, next, and so on. Where two or more appropriators agree as between themselves as to a manner and system of rotation in the use of their water, the said water master shall distribute the water in accordance with such agreement, provided, always, that such arrangement into groups or systems of rotation shall not interfere with the prior rights of any appropriator not a member of such group or system. It is expressly decreed, however, that the rights herein decreed to M. F. Hanley shall be rotated the same as herein provided for the rotation of the rights of other users.

8.

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

9.

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

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

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

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

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

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

WHEREAS, said Hanley instituted various contests against the claims of said Fish Lake Water Company, for and on behalf of the Upper, Middle and Lower Ditches, out of Long and Wasson canyons, and for and on account of the water rights of the said Hanley, through what are called the Hanley & Slinger Ditch, the old Hanley Ditch and the Hanley High Line Ditch.

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

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

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

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

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

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

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

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

IT IS FURTHER STIPULATED, by and between the parties, that it has been proved by the testimony herein, on behalf of the said Hanley, and that if the witnesses were called, said M. F. Hanley, William D. Hanley, E. B. Hanley, Charles E. Terrill and numerous others of said Hanley's witnesses, would testify on his behalf, and it is considered that they have so testified that the lands described by said Hanley in his several answers on file herein, setting up claims to the waters of Wasson Canyon, Long Canyon and to the North Fork of Little Butte Creek, are of such a nature and character, and underlaid with such sub-soil and formation as to require for their irrigation the highest amount of water per acre which the above entitled Board shall find or require for any of the lands irrigated or to be irrigated from said stream. And that as against any rights of said Fish Lake Water Company said Hanley is entitled to irrigate those said lands which have not yet been irrigated, which belong to him, so long as the quantity of water used by him is not in excess of the amount or at places different from those above specified, but this latter stipulation shall not restrict the rights of said Hanley to the use of said waters as above specified.

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

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

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

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

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

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

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

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

(SEAL)

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

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

11.

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

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

IN THE MATTER OF THE DETERMINATION) OF THE RELATIVE RIGHTS TO THE WATERS) OF LITTLE BUTTE CREEK, AND ITS TRIBU-) TARIES, A TRIBUTARY OF ROGUE RIVER,) JACKSON COUNTY, OREGON)	<u>STIPULATION</u>
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IT IS HEREBY STIPULATED, by and between T. L. Farlow, substituted for J. W. Slinger, in the claims filed for the irrigation of the lands described in the proofs of claim of the said J. W. Slinger filed herein, both as a contestant and a contestee, over the rights to the use of the waters of Little Butte Creek and its tributaries, and M. F. Hanley, claimant to the right to the use of the waters of Little Butte Creek through the Hanley & Slinger Ditch, and the waters of Long Canyon through the Long Canyon Ditch, that as between the parties hereto all contests over the waters for the irrigation of the lands described in the proofs of claim filed by the said Slinger, including the contests affecting the Slinger & Lamb Ditch, the Hanley & Slinger Ditch and the Long Canyon Ditch, and any other contests filed between the parties hereto or their successors, be and hereby are, settled and disposed of by this stipulation.

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

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

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

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

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

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

Witnesses:

GRACE HENRY
A. E. REAMES

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

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

12.

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

13.

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

BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

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

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

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

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

That the said contestee agrees to use the waters of said stream to the extent of the present carrying capacity of his ditch for irrigation and domestic purposes on his said premises through the ditch taken out on the north side of said

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

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

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

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

A. E. REAMES
Attorney of record for
Contestant.

GUS NEWBURY
Attorney of record for
Contestee.

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

14.

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

15.

That the quantity of water which J. D. Culbertson, Michael Sidley and L. H. Wyant (as successor to A. E. Thompson) are entitled to divert from said stream by virtue of

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

16.

That under a decree of the Circuit Court of Jackson County, Oregon, heretofore made and entered of record by said Court on the 27th day of March, 1911, wherein W. C. Daley was plaintiff and Frank Ceol was defendant, which decree is now in full force and effect, it was determined as between said W. C. Daley and Frank Ceol that Frank Ceol (or his successor in interest) is the owner of the lands and ditch and water right described in said decree, which ditch is known herein as the Rechter ditch, and that as between said plaintiff and said defendant, or the successors in interest of either, said defendant is the owner of said water ditch and water right, with the right to use so much of the said waters therefrom as may be required for the right to use so much of the said waters therefrom as may be required for the right to use so much of the said waters therefrom as may be required for the proper irrigation of the said lands belonging to defendant (said lands being more particularly described in the tabulation hereinafter contained), and if at any time there shall be in said ditch and water right an amount of water necessary for the proper irrigation of the said lands of said defendant, Frank Ceol, the surplus and all thereof over and above the amount actually needed by said Ceol for the said irrigation of the said lands shall be permitted to pass down the said ditch uninterruptedly to the said Daley; that as between said Ceol and said Daley all waters which shall come into said ditch to the lands of defendant Ceol shall be divided as follows between said claimants: The defendant Ceol shall first take all of the water which he needs for the proper irrigation of his said lands and use the same for the irrigation of the said lands, and the balance and surplus of said waters, if any there be after the irrigation needs of the defendant shall be met on

said premises, shall be permitted to pass down to the plaintiff without interruption, and such surplus waters shall be waters belonging to the plaintiff, Daley, the irrigation of defendant's premises to be conducted without waste of water; and it was further decreed that plaintiff, Daley, should have a perpetual easement in said ditch for the conveyance of said surplus waters and all the rights and privileges necessary for the protection of the same. That Zundel Brothers are successors in interest of said W. C. Daley, and Michael Sidley, Jr., is successor in interest of said Frank Ceol. That the water rights of said parties shall be administered in accordance with said decree, within the limits of their appropriations as determined herein.

17.

That the terms of the several stipulations filed herein and incorporated into this decree, providing for a special plan in the distribution of the water as between the parties thereto, in each case shall be observed and carried out by the water master only so long as in so doing the rights of other water users on the stream are not interfered with. But in the event that any other parties who are not parties to the stipulation, are by an enforcement of the stipulation deprived of water which they would otherwise receive, then the rights of said stipulators shall be administered according to their rights as set forth in the tabulation, without regard to the stipulation between them.

18.

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

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

That by virtue of its appropriations hereinbefore referred to, the Fish Lake Water Company, and its successor in interest, Medford Irrigation District, is entitled to complete and perfect its appropriations initiated by virtue of applications made to and permits issued by the State Engineer of Oregon, for the purposes and uses therein specified.

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

19.

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

20.

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

21.

That the following named persons are in default and have no right, title or interest in or to any of the waters of said stream or any of its tributaries, and should be barred

and estopped from hereafter asserting any rights which they or any of them may have heretofore acquired to any of the waters of said stream or its tributaries, (except rights acquired under permits issued by the State Engineer since February 24, 1909), and have forfeited all such rights to the use of said waters, if any they may have heretofore had, to-wit:

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

22.

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

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

23.

That after this proceeding had been commenced, but prior to the preparation of findings of the State Water Board herein, proceedings were commenced before said Board for the determination of the relative rights of the various users to the waters of Rogue River, and all of its tributaries, forks and branches, above the mouth of the Illinois River, a tributary; that, as heretofore stated, Little Butte Creek is a tributary of said Rogue River; that thereafter such proceedings were had in the matter of the determination of the relative rights to the waters of Rogue River, as required that all evidence and

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

24.

AND IT IS HEREBY DECREED that the following named water users and claimants to the waters of Little Butte Creek and its various tributaries are entitled to the issuance of certificates of water right determining, establishing and confirming their several rights to the use of the waters of Little Butte Creek, or tributary thereof, under which their names are hereafter listed as of the date of relative priority and to the amount of water in cubic feet per second of time continuous flow for the particular use or uses for which appropriations have been made by the hereinafter named claimants and hereby recognized and decreed, and if for irrigation of the number of acres through the ditch or ditches upon the lands or places of use of said claimants respectively as hereinafter described, as such date, amount, number of acres, use, ditch or ditches, and land or place of use are hereunder set forth in tabulated form opposite the respective names of said claimants, and that certificates of water right shall be used accordingly by the State Engineer of Oregon, to-wit:

Name & Post-office Address of Appropriator	Date of Relative Priority	Cubic Feet Per Second	No. Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use.
17162 Belshaw, Minnie O. & Orchard, J. A., Climax, Ore. (Proof 1148 Vol. 15)	1879	0.50	38	Irrigation	Rummel	Rummel Creek, trib. of Antelope Creek	10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T. 38 S. R. 1 E. W.M.
17163 Bieberstedt, Carl Eagle Point, Ore. (Proof 1065, Vol. 15)	1885 1908	0.08 0.19	3 7.5	Irrigation	Tucker and Bieberstedt	Little Butte Creek	3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 7.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 T. 35 S. R. 1 E. W.M.
17164 Bieberstedt, Ralph Eagle Point, Ore. (Proof 1065, Vol. 15)	1885	0.80	32	Irrigation	Bieberstedt	Little Butte Creek	22 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6 T. 36 S. R. 1 E. W.M.
17165 Blass, Olga Eagle Point, Ore. (Proof 1065, Vol. 15)	1885 1888 1908	0.25 0.25 0.35	10 10.2 14	Irrigation	Tucker	Little Butte Creek	10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 14 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E. W.M.
17166 Bradshaw, I. L. (Seccessor to L. C. Charley) Eagle Point, Ore. (Proof 1072, Vol. 15) T-4529 APOD	1893 1908	.50 .54	20.5 21.6	Irrigation	Lemon Charley	Little Butte Creek	3.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, 9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, 8.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, T. 36 S. R. 1 E. W. M.
29804 and 31232 17167 Britt, Emil & Amelia, Jacksonville, Ore. (Proof 1062, Vol. 15) Cert 31232 T# 3603 Vol 29, p 365 Supers by 60560	April 1899	0.90	38	Irrigation	Young and Britt	Little Butte Creek	5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, 15 th Ac. Trsf. Sp. Or. Vol. 11 p. 22 - 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4 th - - - - - 11 p. 22 - 4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 rd - - - - - 4 p. 203 - 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, 10 th - - - - - 11 p. 22 - 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, 2 nd - - - - - 11 p. 22 - 2.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 th - - - - - 11 p. 22 - 10.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T. 36 S. R. 1 E. W.M. I W.
17168 Brown, Geo. B. Brownsboro, Ore. (Proof 1063, Vol. 15)	1863	1.00	42	Irrigation domestic and stock	Henry Brown	Little Butte Creek	15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, ok pl of user Sp. Or. Vol. 16 p. 222 4.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 E. W.M.
17169 Brown, Mrs. M. M. Brownsboro, Ore. (Proof 1064, Vol. 15)	1874	0.13	5	Irrigation, domestic and stock	Brownsboro	Little Butte Creek	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E. W.M.
17170 Butler, W. E., Eagle Point, Ore. (Proof 1065, Vol. 15)	1885 1908	0.04 0.25	1.5 10	Irrigation	Bieberstedt	Little Butte Creek	1.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T. 35 S. R. 1 E. W.M.
17171 Chapman, W. S. Lake Creek, Ore. (Proofs 1068-69-70 Vol. 15)	1885	0.40	15	Irrigation domestic and stock	Chapman, Geol. Daley or Rechter	North Fork of Little Butte Creek	15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21 T. 36 S. R. 2 E. W.M.

Chapman, W. S. (continued)	1892	0.03	1	Irrigation, domestic and stock	Chapman North Fork of Little Butte Creek	1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21 T. 36 S. R. 2 E., W.M.
	1888	0.33	13	Irrigation domestic and stock	Chapman South or Peck & Rechter North Fork of Little Butte Creek	8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21 T. 36 S. R. 2 E., W.M.
35087 48247 1772 Charley, Emogene Brownsboro, Ore. (Proof 1071, Vol. 15)	1895	0.80	32.5	Irrigation	Lem & Clay Charley Little Butte Creek	2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 T. 36 S. R. 1 E., W.M.
						ch. pt. ex. div Tasf. T-20 - V. 15 p. 314
1773 Charley, L. C. Eagle Point, Ore. (Proof 1072, Vol. 15)	1893	0.90	35.8	Irrigation	Clay & Lem Charley Little Butte Creek	8.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14,
	1908	0.40	15.8			13.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14 T. 36 S. R. 1 E. W.M.
1774 Cublertson, J. D. Lake Creek, Ore. (Proof 1075, Vol. 15)	1896	1.90	95	Irrigation	Rogue River Valley Canal Company South Fork of Little Butte Creek	15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20 17 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29 T. 36 S. R. 2 E. W.M.
						(Subject to agreement with Rogue River Valley Canal Company. See paragraphs 14 and 15 herein.)
1775 Daley, Geo. W. Eagle Point, Ore. (Proof 1077, Vol. 15)	1895	0.08	3	Irrigation	Pumping Plant Little Butte Cr.	3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2,
	1908	0.05	2.1			1.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2 0.6 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W. W.M.
1776 Farlow, T. L. Lake Creek, Ore. (Proofs 1125-6 Vol. 15)	June 1 1903	0.65	39	Irrigation	Slinger & Lamb or Farlow North Fork of Little Butte Creek	18 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21 21 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 T. 36 S. R. 2 E. W.M.
	1908	2.11	126.8	Irrigation	Hanley North Canal North Fork of Little Butte Creek	16.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 38.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22. T. 36 S. R. 2 E. W.M.
						(Subject to stipulation with M. F. Hanley)
1777 Farlow, W. P. Lake Creek, Ore. (Proof 1081, Vol. 15)	May 1, 1900	0.50	21.5	Irrigation	Moore & Farlow South Fork of Little Butte Creek	5.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 37 S. R. 2 E. W.M. 5.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18 T. 37 S. R. 3 E. W.M.

17178	Frey, Geo. W. Lake Creek, Ore. (Proof 1083, Vol. 15)	June 1898	0.20	8	Irrigation Frey	North Fork of Little Butte Creek	8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32 T. 36 S. R. 3 E. W.M.
17180	Fryer Ditch Association, Floyd Pearce, Sec'y. Eagle Point, Ore.		2.43	96.85	Irrigation Fryer	Little Butte Creek	96.85 acres of land under the following appropriations, with present owners, prior- ities, number of acres and descriptions of irrigated land, as follows:
	Proof 1076, Vol. 15 (Successors of A. J. Daley)	1885	0.08	3	Ran from Fryer Ditch (Tract 1 - Gus Nichols Tract 2 - Merrit Brown)		3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W. W.M.
	Proof 1084, Vol. 15 (Successor to J. J. Fryer)	Jan. 31, 1870	0.35	15.1	(Tract 3 - Gladius F. Pearce) (Tract 4 - Gladius F. Pearce) (Tract 5 - Gladius F. Pearce) (Tract 6 - Gladius F. Pearce) (Tract 7 - Mrs. Arglee Green) (Tract 8 - Mrs. Arglee Green) (Tract 9 - Mrs. Arglee Green) (Tract 10 - Clara Young) (Tract 11 - Dave Cingcade) (Tract 12 - Dolly Mathews) (Tract 13 - F. Ayers) (Tract 14 - F. Ayers) (Tract 15 - Mrs. Arglee Green)		1.45 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.42 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ AND NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.25 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.59 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.93 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.85 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.25 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.7 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.23 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.46 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.27 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ All in Section 3 T. 36 S. R. 1 W. W. M.
	Proof 1085 Vol. 15, (Successors of J. W. Grover)	Jan. 31, 1870	0.25	10	(Tract 16 - A. A. Newman) Ch. Pt. of Div. of 8.4 acres Sp. Or. Vol. 11, p. 278 Ch. Pt. of Div. Sp. Or. Vol. 10, p. 478		10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ AND NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W. W.M.
		1908	0.48	19.3	(Tract 16 - A. A. Newman) Ch. Pt. of Div. Sp. Or. Vol. 11, p. 278 (Tract 17 - A. C. Mittelstaedt) (Tract 18 - A. C. Mittelstaedt)		13 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.8 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ All in Section 3, T. 36 S. R. 1 W. W.M.

T. 36 S. R. 1 W. W. M. (C-76677)

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Vol. 22, p. 213

Ch. Pt. of Div. Sp. Or. Vol. 9, p. 40

Ch. Pt. of Div. Sp. Or. Vol. 9, p. 414

Fryer Ditch Association
(Continued):

Proof 1099, Vol. 15 (Successors of S.B. Holmes, et al)	1907	0.13	5		5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3 T.36 S. R. 1 W.W.M.
				(Tract 19 - J. F. Brown) (Tract 20 - Geo. Brown Est.) (Tract 21 - Wm. Von der Hellen) (Tract 22 - J. A. Miller) (Tract 23 - T. F. Nichols) (Tract 24 - W. H. Brown) (Tract 25 - R. S. Brown) (Tract 26 - Cecelia Holmes) (Tract 27 - J. B. Rader)	
Proof 1100, Vol. 15 (Successors to Jonas Estate)	Jan. 31, 1870	0.3	12	+ (X) (Tract 28 - Fred Thompson) + (X) (Tract 29 - A. H. Thompson) + (X) (Tract 30 - Geo. Lewis)	1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1. W.W.M.
	1908	0.05	2	+ (X) (Tract 30 - Geo. Lewis)	2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1101, Vol.15 (Successor of W.G. Knighton)	Jan. 31, 1870	0.04	1.3	(Tract 31 - Gladius F. Pearce) <i>0.2 Ac. Trsf. Sp. Dr. Vol 11, p. 171</i>	1.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1127, Vol. 15 (Successor of J. F. Nichols)	Jan. 31, 1870	0.13	5	(Tract 32 - A.R. McDonald)	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1129, Vol. 15 (Successors of W.W. Taylor)	Jan. 31, 1870	0.13	5	(Tract 33 - Ira Grove) (Tract 34 - Grace Dahack) (Tract 35 - W.W. Taylor) (Tract 36 - Ira Grove) <i>chg. pt. of div. Sp. Dr. Vol. 15, p. 171</i> (Tract 37 - Tom Cingcade)	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T.36 S. R. 1 W.W.M.
Proof 1136, Vol. 15 (Successor of G.H. Wamsley)	Jan. 31, 1870	0.05	2	(Tract 38 - O.M. Goss)	2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1137, Vol. 15 (Successor of Marvin S. Wood)	Jan. 31, 1870	0.03	1	(Tract 39 - Walter A. Wood)	1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
Proof 1084, Vol. 15 (Successors of J. J. Fryer)	1908	0.41	16.25	(X) (Tract 40 - Wm. Lewis) + (X) (Tract 41 - Geo. Phillips) (X) (Tract 42 - Ada Matthews) <i>16 Ac. Trsf. Sp. Dr. Vol. 11 p. 171</i> (Tract 43 - Catholic Church) (Tract 44 - E. Clark) (Tract 45 - Jackson County) (Tract 46 - Jackson County) + (X) (Tract 47 - Jackson County) <i>chg. pt. of div. Sp. Dr. Vol. 15, p. 171</i> (Tract 48 - Mrs. Arglee Green) (X) (Tract 49 - Faye J. Hall)	1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.9 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.7 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.

17179	Furry, AS. & F.E. Phoenix, Ore. (Proof 1146 Vol. 15)	1895	0.13	Stock	J. A. Grain	Trib. to Daley Cr. Springs on Lost Prairie & to S. Fk. L. Butte	Place of use: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 38 S. R. 4 E.W.M.	
17181	Gibson, W.E. (Successor to Thos. Baldwin Est. Lake Creek, Ore. (Proof 1059, Vol. 15)	1874	0.28	10.9	Irrigation	Henry Brown	Little Butte Creek	10.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
52187 17182	(Successor to Stephenson & Archibald) Proof 1095, Vol. 15)	1874	1.00	50	Irrigation	Browns- boro Henry Brown	Little Butte Creek	15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
	Superseded by Cert. No. 35924 Spec. Or. V.12 p. 471 473							
45152 17183	Earl Tucker (Successor to Hall, C.P. Brownsboro, Ore. (Proof 1086, Vol. 15)	1874	0.05	2	Irrigation	Browns- boro	Little Butte Creek	2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M.
	T# W-124 Ch. 101, 2A							
17184	Hamilton, I.L. Medford, Ore. (Proof 1087, Vol. 15)	1889	0.90	53.5	Irrigation	North side above city Intake	North Fork of Little Butte Creek	16 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T. 36 S. R. 3 E.W.M. 37.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, T. 36 S. R. 2 E.W.M.
		1892	0.75	45	Irrigation	South side above city Intake	North Fork of Little Butte Creek	25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T. 36 S. R. 3 E.W.M. 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 36 S. R. 2 E.W.M.
17185	Hanley M. F. Lake Creek, Ore.	1856	1.25	75	Irrigation Domestic and Stock	Upper & Lower Wasson Canyon ditches		24 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 36.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, 6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23 Jackson County, Ore. T. 36 S. R. 2 E.W.M.
	(Proof 1091, Vol. 15)	1879	1.5	87	Irrigation domestic and stock	Long Canyon Long Canyon		8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 23 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, T. 36 S. R. 2 E.W.M. Jackson County, Ore.

Hanley, M. F.
(continued)

(Proofs 1089 & 1090, Vol. 15)	1881	5.55	333.3	Irrigation domestic and stock	Hanley & North Slinger Fork of (or North Little Canal) Butte Creek	5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 22 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, 20.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, 21 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 16.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 27.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, T. 36 S. R. 2 E.W.M.
(Note: Certain lands in Sections 23 and 26 have supplemental rights from Wasson Canyon as listed above under date of 1856.)						
(Proof 1089, Vol. 15)	1908	2.24	134.6	Irrigation domestic and stock	Hanley North Fork & of Little Slinger Butte (or North Creek Canal)	19 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 17 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 8.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, 23.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T. 36 S. R. 2 E.W.M. Jackson County, Oregon
(Proof 1093, Vol. 15)	April 1907	6.5	389.6	Irrigation domestic and stock	Hanley North High Fork of Line Little (or South Butte Canal) Creek	8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 24. acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, 15.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 29.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 28.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27 16.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, 5.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, 38 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 13.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 26 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28,

Hanley, M. F.
(continued)

(Proof 1093,
Vol. 15 - cont'd.)

18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$
11.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21,
4.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 29
27.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 20,
T. 36 S. R. 2 E.W.M.
Jackson County, Oregon

17186 Hansen, Geo. A. 1874 0.10 4 Irrigation Browns-Little
(Successor to Olive R. Bell) boro Butte
Brownsboro, Ore. Creek
(Proof 1060, 1908 0.08 3 Ch. Pt. of Div.
Vol. 15) Sp. Or Vol. 11 p. 184

4 acres in SE $\frac{1}{2}$ NW $\frac{1}{4}$
Section 5
T. 36 S. R. 1 E.W.M.

3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5,
T. 36 S. R. 1 E.W.M.

Hansen, W. M. 1874 0.30 12.5 Irrigation Browns- Little
(Successor to McNary, D. L. and Banker, Melvin C., successors to E. D. Briggs) boro Butte
(Proof 1139, Vol. 15) Creek
12.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 4,
T. 36 S. R. 1 E.W.M.

17187
46187 a 52986
Hansen, W. M. 1874 0.7 29.5 Irrigation Browns-Little
(Successor to E. D. Colby) boro Butte
Brownsboro, Ore. Creek
(Proof 1073, Vol. 15)
T* 3455 Δ PCD part

16.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 4,
5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 5,
T. 36 S. R. 1 E.W.M.

1908- 0.09 3.7 1
3.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 5
T. 36 S. R. 1 E.W.M.

17188 Successor to John B. Edsall) 1874 0.13 5 Irrigation Browns- Little
(Proof 1079, Vol. 15) boro Butte
Creek
5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 4,
T. 36 S. R. 1 E.W.M.

17189 Hanson, Nels P. 1875 0.25 10 Irrigation Nelson Antelope
(Proof 1147, Vol. 15) & domestic Creek
7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 31,
T. 37 S. R. 2 E.W.M.
3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 6,
T. 38 S. R. 2 E.W.M.

17190 Hoeffft, Charles 1869 0.86 51 Irrigation Hoeffft South
(Proof 1098, Vol. 15) Lake Creek, Ore. & Peck Fork of
Little
Butte
Creek
15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
28 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 33,
T. 36, S. R. 2 E.W.M.

Little Butte Irr. 1908 3.7 184.1
 Co. (Continued):
 (Proof 1103, Vol. 15,
 Cont.)

5.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
 30.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
 0.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 31,
 T. 35 S. R. 1 E.W.M.

4.03 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 6,
 T. 36 S. R. 1 E.W.M.

5.11 Ac
 10.6 Ac

34 184
 34 126

8.41 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
 10.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
 2.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 11.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 14.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 21.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 36,
 T. 35 S. R. 1 W.W.M.

0.46 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 2.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 10.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 35,
 T. 35 S. R. 1 W.W.M.

6.6 acres in ~~NW~~^{NE} $\frac{1}{4}$ SE $\frac{1}{4}$
 4.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 34,
 T. 35 S. R. 1 W.W.M.

0.78 Ac.

Canceled Op. Co. Rec. Vol. 25 P. 467 2 $\frac{1}{2}$ Ac. Trsf. Sp. Or. Pl. 12 p 137

4.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 14.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 2.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
 12.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 3.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 9.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 3,
 T. 36 S. R. 1 W.W.M.

McCallister, John G. Nov. 25, 40
 Lake Creek, Ore. 1906
 (Proof 1111, Vol. 15)

Power
 (60 H.P.)

McCal- North
 lister Fork of
 Saw Mill Little
 Butte
 Creek

McCallister Saw Mill
 in Lot 2, Section 4,
 T. 37 S. R. 3 E.W.M.,
 Jackson County, Ore.
 Water to be returned
 to stream at point of
 use and above all di-
 versions below pre-
 sent point of return.

17195 Messal, W.G. 1882 0.3
 Lake Creek, Ore.
 (Proof 1105,
 Vol. 15)

12 Irrigation

Messal Salt
 Nos. 1 Creek
 & 2

12 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 7,
 T. 36 S. R. 2 E.W.M.

1904 0.15

8 Irrigation

Messal Salt
 No. 3 Creek

8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 8,
 T. 36 S. R. 2 E.W.M.

Meyer, A. 1878 0.88
 Lake Creek, Ore.
 (Proof 1106, Vol. 15)
 H.C. and Audley
 A. Meyer

48 Irrigation

A. Meyer Salt
 Creek

7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 13,
 T. 36 S. R. 1 E.W.M.

21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
 1.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 7,
 6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
 12.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 18,
 T. 36 S. R. 2 E.W.M.

7178	Meyer, H. G. Lake Creek, Ore. (Proof 1107, Vol. 15)	1872	0.40	20	Irrigation	Meyer	Salt Creek	12.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, T. 36 S. R. 2 E.W.M.
7179	Meyers, H.A. & Klingel, C. W., Lake Creek, Ore. (Proof 1108, Vol. 15)	1872	2.00	106.5	Irrigation	Meyer & Little Klingel Butte Creek	20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 28 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 36 S. R. 2 E.W.M.	
7200	Miller, John A. Lake Creek, Ore. (Proof 1109, Vol. 15)	1882	0.41	21	Irrigation	Hutchens	South Fork of Little Butte Creek	8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T. 37 S. R. 2 E.W.M.
	Superseded by Cert. No. _____							
7201	Monia, Edna I. (Successor of Jacob Monia, successor of L. Niedermeyer) Brownsboro, Ore. (Proof 1113, Vol. 15) (H. J. Strahn)	1884	1.00	40	Irrigation	Nieder- myer or Monia	Little Butte Creek	8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, 7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, 4.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9 20.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T. 36 S. R. 1 E.W.M.
	Superseded by 55267 Cert. No. 35085 37371							
7202	Moore, C. R. Lake Creek, Ore. (Proof 1110, Vol. 15)	Feb. 1894	0.39	19	Irrigation	Clagg	South Fork of Little Butte Creek	10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, T. 37 S. R. 3 E.W.M.
	1.00 Power (4 H.P.) Power Claim # 822 Exempt!							NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, T. 37 S. R. 3 E.W.M.
7203	Meyers, D. W., Brownsboro, Ore. (Proof 1112, Vol. 15)	Jan. 1893	0.15	6	Irrigation	Lem. Charley	Little Butte Creek	6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11, T. 36 S. R. 1 E.W.M.
7204	Neil, R. P. Ashland, Ore. (Proofs 1143 & 1144, Vol. 15)	1858	1.50	90	Irrigation	Samuel Grubb	Spencer Creek Dead Indian Creek	11 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 38 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, 2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, 35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 12.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 38 S. R. 3 E.W.M.
	1888	1.30	78					

17205	Nichols, Gus (Successor to Art Nichols) Eagle Point, Ore. Proof 1114, Vol. 15) T# 3417	1870	1.20	70	Irrigation	Nichols Nos. 1 and 2	Salt Creek	31.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 17 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 36 S. R. 2 E.W.M.
17206	Nichols, T. E. Eagle Point, Ore. (Proof 1115, Vol. 15) Deposited by Cert. No. 35083 & 41923	1860	0.10	4	Irrigation	Nichols	Tributary 4 Springs T. 35 S. R. 1 E.W.M. on land	4 acres in Section 30 SW $\frac{1}{4}$ SW $\frac{1}{4}$
17207	Nygren, Gust Lake Creek, Ore. (Proof 1116, Tr. Sp. Or. V. 2, p. 295 Vol. 15)	1874	0.40	20	Irrigation	Nygren	Salt Creek	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 36 S. R. 1 E.W.M.
17208	Obenchain, Mrs. Careless A., Brownsboro, Ore. (Proof 1117, Vol. 15)	Jan. 1870	0.03	0.5	Irrigation	Browns- boro	Little Butte Creek	0.5 acre described as follows: Beginning at NE corner Lot 1 in NE $\frac{1}{4}$ Section 4, T. 36 S. R. 1 E.W.M. thence S. 330 ft.; E. 50 ft.; N. 330 ft.; W. 50 ft. to beginning
17209	Owen, C. E. Ashland, Ore. (Proof 1142, Vol. 15)	1865	1.70	100	Irrigation	Owen	Dead Indian Creek	100 acres in NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T. 38 S. R. 3 E.W.M.
76547 47953 18210	Peck, Gus Lake Creek, Ore (Proof 1118, Vol. 15) T# 3410	1888	0.38	17	Irrigation	Randles & Rags- dale	South Fork of Little Butte Creek	7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, T. 37 S. R. 2 E.W.M.
76175 76176 76177	Peck, R. A. Lake Creek, Ore (Proof 1119, Vol. 15)	1882 1895	0.50 0.14	25 5.5	Irrigation	Tomn & Peck Hoeffft & Peck	South Fork of Little Butte Creek	13 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 36 S. R. 2 E.W.M.
17210	Rader, J. M. Phoenix, Ore. (Proofs 1140 & 1141, Vol. 15)	1898 1908	0.35 0.33	15 14	Irrigation domestic and stock	Rader ditches Nos. 1 and 2	Bybee Gulch trib. of Lost Cr.	15 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 1, T. 38 S. R. 2 E.W.M. 3 acres in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T. 38 S. R. 2 E.W.M.

17213 Medford Irr. Dist. Sept. 14, 1899
 & Rogue River Irr. Dist. (Successor to Rogue River Valley Canal Company, a corporation, Successor to Fish Lake Water Company, a corporation) Medford, Ore.
 (Proof 1082, Vol. 15)

10.5 1470

Irrigation R. Rv. or North & South Forks of Little Butte Creek
 Fish Lake Canal

2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14,
 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15,
 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18,
 3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19,
 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30,
 T. 36 S. R. 1 E.W.M.
 18 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30,
 T. 36 S. R. 2 E.W.M.

(Subject to rights of M. F. Hanley, under terms of stipulation of May 20, 1910. See paragraph 10, page 7, herein)

6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8,
 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9,
 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13
 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16,

25⁰ Ac. Trsf. Sp. Or. Vol. 12 p. 313 ----- 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 9² " " " " " " ----- 25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
 10⁰ " " " " " " ----- 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
 10⁰ " " " " " " ----- 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
 5⁰ " " " " " " ----- 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 20,
 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21,
 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23,

35⁰ Ac. Trsf. Sp. Or. Vol. 12 p. 313 ----- 35 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 40⁰ " " " " " " ----- 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 16⁰ " " " " " " ----- 16 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 16⁰ " " " " " " ----- 16 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 117²⁴ " " " " " " ----- 160 acres in the NW $\frac{1}{4}$
 44⁰ " " " " " " ----- 80 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$
 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29,
 8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30,
 15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32,
 38 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 31 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33,
 T. 36 S. R. 1 W. W.M.

10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
 2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5,
 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6,
 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7,
 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18,
 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19,
 T. 37 S. R. 1 W.W.M.

Medford Irrigation District
and Rogue River Irrigation
District

(Continued)

10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
19 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1,
5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2,
25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
12 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
18 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
17 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11,
10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
27 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 12,
10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 13,
10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 14,
10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 24,
T. 37 S. R. 2 W.W.M.

15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 14,
10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 21,
40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 22,
10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ *SE 4*
10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 24,
10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 25,
40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26,
7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27,
10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 35,
T. 36 S. R. 2 W.W.M.

~~17214~~ ^{superseded by 31727} Seefield, Charles Nov. 0.30 12 Irrigation, Seefield South ^③ * 7.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 35215 Lake Creek, Ore. 1906 domestic fork of 2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 (Proof 1123, Vol. 15) and stock Little Section 10,
 Butte * 2.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Creek Section 11,
 T. 37 S. R. 2 E. W.M.

17215 Sidley, Michael, Jr. 1884 0.75 30 Irrigation Chapman No. Fk. 30 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
 (Successor to Frank Geol, Daley of L. Section 21,
 Geol) or Rechter Butte T. 36 S. R. 2 E.W.M.
 Lake Creek, Ore. (Subject to terms of Court
 (Proof 1067, decree. See Paragraph 16,
 Vol. 15) page 14, herein) Creek

17216 Sidley, Michael, Sr. 1896 0.30 12 Irrigation Rogue South 12 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Lake Creek, Ore. River Fork of Section 30,
 Valley Little T. 36 S. R. 2 E.W.M.
 Canal Butte
 Company Creek
 Canal
 (Subject to agreement with Rogue River Valley
 Canal Company. See Paragraph 15, page 13,
 herein)

17217 Smith, Phebe M. 1865 1.70 100 Irrigation Minnie Dead 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Ashland, Ore. Smith Indian 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 Creek 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 10,
 T. 38 S. R. 3 E.W.M.
 (Proof 1145, Vol. 15)

17218 Spencer, Aden C. 1904 0.90 50 Irrigation Spencer West 11 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 Ashland, Ore. Ditches Branch 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 (Proof 1128, of 9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
 Vol. 15) Dead 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
 Indian 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
 Creek Section 20,
 T. 38 S. R. 3 E.W.M.

48355
~~17217~~ Terrill, Chas. E. 1863 0.86 34.5 Irrigation, Old Little 16 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 Medford, Ore. Henry Butte 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 (Proof 1130, and stock Brown Creek 13 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Vol. 15) 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 10,
 T. 36 S. R. 1 E.W.M.

Superseded by
 Cert. No. 35805
 Tr. Sp. Or. Vol. p. 282
 1890 0.22 8.6
 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 10,
 2.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 11,
 T. 36 S. R. 1 E.W.M.

50905
~~45050~~
 17220 Tonn, L. 1882 0.30 12 Irrigation Tonn & South 2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 Lake Creek, Ore. Peck Fork of 2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 (Proof 1132, Vol. 15) Little 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Butte Section 4,
 Creek T. 37 S. R. 2 E.W.M.

17220 A POD
 T 3910 A POD
 T-7807 A POD
 1904 0.30 12 Irrigation Tonn
 Ch. Pt. of Div. Sp. Or. Vol. 6 p. 44

17221	Tucker, R. E. Brownsboro, Ore. (Proof 1133, Vol. 15)	1875	0.5	21.5	Irrigation	Tucker Little Butte Creek	6 11 4.5	acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.
		1908	0.5	19.5			7.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 36 S. R. 1 E.W.M.	
17222	Tyrrell, J. H. Lake Creek, Ore (Proof 1134, Vol. 15)	1878	0.43	20	Irrigation	Tyrrell Lost Creek	3 17	acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T. 37 S. R. 2 E.W.M.
17223	Ulrich, William Medford, Ore. (Proof 1135, Vol. 15)	1883	0.10	4	Irrigation	Little Little Butte Butte Irr. Co. Creek Ditch Company	4	acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 36 S. R. 1 W.W.M.
17224	Van Winkle, Mrs. L.R. (Successor to Louis J. Hessler) Yamhill, Ore (Proof 1096, Vol. 15)	1902	0.33	13	Irrigation & domestic	Hessler Little Butte Creek	5 8	acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T. 36 S. R. 1 E.W.M.
17225	Walsh, John (Successor to Charles Randles) Lake Creek, Ore. (Proofs 1120 & 1121, Vol. 15)	1885	0.65	34.5	Irrigation	Randles South & Rags- Fork of dale Little Butte Cr.	22.5 12	acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3,
		1887	0.38	17.5	Irrigation, domestic and stock	Randles Lost Creek	12.5 5	acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, T. 37 S. R. 2 E.W.M.
17226	Wilhite, C. E. (Successor to T. L. Farlow) Lake Creek, Ore. (Proof 1080, Vol. 15)	July 1 1907	0.55	27.5	Irrigation and stock	Farlow South Fork	3.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.8 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 37 S. R. 2 E.W.M.	
17227	Wyant, L. H. (Successor to A. H. Thompson) Lake Creek, Ore. (Proof 1131, Vol. 15)	May 12, 1896	0.30	12	Irrigation	Rogue South River Fork of Valley Little Canal Butte Company Creek Canal	12	acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 36 S. R. 2 E.W.M.

(Subject to agreement with Rogue River Valley Canal Co.
See Paragraph 15, page 20, herein.)

superceded by
~~17228~~ Young, Nicholas 1899 1.17 56.2 Irrigation Young Little
~~39591~~ (Heirs of) and Butte
44302 Eagle Point, Ore. Britt Creek
44476
46185 T-3861
47515

T. C. Dugan _____ 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, *ch. 17, p. 400*

Pt. of div. changed for part of these lands Sp. Or. Vol. 9, p. 175 } P. L. Young _____ 4.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, *ch. 17, p. 400*
2.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, *for 4.3 ac. - Sp. Or. Vol. 9, p. 211*
11 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9,
1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9,

ch. 17, p. 400 } Clara Young _____ 8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9,
Sp. Or. Vol. 15, p. 511

Ch in pt. of div. for 8 $\frac{1}{2}$ ac. Sp. Or. Vol. 9, p. 421. Also 4 $\frac{1}{2}$ Ac. Sp. Or. Vol. 10, p. 200. } Nich Young _____ 12.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9,

ch. 17, p. 400 } Mrs. C. Givan _____ 5.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4,
Sp. Or. Vol. 15, p. 511 } Mrs. James Owen _____ 7.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4,

T. 36 S. R. 1 W.W.M.

~~17227~~ Zundel, Golden & Harold (Successors to W. C. Daley) Lake Creek, Ore. (Proof 1078, Vol. 15) 1871 0.90 35.5 Irrigation Daley North 22 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Fork of 25.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Little 35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Butte Section 20, Creek T. 36 S. R. 2 E.W.M. ✓

1886 1.50 47.0

1896 0.30 10 Irrigation Rogue South 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ River Fork of Section 29, Valley Little T. 36 S. R. 2 E.W.M. Canal Butte Company Creek Canal

1908 1.00 59.3 Irrigation Chapman-North 25 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Ceol- Fork of 7.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Daley Little 14.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Rechter)Butte 12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Creek Section 20, T. 36 S. R. 2 E.W.M.

(Subject to terms of Court decree.
See paragraph 16, page 12, herein.)

And the Court having carefully considered all matters submitted herein, including all contests, exceptions, and objections, does hereby DETERMINE AND DECREE the relative rights to the waters of Little Butte Creek and its tributaries to be determined and settled, and the same are HEREBY DECREED to be as above set forth, and all objections, motions, and exceptions to the contrary notwithstanding whether or not specifically mentioned herein are hereby overruled, denied, and dismissed.

Each and every claimant to the waters of said Little Butte Creek and its tributaries who shall have failed heretofore to appear herein and submit proof of his claims to the use of the waters of said stream, or any tributary thereof, is hereby forever barred, and estopped from hereafter asserting or claiming in any way any right or claim to the use of any of said waters under any claim or right to use the same initiated prior to the date of this decree other than under and by virtue of permit duly and regularly issued by the State Engineer of Oregon pursuant to existing laws relative to appropriation and use of the public waters of the State of Oregon;

IT IS FURTHER DECREED that whereas it was heretofore stipulated by and between M. F. Hanley and Raphael Gardener that said Gardener has acquired title to the northwest quarter of the northwest quarter and the southwest quarter of the Northwest quarter of Section 16, Township 36 South, Range 2 East of the Willamette Meridian, and is entitled to a priority as of 1908 to .0166 second feet per acre for his said lands for 65 acres thereof irrigated, through and by diversion from the Hanley-Slinger ditch out of the waste, surplus and runoff of water from the lands above the north Hanley canal.

AND IT IS FURTHER DECREED that the distribution and use of the waters of said stream, and each and every of its tributaries, shall be hereafter in accordance with this decree and such supplemental decree as may be hereafter entered herein in accordance herewith.

AND, WHEREAS, this court, heretofore on October 24, 1947, signed a decree herein which was filed in the above entitled court and matter October 25, 1947, and which decree except for certain amendments, modifications and corrections herein embodied, was and is of identical substance to this decree;

AND, WHEREAS, said original decree provided that the same should remain on file and not be recorded until after the expiration of sixty (60) days from the date thereof, for the purpose of permitting applications to the court for corrections thereof as provided in said original decree;

AND, WHEREAS, said matter has been continued to this time and date for the purpose of making such corrections, modifications and amendments;

AND, WHEREAS, now all required and necessary amendments, modifications and corrections of said original decree have been made and embodied in this decree;

NOW, THEREFORE, in consideration of the law and the premises it is hereby ORDERED, ADJUDGED and DECREED that this decree now be forthwith filed and duly entered of record as the final decree herein in respect to all matters and issues involved, and all rights determined and adjudicated hereby.

DATED this 15th day of AUGUST, A. D., 1949.

(Sgd) W. K. Hanna

Circuit Judge

STATE OF OREGON
County of Jackson

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, and that it is a transcript therefrom, and of the whole of such original as the same appears on file 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 29th day of August, A.D. 1949

G. R. Carter, Clerk

By Nydah Neil, Deputy

STATE OF OREGON
County of Marion

I, CHAS. E. STRICKLIN, State Engineer of Oregon, do hereby certify that the foregoing certified copy of DECREE of the Circuit Court dated August 15, 1949, in the matter of the determination of the relative rights to the use of the waters of Little Butte Creek and its tributaries, a tributary of Rogue River, was received in this office and entered of record herein on this 30th day of August, 1949.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of September, 1949.



CHAS. E. STRICKLIN, State Engineer