

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

BE IT REMEMBERED, That a regular Term of the Circuit Court of the State of Oregon, for the County of Crook, begun and held at the Court House in Prineville, in said County and State, on Monday, the 16th day of October, 1911, the same being the third Monday in said Month and the time fixed by law for holding a regular term of said Court, when were present:

The Hon. W. L. Bradshaw, Judge, Presiding.

Fred W. Wilson, District Attorney

Warren Brown, Clerk.

T. N. Balfour, Sheriff.

WHEREUPON, On Thursday the 26th day of October, 1911, or the Tenth Judicial Day of said Term, among others, the following proceedings were had, to-wit:

IN THE MATTER OF THE DETERMINATION OF)
RIGHTS TO THE USE OF WATERS OF SQUAW)
CREEK, CROOK COUNTY, OREGON, A TRIBU-)
TARY OF THE DESCHUTES RIVER.)

This matter coming on regularly to be heard upon the application of Rachel McCaffery and Frank W. McCaffery for a rehearing herein;

And it appearing to the Court that there was error in said determination and that there are good grounds for a rehearing;

It is ordered by the Court that the first day of the May, 1912 term of this Court, to-wit: Monday, the 6th day of May, 1912, at the circuit court room in Prineville, Oregon, be and the same is hereby fixed by the Court as the time and place for hearing said application, and it is further ordered that the clerk of this court shall, at the expense of the petitioners, forthwith mail written notice of said application to the Board of Control and to every party interested, and state in such notice the time and place when such application will be heard.

Dated this 26th day of Oct., 1911

W. L. Bradshaw,

Judge.

State of Oregon)
County of Crook.) SS.

I, Warren Brown, County Clerk for Crook County, State of Oregon, and ex-officio Clerk of the Circuit Court for said County and State, do hereby certify that the foregoing Order has been by me compared with the original entry and that it is a true and correct copy of said original Order, and of the whole thereof, as the same appears of record in my office and custody.

WITNESS my hand and the seal of this Court this 4th day of December, A. D. 1913.

Warren Brown

County Clerk.

(Seal of the Circuit Court for Crook County)

BE IT REMEMBERED, That at a regular term of the Circuit Court of the State of Oregon, for the County of Crook, begun and held at the Court House, in Prineville, in said County and State, on Monday the 6th day of May A. D. 1912, the same being the First Monday in said month and the time fixed by law for holding a Regular Term of said Court, when were present:

The Hon. W. L. Bradshaw, Judge, Presiding.

Fred W. Wilson, District Attorney.

Warren Brown, Clerk

T. N. Balfour, Sheriff.

WHEN, on Wednesday the 8th day of May A. D. 1912 or the Third Judicial Day of said Term, among others, the following proceedings were had to-wit:

IN THE MATTER OF THE DETERMINATION OF)
THE RIGHTS TO USE THE WATERS OF SQUAW)
CREEK, A TRIBUTARY OF THE DESCHUTES) Application of Rachael McCaffery and F. W. McCaffery for a rehearing.
RIVER, CROOK COUNTY, OREGON.)

Now at this time comes on this cause to be heard on the application of Rachael McCaffery and F. W. McCaffery for a re-hearing, herein, and it appearing to the Court from the evidence submitted that there is good grounds for a re-hearing, that the Board of Control and every person interested in this cause has been duly notified by the Clerk of this Court, according to law, and that no objections have been made or filed against the order of re-hearing being made herein, wherefore,

It is ordered, adjudged and decreed, that a re-hearing be had in this cause, and that J. S. Fox be, and he is hereby, appointed to take and report the testimony herein, and report at the present term of this Court.

IN THE MATTER OF THE DETERMINATION OF THE RIGHT)
TO USE THE WATERS OF SQUAW CREEK, CROOK COUNTY,)
OREGON, A TRIBUTARY OF DESCHUTES RIVER.)

Rachael McCaffery and F. W. McCaffery, application for re-hearing.

Now, at this time comes on this cause to be heard upon the re-hearing of the above entitled cause, and it appearing to this Court that Rachael McCaffery, F. W. McCaffery and John W. Dennis are the owners of the Southwest quarter of section four, township fifteen south of range ten east of the Willamette Meridian in Crook County, Oregon; that the applicants above named initiated their right to the use of the waters of Crook County, Oregon for the purpose of irrigating the land above described in the spring of 1885, and have at all times used due diligence in applying the water to a beneficial use to the present time, and now have 80 acres under irrigation; that it requires two and four tenths feet of water per second of time to irrigate 120 acres for which applicants claim water.

WHEREFORE, it is ordered, adjudged and decreed that the said applicants be, and they are hereby decreed two and four tenths feet of water per second of time, to be applied to and become appurtenant to the land above described from the waters of Squaw Creek, Crook County, Oregon, and it is ordered and decreed that the applicants be and they are hereby granted until May 1, 1913 in which to apply the water to a beneficial use.

W. L. Bradshaw,

Judge.

State of Oregon,)
) ss.
 County of Crook.)

I, Warren Brown, County Clerk for Crook County, State of Oregon, and ex-officio Clerk of the Circuit Court for said County and State, do hereby certify that the foregoing Orders of Journal Entries have been by me compared with the original entries, and that they are true and correct copies of said original Journal Entries, and of the whole thereof, as the same appear in my office and custody.

Witness my hand and the seal of this Court this 4th day of December A. D. 1913.

Warren Brown

County Clerk.

(Seal of the Circuit Court for Crook County)

BE IT REMEMBERED, That at a regular Term of the Circuit Court of the State of Oregon, for the County of Crook, begun and held at the Court House, in Prineville, in said County and State, on Monday the 5th day of May A. D. 1913, the same being the First Monday in said month and the time fixed by law for holding a Regular Term of said Court, when were present:

The Hon. W. L. Bradshaw, Judge, Presiding.

W. A. Bell, District Attorney

Warren Brown, Clerk

Frank Elkins, Sheriff.

When, on Monday the 5th day of May A. D. 1913 or the First Judicial Day of said Term, among others, the following proceedings were had, to-wit:

IN THE MATTER OF THE DETERMINATION OF THE)
 RIGHTS TO THE USE OF THE WATERS OF SQUAW)
 CREEK, CROOK COUNTY, OREGON, A TRIBUTARY)
 OF THE DESCHUTES RIVER.)

F I N A L D E C R E E

It appearing satisfactorily to the Court that Rachael McCaffery, F. W. McCaffery and John W. Dennis, owners of the Southwest quarter ($\frac{1}{4}$) of Section Four (4), Township Fifteen (15) South of Range Ten (10) East of the Willamette Meridian, in Crook County, Oregon, from the affidavits herewith presented of the said John W. Dennis and F. W. McCaffery and in addition thereto, the affidavit of G. H. Brewster, watermaster for the said county and state, have applied to said above described lands two and four tenths feet of water per second of time same being put to a beneficial use as intended by the appropriators thereof in 1885 before the 1st day of May, 1913; as heretofore ordered;

WHEREFORE, IT IS HEREBY ORDERED AND DECREED, That the said Rachael McCaffery, F. W. McCaffery and John W. Dennis be, and they are hereby granted a right, dating from 1885, to the use of two and four tenths feet of water per second of time on 120 acres in the said Southwest quarter ($\frac{1}{4}$) of Section Four (4) in Township Fifteen (15) South of Range Ten (10) East of the Willamette Meridian, in Crook County, Oregon, said right being to the use of the waters of Squaw Creek, a tributary of the Deschutes River and the Board of Control at Salem, Oregon, is hereby instructed and directed to grant to said Rachael McCaffery, F. W. McCaffery and John W. Dennis certificate showing same as provided by law.

W. L. Bradshaw,

Judge.

Handwritten notes:
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State of Oregon,)
) SS.
County of Crook.)

I, Warren Brown, County Clerk for Crook County, State of Oregon, and ex-officio Clerk of the Circuit Court for said County and State, do hereby certify that the foregoing Transcript of Journal Entry has been by me compared with the original entry, and that it is a true and correct copy of said original Journal Entry, and of the whole thereof, as the same appears of record in my office and custody.

WITNESS my hand and the seal of said Court this 4th day of June A. D. 1913

(Seal of the Circuit Court for Crook County)

Warren Brown

Clerk.

State of Oregon,)
) SS.
County of Marion.)

I, M. F. Mers, Secretary of the State Water Board of the State of Oregon, do hereby certify that the foregoing copies of transcripts of Journal Entries were received in the office of the State Water Board, on the 8th day of April, 1914, and entered of record herein on the 8th day of April, 1914.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the State Water Board of the State of Oregon, this 8th day of April, 1914.

M. F. Mers

Secretary of the State Water Board of Oregon.