## BEFORE THE STATE ENGINEER OF OREGON Washington County

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS TO THE USE OF THE WATERS OF TUALATIN RIVER AND ITS TRIBUTARIES, WASHINGTON AND OTHER COUNTIES.

 $\begin{array}{c} \underline{\text{FINDINGS}} \ \ \underline{\text{OF}} \ \ \underline{\text{FACT}} \\ \\ \text{ORDER} \ \ \text{OF} \ \ \underline{\text{DETERMINATION}} \end{array}$ 

Now at this time the above-entitled matter coming on for consideration by the State Engineer, and it appearing that all evidence and testimony have been taken in the above-entitled proceeding, and the State Engineer having carefully considered all such evidence and testimony and the engineering data and information gathered in accordance with law, and being fully advised in the premises, makes and orders to be entered of record in his office the following:

FINDINGS OF FACT AND ORDER OF DETERMINATION

-1-

The watershed of the Tualatin River and its tributaries is a large, oval-shaped basin comprising the greater portion of Washington County and parts of Clackamas, Yamhill, Tillamook, Columbia and Multnomah Counties. It is bounded generally, by the Chehalem Mountains on the South, by the Coast Range on the West, on the North by a ridge of the Coast Range extending to the Columbia River drainage basin and on the East by a range known as the Tualatin Mountains.

Tualatin River, one of the major tributaries of the Willamette River, has its origin on the eastern slope of the Coast Range, within Section 15, T.1S., R.6W., W.M. It flows in a general easterly direction to its confluence with the Willamette River within Section 2, T.3S., R.1E., W.M., just south of the town of Willamette.

Tualatin River is a perennial stream, being fed by precipitation and the run-off from melting snow in the Coast Range and by many springs and spring-fed tributary streams. The principal tributary streams which contribute the major portion of the flow, named in the order of their location below the town of Gaston are, Scoggin Creek, Gales Creek, Dairy Creek, Rock Creek and Fanno Creek.

Below the town of Gaston the stream gradient flattens out and the Tualatin River becomes a meandering stream to approximately the town of Tualatin, some eight river-miles above its confluence with the Willamette River. During annual periods of flood stage many acres of rich farm lands are inundated and considerable damage occurs.

The Tualatin River and all of its principal tributaries are heavily appropriated for irrigation and other uses and during the irrigation season of each year the tributary streams contribute very little to the flow of the main stream.

-2-

That on the 8th day of February, 1927, there was filed in the Office of the State Engineer a petition for the determination of the water rights of Beaverdam Creek, tributary of Tualatin River, signed by eleven water users of said stream; that subsequently three other petitions were filed in the Office of the State Engineer for the determination of the water rights on other tributary streams and on the main stream as follows:

July 29th 1953 - West Dairy Creek, signed by five water users, September 8th 1953 - Dairy Creek, signed by four water users, July 27th 1955 - Tualatin River, signed by Victor Madsen, a water user,

all of said petitions praying that a determination of the relative rights of the various claimants to the use of the waters of said stream systems be made by the State Engineer in accordance with the provisions of the Oregon Water Code, now the Oregon Water Rights Act.

That the State Engineer thereafter fixed a time for the making of the necessary surveys and examinations and the beginning of the taking of such testimony as would enable him to determine the relative rights of the various claimants to the use of the waters of Tualatin River and its tributaries, as provided by law.

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That a notice was prepared by the State Engineer setting forth the date on or about which the State Engineer, or his authorized assistants, would begin the investigations of the flow of water in the Tualatin River and its tributaries, and ditches or other means of diverting water therefrom, and said notice was published in two issues of each of the following named newspapers:

Hillsboro Argus, Hillsboro - Published each Monday and Thursday.

Enterprise-Courier, Oregon City - Published daily except Monday and Saturday.

News Times, Forest Grove - Published each Thursday.

Valley News, Beaverton - Published each Thursday.

East Washington County Tri-City News, Sherwood - Published each Thursday.

That each of said newspapers are of general circulation in their respective localities and that complete coverage of the Tualatin drainage basin was obtained. That said two issues of said newspapers were those of February 16th and 23rd, 1956, the date of the last publication being more than ten days prior to the date fixed for the beginning of the taking of measurements and the making of investigations of said stream system by the State Engineer, as provided by law.

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That the State Engineer did send by registered mail to each person, firm or corporation, owning or being in possession of lands in, or bordering on or having access to said stream or its tributaries, in so far as said claimants and owners and persons in possession could reasonably be ascertained, a notice similar to such published notice, and included therewith an explanatory statement and a blank form upon which the claimant or owner could prepare in writing his notice of intention to file a statement and proof of claim of his right to the use of the waters of said Tualatin River and its tributaries, if any he had.

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That the following named persons, firms or corporations were duly notified of the proceeding by registered mail, as provided by law, of the commencing of the investigations by the State Engineer, or his duly authorized assistants, and were furnished an explanatory statement and pamphlet of information and a form upon which to declare their notice of intention to file a claim to the use of the waters of said Tualatin River and its tributaries:

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A.F. & A.M. Masonic Lodge Hall
Mr. George Aaris
Mr. A. R. Aasland
Gustaf & Lucille P. Abraham
A. H. & Margaret Abts
Minnie & Chas. Ackerson
Mr. J. A. Adair or Mr. Wiley L. Bucker
Clide W. Adams or Ralph H. Hayden

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Route 1 Box 512, Tigard, Oregon Clyde & Maxine A. Adams Route 2 Box 236, Hillsboro, Oregon Mr. G. C. Adams Route 1, Box 9, Cornelius, Oregon Mr. Lester R. Adams Route 3, Hillsboro, Oregon 6120 N.E. 22nd Ave., Portland, Oregon R.L. & Lelia Adams Mr. S. S. Adams Route 1, Forest Grove, Oregon Mr. Warren Adams Mr. Wayne R. Adams Route 1, Box 346, Aloha, Oregon Gales Creek, Oregon Mr. J. J. Adkins Mr. Fred Aebischer Route 3 Box 86, Bay City, Oregon 211 Mariposa Ave., Watsonville, Calif. Route 1, Box 283, Tigard, Oregon 8111 S.W. Fairway Dr., Portland 1, Ore. Charles B. & Kate F. Ahlson James W. & Helen L. Aikman Mr. Paul Ail Box 908, Tigard, Oregon Air King Manufacturing Company 1118 N.W. Front Street, Portland, Oregon Albers Milling Co., Trustee & Beneficiary Warren M. & Minnie W. Albertson Route 2 Box 104, Hillsboro, Oregon 530 Washington St., Beaverton, Oregon Mr. Frank Albino 714 Enright Street, Santa Clara, Calif. Aline Albright or Aline Kaiser 3702 "N" Street, Vancouver, Washington Route 1, Banks, Oregon Alva A. & Bernita A. Albright or Paul Cole Mr. H. L. Albright James V. & Edna Alcorn Carlton, Oregon 3801 S.W. Hamilton St., Portland 1, Ore. Arthur E. & Evelyn A. Alden Route 2 Box 34, Hillsboro, Oregon Mr. John Alexander Route 1 Bcx 158, Forest Grove, Oregon Mr. J. E. Alexander 3101 S.W. 50th Ave., Portland 1, Oregon Route 2, Hillsboro, Oregon William T. & Alice L. Alexander Anna Algesheimer Sweetland Bldg., Portland, Oregon Mr. A. C. Allen Claude C. & Mary E. Allen 2236 N.W. Roosevelt, Portland 10, Oregon Route 1 Box 818, Beaverton, Oregon Mr. Carl J. & D. Allen Mr. C. D. Allen Route 1, Forest Grove, Oregon Elmer & Elizabeth Allen or Olive Jung Route 2 Box 165, Tigard, Oregon George W. & Helen I. Allen 4700 S.W. Dogwood Drive, Oswego, Oregon 672 E. Washington, Hillsboro, Oregon Mr. H. B. Allen 2819 S.E. Stephens St., Portland 15, Oregon L.F. & Bessie S. Allen S. Eugene & Doris M. Allen or Mrs. Glenn Ogilvie 4714 S.W. Shattuck Rd., Portland 19, Ore. % Dave Ediger, Rt.3 Bx.284, Portland, Ore. Mr. Chris Allenbach, Estate Route 3 Box 284, Portland, Oregon % F.R. Griffiths, P.O.Bx. 447, Tillamook, Ore. Mr. Walter Allenback Hilda M. Alley, et al, Mr. Geo. Allison, Jr. Route 3, Sherwood, Oregon Route 1, Box 73, Newberg, Oregon Mr. James Allison 8111 S.E. Bush St., Portland, Oregon 4774 S.W. Julia Street, Portland 19, Oregon Robert L. & Lillian M. Allison Rosa R. & Esther E. Allison 7303 S.W. Bertha Beaverton Hwy., Portland 19, Ore. Mr. Edward Allwen Route 2, Portland 10, Oregon Mr. Eugene Allwen 541 W. 113th St., New York 25, New York Rt. 3, Beaverton, Oregon Edward A. & Janet Ferne Allworth P.E. & Hilda Almquist or Mrs. Ethel Doyle 7707 S.W. Vermont St., Portland 19, Oregon Mr. Lewis R. Altman Box 199, Hillsboro, Oregon Aluminum Company of America Route 2 Box 211, Hillsboro, Oregon Mr. R. E. Alvord 213 S. 4th St., Hillsboro, Oregon Fred & Irene Amacher Ernest & Mona Amburn Route 4 Box 178, Sherwood, Oregon 6006 S.W. Ames Way, Portland 19, Oregon Route 1 Box 393 C, West Linn, Oregon Polly Ames Mr. Thomas C. Ammons or Annice Hardesty Route 2 Box 263, Hillsboro, Oregon Mr. John Amrien Alois & Mary Amstad Route 4 Box 401, Sherwood, Oregon Arnold G. Anderegg 7835 S.W. 37th Ave., Portland 19, Oregon Route 1 Box 124, Sherwood, Oregon Andrew & Harriet C. Anderson Manhatten Beach, Oregon Mr. Arthur Anderson Arthur & Irene Anderson Route 3 Box 264, Portland, Oregon Route 1, Newberg, Oregon Route 1, Gaston, Oregon A.A. & E. R. Anderson A. W. & Myra M. Anderson Route 2 Box 439, Cornelius, Oregon Mr. Bernt Anderson % Freda Anderson, Guardian, Rt. 2, Gaston, Ore. Carl G. & Beverly Jean Anderson Mr. Clarence Anderson Glenwood, Oregon Route 2 Box 45, Hillsboro, Oregon Mr. C. A. Anderson Mr. Conrad E. Anderson Route 2 Box 223, Tigard, Oregon Edwin G. & Patricia Anderson 2710 S.W. Beaverton Hwy., Portland, Oregon 1476 N.E. Summer, Portland 10, Oregon Mr. Enoch Anderson 2606 S.E. Salmon St., Portland 15, Oregon Mr. Elmer A. Anderson Route 4 Box 254, Sherwood, Oregon Mr. Erwin J. Anderson Route 4 Box 9, Sherwood, Oregon Erwin J. & Vivian Anderson

Eugene A. & Lois I. Anderson Gerhart Thomas Anderson Gjeruld & Maria Anderson Mr. G. C. Anderson Henry & Freda Anderson Mr. H. Anderson or Mr. S. B. Gustaff H. F. & Julia Anderson Ida G. Anderson Mr. Isaac Anderson or Mr. Duane Schrock Jennie Anderson John & Minnie Anderson Lawrence C. & Elsie M. Anderson Mr. Louis W. Anderson Mr. L. H. Anderson Nels G. & Lucy G. Anderson Mr. Ralph A. Anderson Mr. Samuel G. Anderson Victor A. & Ruby S. Anderson or J.W. & Gertrude Duncan William B. & Agnes R. Anderson William B. & Gladys B. Anderson Wm. H. & Lydia Anderson Jake G. & Katherine C. Andor Mr. Elbert Andrews L.R. & Grace Andrews Viola Andrews or Viola Lynch Mr. Lester Andross Edwin F. & Jean F. Angell Mr. John C. Anicker Mr. R. R. Anicker Mr. V. L. Anicker Mr. Alfred Anliker Mr. Ben Anliker Mr. W. E. Anliker Herman & Olga Anthony Ray L. & Nellie B. Antrim S. J. & Julia Appleton Archdiocese of Portland Mr. John Arias or Mr. A.W. Csergi Mr. Morris F. Ariss Arlie & Nellie E. Armstrong Mr. Geo. M. Armstrong or Dora Armstrong Mr. Lawrence G. Armeson Charles & Dorothy Arnold Albert H. & Alice Arp J. Guy & Nina K. Arrington Mr. R. K. Arrowsmith or V.S. Johnson Mr. Jerry F. Arthur Mr. Loren F. Arthur Ruth C. Arthur or Mr. Thomas V. Arthur Garland C. & Jean M. Arvin Mr. Elmer Asche H.J. & Gertrude Aschwander Mr. Alfred Ashbaugh Mr. George H. Ashbaugh Dan P. & Barbara Ashton Jerry & Lillian Ashwell Ass'n. Seventh Day Adventists, North Pacific Union Conference Atlas Logging Company Godfrey & Eleanor Atrops Mr. Henry Augskellis Mr. I. M. Avent Mr. Lawrence Avery Mr. John C. Aydelott

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Route 2, Hillsboro, Oregon
Route 1 Box 721, Lake Grove, Oregon Edward & Phoebe Bolma John & Virginia J. Bolma Howard & Violet M. Bolz W.W. & Freda Bonar 31040 N.W. Harnecker Rd., Hillsboro, Ore. 23520 S.W. Francis St., Beaverton, Oregon Mr. Edward F. Bongard Route 2, Newberg, Oregon Route 2 Box M6A, Sherwood, Oregon H.W. & G.M. Bonham Frank W. & G. Burnetta Boone Mr. Donald L. Boots Route 1, Box 205 A, Hillsboro, Oregon Route 4 Box 27, Sherwood, Oregon Route 4 Box 226, Sherwood, Oregon Route 4 Box 30, Sherwood, Oregon Mr. Claus Borchers, or Mr. John M. Burge Mr. George Borchers Peter Borchers Estate 335 S.E. 11th Ave., Portland 14, Oregon Mr. George N. Borich Route 1 Box 593, West Linn, Oregon Route 1 Box 90, Newberg, Oregon Allen Roy & Mabel H. Borland Garrett & Hedwig Borland or Theo. C. Porth Route 1 Box 395, Tigard, Oregon Lenore Borland Route 1 Box 118, Sherwood, Oregon Route 3 Box 226, Oregon City, Oregon Route 4, Hillsboro, Oregon Walter & Loreta Hazel Borland William Borsch or Willis Pyle Mr. Albert Borwick Route 1, Hillsboro, Oregon John & Lena Bose

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Nashville, Oregon
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Route 1, Forest Grove, Oregon

1941 S.W. Canby, Portland, Oregon

Route 1, Banks, Oregon 19055 S.W. Bryant Rd., Oswego, Oregon Route 2 Box 62, Forest Grove, Oregon Route 1, Forest Grove, Oregon 9320 N. Central St., Portland, Oregon Route 1 Box 199, Forest Grove, Oregon Star Route W., Box 87, Tillamook, Oregon Route 2, Cornelius, Oregon Route 4 Box 335, Hillsboro, Oregon 10704 N.W. Leahy Road, Portland 1, Ore. P.O. Box 104, Beaverton, Oregon Route 2, Forest Grove, Oregon Route 1, Cornelius, Oregon Route 3 Box 116, Sherwood, Oregon 9601 S.W. Capitol Hwy., Portland, Oregon 2692 Denney Road., Beaverton, Oregon Route 3 Box 293, Tigard, Oregon % Mrs. Fred Meyer, 253 S.9th, Hillsboro, Ore. Box 547, Joseph, Oregon Route 3, Hillsboro, Oregon Route 3, Hillsboro, Oregon Route 3 Box 85, Sherwood, Oregon Route 2 Box 570, Hillsboro, Oregon 6021 S.W. Scholls Ferry Rd., Portland, Ore. % Roy's Radio Shop, Hillsboro, Oregon Route 1 Box 239 A, Sherwood, Oregon

Route 1 Box 62, Hillsboro, Oregon Route 2 Box 2R H, Bishop, California Route 3 Box 192, Tigard, Oregon Cherry Grove, Oregon % A.H. Kelley, 525 S.W. 14th, Portland, Ore. 4110 N.W. Murray Rd., Beaverton, Ore. 4400 S.E. 74th Ave., Portland 6, Oregon Route 1, Cornelius, Oregon Route 1 Box 220, Newberg, Oregon Route 1 Box 21 A, Gaston, Oregon Route 1 Box 48, Gaston, Oregon % H.E. Brock, Pendleton, Oregon Pendleton, Oregon 426 N.E. 24th, Portland, Oregon 9775 Denney Road, Beaverton, Oregon Bickleton, Washington 2020 S.W. Sunset Blvd., Portland 19, Ore. Tualatin, Oregon Route 1 Box 197, Cornelius, Oregon 1810 Pacific Avenue, Forest Grove, Oregon Route 2 Box 343, Portland 10, Oregon Route 5 Box 211, Hillsboro, Oregon

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Yeon Building, Portland, Oregon Route 1 Box 281, Sherwood, Oregon 3509 N.E. 23rd Ave., Portland, Oregon Route 1, Forest Grove, Oregon Route 1 Box 564, Aloha, Oregon Route 1 Box 280-A, Sherwood, Oregon Route 1 Box 548, West Linn, Oregon Route 1 Box 321-A, Oswego, Oregon 515 3rd Ave., Salt Lake City 3, Utah 4510 S.W. Nevada Ct., Portland 19, Ore. Route 2 Box 889, Beaverton, Oregon Route 1 Box 191, Gaston, Oregon Route 3 Box 677, Portland 1, Oregon 5546 S.W. Bertha Beaverton Hwy., Portland 19, Ore. Mr. Neal W. Bush or Joy Pauline Taggart Frank L. & Minnie  $^{\text{C}}$ . Bushman Martin & Mary Buss George & Orlinda Butcher Mr. Henry Butcher or Lewis Randall Mr. Ralph A. Butcher Chester W. & LaVelle Butler Mr. C. G. Butler Mr. F. B. Butler Mr. George Butler Mr. J. Keith Butler Nelia Butler Orval Glenn & Glena Butler Mr. Peter F. Butler Mr. Thomas L. Butler, Jr. Mr. George H. Butterfield Mr. Allen V. Butts Henry A. & Greta Buuri Mr. Gilbert E. Buxton or Robert Jenne Larry W. & Maxine L. Byer Milton R. Byer, C.W. Lenden or L. Langfeldt Mr. J. E. Byers Lewis P. & Edna S. Byrne

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5630 S.E. Logus Road, Portland 22, Oregon
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Route 1 Box 857, Beaverton, Oregon Route 1, Hillsboro, Oregon 810 S.W. 9th Ave., Portland, Oregon 335 N.E. Ruby Ave., Beaverton, Oregon Route 1 Box 406, West Linn, Oregon 15025 N.W. Springville Rd., Portland 10, Ore. Route 1 Box 432, West Linn, Oregon 2209 7th St., Tillamook, Oregon Route 1, Cornelius, Oregon Route 1 Box 357, West Linn, Oregon

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Route 2, Portland 10, Oregon 3532 N. 77<sup>th</sup> Ave., Portland, Oregon 6149 S.W. Shattuck Rd., Portland 1, Oregon Route 2 Box 61 A, Gaston, Oregon 2227 N.E. Ainsworth, Portland, Oregon 369 S. 3rd St., Hillsboro, Oregon Route 5, Hillsboro, Oregon Newberg, Oregon 2124 S.W. Taylor St., Portland 5, Oregon 5940 N.E. Union Avenue, Portland 11, Oregon 5340 S.W. Hewett Blvd., Portland 1, Oregon Route 1, Banks, Oregon Route 2 Box 348, Tigard, Oregon 6403 S.W. 45th Ave., Portland 19, Oregon 2757 S.W. Moss St., Portland 19, Oregon Route 1, Gaston, Oregon Route 3 Box 120, Newberg, Oregon Route 3, Portland, Oregon Star Route, Forest Grove, Oregon 13123 S.W. Roger Rd., Portland, Oregon 10490 Beaverton Hillsdale Hwy., Beaverton, Ore. Route 2 Box 886, Beaverton, Oregon Route 4 Box 368, Sherwood, Oregon Route 2 Box 301, Forest Grove, Oregon 2209 N.W. Everett St., Portland 10, Ore. Route 2 Box 258 A, Hillsboro, Oregon 2555 S.W. Sunset Blvd., Portland 19, Oregon Route 2, Gaston, Oregon Star Route, Glenwood, Oregon Langley, Washington

5298 S.W. Dosch Rd., Portland 19, Oregon Route 3 Box 494, Hillsboro, Oregon Route 2 Box 2 F, Gaston, Oregon Route 2, Portland Rd., Newberg, Oregon Route 2 Box 307-A, Perris, California 4525 S.W. Lee St., Portland 22, Oregon Route 1, Gaston, Oregon Route 2, Gaston, Oregon Box 215, Forest Grove, Oregon 2330 S.W. 239th Ave., Hillsboro, Oregon 5827 S.W. Dickinson St., Portland 19, Ore. 6660 S.W. Park Hill Dr., Portland 1, Oregon 4915 N.E. Grand Ave., Portland, Oregon 2565 S.W. Farmington Rd., Beaverton, Ore. Route 1 Box 97 M, Lebanon, Oregon 5905 N.E. Sacremento St., Portland 13, Ore. 6260 S.W. Childs Rd., Oswego, Oregon

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Route 3 Box 41, Tigard, Oregon
Route 1 Box 259, Sherwood, Oregon
71 Spring St., Seattle, Washington
1600 S.W. Childs Road, Oswego, Oregon
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421 S.W. 6th Ave., Portland, Oregon Commercial Bank of Hillsboro Commonwealth Inc. 9942 S.W. 25th Ave., Portland 19, Oregon Ernest L. & Nancy C. Conant Bert S. & Gertrude Condart Roger D. & Gwen B. Congdon or A.E. Hammack Route 1 Box 374, West Linn, Oregon Route 2 Box 360, Portland 10, Oregon Arthur & Helen Connell Route 1 Box 81, Hillsboro, Oregon Route 1 Box 80, Hillsboro, Oregon Hulda & Jean Connell Mr. Joseph Connell Route 1, Hillsboro, Oregon 269 S. 4th, Hillsboro, Oregon 2840 S.W. 214th Ave., Aloha, Oregon Mary Connell Mr. J.W. Connells or Rosa B. Connell Clyde R. & Marjorie E. Conner Clyde R. & Marjorie E. Conner or 5609 S.E. Mitchell St., Portland 6, Oregon Phyllis L. Mace 8102 S.W. Capitol Hwy., Portland 19, Oregon Michael Conrady or Fred L. Elliott 6004 S.W. 30th Ave., Portland 1, Oregon Route 2 Box 656, Beaverton, Oregon Mr. William Conroy P. O. Box 667, Corvallis, Oregon Mr. James O. Convill Mr. Morrison A. Conway

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6967 N.E. Alameda, Portland 13, Oregon
3123 N.E. 44th Ave., Portland, Oregon
5533 S.W. Vermont St., Portland, Oregon Route 1, Cornelius, Oregon 1948 S.W. Blanton, Aloha, Oregon Route 1 Box 351, West Linn, Oregon Route 1, Cornelius, Oregon Route 1 Box 430, West Linn, Oregon Star Route, Buxton, Oregon Star Route, Buxton, Oregon Route 1, Scappoose, Oregon Star Route, Buxton, Oregon Star Route, Buxton, Oregon 4402 S.W. Shattuck Rd., Portland 1, Oregon Route 1, Aloha, Oregon Route 1 Box 291, Banks, Oregon Route 1, Cornelius, Oregon Route 1 Box 357, Kennewick, Washington Longview, Washington

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Route 2 Box 71, Portland 9, Oregon
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3049 S.E. 142nd Ave., Portland, Oregon Tigard, Oregon Carlton, Oregon Route 1, Forest Grove, Oregon Route 2 Box 343 A, Forest Grove, Oregon Star Route, Buxton, Oregon Route 2 Box 269, Sherwood, Oregon Route 4 Box 11, Sherwood, Oregon Route 3 Box 80, Sherwood, Oregon Route 1 Box 209, Newberg, Oregon 1200 S.W. 201st Ave., Aloha, Oregon 2520 S.W. Hamilton Court, Portland, Oregon Route 4, Hillsboro, Oregon Route 2 Box 146, Hillsboro, Oregon Route 2, Hillsboro, Oregon Route 4 Box 256, Hillsboro, Oregon 8116 S.W. Cashmur Lane, Portland, Oregon Sherwood, Oregon 203 S.W. Sherman St., Portland 3, Oregon Route 2 Box 1186 A, Beaverton, Oregon Route 4 Box 35, Sherwood, Oregon 1205 S.W. Freeman St., Portland 19, Oregon 644 7th St., Oswego, Oregon Route 1 Box 286, Sherwood, Oregon Route 1 Box 170, Sherwood, Oregon Route 3, Sherwood, Oregon Star Route, Forest Grove, Oregon Route 2 Box 193, Sherwood, Oregon 6531 S.W. Vermont St., Portland 19, Oregon 5830 S.W. Oleson Rd., Portland 19, Oregon 7621 S.W. Vermont, Portland 19, Oregon Route 1, Gaston, Oregon 6242 S.W. 46th Ave., Portland 19, Oregon Route 2, Gaston, Oregon Route 1, Forest Grove, Oregon Route 2 Box 336, Tigard, Oregon Box 122, Cherry Grove, Oregon Route 2 Box 333, Tigard, Oregon Route 1, Gaston, Oregon Route 2, Forest Grove, Oregon 391 Sunset Lane, Cottage Grove, Oregon 6239 S.W. Bertha Beaverton Hwy., Port. 19, Ore. Route 1 Box 232, Hillsboro, Oregon Route 1 Box 215, Beaverton, Oregon 319 E. 6th, Hillsboro, Oregon Route 2 Box 187, Tigard, Oregon 6403 S.W. Oleson Rd., Portland 19, Oregon 4205 N. Court, Portland, Oregon Route 1 Box 127, Sherwood, Oregon 11401 N.E. Sandy Blvd., Portland 20, Oregon Route 1 Box 522, West Linn, Oregon 9704 S.W. 50th Ave., Portland 1, Oregon Route 1, Gaston, Oregon 1101 N.W. Hoyt St., Portland 9, Oregon Oswego, Oregon Route 1 Box 719, Tigard, Oregon Route 5 Box 158, Hillsboro, Oregon Route 5, Hillsboro, Oregon Route 5, Hillsboro, Oregon Route 4 Box 230, Hillsboro, Oregon Route 2 Box 124, Hillsboro, Oregon

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Route 4, Hillsboro, Oregon

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10485 S.W. Canyon Rd., Beaverton, Oregon

2869 S.W. Upper Dr., Portland 21, Oregon

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8303 S.W. Birchwood Rd., Portland 1, Oregon

Route 1 Box 481, West Linn, Oregon

Route 1 Box 28, Aloha, Oregon

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Route 4 Box 210, Sherwood, Oregon
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Mr. Robert T. Purves or Mrs. Carleton N. Barrett

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7821 S.W. Kings St., Portland 19, Oregon Route 4 Box 244, Sherwood, Oregon 6411 S.E. Morrison Ct., Portland 16, Oregon Route 2, Forest Grove, Oregon Route 2, Hillsboro, Oregon Route 4, Hillsboro, Oregon 1520 S.W. Kaiser Lane, Beaverton, Oregon 2943 S.E. Salmon St., Portland, Oregon Route 4 Box 385, Hillsboro, Oregon Route 1 Box 288 A, Banks, Oregon Route 1, Gaston, Oregon Route 2 Box 81, Tigard, Oregon P. O. Box 4, Manning, Oregon Route 5, Hillsboro, Oregon 724 W. Burnside, Portland, Oregon 18450 N.W. West Union Rd., Portland 1, Oregon 2974 S.W. Bennington Dr., Portland 1, Oregon Route 2 Box 232, Hillsboro, Oregon John, Clay & James Putnam or Hunter Helm Schermerhorn Route 3 Box 21, Sherwood, Oregon Edward & Margie Puylaert or Mr. Howard R. Stratton Route 3 Box 1013, Beaverton, Ore. Metzger, Oregon Route 3 Box 327 B, Portland 1, Oregon

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6212 S.W. Scholls Ferry Rd., Portland 19, Ore. 9799 S.W. Brookside Dr., Portland 1, Oregon

-R-

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Mr. William Pyke

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George & Nellie Young
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2000 Denney Rd., Beaverton, Oregon

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6433 S.W. Dickenson St., Portland 19, Ore. Route 3, Sherwood, Oregon Route 2, Hillsboro, Oregon 6529 S.W. 46th Place, Portland 19, Oregon 2005 8th Ave., West Linn, Oregon 6500 N.E. Ainsworth, Portland, Oregon Route 2, McMinnville, Oregon P. O. Box 73, Willamette Sub. Station, West Linn, Oregon Route 3 Box 1006, Beaverton, Oregon 6303 S.W. Hillsdale Ave., Portland 19, Ore. 1903 S.E. 26th Ave., Portland 15, Oregon Route 3, Hillsboro, Oregon Route 1 Box 365, Tigard, Oregon 4517 S.W. 39th Ave., Portland 19, Oregon 8505 S.W. Mayo, Portland 19, Oregon Route 4 Box 200, Sherwood, Oregon Houte 3 Box 285, Sherwood, Oregon 266 W. Main, Hillsboro, Oregon Route 2 Box 402, Forest Grove, Oregon Route 4 Box 360, Hillsboro, Oregon Route 1 Box 139, Hillsboro, Oregon

-Z-

9065 S.W. Rambler Lane, Portland, Oregon Route 1, Gaston, Oregon Route 1, Gaston, Oregon Route 1 Box 787, Tigard, Oregon Route 3 Box 315, Sherwood, Oregon Route 4 Box 506, Astoria, Oregon 8215 S.W. Fairway Dr., Portland 1, Oregon Route 1 Box 92, Newberg, Oregon Route 2, Yamhill, Oregon Route 2, Yamhill, Oregon Route 2, Yamhill, Oregon 1802 S.E. Mulberry Ave., Portland 22, Ore.

Route 1, Forest Grove, Oregon 515 S.E. 71st Ave., Portland 16, Oregon Route 1, Gaston, Oregon 1928 S.É. 43rd Ave., Portland 15, Oregon 4225 N.W. 174th Ave., Portland 1, Oregon Route 1 Box 350, West Linn, Oregon 18810 S.W. Stafford Rd., Oswego, Oregon Route 1 Box 30, Aloha, Oregon 11473 S.W. Riverwood Rd., Portland, Oregon 5631 S.W. Hamilton St., Portland, Oregon Box 266, Forest Grove, Oregon Route 1, Forest Grove, Oregon Route 1 Box 197, Forest Grove, Oregon Route 2 Box 382 A, Portland 10, Oregon Route 2 Box 348 B, Portland 10, Oregon 5161 S.W. Bertha Beaverton Hwy., Portland 19, Ore. Route 1 Box 51, Hillsboro, Oregon Route 1, Gaston, Oregon 831 S.W. Evans St., Portland 1, Oregon Route 1 Box 200, Hillsboro, Oregon 7817 S.W. Elmwood Dr., Portland 16, Oregon 7112 S.W. 60th Ave., Portland 19, Oregon Route 3 Box 463, Tigard, Oregon

That all of said registered notices, addressed as tabulated in the preceding finding, which addresses were secured from the records of the County Assessor and Tax Collector of the County in which the property is located, were apparently delivered to the addressee by the Post Office Department except those hereinafter tabulated, which were returned by the Post Office Department bearing a notation as to the reason for non-delivery as shown by the statement following the name:

Mr. George Aaris Unclaimed S. Eugene & Doris M. Allen or Mrs. Glenn Ogilvie Address Unknown Mr. Eugene Allwen Unclaimed Thomas C. Ammons or Annice Hardesty Unclaimed Mr. Ralph A. Anderson Unclaimed Mr. Elbert Andrews Insufficient address B. F. & Lelia Baker % W. G. Brown Unclaimed Mr. Ralph Barber Deceased Harold G. & Mary A. Barrow Unclaimed, Unknown Clifford & Hazel Beeler Unclaimed Gertrude R. Bellis Unclaimed Martha Bennett Unclaimed Mr. Charles Edward Bernard Unclaimed Jesse E. & Florence E. Blazer Unclaimed, Unknown, insufficient add. Mary E. Blum Unclaimed Mr. Albert Borwick Moved, Left no address Louie Boy Unclaimed Moved, left no address Mr. Gerald L. Brant Mr. A. E. Brettauer Moved to Germany, unable to forward Paul Marvin & Barbara Brown Unclaimed Mr. Walter M. Brown Unclaimed Chas & Clara Brownson Unclaimed Mr. Charles A. Buckmiller Unclaimed Mr. Hackley L. Burton Not called for A. F. & Cora Callaway W. R. Caughran, Jr. Unclaimed Moved, left no address Moved, left no address Vechel & Waivie Childress Mr. Joseph Connell Deceased Mr. Arthur Cooley Unknown Harry L. Cooper Unclaimed Mr. Levi Corbin Deceased Mr. Lloyd J. Couch Moved, left no address Phyllis Etta Criss or Dale D. Bray Unclaimed Mr. Geo. W. Cross Moved, left no address Unclaimed, Unknown H. A. & Thelma C. Crouch Mr. Joseph Cseh Unclaimed, Unknown Olga H. Curtis Unknown Mr. Donald C. Dasher Unknown Mr. Lawrence Davis Unclaimed Mr. William C. Dietz Unclaimed R. Z. & Emille Duke Unclaimed Ida Drake Unclaimed Mr. W. Durst Unclaimed Mr. Joseph M. Edgar Unknown, For better address Martin & Magdalene Ernst Unclaimed Mr. Laurence E. Fallos Moved, left no address Mr. Alvie M. Fielda or Chas. K. Cochran Unclaimed Mr. Edmond Fiene % Fink Unclaimed Mr. Raymond Franske Unclaimed Anna Olson Franson Moved, left no address Mr. Harvey C. Fullerton or Robert D. Mentzer Unclaimed Mr. Perry C. Gabbert Unknown L. L. Ganger Moved, left no address C. O. & Margaret Gibbs Unclaimed Mr. Harold Glover Moved, left no address Mr. H. B. Goechner Unknown Mr. R.W. Graham Moved, left no address Charles L. & Arvene J. Kugler or Mrs. Pearl Dyb Unclaimed Unknown Mr. Wm. Larson, et al Marie Laurent or Gerald William Charlton Unclaimed Harold & Esther Lehman Unknown

Maria Lehman Unknown Harry & Angeline Lichtgarn Unclaimed Minnie F. Ling Unknown Paul F. & Pauline Little Moved, left no address Roy H. & Marguerite M. Lively Unclaimed Mary M. Loomis Moved, left no address Barbara Jean Losli or Roy J. Carter Unknown Unclaimed Josephine M. Lovegren Mr. J. N. Luttrell Unclaimed G. C. & Cora E. Lynch Unclaimed Clifford & Harriet Mac Lean Unknown Mr. Lewis A. Marshall Unclaimed Mr. Raymond F. Melin or Mr. V. C. Minor Moved, left no address Percy & Caroline Miille Moved, left no address Charley P. Miller Unclaimed, Unknown June Miller or Mr. Richard Case Unclaimed James W. Moody Unclaimed Mr. William Moore For better address William & Ethel Moran or Wm. Haggett Moved, left no address Jack P. & Elizabeth O. Morgan Unknown Raymond & Maude Morris Unclaimed Mr. J. G. Murray Unclaimed Mutual Construction Company, Inc. Unclaimed Louise Jane McCurdy Unknown, For better address Mr. Charles Neil Unknown Mr. Clarence D. Nelson Unknown Mr. Robin H. Nelson Deceased Case & Josephine Newhouse Unclaimed Chester A. & Mary E. Nielsen Unknown, For better address Unclaimed, Unknown, For better add. Unclaimed, Deceased Hilda A. Nordback Mr. Alfred Nordgren Unclaimed, Deceased Unclaimed, Unknown Huldur Nordgren Mr. Fred L. Normandin, Jr. David & Mabel A. Oakes For better address Edward H. & Louise O'Deane Unclaimed Mr. W. E. O'Dell Unclaimed Lawrence E. & Florence C. Olpin Unclaimed Moore & Lewis O'Neil Unclaimed Mr. John Wm. Green Unknown Mr. F. H. Greene Deceased Mr. Wilhelm Gutnecht Moved, left no address H. & M. Tree Farm Unknown Mr. Clarence Hagg Moved, left no address Anna Hale Unknown Presley E. Hale Unclaimed Kenneth B. & Frances Hall Unclaimed Watt A. & Beatrice E. Hall Unclaimed Elenor Hamel Unclaimed, Unknown, Insufficient add. Frances N. Hargreaves Moved, left no address D. M. & J. M. Haskin Unknown Mr. Darrell Hayden Unknown Mr. Donald D. C. Hellman Moved, left no address Nellie E. Helmick Unclaimed Deceased, Moved, left no address August W. & Effie E. Henrichs Charles R. & Hazel Fern Herron Unknown, For better address Mr. William Hill Unclaimed Mary B. Holliday Unclaimed Walter H. & Ruth C. Horning Unclaimed Mr. Lee R. Hubbard Unknown Mr. Earl M. Huddleston Unknown Florence Hughes Unknown Mr. John A. Hulit Unclaimed, Unknown, For better add. Mr. William Jackson Unclaimed Vera C. & Durward M. James Unclaimed Mr. Edward M. Jannsen, et al or A.M. Jannsen Moved, left no address Jess Janssen Unclaimed Herman & Jacob Jenne Unknown, Insufficient address Mr. James A. Johnson Unclaimed Lila Johnson Unclaimed Mr. Mervin H. Johnson Unclaimed Mr. W. W. Johnson Moved, left no address Mr. Peter Kammacher Deceased Christ & Elma Kaufman Unclaimed

Mr. Harold W. Kimber Unclaimed Mr. David O. Knowles or Gerald J. Phillips Unclaimed, Unknown Marie Kokick or Mike Kokick Unknown Mr. Harry Parks Deceased George G. & Ella M. Paterson Unknown Mr. J. E. Paul or Mr. Willard M. Durst Unclaimed Straud & Hattie & LaVerne Pemberton Unclaimed Mr. James Penland Deceased Mr. Sam Peters Unclaimed, Unknown, For better add. Mr. Darrel F. Peterson Unclaimed Edward & Elsie Peterson or Frank L. McGuire Refused by McGuire Wayne A. Peterson Unclaimed Jessie B. Phelps Unknown Carroll J. & S. Jean Plato Unclaimed Portland Trust Company Unknown James O. & Autry M. Powell Moved, left no address Raymond V. & Laura J. Prange Unknown Mr. Oscar Raines Moved, left no address Mrs. C. E. Ramsby Deceased Mr. Allin C. Ray Unknown Mr. Arnold S. Raymond Unknown William H. & Cora A. Rhead Unclaimed J.B. Rhue or James O. & Shirley K. Hess Unclaimed Moved, left no address Mr. J. W. Rice Mr. George E. Rogers Moved, left no address Henry D. & Juanita M. Rogers Unclaimed, Unknown Earl M. & Margaret D. Rosebrook Unclaimed Moved, left no address Essie Kowley Anna B. & George B. Runnels or Robt. T.& L.L. Hilton Unclaimed Alvin J. Sandidge, et al % Brookford Sanitary Co. Unknown F. Walter & Ruth M. Schatz, et al Unclaimed, Unknown Mr. W. J. Scheel Mr. Ernest Michael Scheets or John Hostic Unknown Unclaimed Mr. H. W. Schmale Unknown Mr. George J. Schneider Unclaimed Mr. M. E. Schooling Unclaimed A. L. & Emma Schroeder or A. L. Harris Unknown Mr. Carl G. Schwartz Moved, left no address Unclaimed Emily M. Schwoch Daisy E. Scott Unclaimed Margaretha Seidel or Christina Dowdy Unknown Sophia Appert Shoen Unknown Mr. Ervin Smith Unclaimed Wilgus D. Smith or Ronald M. Miller Moved, left no address Mr. Robert H. Solem Unclaimed Mr. Floyd Steward Unclaimed Helene H. Stites Unclaimed Mr. Jacob Stoller or Mr. Floyd I. Lee Unclaimed Mr. C. E. Stout Unclaimed, Deceased Adele Sue Hodges Surbridge Moved, left no address Mr. Wm. Susbauer Deceased Mr. Jerald Swanson, et al Unknown Dorothy L. Thompson Deceased Pearl L. Thyng Deceased Mr. Gustav Tolke Deceased Archie & Pauline Trobough Unclaimed T. W. Troutman LaVern F. & Margaret M. Tupper Unknown Maribell Unger Unclaimed Union Central Life Insurance Co. or L. R. Davis Unclaimed W.P. & Mary Vanderzanden Deceased Mr. Ervin A. VanDyke Unclaimed Jacob & Grace VanLoo Unclaimed Mr. Lester Van Sant Unclaimed, Unknown, Insufficient add. Wm. A. & Petronella Verboort Deceased John & Dora Wanker Deceased Ward W. & Mabel C. Wells Unclaimed Moved, left no address Leslie Whiteman Ralph T. Whitlock Moved, left no address Alice Wilkinson Deceased Ann Williams For better address Richard A. Williams, et al Moved, left no address Shirley Willis or Shirley Cox Unclaimed

John J. Wojcik or Creed V. Brattair Maud Worthington George S. & Helen F. Yost Mr. Albert Zwiener Unknown Deceased Unclaimed Deceased

-7-

That duly qualified assistants to the State Engineer did proceed to make examinations, surveys and measurements of said Tualatin River and its tributaries, and of ditches, canals and other works diverting water therefrom, and surveys of the lands irrigated, and gathered such other data and information as were essential to the proper determination of the relative rights of the parties interested, which observations and measurements were reduced to writing and made a matter of record in his office. And the State Engineer did cause to be prepared a set of maps or plats, showing with substantial accuracy, the location of all streams in the drainage basin, the location of each canal, ditch or other means of conveyance of appropriated water and the points of diversion thereof, and the number of acres of land being irrigated in each legal sub-division, or other character of use of water, prints of said maps or plats being on file and a part of the record herein.

-8-

That as soon as practicable after the examinations and measurements were completed, as described in the preceeding finding, the State Engineer did prepare a notice setting forth a place and time certain when he would begin the taking of statements and proofs of claim as to the relative rights of the various claimants to the use of the waters of said Tualatin River and its tributaries; that said notice was published in two issues of each of the following named newspapers, Hillsboro Argus, printed and published at Hillsboro, Washington County Oregon, and Oregonian, printed and published at Portland, Multnomah County, Oregon.

Said issues of each newspaper being those of November 7th and 14th, 1957, the date of the last publication being at least thirty days prior to the first date fixed for the taking of statements and proofs of claim by the State Engineer.

-9-

That the State Engineer did send by certified mail to each person, firm or corporation who had filed a declaration of intention to file a claim to the use of the waters of Tualatin River and its tributaries in this proceeding, in reponse to the notice described in Finding 4 above, a notice similar to such published notice described in the preceeding finding, setting forth the date when the State Engineer, or his authorized assistants, would receive the statements and proofs of claim of the various claimants to the use of the waters of said stream and its tributaries. That said notice was mailed at least thirty days prior to the date set therein for the receiving of such statements and proofs of claim in each instance. And the State Engineer did include with each of said notices a blank form upon which the claimant or owner could prepare in writing, all the particulars necessary for the determination of his right, under oath; and a pamphlet of information for water users in connection with the preparation of their statements and proofs of claim and with the adjudication of water rights.

That the times and places where the State Engineer, or his duly authorized assistants, did appear and receive the statements and proofs of claim of the various parties, were fixed in said notice as follows:

On Monday and Tuesday, December 16 and 17, 1957, in the Circuit Court Room of the County Court House at Hillsboro, Oregon.

And for a period of twenty days beginning with Wednesday, December 18 and ending with Thursday, January 16, 1958, at the Office of the State Engineer in the State Finance Building, 170 - 12<sup>th</sup> Street, S.E., Salem, Oregon.

That thereafter, it appearing that further time was necessary in which to file said statements and proofs of claim, the State Engineer did, on the 14th day of January, 1958, enter an order directing that the time in which to file said statements and proofs of claim, be extended and continued to include the 31st day of January, 1958.

That thereafter, in response to a request for additional time in which to complete and file a statement and proof of claim, due to a misunderstanding of the expiration date set in the former extension of time, the State Engineer did, on the 31st day of January, 1958, enter an order directing that said time for the filing of statements and proofs of claim, be further extended, and the same thereby was extended and continued to include the 10th day of February, 1958.

-11-

That the following named persons, who had filed their notice of intention to file a statement and proof of claim, were duly notified by certified mail, as provided by law, of the commencing of the taking of statements and proofs of claim of their rights to the use of the waters of said Tualatin River and its tributaries:

-A-

S.S. Adams Charles B. Ahlson James W. Aikman Claude R. Allen Walter Allenbach Lillie M. Allison Lewis R. Altman Anna Amrien Al Amstad Andersen & Hardin Lumber Company Carl J. Andersen Erwin J. Anderson Fred A. Anderson Fred W. Anderson Jack H. Anderson Nels O. Anderson H. J. & Gertrude Aschwanden Godfrey F. Atrops Lawrence L. Avery

6120 N.E. 22nd Ave., Portland, Oregon 211 Mariposa Ave., Watsonville, Calif. Route 1 Box 283, Tigard, Oregon 8930 S.W. Oak, Portland, Oregon 17865 N.W. Springville, Portland, Ore. 8111 S.E. Bush, Portland, Oregon 7707 S.W. Vermont, Portland 19, Oregon Route 2 Box 263, Hillsboro, Oregon Route 4 Box 401, Sherwood, Oregon Box 157, North Plains, Oregon Box 185, Cornelius, Oregon Route 4, Sherwood, Oregon P. O. Box 26, Sherwood, Oregon P. O. Box 26, Sherwood, Oregon Route 2 Box 32 A, Sherwood, Oregon Route 4 Box 237, Sherwood, Oregon Route 4, Sherwood, Oregon Route 4, Sherwood, Oregon Route 4, Sherwood, Oregon Route 3, Sherwood, Oregon

-B-

Mrs. W. H. Bagley
Walter Baird
Aubrey Ross Bake
Minnie Munson Baker
George H. Baldwin
J. R. Bamford
Rosa Barker
E. A. & Virginia Bartlett
George C. Batalgia

Route 1, Forest Grove, Oregon
Buxton, Oregon
Route 1 Box 195, Banks, Oregon
3761 S.E. Kelly, Portland, Oregon
927 E. Baseline, Hillsboro, Oregon
Route 1 Box 327, Forest Grove, Oregon
Route 2 Box 473, Portland 9, Oregon
Route 1 Box 291, Tigard, Oregon
Route 1, Gaston, Oregon

Chas. R. & Louis K. Bateman Walter R. Bateman Harold J. Bates Carl G. Bechen George H. Beeler Ernest A. Behrman George Bellamy H. A. Bendler Ed Hartwell Bergin John W. Bernards Fred J. Bernau Ulrich Berweger John & Gene Biggi Rose Biggi Roy H. Bills J. R. Blake and Burton Lundgren Edwin T. Blatter Cecil and Ruth Blum Francis J. Bohlen Wilbur W. Bonar Bennett B. Booth Bertha Borchers Arthur W. Borland, Sr. Eugenie Bouchet Charles Boyington Frank J. & C.A. Brandaw Richard W. & Ida Bray Frederick Bricley Edwin E. & Erma V. Bringle Ben F. Brooke Derrell E. Brown Violet L. Brown C. B. Buchanan Ralph & Fae Buckley D. D. & Katherine L. Bump Henry W. Burck Lida S. Burke Edwin E. Burkhalter Mable E. Burnett Orval G. Butler

Gales Creek, Oregon Gales Creek, Oregon Route 1, Gaston, Oregon
Route 1 Box 222, Hillsboro, Oregon
Route 1, Gaston, Oregon Route 1 Box 39, Banks, Oregon Route 4 Box 60, Sherwood, Oregon Route 3 Box 290, Hood River, Oregon 24730 S.W. Drake Lane, Beaverton, Ore. Route 1, Cornelius, Oregon Route 4 Box 351, Sherwood, Oregon Route 4 Box 347, Sherwood, Oregon Box 104, Beaverton, Oregon Box 104, Beaverton, Oregon Route 3 Box 490, Hillsboro, Oregon Route 3 Box 150, Sherwood, Oregon 8212 S.W. Barnes Rd., Portland 1, Oregon Route 2 Box 203, Gaston, Oregon Route 4 Box 154, Sherwood, Oregon 10960 N.W. Cornell, Portland, Oregon Route 1 Box 80, Newberg, Oregon Route 4, Sherwood, Oregon Route 1 Box 118, Sherwood, Oregon Box 272, Tualatin, Oregon 430 S.W. Brookwood Ave., Hillsboro, Ore. Route 2 Box 434, Cornelius, Oregon Box 92, Tualatin, Oregon Route 3 Box 85, Sherwood, Oregon Route 1 Box 107-A, Newberg, Oregon Route 1 Box 197, Cornelius, Oregon Box 52, Orenco, Oregon Star Route, Buxton, Oregon Route 2 Box 99, Cornelius, Oregon Route 1 Box 287, Forest Grove, Oregon Box 25, Forest Grove, Oregon Route 4 Box 37, Sherwood, Oregon Wilcox Apts, Newberg, Oregon Route 4 Box 186, Hillsboro, Oregon 3206 N.E. 82nd, Portland, Oregon Route 1 Box 420, West Linn, Oregon

-C-

Hugh Callahan Margueritte Dosch Campbell Carl Camenzind Cammie Canaday Raymond L. Cannon Carlton Rose Nurseries, Inc. Egga & Ed Carothers Leo C. Cashman Raleigh D. Cavens David Cereghino James Cereghino John Cereghino Richard Cereghino A. Christensen Victor Christensen Earl O. Christopherson Paul H. & Anita F. Clark Chas. I. Clayton Frank D. Cohan Frank G. Cole Harry & Retta Cole Marvin A. Collins Mary Alice Connell Lucille E. Conover Arhold M. & Edith L. Conzelmann Floyd D. Cook W.J. & Hazel Cottrell Russell A. Cowan Byrl S. Coyle J. H. Crocker

Route 1, Gaston, Oregon 5298 S.W. Dosch Rd., Portland 19, Ore. Star Route, Forest Grove, Oregon 1901 Portland Rd., Newberg, Oregon Route 1 Box 300, Gaston, Oregon Carlton, Oregon 25895 S.W. Tualatin Hwy., Hillsboro, Ore. Medical Arts Building, Portland, Oregon Route 3 Box 126, Hillsboro, Oregon Route 4, Sherwood, Oregon Route 4 Box 200, Sherwood, Oregon Route 4 Box 7, Sherwood, Oregon Route 4 Box 222, Sherwood, Oregon 12150 S.W. 121st, Tigard, Oregon Route 3 Box N 259, Sherwood, Oregon Route 4 Box 324, Sherwood, Oregon Route 1 Box 98, Cornelius, Oregon 22495 N.W. Quatama Rd., Hillsboro, Ore. Box 8802, Portland 7, Oregon Route 4 Box 206, Sherwood, Oregon Route 4 Box 205, Sherwood, Oregon Route 3 Box 292, Hillsboro, Oregon 269 S. 4th Ave., Hillsboro, Oregon 2038 18th Ave., Forest Grove, Oregon Route 4 Box 443, Sherwood, Oregon 13655 S.W. Butner Rd., Beaverton, Ore. 13335 S.W. Hwy. 217, Tigard, Oregon Route 2 Box 479, Cornelius, Oregon Route 4 Box 78, Sherwood, Oregon Route 1 Box 91, Cornelius, Oregon

Crown Zellerbach Corp.
D.L. Crume
F. Clifton Curl
H. W. Currin

Public Service Bldg., Portland, Ore. Box 33, Glenwood, Oregon Route 2 Box 343, Tigard, Oregon 134 E. Main St., Hillsboro, Oregon

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Lloyd Dailey Thomas C. Darnell Robert E. Day Susie Anna Day Luke & Dulcie DeBoer W. H. Decker Lawrence Delphanche Melvin A. & Thelma Denfeld John G. Densem Carl Dick James W. & Anna E. Dierickx Walter L. Dilley Vahan M. Dinihanian Herman A. Dittman Everett C. Dixon Emil Carl Dober Joe & Alice Dober F. & Elsie Donnelly & Mabel Wright Cora M. Dorland Adraen E. Douglass Vincent K. Douglass Charles Downs Adolph A. Dudonis Ralph E. Dugdale Wesley E. Duncan Everett Dunnette Walter A. Durham, Jr. Emil H. & Anna H. Duyck Est. of Lucy Duyck % Patricia Duyck Monaghan

Route 2 Box 66, Hillsboro, Oregon Route 2 Box 250, Hillsboro, Oregon 4770 S.W. 154th Ave., Beaverton, Oregon 4770 154th Ave., Beaverton, Oregon Route 2 Box 46, Hillsboro, Oregon Route 4 Box 344, Sherwood, Oregon Route 1 Box 49, Cornelius, Oregon Route 2 Box 135, Hillsboro, Oregon 10035 N.W. Wilark, Portland 9, Oregon Route 1 Box 382, Hillsboro, Oregon 27740 W. Baseline Rd., Hillsboro, Oregon Star Route, Forest Grove, Oregon Route 2 Box 26, Beaverton, Oregon Route 4, Sherwood, Oregon Route 4 Box 255, Hillsboro, Oregon Gales Creek, Oregon Star Route, Gales Creek, Oregon Route 3 Box 296, Sherwood, Oregon Route 3 Box 459, Hillsboro, Oregon 6210 N.E. Alton St., Portland 13, Oregon Route 4 Box 143-A, Hillsboro, Oregon Route 1 Box 145, Banks, Oregon Route 4 Box 303, Sherwood, Oregon Star Route, Gales Creek, Oregon Route 1, Banks, Oregon Route 2 Box 238, Cornelius, Oregon 2510 N.E. Alameda, Portland 12, Ore. Route 1 Box 42, Banks, Oregon 330 S.W. Plum, Portland 1, Oregon

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Melville & Jessie Eastham % R.P. C W. J. Edgar E.V. & I.H. Edwards % Roy Harvey Donald C. Edy Emil & Fritz Egger Herman H. Egger Cora B. Ego John B. Ehler Carl L. Elligsen Wilson A. & Corrine V. Ettinger

% R.P. Caulfield, Agent 800 Main, Oregon City, Oregon
1735 S.E. Spokane, Portland 2, Oregon
Gervais, Oregon
Route 3 Box 275, Sherwood, Oregon
Route 4 Box 270, Hillsboro, Oregon
Route 2 Box 64, Hillsboro, Oregon
602 E. Hancock, Newberg, Oregon
Route 2 Box 507, Beaverton, Oregon
Box 13, Canby, Oregon
4020 S.W. 247th, Hillsboro, Oregon

-F-

Frank R. Fanno W. G. Fellows Emma Ferland H. R. Findley Herbert L. Fischer Eva Fishbush Earl E. Fisher Glenn M. Fixsen Max H. Folsom City of Forest Grove Robert F. Forsman Louis H. Forsythe Edna Foster Pearl Foster Carl Fredeen Leonard C. French Fred A. Fritz John W. Fruin Dr. Arthur E. Fry Vesta A. Frydendall Christine Fuhrer

Route 1 Box 225, Beaverton, Oregon
Route 1, Gaston, Oregon
Route 1 Box 46-C, Hillsboro, Oregon
13325 N.W. Thompson Rd., Portland 1, Ore.
Route 3 Box 184, Sherwood, Oregon
Sherwood, Oregon
Box 1, Beaverton, Oregon
Route 1, Newberg, Oregon
Route 1, Newberg, Oregon
City Hall, Forest Grove, Oregon
Route 4 Box 298, Sherwood, Oregon
Route 4 Box 221, West Linn, Oregon
Route 4, Sherwood, Oregon
Box 365, Kodiak, Alaska
Auburn Academy, Auburn, Washington
West 9th, Newberg, Oregon
10 N.W. Third Ave., Portland 9, Oregon
Route 1 Box 32, Gaston, Oregon
4900 S.W. Oleson Rd., Portland, Oregon
Box 10, Manning, Oregon
Route 4 Box 296, Sherwood, Oregon

Arthur Galbreath David O. & Bessie Galbreath Gertie Galbreath John Galbreath Mary Galbreath Lulu C. Gammon Elmo F. Gardner Martin E. Gerdis Bland C. Gibford John W. Gibson John Wm. Givens Lawrence C. Glaske Sidney Gobel Arnold E. Goff Leo Goldsmith S.A. Gotter Stanford Arlin Gotter Earl Newton Grabel Mike Grabovac Charles T. Grace B.D. Graf Daniel & Shirley Graham Arnold C. Grant Charles Monroe Greenwell Guy R. Gregg Joseph S. Grimstad Mrs. Alfred Grunbaum M. E. Guenther E. E. Guerber Len W. Guild

Harry H. Hambach Lewis J. & Violet V. Hamel A. S. Hamilton Darold E. Hamilton Frank Hansen W. A. Hardman Walter Harris William & Fred Harris Laurance Hart Harry J. & Emma J. Hartson Clifford E. Hawkinson Mrs. Minnie Hayden Leslie Haynes William H. Heater Ernest Heesacker W.M. Heesacker, Jr. Mary A. Hefler Alfred S. Heft Martha Heinke Thomas E. Heisler C. B. Henderson George L. Hendricks F. R. Henning & Sons Anthony P. Herb Gerald I. Herb John J. Herinckx F. W. Hering Robert C. Hiatt Phillip Hillecke Peter J. Hillesland Agnes M. Hite Marguerite Hoefler John Hoekstra L. B. Hollenback William Holscher Herman R. & Helen Hornecker Roland H. & Ida M. Hornecker Armond G. Horton

Route 2 Box 117, Sherwood, Oregon Route 4, Sherwood, Oregon Route 4 Box 202, Sherwood, Oregon Route 4 Box 199, Sherwood, Oregon Route 4 Box 199, Sherwood, Oregon 3415 S.W. Alice St., Portland 1, Oregon Route 1 Box 111, Cornelius, Oregon Dilley, Oregon Route 2 Box 129, Gaston, Oregon Route 2, Gaston, Oregon 1934 N.E. 60th Ave., Portland, Oregon Route 1 Box 224, Hillsboro, Oregon Route 1, Banks, Oregon Route 1 Box 278, Forest Grove, Oregon 2155 N.W. Marshall, Portland, Oregon Route 2, Hillsboro, Oregon Route 2 Box 191 B, Hillsboro, Oregon Route 4 Box 168, Hillsboro, Oregon Route 2 Box 784, Beaverton, Oregon 3920 S.W. 96th Ave., Portland 1, Oregon 16400 N.W. Springville Rd., Portland, Ore. Route 1 Box 289, Gaston, Oregon Route 1 Box 124, Sherwood, Oregon Route 3 Box 282, Tigard, Oregon 12410 S.W. Center St., Beaverton, Ore. 13360 S.W. Hwy. 217, Tigard, Oregon 3285 S.W. 78th Ave., Portland, Oregon Route 2 Box 111, Hillsboro, Oregon Route 1 Box 85 E., Hillsboro, Oregon Route 2, Hillsboro, Oregon

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7630 S.W. Durham Rd., Tigard, Oregon Route 2, Beaverton, Oregon Route 4 Box 100, Sherwood, Oregon 18775 S.W. Vista St., Aloha, Oregon Route 1 Box 104, Newberg, Oregon 4065 S.W. 107th Ave., Beaverton, Oregon Route 1 Box 77, Gaston, Oregon Route 1 Box 182, Gaston, Oregon Route 1 Box 198 B, Gaston, Oregon Box 21, Glenwood, Oregon 26015 S.W. Witchhazel, Hillsboro, Oregon Route 2 Box 327, Forest Grove, Oregon Route 1 Box 177, Forest Grove, Oregon Route 4 Box 232, Sherwood, Oregon Route 1 Box 363, Forest Grove, Oregon Route 1 Box 158, Gaston, Oregon 822 J.Q. Adams, Oregon City, Oregon 9845 N. Van Houten, Portland 3, Oregon 2209 N.W. Everett, Portland 10, Oregon Star Pouts, Forest Cross Oregon Star Route, Forest Grove, Oregon Route 4 Box 668, Hillsboro, Oregon Route 1 Box 145, Forest Grove, Oregon Route 3 Box 293, Hillsboro, Oregon Route 2 Box 268, Forest Grove, Oregon Route 2 Box 393, Forest Grove, Oregon Route 1 Box 33, Cornelius, Oregon Route 2 Box 472, Cornelius, Oregon Route 2 Box 151, Hillsboro, Oregon Route 4, Box 170, Hillsboro, Oregon 4841 S.E. 66th Ave., Portland 6, Oregon Route 4, Sherwood, Oregon 20030 Herriman Ave., Saratoga, Calif. Route 1 Box 656, West Linn, Oregon Route 1, Cornelius, Oregon Route 1 Box 235, Forest Grove, Oregon 3125 S.W. River Rd., Hillsboro 4, Ore. Route 1 Box 286, Cornelius, Oregon 4150 S.W. Childs Rd., Oswego, Oregon

Felix Hostynek
George C. Howe
Richard A. & Susan L. Howell
Wallace & Winnie Hoyle
Fay A. Hulit
George Huserick
Charles & Weltha Hutchisen
Lawrence & Gladys Hutchison

Lowell L. Ingles William E. Isenberg

Oliver Jack A. V. Jackson (Jackson Bros.) Joseph F. Jackson Gervase & Margaret Jansen Percy O. Jarrell W. Jeffries Jens P. K. Jensen Donald C. Jesse Harold G. & Oline T. Johnson Jean Marie & M. M. Johnson J. O. Johnson Lulu & Earl L. Johnson Clark L. & Bessie H. Johnston David A. Johnston Zella M. Jones W. H. Joss Jacob Jossi John Jurgens

Jesse N. Kalmbach John F. Kamna Raymond Kauer (Kauer Bros.) Robert R. Kauer, Jr. (Kauer Bros.) Anna Kaufmann Elma Kaufmann Mrs. Elsie Kelley-Ivory E. W. Kelly (Kelly Bros.) Adelbert Kemper Maurice Kemper Edward Kindel Ina King Millard T. King Elaine C. & Ray R. Kinsman C. R. Kirkpatrick Estelle Kistner Glenn F. Koennecke Frank J. Kosmalski J. G. Kraft Peter & Helen Krautscheid Raymond Krueger Clarence D. Kruse Herbert V. Kruse James R. Kuhr Harold N. Kummer G. W. & Mary Kurtz C. H. Kyle

William F. Lacey
Mural A. LaFollett
Delmar T. Lambert
Land Syndicate Ltd.
Bernard J. Larsen
Laurance Lee
G. A. Lemcke

2110 C St., Forest Grove, Oregon
2456 N.W. Johnson St., Portland 10, Ore.
Route 3 Box 295, Sherwood, Oregon
Route 3 Box 125, Hillsboro, Oregon
Route 2 Box 15, Hillsboro, Oregon
Route 2, Cornelius, Oregon
Route 1 Box 278, Cornelius, Oregon
Route 1, Cornelius, Oregon

-I-

Route 1, Banks, Oregon Route 1 Box 296, Cornelius, Oregon

**-**J-

Route 2 Box 299, Forest Grove, Oregon
Route 1 Box 220 A, Forest Grove, Oregon
Route 4, Sherwood, Oregon
Route 2 Box 239, Forest Grove, Oregon
Route 2 Box 376, Cornelius, Oregon
Route 1 Box 352, Hillsboro, Oregon
1535 S.W. Brookwood Ave., Hillsboro, Ore.
Route 2 Box 24, Hillsboro, Oregon
Route 3 Box 430, Hillsboro, Oregon
19975 W. Baseline, Beaverton, Oregon
7801 S.W. Elmwood St., Portland 19, Ore.
Route 2 Box 258, Hillsboro, Oregon
Route 4 Box 51, Sherwood, Oregon
3054 N.E. Dunckley, Portland 12, Ore.
Route 1 Box 430, West Linn, Oregon
Route 3, Hillsboro, Oregon
Route 1 Box 54, Hillsboro, Oregon
Route 4 Box 57, Sherwood, Oregon
Route 4 Box 57, Sherwood, Oregon

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Route 1 Box 179, Forest Grove, Oregon
Route 2 Box 199, Cornelius, Oregon
Route 1 Box 56, Hillsboro, Oregon
Route 1 Box 56, Hillsboro, Oregon
Route 2 Box 246, Hillsboro, Oregon
258 N. 9th St., Hillsboro, Oregon
1126 S.E. Reynolds, Portland 2, Oregon
Route 1 Box 225, Banks, Oregon
Route 1 Box 52, Cornelius, Oregon
Route 2 Box 237, Forest Grove, Oregon
Route 2 Box 237, Forest Grove, Oregon
Route 2 Box 392, Portland 9, Oregon
Route 2 Box 392, Portland 9, Oregon
Route 3 Box 180, Sherwood, Oregon
Route 4 Box 254, Hillsboro, Oregon
Route 2 Box 297, Forest Grove, Oregon
Route 2 Box 297, Forest Grove, Oregon
Route 2 Box 297, Forest Grove, Oregon
Route 2 Box 118, Cornelius, Oregon
Route 2 Box 394, Portland 9, Oregon
Route 1 Box 238, Cornelius, Oregon
Route 1 Box 714, Lake Grove, Oregon
Route 1 Box 715, Lake Grove, Oregon
Route 1 Box 515, West Linn, Oregon
Route 1 Box 284, Gaston, Oregon

-L-

Route 1 Box 52, Sherwood, Oregon
Route 2, Cornelius, Oregon
Route 2 Box 37, Gaston, Oregon
Route 2 Box 195, Hillsboro, Oregon
Star Route, Forest Grove, Oregon
Route 1 Box 102, Sherwood, Oregon
8801 Steilacoom Ave., S.W., Tacoma 99, Wash.

Lamberta Lemcke Edgar F. Leming Frank X. Lenard Franklin J. Lewis Howard J. Lichty Alfred Lilly Fred Lingenfelder Mrs. Emma Lippert Reide W. Lockman & R.A. Holmes David & Helen Loewen David E. Long Victor Lorenz Wilfred G. Lorenz H. S. Loudon Godfred Losli K.T. Louis Clarence L. Lucas Wilburn L. & Vivian G. Lucas David A. & Rose V. Luck % Wm. Neagle George W. & Delia Alice Ludwig Elmer E. Lyda

1711 - 22nd Ave., Forest Grove, Oregon Route 1 Box 107, Cornelius, Oregon Route 1 Box 300, Tigard, Oregon 1909 Cedar St., Forest Grove, Oregon Box 622, Reedsport, Oregon Route 1, Banks, Oregon Route 1 Box 275, West Linn, Oregon Route 2 Box 21, Gaston, Oregon Route 1 Box 52 A, Sherwood, Oregon Route 3 Box 101 C, Sherwood, Oregon Route 1 Box 525, West Linn, Oregon Route 2 Box 444, Cornelius, Oregon 1943 S.W. Montgomery Dr., Portland 1, Ore. Route 3 Box 99 A, Sherwood, Oregon 21000 N.W. Quatama Rd., Beaverton, Ore. Route 2 Box 193, Hillsboro, Oregon Route 3 Box 231, Sherwood, Oregon Route 3 Box 119 X, Hillsboro, Oregon Route 1 Box 188, Cornelius, Oregon Route 3 Box 155, Sherwood, Oregon Gales Creek, Oregon

-M-Mr. Ward MacMaugh Mr. L. D. MacKellar Mr. William J. MacKenzie Mr. R. M. MacTarmahan Mr. Emil H. Maertens Emily E. Frost Maitland Mr. Andrew P. Malinowski Mr. John W. Marsh Mr. Thomas Marshall Mr. Tom T. Marshall Mr. William M. Martin Mr. Chester L. Mason Jeannette C. Mason Mr. S. Roy Matteson Mr. Lewis A. McBeth Mr. Bruce F. McCann Mr. Eugene F. McCornack Ira G. & Birdie O. McCormick Sarah Jane McCormick A. L. McKinley Richard R. McMahon Mr. Ervin E. Mead Mr. John S. Mears James H. & Helen M. Meeker Mr. John W. Meeuwsen Messrs. Albert Meier & Donald Meier August C. & Ada Meifert Mr. Edwin J. Meihoff Odlat R. & Catherine Merrill George L. & Maude A. Merz Alvin & Theresa Meury Anna & Fred Meury Albert H. & Helen M. Meyer Regina Meyer, Admin., Earnest Brelje Estate Mr. Edgar E. Miller Mr. Floyd C. Miller & Mrs. Kathryne B. Miller Mr. Forrest Miller Mr. Howard S. Miller Mrs. Jane Miller Mr. Mark P. Miller Raymond L. & Norabel Miller Mr. M. Arch Milligan Mr. J. LeRoy Mills Mr. Edwin L. Minor Mr. J. H. Miner Mr. John Raymond Minty

Hulda M. Connell & Jean Connell Mohr

Mr. M. P. Montgomery Mr. Ray W. Montgomery

Route 4 Box 233, Hillsboro, Oregon 2300 S.W. Child's Rd., Oswego, Oregon 687 N. Thompson, Portland, Oregon 1515 N.W. Hoyt St., Portland 9, Oregon Route 1 Box 523, West Linn, Oregon Route 1, Forest Grove, Oregon 13130 N.W. Springville Rd., Portland, Ore. Route 3 Box 498, Hillsboro, Oregon Box 236 B, Forest Grove, Oregon Gales Creek, Oregon Forest Hills Golf Course, Cornelius, Ore. Route 1 Box 98, Sherwood, Oregon P. O. Box 790, Tigard, Oregon Route 1 Box 193, Gaston, Oregon Route 2 Box 11 A, Banks, Oregon Manning, Oregon Route 2 Box 540, Hillsboro, Oregon Route 4 Box 234, Hillsboro, Oregon Route 4 Box 202, Sherwood, Oregon Route 1 Box 287, Cornelius, Oregon Star Route, Glenwood, Oregon Star Route, Buxton, Oregon 5200 N.W. Front Ave., Portland, Ore. Route 4 Box 206 A, Hillsboro, Oregon Route 2 Box 441, Cornelius, Oregon Route 2, Beaverton, Oregon Route 4 Box 214, Sherwood, Oregon 22120 N.W. Quatama Rd., Hillsboro 4, Ore. Route 2 Box 271, Hillsboro, Oregon Route 2 Box 268, Sherwood, Oregon Route 1, Forest Grove, Oregon Route 1, Forest Grove, Oregon Route 2 Box 430, Cornelius, Oregon 233 S. 9th Ave., Hillsboro, Oregon Route 3 Box 497, Hillsboro, Oregon Route 1 Box 438, West Linn, Oregon Route 1 Box 222, Forest Grove, Oregon 611 N.E. 31st Ave., Portland, Oregon 7630 S.W. 195th Ave., Beaverton, Oregon 10930 S.W. Walker Rd., Beaverton, Oregon Route 1, Forest Grove, Oregon Route 2 Box 850, Beaverton, Oregon Route 3 Box 289, Hillsboro, Oregon Route 2 Box 357, Forest Grove, Oregon 1402 38th Ave. N., Seattle, Washington Route 2 Box 556, Hillsboro, Oregon Route 1 Box 80, Hillsboro, Oregon Route 1 Box 250, Banks, Oregon

TUALATIN RIVER - Washington Co. Page 83

Route 1, Banks, Oregon

P. O. Box 357, Sherwood, Oregon Mr. Phil B. Moore Mr. Daniel F. Mooter 9110 S.W. Burnham St., Tigard, Oregon Mr. Douglas M. Morilon Route 2 Box 18, Hillsboro, Oregon Route 1, Forest Grove, Oregon Mr. James A. Morrision Route 2 Box 114, Gaston, Oregon Mr. Henry E. Moye Route 2 Box 409, Cornelius, Oregon Mr. Albert H. Muhly Mr. John H. Mulloy Route 4, Hillsboro, Oregon 8085 S.W. Hwy. 217, Beaverton, Oregon Mr. Robert B. Murphy -N-Lee W. & Martha Nail Route 2 Box 186, Gaston, Oregon Mr. Bracey Neal Route 2 Box 209, Hillsboro, Oregon Route 1, Gaston, Oregon Route 1 Box 498, Tigard, Oregon Mr. Andrew Nelson Mr. Reuben K. Nesvold Route 1 Box 176, Cornelius, Oregon A. H. & Edith M. Newton Route 1 Box 101, Newberg, Oregon Mr. F.A. Nichols Estate of James Nicol, James Douglas & Bella S. Nicol & Harvey N. Black, % Harvey N. Black, Trustee 401 Selling Bldg., Port., Ore. 1728 C St., Forest Grove, Oregon Mr. Earl M. Nordgren 314 Birchwood Rd., Hillsboro, Oregon Mr. Manfred Nordgren Route 3 Box 285, Hillsboro, Oregon Route 4 Box 162, Hillsboro, Oregon Mr. Fred A. Northrup Mr. Anton Nussbaumer Mr. Clayton Nyberg Tualatin, Oregon Mr. Louis P. Nyssen 60 S.W. Williams Dr., Beaverton, Oregon -0-Carlton, Oregon Route 4 Box 35, Sherwood, Oregon Claude, Walter, & Noble Oberg Mr. William Oldenburg Route 2 Box 299, Forest Grove, Oregon Route 2 Box 187, Tigard, Oregon Box 72, Gaston, Oregon P. O. Box 505, Oswego, Oregon Walter A. & Mabel Olson Loyola & Julia O'Mara, Heirs, J.R. O'Mara Estate Mr. Walter L. Oppenlander The Oregon Iron & Steel Co. Mr. Marvin Ornduff Route 4 Box 226, Hillsboro, Oregon Route 4 Box 230, Hillsboro, Oregon Route 1 Box 118, Forest Grove, Oregon Winifred O. Ornduff Mr. David H. Otto -P-Route 1 Box 334, Gaston, Oregon Mrs. Bernice Palin Route 1 Box 334, Gaston, Oregon Bernice & Walter Palin Route 1 Box 244 A, Forest Grove, Oregon Mr. Walter Parkin Route 3 Box 306, Hillsboro, Oregon Route 1 Box 181 C, Banks, Oregon Mr. Jacob le Parrish Mr. Evan A. Parry Mr. Wesley Parson Route 2, Forest Grove, Oregon Route 4 Box 245, Hillsboro, Oregon 19580 W. Baseline Rd., Rt.2, Beaverton, Ore. Mr. James H. Patterson Mildred Patterson Route 2, Cornelius, Oregon Mr. Donovan H. Pearson Mrs. Alexander Pesenti 118 Beaverdam Rd., Beaverton, Oregon Route 1, Cornelius, Oregon Route 2 Box 451, Tigard, Oregon L. H. & Nellie Peters Mr. Albert H. Petersen Route 2 Box 429, Portland 9, Oregon Mrs. Matilda Petersen Route 1 Box 362, Tigard, Oregon Box 101, Buxton, Oregon Route 3, Hillsboro, Oregon Mr. S. J. Petersen Mr. C.N. Peterson Mr. Carl O. Peterson Sherwood, Oregon Mr. Ed. F. Peterson Gales Creek, Oregon Mr. Eli L. Petrie Mr. Lloyd A. Petrie Route 2 Box 206, Hillsboro, Oregon Oscar E. & Sophie A. Pfahl Route 2, Cornelius, Oregon Route 1 Box 79, Newberg, Oregon Harry George Piepenbrink Route 1, Banks, Oregon
Route 2 Box 264, Hillsboro, Oregon
Route 2 Box 126, Forest Grove, Oregon Mr. Florian H. Pongratz Mr. Oscar B. Poe Edward Porter Harry B. Buckley, Supt. Bureau of Parks & Recreation - City Hall, Portland 4, Oregon 621 S.W. Alder, Portland, Oregon Route 1 Box 206, Cornelius, Oregon Route 3 Box 189 A, Hillsboro, Oregon Waldemar Seton, Vice Pres., P.G.E. Co. C. A. Powell E. K. Prickett A. G. Proctor Route 2 Box 110, Hillsboro, Oregon

1903 S.E. 26th Ave., Portland 15, Ore. Route 1 Box 288 A, Banks, Oregon

2905 N.E. Tillamook, Portland 12, Oregon

Val A. Provost Louis J. Puncochar

Ethel D. Pyle & Walter A. Durham

Grace & Floyd Raffety Mrs. Jennie Ranes John A. & Mary A. Ranes Melvin J. & Frances B. Ranes Anna Reh Earl H. Reiser William E. Rencehausen Milo Rentenaar Mrs. Eulalia M. Reverman Joe & Theresa C. Richter Francis W. Robb Marvin J. Robb Chester L. Robinson Mary E. Robinson Mrs. Elmont E. Rockwell Allena Rose Le Roy Rose % Sunset Garage Charles A. Ross Elmer Ross A. H. Rossi Joseph Ruchek Otto Ruehle, Jr. William Rufener

Route 1 Box 97, Cornelius, Oregon Box 46, Gales Creek, Oregon Gales Creek, Oregon Box 561, Oakridge, Oregon Route 1, Cornelius, Oregon Route 3 Box 80 A, Sherwood, Oregon Star Route, Buxton, Oregon Route 1, Gaston, Oregon Box 790, Tigard, Oregon Gaston, Oregon Route 2 Box 21, Gaston, Oregon 22525 W. Baseline Rd., Hillsboro, Ore. Route 2 Box 288, Tigard, Oregon Route 1 Box 21, Cornelius, Oregon Route 4 Box 247, Sherwood, Oregon Manning, Oregon Route 2, Cornelius, Oregon Tillamook, Oregon Route 3 Box 231, Hillsboro, Oregon 859 S.W. Farmington Rd., Beaverton, Ore. 11515 S.W. Center St., Beaverton, Oregon 11514 S.W. Pacific Hwy., Port., Ore. Route 1, Banks, Oregon

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Earl Sagert Elise Johnson and/or Mary Sagert Edward H. Sahlfeld Gordon Sahnow Rufie E. Santoro Armold F. Sattler David Saucy, Jr. Benjamin Franklin Schaad Wesley A. Schaad Fred Schaber Louis & Clara Schaber Schaber Bros. Karl Schaefer Carl Schaltenbrand Nora A. & James E. Schenck I. Schlegel (Schlegel Bros.) Lillian Schleiss Erwin Schlichting John U. Schmid Schmidlin Bros, Att'n: George Schmidlin John Schneider Nicholas Schneider Ernest I. Schofield Elmer John Schreiner Duane Schrock Joseph H. Schulte John Schume Henry W. Scott Hiram H. Scott Richard G. Scott J. L. Sedercrist B. L. Sellers Bernard Seus Roy J. Shaw Perry A. & Mazie I. Shearer Myron Sheelar Samuel E. Shimmens Earl E. & Clara Bell Shipley Ray Shook Samuel & Gladys Shorb August J. Sidor Sister Mary Agnetta, Sisters of St. Mary, Inc. Arthur L. Smith Burton L. Smith Elphe K. Smith

Route 1 Box 56, Sherwood, Oregon Route 1 Box 45, Sherwood, Oregon Route 3 Box 621, Hillsboro, Oregon 3rd & Lincoln, Hillsboro, Oregon Route 2 Box 739, Beaverton, Oregon 12040 S.W. Barnes Rd., Portland 1, Ore. Route 2 Box 485, Cornelius, Oregon Box 414, Dayton, Oregon Route 2 Box 333, Newberg, Oregon Route 1 Box 286, West Linn, Oregon Route 1 Box 287, West Linn, Oregon Route 1 Box 132, Sherwood, Oregon Route 1 Box 345, Forest Grove, Oregon Route 3 Box 300, Sherwood, Oregon Route 4 Box 155, Sherwood, Oregon Route 1, Banks, Oregon Route 1 Box 642, West Linn, Oregon Route 4 Box 427, Sherwood, Oregon Route 2 Box 257, Hillsboro, Oregon Route 1 Box 310, Banks, Oregon Route 3, Hillsboro, Oregon 1017 N. Meridian St., Mnted Rt., Newberg, Ore. Glenwood, Oregon Route 1 Box 401, Tigard, Oregon Gales Creek, Oregon
Route 3 Box 283, Tigard, Oregon Route 3 Box 117x, Hillsboro, Oregon Route 1, Gaston, Oregon Route 1 Box 198, Gaston, Oregon Route 4 Box 61, Sherwood, Oregon Route 1, Banks, Oregon
Route 1, Banks, Oregon
Route 3, Hillsboro, Oregon
Route 3 Box 286, Tigard, Oregon Route 2 Box 372, Forest Grove, Oregon Route 1 Box 156, Forest Grove, Oregon 12830 N.W. Laidlaw Rd., Portland 1, Ore. Box 506, Gates, Oregon Route 4 Box 241, Hillsboro, Oregon Box 15, Gales Creek, Oregon Route 1 Box 796, Lake Grove, Oregon 4440 S.W. 148th Ave., Beaverton, Oregon Route 1 Box 216, Banks, Oregon Route 1 Box 309, West Linn, Oregon Route 1 Box 111, Tigard, Oregon

Gordon H. Snyder Howard Wm. Smith Hugh T. & Perry C. Smith Jesse W. Snyder Fred A. Snyder, Est. of, % Vernon C. Strubb Otto L. Solberger Sarah V. Sook Norval Sorensen Southern Pacific Co., L. R. Smith, Supt., Attn. E. Stipe, Pres., Speedy Freeze Lockers & Sales, Inc. 120 N.W. Canyon Rd., Beaverton, Ore. John A. Spiering Louis Spousta Erwin Springer Verm E. Stanley Leonard G. Stark Alex Steele Louis C. Steele Louis C. & Sarah E. Steele E. F. Steinhoff Sard Steudler Stimson Lumber Co. Abe Stoller Melvin E. & Mabel F.Stonebrink C. E. Stretcher Herbert R. Strong W. F. & Stella C. Strong Edward D. Stuckrath Klem & Anna M. Stutzer Besse M. Sullivan Lila C. Sundberg H. W. & Louisa Sundermeier William Susbauer Att'n: Lester Susbauer Frank J. & Freda M. Swantner

Route 2 Box 8, Sherwood, Oregon 14975 S.W. Division St., Beaverton, Ore. Yamhill, Oregon Route 2 Box 208, Hillsboro, Oregon 6639 S.W. Macadam, Portland, Oregon Route 3 Box 439, Hillsboro, Oregon 1105 S.W. 18th Ave., Portland, Oregon Route 4 Box 353, Sherwood, Oregon Union Station, Portland 9, Oregon Route 3 Box 217, Sherwood, Oregon Route 2 Box 138, Hillsboro, Oregon 13565 S.W. Beef-Bend Rd., Tigard, Ore. 22500 N.W. Quatama Rd., Hillsboro, Oregon Route 2 Box 2 G, Gaston, Oregon 5050 S.W. Childs Rd., Oswego, Oregon Route 2 Box 180, Gaston, Oregon Route 2 Box 207, Hillsboro, Oregon 4220 S.W. Greenleaf Dr., Portland 1, Ore. Route 4 Box 418, Sherwood, Oregon 5200 S.W. Dogwood Lane, Portland 19, Ore. Box 68, Forest Grove, Oregon 14325 N.W. Laidlaw Rd., Portland 1, Ore. 4160 S.W. Childs Rd., Oswego, Oregon 20077 S.W. Tualatin Valley Hwy., Aloha, Ore. Route 1 Box 516, West Linn, Oregon Route 1 Box 333, West Linn, Oregon Route 4 Box 271, Hillsboro, Oregon Route 2 Box 488, Cornelius, Oregon Route 1 Box 288, Banks, Oregon Route 1 Box 134, Hillsboro, Oregon Route 1, Gaston, Oregon Route 2 Box 394, Forest Grove, Oregon 5910 S.W. Hamilton, Portland, Oregon

-T-

Henry J. Tate Mrs. Ollie Tatman Harley Taylor Joseph E. Taylor Fred & Annie Tesch Alfred B. Teufel George Teufel Maurice B. Thibert Anna Thompson Curtis C. Tigard E. Burke & Robert S. Tongue David W. Trachsel Attn: M.B. Kobin, V.P. Tualatin Country Club Mrs. Martha E. Tucker Julia Twigg

Route 1 Box 744, West Linn, Oregon Route 2 Box 106, Hillsboro, Oregon Route 2 Box 190, Cornelius, Oregon Route 3 Box 35, Sherwood, Oregon Route 4 Box 210, Hillsboro, Oregon 11414 N.W. Cornell Rd., Portland, Ore. 7307 S.W. Barnes Rd., Portland, Oregon Route 2 Box 375, Cornelius, Oregon Box 251, Tualatin, Oregon Box 950, Tigard, Oregon 328 W. Main, Hillsboro, Oregon 244 S.W. Nevada St., Portland 1, Ore. 444 Pacific Bldg., Portland, Oregon Route 2, Gaston, Oregon Route 2, Gaston, Oregon

Anthony J. Ulsky Paul & Barbara Umland Route 1 Box 352, West Linn, Oregon Route 4 Box 241, Sherwood, Oregon

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Frank Vanaken Vincent Vandecoevering Chas. A. Vandehey
Henry J. Vander Zanden
J. M. Vander Zanden V. J. Van Der Zanden Walter Vander Zanden John A. Van Domelen Howard Van Dyke John W. Van Moock Susie Versteeg Ninya J. Viaene Paul Volpp

1904 21st Ave., Forest Grove, Oregon Route 2 Box 230, Forest Grove, Oregon Route 2 Box 190, Forest Grove, Oregon Banks, Oregon Route 1, Banks, Oregon Route 1 Box 68, Cornelius, Oregon Route 1 Box 50, Hillsboro, Oregon Route 3 Box 515, Hillsboro, Oregon Route 2 Box 191, Cornelius, Oregon Route 3, Hillsboro, Oregon Route 4 Box 113, Newberg, Oregon 1345 S.E. Bidwell, Portland 2, Oregon Route 3 Box 513, Hillsboro, Oregon

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Route 3, Hillsboro, Oregon
Route 3 Box 135, Hillsboro, Oregon
Clarence J. Waibel
Raymond & Beatrice Waibel
Delmar Walgraeve
                                                              Route 4 Box 186, Sherwood, Oregon
                                                              2332 B St., Forest Grove, Oregon
Edith June Walker
                                                              Route 4 Box 186, Sherwood, Oregon
Morris Walgraeve
                                                              1100 Terminal Sales Bldg., Portland 5, Ore.
Howard M. Wall
                                                              Route 2 Box 265, Hillsboro, Oregon
Route 4 Box 143, Hillsboro, Oregon
Route 1 Box 139, Sherwood, Oregon
Charles E. Walters
Fred Walters
Mabel C. Walters
                                                              Route 1 Box 243, Banks, Oregon
R. C. Wambaugh
                                                              Route 3 Box N198, Sherwood, Oregon
Route 4 Box 207, Hillsboro, Oregon
Box 176, Forest Grove, Oregon
Glenn D. Wark
Mr. & Mrs. Amos Watkins
Charles O. & Lona B. Wells
                                                              Route 4 Box 327, Sherwood, Oregon
Route 4 Box 295, Sherwood, Oregon
2722 W. 156th, Gardena, California
E.R. Wells
Fred R. Werre
Bertha Wespecher
Western Oregon Conference Assn. of 7-Day Adventists, Lloyd E. Biggs, Pres.
                                                              605 S.E. 39, Portland, Oregon
Route 4 Box 425, Sherwood, Oregon
31040 Hornecker Rd., Hillsboro, Oregon
Theo J. Wetzel
James W. White, Jr.
                                                              Route 1 Box 236 B, Forest Grove, Oregon
Lester White
                                                              Route 1 Box 244, Banks, Oregon
Route 2 Box 327, Battleground, Washington
Levi J. White
R. A. White
                                                              Manning, Oregon
Whiteman Lumber Co.
Leonard M. Whitmore
                                                              Route 4 Box 229, Hillsboro, Oregon
                                                              9400 S.W. Oak St., Tigard, Oregon
John O. Wick
                                                              Route 1 Box 510, West Linn, Oregon
Gilbert W. Wilcox
                                                              23985 W. Baseline Rd., Hillsboro, Ore.
Ernest Wilfert
                                                               5903 S.E. 14th Ave., Portland, Oregon
Frederick S. Wilhelm
                                                              Route 2 Box 338, Forest Grove, Oregon
E. D. Wilson
                                                              Box 24, Gales Creek, Oregon
W. A. & Alma Wilson
                                                              Box 3, Gales Creek, Oregon
William D. Williams
                                                              801 S.W. 20th Place, Portland 5, Oregon Route 1, Cornelius, Oregon
C. R. Windolph, Windolph Bros. Inv. Co.
Herman Windolph
Julius Winterfield
                                                              Route 2 Box 302, Forest Grove, Oregon
                                                              Route 3 Box 159B, Sherwood, Oregon
Lester & Lucile Winters
                                                              Route 3, Sherwood, Oregon
Mabel L. Winters
                                                              Route 2 Box 485, Portland 9, Oregon Route 1 Box 71, Gaston, Oregon
W. H. & Fern C. Wiseman
Dora M. Withycombe
                                                              618 N. Newlin, Whittier, California
Mrs. Sue Withycombe
George & Edna Woell
                                                              Route 2 Box 177, Gaston, Oregon
                                                              508 E. Main St., Hillsboro, Oregon 10400 N.W. Leahy Rd., Portland, Oregon
Edward B. Wohlschlegel
M. J. Wolfer
D.G. Woollen
                                                              Banks, Oregon
Dale Worley
                                                              1645 S.W. 257 Ave., Hillsboro, Oregon
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-Y-

Fred Yeager, Fred Yeager & Son William R. Young

Route 2 Box 235, Hillsboro, Oregon Route 4 Box 207, Sherwood, Oregon

Route 1 Box 424, West Linn, Oregon

10505 S.W. Denny Rd., Portland, Oregon

-Z-

George Zimmerman Mrs. Paul D. Zinke Alice G. Zivney Edwin Zurbrugg Ernest Zurcher

Nathan O. Wright W. E. Wyttenberg

Route 3 Box 202, Hillsboro, Oregon Route 1 Box 229, Gaston, Oregon Route 1 Box 526, West Linn, Oregon Route 2 Box 514, Portland 9, Oregon Route 1 Box 51, Hillsboro, Oregon

That all of said notices sent by certified mail to the above listed persons, firms or corporations at said addresses, appear to have been delivered by the Post Office Department to the addressee, except those addressed to the following named persons, firms or corporations which were returned to the Office of the State Engineer for the reason as stated following the name:

Lillie M. Allison Cammie Canaday E. V. & I. H. Edwards % Roy Harvey Bland C. Gibford Mr. Felix Hostynek Mr. David A. Johnston Mr. Bernard J. Larsen Mrs. Jane Miller Mr. Louis P. Nyssen Mr. J. L. Sedercrist Mr. Wesley Parson Mr. Julius Winterfield -12-

Deceased Unknown Unclaimed Moved, left no address Unclaimed, Deceased Unclaimed Unclaimed Unclaimed Unclaimed Deceased Unclaimed

Unclaimed

That in response to said notice to file statements and proofs of claim, the following named persons, firms or corporations did submit to the State Engineer statements of their claims:

Anderson, Erwin J. & Vivian Anderson, Nels O. & Eleanor Aschwanden, Herman J. & Gertrude Atrops, Godfrey F.

Bake, Aubrey Ross Bamford, J.R. Bateman, Louis K. Bateman, Charles R. Blatter, Edwin T. & Margaret L. Borchers, Bertha Borland, A. W., Sr. Brickley, Fred

Brooke, Ben F. Brown, Blaine & Vera & Hayes, Edna L.& U.S. National Bank of Portland

Buckley, Ralph & Fae

Cereghino, David & Gerda Cereghino, John & Gladys Cereghino, John & Gladys, James & Christina Cereghino Rt. 4, Sherwood, Oregon Cereghino, Richard Christensen Bros. Clayton, Charles I.

Cole, Frank G. & Neva B. Cole, Harry & Retta

Collins, Marvin & Merle Margaret Conzelman, Arnold & Edith

Darnell, Thomas C. & Freda M. Dittman, Herman A.

Donnelly, Frances, Elsie & Wright, Mabel Dosch, Mary L., Estate of Margaret Dosch Campbell, Trustee.

Dorland, Clay & Cora Douglas, Adraen Erwin Dudonis, Adolph A. & Agnes M.

Edgar, W. J.

Dugdale, Ralph E.

Fanno, Frank R. Findley, H. R. & Ida S. Fischbush, Chester City of Forest Grove, M.O. Gardner, Manager Forsman, Robert F. Freudenthal, Edward H.

Galbreath, Arthur Galbreath, Don & Bessie Galbreath, Mary Galbreath, Mary, John & Edwin Griggs, Forrest B. & Vera J. Guenther, M. E. Guerber, Elmer E.

Route 4 Box 85, Sherwood, Oregon Route 4 Box 237, Sherwood, Oregon Route 4 Box 193, Sherwood, Oregon Box 35, Sherwood, Oregon

Route 1 Box 195, Banks, Oregon Route 1 Box 327, Forest Grove, Oregon 781 Menlo Drive, Salem, Oregon Gales Creek, Oregon 8212 S.W. Barnes Rd., Portland 1, Ore. Route 4, Sherwood, Oregon Route 1 Box 118, Sherwood, Oregon Route 3 Box 85, Sherwood, Oregon Route 1 Box 197, Cornelius, Oregon

Portland, Oregon Route 1 Box 287, Forest Grove, Oregon

Route 4, Sherwood, Oregon Route 4, Sherwood, Oregon Route 4 Box 222, Sherwood, Oregon Route 4 Box 280, Hillsboro, Oregon 22495 N.W. Quatama Rd., Hillsboro, Oregon Route 4 Box 206, Sherwood, Oregon Route 4, Sherwood, Oregon Route 3 Box 292, Hillsboro, Oregon Route 4, Sherwood, Oregon

Route 2 Box 250, Hillsboro, Oregon Route 4 Box 32, Sherwood, Oregon Route 3, Box 296, Sherwood, Oregon

5298 S.W. Dosch Rd., Portland 19, Oregon Route 3 Box 459, Hillsboro, Oregon 6210 N.E. Alton St., Portland 13, Ore. Route 4 Box 303, Sherwood, Oregon Star Route, Gales Creek, Oregon

1735 S.E. Spokane St., Portland, Oregon

8385 S.W. Hwy. 217, Beaverton, Oregon 13325 N.W. Thompson Rd., Portland 1, Ore. Route 4 Box 39, Sherwood, Oregon Forest Grove, Oregon Route 4 Box 298, Sherwood, Oregon 1780 S.W. River Rd., Hillsboro, Oregon

Route 4, Sherwood, Oregon Route 4, Sherwood, Oregon Route 4, Sherwood, Oregon Route 4, Sherwood, Oregon Cornelius, Oregon Route 2 Box 111, Hillsboro, Oregon Box 85-E, Hillsboro, Oregon

Guild, Len W. by Stanley I. Guild Route 2, Hillsboro, Oregon Hansen, Frank, et al Hayden, Minnie Haynes, Gertie A. Route 1 Box 100, Newberg, Oregon Route 2 Box 327, Forest Grove, Oregon Sherwood, Oregon Route 4 Box 232, Sherwood, Oregon Route 1 Box 31, Sherwood, Oregon Heater, William H. Heinke, Martha Hutchison, Charles & Wealtha Route 1, Cornelius, Oregon Route 1, Banks, Oregon Route 1 Box 296, Cornelius, Oregon Ingles, Lowell L. Isenberg, Wm. E. 1226 S.E. Reynolds, Portland 2, Oregon Ivory, Elsie Kelley Johnston, Clark L. & Bessie H. Route 4 Box 33, Sherwood, Oregon Joos, W. H. 152 N. 10th St., Hillsboro, Oregon Route 3 Box 180, Sherwood, Oregon Route 1 Box 238, Cornelius, Oregon Route 1 Box 714, Lake Grove, Oregon Route 1 Box 715, Lake Grove, Oregon Kirkpatrick, George A. Krautscheid, Peter & Helen Kruse, Clarence D. Kruse, Herbert V. 1909 Cedar St., Forest Grove, Oregon Route 2 Box 444, Cornelius, Oregon Route 3 Box 155, Sherwood, Oregon Lewis, F. J. Lorenz, Victor Ludwig, George W. & Delia Alice Gales Creek, Oregon Lyda, Elmer E. Marshall, Tom, Frances, Everett & Clara Gales Creek, Oregon Route 4 Box 202, Sherwood, Oregon McCormick, Sarah Jane & O. E. Meeker, James Route 4 Box 206-A, Hillsboro, Oregon Route 2 Box 268, Sherwood, Oregon Merz, George L. & Maude A. Miller, Raymond L. & Norabel Route 1 Box 229-E, Forest Grove, Oregon Route 2 Box 409, Cornelius, Oregon Route 4 Box 201, Hillsboro, Oregon Muhly, Albert H. Mulloy, John W. Nicol, James Estate, by H.N. Black & J. Douglas Nicol, Trustees 6200 S.W. Nicol Rd., Portland 19, Ore. Northrup, Fred A. Route 3 Box 285, Hillsboro, Oregon Nyberg, Clayton Tualatin, Oregon O'Mara, Loyola F. & Julia R. O'Mara, Loyola F. & Julia R.
Oregon Iron & Steel Co., Paul F. Murphy, Pres.-Oswego, Oregon
Route 4 Box 236-A, Hillsboro, Oregon 8825 S.W. O'Mara St., Tigard, Oregon Route 4 Box 230, Hillsboro, Oregon Ornduff, Winifred Parkin, Walter Route 1 Box 244-A, Forest Grove, Oregon Parrish, Jacob C. Route 3 Box 306, Hillsboro, Oregon Route 2, Cornelius, Oregon Route 2, Hillsboro, Oregon Pearson, Donovan H. or Clara F. Putnam, W.T. & Sons Reiser, Earl H. & Genevieve P. Route 3 Box 88, Sherwood, Oregon Rucek, Joseph 11515 S.W. Center St., Beaverton, Ore. Rueter, Gertrude, et al Star Route, Forest Grove, Oregon Sagert, Mary & Elsie Johnson Route 1 Box 45, Sherwood, Oregon Box 414, Dayton, Oregon
Route 1 Box 132, Sherwood, Oregon
Route 3 Box 117-X, Hillsboro, Oregon Schaad, Benjamin F. Schaber, Carl & William Schume, John Route 1 Box 193, Banks, Oregon Route 1 Box 156, Forest Grove, Oregon Sellers, B. L. Sheelar, Myron and Lillian Route 1, Banks, Oregon 14725 S.W. 72nd St., Tigard, Oregon Smith, Arthur L. & Sophie Smith, Elphe K. Snyder, Gordon H. & Mildred Route 2 Box 8, Sherwood, Oregon Route 2 Box 208, Hillsboro, Oregon Route 2 Box 138, Hillsboro, Oregon Snyder, Jesse W. & Shirley Ann Spiering, John Route 4 Box 499, Sherwood, Oregon Stark, Harold B. & Sylvia Tate, Henry J. Route 1 Box 744, West Linn, Oregon Tatman, Mrs. Ollie Route 2, Hillsboro, Oregon Route 3 Box 35, Sherwood, Oregon Taylor, Joseph E.

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Route 4 Box 210, Hillsboro, Oregon

Route 1 Box 68, Cornelius, Oregon

1904 - 21st St., Forest Grove, Oregon

Tesch, Fred & Annie

Van Derzanden, V. J.

Vanaken, Frank

Viaene, Ninya J.

Walgraeve, Delmar Walgraeve, Morris & Jane Wall, Howard M. Wark, Glenn D. Werre, Frederick R., Gottlieb & Daniel Western Oregon Conf. Seventh-Day Adventists, by Lloyd E. Biggs, President White, Lester Whiteman Lbr. Co. by John H. Haston, Atty. in Fact - Manning, Oregon Williams, Wm. D. & Viola V. Gales Cr., Oregon Windolph, Carl R. Winters, Mabel L. Withycombe, Sue
By: Thos E. Whithycombe

Young, William R. & Mary

Woell, George & Edna Wohlschlegel, Ed B. Wright, Nathan O.

Zurbrugg, Edwin

Woell, George

1345 S.E. Bidwell, Portland 2, Ore.

Route 4, Sherwood, Oregon Route 4 Box 186, Sherwood, Oregon Terminal Sales Bldg., Portland 5, Ore. Route 3 Box N-198, Sherwood, Oregon Route 4 Box 295, Sherwood, Oregon

609 S.E. 39th, Portland, Oregon Route 1 Box 236-B, Forest Grove, Oregon Walker Road, Beaverton, Oregon Route 3 Box 156, Sherwood, Oregon 618 N. Newlin St., Whittier, Calif. 334 N.W. 22nd Ave., Portland 5, Oregon Route 2, Gaston, Oregon Route 2, Gaston, Oregon 508 E. Main St., Hillsboro, Oregon Route 1 Box 424, West Linn, Oregon

Route 4 Box 207, Sherwood, Oregon

Route 2 Box 514, Portland 9, Oregon

That all of said claimants submitted statements and proofs of claim which were in ample form and were accompanied by the statutory fees and were filed by the State Engineer.

That in addition to the above tabulated claimants, the following persons submitted statements and proofs of claim which were not filed by the State Engineer for the reason stated following the name and address of claimant:

Duncan, Wesley E. Grace, Charles T.

Rt.1 Box 240, Banks, Oregon Rt.4 Box 290, Sherwood, Ore. Statutory fees not paid. Statutory fees not paid, claim submitted through misunderstanding.

Heesacker, L.J.

Rt.1 Box 355, Forest Grove, Ore. Portland General Electric Co. 621 S.W. Alder St., Portland 5, Ore. Claim to waters of

Statutory fees not paid. Willamette River not

Route 2, Cornelius, Oregon Saucy, David, Jr. Wilhelm, Frederick S. & Wilma C. 5903 S.E. 14th Ave., Port.2, Ore. Statutory fees not paid

involved in this proceeding. Statutory fees not paid. and claimant decided not to file.

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That all persons, firms or corporations to whom notices were sent by registered or certified mail, as tabulated under Findings 5 and 11 above, except those listed under Finding 6, and who have failed, neglected or refused to appear herein and submit proof of a right or claim to the use of the waters of Tualatin River and its tributaries, initiated prior to the adoption of the Oregon Water Code on February 24, 1909, now the Oregon Water Rights Act, if any they have or claim, are in default; such default is here and now entered against them, and each of them, and such parties are hereby enjoined and inhibited from using or asserting any rights to the use of the waters of said Tualatin River or any tributary thereof included in this proceeding, except by, through or under the rights of persons whose water rights are defined herein, or under and by virtue of permits issued by the State Engineer, as provided by law.

\_14\_

That after the completion of the taking of such statements and proofs of claim, the State Engineer did, on the 26th day of February 1958, give notice by certified mail to each of the various claimants to the use of the waters of said Tualatin River and its tributaries, as provided by law, that at the times and places named in said notice, to wit:

On Tuesday and Wednesday, March 11 and 12, 1958, in the County Court House at Hillsboro, Oregon.

And for a period of ten days, beginning with Thursday, March 13, 1958, and ending with Wednesday, March 26, 1958, (Saturdays and Sundays excepted) at the Office of the State Engineer, 251 State Finance Building, Salem, Oregon.

the statements and proofs of claim theretofore filed would be open to public inspection between the hours of 8:00 o'clock A.M. and 12:00 M. and from 1:00 o'clock P.M. to 5:00 o'clock P.M. on each of said days. That said notice did state therein the county in which the determination of the State Engineer would be heard by the Circuit Court of the State of Oregon, to wit: the County of Washington.

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That the State Engineer did, in accordance with said notice as described in the preceeding Finding No. 14, keep said statements and proofs of claim open to public inspection at said times and places.

-16-

That the time set by law for the filing of statements of contest, within fifteen days after the expiration of the period for public inspection, would expire on April 10, 1958, and it appearing that additional time was required by certain parties to properly prepare and file their statements of contest, the State Engineer did, on the 7th day of April, 1958, enter an order directing that the time within which to file statements of contest, be extended, as provided by law, and the same thereby was extended and continued to include the 30th day of April, 1958. That within the time therefore, as extended by order of the State Engineer, the following Contests were initiated by the filing with the State Engineer of notices of Contest, in writing:

> CONTEST NO. 1 Blaine Brown, et al Contestants.

> > vs.

Oregon Iron & Steel Company

Contestee. a Corporation

CONTEST NO. 2 Clayton Nyberg, et al Contestants.

vs.

Oregon Iron & Steel Company

a Corporation

Contestee.

CONTEST NO. 3 David Cereghino, et al Contestants.

vs.

Oregon Iron & Steel Company a Corporation Contestee.

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That after the filing of said statements of contest the State Engineer did fix a time and place for the hearing of each of said contests, and did, on the 15th day of October 1958, serve notice of said contests, by certified mail, on each of the parties to said contests and on their respective counsel, the date fixed for the hearing being more than thirty days and less than sixty days from the date the notice of said hearing was served on said parties and their counsel.

That the date and time and place set for said hearing was defined in said notice as: Monday, December 8th, 1958 at the hour of 9:00 o'clock A.M., in the County Court House at Hillsboro, Oregon. That prior to the time set for said hearing, a conflict in trial schedule developed and upon request of counsel for one of contestants, the State Engineer, upon agreement of counsel for contestants and contestee, rescheduled said hearing for

Tuesday and Wednesday, January 6th and 7th, 1959 at the County Court House in Hillsboro, Oregon.

That upon the date and at the time and place fixed, as rescheduled, to wit: Tuesday, January 6th, 1959, at the hour of 9:30 o'clock A.M., in the County Court House at Hillsboro, Oregon, the hearing of the contests was commenced before the State Engineer, and his authorized assistant, and was continued through Wednesday, January 7th, 1959, whereupon, by agreement of counsel for contestants and contestee, the hearing was adjourned until a later date.

That thereafter the State Engineer did set a date for resuming said hearing and did prepare and mail a notice to all parties concerned, of the time set, being Wednesday, April 29th, 1959, at the hour of 9:30 o'clock A.M., in the County Court House at Hillsboro, Oregon.

That the State Engineer did appear at said time and place and did resume said hearing on contests and continued until each of said contests was disposed of.

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That due proof of the sending of the various notices by registered and certified mail, as provided by law, and as hereinbefore set forth, has been made and filed as a part of the record herein.

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That each of said contests filed were directed against the Statement and Proof of Claim filed by the Oregon Iron & Steel Company. By agreement of counsel for Contestants and Contestee, it was stipulated that the three contests should be combined and heard as one and that any evidence and testimony adduced on behalf of one contest should be used, where applicable, on behalf of the other contests.

Contestee Oregon Iron & Steel Company, a corporation, by Paul F. Murphy, its President, filed herein Statement and Proof of Claim No. 86, asserting a right to the use of 91.5 cubic feet per second of the waters of Tualatin River by diversion through the Oswego Canal into Oswego Lake, for the development of 934 theoretical horse-power for the generation of electrical energy, and storage during periods of non-operation of its power plant at Oswego, Oregon, with a date of priority of 1878.

To said Statement and Proof of Claim No. 86, Blaine Brown and Vera A. Brown, husband and wife; Edna L. Hayes, individually and Edna L. Hayes and The United States National Bank of Portland, Oregon, Trustees, filed herein Statement of Contest No. 1, being represented by Mr. Carrell F. Bradley of the firm of Bush and Bradley, Attorneys at Law, Hillsboro, Oregon. The pertinent part of the issues set forth therein are as follows:

- A.- The amount of water actually appropriated for any beneficial use by contestee prior to 1909 was much less than the amount claimed in this proceeding, the exact amount being at this time unknown to the contestants.
- B.- The use of storage during non operating periods of the power plant is not a beneficial use within the meaning of the Water Act of 1909 now ORS 539.010 et. seq.
- C.- The contestee did not actually apply for beneficial use, prior to February 24, 1909, or at any other time, the amount of water claimed by it in this proceeding.
- D.- If, in fact, any water was applied to beneficial use prior to 1909, the contestee has abandoned the same for a continuous period of more than two years and has thereby abandoned its right (if any right ever existed) to the same.

To said statement and Proof of Claim No. 86, ninety-nine water users, represented by Clayton Nyberg, one of said water users and agent for the others, filed herein Statement of Contest No. 2, represented by Mr. Carrell F. Bradley of the firm of Bush and Bradley, Attorneys at Law, Hillsboro, Oregon, as counsel. The pertinent part of the issues set forth

therein are, in addition to those set forth in Statement of Contest No. 1, above, as follows:

- E.- If, in fact, the contestee had a perfected and developed water right, it did abandon the same for a continuous period of more than five (5) successive years within the meaning of ORS 540.610.
- F.- If, in fact, the contestee had a water right on the Tualatin River, it has been lost by the open, notorious, adverse, and continuous use of the water by upper users in opposition to the claim of the Oregon Iron and Steel Company and said right has been lost by and through said prescription.

To said Statement and Proof of Claim No. 86, forty-five water users, represented by David Cereghino, one of said water users and agent for the others, filed herein Statement of Contest No. 3, being represented by Mr. Frederick A. Anderson, Attorney at Law, Tigard, Oregon, as counsel.

The pertinent part of the issues set forth therein are as follows:

- 1.- That Contestee lays claim to 91.5 c.f.s. of the waters of the Tualatin River, whereas in truth and in fact the amount of water, if any, appropriated by contestee for beneficial use prior to 1909 was limited by the flow of the Tualatin River and the amounts thereof diverted by or applied to beneficial use on up-stream riparian lands, including lands of the contestants.
- 2.- That the contestee, if at any time obtained a vested right to any waters of the Tualatin River by applying same to beneficial use prior to February 24, 1909, abandoned such right in whole or in part by non-use for a continuous period of more than five (5) successive years within the meaning of Section 540.610, Oregon Revised Statutes.
- 3.- That if any riparian right to the use of the waters of the Tualatin River vested in contestee prior to February 24, 1909, by beneficial use, same was abandoned for a continuous periof of two years or more within the meaning of Section 539.010, Oregon Revised Statutes.
- 4.- That the quantities of water set forth in each of contestants' statements and proofs of claim, and the total thereof, were vested by actual application to beneficial use on contestants' lands prior to February 24, 1909, and at all times since and now, and to the extent of any conflict between the use of waters by contestants in relation to the claim of contestee, contestants have been in open, continuous, notorious, adverse, hostile use of said waters in opposition to the claim of contestee, and contestee has lost its right, if any, to that extent by adverse use and prescription.

From a "History of the Oregon Iron and Steel Company and its Predecessors" prepared in chronological form by Mr. James Maletis, Counsel for contestee, which was read into the record, and from documents introduced and received as exhibits, it appears that the beginning of the water usage at the outlet of Oswego Lake, then known as Sucker Lake, was a sawmill founded by Alonzo Durham in 1850. His sawmill was powered by a water wheel operated by the waters of said Sucker Lake. Durham continued the operation of his sawmill until 1865 when he sold his interests to John Corse Trullinger, who continued the operation of the sawmill, and replatted the present townsite of Oswego.

On February 23, 1865, the Oswego Iron Company was organized by W.S. Ladd, Henry D. Green and John Green, for the purpose of reducing to pig iron the iron ore available to mining in the vicinity. The water necessary for the operation of this plant was also secured from Sucker Lake. This plant was continued in operation until 1869 when operation was suspended.

On March 23, 1869 the Tualatin River Navigation and Manufacturing Company was organized and purchased the sawmill interest of John Trullinger, including the Oswego Townsite.

The 1870 Session of the Legislative Assembly of the State of Oregon passed an act entitled, "AN ACT to authorize the Tualatin River Navigation and Manufacturing Company to take water from the Tualatin River, for the purposes of a canal." Omitting the Preamble, the Act read as follows:

Be it enacted by the Legislative Assembly of the State of Oregon: Section 1. That the said Tualatin River Navigation and Manufacturing Company be, and is hereby authorized and empowered to take and divert from the said Tualatin River, at a point above said falls, and near Colfax upon the said Tualatin River, so much of the waters of said Tualatin River as may be necessary for the purposes of constructing, maintaining and operating a canal and locks, ample and sufficient for the purposes of navigation by all vessels that can navigate said river from a point upon said Tualatin River, at or near Colfax, to Sucker Lake, in the County of Clackamas, and from Sucker Lake to the Willamette River, at Oswego, in said County, and that the right to take and divert from the said Tualatin River, as aforesaid, so much of the waters of said river as may be necessary to maintain and operate said canal and locks, is hereby perpetually granted, upon the conditions hereinafter stated, to the said Tualatin River Navigation and Manufacturing Company, its successors and assigns: Provided, that the said Company shall, in all cases, pay to owner or owners of lands damaged by construction of said canal, such damages, as courts of competent jurisdiction may, in any and all cases, award to parties so aggrieved.

Section 2. And be it further enacted, that the said corporation, to be entitled to the benefit of this act, shall commence the construction of said canal and locks, on or before the first day of August, eighteen hundred and seventy-one, and shall complete the same within two years from said date.

Section 3. And be it further enacted, that the tolls to be charged by said corporation for the passage of steamboats or other water crafts through said canal and locks, shall be subject to the control of the Legislative Assembly. Approved October 26, 1870. (1870 Session Laws, pages 171 - 173)

Said Tualatin River Navigation and Manufacturing Company commenced the construction of a canal from the Tualatin River to Sucker Lake in September, 1880, (10 Ore 371) and completed said canal in 1881, when the first water was diverted from the Tualatin River into Sucker Lake.

A dam had been constructed at the outlet of Sucker Lake which raised the water surface elevation approximately eleven feet above its natural level, providing storage and a total head of sixty feet for the operation of water power facilities at the site of the old Durham sawmill.

In 1873 an agreement was entered into by the Tualatin River Navigation and Manufacturing Company and the Oswego Iron Company in which the respective rights of water usage and water power from Sucker Lake were defined. Said agreement provided, among other covenants, that the Tualatin River Navigation and Manufacturing Company, as owner of the dam at the outlet of said Sucker Lake and the water power and rights attached, was to maintain the said dam in repair at its present height, so as to preserve the surplus water flowing into Sucker Lake to the full capacity of said dam, and to deliver to the Oregon Iron Company an amount equal to thirty cubic feet per second for the operation of the machinery necessary for the operation of a blast furnace for the manufacture of pig iron.

Shortly thereafter, by Sheriffs Deed, recorded May 1, 1877, Book 0, pages 287-292, Clackamas County Deed Records, the Oregon Iron Company acquired the assets of the Tualatin River Navigation and Manufacturing Company.

Thereafter the Oregon Iron Company continued operations intermittently until 1877 when financial difficulties developed and its assets were foreclosed upon and sold at Sheriff's Sale. The new Corporation, Oswego Iron Company, rebuilt the plant and continued operation intermittently until on April 22, 1882, the present Oregon Iron and Steel Company was incorporated and purchased the entire assets of the Oswego Iron Company, which included the corporate franchise of the former Tualatin River Navigation and Manufacturing Company, covering the rights to divert water from the Tualatin River into Sucker Lake.

A civil suit had been initiated by a Mr. Shaw, a riparian landowner, to enjoin the Oswego Iron Company from diverting the waters of the Tualatin River into Sucker Lake.

The case was appealed to the Supreme Court of the State of Oregon with the resulting verdict that, "the defendents enjoined from diverting the waters of the Tualatin River from its natural channel, and it is so ordered." (10 Ore 371, Shaw v. Oregon Iron Company. October 1882). It appears that the defendent company, predecessor of the Oregon Iron and Steel Company, bought out Mr. Shaw in order to quiet plaintiff.

Subsequently a similar suit was initiated by Peter A. Weiss, also a riparian landowner, to enjoin the Oregon Iron and Steel Company from diverting the waters of Tualatin River into Sucker Lake for manufacturing purposes. This case was also appealed to the Supreme Court of the State of Oregon, which held, (13 Ore 496, Peter A. Weiss v. Oregon Iron and Steel Company, June 1886) in effect, that the Oregon Iron and Steel Company had no right to divert the waters of Tualatin River into Sucker Lake for Manufacturing purposes without returning the water to to its natural channel for the enjoyment of plaintiff. It appears that the plaintiff was bought out in order to quiet his complaint.

The Oregon Iron and Steel Company continued the operation of its iron ore reduction plant and in addition thereto, constructed and commenced the operation of a pipe foundry in 1888. Water for the operation of said pipe foundry was taken from Sucker Lake by means of a sixteen inch diameter pipe line which was constructed from a point on Sucker Lake adjacent to a smaller swampy area known as "the duck pond", now called Lakewood Bay. Said pipe line was laid in a north-easterly direction through the approximate center of said "duck pond" and thence to the foundry location. This source of water supply was used intermittently, principally for testing pipe under hydrostatic pressure. The actual quantity of water used per day is not definitely known.

The Oregon Iron and Steel Company continued the operation of its iron manufacturing plant until 1894 when economic conditions forced its discontinuance. The only use of the waters of Sucker Lake for several years thereafter was through said sixteen inch pipe line for the operation of the pipe foundry, which was continued until its subsequent sale in 1926.

On July 25, 1906, under the provisions of the Laws of 1899, as set out by Chapter 2 of Title 40, Bellinger & Cotton's Annotated Codes and Statutes of Oregon, the Oregon Iron and Steel Company posted a notice on the Tualatin River declaring its intention to appropriate the equivalent of 750 cubic feet per second of the waters of Tualatin River for the purpose of generating electric power for commercial purposes. A similar notice was filed with the County Recorder of Clackamas County, as provided by law.

On July 25, 1906, William B. Chase, a Civil Engineer, measured the flow of water being diverted from the Tualatin River through the canal into Sucker Lake, and by letter dated July 26, 1906, (Contestee's Ex.16) reported the results of his measurement, made with a Price Current Meter, to be 1616 cubic feet per minute, equivalent to 26.93 cubic feet per second.

The Oregon Iron and Steel Company commenced the construction of its power plant and appurtenances, during the fall months of 1909 and completed construction and placed the plant in operation the following year. The said power plant has been operated for the generation of electric power during each and every year to the present time.

The 1911 Legislative Assembly of the State of Oregon enacted Chapter 236, which provided for the payment of an annual license fee by claimants to the use of water for power purposes, where the water was applied to power generation and power was generated prior to May 22, 1909. In compliance therewith, the Oregon Iron and Steel Company, by its Secretary, A. S. Patullo, filed its original Statement of Water Power Claimant for the year 1912, dated January 11, 1913, and paid the statutory fees plus penalty provided for late filing, to the State Engineer. Said Power Claim was recorded in the name of the Oregon Iron and Steel Company and assigned Power Claim No. 97. An annual statement has been filed and the fees paid thereon

for each and every year thereafter, to and including the year 1959.

The annual statement, dated December 9, 1922, shows an increase in total fall utilized of 10 feet and an increase in the height of the dam at the outlet of Sucker Lake, of 8 feet. The surface area of the lake or reservoir, originally estimated as 450 acres, was reduced to 400 acres, apparently determined from contour surveys of the Oswego Lake area.

The records of the State Engineer do not show that an application was filed or a permit granted under the provisions of the Water Code, now ORS 537.130 to increase the height of the dam.

On the following pages are prints of the Annual Statement of Water Power Claimant filed by the Oregon Iron and Steel Company for the years 1912, 1921 and 1922, which show the changes noted above.

It further appears that after the iron manufacturing plant of the Oregon Iron and Steel Company suspended operations in 1894 due to economic difficulties, no further beneficial use of its water power facilities was attempted or made until its power plant for the generation of electric energy was constructed and placed in operation in 1909 and 1910.

As early as 1895 the Supreme Court of the State of Oregon, in Wimer v. Simmons, 27 Ore 1, held that "To constitute an abandonment of a right the appropriator must have intended a relinquishment, but his intent may be inferred from acts as well as from declarations" and that "an abandonment by failure to apply the appropriation to some useful purpose is as effective as a direct act or statement."

Contestee's Exhibit No. 5, being a copy of the Banner-Courier newspaper published at Oregon City, issue dated February 11, 1947, specifically refers to an article entitled, "Oswego's Iron Industry once Great Going Concern", which was prepared from information, (Courtesy W. E. Simonton, Oswego). The article states in the first paragraph, "In 1887 the Oswego Iron Company bought the Oregon Iron Company's property and had made 18,500 tons of pig iron at the time of selling out to the Oregon Iron and Steel Company, October 26, 1882. This last named company operated the works until November 1885, during which time it made 14,663 tons of pig iron. At the last named date the works were closed and have remained so since." (Emphasis supplied.)

Miss Sarah Hill Capon, called as a witness for contestee, (Transcript page 30) testified that she was the Assistant Secretary for the Oregon Iron and Steel Company and had been in the employ of said company for the past thirty-three years. Under direct examination Miss Capon testified, relative to Contestee's Exhibit No. 9, as follows:

- Q.- Miss Hill (under which name she testified) I'll hand you a document entitled,
  "Iron and Steel Manufacture in Oregon" and ask if that is one of the documents
  you turned over to me?
- A.- Yes, it is.
- Q.- And who was that prepared by?
- A.- I believe it was prepared by Mr. Simonton. Mr. Simonton was our superintendant.
- Q.- And why do you believe it is prepared by Mr. Simonton?
- A.- Because he wrote a lot of things, articles that were published in the paper about Oswego, and different things about Oswego.
- Q.- Mr. Simonton's name does not appear on this document?
- A.- Mr. W. O. Simonton was our superintendant for years.
- Q.- His name does not appear anywhere on this document?
- A.- No.
- Q.- He refers to the first person and also makes a reference to other things that would identify it as being Mr. Simonton?
- A.- Yes.



# For year 1912

## Annual Statement of Water Power Claimant

Required by Chapter 236, S	ession Laws of 1911
Original files January	
Original filed January 1-1 Irrended filed January 7	4-1913
Name of Claimant THE OREGON IRC	N AND STREL COMPANY
P. O. Address PORTIAND	County MULTROMAH
Stream from which appropriation is claimed . Tual	atin
3.000	
Maximum amount of Water Claimed. 750 Sec.	Ft.
Total Average Fall utilized 80 Ft.	6818
Amount of Power Generated prior to May 22, 1909,	30 Horsepower.
Location of Point of Diversion from Stream,	of <sub>Sec.</sub> 20 <sub>Tp.</sub> 2: 8 <sub>R.</sub> 1 R.
Location of Point at which Water is Returned, Water	Sec. 11 Tp. 2 S R. 1 B.
Manner of Developing Power Turbine Water	Wheels
Use to which Power is Applied Lighting - Pu	mping - Running Factories
	, ti
If Storage is Used:—  Location of Reservoir, Secs. 8, 9 and	30 - 2'8 -1 B.
Capacity of Reservoir,Acre Feet.  Stream from which Reservoir is Filled	
Date of Initiation of Storage Right 1878	·
Area of Reservoir, 450 Acres.	The state of the s
Height of Dam, 24 Feet; Mean Dep	,
Height of Dam, Feet; Hean Dep	n,
	and the day of the second section
The foregoing statement is true to the best of my known	owledge and belief.
IN WITNESS WHEREOF, I have hereunto set m	y hand this 1 1 Stat partitiony 19 13
113 19	THE OREGON IEON STEEL CO.
2847	Claimant, Secretary
Y 1.	<i>-</i>

This statement, accompanied by the necessary fees, should be mailed to the State Engineer at Salem, Oregon. See law on back. Checks, drafts, or money orders should be made payable to the State Engineer.

### Annual Statement of Water Power Claimant

Required by Chapter 236, Session Laws of 1911 , as amended by Chapter 213, Session Laws of 1915

P. O. Address	500 Concord	Bldg., Portland, Ore	gon	
Stream from which	h <b>Appropri</b> ation <b>is</b> Cla	imedTunletin		
Date of Initiation	of Right	1878		
Maximum Amount	of Water Claimed			
Total Average Fall	Utilized 80	F.t.		
Total Number of T	Theoretical H. P. Clair	med 6818 He	orsepower.	
Total Power Devel	loped750	Horsepower.		
Location of Point	of Diversion from Str	cam W3 Sec.	20 Tp. 2	5 R1. H
Location of Point a	t Which Water is Retu	irned	11 Tp 2. S	3 R1. 1
Manner of Develop	nng Power	Turb ine. wat en	wheels	
Use to Which Pow	er is Applied	Light ing, pur	ming, running	factories
If Storage is Used:				
Location of Re	eservoir, Secs	8-9-10	, Tp. 2 S	, R1.
Capacity of R	eservoi <b>r</b> ,	Acre Feet.		
Stream from V	Vhich Reservoir is Fil	led Tualatin Rive	»x	•
Date of Initial	tion of Storage Right	1678		
Area of Reser	voir, 450	Acres.		1
Height of Dan	n, 24 F	'eet; Mean Depth,	Feet.	
	•.			
The foregoing stat	ement is true to the l	best of my knowledge an	nd belief.	.]
		ereunto set my hand this	r .	Veer 10
IN WITNESS	- WELKEUF . L nave n			

This statement, accompanied by the necessary fees, should be mailed to the State Engineer at Salem, Oregon. See law on back. Checks, drafts, or money orders should be made payable to the State Engineer.

### Annual Statement of Water Power Claimant

Required by Sections 5803 and 5804, Oregon Laws

1.	Name of Claimant The Oregon Iron and Steal Company
2.	P. O. Address 500 Concord Bldg., Portland, Uregon
3.	Stream from which Appropriation is Claimed Tualatin
4.	Date of Initiation of Right 1878
5.	Maximum Amount of Water Claimed 750 Sec. Ft.
6.	Total Average Fall Utilized99Ft.
7.	Total Number of Theoretical H. P. Claimed 6918 Horsepower.
8.	Total Power Developed 750 Horsepower.
9.	Location of Point of Diversion from Stream Sec. 20 Tp. 2.S. R. 1.E.
10.	Location of Point at Which Water is Returned. # Sec. 11 Tp. 2.5 R. 1.E.
11.	Manner of Developing Power Turbine water wheels
12.	Use to Which Power is Applied Lighting, pumping, running factories
	If Storage is Used:
13.	Location of Reservoir, Secs. 8-9-10 , Tp. 2.8 , R. 1.E.
14.	Capacity of Reservoir,
15.	Stream from Which Reservoir is Filled Tualatin River
16.	Date of Initiation of Storage Right 1878
17.	Area of Reservoir,
18.	Height of Dam, Feet; Mean Depth, Feet.
	The foregoing statement is true to the best of my knowledge and belief.
	IN WITNESS WHEREOF, I have hereunto set my hand this A day of N blendy 19 7-7-
Parish # 1924	Fees \$113.18  Claimant.
Rung	Foos \$113.18
See	This statement, accompanied by the necessary fees, should be mailed to the State Engineer at Salem, Oregon. law on back. Checks, drafts, or money orders should be made payable to the State Engineer.

It appears that this document, Contestee's Exhibit No. 9, was the source of information for the newspaper article appearing in the February 11, 1947 issue of the Banner-Courier and the accompanying pictures, acknowledged by the newspaper editor in their statement, "Courtesy W. E. Simonton, Oswego." which was introduced and received as Contestee's Exhibit No. 4.

It appears that Mr. Simonton, as Superintendant of the Oregon Iron and Steel Company plant for many years, was a trusted employee to have retained his capacity with the company over a long period of time, and as such, would hardly write or prepare any material relative to his employer which would not reflect credit to the organization and its accomplishments.

In said article, Contestee's Exhibit No. 9, the last paragraph on the third page states, (relative to the plant which was rebuilt after operations were suspended in 1885.):

"This plant received its first charge on October 17, 1888, and produced pig iron until 1894, the banner year being 1890when 12,305 tons were made. Production then declined. Early in 1894 the operation was suspended. Plans had been made to develop an iron property in Lower California to supplement the supply of local ore. An attempt was made to lease the furnace plant to an eastern organization but the negotiations failed and the plant was virtually abandoned. This closed the record of Oregon's activity as a producer of pig iron."

On the following page of said article is presented a tabulation showing the total output of pig iron produced at the plant from 1867 to 1894. The next paragraph states, "During the period of industrial activity following the declaration of war in 1917, attention was directed to the possibility of reviving the former blast furnace operations at Oswego."

The article was not dated. However, the most recent year referred to therein was 1922 from which it is evident that said article was prepared subsequent to 1922, and probably more nearly the date of the newspaper of 1947. No mention is made in said article of any activities between the time when the plant was "virtually abandoned" shortly after operations were suspended "early in 1894" and "the period of industrial activity following the declaration of war in 1917", therefore the logical conclusion is that during the period 1894 to the posting of notice on July 25, 1906 under the 1899 laws, (Contestee's Exhibit No.10) no beneficial use of its appropriation for power development was made during an interval of twelve years and that Contestee thereby abandoned all rights to the use of the waters of Sucker Creek, Sucker Lake and the Tualatin River, which may have accrued prior to 1894, and it is herein so held.

#### OREGON IRON & STEEL COMPANY subsequent to 1906.

Contestee's Exhibit No. 10, being a copy of the notice of intention to appropriate the waters of Tualatin River, in accordance with Chapter 2 of Title 40, Bellinger and Cotton's Annotated Codes and Statutes of Oregon, filed with the Recorder of Clackamas County by the Oregon Iron and Steel Company, and bearing the Certificate of Recording dated July 31, 1906, at 1:40 P.M., recorded on page 162 in Book 1, Record of Water Ditches and Flumes, by C. E. Ramsby, County Recorder of Clackamas County, was introduced and received in evidence.

From said document it appears that the Oregon Iron and Steel Company declared its intention and gave notice to all concerned by posting said notice on July 25, 1906, that 750 cubic feet per second of the waters of Tualatin River were to be diverted through the "present ditch" of the Oregon Iron and Steel Company and into Sucker Lake for the generation of electrical power, and that the diversion point of said ditch was on the north bank of the Tualatin River within the Southwest quarter of the Northwest quarter of Section 20, Township 2 South of Range 1 East of the Willamette Meredian.

According to the notice, the water so appropriated would be conveyed through said ditch to Sucker Lake in Sections 8, 9 and 10 of said Township and Range, to its present outlet named Sucker Creek and thence down Sucker Creek to its confluence with the Willamette River. The number of reservoirs to be constructed in carrying out this enterprise was one, and Sucker Lake was to be used as such storage reservoir.

The notice further stated that the size of said ditch or canal from the Tualatin River to Sucker Lake and from Sucker Lake to the Willamette River would be 22 feet wide at the bottom, sloping outwardly to 45 feet wide at the top, and 8 feet deep. Said notice further stated, "This company already owns and claims certain rights to the waters of the

Tualatin River and to divert the same by means of its canal into Sucker Lake, and thence to its properties and the Willamette River. This application is not a surrender of any such rights but is in addition thereto and supplementary thereof."

By said declaration it is evident that the Oregon Iron and Steel Company intended to continue the use of the natural inflow and storage in Sucker Lake and the waters of the Tualatin River to the extent of the quantity which had been diverted through its canal from the Tualatin River to Sucker Lake, and in addition thereto, to appropriate 750 cubic feet per second of the waters of Tualatin River.

It appears that the canal was not enlarged to the dimensions specified in said notice. Contestee's Exhibit No. 16, entitled "Canal Notes", consisting of 28 pages of miscellaneous notes and memoranda relating to the canal from the Tualatin River to Sucker Lake, bound together in one document, was introduced and received and counsel for contestee specifically designated page four thereof as their Exhibit No. 16. Thereupon the entire document was introduced and received as Contestant's Exhibit "G".

Pages 20 and 21 of said Exhibit "G" comprise a memorandum entitled, "Report of work done on Canal September and October 1912 - October 16, 1916." The last paragraph on said page 20 reads as follows: "There was very little cleaning found to be necessary except below the gate where rock washed out of the gate had gathered. With the flume in good condition there is evidently sufficient current to keep the canal well scoured out. The canal is a minimum of six feet wide, there having been one or two places just above the county road bridge which Lewis thought of leaving narrower than this, but we ordered widened so as to make a minimum of six feet."

On the first page of said Exhibit "G" appears a typewritten statement dated September 12,

1925, "Went over canal; found that the water in the flume from the bridge to the intake is practically 4' deep all the way up and within about 6" of the top of the flume. Flume about 6' wide."

It thus appears that the canal, although undoubtedly kept cleaned and in repair, has not been enlarged to the dimensions intended, as set out in the notice of appropriation.

In 1928 the United States Geological Survey, Water Resourses Branch, established a recorder station on the canal approximately one-half mile below its head and records of flow have been secured there from October 1928 to date. These records have been published and are available to the public.

The following tabulation shows the average daily discharge in cubic feet per second, for each month taken from the published records of this station, for the low water months of April through October, for each year of record from 1929 to 1958, inclusive.

TABLE I

MEAN DAILY DISCHARGE OF OSWEGO CANAL NEAR OSWEGO, STATION NO. 586

For months of April - October, Inc.

YEAR .	APRIL .	MAY .	JUNE	JULY	. AUGUS	ST . SEPT		OCT.	. MEAN .
1929	66.2	40.6	35.0	26.3	49.5	50.0		48.2	45.1
1930	50.1	50.0	41.4	48.4	50.3	55.2		55.2	50.1
1931	127.	35.3	64.8	62.1	56.0	60.7		59.4	66.5
1932	84.2	38.7	24.1	34.3	53•5	54.8		54.3	49.1
1933	0.8	10.5	40.5	32.0	60.5	55.5		34.6	33.5
1934	12.5	26.1	51.7	56.5	52.8			65.0	45.8
1935	24.0	18.0	28.6	62.5	59.6			64.2	45 <b>•7</b>
1936	53.8	52.5	58.5	65.5	62.2			61.9	59•5
1937	120.	54.0	77.7	63.4	59•3			56.4	69.1
1938	30.9	20.0	35.3	50.5	50.6			54.6	42.1
1939	37.8	60.2	55.8	50.9	34.5			54.5	48.9
1940	56.5	40.8	15.5	50.6	61.			73.5	52.1
1941	91.4	92.5	78.7	59•3	53•9			70.2	73.6
1942	64.7	91.1	84.7	72.3	64.			62.1	71.4
1943	124.	51.9	41.9	58.4	66.5			72.4	68.6
1944	74.1	49.6	40.1	69.5	61.			67.2	60.0
1945	76.5	47.3	65.1	75.2	62.9			69.2	67.2
1946	68.1	36.3	29.8	68.0	54. <sup>1</sup>			69.6	55•7
1947	52.2	71.5	84.5	61.7	59.6			38.7	62.2
1948	68.5	68.1	69.3	67.6	62.8	59.2		68.4	66.3
1949	37.1	65.8	69.1	57.0	51.			50.0	54.8
<b>195</b> 0	98.3	44.1	73.8	45.3	40.0			52.6	57•3
1951	62.9	86.5	57•9	36.1	18.9	5 37.1		36.5	47•9
1952	42.6	68.3	71.0	43.1	18.0			39.1	45.4
1 <b>9</b> 53	58.3	43.4	55•5	62.0	48.2			79.0	58.3
1954	54.0	16.0	45.2	53.3	46.5			95.5	57•2
1955	177.	98.1	74.9	105.	59 • 2		'	110.	98.7
1956	104.	41.6	87.6	65.0	43.0	5 79.1		95•9	73.8
1957	86.0	49.3	36.8	41.0	52•9			89.5	56.2
1958	122.	67.0	74.5	 67.3	14.5	39.9		75.3	65.8
Maximum Minimum	177. 0.8	98.1 10.5	87.6 15.5	105. 26.3	66.9 14.9			110. 34.6	Mean for Period
Mean	70.8	51.2	55.6	57.0	51.0			64.1	58.2

The evidence relative to the facilities for power generation at the outlet of Sucker Lake when the 1909 Water Code became effective, is very meager. Contestee's Exhibit No. 5 contains, in the agreement between the Tualatin River Navigation and Manufacturing Company and the Oregon Iron Company, dated July 29, 1873, the statement that the existing dam at the outlet of Sucker Lake "is constructed so as to pond the water of said Sucker Lake about eleven feet above its natural level, creating a reservoir or pond of water for use during the dry season." And at another place in said agreement, "that it and they (Tualatin River Navigation and Manufacturing Company) will deliver and let flow from its said dam into the dam of the party of the second part (Oregon Iron Company) water to an

amount equal to thirty cubic feet per second, providing such an amount can be obtained by ponding the water flowing into Sucker Lake".

Contestant's Exhibit "G" which consists of 28 pages of miscellaneous notes, page 4 of which was introduced and received as Contestee's Exhibit No.16, contains several memorandum reports from which the condition of the canal from the Tualatin River to Sucker Lake, and the quantity of water diverted therein, may be determined. Page 3 of said Exhibit, entitled "Notes in regard to Water Power of Oregon Iron and Steel Company, December 28, 1903" contains the statements, "Dam at Oswego in 1883 was 15 feet high, and afterwards was increased four feet in height, according to E. W. Crichton, but at present a number of boards have been taken off." and "Canal is now as it was in 1883, according to Crichton."

Relative to the dam being 15 feet high, this apparently refers to its total height from the stream bed to the dam crest, which would check closely with the statement contained in Contestee's Exhibit No. 5 that the dam "is constructed so as to pond the water of said Sucker Lake about eleven feet above its natural level."

Relative to the canal, it appears that no enlargement thereof was made since 1883. Page 11 of Contestant's Exhibit "G" contains the statement, "The canal was cleaned out so as to make it six feet wide at the narrowest place." This statement was dated as of Sept. 16, 1909.

Relative to the quantity of water being diverted from the Tualatin River, Contestee's Exhibit No. 16, being page 4 of Contestant's Exhibit "G", is an original letter written and signed by Mr. William B. Chase, Civil Engineer, dated July 26, 1906, stating that on July 25<sup>th</sup> he had "measured the flow of water in the canal connecting the Tualatin River with Sucker Lake with a new Price Meter and found the amount flowing to be sixteen hundred and sixteen (1616) cubic feet per minute." 1616 cubic feet per minute is equivalent to 26.9 cubic feet per second.

Page 5 of said Exhibit "G" is a memorandum entitled "Measurements of the Canal from the Tualatin River to Tualatin Lake, taken by A.S. Pattullo, August 25, 1904." Using the figures given in said memorandum and applying a float measurement coefficient of 0.80, the computed discharge of the canal would be 20.8 cubic feet per second.

Page 6 of said Exhibit "G" is a memorandum on "Canal to Tualatin Lake", written in longhand, stating in part, "On Sept. 23, 1903 Mr. Williams of Ladd Estate and A.S.P. visited canal down about one-half way to county road bridge and found a depth of 3' 3". A cork took 2 minutes and 22 seconds to travel 200 feet." Using the above figures and applying a float measurement coefficient of 0.80, the computed discharge at that time would be 25.6 cubic feet per second.

Relative to the head which could be utilized for power generation, page 8 of said Exhibit "G", which is also contained in Contestee's Exhibit No. 8, page 8, consists of a tabulation of water levels bearing the signature of P. Mieseher. From said tabulation it is noted that the difference in elevation between "Sucker Lake above dam at Oswego, May 29, 1883" and "Willamette River, May 29, 1883, opposite proposed mills" was 88.90 - 14.80 (assumed datum) or 74.10 feet. And from the water surface above the dam to "Willamette River, May 29, 1883, to usual low water", 88.90 - 2.00 (assumed datum) or 86.90 feet.

Contestee's Exhibit No. 11 comprises 12 pages and pages 11 and 12 thereof are a letter from William S. Turner, M.S., Consulting Civil and Electrical Engineer of Portland, Oregon, dated Sept. 19, 1923 and addressed to the Oregon Iron and Steel Company. Said letter is relative to an evaluation of the Oswego Lake Power Plant, requested by the Oregon Iron and Steel Company. In said letter Mr. Turner asked for certain information and two of Mr. Turner's questions are:

"Maximum fall or head on water wheel." and "Minimum fall or head on water wheel."

Opposite said questions appears the answers, entered in indelible lead pencil, "85' effective" and "65' effective" respectively. This was in 1923, 13 years after the electrical power

generation plant was constructed and placed in operation.

Contestee's Exhibit No. 15 is a photostat of the original "Annual Statement of Power Claimant" filed with the State Engineer on behalf of the Oregon Iron and Steel Company by A. S. Pattullo, Secretary, on January 1, 1913 for the year 1912, in compliance with Chapter 236, Legislative Session Laws of 1911. In answer to the question, "Total average fall utilized ft." the figure "80" was inserted. In answer to the question, "Height of dam Feet." the figure "24" was inserted.

Summarizing the data thus far determined from the evidence submitted, we have:

Quantity of water utilized for power development, Agreement
dated July 29, 1873 ------30.0 c.f.s.

Quantity of water diverted from Tualatin River:
Current meter measurement by W. B. Chase, July 25, 1906-----26.9 c.f.s.
Float measurement by A. S. Pattullo, August 25, 1904----20.8 c.f.s.
Float measurement by Mr. Williams and A.S.P. Sept. 23, 1903---25.6 c.f.s.

The natural inflow to Sucker Lake came from four small tributary streams and from the surface run-off from precipitation during the rainy season. While no records of the natural inflow to Sucker Lake are available for the early years under consideration, it may be assumed that the normal natural inflow at the present time is no greater than it was in earlier years.

It appears obvious that the original water power requirements were dependent upon the natural inflow to Sucker Lake and the storage of water in the lake during periods of non-operation. That subsequently said inflow and storage was augmented by the construction of the canal and the diversion of water from Tualatin River into Sucker Lake. And that the "notice of appropriation" posted at the intake of the canal, by the Oregon Iron and Steel Company in 1906, was to initiate and insure the appropriation and diversion of sufficient water into Sucker Lake to provide the quantity of water at the outlet necessary to operate a power generation plant of a capacity to be determined at a later date.

As previously noted, pages 11 and 12 of Contestee's Exhibit No. 11 consist of a letter from William S. Turner, M.S., Consulting Civil and Electrical Engineer, to the Oregon Iron and Steel Company requesting certain information concerning the properties and facilities of said Oregon Iron and Steel Company, to be used in a valuation of said companies plant. Pages 5 - 10 inclusive of said Exhibit 11 consist of two copies of a letter to said William S. Turner, dated September 29, 1923, containing the requested information, said copies of said letter being unsigned but bearing the typewritten "complimentary close":

Yours truly,

THE OREGON IRON & STEEL CO.,

ASP/OW

Sect'y.

which indicates that the information contained in said letter was compiled and the letter prepared by A. S. Pattullo, Secretary of the Oregon Iron and Steel Company.

The following excerpts relative to the facilities of the power plant are taken from said letter:

WATERWHEEL: The waterwheel is a Double Francis Turbine direct connected to a 500 K V A Generator operating at a speed of 360 R. P. M. Turbine has a maximum capacity of 900 H. P.

GENERATOR: The generator consists of a Westinghouse 500 K. V. A. alternating current Revolving Field Waterwheel Type Generator, wound in three phase 2200 volts, 60 cycles, speed 360 R. P. M. with 20 K. V. Direct Current Exciter 125 volts; also one three phase Generator panel with equipment.

PIPE LINE: 910 feet of 60" pipe line constructed in 1921 at a cost of \$7420.

Besides this, there are two 48" pipe lines from the Surge Tank to the Power plant, measuring in all about 600 Ft. These were erected in 1910.

SURGE TANK: Concrete Surge Tank was erected in 1919.

DAM AT EAST END OF OSWEGO LAKE: Dam at East end of Oswego Lake was constructed in 1921 at a cost of \$38,140.

DAM IN TUALATIN RIVER: This is an old dam made up of rock placed in cradles across the river and faced with planks and decked with planks. This dam has been in existence for many years and requires very little in the way of repairs although it leaks a considerable amount of water.

The monthly load in Kilowatt hours ranges from 50,000 to 63,000. The maximum head on the waterwheel is 85 feet effective - minimum 65 feet effective.

The physical facilities of the Oregon Iron and Steel Company were inspected during the year 1958 in connection with this proceeding, and were found to be generally as stated in the above quoted excerpts.

The Engineering Report entitled "Adjudication Report, Tualatin River and Tributaries" prepared by Geo. V. Naderman, Assistant State Engineer, December 17, 1958, which was introduced and received in evidence as State Engineer's Exhibit No. 2, contains the data relative to the present specifications of the various facilities incorporated in the works of the Oregon Iron and Steel Company. Said power generation equipment consists of one unit, a Westinghouse AC Generator, Serial No. 733,344, the original manufacturer's specifications being 500 Kva, 2200 V., 131 Amp., 3  $\phi$ , 60 Cy., 360 R.P.M., driven by a 30 inch Double Francis Turbine, under a maximum effective head of 90 feet.

During operation on January 23, 1948, according to the daily plant operation records, the generator burned out and during the remainder of January and February, was rewound by the Westinghouse General Electric Company to 600 Kva. and 2400 V.

Assuming a 0.9 power factor, generator efficiency of 0.90, turbine efficiency of 0.86 and neglecting friction losses in the conduit and penstock, the theoretical horse-power required to operate the plant to capacity is 935. Under a head of 90 feet, the water requirement to produce 935 theoretical horse-power is 91.5 cubic feet per second.

Plant operation records covering the period August 1, 1935 to December 31, 1958, were introduced and received in evidence as Contestant's Exhibits "H" through "W". From these records the following tabulation has been prepared, showing the number of days the plant was operated and the power generated in 1000 Kwh for each month; total output for year in 1000 Kwh; total days operated during year; total hours operated during year; average hours operated per day and average Kw per hour for year.

	1936 1937 1938 1938 1938 1940 1940 1942 1943 1944 1944 1945 1945 1946 1951 1951 1951 1951 1953	YEAR
	22 22 23 25 25 25 25 25 25 25 25 25 25 25 25 25	
	27 125 195 177 194 147 151 150 208 208 208 208 208 268 268 268 268 268 268 268 268 268 26	JAN. Days.Kwh.
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	192 123 170 149 154 183 133 133 166 200 208 208 168 104 112 140 140 192 192 121	GENERATED JULY
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		1000 G. Kwh
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for		<b>—</b>
period	204 179 196 182 231 176 187 208 208 208 216 216 216 216 216 216 216 216 216 216	CH MONTE OCT.
od of	18 22 24 8 25 25 25 25 25 25 25 25 25 25 25 25 25	. Da
record		V. Kwh
ord	1 B	
		DEC.
1940.1		Total for year
.1 21		(1000 Kwh.) Total days
219.6		Operated
3680		Total hours Operated
16.8		Average hours per day
522.8	515 501 515 515 515 515 515 515 515 515	Average Kw per hour for year.
	THAT AT THE DITTED	Washington Com

To further analyze and evaluate the evidence contained in the daily record of plant operation certain other data must be obtained and utilized in the computations involved. The natural tributary inflow to Oswego Lake, the quantity of water diverted from the Tualatin River through the Oswego Canal, the quantity of water lost through evaporation and the quantity of water flowing in Oswego Creek below the Oswego Lake dam, are necessary factors involved.

During the low water season of 1958 weekly measurements were secured of the natural tributary inflow to the lake. A water stage recorder was installed on Oswego Creek a short distance below the dam and weekly measurements were secured of the flow from which the station was rated. A water stage recorder was installed on the lake at the dam to obtain a continuous record of stage from which the actual drawdown and storage in the lake could be computed. The records of mean daily discharge of Oswego Canal at the station maintained by the U.S. Geological Survey, Water Resources Branch, since 1928, provided the necessary record of inflow through the canal.

Since the only question to be determined is the quantity of water which the Oregon Iron and Steel Company is entitled to divert from the Tualatin River for the normal operation of its power generation plant at Oswego, only the quantity which has been and may be beneficially utilized in the normal operation of its presently existing facilities may be considered.

From the evidence introduced, and other data secured, a tabulation has been prepared showing actual operation during the months of May, June, July, August, September and October, 1958 which is presented on following pages. The several columns of said tabulation are numbered and titled as to content, and an explanation of each is here presented.

- Column 1 Month and date.
- Column 2 Mean daily discharge of Oswego Canal expressed in cubic feet per second, computed by the U.S. Geological Survey, Water Resources Branch.
- Column 3 Combined inflow from the natural tributaries to the lake, expressed in cubic feet per second. Figures preceded by an asterisk, (\*) are measured quantities on that date, other quantities are interpolated.
- Column 4 Daily loss by evaporation expressed in cubic feet per second. This value was determined from the mean of the daily evaporation records of the Cottage Grove, Dorena, Detroit and Fern Ridge Reservoirs, secured from the Monthly Records of Climatological Data for the year 1958, published by the U. S. Department of Commerce, Weather Bureau.
- Column 5 Mean daily discharge of Oswego Creek below dam, expressed in cubic feet per second.
- Column 6 Cubic feet per second available for power plant operation, being the sum of Columns 2 and 3 minus the sum of Columns 4 and 5.
- Column 7 Acre feet available for power plant operation, being the values in Column 6 converted to acre feet.
- Column 8 Average number of kilowatts of electrical energy generated per hour during number of hours plant was operated each day.
- Column 9 Cubic feet per second required to generate average kilowatt hours with existing facilities, assuming 0.86 turbine efficiency.
- Column 10- Total number of hours plant generated power during day.
- Column 11- Number of acre feet of water consumed in generating average kilowatt hours for number of hours operated during day.
- Column 12- Acre feet drawdown from lake storage to compensate for deficiency as shown between columns 7 and 11.
- Column 13- Acre feet available but not utilized for power generation during that day, and assumed to remain in storage. Column 7 minus column 11.
- Column 14- Acre feet drawdown from lake storage, on an accumulative basis.
- Column 15- Acre feet available for power generation but not utilized, on an accumulative basis. Assuming storage at capacity on first of each month.

TABLE III

All quantities in Cubic feet per second.						Power Plant Operation				Acre Feet			JLATIVE ACRE FEET	
					rtion	rtion	Kilowatt ring day	per ired	ed			available age	(-)	(+)
Month and Date	Canal N Inflow	Tributary E Inflow	Evaporation F Loss	Oswego Oreek	Available for Power Generation	Acre Feet available for Power Generation	Average Kilo	Cubic feet per	Hours operated	Acre feet Frequired	Drawdown C from storage	ि Surplus avai ि for storage	The Drawdown	(15) Storage
1958 May 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 18 19 20 21 22 23 24 25 26 27 28 29 29 29 20 20 20 20 20 20 20 20 20 20	108 9 3 8 8 5 7 7 6 9 6 6 6 6 6 6 6 5 5 5 5 5 5 5 5 5 5 5	2.19 2.17 2.15 2.13 2.09 2.07 2.09 2.09 1.99 1.99 1.89 1.89 1.89 1.79 1.75 1.75 1.75 1.665 81	2.41 2.92 1.91 2.29 0.92 0.97 2.77 0.33 2.41 3.69 3.69 3.44 3.50 3.57 2.59 0.44 2.59 0.95 2.77 2.79 0.95 2.77 2.69 2.69 2.69 2.69 2.69 2.69 2.69 2.69	1.5 1.5 2.3 2.0 3.0 2.4 1.9	105.19 96.26 89.82.42 76.78 80.76.94 80.76.94 66.84 61.72 57.94 55.18 57.94 57	190.93 177.98 170.22 163.48 160.20 151.89 146.22 140.35 132.77 132.54 133.77 127.38 122.42 117.26 114.92 112.03 109.43 106.45 106.49 103.14 103.30 98.85 105.66 100.42 101.30 102.53 105.38	706 667 667 667 500 471 500 353 500 500	Saturday Sunday 71.76 76.18 53.78 76.18 76.18 Saturday Sunday 76.18 76.18 76.18 Saturday Sunday 53.78 76.18 76.18 76.18	17 24 24 24 24 17 12 12 12 24 16 12	201.56 201.56 201.56 201.56 201.56 201.56 151.10 100.82 151.10 75.55 75.55 75.55 75.55 75.55 75.55	41.36 49.67 55.34 10.75 23.72	7.08 177.98 170.22 12.36 132.77 132.54 32.95 46.86 41.71 39.37 112.03 109.43 33.32 2.41 27.75 98.85 105.66 24.86	3.55	7.08 174.43 344.65 357.01 315.65 265.98 210.64 199.89 332.66 465.20 498.15 474.43 521.29 563.00 602.37 714.40 823.83 857.15 837.59 792.98 795.39 823.14 921.99 1052.51 1002.71 954.14 983.97
, 30 31	55 55	1.61 1.59	3.04 2.47	1.1 1.1 Total	52.47 53.02			Holiday Saturday		 2770 <b>.</b> 85		104.07		1088.04 1193.20
June 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	54 54 55 55 55 57 69 61 57 56 56 57 57 57 57 57 57 57 57 57 57 57 57 57	1.58 1.56 1.54 1.52 *1.50 1.63 1.71 1.86 1.90 *1.96 1.83 1.70 1.45 1.33 1.20 *1.07 1.12	1.07 1.73 0.98 0.30 1.73 1.73 0.98 1.67 0.98 1.67 0.98 1.55 2.68 2.98 3.42 3.78 2.65 2.62 3.99	1.4 1.4 1.4 1.4 1.4 1.6 1.4 2.5 4.3 1.2 1.5 1.5 1.4 1.4 1.4 1.4	53.11 52.03 52.16 51.82 51.47 53.25 76.57 63.70 61.70 60.88 55.36 52.95 53.97 50.48 58.95 59.49 58.95 59.95	105.34 103.20 103.46 102.78 102.09 105.58 123.47 151.87 126.53 122.38 120.75 116.33 110.98 105.84 105.06 100.07 95.96		Sunday 53.78 76.18 71.76 76.18 71.76 Saturday Sunday 71.76 101.62 101.62 101.62 50.73 76.18 Saturday Sunday 76.18 57.13 50.73 76.18 No Opera Saturday Sunday	17 24 24 24 16 16 16 24 12 tion	75.56 151.10 100.82 151.10 100.82 201.56 201.56 100.62 100.73 75.54 100.62 75.55	47.64 49.01 75.03	105.34 27.64 1.96 4.76 123.47 151.87 36.97 20.13 15.60 110.98 105.84 4.33 24.53 15.47 115.18 160.56 181.15		105.34 132.98 85.34 87.30 38.29 43.05 166.52 318.39 355.36 280.33 201.15 221.28 236.88 347.86 453.70 458.03 482.56 477.90 493.37 608.55 769.11 950.26

Table III Con't.

		All d		ties in			Po	wer Plant	Оре	ration	ACRE	FEET	T	ULATIVE OTAL E FEET
1958 Date	Canal Inflow	Tributary (Inflow	Evaporation Loss	C) Oswego Creek	Available for © Power Generation	Acre Feet available for Power Generation	Average Kilowatt hours during day	Cubic feet per second required	Hours operated	Acre feet Required	) Drawdown of from storage	Surplus available	(1) Drawdown	(15) Storage (+)
June 23 24 25 26 27 28 29	108 109	1.39 *1.44 1.41 1.38 1.35	3.90 0.18 0.18 2.83 0.72 1.43 2.14 1.13	2.2 2.5 2.9 3.3 3.1 2.9 2.7 2.5	99.18 106.66 107.31 106.31 109.59 108.05 106.51 107.69	212.85 210.86 217.37 214.31 211.26	500 500 583 625 625	76.18 76.18 88.82 95.22 95.22 Saturday Sunday 89.58	16 24 24 24 24 24	100.73 151.10 176.17 188.87 188.87 125.86 2568.73		95.99 60.46 36.68 21.99 28.50 214.31 211.26 87.74		1046.25 1106.71 1143.39 1165.38 1193.88 1408.19 1619.45 1707.19
July 1 2 3 4 5 6 7 8 9 0 1 1 2 3 4 5 6 7 8 9 0 1 1 2 1 3 4 5 6 7 8 9 0 1 1 2 2 3 2 4 5 6 6 7 8 9 0 3 1	108 104 996 89 88 77 75 70 65 65 51 50 48 40 37 33 30	*1.25 1.20 1.18 1.16 1.13 1.11 *1.09 1.00 0.97 0.94 0.91 *0.88 0.87 0.70 *0.66 0.63 0.65 0.65 0.59 0.50	2.2.2.3.3.4.2.1.2.3.3.4.3.4.4.3.2.2.2.3.3.3.3.3.3.4.4.3.2.2.3.3.3.3	2.43223.76.4322211110000000000011223 To	105.81 104.94 100.13 94.57 89.40 81.97 79.31 78.45 74.61 72.55 64.74 60.62 57.87 64.79 46.28 45.29 41.30 24.70 21.60 tals	187.58 177.32 162.45 157.43 157.31 156.04 155.60 147.99 142.87 137.95 128.39 124.44 120.38 114.29 106.85 100.68 94.00 91.80 89.34 85.82 81.68 74.78 62.08 53.40	583 625 667 588 625 625 625 625 625 625 625 625 625 625	Holiday Saturday Sunday 89.58 95.22 95.22 95.22 95.22 Saturday 76.18 76.18 76.18 76.18 Saturday Sunday 71.76 76.18 Low wate: Low wate: Saturday Sunday 57.13 50.73	17 24 24 24 24 24 24 24 24 24 24 24 24 24	176.17 188.87 201.56 125.86 188.87 188.87 188.87 100.73 151.10 151.10 151.10 151.10 151.10	2.96 31.56 32.83 33.27 40.88 22.71 26.66 30.72 36.81 6.82 59.30 61.76	33.70 19.28 187.58 177.32 162.45 31.57 142.87 137.95 34.92 106.85 100.68		33.70 52.98 50.02 237.60 414.92 577.37 608.94 577.38 544.55 511.28 470.40 613.27 751.22 786.14 763.43 736.77 706.05 810.69.24 776.09 876.77 869.95 810.65 748.89 834.71 916.39 991.17 1059.62 1046.16 998.99 972.38 1015.22
August 1 2 3 4 5 6 7 8 9 10	24 21 19 18 17 17 16 15	0.41 0.40 0.39	3.48 3.93 4.44 2.35 3.42 4.11 3.72 2.83 3.07 3.19 3.60	2.3 2.2 2.1 2.0 1.9 1.8 1.7 1.5 1.3	18.65 15.29 12.87 14.05 12.07 11.48 11.87 11.88 10.86 10.97 10.79	30.33 25.53 27.87 23.94 22.77 23.54 23.56 21.54 21.76		No operation	next bage.		1	36.99 30.33 25.53 27.87 23.94 22.77 23.54 23.56 21.54 21.76 21.40		36.99 67.32 92.85 120.72 144.66 167.43 190.97 214.53 236.07 257.83 279.23

Table III Con't.

234 256 78 90 1 2 3 4 5 6 7 8 9 0 1 1 2 3 4 5 6 7 8 9 0 1 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1958 Augu 12 13 14 15 16 17 18 19 20 21	Month t and Date	
12 12 12 12 12 12 12 12 12 14 17 18 20 22 23 44 47 55 59 61 64 64 65 66		Canal	
0.000,494,484       494,494,494,444,444,444,444,444,444,444	0.52 0.55 *0.58 0.58 0.58 0.58 0.58 0.58 0.58 0.58	Tributary S Inflow	
1.61 1.75 1.31 0.83 1.16 0.69 1.01 1.28 1.10	3.16 3.30 3.36 3.17 3.07 3.29 3.49 3.45 3.30 3.45 3.45	$\stackrel{\sim}{\succ}$ Evaporation $\stackrel{\leftarrow}{\vdash}$ Loss	
35.9 24.4 20.6 28.0	0.9 0.8 0.8 0.8 0.9 0.9 0.9 0.9	Oswego Creek below dam.	ies in er seco
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16.56 16.70 17.04 18.07 17.83 19.81 645.62 17.37 16.88 645.62 17.37 18.51	20.75 20.73 20.07 20.61 19.08 17.97 19.06 18.43 18.76 19.30 16.24 16.26 16.24	Acre feet available for Power Generation	
		Average Kilowatt hours during day	Pow
		Cubic Feet per second required	er Plar
ant 1 si	on records show no y 30. On Sept. 18	Hours operated	nt Ope:
penstock gate lift not be opened. Re repairs were made again commenced on	Lift jammed so gate could Record states that hade and Power Plant operation of on October 1, 1958.	Acre feet Frequired	ration
		Drawdown' L from storage	ACRE F
16.56 16.70 17.04 18.07 17.81 19.88 17.37 16.79 18.51 16.79 16.79 17.87 16.79 16.79 17.87 17	20.75 20.73 20.07 20.61 19.08 17.97 19.06 18.43 18.76 19.30 16.24 16.26 16.24	Surplus Savailable for storage	EET
		(1) unamqomu (1 <sup>4</sup> )	TO
539.29 573.03 591.10 608.74 645.62 17.07 97.25 123.87 97.25 124.03 218.70 2	299.98 320.71 340.78 361.39 380.47 398.44 417.50 435.93 454.69 473.99 490.23 506.49 522.73	(15) Storage (+)	ULATIVE TAL FEET
		*	[   

Table III Con't.

		l quar c Feet		s in Second	L	g	Power Plant Operation			ation	ACRE	FEET	ACCUMULATIVE TOTAL ACRE FEET	
Month and	(2)	Tributary Inflow	$\stackrel{ au}{\leftarrow}$ Evaporation $\stackrel{ au}{\leftarrow}$ Loss	Oswego Creek	Avai lable for O Power Generation	Acre Feet available for power generation	Average Kilowatt	Cubic feet per	Hours operated	Acre feet required	Drawdown from Storage	Surplus H available for Storage	umopmaru 14	(+) Storage
1958 0 1 2 3 4 5 6 7 8 9 0 1 1 2 3 4 5 6 7 8 9 0 1 1 2 3 4 5 6 7 8 9 0 1 1 2 2 2 3 4 5 6 7 8 9 3 3 1	ber 67 67 66 67 55 55 57 67 68 69 71 76 84 97	Tributary inflow not measured during month of October. Weather Bureau evaporation records on four reservoirs	not published for Month of October. assumed to balance evaporation loss.	15.0 12.0 19.0 19.0 10.0	0001800056897666788800008000000000000000000000000	103.14 109.09 127.14 116.63 69.42 85.29 113.06 110.08 106.31 106.31 114.84 124.36 132.10 132.30 134.48 136.46 138.45 126.94 47.60 111.07 152.73 184.07 152.73 77.36 120.99 138.84 150.74 159.68 3750.14	500 417 500 500 500 500 500 500 500 500 500 50	Saturday Sunday	24 24 24 24 24 24 24 24 24 24 24 24 24 2	75.55 75.55 126.01 100.73 151.10 151.10 151.10 151.10 151.10 151.10 151.10 126.01 125.86 151.10 176.17 176.17 176.17 176.17 176.17 176.17 176.17	15.44 38.04 41.02 44.79 44.39 19.00 18.80 16.62 78.26 40.03 23.44 23.44 23.44 4.87 37.33 25.43 17.10 17.49	27.59 33.54 1.13 116.63 69.42 114.84 124.36 54.57 10.45 138.45 126.94 7.90 79.34 77.36		27.59 61.13 62.26 178.89 248.31 232.87 194.83 153.80 179.63 179.83 320.63 320.63 320.63 320.63 3452.88 579.85 501.53 445.99 445.95 501.89 574.30 574.

From the foregoing tabulation it is clearly evident that the quantity of water diverted from the Tualatin River through the Oswego Canal was greatly in excess of the quantity utilized for the generation of power by contestee.

The records of the U. S. Geological Survey, Water Resources Branch, obtained at the Oswego Canal Station, No. 586, show that the quantity of water diverted from the Tualatin River through the Oswego Canal during the months of May - October, inclusive, of 1958, corrected for natural tributary inflow, evaporation loss and discharge through Oswego Creek below the Oswego Dam, as reflected by Columns 3, 4 and 5, provided a total of 17,892.42 acre-feet available for power generation. That the total computed quantity required and utilized for the generation of power was 11,420.49 acre-feet, 63.83 per-cent of the quantity available. That 6,471.93 acre-feet or 36.17 per-cent of the total quantity available was not utilized for power generation, but was used for unauthorized purposes or wasted.

During the period July 31 to September 30, inclusive, while the power plant was not operated, a total of 3,314.38 acre-feet was diverted from the Tualatin River of which 2,117.15 acre-feet were available for power generation, but were consumed in unauthorized uses or wasted.

The records of the State Engineer show only one recorded water right to the use of the waters of Oswego Lake, acquired under and in conformity with the provisions of the Oregon Water Rights Act. Said right being for domestic use to the extent of 0.01 cubic foot per second, confirmed by the issuance of a certificate recorded in State Record of Water Right Certificates, Volume 8, page 8547. The only right to the use of the waters of Tualatin River through Oswego Lake is that for which a claim was submitted in this proceeding by the Oregon Iron and Steel Company. Consequently any use of the waters of Oswego Lake, including the waters diverted from the Tualatin River through the Oswego Canal, by any person, firm or corporation, other than the Oregon Iron and Steel Company and the owner of said Certificate No. 8547, is illegal and in direct violation of the Oregon Water Rights Act, unless such uses are a continuation of uses initiated prior to 1909.

In the foregoing tabulation, the quantity of water diverted from the Tualatin River for the generation of electrical energy by the Oregon Iron and Steel Company, has been reasonably corrected or adjusted to compensate for natural inflow, evaporation loss and waste by leakage or otherwise, through the channel of Oswego Creek below the Oswego Dam. The following tabulation shows, for the months of May - October, inclusive, of 1958:

Column 1. - the month.

Column 2. - the total quantity of water diverted from the Tualatin River, in acre-feet.

Column 3. - total quantity in acre-feet available for power generation, being column 2 adjusted for natural inflow, evaporation loss and flow in Oswego Creek below dam.

Column 4. - total computed quantity in acre-feet required to generate kilowatt-hour output of power plant as shown in plant operation records. (Contestant's Exhibit "W")

Column 5. - per-cent of total acre-feet available used for power generation.

Column 6. - total quantity in acre-feet not used for power generation but dissapated for unauthorized uses or wasted.

Column 7. - per-cent of total acre-feet available not used for power generation.

TABLE IV

Month	Total quantity diverted from river Ac.Ft.	Total quantity available for power generation Ac.Ft.	Total quantity required and used for power generation Ac. Ft.	Per-cent of total available	Total quantity not used for power generation Ac. Ft.	Per-cent of total available
(1)	(2)	(3)	(4)	(5)	(6)	(7)
May	4,120	3,964	2,771	69.90	1,193	30.10
June	4,430	4,276	2,569	60.08	1,707	39.92
July	4,140	3 <b>,</b> 823	2,808	73.45	1,015	26.55
August	889	646		0	646	100.
Sept.	2,370	1,434		0	1,434	100.
October	4,630	3 <b>,7</b> 50	3,273	87.28	477	12.72

From the above tabulation it is observed that during the low water months of 1958 approximately 27 per-cent more water was diverted from the Tualatin River than was necessary for the generation of the total kilowatt-hours of electrical energy produced by the Oregon Iron and Steel Company during that period, as disclosed by Contestant's Exhibit "W".

Applying a similar analysis, on a yearly basis, to the entire period for which records are available, August 1, 1935 to October 31, 1958, inclusive, the following tabulation is presented, showing:

- Column 1.- Year and months of plant operation.
- Column 2.- Total kilowatt-hours generated during year.
- Column 3.- Total hours operated during year.
- Column 4.- Average kilowatt-hours per hour generated during year.
- Column 5.- Cubic feet per second of water required to generate average kilowatts per hour.
- Column 6.- Acre-feet of water consumed per 24 hour period for continuous generation of average kilowatts per hour.
- Column 7.- Acre-feet of water consumed during year in generation of total kilowatt-hour output at average hourly rate.
- Column 8.- Total quantity of water in acre-feet diverted from Tualatin River during year.
- Column 9.- Per-cent of total quantity of water diverted during year, utilized in generation of electrical energy during year.
- Column 10.- Quantity of water in acre-feet diverted from Tualatin River only during months power plant was operated.
- Column 11.- Per-cent of quantity of water diverted during months power plant was operated, utilized in generation of electrical energy.

#### TABLE V

	rom Plant operstant's Ex.  Total  Kwh  generated			per second required	Ac. Ft. per 24 hours required		Total Canal disch'ge for year Ac. Ft.		nt Canal al disch'g or for months of operati	power genera- tion
_(1)	(2)	ated. (3)	per hour	r (5)	(6)	(7)	(8)	(9)	(10)	(11)
1935	965,00	1956	493.4	75.17	149.098	12,151.49	19,170	63.39	19,170	63.39
1936	gust - Decemb 1,189,000	2421	491.1	74.82	148.033	14,933.57	43,550	34.29	33,120	45.09
No 1937	operation du 577,000	aring Ma 1110	ıy. No re 519.8	ecord fo: 79.19	r Nov. and 157.071	д Dec. 7,264.53	64,306	11.30	27,340	26.57
	record Janua				1)1.011	1,204.77	04,500	11.50	21,540	20.51
1938	1,186,000	2767 <sup>-</sup>	428.6	65.30	129.521	14,932.48	31,490	47.42	26,490	56.37
No	operation Ma	arch, Ap				,,,,		·	, ,	
1939	1,729,000	3719	464.9	70.83	140.489	21,770.18	<i>3</i> 8,060	57.20	35 <b>,</b> 810	60.79
No 1940	operation Ap	pril. 4032	494.8	75.38	149.514	25,118.35	45,938	54.68	45,016	55.80
-	operation Ju	-	T7T•0	17.70	177.717	در• ۱۲۵۰	77,770	J4•00	47,010	))•00
1941	1,810,000	3778	479.1	72.99	144.774	22,790.32	52,193	43.67	52,193	43.67
1942	1,534,000	3115	492.5	75.03	148.820	19,315.35	50,250	38.44	50,250	38.44
1943	1,762,000	3669	480.2	73.16	145.111	22,184.57	54,780	40.50	54,780	40.50
1944	1,657,000	3542	467.8	71.27	141.362	20,862.20	46,394	44.97	40,954	50.94
•	operation Ma			1 + • - 1	141.702	20,002.20	+0,75+	TT•71	+ <b>○</b> , > > +	JO• J+
1945	2,308,000	4623	499.2	76.05	150.843	29,055.37	60,880	47.73	60,880	47.73
1946	1,620,000	3302	490.6	74.74	148.245	20,395.55	65 <b>,</b> 488	31.14	48,998	41.63
	operation Ja		May and .	June.			·			
1947	2,316,000	4650	498.1	75.89	150.526	29,164.41	50,980	57.21	50,980	57.21
1948	1,923,000	3809	504.9	76.92	152.569	24,214.23	62,960	38.46	52,010	46.56
	operation Fe				171 700	70 177 56	E1 170	FO (O	E1 170	FO 60
1949	2,420,000	4257	568.5	86.61	171.788	30,471.56	51,130	59.60	51,130	59.60
1950	2,044,000	3969	515.0	78.46	155.623	25,736.93	70,770	36.37	70,770	36.37
1951	2,302,000	3701	622.0	94.76	187.954	28,984.39	62,760	46.18	60,550	47.87
1952	2,431,000	3774	644.1	98.13	194.638	30,606.83	47,700	64.17	47,700	64.17
1953	2,448,000	4397	556.7	84.81	168.218	30,819.22	66,510	46.34	66,510	46.34
1954	2,290,000	4015	570.4	86.90	172.364	28,834.77	61,934	46.56	61,934	46.56
1955	2,981,000	4942	603.2	91.90	182.281	37,535.30	88,836	42.25	88,836	42.25
1956	2,390,000	4299	555•9	84.69	167.980	30,088.58	58,130	51.76	52,080	57.77
	record for N									
1957	2,373,000	4382	541.5	82.50	163.636	29,876.66	54,220	55.10	54,220	55.10
1958 No	1,785,000 operation Au	3225 i <i>g</i> ust ar	553.5 d Septeml	84.33 Der. Co	167.266	22,477.21 November 1,	46,275 1958.	48.57	43,016	52.25
240	TETEMPEON M		0L00m					PTVEB - T	le chineten	Co. Page

From column 9 of the above tabulation it is observed that from 30 per-cent to almost 65 per-cent of the total quantity of water diverted from the Tualatin River during the period for which complete records are available, has not been beneficially used for the generation of power by contestee. That the maximum quantity utilized was during the year 1955 when 37,535 acre-feet of water, being 42.25 per-cent of the total quantity diverted, was used for the generation of 2,981,000 kilowatt-hours of electrical energy during 4,942 hours of plant operation at a rate of 603.2 kilowatt-hours per hour.

The daily plant operation records for 1955, (Contestant's Ex. "T") show that the plant was operated during each month of the year with very few periods of non-operation other than week-ends. The "remarks" column of the daily plant operation record contains the following notations:

January 26 - "Rec'd word to drop lake 8 ft. for month of Feb."

March 3 - "Raising lake to normal."

August 24-26-"Closed down account of low water in lake."

There are no records for the period March 1 to 14 inclusive which would indicate that the plant was not operated while the water level in the lake was being restored to normal.

Other than each Saturday and Sunday during the year and the periods mentioned above, the plant was not operated on the following days: Feb. 28, Monday; May 30, Monday, Memorial Day; June 24, Friday; July 4, Monday, Independence Day; Aug. 2,3,4, Tuesday, Wednesday & Thursday; Sept. 2, Friday; Sept. 5, Monday, Labor Day; Nov. 24, Thursday, no record of operation; Dec. 26, Monday.

During the year of 365 days, the plant was not operated a total of 126 days, leaving 239 days of plant operation during which time the record shows 4,942 hours of operation or an average of 20.68 hours per day.

Assume continuous operation of 20 hours per day, 5 days per week, with claimed requirement of 91.5 cubic feet per second to operate at capacity output of 600 kva under turbine efficiency of 86 percent. The quantity of water necessary to be diverted from the Tualatin River to provide complete storage recovery over each week-end and to compensate for evaporation loss and minor leakage from the dam and conduit may be readily computed.

Plant requirement:

91.5 c.f.s. x 1.983471 x 20/24 equals 151.24 acre-feet per 20 hour operation 151.24 ac.ft. per day x 5 day operation equals 756.2 acre-feet per week. Evaporation loss:

Records obtained during the summer months of 1958 show the minimum average tributary inflow to be 0.48 c.f.s., occurring during the month of September. Evaporation loss computed for Oswego Lake by comparison with published U.S.D.C., Weather Bureau records for Cottage Grove, Dorena, Detroit and Fern Ridge Reservoirs, was a maximum during the month of July when a computed 208 acre feet was lost by evaporation. To produce 208 acre-feet in 31 days would require a mean flow of 3.38 c.f.s. Deducting the minimum inflow of 0.48 c.f.s. from the rate of flow of 3.38 c.f.s. leaves 2.90 c.f.s. required to balance the maximum loss by evaporation.

2.90 cubic feet per second flowing for 7 days will produce 40.26 acre-feet. Then the total weekly requirement would be 756.2 plus 40.3 equals 796.5 acre-feet. Continuous canal inflow of 57.4 cubic feet per second would produce 796.96 acre-feet per week. 796.96 acre-feet canal inflow minus 756.2 acre-feet plant requirement would leave 40.76 acre-feet to compensate for the 40.26 acre-feet loss by evaporation. During the five day period of plant operation at the rate of 20 hours per day, the maximum computed drawdown on the lake surface elevation would be 0.46 foot.

It is noted from Table II that the average number of hours of plant operation per day, during the period for which daily plant operation records are available, (Contestant's Exhibit "H" thru "W") ranges from 13.9 for the year 1938 to 21.5 for the year 1958, the mean for the period of record being 16.8. Only two years, 1955 and 1958 averaged more than 20 hours per day.

It therefore appears that 20 hours per day, five days per week, represents a fair and economical factor for the continued operation of the plant, and that the diversion of 57.5 cubic feet per second of the waters of Tualatin River through the Oswego Canal, is adequate for such continued operation.

The Oregon Iron and Steel Company is, therefore, allowed a right to the use of 57.5 cubic feet per second of the waters of Tualatin River for the generation of 934 Theoretical horse-power in its hydro-electric plant at Oswego, under date of priority of July 25, 1906. And to store said waters in Oswego Lake during periods of non-operation of its plant, to the present capacity of said Lake, and to maintain its diversion dam in the Tualatin River at the present location of said structure. Provided that at no time shall said diversion dam be maintained and operated so as to impound the waters of said Tualatin River to an elevation higher than necessary to effect the diversion of said 57.5 cubic feet per second into the head of the Oswego Canal through the head-gate thereof, said headgate to be maintained at an effective width of not less than 7 feet and floor elevation not higher than presently constructed.

Provided further that said head-gate and diversion dam shall be so regulated as to prevent the diversion of more than 57.5 cubic feet per second, and in no case more than is being utilized for the beneficial operation of said hydro-electric plant.

Said right is more particularly set out under the tabulation of water rights herein.

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## SUB-SURFACE IRRIGATION.

A number of claimants in this proceeding have asserted rights to the use of water for the irrigation of certain lands by means of sub-surface application. It appears that in most instances such sub-surface irrigation is accomplished by placing checks or obstructions to free flow in the ditches or tile systems which have been constructed for the purpose of drainage and reclamation of the lands for agricultural purposes. Such systems serve a dual purpose, that of draining the land during the wet season and of providing a means of controlling the water table elevation and capillary fringe by applying moisture to the soil during the dry season by sub-surface application.

It appears that man has taken advantage of the provisions of nature in this respect and has initiated a method of irrigation which has proven to be sufficiently effective as an aid in growing crops to promote the continuation thereof to the present time. Moreover, modern soil science has recognized the value of artificial sub-surface irrigation, particularly in the irrigation of peat soils, such as are herein involved, even though the more modern method of overhead sprinkler irrigation may be preferable.

In the main, the lands for which a right by sub-surface application of water is asserted are lands which, in their natural state, were low and swampy and too wet for the growing of such cultivated crops as were adapted to the locality. Early settlers, recognizing the potential value of such lands, if properly reclaimed, proceeded to drain the lands and supplant nature's lush growth of various types of swamp vegetation with cultivated crops of garden produce, grains and grasses. By so doing, the water normally consumed by such natural vegetation in plant growth and transpiration, as well as by evaporation from standing surface water among the vegetation, was salvaged and used in the sub-irrigation of cultivated crops.

While in most cases there is no convenient way in which the water so applied may be measured, said methods of application were initiated and adopted prior to the enactment of the water code, and have continued in practice throughout the intervening years. There appears to have been no conflicts between such water usage and other methods of water usage initiated prior or subsequent thereto. It would appear that said methods of sub-surface application of water to the lands for which a right has been asserted in this proceeding has proven valuable and effective and that the proprietors of the lands should be entitled to protection in said methods of application of such long standing.

It would appear that the duty of waterin either case, would be comparable. Experiments indicate that, for any given area, in surface application of water, either by rain storm, sprinkler irrigation or other type of direct application, the rate of evaporation is great at first and gradually diminishes until the surface of the soil becomes dry after which evaporation becomes almost negligable. That the remaining moisture, so applied, is used in plant growth and transpiration, retained as soil moisture in the capillary fringe or lost by deep percolation.

In the sub-surface application of water the quantity lost by deep percolation would, perhaps, be greater due to the level of application being in closer proximity to the zone of deep percolation.

The quantities retained in the capillary fringe and used by plant growth and transpiration would conceivably be the same as in surface application, and the rate of evaporation less due to the surface of the soil remaining dry. Thus it would appear, generally, that the quantity of water essential to the economical irrigation of the land would be, in either method, comparably equal.

It therefore appears that such claimants are enjoying the fruits and benefits of the labors of their predecessors in the continuation of the application of water for sub-irrigation of their lands and that such method of application of water, initiated prior to the adoption of the water code, is a valuable right which should be protected.

Therfore, subject to the specific findings herein, valid claims to the use of water for irrigation, where some system of sub-surface conduits or channels are employed, which use was initiated prior to the adoption of the water code, now Oregon Water Rights Act, are herein recognized. Provided, that all claimants whose rights for sub-irrigation are allowed herein, and their successors in interest, shall retain such rights under the priorities thereto allowed, appurtenant to the specific lands herein described, and to the extent of the acres herein defined, so long as said lands shall continue to be irrigated. Provided, further, that said claimants, or their successors in interest shall have the right to change their method of irrigating said lands without loss of priority, and that the quantity of water to which they are entitled shall be governed by the duty of water established herein under the provisions of Finding 53.

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## ONION FLAT AREA.

A compact area of cultivated land comprising some 230 acres, located within the E½ SE¼, Section 20, the SW¼ Section 21, the N½ NW¼ Section 28 and the E½ NE¼ Section 29, Township 2 South, Range 1 West of the Willamette Meridian, is known locally as Onion Flat. This reclaimed area constitutes the bed of a former shallow lake and surrounding swampy area, situate along the channel of Rock Creek, a tributary of Tualatin River. Within the area are several springs, the flow of which originally contributed to the waters of said lake and swampy area.

The springs which remain visible or whose locations are definitely known are; two which may be called "Krause Springs", situate on land now owned by David Cereghino, are located

approximately 1000 feet south and 200 and 400 feet east of the section corner common to Sections 20, 21, 28 and 29, T. 2 S., R. 1 W., W.M. Another definite spring area is located upon land presently owned by Mary Galbreath, being within the NW/4 NW/4, Section 28, and near the east line of said subdivision.

The two named ditches which traverse the Onion Flat area and are stated as sources of water in various claims, are "Cummings Ditch" and "Krause Ditch". Cummings Ditch is the continuation of a natural depression which commences within the west-half of Section 22, T. 2 S., R. 1 W., W.M. and continues westerly through the approximate center of Sections 22 and 21 to a point approximately 900 feet south and 250 feet east of the center of said Section 21. Thence continuing westerly to a point approximately 1000 feet south and 650 feet east of the quarter section corner between Sections 20 and 21, said township and range, the later point being the confluence of the Krause Ditch. Thence northwesterly through underground tile to its confluence with Rock Creek approximately 300 feet south and 100 feet west of said quarter section corner between Sections 20 and 21. That portion of said watercourse between Fischbuch Road and the confluence of Krause Ditch is the open ditch portion of Cummings Ditch.

Krause Ditch heads in Krause Springs and bears in an approximately straight line, slightly east of north, to its confluence with Cummings Ditch. The first approximately 800 feet of Krause Ditch is open, the remainder being tiled and covered over.

The other unnamed tributary ditches referred to in various claimes, are underground tile laterals, tributary to either Cummings Ditch, Krause Ditch or Rock Creek.

It appears that the reclamation of this area was accomplished in the early years of the settlement of the country by the construction of a system or network of ditches which served to sub-drain the area and conduct the surplus waters into the channel of Rock Creek. The drain ditches also served as a means of accomplishing the sub-irrigation of the lands during the dry season of the year, thereby providing the moisture necessary for plant growth, and making the lands highly productive.

Check dams were placed in the channel of Rock Creek, and check-boards in the drainage ditches, at strategic locations so as to hold the water in the ditch system and control the elevation of the water table so that, by capillarity, the lands would become and remain moist through the growing season, after which the dams and checks were removed and the lands allowed to drain, to aid in the proper maturing and harvesting of the crops. Later, the smaller lateral ditches and portions of the main ditches were covered so that the lands could be cultivated over the drainage channels.

The irrigated land bordering the channel of Rock Creek is uniformly flat and the under-ground laterals have only a slight slope toward the creek channel so that, by placing check dams in the creek channel the waters of Rock Creek are backed up in the underground laterals to effect the sub-irrigation of the lands to a distance of approximately 500 feet at right angles to the creek channel.

The area herein involved, was cropped principally to onions during the early years, hence the local name of Onion Flat. The growing of onions and, to a lesser degree, other types of garden produce, and some grains and grasses, has been the practice in this area throughout the intervening years and is still the principal industry of the area.

It appears that sub-irrigation of the land has always been practiced and is still the method of irrigation used, being, perhaps, the most successful and economical for the area, although during recent years some artificial application of water has been made by means of over-head sprinkler systems, primarily to augment the surface moisture as an aid to seed germination.

Said Onion Flat area is approximately three-eighths mile above the confluence of Rock Creek with the Tualatin River and, so far as is known, there has always been a flow of

water in the channel of Rock Creek below the Onion Flat area. While the total quantity of water which has been, and is used in the sub-irrigation of the lands comprising the Onion Flat area is unknown it is believed to be comparable to other methods of irrigation. It further appears that all of the land in said area which can be irrigated by the method of sub-irrigation used, is now and has been for many years, under crop and irrigated beneficially.

In so far as is known, there have been no conflicts between the water users of the Onion Flat area and other water users of Rock Creek whose use of water was initiated either prior or subsequent to the time of initiation of water use by sub-irrigation in said Onion Flat area, nor does it appear that any water users of Tualatin River below the confluence of said Rock Creek near the center of the NE% of Section 20, Township 2 South, Range 1 West of the Willamette Meridian, have ever made any demands or filed any complaints against the water users of said Onion Flat area, that they cease their use of water in sub-irrigation of their lands and allow said water to flow down the channel of Rock Creek and into the Tualatin River for the use of appropriators of water from the channel of Tualatin River.

Rights have been asserted in this proceeding for the irrigation of 177.46 acres of said Onion Flat lands by the respective owners thereof, as evidenced by their respective statements and proofs of claim. Each Statement and Proof of Claim was accompanied by the legal description of claimants tract, or tracts of land, which descriptions have been platted on the accompanying sketch map so as to show the location of the various ownerships with relation to the lands classified as irrigated by the State Engineer's survey.

In general, the acreage claimed conforms very closely with the acreage classified as irrigated but in a few instances it appears that claimants have asserted rights for the irrigation of a total area greater that was found to be irrigated. Such claims are treated following.

Cereghino, John and James, et ux - Proof No. 24
Dittman, Herman A. - Proof No. 34
Fischbuch, Chester - Proof No. 44
Johnston, Clark L. and Bessie H. - Proof No. 65

In each instance the land descriptions submitted with the Statement and Proof of Claim encompass land lying north of the border line of the lands classified as irrigated by the State Engineer's survey, said border line delineating the toe of the hill along the northerly edge of the Onion Flat area. The acreage allowed herein under each claim is that lying below the toe of the hill.

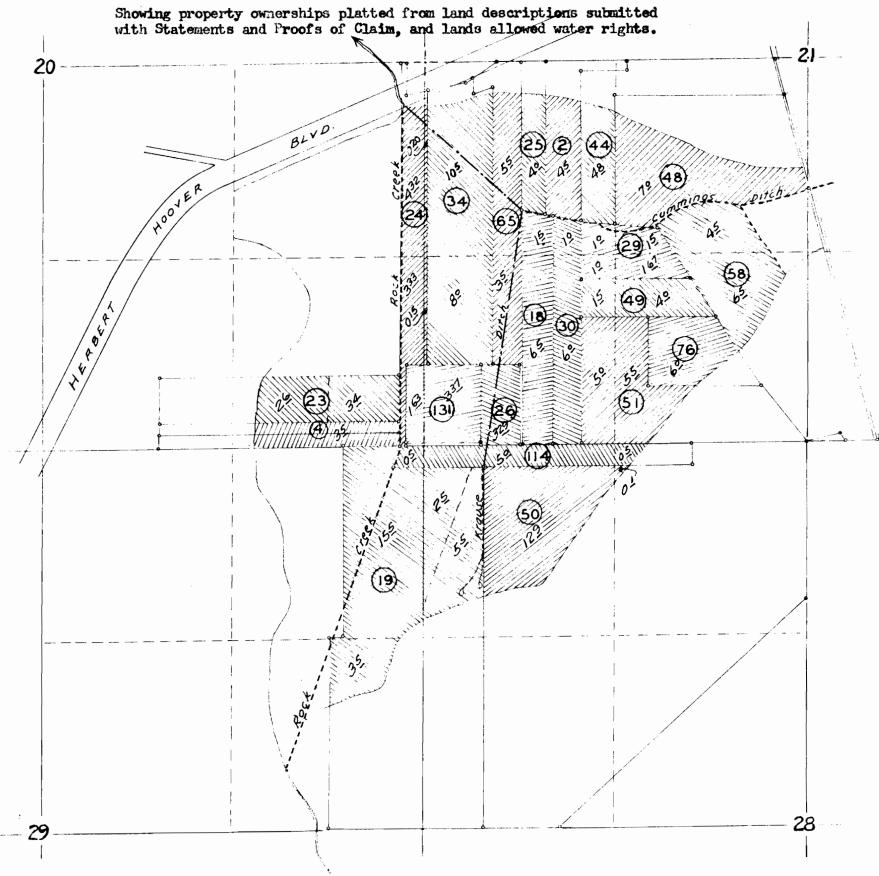
#### Galbreath, Mary - Proof No. 50

Claimant asserted a right for the irrigation of a total of 13.9 acres of land. The State Engineer's survey shows a total of 13.0 acres irrigated within the tract of land encompassed by the legal description of claimant's land.

It appears that beneficial use of water has been made in the irrigation of the lands within the Onion Flat area, and that no contests have been filed herein against said statements and proofs of claim, therefore, subject to the provisions of Findings 21 and 22 herein, the following named claimants, and their successors in interest, are hereby allowed rights for the irrigation of their respective lands by the method of sub-surface application of water, as has been their practice and that of their predecessors in interest since approximately the year 1890, in the name of, under the date of priority, and to the extent of the number of acres as herein set out and described in the tabulation of water rights under Finding 69, all of said lands being situate in Township 2 South, Range 1 West of the Willamette Meridian in Washington County:

# SKETCH MAP OF ONION FLAT AREA

Part of Sections 20, 21, 28 & 29, T. 2 S., R. 1 W., W.M.



TABULATION OF CLAIMS AND ACRES ALLOWED WATER RIGHTS.

	T	SI	,		SV	•			W	1	<u> </u>	
CLAIMANT	Proof	Section 20		Section 21				on 28			Total	
CDATRANI	No.	NE.	SE.	NE.	NW	SW.	SE	NE.	IW.	NE	SE	Acres
Anderson, Erwin J. & Vivian	2				4.5							14.5
Anderson, Nels O. & Eleanor	4		3.5								ĺ	3.5
Cereghino, David & Gerda	1.8				1.5	6.5						6.0
n n	19								8.0	15.5	3.5	27.0
Cereghino, John & James, et ux	23		6.0							1		6.0
11 11 11	24	4.32	3.33		0.20	0.15						8.0
Cereghino, Richard	25	7.5			4.0						1	4.0
R H	26	ĺ				3.29						3.29
Cole, Frank G. & Neva B.	29			1.5	1.0	1.0	1.67					5.17
Cole, Herry & Retta	30				1.0	6.0	•				1	7.0
Dittman, Herman A.	34				10.5	8.0						18.5
Fischbuch, Chester	44	[			4.8					ļ		4.8
Galbreath, Arthur	48			7.0								7.0
Galbreath, Don & Bessie	49					1.5	4.0					5.5
Galbreath, Mary	50							0.1	12.9	1		13.0
Galbreath, Mary, John & Erwin	51					5.0	5.5					10.5
Haynes, Gertie Galbreath	58			4.5			6.5					11.0
Johnston, Clark L. & Bessie H.	65				5.5	3.5						9.0
McCormick, Sarah Jane & O. E.	76						6.0					6.0
Walgreave, Delmar	114							0.5	5.0	0.5		6.0
Young, William R. & Mary	131		1.63			3.37						5.0

CLAIMANT	•	ADDRESS	.PROOF NO.
Anderson, Erwin J. & Vivian	Route 4,	Sherwood, Oregon	2
Anderson, Nels O. & Eleanor	Route 4,	Sherwood, Oregon	4
Cereghino, David & Gerda	Route 4,	Sherwood, Oregon	18, 19
Cereghino, John & Gladys Cereghino, James & Christina	Route 4	Sherwood, Oregon	23, 24
Cereghino, Richard	Route 4,	Sherwood, Oregon	25, 26
Cole, Frank G. & Neva B.	Route 4,	Sherwood, Oregon	29
Cole, Harry & Retta	Route 4,	Sherwood, Oregon	30
Dittman, Herman A.	Route 4,	Sherwood, Oregon	34
Fischbuch, Chester	Route 4,	Sherwood, Oregon	44
Galbreath, Arthur	Route 4,	Sherwood, Oregon	48
Galbreath, Don & Bessie	Route 4,	Sherwood, Oregon	49
Galbreath, Mary	Route 4,	Sherwood, Oregon	50
Galbreath, Mary, John & Erwin	Route 4,	Sherwood, Oregon	51
Haynes, Gertie Galbreath		Sherwood, Oregon	58
Johnston, Clark L. & Bessie H.	Route 4,	Sherwood, Oregon	65
McCormick, Sarah Jane & O. E.	Route 4,	Sherwood, Oregon	76
Walgreave, Delmar	Route 4,	Sherwood, Oregon	114
Young, William R. & Mary	Route 4,	Sherwood, Oregon	131

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## SUB-IRRIGATION OUTSIDE ONION FLAT AREA

A number of claimants have asserted rights to the use of the waters of springs, ditches and streams tributary to Tualatin River, in addition to the several owners of the lands in the Onion Flat group treated under Finding 22. Said claims are for sub-irrigation and other uses, and will be treated individually herein.

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# Anderson, Erwin J. & Vivian - Proof No. 1

Claimants have asserted a right to the use of the waters of an unnamed tributary of Rock Creek for the sub-irrigation of 5.0 acres of land, being 2.4 acres in Section 20 and 2.6 acres in Section 29, T. 2 S., R. 1 W., W.M., under priority date of 1900.

Said claim is accompanied by the sworn and notarized affidavits of George Borchers and Walter Schmidt, both residents of Route 4, Sherwood, Oregon, who assert that they were born in 1892 and 1885 respectively and have been acquainted with the lands for which a right is claimed since their early boyhood. That, to their knowledge, said lands have always been irrigated by means of stops placed in the lateral ditches and tile lines, which are used during the wet season to drain said lands, thereby holding the water and causing the sub-irrigation of the lands.

It appears that claimants have made beneficial use of the waters of said unnamed tributary to Rock Creek in the irrigation of their lands as claimed, and that no contest has been filed herein against said claim, therefore, subject to the applicable provisions of Finding 21 herein, claimants are allowed a right as claimed and as more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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#### Anderson, Nels and Eleanor - Proof No. 3

In statement and proof of claim Number 3 claimants have asserted a right to the use of the waters of unnamed ditches, tributary to Rock Creek, for the sub-irrigation of 23.0

acres of land, being 20.0 acres in the SE% SW% Section 20, and 3.0 acres in the NE% NW%, Section 29, T. 2 S., R. 1 W., W.M., under priority date of 1900.

Said claim is accompanied by the sworn and notarized affidavits of George Borchers and Walter Schmidt, who assert that they were born in 1892 and 1885 respectively and have personal knowledge and recollections of the lands claimed as having been under crop and sub-irrigated by means of placing stops in the lateral drains, since their early childhood.

Said lands were not shown as irrigated lands on the State Engineer's map, however, from a subsequent investigation of the premises it appeared that the lands were irrigated to the extent of 22.5 acres in said SEM SWM, Section 20, and 1.0 acre in said NEM NWM Section 29. No contest having been filed herein against said claim and it appearing that beneficial use of water has been made in the irrigation of said lands, claimants are allowed a right to the use of the waters of unnamed ditches, tributary to Rock Creek, for the irrigation of 23.0 acres of land, subject to the provisions of Finding 21 herein. Said right being more specifically set out and described in the tabulation of water rights under Finding 68 herein.

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#### Aschwanden, Herman J. & Gertrude - Proof No. 5

Claimants filed herein statement and proof of claim number 5 wherein, as riparian land owners, a right is asserted to the use of the waters of Hedge Creek for the sub-irrigation of 5.5 acres of land in Section 22, T. 2 S., R. 1 W., W.M., being 0.3 acre in the SW/4 SW/4 and 5.2 acres in the SE/4 SW/4, under priority day of 1907.

Said claim is accompanied by the sworn and notarized affidavits of Arthur Galbreath, Morris Walgraeve and Harry E. Cole, each asserting that they have been residents of the immediate vicinity and familiar with the lands for which a right by sub-irrigation is claimed since 1907 and that the lands have been cropped and irrigated during the intervening years by means of a small dam placed in Hedge Creek, causing the water to back up in the irrigation ditches traversing said lands.

This claim is herein considered on the basis of an appropriation of water for beneficial use but not as a right based on riparian ownership of the lands claimed. It appears that claimants have made beneficial use of the waters of Hedge Creek in the irrigation of their lands and that no contest has been filed herein against said claim.

Therefore, subject to the provisions of Finding 21 herein, claimants are allowed a right for the irrigation of their lands to the extent of 5.5 acres, said right being more particularly set out and described in the tabulation of rights under Finding 69 herein.

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## Borchers, Bertha - Proof No. 11

In statement and proof of claim number 11 claimant has asserted a right to the use of the waters of unnamed ditches, tributary to Rock Creek, for the sub-irrigation of 11.0 acres of land in the NW/4 NW/4 Section 29, T. 2 S., R. 1 W., W.M., under priority date of 1900.

Said claim is accompanied by the sworn and notarized affidavits of George Borchers and Walter Schmidt, both residents of the immediate vicinity, who assert that they have personal knowledge of the irrigation of the lands for which a right is being claimed, since their early boyhood prior to 1900 and that the irrigation of said lands has always been accomplished by placing stops in the lateral drainage ditches, thereby backing the water up to sub-irrigate the lands.

Claimant asserts that she accepts the map of the State Engineer as correctly showing the location and extent of the lands for which an irrigation right is being claimed. It appears that beneficial use of the waters of said unnamed ditches, tributary to Rock Creek, has been made in the irrigation of the lands claimed and that no contest has been filed against said

claim. Therefore, subject to the provisions of Finding 21 herein, claimant is allowed a right for the irrigation of her lands as claimed, said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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## Cereghino, John & Gladys - Proof No. 21

In statement and proof of claim number 21 a right is asserted to the use of the waters of Rock Creek and unnamed ditches tributary thereto for stock watering and the irrigation of 7.0 acres of land in the SW/4 SW/4 Section 29, T. 2 S., R. 1 W., W.M. under priority date of 1890.

Said claim is supported by the sworn and notarized affidavits of James McConnell and Clarence McConnell who assert that they were born near Sherwood, Oregon in 1873 and 1885 respectively and have lived in the immediate vicinity throughout their lifetime. They further assert that they recall the irrigation of the lands for which a right is asserted in this claim, and the growing of onions and other vegetable crops, since as early as 1890, that the lands are of beaverdam soil and were drained by small, covered lateral ditches which were utilized to accomplish the sub-irrigation of said lands during the irrigation season from May until September, by placing stops or checks in said lateral ditches.

At the time of the field survey of the lands involved in this claim and statement and proof of claim number 22 adjacent thereto, the records of the County Recorder described the property as two parcels, all in the ownership of John and Gladys Cereghino, with the channel of Rock Creek as the dividing line between the two parcels. The State Engineer's map, supported by aerial pictures of the area, show the channel of Rock Creek as traversing the SWA SWA of Section 28, diagonally, in a straight line, from a point on the south line of said Section 28, 500 feet east of the south west corner of said Section 28, to a point on the west line of said Section 28, 1100 feet north of said southwest corner. The area of land in crop and apparently irrigated within said SWA SWA Section 28 was found to be 5.8 acres southwest of Rock Creek, and 6.3 acres northeast of Rock Creek, a total of 12.1 acres.

Claimant states, in answer to question 28, "Give description of your land as it appears in your deed?" Answer- "SW quarter of Southwest quarter of Section 28, T. 2 S., R. 1 W., W.M." From this it appears that John and Gladys Cereghino conveyed a part interest in their lands as described in the County Recorder's records under two parcels, to James and Christina Cereghino, reserving unto themselves the entire SW/4 SW/4, Section 28.

Of the 12.1 acres of land found to be in crop and irrigated within said SW/4 SW/4 Section 28, claimants have asserted a right for only 7.0 acres. It appears that claimants have made beneficial use of the waters of Rock Creek and unnamed ditches in the sub-irrigation of their lands and that no contest has been filed herein against said claim, therefore, subject to the provisions of Finding 21 herein, claimants are allowed a right for the irrigation of 7.0 acres as claimed, within the SW/4 SW/4 Section 28, T. 2 S., R. 1 W., W.M.

Claimants have also asserted a right for the watering of 20 head of stock by drinking directly from Rock Creek as it exists across the property. It appears that the remaining portion of said SW/4 SW/4, not cultivated and cropped, is used for stock pasture and that the stock pastured theron have access to the channel of Rock Creek. Therefore, no contest having been filed herein against said claim, subject to the provisions of Finding 58, a right is allowed for stock watering by drinking directly from Rock Creek as it flows across said SW/4 SW/4 Section 28, T. 2 S., R. 1 W., W.M., to the extent of 20 head of livestock.

Said rights for irrigation and stock use are more particularly set out and described in the tabulation of water rights under Finding 69 herein.

## Cereghino, John & Gladys, James & Christina - Proof No. 22

In statement and proof of claim number 22 a right is asserted to the use of the waters of Rock Creek for stock watering and the irrigation of 12.0 acres of land, being 1.0 acre in the NEW SEW and 11.0 acres in the SEW SEW, Section 29, T. 2 S., R. 1 W., W.M. under priority date of 1890.

This claim is supported by copies of the same affidavits as accompanied claim number 21. The lands for which a right is asserted herein are a part of those discussed in connection with the preceding claim number 21.

The State Engineer's map, which was accepted generally by claimants as correctly showing the location of their irrigated lands, shows 0.7 acre irrigated in said NE% SE% and 9.7 acres irrigated in said SE% SE%, Section 29. The area found to be in crop and irrigated within said subdivision is bounded on the east by the channel of Rock Creek, on the north by the right of way of the Southern Pacific railroad and on the west and south by a line defining the contour of the toe of the adjoining hills.

It appears that claimants have in the past, and are now accomplishing the beneficial irrigation of said lands by means of stops or checks placed in the channel of Rock Creek so as to hold the water in the underground drainage system thereby sub-irrigating the lands. No contest has been filed herein against said claim, therefore, subject to the provisions of Finding 21 herein, a right is allowed to the use of the waters of Rock Creek for irrigation to the extent of 0.7 acre in the NEW SEW and 9.7 acres in the SEW SEW, Section 29, T. 2 S., R. 1 W., W.M.

It further appears that stock are pastured on the premises and have been allowed to drink directly from Rock Creek as same flows across the property. No contest having been filed against said claim for stock water, therefore, subject to the provisions of Finding 58 herein, a right is allowed for stock watering by drinking directly from Rock Creek as same flows across the property, to the extent of 20 head of livestock.

Said rights for irrigation and stock watering are more fully set out and described in the tabulation of water rights under Finding 69 herein.

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## Conzelman, Arnold & Edith - Proof No. 32

Claimants Arnold and Edith Conzelman have filed herein statement and proof of claim number 32 wherein they have asserted a right to the use of the waters of unnamed ditches tributary to Rock Creek for the sub-irrigation of 7.5 acres of land in the NE% NE% Section 30, T. 2 S., R. 1 W., W.M. under priority date of 1900.

Said claim is supported by the sworn and notarized affidavits of George Borchers and Walter Schmidt, both residents of the immediate vicinity, who assert that they were born in 1892 and 1885 respectively, and have been personally acquainted with the lands claimed and the methods of irrigation used and the crops grown since prior to the year 1900.

It appears that the lands were reclaimed by a system of drainage channels which were later converted to an underground tile system. That the irrigation of said lands is accomplished by placing stops or checks at certain locations in said tile system thereby holding the water and sub-irrigating the land.

It appears that beneficial use has been made of the waters of said unnamed ditches, as claimed, and that no contest has been filed in this proceeding against said claim. Therefore, subject to the provisions of Finding 21 herein, claimants are allowed a right for the irrigation of their lands as claimed, said right being more particularly set out and described in the tabulation of water rights under Finding 69 herein.

## Darnell, Thomas C. & Freda M. - Proof No. 33

In statement and proof of claim number 33 claimants have asserted a right for domestic and stock use and the irrigation of 15.0 acres of land within Section 21, T.1S., R.2W., W.M. from springs and an unnamed creek, tributary to Tualatin River, under priority date of 1896.

Said claim is supported by the sworn and notarized affidavits of William E. Rannow and Edgar B. Rannow who assert that they were born on the premises in September 1900 and January 1904, respectively, and are the sons of Herman Rannow who purchased the property in the year 1896. That they each have personal knowledge of the water usage for which a right is being claimed. Water for domestic household purposes was, and is now secured from a well, that 20 head of dairy stock were pastured on the property and drank directly from the creek and overflow from the springs. That the irrigation of 15.0 acres of bottom land was accomplished, partly by flood irrigation from gravity ditches and partly by checks placed in a tile drainage system for sub-irrigation.

Claimants asserted right for domestic use cannot be recognized herein for the reason that such use is from a private well over which the State Engineer has no jurisdiction, except should it be used for the irrigation of more than one-half acre of land.

It appears that beneficial use of water for stock watering purposes has been and is being made as claimed, therefore, subject to the applicable provisions of Finding 58 herein, claimants are allowed a right for stock use by drinking directly from the waters of the springs or stream as they exist upon the property, to the extent of 20 head of dairy stock or their equivalent.

Claimants asserted right for the irrigation of 15.0 acres of land was described as 9.0 acres in the SE% SW% and 6.0 acres in the SW% SE%, Section 21, T. 1 S., R. 2 W., W.M. From a subsequent examination of the premises it appeared that claimants were irrigating 15.0 acres of land but that said land was not located as claimed. Claimants have accepted the map prepared by the State Engineer as correctly showing the location of their irrigated lands, and from said map it appears that the 15.0 acres claimed are located in four government subdivisions, being 6.5 acres in the SE% SW% and 5.4 acres in the SW% SE%, Section 21 and 0.1 acre in the NW% NE% and 3.0 acres in the NE% NW%, Section 28, all within T. 1 S., R. 2 W., W.M. Of said 15.0 acres 5.0 acres is situate south of the unnamed creek and 10.0 acres north of the creek.

It appears that beneficial use of the waters of said springs and unnamed creek is being made in the irrigation of said lands and that no contest has been filed in this proceeding against said claim, therefore, subject to the applicable provisions of Findings 21 and 58 herein, claimants are allowed a right for the irrigation of 15.0 acres of land. Said rights for irrigation and stock use are more particularly set out and described in the tabulation of water rights under Finding 69 herein.

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# Guild Stanley I. - Proof No. 55

Statement and proof of claim number 55, filed herein on behalf of claimant Stanley I. Guild by his son and authorized agent, Len W. Guild, asserts a right to the use of the waters of a ditch designated as "C" ditch, tributary to Rock Creek and thence the Tualatin River, for the irrigation of a total of 18.1 acres of land in Sections 4, 5, 8, and 9, T. 2 S., R.IW., W.M. under date of priority of the year 1900.

Claimant states that the irrigation of said lands is accomplished by means of ditch and tile lines, used for drainage during the wet season and to sub-irrigate the land during the season from May to October. Claimant further states that the map of the State Engineer

shows all of the lands he is claiming except 2.0 acres lying east of and adjacent to the ditch in the NW/4 NW/4 Section 9.

From a subsequent examination of the lands it appeared that claimant was and is making beneficial use of the waters of said "C" ditch for the sub-irrigation of his lands, as claimed. No contest has been filed in this proceeding against said claim, therefore, subject to the provisions of Finding 21 herein, claimant is allowed a right for the irrigation of 18.1 acres of land as claimed, under priority of 1900. Said right is more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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#### Heinke, Martha - Proof No. 60

Claimant filed herein statement and proof of claim number 60 wherein a right is asserted to the use of the waters of springs and unnamed ditches, tributary to Tualatin River, for domestic use, stock watering and the irrigation of 2.0 acres of land, within the SW/4 SW/4 Section 23, T. 2 S., R. 1 W., W.M., under date of priority of 1878.

Said claim is supported by the sworn and notarized affidavit of Joe Itel who states he was born in the immediate locality in the year 1898 and has resided there during his entire lifetime. That he has personal knowledge of the property involved since about the year 1903 and that the springs have always been used for domestic and stock water, that an area of approximately 3.0 acres of beaver dam land adjacent to the springs had been drained and reclaimed for growing onions and other vegetables, being irrigated by placing stops in the drainage channels so as to hold the water for sub-irrigation through the drainage system.

It appears that the springs and unnamed ditches are actually tributary to an unnamed tributary of Saum Creek and thence the Tualatin River. The State Engineer's map does not show any irrigated land on the premises, however, a subsequent examination of the lands disclosed that an area of approximately 2.4 acres was tiled and sub-irrigated as claimed. Water from the springs is now piped to the residence for household domestic needs and to the barn for stock use.

No contest has been filed herein against said claim and it appears that beneficial use has been made of the waters as claimed, therefore, subject to the provisions of Findings 21 and 56 herein, claimant is allowed a right for domestic and stock use as claimed, said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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# O'Mara, Loyola F. & Julia R. - Proof No. 85

In statement and proof of claim number 85 claimants O'Mara have asserted a right to the use of the waters of Fanno Creek and several springs tributary thereto, for stock use and the irrigation of 10.3 acres of land in the N/2 SE/4, Section 2, T. 2S., R. 1W., W.M., under date of priority of 1906 for stock use and 1907 for irrigation use.

It appears that the lands for which a right for irrigation is asserted were originally wet and swampy in character, from the overflow of numerous springs situate thereon, that a drainage system of tile was installed to reclaim said lands for agricultural purposes and that, during the dry season of the year, checks or dams are placed in said drainage system at convenient locations thereby obstructing the flow of water and accomplishing the sub-irrigation of the lands. The area of land thus irrigated, determined from the contour of the land, is 10.3 acres, as claimed, being 5.3 acres in the NEW SEW and 5.0 acres in the NWW SEW, said Section 2.

No contest having been filed herein against said claim, and it appearing that

beneficial use of the waters of said springs in the sub-irrigation of claimant's land has been made, a right is herein allowed for the irrigation of 10.3 acres as claimed, subject to the provisions of Finding 21 herein.

It appears that stock use is accomplished by the stock drinking directly from Fanno Creek as it flows across the premises. Claimants assert that, to their knowledge, the maximum number of stock pastured upon the property consisted of thirteen head of cattle and four head of horses.

It appears that beneficial use of the waters of Fanno Creek has been made for stock watering purposes and that no contest has been entered herein against said claim, therefore, subject to the provisions of Finding 58 herein, a right is allowed for stock water to the extent of seventeen head of livestock.

Claimants' rights for irrigation and stock water, as allowed herein, are more particularly set out and described in the tabulation of water rights under Finding 69 herein.

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#### Snyder, Gordon H. & Mildred - Proof No. 103

Claimants filed herein statement and proof of claim number 103 wherein they have asserted a right to the use of the waters of Rock Creek for stock watering of a maximum of 35 head of livestock and the irrigation of 21.5 acres of land in Section 33, T. 2 S., R. 1 W., W.M. under date of priority of 1865.

Said claim is accompanied by the sworn and notarized affidavit of Andrew M. Weston who asserts that he was born near Sherwood, Oregon in May 1880 and has maintained his residence in the vicinity, except for brief periods of absence, throughout his lifetime. That he has been familiar with the land for which a right for irrigation is herein asserted, since 1890 and that, to his personal knowledge, said lands were reclaimed and cropped to general farm crops, including onions and other vegetables, and have been irrigated by the same method of sub-irrigation throughout the intervening years.

It appears that said lands were originally reclaimed by the installation of numerous drain ditches and that said drains were subsequently covered for greater ease in cultivation. That the method of irrigation has always been to place small dams in the channel of Rock Creek during the irrigation season, thereby backing the water up and holding it in the drainage system and thus causing the sub-irrigation of the lands.

It appears from the property description submitted with said claim, and from the County Recorder's records, that of the 7.3 acres shown as irrigated on the State Engineer's map and located in the NE% SW% of said Section 33, and for which a right is being claimed herein, only 6.8 acres are owned by claimants, the northerly 0.5 acre lying east of the channel of Rock Creek being on the adjoining property.

It appears that beneficial irrigation of said lands has been made and that no contest has been entered in this proceeding against said claim and method of irrigation. Therefore, subject to the provisions of Finding 21 herein, claimants are allowed a right to the use of the waters of Rock Creek for the irrigation of 21.0 acres of land under priority of 1865.

Claimants' asserted right for stock watering is by allowing stock to drink directly from the channel of Rock Creek as same flows across the premises. It appears that stock have always been pastured on the lands of claimants and that beneficial use of the waters of Rock Creek has been made for stock watering purposes, and that said claim has not been contested in this proceeding. Therefore, subject to the provisions of Finding 58 herein, claimants are allowed a right to the use of the waters of Rock Creek for stock watering by drinking directly from said stream as same flows across the property, to the extent of 35 head of livestock.

Claimants' said rights for irrigation and stock watering are more particularly set

## Walgraeve, Morris & Jane - Proof No. 115

In statement and proof of claim number 115 claimants have asserted a right to the use of the waters of springs which have been ditched into Hedge Creek, for stock watering and the irrigation of 4.0 acres of land in the SWA SEWA, Section 22, T. 2 S., R. 1 W., W.M., under date of priority of 1904. Said claim is accompanied by the sworn and notarized affidavits of Claimant Walgraeve, and of David Cereghino, Fred Shamburg and Sam Cereghino, each asserting that he is a resident of the vicinity and well acquainted with the land for which a right for irrigation is being claimed.

It appears that said lands were reclaimed by a drainage system which was installed by former owners of the property prior to 1904. That the irrigation of said land was accomplished by placing stops or checks in the drainage system so as to hold the water and cause the sub-irrigation of the land. That subsequently said drainage system was covered over to facilitate cultivation and that the lands have been cropped to onions and other vegetable crops during the intervening years.

It appears that beneficial use of the waters of said springs has been made as claimed, and that said claim has not been contested in this proceeding, therefore, subject to the provisions of Finding 21 relating to sub-irrigation, and Finding 58 relating to stock drinking directly from the source, claimants are allowed a right for the irrigation of 4.0 acres of land and for stock watering purposes, said rights being more particularly set out and described in the tabulation of water rights under Finding 69 herein.

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#### CHRISTENSEN BROS. - Proof #27

In statement and proof of claim number 27, filed by Ralph E. Christensen on behalf of Christensen Bros. a right is asserted to the use of the waters of Burris Creek, tributary to Tualatin River, and Tualatin River for domestic and stock use under priority of 1900, and the irrigation of 24.0 acres of land in Section 5, T. 2 S., R. 2 W., W.M., under priority of 1908.

It appears that Christensen Bros. are the owners and operators of an extensive dairy farm upon which are located a large dairy barn and several other outbuildings used in connection with the dairy operation and that water from Burris Creek is pumped to said buildings for stock use.

That prior to 1907 the stock drank directly from Burris Creek. In about 1907 a dam was constructed in the channel of Burris Creek and water piped to stock troughs, and the following year a pump and gas engine were installed and water pumped to the several buildings.

That said gas engine and pump were also used to deliver water from Burris Creek through a six inch pipe line for the irrigation of 24.0 acres of land within Section 5, T. 2 S., R. 2 W., W.M.

The exact location of said 24.0 acres is rather indefinite, however, from available data it appears that the land irrigated was within the area described in an application to the State Engineer for a permit to appropriate water under the water code, which permit was granted and later culminated in a Certificate of Water Right, recorded in State Record of Water Right Certificates, Vol. 1 page 436.

From the map submitted with said application for permit, it appears that the 24.0 acres for which a right is claimed in this proceeding was situate, as nearly as may be determined, 10.0 acres in the SW/4 NE/4, 10.0 acres in the SE/4 NE/4 and 4.0 acres in the NE/4 SE/4, said Section 5.

It appears that beneficial use of the waters of Burris Creek has been made for stock watering and the irrigation of 24.0 acres of land, and that no contest has been filed in this proceeding against this claim, therefore, subject to the applicable provisions of Findings 55 and 53 herein claimants hereby are allowed a right to the use of the waters of Burris Creek, for stock use and other uses incident to the operation of a modern dairy, under priority of 1900 and for the irrigation of 24.0 acres of land as herein-after described, under priority of 1908. Said rights being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

Relative to the asserted claim for domestic household use, it appears from subsequent information obtained from claimants, that water for household needs was secured from two dug wells on the premises, that a new well was drilled approximately 15 years ago from which domestic water is now obtained. Since these wells are private property and do not come within the jurisdiction of the present water code, except if they be used for the irrigation of more than one-half acre of land, said claim for domestic use does not come within the scope of this proceeding and therefore cannot be recognized herein.

Relative to the asserted right to the use of the waters of Tualatin River, it appears that the waters of said stream were not utilized directly and that such asserted right has not been substantiated, therefore such asserted right hereby is denied.

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# DOUGLAS, Adraen Erwin - Proof #38

Claimant has asserted, in statement and proof of claim number 38, a right to the use of the waters of an unnamed tributary of McKay Creek for domestic use and the irrigation of 10.0 acres of land in the NE% SW% Section 24, T. 3 N., R. 3 W., W.M. under priority of the date Jan. 11, 1892 when Homestead Certificate #3346 was issued to John & Mary Gillespie, the original owners.

From an examination of the premises, made in 1956 in connection with this proceeding, it appeared that at some time during prior years the waters of this unnamed tributary may have been used for the purposes for which a right is herein asserted.

At the time of the examination the premises were unoccupied and in a state of deterioration. A section of galvanized water pipe and an outside faucet were observed, however, there was no water in the pipe line. A careful inspection of the creek channel upstream from the house failed to disclose the intake of the pipe line, although a water-worm excavation in the creek channel may have been the remains of the diversion works. The creek was dry at the time, August 9th, and it appeared that there had been no flow for some time.

An area of between 5 and 10 acres, situate on the hillside east of the buildings, bore evidence of having been cropped to strawberries during some time in the past but had reverted to an overgrowth of weeds and briars, indicating several years of non-use.

No evidence was observed which would indicate any irrigation use although a pump and sprinkler system could have been used. An inspection of the creek channel failed to disclose any indication of a dam or pump sump, or pump location.

From statements made by claimant in his statement and proof of claim, it appears that such prior use as may have been made of the waters of said unnamed tributary by former owners of the property, has been discontinued for several years and that claimant is now contemplating certain development and water usage at a future date.

Taking into consideration all evidence obtained in the field investigation, together with certain statements of claimant in his statement and proof of claim it appears that said asserted usages of the waters of the unnamed tributary of McKay Creek, have been discontinued and abandoned for more than the statutory period of five years, therefore the asserted rights

as set out in statement and proof of claim number 38 hereby are denied.

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# HUTCHISON, Charles & Wealtha - Proof #61

Claimants have asserted a right to the use of the waters of a spring located on the south 15.0 acres of the SE% NW% Section 11, T. 2 N., R. 3 W., W.M. for domestic and stock use under priority date of April 11, 1898.

Said claim is accompanied by the sworn and notarized affidavits of Arnold Hutchison, 72 years of age and Irvin Hutchison, 71 years of age; each asserting that they have lived in close proximety to claimant's premises and have personal knowledge of the use of the waters of said spring for domestic and stock purposes, as claimed, since April 1898.

From an inspection of the premises made on August 7, 1956 and a re-inspection made on July 7, 1958 at which time claimant was contacted personally, said spring was found to be located approximately 75 feet north and 30 feet east of the southwest corner of said SE% NW% Section 11, upon claimants property.

It appears that stock use is by drinking directly from the overflow from said spring, that domestic use was made by hauling water from said spring to the original homesite located about the center of the property. A new residence was built many years ago and the original house removed. A shallow well was dug near the new house and has been used for domestic water during the intervening years. Claimant stated that it was his intention to re-develop said spring and pump water therefrom for domestic use at a later date.

It appears that beneficial use has been made of the waters of said spring for stock watering purposes to the extent of 14 head of livestock, and that no contest has been filed in this proceeding against said claim, therefore, subject to the provisions of Finding 58 herein, claimants are allowed a right for stock water upon their property, herein after described, to the extent of the quantity required for the sustenance of 14 head of livestock, under priority of 1898, said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

Relative to the asserted right for domestic use, it appears from the evidence disclosed, that such use as may have formerly been made by hauling water for domestic use, was discontinued and abandoned when the new home was built and a shallow well dug to provide domestic water, therefore, said asserted right to the use of water from said spring for domestic purposes is hereby denied. Claimant may initiate such a right by applying to the State Engineer for a permit, under the provisions of the Oregon Water Rights Act.

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## IVORY, Elsie Kelley - Proof # 64

Claimant has asserted a right to the use of the waters of West Fork Dairy Creek for domestic and stock use within the SW/4 SW/4, Section 4, T. 2 N., R. 4 W., W.M. under priority of 1905.

Inspections of the premises made on July 12, 1956 and on July 11, 1958 disclosed that domestic water was secured from a dug well near the residence, by means of an electric pressure system and 1½ inch intake and 1 inch discharge pipes leading to the residence.

There were no stock being pastured on the premises during the time of the inspections, however there was evidence of stock having been allowed to drink directly from the creek. Claimant asserted that, to her knowledge, 5 cows and 2 horses were the maximum head of livestock pastured upon the premises.

It appears that beneficial use of the waters of West Fork Dairy Creek has been made for stock watering purposes by said stock drinking directly from the creek channel upon the premises owned by claimant. Therefore, subject to the provisions of Finding 58 herein, claimant

is allowed a right to the use of sufficient water for the sustenance of 7 head of livestock, from the waters naturally flowing in West Fork Dairy Creek upon the property herein after described, under the priority of 1905, said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

It further appears that water for domestic household needs is secured from a private well situate upon the premises, therefore, the asserted right for domestic use from the waters of West Fork Dairy Creek hereby is denied.

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## KRAUTSCHEID, Peter & Helen - Proof # 68.

In statement and proof of claim number 68, claimants Peter and Helen Krautscheid have asserted a right to the use of the waters of an unnamed spring and stream flowing across the NE% NW%, Section 26, T. 2 N., R. 3 W., W.M. for the watering of 16 head of livestock by drinking from said stream, under date of priority of 1886.

Said claim is accompanied by the sworm and notarized affidavits of Jacob Miller, who asserts that he has personal knowledge of such use as claimed since 1906; of Armie E. Dickson who asserts that he resided in the adjoining Section 23 from 1903 until 1919 and has personal knowledge of such use for stock watering, as claimed; and of Claud Davis who asserts that he knows personally that said stream was used for stock watering purposes, as claimed since prior to 1909.

From an inspection of the premises made on August 7, 1956 and a re-inspection made on July 7, 1958, it was disclosed that the spring is located about 10 feet north of the Krautscheid property, being within the SE% SW%, Section 23, T. 2 N., R. 3 W., W.M., approximately 10 feet north and 800 feet west of the quarter section corner between said Sections 23 and 26. That the waters of said spring flow in a natural channel across the northwest corner of said NE% NW% Section 26 and thence into an unnamed tributary of East Fork Dairy Creek.

It appears from the evidence disclosed, that claimants and their predecessors in interest, have made beneficial use of the waters of said spring and stream as same flow across claimants property, for stock watering purposes, as claimed, and that no contest has been filed in this proceeding against said statement and proof of claim numbered 68, as provided by law. Therefore, subject to the provisions of Finding 58 herein, claimants are allowed a right to the use of sufficient water for the sustenance of 16 head of livestock by allowing said stock to drink directly from the waters of said unnamed stream as same flows across claimants property, under priority date of 1886. Said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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## KRUSE, Clarence D. - Proof #69

In statement and proof of claim number 69 a right is asserted to the use of the waters of an unnamed spring located within the SE¼ SE¼ Section 6, T. 2 S., R. 1 E., W.M., on claimants property, for domestic and stock use, under priority of 1868.

It appears that said spring has been developed and the waters thereof pumped by electric pressure system to the residence of claimant within the SE% SE%, said Section 6, and to the residence of claimant's brother Herbert V. Kruse, within the NE% NE% of adjoining Section 7, said township and range, who filed herein statement and proof of claim number 70. That water is also piped by gravity to a barn for stock use on the adjoining property of claimant's brother, Herbert V. Kruse.

It further appears that the waters of said spring have been used jointly by the owners of the properties involved in claims numbered 69 and 70 but that said stock use is entirely upon the property of Herbert V. Kruse, as asserted in his claim number 70.

It appears that beneficial use of the waters of said spring for domestic needs has been made by claimant herein and that no contest has been filed in this proceeding against said claim, therefore, subject to the provisions of Finding 54 herein, claimant Clarence D. Kruse is allowed a right to the use of not to exceed 0.01 cubic foot per second of the waters of said unnamed spring, for domestic use within the SE% SE% Section 6, T. 2 S., R. 1 E., W.M., under priority of 1868, said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

The asserted right for stock use under this claim is hereby denied for the reason that such asserted use is not being made upon the property owned by claimant herein.

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# LORENZ, Victor - Proof #72

Claimant has asserted a right for stock use from the waters of an unnamed tributary to Tualatin River upon the SW/4 NW/4 and NW/4 SW/4 Section 16, T. 1 S., R. 3 W., W.M. under priority date of 1878.

It appears that such stock use has always been accomplished by the stock drinking directly from the stream as it flows across the land where said stock are being pastured.

Claimant asserts that he and his predecessors in interest have always watered stock from said unnamed stream, but that recently an upstream property owner had interfered with the natural flow of said stream to such an extent as to cause same to become polluted and stagnant.

It appears from the records that on November 20, 1952, applications for permits to store water and to use such stored water for irrigation, were filed in the office of the State Engineer, that permits were duly issued therefore but that subsequently both permits were cancelled, as of May 12, 1954 upon authorization of permitee, and that said permits are of no further force or effect.

It appears that, up to the time of such purported interference, beneficial use of the waters of said unnamed tributary for stock watering purposes had been made by claimant herein and his predecessors, by allowing stock to drink directly from said stream as it flowed across the premises. Claimant asserts that a maximum of 20 head of dairy stock has been pastured on the premises and watered from said stream.

No contest has been filed in this proceeding against said statement and proof of claim numbered 72, therefore, subject to the provisions of Finding 58 herein, claimant is allowed a right for stock watering from said unnamed tributary upon the NW/4 SW/4, Section 16, T. 1 S., R. 3 W., W.M. to the extent of sufficient water for the sustenance of 20 head of livestock, under priority of 1878. Said right being more particularly set out in the tabulation of water rights under Finding 69 herein.

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## MARSHALL, Tom & Frances; Everett & Clara - Proof #75

In statement and proof of claim number 75, claimants have asserted a right to the use of the waters of Iler Creek for domestic, stock and irrigation of one acre within the NEW, NEW, Section 11, T. 1 N., R. 5 W., W.M. under priority date of 1894.

Said statement and proof of claim was executed on behalf of the above named claimants by claimant Tom Marshall, and is accompanied by his authorization as Attorney in Fact, signed and notarized by Frances, Everett and Clara Marshall.

It appears from the records of the County Recorder that said NE% NE% Section 11, is owned by claimant Tom Marshall. An inspection of the premises made on June 27, 1956 and a re-inspection made on July 1, 1958, disclosed that claimants are two individual families, Tom and Frances residing on the north half of said subdivision and Everett and Clara on the south-half. That each family secures water for domestic needs by gravity pipe lines from

separate springs, each of which is tributary to said Iler Creek. That the spring serving the Tom Marshall residence is located approximately 300 feet south and 500 feet west of the north-east corner of said Section 11, while the spring serving the Everett Marshall residence is located approximately 850 feet south and 750 feet west of said northeast corner of Section 11.

It appears that claimants have made beneficial use of the waters of said springs, tributary to Iler Creek, for domestic household needs, and that such claimed use was not contested in this proceeding, therefore, subject to the provisions of Finding 54 herein, claimants are allowed a right for domestic household uses from said springs, as above located, to the extent of not to exceed 0.01 cubic foot per second for each family from their respective spring, under priority date of 1894.

Claimants' asserted right for the irrigation of one acre of land was found to be a domestic garden located along the channel of Iler Creek near the center of said subdivision, and used jointly by both families. Said garden tract is irrigated by diversion of the waters of Iler Creek on property owned by claimants.

It appears that beneficial use has been made of the waters of Iler Creek in the irrigation of one acre of domestic garden and that said claim for irrigation has not been contested herein, therefore, subject to the provisions of Finding 53 herein, claimants are allowed a right to the use of 0.025 cubic foot per second of the waters of Iler Creek for the irrigation of one acre of land in the NEW NEW Section 11, T. 1 N., R. 5 W., W.M. under priority date of 1894.

Claimants asserted right for stock use appears to be by such stock as may be pastured upon the premises drinking directly from Iler Creek as it flows across the premises. Claimants have stated that 9 head of livestock is the maximum number pastured upon said NE% NE% Section 11 at any one time.

It appears that beneficial use of the waters of Iler Creek has been made for stock watering purposes and that such asserted claim has not been contested in this proceeding. Therefore, subject to the provisions of Finding 58 herein, claimants are allowed a right to the use of the waters of Iler Creek for stock watering by drinking directly from said stream, to the extent of the quantity of water required for the sustenance of 9 head of livestock, under priority of 1894.

Claimant's said rights for domestic, irrigation and stock watering, as herein allowed, are more particularly set out and defined in the tabulation of water rights under Finding 69 herein.

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## MERZ, George L. & Maude A. - Proof #78

Claimants have asserted, in their statement and proof of claim number 78, a right to the use of the waters of an unnamed spring tributary to the West Fork of Rock Creek and the West Fork of Rock Creek, for domestic and stock requirements upon the SE¼ SW¼, Section 5, T. 3 S., R. 1 W., W.M. dating from Oct. 21, 1868, being the date of execution of the original U. S. Government deed covering said property.

Said claim is accompanied by the sworn and notarized affidavits of Perry Weston, Lyman Murdock and Cecil Weston, each asserting that they have personal knowledge of such water usage as claimed.

Inspections of the premises were made on May 14, 1956 and on June 16, 1958 from which it was determined that water for domestic use has been secured for years past from two private wells on the premises, therefore said asserted claim for domestic use cannot be recognized herein.

It was observed that the waters of a spring located approximately 500 feet north and 750 feet west of the south quarter section corner of said Section 5, was piped into a stock water trough approximately 100 feet below said spring and also to a new barm located about 350

feet below said spring. At the time of the inspection of May 14, 1956 it was observed that the pipe line to the barn had burst from freezing and had not been repaired and at the time of the inspection on July 16, 1958 said pipe line was still un-repaired and stated to be abandoned.

It appears that stock pastured upon the premises are allowed to drink directly from the stream designated as the West Fork of Rock Creek as same flows across the property. Claimants have stated that 18 head of livestock is the maximum number for which a claim for stock water is asserted.

It appears that beneficial use of the waters of said unnamed spring, as above described and located, has been made by diversion into a stock trough for stock water and that beneficial use of the waters of West Fork Rock Creek has been made for stock watering purposes, and that said rights for stock use have not been contested in this proceeding. Therefore, subject to the provisions of Finding 55 herein, claimants hereby are allowed a right to the use of 0.01 cubic foot per second of the waters of that certain spring, as herein before described and located, to be diverted in to a stock trough for stock use, and a right to the use of the waters of West Fork Rock Creek for stock watering by drinking directly from said stream as same flows across property of claimants, to the extent of sufficient water for the sustenance of 18 head of livestock, subject to the provisions of Finding 58 herein.

Claimants said rights for stock use, as above allowed, are more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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#### MILLER, Raymond L. & Norabel - Proof #79

In statement and proof of claim number 79, claimants have asserted a right to the use of the waters of Prickett Creek, tributary of Gales Creek, for the irrigation 3.7 acres in the SW/4 NW/4 and 5.3 acres in the NW/4 SW/4, Section 34, T. 1 N., R. 4 W., W.M., domestic use and the maintenance of a pond for fish propagation within said SW/4 NW/4 Section 34, under priority date prior to the year 1909.

Said claim is accompanied by the sworn and notarized affidavits of Fred R. Ranes, S. R. Vermilyea, Edwin C. Allen, J. D. Rode, Melissa Prickett and Chas Williams, which affidavits bear the endorsement of R. N. Tupper, County Clerk of Washington County, attesting that said affidavits were received for record on Jan. 20, 1953 at 10 o'clock A.M. and were recorded at pages 525-536, Book 340, Record of Deeds. Each of said affiants asserts to the effect that he or she has been for many years past, personally acquainted with the property involved herein and of the water usage from Prickett Creek for which a right is asserted in statement and proof of claim number 79.

It appears that one, John B. Prickett, acquired the property herein involved, by purchase about the year 1875 and immediately thereafter constructed his home and established his residence thereon. That he commenced to use the waters of Prickett Creek for domestic needs and for the irrigation of some land. A tannery was also constructed and a large pond as a forebay for a water wheel power plant to furnish power for the tannery. Water was diverted from Prickett Creek into said pond to maintain a stable head for the operation of the power plant when needed.

It appears that said water usage has been continued uninterrupted to the present time, except for the power plant and tannery which were assertedly discontinued in the year 1926. Since that time the pond has been maintained as a fish pond and for recreation.

The premises were inspected on June 27, 1956 and the water usage at that time appeared to be substantially as claimed, except as to the area irrigated.

Domestic use was being made by diversion from the channel of Prickett Creek through 450 feet of 2½ inch galvanized pipe, into a pump sump well, thence by pressure system to the house and grounds.

The pond has a surface area of approximately 0.15 acre and capacity of approximately 0.5 acre-foot. A 6" diameter pipe diverts water directly from Prickett Creek into said pond and the overflow from the pond returns to Prickett Creek on claimants' property.

Irrigation is accomplished, partly by hose and sprinklers from the domestic pressure system and partly by overhead sprinkler system by pumping from the pond.

The area presently cleared and considered as irrigated, was 2.2 acres within said SW/4 NW/4 and 0.5 acre within said NW/4 SW/4, Section 34, and consisted of the lawn, flowers and shrubbery about the residence and an area of pasture between the lawn and pond.

Claimants do not accept the State Engineer's map as correctly showing the location and extent of the lands irrigated, and have submitted a map prepared by A. R. Sorbel, Registered Land Surveyor No. 314, which shows the lands claimed as irrigated.

It appears that said lands, in excess of the lands classified as irrigated on the State Engineer's map, are lands which are susceptable of irrigation by modern sprinkler irrigation but did not bear any evidence of having been irrigated during past years, either by pumping or gravity diversion of water thereon.

It further appears that the land for which claimants have asserted a right for irrigation, in excess of the acreage classified as irrigated by the State Engineer's field investigation of the premises, are lands which claimants contemplate irrigating in the future. Therefore, a right for the irrigation of such excess acreage being 1.5 acres in said SW4 NW4 and 4.8 acres in said NW4 SW4, Section 34, hereby is denied. Claimants may acquire a right for the irrigation of said lands by proceeding in accordance with the provisions of the Oregon Water Rights Act by applying to the State Engineer for a permit.

It appears that beneficial use of the waters of Prickett Creek has been made for domestic use, the irrigation of 2.7 acres of land and the maintenance of a pond for fish propagation and recreation, and that statement and proof of claim number 79 has not been contested in this proceeding. Therefore, a right is allowed herein to the use of the waters of Prickett Creek for domestic needs in and about the residence of claimants, the irrigation of 2.7 acres of land and the storage of 0.5 acre-feet of water in claimants pond and the maintenance thereof for fish propagation and recreation, under priority date of 1875, said rights being more specifically set out and defined in the tabulation of water rights under Finding 69 herein.

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## ORNDUFF, Robert and Winifred - Proof #87

Statement and proof of claim #87, filed herein by Robert Ornduff on behalf of the record owner of the property involved, Winifred Ornduff, contains an asserted right to the use of the waters of an unnamed spring, head of an unnamed creek tributary to McFee Creek, for domestic and stock use and yard and garden irrigation, under priority date of 1903.

The premises involved herein were inspected on June 12, 1956, and it appears that the unnamed spring to which rights are being claimed herein, is located within the NW/4 NE/4 Section 25, T. 2 S., R. 3 W., W.M., approximately 500 feet west and 350 feet south of the northeast corner of said NW/4 NE/4, on property not owned by claimants herein.

That water is piped from said spring by gravity to the Ornduff residence and to the dairy barn and a stock water trough nearby.

The records of the County Recorder show the S½ SE¼ Section 24, T. 2 S., R. 3 W., W.M. to be recorded in the name of Winifred Ornduff, however claimants'answer to item number 28 in statement and proof of claim number 87, "Give description of your land as it appears in your deed." is, "Southeast corner of the Southwest quarter of the Southeast quarter of Section 24, Township 2 South, Range 3 West of the Willamette Meridian."

It appears that beneficial use has been made by claimants, of the waters of said spring,

above located and described, for domestic and stock use and the irrigation of lawns and garden about the residence, and that said claim and water usage has not been contested in this proceeding. Therefore, subject to the provisions of Finding 56 herein, claimants are allowed a right to the use of 0.01 cubic foot per second of the waters of an unnamed spring, for domestic and stock use upon the property described in their statement and proof of claim. Said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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## SCHAAD, Benjamin F. - Proof #96

In statement and proof of claim number 96, filed herein by Benjamin F. Schaad, Box 414, Dayton, Oregon, a right is asserted to the use of the waters of an unnamed spring, tributary to Cedar Creek for domestic use under priority date of 1905.

Claimant asserts that the original diversion installed in 1905 served two families, Orba Woodworth and a Mr. Jenkins, who were the original owners, that later, service to three other families was added to the system, which has remained the same to the present time.

An inspection of the premises was made on June 20, 1956 from which it was determined that the spring from which the domestic use under this claim is asserted, is located within the NE¼ NW¼, Section 14, T. 3 S., R. 2 W., W.M., approximately 575 feet west and 350 feet south of the quarter section corner between Sections 11 and 14, said Township and Range.

That said spring has been cased with a circular, brick spring box, 4½ feet in diameter and 8 feet deep. The waters being diverted by pipe into a concrete cistern 6' x 10' x 8' deep, thence by gravity to the five users on the line. At the time of the inspection the water was 2½ feet deep in the spring box and 5 feet deep in the cistern.

The five residences being served from this system were, at the time of the inspection on June 20, 1956, a Mr. Lewis, Orba Woodworth and Cammie Canada, all located within that part of the NW/4 NW/4 Section 14 lying north of the right-of-way of the Southern Pacific railroad; and J. L. Plumb and Benjamin Schaad, both within the east 400 feet of that part of the NE/4 NE/4 Section 15 lying north of the Southern Pacific railroad, T. 3 S., R. 2 W., W.M.

It appears that beneficial use has been made of the waters of said unnamed spring, tributary of Cedar Creek, above described and located, for domestic use of five families and that said claim and water usage has not been contested in this proceeding. Therefore, subject to the provisions of Finding 54 herein, a right is allowed to the use of 0.05 cubic foot per second of the waters of said unnamed spring for domestic use in the five residences, within the tracts of land above described, under priority date of 1905. Said right being more specifically set out and described under Finding 69 herein.

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### VANDERZANDEN, V. J. - Proof #112

Claimant A.J. Vanderzanden filed herein statement and proof of claim number 112 wherein he has asserted a right to the use of the waters of East Dairy Creek for the irrigation of 75 acres of land under date of priority of 1886.

In said statement and proof of claim claimant states that his asserted right was initiated or based upon "Water power for grist mill and irrigation" and as to steps taken to initiate such right, "Water right acquired from State of Oregon to operate grist mill and irrigate land adjacent to mill", and as to when water was first used for irrigation, "About the time mill was built in 1886."

Unfortunately claimant was killed in an accident while operating a tractor on his farm during June, 1958 and so could not be contacted for further data relative to his statements.

A search of the records of Washington County failed to disclose any reference to

water rights upon the property, although reference is made to a mill known as "Dudleys Mill" in a deed recorded in 1879, when A. S. Dudley acquired the property upon which said mill was located. However said recorded deed did not contain any reference to water rights.

The Legislative session laws of 1885 and 1887 do not record any Legislative grants from the State of Oregon for the operation of a grist mill in Washington County. The Legislative Assembly of 1910 appropriated \$10,000 from the general fund of the State for the use of the Oregon State Agricultural College Experiment Station and it appears that experimental farms were selected for the purpose of conducting irrigation experiments in the Willamette Valley, and claimant's farm may have been one of such experimental farms. However this was subsequent to the enactment of the water code, consequently no right to the use of the waters of East Dairy Creek could be so acquired.

In answer to items 8 and 10 relative to the means of utilizing such claimed water and the date when the construction of the works for such utilization was commenced, claimants answer states, "12" tile line, 2400' long, reverse system" and "1946."

It thus appears that the actual irrigation of the land was commenced in 1946 without first having complied with the provisions of the water code in initiating such usage, and that claimants statements, as asserted in his claim, are not substantiated by the records.

Therefore, claimant's asserted right to the use of the waters of East Dairy Creek for the irrigation of 75.0 acres of land under priority of 1886 is hereby denied.

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## WALL, Howard Milton - Proof\_#116

In statement and proof of claim number 116 a right is asserted to the use of the waters of Soda Springs and unnamed springs, tributary to Clear Creek, for the irrigation of 5.0 acres of land, livestock and domestic use within the SEMA NWMA Section 18, T. 1 N., R. 4 W., W.M., under date of priority of about 1890.

It appears that the property and works involved in this claim is that formerly operated and known as "Soda Springs Resort", an amusement park operated for profit, catering to the general public. When inspected on June 28, 1956, in connection with this proceeding, the operation of the premises as a resort appeared to have been discontinued for sometime. The old resort building appeared to be maintained by the present owner as a summer home and week-end retreat.

Two soda springs located within the NW/4 SW/4 said Section 18, were found to be "boxed in" but there was no visible evidence of any means of applying the waters thereof to any beneficial use. There appeared to be no natural watercourse from said soda springs and it is believed that said springs fall within the classification of private springs, not subject to appropriation under the water code, hence, the use of the waters thereof does not fall within the scope of this determination.

The two unnamed streams on the property were not being used for any purpose other than stock having access thereto while being pastured on the lands through which said streams flow.

The only water usage found on the property was that from an improved spring located N. 58° E. 1310 feet from the quarter section corner on the west line of said Section 18. The waters of this spring are diverted into a storage cistern, 12 feet by 12 feet square and 4 feet deep. The water is conveyed by gravity pipe line to the premises where it is used for domestic uses about the buildings, stock water at the barn and for the irrigation of a field near the barn, said to have been a practice field for polo, and the lawn and garden area about the buildings.

From a careful inspection and survey of the premises, the land actually being

beneficially irrigated was found to be a total of 2.0 acres in area, consisting of said polo practice field and the lawn and garden area about the buildings.

Claimants map, submitted with his statement and proof of claim, shows an area totaling 5.0 acres as being irrigated. From the visible evidence observed on June 28, 1956 and again on June 23, 1958, it appears that the difference of 3.0 acres is land which claimant contemplates irrigating in the future.

It appears that beneficial use has been made of the waters of said spring, located as above described, for domestic use about the buildings, stock use at the barn and the irrigation of 2.0 acres of land, and that no contest has been filed in this proceeding against said claim. Therefore, subject to the provisions of Findings 53 and 56 herein, claimant hereby is allowed a right to the use of 0.035 cubic foot per second of the waters of said spring for domestic use, stock use and the irrigation of 2.0 acres. Said right being more specifically set out and described in the tabulation of water rights under Finding 69 herein.

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## WINDOLPH, Carl R. - Proof #123

Claimant has asserted, in statement and proof of claim number 123, a right to the use of the waters of an unnamed stream, tributary to Beaverton Creek, for the irrigation of 24.0 acres within the SE% Section 5, T. 1 S., R. 1 W., W.M. under priority of 1880.

From evidence obtained locally when an inspection was made on October 10, 1957 and again on June 25, 1958, of the property involved in this claim, it appears that a former owner of the property, Mr. Natale Garbarino, who acquired the property in about 1880, used a water wheel and flume system to deliver water for the irrigation of his vegetable truck gardens on the premises. That such usage was continued until about the year 1933 when the property was sold. That the old water wheel and flume were badly deteriorated and un-usable and were finally removed so that, at the time of the inspection on October 10, 1957 no visible evidence of such irrigation works and water usage remained.

The lands were not being irrigated during the time of either of the inspections and there was no evidence of such, nor of any equipment which may have been used to irrigated said lands. It appears that the irrigation of said lands was discontinued about the year 1933 and has not been practiced since that time and up to the date of the second inspection of the premises.

Therefore, it is herein held that any irrigation rights which may have formerly accrued to the premises, have been lost by non-use during more than the statutory period of time, and such asserted right to the use of the waters of said unnamed tributary of Beaverton Creek for the irrigation of 24.0 acres of land, hereby is denied.

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#### UNITS OF MEASUREMENT OF WATER

Standard units of measurement of water may be divided into two classes, those expressing a definite volume of water and generally used to measure water at rest, and those expressing a rate of flow or head of water in motion.

The units most commonly used are, for volume, the gallon, the cubic foot and the acrefoot. The gallon and cubic foot are ordinarily used in expressing comparatively small volumes of water; the acre-foot is commonly used in the measurement of large volumes of water such as the total quantity used per season for irrigation, or for a period of time in a hydroelectric plant, or the capacity of a reservoir. One acre-foot is the quantity required to cover a surface of one acre in area to a depth of one foot, and is equivalent to 43,560 cubic feet.

The units of measure expressing a rate of flow commonly used are the cubic foot per second and the miner's inch. The cubic foot per second, commonly abbreviated to second-foot or

c.f.s., is a rate of flow which produces a volume of one cubic foot for each second of time, in other words, a volume of one cubic foot of water moving at a rate of one lineal foot per second of time. For example: a rectangular flume twelve inches in width, carrying a depth of 12 inches of water, and placed on such a grade or lateral slope, as to give a mean velocity to the water of one lineal foot per second of time, will produce a flow of one cubic foot per second. Or, that rate of flow which will exactly fill a container of exactly one cubic foot capacity in one second of time. Generally, the cross-sectional area of a conduit in square feet multiplied by the velocity in feet per second will equal the discharge in cubic feet per second.

The miner's inch is seldom used, however, in Oregon it is defined and legally established as 1/40 of a cubic foot per second, or 40 miners inches equals one cubic foot per second. (Gardner v. Wright. 49 Ore 609; 91 Pac. 286.)

The cubic foot per second and miner's inch indicate only a rate of flow. To specify a volume or quantity of water, it is necessary to state the length of time or duration of flow. For instance, a rate of flow of one cubic foot per second will produce in one 24 hour day, as many cubic feet of water as there are seconds in twenty-four hours, or 86,400 cubic feet, equal to 646,317 gallons or 1.983+ acre-feet.

In the determination herein, of the rights to the use of the waters of Tualatin River and its tributaries, the quantity of water is expressed in acre-feet and the rate of diversion is expressed in cubic feet per second, or decimal fractions thereof. The following table shows the rate of flow or diversion in cubic feet per second and the equivalent thereto expressed in other units of measurement:

Gallons <u>Per Minute</u>	Gallons Per 24 Hours	Acre Feet Per 24 hours
4.48	6,463	0.0198
8.98	12,926	0.0397
13.46	19,390	0.0595
17.95	25,853	0.0793
26.93	38 <b>,</b> 779	0.1190
35.91	51,705	0.1587
1+4.88	64 <b>,</b> 632	0.1983
56.10	80,790	0.2479
89.77	129,263	0.3967
134.65	193,895	0.595
179.53	258 <b>,</b> 527	0.793
269.30	387 <b>,</b> 790	1.190
359.06	517,054	1.587
448.83	646 <b>,</b> 317	1.983
	Per Minute  4.48 8.98 13.46 17.95 26.93 35.91 44.88 56.10 89.77 134.65 179.53 269.30	Per Minute         Per 24 Hours           4.48         6,463           8.98         12,926           13.46         19,390           17.95         25,853           26.93         38,779           35.91         51,705           44.88         64,632           56.10         80,790           89.77         129,263           134.65         193,895           179.53         258,527           269.30         387,790           359.06         517,054

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## DUTY OF WATER, HEAD OF WATER FOR IRRIGATION USE.

Taking into consideration all of the various elements and conditions having a bearing on the quantity of water essential for the irrigation of crops within the basin of the Tualatin River and its tributaries, the duty of water, except where particularly defined in specific findings herein, hereby is fixed at not to exceed  $2\frac{1}{2}$  acre-feet per acre during any one irrigation season.

The rate of flow or head of water to be diverted, where not specifically stated in specific findings herein, or definately fixed in a permit or certificate of water right, hereby is fixed at not to exceed ½80 of one cubic foot per second for each acre irrigated where the total area irrigated by any claimant herein exceeds ten acres, and where the total area irrigated by any claimant herein is 10 acres or less, the duty shall be as shown in the following table:

```
1 acre or less- - - - - - - - - 0.025 c.f.s.

2 acres - - - - - - - - - - 0.032 c.f.s.

3 acres - - - - - - - - - 0.040 c.f.s.

4 acres - - - - - - - - - 0.050 c.f.s.

5 acres - - - - - - - - - 0.0625 c.f.s.
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```
6 acres - - - - - - - - - - - - 0.075 c.f.s.
7 acres - - - - - - - - - - - 0.0875 c.f.s.
8 acres - - - - - - - - - - 0.100 c.f.s.
9 acres - - - - - - - - - - 0.1125 c.f.s.
10 acres - - - - - - - - - - 0.125 c.f.s.
```

Where the area irrigated exceeds one acre and contains a fraction of an acre, the quantity of water allowed shall be computed by interpolation.

It is further provided that the quantity of water which a claimant whose right has been determined herein shall be entitled to divert at any time shall be determined on the basis of the acreage actually prepared for irrigation and to which water may be beneficially applied in the production of crops.

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#### DOMESTIC USE

Where a claimant in this proceeding asserted a right for domestic purposes and the same was allowed herein, it is to be understood that the claimant has a right to the use of the water for household purposes, the irrigation of a lawn and domestic garden not exceeding one-half acre in area, and water for such domestic animals as are required for the proper sustenance of the family, and where a right was allowed herein for domestic use and a definite quantity of water was not specified in the specific finding herein, the claimant is allowed not to exceed 0.01 cubic foot per second at the point of diversion.

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#### STOCK USE BY DIVERSION

Where a claimant herein asserted a right to the use of water for stock purposes by diversion and it was allowed herein, it is to be understood that the claimant has a right to the use of the water for such animals as are essential to the proper sustenance of the family and also water for stock when the claimant is engaged in the raising of livestock or when claimant takes in livestock for pasturage. Where a definite quantity of water is not set out in the specific finding herein, the claimant is allowed a right to divert for this use not to exceed 0.01 cubic foot per second; provided, that where claimant was allowed a right herein for irrigation use through the same ditch, pipe line or other means of conveyance, no additional water shall be diverted for stock use while water is being diverted for irrigation purposes.

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#### DOMESTIC AND STOCK USE

Where a claimant asserted a right to the use of water for both domestic and stock purposes, and it was allowed herein, it is to be understood that domestic use includes only water for household uses and for the irrigation of a lawn and domestic garden not exceeding one-half acre in area, and where a definite quantity of water is not set out in the specific finding herein, the claimant is allowed to divert not to exceed 0.01 cubic foot per second for both domestic and stock purposes.

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# DOMESTIC USE, DOMESTIC AND STOCK USE, STOCK USE.

The right to divert and use the waters of Tualatin River and its tributaries as allowed herein for domestic use, domestic and stock use or stock use shall continue throughout the year, except as otherwise provided under Finding 54 herein.

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## STOCK USE WHERE NO ARTIFICIAL DIVERSION IS MADE

A number of claimants in this proceeding have asserted rights by appropriation to the

use of water for stock purposes where no artificial diversion of the water is made, the stock drinking directly from the stream as it flows through claimants lands, or from springs which arise on claimants lands. In these claims, a definite date of priority is asserted and the number of head of stock declared.

All claimants who have filed herein statements and proofs of claim wherein a right was asserted to the use of water from springs or streams for stock purposes by the stock drinking directly therefrom on lands owned by claimants, and which rights have been allowed herein, hereby are allowed, subject to the provisions herein, sufficient water from the springs, or flowing in the streams from which the respective rights are claimed, for a reasonable number of stock, not exceeding the number of stock as asserted by claimant in connection with his statement and proof of claim. Provided, that at all times there shall remain flowing from said springs and in said streams such a reasonable quantity of water and in such a manner and amount that the streams shall not become stagnant.

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## DUTY OF WATER FOR RIGHTS EVIDENCED BY PERMITS AND CERTIFICATES

Claimants who have asserted rights to the use of the waters of Tualatin River and its tributaries, based upon a certificate of water right issued by the State Engineer, recognized herein, or upon a permit issued by the State Engineer, which right has not yet been perfected, are limited to the quantity of water and rate of diversion set out in such certificate or permit. Provided, that the quantity of water for irrigation use, unless otherwise provided in the certificate of water right or permit, is limited to 2½ acre-feet per acre for each acre or fraction thereof, irrigated during any one irrigation season.

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# RIGHTS UNDER PERMITS ISSUED BY THE STATE ENGINEER

Subject to the terms and conditions and modifications herein, each and every appropriator of the waters of Tualatin River and its tributaries, who has initiated a right to the use of said waters by filing an application with the State Engineer for a permit, where the right has not been confirmed by the issuance of a certificate of water right, or where in the specific findings herein no reference is made to a certificate of water right, whether a claim was filed in this proceeding or not, shall have such rights thereunder as provided by law, and such rights shall be perfected in the manner provided by law for the completion thereof.

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## RIGHTS UNDER LICENSES OF THE HYDROELECTRIC COMMISSION OF OREGON

The rights to the use of the waters of Tualatin River or its tributaries of each and every appropriation initiated by the filing of an application for a license with the Hydro-electric Commission of Oregon, whether a claim has been filed in this proceeding or not, shall be in accordance with the terms and conditions of the license as issued by said commission.

In the distribution of the waters of Tualatin River and its tributaries, the water master shall have the same control over rights asserted in this proceeding which are based upon permits issued by the State Engineer or licenses issued by the Hydroelectric Commission of Oregon, which rights have not been perfected, and over all subsequent rights, as though these rights were definitely defined in this proceeding.

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## HEAD-GATES AND MEASURING DEVICES

The owner or owners of any ditch, canal, conduit or other means of diversion and conveyance, whether the rights are determined in this proceeding or subsequently initiated and

perfected, shall maintain to the satisfaction of the water master a substantial head-gate at the point where the water is diverted, which shall be constructed so that it can be set and locked or closed and locked by the water master. And when in the distribution of water by the water master, he may require the installation of suitable head-gates or measuring devices, such owner or owners shall construct and maintain such suitable head-gates or measuring devices at such points along such ditch, canal, conduit or other means of conveyance as may be necessary to assist the water master to determine the quantity of water that is to be diverted into said ditch, canal, conduit or other means of conveyance, from the spring, stream or other source of supply.

If any owner or owners shall refuse or neglect to install such head-gate or measuring device after ten days written notice, the water master may close and post such ditch, canal, conduit or other means of conveyance and the same shall not be opened or any water diverted from the source of supply under the penalties prescribed by law for the illegal opening of head-gates lawfully closed, until the requirements of the watermaster as to such head-gates or measuring devices have been complied with.

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#### ROTATION

To provide a sufficient rate of diversion or head of water, the watermaster may arrange such system or systems of rotation among the water users as may best be applicable: (1) by giving a greater amount of water to a water user for a proportionately less time; provided, always, that the giving of such greater amount of water does not infringe upon any rights affirmed by this proceeding, or any rights subsequently initiated; (2) where two or more water users agree between themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the water master, and such rotation system does not infringe upon the prior rights of any water user not a party to such rotation plan, the water master shall distribute the water according to such agreement.

To provide a sufficient rate of diversion or head of water where no agreement has been provided for a system or rotation, the water master may arrange such water users in groups or systems of rotation; first, giving the water user who is first in priority in such group or system, a quantity of water equal to the combined appropriations of all water users in said group or system for a length of time bearing the same ratio to the whole time required to make the complete rotation of the whole group of water users as the said appropriation of said first water user bears to the combined appropriations of said group or system, and then, serving the next in priority with a like amount of water for his proportionate time, and so on until all the water users in said group or system have been served, then the distribution of water shall be repeated in the same manner throughout the irrigation season; provided, that no system of rotation shall be established by the water master without the consent of the water users, except by order of the Circuit Court after an opportunity to be heard; provided, always, that such arrangement of groups or systems of rotation shall not interfere or infringe upon the prior right of any water user not a member of such group or system.

The total quantity of water, measured at the source of supply, where rotation is practiced, shall not exceed, except where otherwise provided herein, 2½ acre-feet per acre during any irrigation season.

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## IRRIGATION SEASON

The irrigation season for the Tualatin River and its tributaries hereby is fixed as commencing on May 1 and ending September 30 of each year.

## PLACE OF MEASUREMENT.

The place of measurement of the water to which any appropriator of the waters of Tualatin River and its tributaries is entitled, whether such appropriation was determined in this proceeding, or was initiated by the filing of an application for a permit with the State Engineer, hereby is fixed to be at the point of diversion from the stream or source of supply.

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## RIGHTS APPURTENANT TO LAND

The rights to the use of the waters of Tualatin River and its tributaries for irrigation purposes, as herein confirmed, are appurtenant to the lands herein described in connection with such rights, and are limited and confined to the irrigation of the lands described herein, and the priorities of rights herein confirmed confer no right to the use of the waters of said stream and its tributaries on any lands other than those specified tracts to which such rights are herein set forth as appurtenant, and each and every person, association or corporation, or their respective successors in interest, shall be and hereby are prohibited, restrained and enjoined from diverting and using water from said stream or any of its tributaries on any other lands without lawful permit therefore first obtained from the State Engineer.

The rights to the use of water for other useful and beneficial purposes as herein confirmed are appurtenant to the lands and place of use as herein described and the priorities and rights herein confirmed confer no rights to the use of the waters of said Tualatin River or any of its tributaries on any lands other than those specified tracts to which such rights are set forth herein as appurtenant, and each and every person, association or corporation, or their respective successors in interest, shall be and hereby are prohibited, restrained and enjoined from diverting and using water from said stream or any of its tributaries on any other lands without lawful permit or license therefore first obtained from the State Engineer or Hydroelectric Commission of Oregon.

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## DIVERSIONS GOVERNED BY PRIORITIES AND BENEFICIAL USE

Except as otherwise determined herein, the order of rights of the respective appropriators of the waters of Tualatin River and its tributaries, and the order in which they are entitled to divert and use said water shall be and is according to the date of relative priority of the rights as determined and set forth herein, and the first in order of time according to the date of relative priority shall be and hereby is the first in order of right, and so on, down to the latest priority, and those having prior rights are entitled to divert and use the waters of said stream and its tributaries, when necessary for the irrigation of their respective lands, or other useful and beneficial purposes for which they were allowed a right of use, and in accordance with such right at all times against those having rights of subsequent priority, without let or hinderance, and whenever the water is not required for beneficial use by the appropriator having such prior right to its use for the purpose for which such water was appropriated, he must and shall permit it to flow down the natural channel of the stream as it was wont to flow in its natural course, without hinderance or diversion thereof, and those having subsequent rights are entitled to the use of said waters and to divert the same to the extent of their respective rights, according to the order of priority of their rights; and at all times the water diverted by the appropriator whose rights have been determined herein, shall be beneficially, economically and reasonably used without waste, and no rights of appropriation are hereby confirmed to divert a greater quantity of water into the head of the ditch, canal, conduit or other means of conveyance of the appropriator having a valid right to divert the water than such appropriator can beneficially use for the purposes to which the water is to be used, in accordance with his right.

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#### ADJUDICATION OF UNNAMED TRIBUTARY.

On the 26th day of March, 1936, there was filed in the office of the State Engineer an Order of the Circuit Court of the State of Oregon for Washington County, dated March 25, 1936, directing that a determination be made as to the relative rights of the various claimants to the use of the waters of an unnamed tributary and its tributaries, a tributary of Tualatin River, situate within Township 1 South, Ranges 3 and 4 West of the Willamette Meridian.

The State Engineer's Findings of Fact and Order of Determination in such proceeding were entered on April 12, 1938 and were confirmed by Decree of the Circuit Court of the State of Oregon for Washington County, dated February 11, 1939.

The notice of public inspection of claims, served upon all parties who had filed claims in this proceeding were also served by certified mail upon all parties theretofore allowed rights on such unnamed tributary stream (or their successors in interest insofar as they could be ascertained), thereby making them parties to this proceeding. The final decree entered in said former proceeding as well as the claims theretofore filed in this proceeding, were held open to public inspection at the times and places specified in said notice of public inspection.

The parties to said former proceeding shall therefore be bound by the order or decree entered in this proceeding, and the parties to this proceeding shall be bound by the orders and decree entered in said former proceeding, as though both proceedings were had as one, and in the distribution of water under the respective determinations, the rights shall be administered as one stream system, the same as if they had been determined in one proceeding. But nothing herein contained shall be construed as modifying or amending in any way the provisions of the order of determination or decree in said former proceeding.

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# ORDER OF DETERMINATION

To summarize and supplement the specific findings herein, the rights of the claimants to the use of the waters of Tualatin River and its tributaries as determined herein, are arranged in tabulated form, with the date of relative priority of such appropriation, the quantity or rate of flow of the water allowed such appropriation, the number of acres to be irrigated by such appropriation, the use or uses to which such water is applied, the name of the ditch or other means by which the water so appropriated has been diverted, the name of the stream or other source from which the water is appropriated and diverted, and the description of the lands upon which the water has been used and is fixed as appurtenant, the tabulated rights of each appropriator being set opposite and following his name and post office address, as stated in his statement and proof of claim, as follows:

	Was day of	A					
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Anderson, Erwin J. and Vivian Rt.4, Bx. 85 Sherwood, Oregon (Proof No. 1) (See Findings 21 and	1900 23)	0.0625	5.0	Beginning at R. 1 W., W.M. more or less owned by claidrainage dite	the SE corn; thence so to the west mants; thence N said SW/4SW/4	er of the Sath 3 chair line of the north 10 66° E. 6.0	2.4 acres in SW/SW/4 Section 20 2.6 acres in NW/NW/4 Section 29 T. 2 S., R. 1 W., W.M. I described as follows: SW/4SW/4, Section 20, T. 2 S., is; thence S 55° W. 7 chains the tract of land presently chains more or less to a chains more or less to the co; thence south 5.5 chains
(Proof No. 2) (See Findings 21 and	1890 22)	0.0562	4•5	Beginning at	a point on	the south I	Section 21 T. 2 S., R. 1 W., W.M. described as follows: line of the north half of
29172				N. 88° 59' E. said Section N. 88° 59' E. S. 88° 59' W. in the center	829.5 feet 21; running 556.0 feet 313.5 feet of the Cum 79° 05' W.	from the 1 thence alo thence so thence so mings Ditch 246.8 feet	said beginning point being corner on the west line of ang said subdivision line outh 66.0 feet; thence outh 1027.9 feet to a point thence along center of thence north 1042.8 feet
Anderson, Nels and Eleanor Rt. 4, Box 237 Sherwood, Oregon (Proof No. 3)	1900	0.2875	23.0 See De	Irrigation		Unnamed ditches trib. to Rock Cree	T. 2 S., R. 1 W., W.M.
(See Findings 21 and	. 23)			Beginning at Section 20, The section 20, The section 20, The section 20, The section 3 township and the section 20, The sectio	the SE corn 2 S., R. E/SW/4, said 6 S. 45° W. 5 the west 1 7 range; then 8 sections 20 6 of the SE/4 6 Canfield D	er of the of two years of the ce north and 29 and SW4 said Self the	described as follows: James Canfield DLC #+1 in being a point on the east ; running thence south 3 s to a point; thence west NE/NW/4 Section 29, said long said west line to the continuing north along ection 20 to the south line ence east along said DLC
(Proof No. 4)	1890	0.0450	3•5	Irrigation	Unnamed	Rock Cr.	3.5 acres in SE/\SE/4 Section 20
(See Findings 21 and	1 22)			Beginning at common to Security then	a point 10. tions 20, 2 e west 68.2	5 rods west 1, 28 and 2 8 rods; the	T. 2 S., R. 1 W., W.M.  described as follows: t of the section corner 29, T. 2 S., R. 1 W., W.M. ence north 10.5 rods; thence rods to the point of
Aschwanden, Herman J. and Gertrude. Route 4, Box 193 Sherwood, Oregon	190 <b>7</b>	0.0688	5.5	Irrigation	Unnamed	Hedge Cr	5.2 acres in SE¼SW¼ Section 22 T. 2 S., R. 1 W., W.M.
(Proof No. 5) (See Findings 21 and	1 23)			R. 1 W., W.M. said Section 17 chains to thence east	a point on 3.5 chains 22; thence a point; th	the south west of the west along ence N. 41 re or less	described as follows: line of Section 22, T. 2 S., he south quarter corner of said south section line E. 6 chains to a point; to a point; thence S. 28° W. of beginning.
Atrops, Godfrey F.  Box 35  Sherwood, Oregon  (Proof No. 6)  (See Finding 58)	1899			Stock direct 16 head		West Fk. Chicken Creek	NW/NE/4 and SW/NE/4 Section 25 T. 2 S., R. 2 W., W.M.
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		1		1		· · · · · · · · · · · · · · · · · · ·	
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Bake, Aubrey Ross Route 1 Box 195 Banks, Oregon (Proof No.7) (See Finding 56)	1900	0.01		Domestic and Stock	l" pipe	Unnamed spring in SE/4SW/4 Sec. 7	NEWNWW Section 18 T. 2 N., R. 3 W., W.M.
Bamford, J. R. Route 1 Box 327 Forest Grove, Oregon (Proof No. 8)	1905	0.0271	1.3	Beginning at a quarter section R. 4 W., W.M. the west r/w	point 800 on corner be running the founty ro	feet east tween Sect ence east ad; thence	1.3 acres in SW/NW/4 Section 9 T. 1 N., R. 4 W., W.M. described as follows: and 825 feet north of the ions 8 and 9, T. 1 N., 520 feet more or less to south along said r/w 200 ft; thence north 200 feet to
Bateman, Louis K. 781 Menlo Drive Salem, Oregon and Bateman, Charles R. Gales Creek, Oregon (Proof No. 9)	1903	0.02		Domestic and Stock	Pipe line	Unnamed Spring Branch	SW/4SE/4 and SE/4SE/4 Section 26 T. 2 N., R. 5 W., W.M.
Blatter, Edwin T. and Margaret L. 8212 S.W. Barnes Rd. Portland 1, Oregon (Proof No. 10)	Right acqu	ired und	ler Sta	te Engineer's	Permit No. 1	3191, Cert	ificate No. 19996.
Borchers, Bertha Route 4 Sherwood, Oregon (Proof No. 11) (See Finding 23)	1900	0.1375	11.0	R. 1 W., W.M. Section 29, 1 ant's land; thence wester	the north we running the chains more hence south ly along sai	ct of land st corner ence east e or less 7 chains m d ditch to along said	ll.0 acres in NW/4NW/4 Section 29 k T. 2 S., R. 1 W., W.M. described as follows: of Section 29, T. 2 S., along the north line of said to the east line of claim- ore or less to an open ditch; the west line of said west section line 8 chains
Borland, A. W., Sr. Route 1 Box 118 Sherwood, Oregon (Proof No. 12) (See Finding 58)	1850		,	Stock direct. 15 head	so the point	Saum Cr.	SW/4SW/4 Section 20 T. 2 S., R. 1 E., W.M.
Brickley, Fred Route 3, Box 85 Sherwood, Oregon (Proof No. 13)	1906	0.025	0.33	Beginning at northeast qua west 26 3/5 r r/w; thence s a stake; then Section 1; th	the northeas rter of Sect ods to a sta outhwesterly ce east 61 3	ct of land t corner o ion 1, T. ke on the along sai /5 rods to	O.33 acre in SE/NE/4 Section 1 T. 3 S., R. 2 W., W.M. described as follows: f the south half of the 3 S., R. 2 W., W.M.; thence East line of the railroad d east r/w line 50 rods to the East line of said 15 feet to the place of
Brooke, Ben F. Route 1 Box 197 Cornelius, Oregon (Proof No. 14)	1886	0.01		beginning. Domestic	Pipe line	Unnamed Spring in SE/NW/ Sec.28	NEV4SW/4 Section 28 T. 3 N., R. 3 W., W.M.
Brown, Blaine and Vera L. et al. Forest Grove, Oregon (Proof No.15)				ate Engineer's 14092 and 140		8849,	
Buckley, Ralph & Fae Route 1 Box 287 Forest Grove, Ore. (Proof No. 16) (See Finding 58)	1875			Stock direct 45 head	<i>,</i>	Unnamed spring stream	SEVANWA Section 23 T. 1 N., R. 4 W., W.M.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
29104 (Proof No. 17) (See Finding 56)	1875	0.01		Domestic and Stock	Pipe line	Unnamed spring in NE/NW/4	NE%NW% Section 23 T. 1 N., R. 4 W., W.M.
291.55 Cereghino, David and Gerda Route 4	1890	0.10	8.0	Irrigation	Unnamed	Section 2 Cummings Ditch trib. to	
Sherwood, Oregon (Proof No. 18) (See Findings 21 & 22	2)		**	Beginning at a quarter corner W.M.; thence north 1618.5 center of the	n iron pipe r on the sou S. 89° Ol' W feet to an i present Cur a point in	ct of land, S. 89° 00 th line of 214.5 fer ron pipe; mings Ditc. said ditch	T. 2 S., R. 1 W., W.M.  described as follows:  1' W. 1762.5 feet from the  Section 21, T. 2 S., R. 1W.  et to an iron pipe; thence thence north 7.0 feet to the h; thence S. 79° 05' E. ; thence south 7.0 feet to
23136 (Proof No. 19)	1890	0.2688	21.5	an iron pipe; Irrigation	thence sout	h 1573.3 f Rock Cr.	2.5 acres in NW/NW/4
·		, i					Section 28 15.5 acres in NE/NE/4 3.5 acres in SE/NE/4 Section 29 T. 2 S., R. 1 W., W.M.
(See Findings 21 and	1890 22)	0.0688	5•5			Unnamed Ditches trib. to Rock Cr.	5.5 acres in NW/NW/4 Section 28 T. 2 S., R. 1 W., W.M.
				Beginning at Sections 28 a along the lin Section 29, N	the quarter nd 29, T. 2 e between th 89° 34' W.	section co S., R. 1 W e north an 660.9 feet	described as follows: rner on the line between ., W.M.; running thence d south halves of said ; thence N. O° O2' E. 9 feet to an iron corner;
				thence N. 0° of said Secti 379.5 feet to thence S. 89° said Sections point; thence Snorth and sou line S. 89° 4	13' E. 1320 on 29; thence an iron pip 38' E. 230. 28 and 29; 32482.6 feet th halves of	feet to a e along sa e; thence 5 feet to thence N. to a poin said Sect	point on the north line id northline N 89° 38' E. S. 17° 34' W. 163.1 feet; a point on the line between 89° 31' E. 406 feet to a t on the line between the jon 28; thence along said or less to the point of
(Proof No. 20)	1900			Stock direct 20 head		Rock Cr.	NEWNEW and SEWNEW Section 29 T. 2 S., R. 1 W., W.M.
(See Finding 58) Cereghino, John and Gladys	1890	0.0875	7=0 12.1	Irrigation	Unnamed	Rock Cr.	
Route 4 Sherwood, Oregon (Proof No. 21) (See Finding 23)		See D	ecree;	Vol. 16, p. 419 Being wi	thin the W/2	SW/4 SW/4 of	T. 2 S., R. 1 W., W.M. said Section 28.
29 (See Finding 58)	1890			Stock direct 20 head		Rock Cr.	SW/4SW/4 Section 28 T. 2 S., R. 1 W., W.M.
Cereghino, John and Gladys	1890	0.130	10.4	Irrigation	Unnamed	Rock Cree	k 0.7 acre in NE/4SE/4 9.7 acres in SE/4SE/4 Section 29 T. 2 S., R. 1 W., W.M.
Cereghino, James and Christina Route 4 Sherwood, Oregon (Proof No. 22)				Being wi lying so	thin the easuth of the S	st half of Southern Pa	the E½ SE¼ said Section 29 cific Railroad r/w.
(See Findings 21 and	. 23)			,			
(See Finding 58)	1890			Stock direct 20 head		Rock Cr.	NE/SE/4 and SE/4SE/4 Section 29 T. 2 S., R. 1 W., W.M.
, 			,	Within the a	bove describ	ed tract o	f land.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
29131 (Proof No. 23)	1890	0.0440	3.4	Irrigation	Unnamed	Rock Cr.	3.4 acres in SE/4SE/4 Section 20 T. 2 S., R. 1 W., W.M.
29132 (See Findings 21 and	22)	0.0368	2.6	Irrigation		Unnamed Ditches trib. to Rock Cr.	2.6 acres in SE/4SE/4 Section 20 T. 2 S., R. 1 W., W.M.
				Beginning at common to Sec thence north north 309 fee	a point 10.5 tions 20, 21 173.5 feet; t 2.77 inche	rods west, 28 & 29, thence wes s; thence	described as follows: of the section corner T. 2 S., R. 1 W., W.M.; t 68.28 rods; thence east 68.28 rods; thence oint of beginning.
Cereghino, John and Gladys Cereghino, James and Christina Route 4	1890	0.100	8.0	Irrigation	Unnamed	Rock Cr.	4.32 acres in NE/4SE/4 3.33 acres in SE/4SE/4 Section 20 0.20 acre in NW/4SW/4 0.15 acre in SW/4SW/4 Section 21
Sherwood, Oregon (Proof No. 24) (See Finding 21 and 3	22)			Beginning at of the southe thence south 2628 feet; th	an iron pipe ast corner of 550 feet; the ence east 33 143.5 feet;	132 feet of Section ence west 0 feet; t thence so	T. 2 S., R. 1 W., W.M. described as follows: west and 550 feet north 20, T. 2 S., R. 1 W., W.M. 33.0 feet; thence north hence south 224 feet; thence uth 1886 feet; thence west s.
Cereghino, Richard Route 4 Box 222 Sherwood, Oregon (Proof No. 25) (See Finding 21 and	1890	0.050	4.0	Irrigation	Unnamed	Cummings Ditch & Unnamed ditches trib. to	4.0 acres in NW/4SW/4 Section 21 T. 2 S., R. 1 W., W.M. Being within the tract of land described as
	22)			21; thence so Ditch; thence	uth 1007.0 f along said	Rock Cr. mer on the eet to the ditch S. 7	follow: Beginning at a point N. 89° 59' E. 659.5 west line of said Section center of said Cummings 9° 05' E. 173.2 feet; thence 'W. 170.0 feet to the point Y
(Proof No. 26)	1890	0.0439	3.29	Irrigation	Unnamed	Springs and ditch	Section 21
(See Finding 21 and	22)			R. 1 W., W.M. of said Secti	, N. 89° 01' on 21; thence eet; thence	E. 385.5 e N. 89° 0 S. 89° 01'	Being within the tract of land described as follows: ine of Section 21, T. 2 S., feet from the SW corner 1' E. 260.5 feet; thence W. 260.5 feet; thence south
Christensen Bros.  By Ralph E. Christens Route 4 Box 280 Hillsboro, Oregon (Proof No. 27)	1908 en	0.30	24.0	Irrigation	Pipe line and un- named ditches	Burris Cr	. 10.0 acres in SW/NE/4 10.0 acres in SE//NE/4 4.0 acres in NE/4SE/4 Section 5 T. 2 S., R. 2 W., W.M.
(See Finding 37)	1900 55)	0.01		Stock	Pipe line	Burris Cr	. SW/NE/4 and NW/4SE/4 Section 5 T. 2 S., R. 2 W., W.M.
Clayton, Charles I. 22495 N.W. Quatama Rd Hillsboro, Oregon (Proof No. 28)	•	Rights a	cquire	d under State	Engineer's E	ermit 1048	4, Certificate 9889.
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Name and Postoffice Address	Date of Relative	Amount Cubic Feet	Number	Use	Name of Ditch	Stream	Description of Land or Place of Use
of Appropriator	Priority	Per Second	Acres				Place of Use
Cole, Frank G. and Neva B. Route 4 Box 206 Sherwood, Oregon (Proof No. 28)	1890	0.0646	5.17	Irrigation	Unnamed	Cummings Ditch and Unnamed Ditches	1
(See Finding 21 and	22)			Beginning at 1131.34 feet Section 21, T more or less easterly alon witness stake	a stake S. 8 from the qua . 2 S., R. 1 to the cente g said ditch on ditch ba to a stake;	9° 01' W. rter corne W., W.M.; r line of 1 559 feet nk; thence thence S.	described as follows: 1564.5 feet and north r on the south line of thence north 406 feet Cummings Ditch; thence to a point opposite a S. 33° 22' E. 427 feet 89° Ol' W. 764.17 feet
Cole, Harry and Retta Route 4 Sherwood, Oregon (Proof No. 30)	1890	0.0875	7.0	Irrigation	Unnamed	Cummings Ditch and Unnamed Ditches	
(See Findings 21 and	22)			Beginning at W. 1564.5 fee Section 21, T 198.0 feet to iron pipe; th Cummings Ditc	a point mark t from the c . 2 S., R. I an iron pip ence north h; thence So; thence so	ct of land ced by a st uarter con W., W.M.; pe; thence 7.0 feet to 79° 05' E ith 7.0 fee	described as follows: one and iron S. 89° Ol' ner on the south line of thence S. 89° Ol' W. north 1573.3 feet to an the center of the present 201.6 feet to a point t to an iron pipe; thence
Collins, Marvin Allwyn and Merle Margaret Route 3 Box 292 Hillsboro, Oregon (Proof No. 31) (See Finding 56)	1905	0.01		Domestic and Stock	Pipe line	Unnamed Spring ir SW/4SW/4SE/ Section 1	
Conzelman, Arnold and Edith Route 4 Sherwood, Oregon	1900	0.0938	7•5	Irrigation	Unnamed	Unnamed Ditches trib. to Rock Cr.	7.5 acres in NE%NE% Section 30 T. 2 S., R. 1 W., W.M.
(Proof No. 32) (See Finding 21 and	23)			Beginning at R. 1 W., W.M. of said Secti W. parallel w to an iron baditch; thence line of said	the northeas; thence S. on 30, 726; ith the east; thence es continuing Section 30;	st corner of 89° 46' W. Seet to an t line of s ast 400 fee east along thence N.	described as follows:  f Section 30, T. 2 S.,  along the north line  iron rod; thence S. 0° 09'  aid Section 30, 495 feet  t more or less to an open  said ditch to the east  0° 09' E. along said east  to the point of beginning.
Darnell, Thomas C. and Freda M. Route 2 Box 250 Hillsboro, Oregon (Proof No. 33)	1896	0.1875	15.0	Irrigation	Unnamed	Unnamed Springs and Creek	0.1 acre in NW/4NE/4 3.0 acres in NE/NW/4
(See Findings 21, 23	3 and 31)				ted from sa	d springs	Section 28 T. 1 S., R. 2 W., W.M. of said unnamed creek, to and 5.0 acres lying south the creek.
(See Finding 58)	1896			Stock direct 20 head		Unnamed Springs and Creek	SE/4SW/4 and SW/4SE/4 Section 21 T. 1 S., R. 2 W., W.M.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
29202 Dittman, Herman A. Route 4 Box 32 Sherwood, Oregon (Proof No. 34) (See Findings 21 and	1890	0.231	18.5	southwest commorth 1886.0 : Highway; thence N. 51° 119.0 feet to to an iron pi	ner of Sec. feet to the ce along sai 10' E. 56.1 an iron pip pe; thence s	Unnamed Ditches trib. to Rock Cr. feet north 21, T. 2 S south r/w d r/w line feet to a e; thence outh 1876.	10.5 acres in NW/4SW/4 8.0 acres in SW/4SW/4 Section 21 T. 2 S., R. 1 W., W.M. Being within the tract of land described as follows: and 7.8 feet east of the , R. 1 W., W.M.; thence line of the old County N. 75° 36' E. 259.42 feet; n iron pipe; thence south N. 69° 44' E. 48.79 feet +3 feet to an iron pipe; the point of beginning.
Donnelly, Francis and Elsie, and Wright, Mabel Route 3 Box 296 Sherwood, Oregon (Proof No. 35) (See Findings 54 and	1888	0.01		Domestic and stock direct 8 head	Pipe line	Springs and Creek trib. to Chicken C	NW/NE/4 and SW/NE/4 Section 35 T. 2 S., R. 2 W., W.M.
Dorland, Clay and Dora (Sister) Route 3 Box 495 Hillsboro, Oregon (Proof No. 36) (See Finding 56)	1892	0.01		Domestic and Stock	Pipe line	two sprin in SEVNEV Sec. 19 trib. to McKay Cr.	T. 2 N., R. 2 W., W.M.
Dosch, Mary L., Estate By; Margueritte Dosch Campbell, Trustee 5298 S.W. Dosch Road Portland 19, Oregon (Proof No. 37) (See Findings 54 and		0.01 Spg 0.01 Spg 0.01 Spg	;•#2	Domestic and Stock, inc. % acre garden	Pipe line	Three Springs in NEVNEX Sec. 17	Spring No.1 located approx. 600' N. and 150' E. from SW corner NE/NE/4 Stock and Garden irr.  Spring No. 2 located approx. 100' N. and 150' E. from SW corner NE/NE/4 Garden irrigation.  Spring No. 3 located approx. 600' N. and 900' E. from SW corner NE/NE/4  Domestic. All being within the S/2 NE/NE/4 Section 17 T. 1 S., R. 1 E., W.M.
Douglas, Adraen Erwin 6210 N.E. Alton St. Portland 13, Oregon (Proof No. 38)		Clair	n denie	d. (See Findi	ng 38)		
Dudonis, Adolph A. Route 3 Box 303 Sherwood, Oregon (Proof No. 39)	Rights	acquired	under	State Engineer	's Permit 15	761, Certi	ficate 16715.
Dugdale, Ralph E. Star Route Gales Creek, Oregon (Proof No. 40)	Rights	acquired	under	State Engineer	's Permit 24	·645 <b>·</b>	
Edgar, W. J. 1735 S.E. Spokane St. Portland, Oregon (Proof No. 41) (See Finding 56)	1995	0.01		Domestic inc. Garden and Stock	Pipe line	Spring in NW/NW/4 Sec. 34	NW/NW/4 Section 34 T. 3 N., R. 3 W., W.M.
Fanno, Frank R. 8385 S.W. Hwy. 217 Beaverton, Oregon (Proof No. 42) (See Findings 56 and	1890	0.306	24.5	Irrigation Domestic & Stock direct 30 head	Unnamed ditches and pipe line	Fanno Cr.	22.2 acres in SW/NE/4 2.3 acres in SE/NE/4 Section 27 T. 1 S., R. 1 W., W.M.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Findley, H. R. and Ida S. 13325 N.W. Thompson Ro Portland 1, Oregon (Proof No. 43) (See Finding 58)	1852 1.			Stock direct 200 head		Bronson C	r. SWASWA and NEASWA Section 21 T. 1 N., R. 1 W., W.M.
Fischbuch, Chester Route 4 Box 39 Sherwood, Oregon (Proof No. 44) (See Findings 21 and	1890 22)	0.0600	4.8	Beginning at a T. 2 S., R. 1 of said NW/4SW/900 feet more	point on t W., W.M. 25 Section 21 or less to	he east ling feet south thence so the center	4.8 acres in NW/SW/4 Section 21 T. 2 S., R. 1 W., W.M. described as follows: ne of the NW/SW/4 Section 21, th of the northeast corner outh along said east line of Cummings Ditch; thence
					north 800 f	eet to a po	feet more or less to a pint; thence east 250 feet
Forest Grove, City of By: M. O. Gardner City Manager Forest Grove, Oregon (Proof No. 45)	Rights	acquired	under	State Enginee:	1 <b>†</b> † ‡	3318, Cer 12034 13944 17549	tificate 2194 ' 13471 ' 13797
Forsman, Robert F. Route 4 Box 298 Sherwood, Oregon (Proof No. 46)	Ri <i>g</i> hts	acquired	under	State Enginee:	r's Permit l	9576 <b>,</b> Cert	ificate 22918.
Freudenthal, Edward H. 1780 S. W. River Road Hillsboro, Oregon (Proof No. 47)	Rights	acquired	under	State Enginee:	r's Permit l	0791 <b>,</b> Cert:	ificate 12235.
Galbreath, Arthur Route 4 Sherwood, Oregon (Proof No. 48)	1890	0.0875	7.0	Irrigation	Unnamed	Cummings Ditch and Unnamed Ditches	
(See Findings 21 and	22)			S. 88° 59' W. quarter corner W.M.; thence scenter line of ditch 1446 feeditch); thence	2851.1 feet c on the eas 5. 16° 28' E Cummings D et to a poin north 948	he center in and S. 16 t line of S. 673.9 fee itch; then t (witness feet more of	land described as follows: line of County Road No. 505 28' E. 253.1 feet from the Section 21, T. 2 S., R. 1 W., et to the intersection with be westerly following said corner on south bank of or less to a stake; thence
Bessie Route 4	•	0.0668 See Decr		Irrigation	Unnamed	Cummings Ditch and Unnamed	Section 21 SE45W4
Sherwood, Oregon (Proof No. 49) (See Findings 21 and	22)		,	Beginning at a 1131.34 feet : T. 2 S., R. 1 a stake; then	stake S. 8 from the sou W., W.M.; tee S. 33° 22 931.5 feet	ct of land 9° 01' W. 1 th quarter hence N. 89 ' E. 304.2	T. 2 S., R. 1 W., W.M. described as follows: 1564.5 feet and north corner of Section 21, 0° 01' E. 764.17 feet to feet to a stake; thence ; thence north 256.9 feet to
Galbreath, Mary Route 4 Sherwood, Oregon	1890	0.1625	13.0	Irrigation	Unnamed	Unnamed ditches trib. to	0.1 acre in NEV/NW/4 12.9 acres in NW/4NW/4 Section 28
(Proof No. 50) (See Findings 21 and	22)			Beginning at a S. 0° 28' E. Section 28, T feet to a point west line of a less to the name of the section 28.	a point S. 8 155.8 feet f . 2 S., R. 1 nt; thence w claimant's 1 orthwest cor	Rock Cr. ct of land 9° 31' W. rom the no: W., W.M.; est 400 feand; thence	T. 2 S., R. 1 W., W.M. described as follows; 1250.1 feet and rth quarter corner of thence S. 34° W. 1050 et more or less to the e north 850 feet more or imant's land; thence N. o the point of beginning.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
29213 Galbreath, Mary, John and Erwin as tenants in common. Route 4	1890	0.1312	10.5	Irrigation	Unnamed		Section 21 T. 2 S., R. 1 W., W.M.
Sherwood, Oregon (Proof No. 51) (See Findings 21 and	22)			R. 1 W., W.M. corner of said an iron; then E. 446.82 fee	, 1000 feet d Section 21 ce north 874 t to a stake 01' E. 400	S. 89° 01'; thence S .4 feet to; thence s feet to a	Being within the tract of land described as follows: ine of Section 21, T. 2 S., W. from the south quarter. 89° 01' W. 564.5 feet to a stake; thence N. 89° 01' outh 487.4 feet to a stake; point; thence S. 35° W. of beginning.
Griggs, Forrest B. and Vera J. Cornelius, Oregon. (Proof No. 52) (See Finding 56)	1900	0.01		Domestic and Stock	Pipe line	Spring in NW/NW/. Sec. 9	NW/4NW/4 Section 9 T. 2 N., R. 3 W., W.M.
Guenther, M. E. Route 2 Box 111 Hillsboro, Oregon (Proof No. 53) (See Finding 56)	1906	0.01		Domestic and Stock	Pipe line	Unnamed Spring in SE¼ NE¼ Sec. 21	SEMNEW Section 21 T. 2 S., R. 3 W., W.M.
Guerber, Elmer E. Route 1 Box 85-E Hillsboro, Oregon (Proof No. 54) (See Finding 58)	1882			Stock direct 70 head		Unnamed Creek trib. to McKay Cr.	NWANEA, NEANWA & SEANWA Section 4 T. 1 N., R. 2 W., W.M.
Guild, Len W.  By: Stanley I. Guild,  Agent  Route 2  Hillsboro, Oregon	1890	0.2262	18.1	Irrigation	Unnamed	"C" Ditch trib. to Tualatin River	Section 4 1.4 acres in SE/4SE/4 Section 5 13.4 acres in NE/4NE/4
(Proof No. 55) (See Findings 21, 23	and 32)			Beginning at a and 5, T. 2 S common to Sec feet to a point south line of said south D. 8 and 9 and co D.L.C. line, or less to a	h point on to, R. 2 W., tions 4, 5, at; thence sthe Arthur L.C. line to ontinuing al 950 feet to point on the	he section W.M. 150 f 8 and 9, r outh 850 f Burris D.L the sectiong the pr a point; t south lin	Section 8 3.2 acres in NW/NW/4 Section 9 T. 2 S., R. 2 W., W.M. described as follows: line between Sections 4 eet north of the corner unning thence east 250 eet more or less to the .C. #42; thence west along on line between Sections ojection of said south hence north 700 feet more e of Section 5; thence to the point of beginning.
Hansen, Frank, et al Route 1 Box 100 Newberg, Oregon (Proof No. 56) (See Finding 54)	1890	0.01		Domestic		Spring #1	Domestic in NW/NW/A  Section 29  from spring #1 located approx. 800 ft. south and 1250 ft. east from NW corner said Sec. 29 T. 2 S., R. 2 W., W.M.
(See Finding 58)	1890			Stock direct 20 head		Spring #2 and Creek	Stock use from stream in NW corner NW/NW/4 said Section 29 T. 2 S., R. 2 W., W.M.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Hayden, Minnie Route 2 Box 327 Forest Grove, Oregon (Proof No. 57)	1904	0.1875	15.0	Beginning at the SWASEA Se along the eas N. 21° W. 170 a point; then line of said	a point 100 ection 24, T. st line of sa 00 feet to a ce S. 13° E. SW/4SE/4 Secti	feet north 2 N., R. id SW/4SE/4 point; the 920 feet ion 24; the	led Section 24 T. 2 N., R. 5 W., W.M.
Haynes, Gertie Galbreath Sherwood, Oregon (Proof No. 58) (See Findings 21 and		0.1375	11.0	Being wi Beginning at 300 feet from R.lw., W.M.; or less to th along said Cu of confluence following said	Unnamed  thin the tra a point N. 3 the south q thence conti e center lin mmings Ditch of an open d open ditch	ct of land 39° 28' W. quarter cor inuing N. 3 ne of Cummi approxima ditch ente	4.5 acres in NE/4SW/4 6.5 acres in SE/4SW/4 Section 21 T. 2 S., R. 1 W., W.M. d described as follows: 495 feet and N. 33° 22' W. rner of Section 21, T.2S., 33° 22' W. 1008 feet more ings Ditch thence easterly ately 650 feet to the point ering from the south; thence 700 feet more or less to a ore or less to the point of
Heater, William H. Route 4 Box 232 Sherwood, Oregon (Proof No. 59) (See Finding 58)	1881			Stock direct 21 head		Two un- named streams trib.to Rock Cr.	NW/4SE/4 and SW/4SE/4 Section 5 T. 3 S., R. 1 W., W.M.
Heinke, Martha Route 1 Box 31 Sherwood, Oregon (Proof No. 60) (See Findings 21, 23	1878 and 56)	0.032	2.0	550 feet nort tinuing north S. 80° W. 500 thence S. 73° to a point; t	h of the SE along said feet to a E. 350 feet	corner of east line point; then to a poin	2.0 acres in SW/4SW/4 Section 23 T. 2 S., R. 1 W., W.M. Being within the tract of land described as follows: Beginning at a point on 23, T.2S., R.1W., W.M. said SW/4SW/4; thence con- 400 feet to a point; thence south 75 feet to a point; at; thence S. 42° W. 150 ft. eet more or less to the point
Hutchison, Charles and Wealtha Route 1 Cornelius, Oregon (Proof No. 61) (See Findings 39 and	1898 . 58)			of beginning Stock direct 14 head		Spring in SEV/NW/4 Section l	T. 2 N., R. 3 W., W.M.
Ingles, Lowell I. Route l Banks, Oregon (Proof No. 62) (See Finding 56)	1896	0.01		Domestic & Stock	Pipe line	Spring in NEMNW/4 Sec. 14	n SE¼NW¼ Section 14 T. 2 N., R. 4 W., W.M.
Isenberg, Wm. E. Route 1 Box 296 Cornelius, Oregon (Proof No. 63) (See Findings 54 and	1890	0.01		Domestic Stock direct 90 head	Pipe line	Spring in SEMSEM Sec. 22	n SE/4SE/4 Section 22 T. 3 N., R. 3 W., W.M.
Ivory, Elsie Kelley 1126 S.E. Reynolds St Portland 2, Oregon (Proof No. 64) (See Findings 40 and	1905			Stock direct 7 head		West Fork Dairy Cr.	k SW4SW4 Section 4 T. 2 N., R. 4 W., W.M.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Johnston, Clark L. and Bessie H. Route 4 Box 33 Sherwood, Oregon (Proof No. 65) (See Findings 21 and	1890	0.1125	9.0	corner of Sec chains to a p chains to an	tion 21, T. oint marked iron pipe; t	Rock Cr. 7.0 chain 2 S., R. 1 with a rock hence west	5.5 acres in NW/4SW/4 3.5 acres in SW/4SW/4 Section 21 T. 2 S., R. 1 W., W.M. Being within the tract of land described as follows: s east of the west quarter W., W.M.; thence east 3.0 k; thence south 31.575 3.0 chains to a point;
Joos, W. H. 152 N. 10th Street Hillsboro, Oregon (Proof No. 66) (See Finding 58)	1891			thence north  Stock direct 20 head	31.575 chain	Unnamed Creek trib.to	oint of beginning.  SE/NEW and NEWSEW Section 31 SW/NWW Section 32 T. 2 N., R. 2 W., W.M.
Kirkpatrick, Geo. A. Route 3 Box 180 Sherwood, Oregon (Proof No. 67)	1858	0.01		Domestic & Stock	Pipe line	Spring #1 in NEWNEW Sec. 28	
(See Finding 56) (See Finding 58)	1858			Stock direct 13 head		Spring #2 in SW/NW/4 Sec.27	
Krautscheid, Peter and Helen Route 1 Box 238 Cornelius, Oregon (Proof No. 68) (See Findings 41 and	1886 58)			Stock direct 16 head		Unnamed Spring in SE¼SW¼ Sec.23 & stream	NEWNWA Section 26 T. 2 N., R. 3 W., W.M.
Kruse, Clarence D. Route 1 Box 714 Lake Grove, Oregon (Proof No. 69) (See Findings 42 and	1868	0.01		Domestic	Pipe line	Spring in SEMSEM Sec. 6	SEMSEM Section 6 T. 2 S., R. 1 E., W.M.
Kruse, Herbert V. Route 1 Box 715 Lake Grove, Oregon (Proof No. 70) (See Finding 56)	1868	0.01		Domestic and Stock	Pipe line	Spring in SE¼SE¼ Sec. 6	NEANEA Section 7 T. 2 S., R. 1 E., W.M.
Lewis, F. J. 1909 Cedar Street Forest Grove, Oregon (Proof No. 71) (See Finding 56)	1905	0.02		Domestic Stock & Prune Dryer	Pipe line	Spring in SW/ANW/4 Sec. 2	SW/4NW/4 and NW/4SW/4 Section 2 T. 1 N., R. 4 W., W.M.
Lorenz, Victor Route 2 Box 444 Cornelius, Oregon (Proof No. 72) (See Findings 43 & 58	1878			Stock direct 20 head		Unnamed trib. to Tualatin River	NW/SW/4 Section 16 T. 1 S., R. 3 W., W.M.
Ludwig, George W.  and Delia Alice Route 3 Box 155 Sherwood, Oregon (Proof No. 73) (See Findings 54 and	1902 58)	0.01 Dom	n•	Domestic Stock direct 35 head	Pipe line	Spring in SW4SEV4 Sec. 3 and Chicken C	T. 3 S., R. X W., W.M.  2  Court Order Vol. 16 pg 4.55
Lyda, Elmer E. Gales Creek, Oregon (Proof No. 74) (See Finding 54)	1881 Dom. 1908 Irr.		3•5	Domestic & Irrigation	Pipe line	Lyda Cr. trib. to Gales Cr.	in NW/ANW/4 Section 36
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Marshall, Tom and Frances Marshall, Everett and Clara By: Tom Marshall, Atty. in Fact. Gales Creek, Oregon	1894	0.025	1.0	Irrigation Domestic Stock direct. 9 head	Pipe lines	Two sprin in NEWNE Sec. 11 and Iler Creek	
(Proof No. 75) 252 (See Findings 44 and	58)						
McCormick, Sarah Jane and O. E. Route 4 Box 202 Sherwood, Oregon (Proof No. 76) (See Findings 21 and	1890	0.075	6.0	Irrigation	Unnamed	Cummings Ditch and Unnamed Ditches	6.0 acres in SEMSWM Section 21 T. 2 S., R. 1 W., W.M.
Meeker, James Route 4 Box 206-A Hillsboro, Oregon (Proof No. 77)	1896	0.010		Domestic	Pipe line	Unnamed Spring in NE/NW/ Sec. 13	NEMNW4 Section 13 T. 2 S., R. 3 W., W.M.
Merz, George L. and Maude A. Route 2 Box 268 Sherwood, Oregon (Proof No. 78) (See Findings 45 and	1868	0.010		Stock	Pipe line and trough	Unnamed spring in SE/4SW/4 Sec.5	SE4SW4 Section 5 T. 3 S., R. 1 W., W.M.
(See Findings 45 and	1868			Stock direct 18 head		West Fk. Rock Cr.	SE%SW% Section 5 T. 3 S., R. 1 W., W.M.
Miller, Raymond L. and Norabel Route 1 Box 229-E Forest Grove, Oregon ( Proof No. 79) (See Finding 46	1875	0.010 0.0376 0.05 a.		Domestic Irrigation Storage & Fish Propa- gation.	Pipe Line	Prickett Creek	2.2 acres in SW/NW/4 0.5 acre in NW/4SW/4 Section 34 T. 1 N., R. 4 W., W.M. Being within the tract of land described
				corner of the R. 4 W., W.M. north 375 fee to the natural	David Aller ; thence N. t to a poin l channel ong said cre	n D.L.C. No 69° 30' W t; thence e f Prickett	as follows: n of the most westerly SW o. 47 in Section 34, T.lN., 200 feet to a point; thence east 475 feet more or less Creek; thence upstream 550 feet more or less to
Muhly, Albert H. Route 2 Box 409 Cornelius, Oregon (Proof No. 80) (See Finding 56)	1907	0.010		Domestic and Stock	Pipe line	Spring in SW/4SE//4 Sec. 21	NE%SW% Section 21 T. 1 S., R. 3 W., W.M.
Mulloy, John W. Route 4 Box 201 Hillsboro, Oregon (Proof No. 81) (See Finding 56)	1907	0.010		Domestic and Stock	Pipe line	Spring in SW/4S <b>W</b> /4 Sec. 7	Domestic in  NEWSEW AND SEWSEW  Section 12  T. 2 S., R. 3 W., W.M.  Stock SWASWA Section 7  T. 2 S., R. 2 W., W.M.
Nicol, James Estate of By: Harvey N. Black & James D. Nicol, Trustees 6200 S.W. Nicol Road Portland 19, Oregon	1898	0.040	3.0	Irrigation	Pipe line	Fanno Cr	
(Proof No. 82) 29215 Northrup, Fred A. Route 3 Box 285 Hillsboro, Oregon (Proof No. 83)	1906	0.175	14.0	Irrigation	Pipe line	McKay Cr	. 14.0 acres in SW/SW/4 Section 19 T. 2 N., R. 2 W., W.M.
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Stock direct   Stoc	Name and Postoffice Address	Date of	Amount Cubic Foot	Number	**	Nove of The	St	Description of Land or
Ryberg, Ulayten Tualatin, Green (Froof No. 94)   292   3688 Findings 21   29   292   8   1906   1906   1906   1906   1906   1906   1906   1906   1906   1906   1906   1906   1906   1906   1907   1906   1907   1908   1907   1908   1907   1908   1907   1908   1907   1908   1907   1908   1907   1908   1907   1908   1907   1908   1907   1908   1907   1908   1908   1907   1908   19	of Appropriator	Relative Priority	Cubic Feet Per Second		Use	Name of Ditch	Stream ———	Description of Land or Place of Use
Others, Loyale F. and Julia R. 885 S.W. Offers St. Wilson Fragen (roof No. 8)  (See Finding St. and 58)  (See Finding 21, 23 & 34)  1907 0.1283 10.5 Irrigation Unraned Frame Cr. 5.3 acres in EgSS 5.0 acres in E	Nyberg, Clayton Tualatin, Oregon (Proof No. 84)	1899					Tualatin	Section 24
(See Findings 24 and 59)  1907  (See Findings 21, 2) & 34)  1908  Being wittin the trust of land described in Follows:  Being wittin the trust of land described in Follows:  Constitution of the finding described in Follows:  Less to the west line of the finding described in Follows:  Constitution of the finding described in Follows:  Constitution of the finding described in Follows:  Tresident of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Tower 394 7.3.1.  Tower 394 7.3.1.  Constitution of the finding described in Follows:  Najiana described in Follows:	O'Mara, Loyola F. and Julia R. 8825 S.W. O'Mara St. Tigard, Oregon	1906					Fanno Cr.	Section 2
See Findings 21, 23 & 34)   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as follows:   Seing within the tract of land described as point;   Seing within the tract of land described as follows:   Seing within the tract of land described himsen out in the point of land described as follows:   Seing within the tract of land described himsen out in the point of land described himsen out 27.77   Chairman Jule 19.20     Seing within the tract of land described himsen out 27.77     Seing within the tract of land described himsen out 27.77     Seing within the tract of land described himsen out 27.77     Seing within the tract of land described himsen out 27.77     Seing within the tract of land described himsen out 27.77     Seing within the tract of land described himsen out 27.77     Seing within the tract of land section of land within the tract of		58)						
See Findings 21, 23 & 34)    See Findings 21, 25   24   34		1907	0.1288	10.3	Irrigation	Unnamed	Fanno Cr.	5.3 acres in NE%SE% 5.0 acres in NW4SE%
Oregon Iron & Steel Co.  July 25, 57.5  1906  Oregon Iron & Steel Co.  July 25, 57.5  1906  Oregon Oregon Oregon (Proof No. 36)  Geo Findings 19 and 20)  Ording, Robert Route & Box 256-A Hillsboro, Oregon (Proof No. 36)  Hillsboro, Oregon (Proof No. 36)  Oregon Oregon Oregon (Proof No. 36)  See Finding 50)  Parkin, Walter Route Box 244-A Forest Grove, Oregon (Proof No. 38) (See Finding 54)  Parrish, Jacob C. Route 5 Box 306 Hillsboro, Oregon (Proof No. 38)  See Finding 54)  Parrish, Jacob C. Route 5 Box 306 Hillsboro, Oregon (Proof No. 38)  See Finding 54)  Pearson, Donovan H. For Clara F. Route 2 Commalius, Oregon (Proof No. 90) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Futnam Route 2 Hillsboro, Oregon (Proof No. 90) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Futnam Route 2 Hillsboro, Oregon (Proof No. 91) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Futnam Route 2 Hillsboro, Oregon (Proof No. 91) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Futnam Route 2 Hillsboro, Oregon (Proof No. 91) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Futnam Route 2 Hillsboro, Oregon (Proof No. 91)  Rights acquired under State Engineer's Fermit 10513, Certificate 19779.  Rights acquired under State Engineer's Fermit 10513, Certificate 19779.  Rights acquired of Proof No. 91)  Rights acquired of Proof No. 92)  Pomesticand Stock  Sherwood, Oregon (Proof No. 92)		& 34)			Beginning at chains from t No. 39, in Se west 570 feet less to the w thence N. 43° thence S. 64°	a point S. L he northwest ction 2, T.2 to a point; est line of E. along sa E. 775 feet	corner of S., R.lW., thence N. the said Cid D.L.C. to a poir	Section 2 T. 2 S., R. 1 W., W.M. described as follows: chains and south 27.77 the Wm. W. Graham D.L.C. W.M.; running thence 25° E. 890 feet more or Graham D.L.C. No. 39; line 355 feet to a point;
By: Faul T. Kurphy,   1906     394 T.H.P.   Canal   River   T. 2 S., R. 1 E., W.E.   1905	· · · · · · · · · · · · · · · · · · ·				_			NEW/SEM/ Sportion 10
(See Findings 19 and 20)  73 20  74 20  75 20  76 20  77 20  77 20  78 2	By: Paul T. Murphy, President. Oswego, Oregon		51.5	Powe	934 Т.Н.Р.			, ,
Ornduff, Robert Route 4 Box 236-A Hillsboro, Oregon Ornduff, Winifred Route 4 Box 2300 Eillsboro, Oregon (Proof No. 87) (See Finding 56)  Parrish, Jacob C. Route 3 Box 306 Hillsboro, Oregon (Proof No. 88) (See Finding 54)  Parrish, Jacob C. Route 3 Box 306 Hillsboro, Oregon (Proof No. 89)  22 2 1 Pearson, Donovan H. or Clara F. Route 2 Cornelius, Oregon (Proof No. 90) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Putnam Route 2 Cornelius, Oregon (Proof No. 90) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Putnam Route 2 Hillsboro, Oregon (Proof No. 91)  23 2 2 3 2 3 2 3 3 3 3 3 3 3 3 3 3 3 3	(See Findings 19 and	20)						
Parkin, Walter Route 1 Box 244-A Forest Grove, Oregon (Proof No. 88) (See Finding 54)  Parrish, Jacob C. Route 3 Box 306 Hillsboro, Oregon (Proof No. 99)  Pearson, Donovan H. or Clara F. Route 2 Cormelius, Oregon (Proof No. 90) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Putnam Route 2 Hillsboro, Oregon (Proof No. 91)  Parrish, Jacob C. Rights acquired under State Engineer's Permit 20527, Certificate 23031  Pomesticand Stock  Domesticand Stock  Pipe line Spring in NWASWA Section 35 T. 1 S., R. 3 W., W.M. T. 1 S., R. 3 W., W.M.  Rights acquired under State Engineer's Permit 10513, Certificate 19779.  Reiser, Earl H., Jr. and Genevieve F. Route 3 Box 38 Sherwood, Oregon (Proof No. 92)	Ornduff, Robert Route 4 Box 236-A Hillsboro, Oregon Ornduff, Winifred Route 4 Box 230 Hillsboro, Oregon	1903	0.010			Pipe line	nw/ne/4	
Route 3 Box 306 Hillsboro, Oregon (Proof No. 89)  Pearson, Donovan H. or Clara F. Route 2 Cornelius, Oregon (Proof No. 90) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Futnam Route 2 Hillsboro, Oregon (Proof No. 91)  Reiser, Earl H., Jr. and Genevieve P. Route 3 Box 88 Sherwood, Oregon (Proof No. 92)  Responsible acquired ander State Engineer's Permit 20527, Certificate 23031  NWASWA Section 35 T. 1 S., R. 3 W., W.M. NEWSEMA near SE corner. Sec. 34  State Engineer's Permit 10513, Certificate 19779.  Domesticand State Engineer's Permit 10513, Certificate 19779.  Domesticand Stock  Pipe line Spring in NEWSWA Section 6 T. 3 S., R. 1 W., W.M. Sec. 6	Parkin, Walter Route 1 Box 244-A Forest Grove, Oregon (Proof No. 88)	1880	0.1625	13.0	_	ditch &		Section 21
Pearson, Donovan H. or Clara F. Route 2 Cornelius, Oregon (Proof No. 90) (See Finding 56)  Putnam, W. T. & Sons By: F. C. Putnam Route 2 Hillsboro, Oregon (Proof No. 91)  Reiser, Earl H., Jr. and Genevieve P. Route 3 Box 88 Sherwood, Oregon (Proof No. 92)  Responsible of the stock  Domesticand Stock  Domesticand Pipe line Spring in NEWASWA Section 35  NEWASWA Section 35  T. 1 S., R. 3 W., W.M.  NEWASWA Section 35  T. 1 S., R. 3 W., W.M.  NEWASWA Section 35  To 1 S., R. 3 W., W.M.  NEWASWA Section 35  To 1 S., R. 3 W., W.M.  NEWASWA Section 35  To 1 S., R. 3 W., W.M.  NEWASWA Section 35  To 1 S., R. 3 W., W.M.  Section 35  To 1 S., R. 3 W., W.M.  NEWASWA Section 6  NEWASWA Section 6  To 3 S., R. 1 W., W.M.  Sec. 6	Route 3 Box 306 Hillsboro, Oregon (Proof No. 89)	Rights	acquired	under	State Engineer	's Permit 20	0527 <b>,</b> Cert	ificate 23031
By: F. C. Putnam Route 2 Hillsboro, Oregon (Proof No. 91)  Reiser, Earl H., Jr. Route 3 Box 88 Sherwood, Oregon (Proof No. 92)  Rights acquired under State Engineer's Permit 10513, Certificate 19779.  Domesticand Pipe line Spring in NE/4SW/4 Section 6 Stock  Stock  Domesticand Stock  Pipe line Spring in NE/4SW/4 Section 6  NE/4SW/4 T. 3 S., R. 1 W., W.M. Sec. 6	Pearson, Donovan H. or Clara F. Route 2 Cornelius, Oregon (Proof No. 90)	1896	0.010			Pipe line	NE/\SE/4 near SE corner.	
and Genevieve P.  Route 3 Box 88 Sherwood, Oregon (Proof No. 92)	By: F. C. Putnam Route 2 Hillsboro, Oregon	Rights	acquired	under	State Engineer	's Permit l	0513, Cert	ificate 19779.
	and Genevieve P. Route 3 Box 88 Sherwood, Oregon (Proof No. 92)	1890	0.010			Pipe line	ne/4sw/4	
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	Data of	Amount					
Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Rucek, Joseph 11515 S.W. Center St. Beaverton, Oregon (Proof No. 93)	1892	0.0625	5.0	Irrigation Being wi	Pipe line	Wessenger Creek act of land	2.0 acres in NEV4SW/4 1.0 acre in SEV/SW/4 2.0 acres in NW/4SEV/4 Section 10 T. 1 S., R. 1 W., W.M. described as follows:
				D.L.C. No. 45 D.L.C. in Sector a point; the east 350 feetor less to the	, 500 feet tion 10, T. hence N. 53 to a point e north line	east of the LS., R.1W., E. 1250 f thence S. e of said I	ine of the Wm. Lockerman northwest corner of said W.M.; thence north 325 eet to a point; thence 42° W. 1435 feet more tockerman D.L.C.; thence soint of beginning.
Rueter, Helen, Elsie, Frieda, Katherine and Gertrude By: Gertrude Rueter, Att'y in Fact. Star Route Forest Grove, Ore.	Rights	acquired	under	State Engineer	's Permit l	3585, Certi	ficate 15707.
(Proof No. 94) () 2 4 Sagert, Mary and Johnson, Elsie Route 1 Box 45 Sherwood, Oregon (Proof No. 95)	1874	0.010		Domestic & Stock	Pipe line	Spring in NEV/NEV/4 Sec. 25	NEWNEW and NWWNEW Section 25 T. 2 S., R. 1 W., W.M.
(See Finding 56) (See Finding 58)				Stock direct 20 head		Saum Cr. and Unnamed tributary	NEWNEW and NWWNEW Section 25 T. 2 S., R. 1 W., W.M.
Schaad, Benjamin F. P. O. Box 414 Dayton, Oregon (Proof No. 96)	1905	0.050				NEMNWA Sec. 14 acts of lan	NEWNEW Section 15 T. 3 S., R. 2 W., W.M. d described as follows:
(See Finding 54 & 48 29256	)			r/w of the Sc	uthern Paci said Section	ic railros 15 l <b>y</b> ing	tion 14 lying north of the d and the east 400 feet of north of the r/w of the
Schaber, William and Carl Route 1 Box 132 Sherwood, Oregon (Proof No. 97) (See Finding 56)	1907	0.010		Domestic and Stock	Pipe line	Spring near sout east corn SW/4SE/4 Sec. 20	SE¼SE¼ Section 20 h T. 2 S., R. 1 E., W.M. er
Schume, John Route 3 Box 117-X Hillsboro, Oregon (Proof No. 98) (See Finding 56)	1909	0.010		Domestic & Stock	Pipe line	Jackson Creek	NEV4SW/4 Section 28 T. 2 N., R. 2 W., W.M.
Sellers, B. L. Route 1 Box 193 Banks, Oregon (Proof No. 99)	1889	0.350	28.0	Irrigation	Unnamed ditches & pipe lines	Unnamed trib. to Dairy Cr.	Section 18
(See Finding 56)	1889	0.010		Domestic & Stock	Pipe line	South Spa in NW/NE/ Sec. 18	• •
Sheelar, Myron and Lillian Route 1 Box 156 Forest Grove, Oregon (Proof No. 100)	Right	ts acquir	ed und	er State Engine	er's Permit	23438.	
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Smith, Arthur L. and Sophie Route 1 Banks, Oregon (Proof No. 101) (See Finding 56)	1885	0.010		Domestic & stock	Pipe line	Unnamed Stream trib. to Garrigus	SE¼SW¼ Section 12 T. 2 N., R. 4 W., W.M.
Smith, Elphe K. 14725 S.W. 72nd St. Tigard, Oregon (Proof No. 102) (See Finding 54)	1867	0.010		Domestic	Pipe line	Spring in SW4 NEW4 Sec. 12	SW/4 NE/4 Section 12 T. 2 S., R. 1 W., W.M.
Snyder, Gordon H. and Mildred Route 2 Box 8 Sherwood, Oregon (Proof No. 103) (See Findings 21, 23	1865	0.2625	21.0	Irrigation	Unnamed	Rock Cr.	0.5 acre in NW/ANW/4 2.9 acres in SW/ANW/4 3.8 acres in SE/ANW/4 6.8 acres in NE/4SW/4 7.0 acres in NW/4SE/4 Section 33
, , , , ,	1865			Stock Direct		Rock Cr.	T. 2 S., R. 1 W., W.M.
(See Findings 35 and	70)			Beginning at R.1W., W.M.; point on the feet to a poi channel of Ro Rock Creek 23 830 feet more road; thence or less; then	the SE corne thence N. 3 north line on; thence I ck Creek; the cor less to southeaster ce south 500 33; thence	er of the N 70' W. 1640 of said NE/ N. 71° E. 2 hence south e or less t the southv ly along sa D feet to t west along	described as follows:  E/SW/4, Section 33, T.2S.,  feet more or less to a  SW/4; thence N. 33° W. 1630  20 feet more or less to the  leasterly up the channel of  to a point; thence east  vesterly r/w of a county  lid road r/w 350 feet more  the south line of the NW/4SE/4  said south line 600 feet  ling.
Snyder, Jesse W. and Shirley Ann, dba Scholls Tile Co. Route 2 Box 208 Hillsboro, Oregon (Proof No. 104)	1902	0.557		Manufact- uring.	Pipe line	Tualatin River	NEMNW4 Section 10 T. 2 S., R. 2 W., W.M.
Spiering, John Route 2 Box 138 Hillsboro, Oregon (Proof No. 105)	Ri <i>g</i> hts	acquired	under	State Engineer	's Permits	R-1775 and	25912.
Stark, Harold B. and Sylvia Route 4 Box 499 Sherwood, Oregon (Proof No. 106) (See Findings 54 and	1900	0.010		Domestic Stock direct 25 head	Pipe line	Unnamed Creek trib. to Chicken Creek	E½SW/NE¼ and SE/NE¼ Section 23 T. 2 S., R. 2 W., W.M.
Tate, Henry J.  Route 1 Box 744  West Linn, Oregon (Proof No. 107) (See Finding 54)	1901	0.010 0.0257	1.1 Vol. <u>33</u>	Domestic Irrigation	Pipe line	Two Springs in SE/ANW/NE) Sec. 34	1.1 acres in SE/NW/NE/4 Section 34 T. 2 S., R. 1 E., W.M.
Tatman, Mrs. Ollie Route 2 Hillsboro, Oregon (Proof No. 108) (See Finding 56)	1890	0.010		Domestic & Stock	Pipe line	Spring in SW/4SW/4NW/ Sec. 15	
Taylor, Joseph E. Route 3 Box 35 Sherwood, Oregon (Proof No. 109) (See Finding 58)	1892			Stock direct 35 head		Rock Cr.	SEMSWA and SWASEA Section 4 T. 3 S., R. 1 W., W.M.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
29237	Priority	Per Second	110105				
Kennedy, Thomas C. and Joan, successors to	1908	0.020		Domestic & Stock	Pipe line	Spring in	T. 2 S., R. 3 W., W.M.
Tesch, Fred and Anna Route 4 Box 210 Hillsboro, Oregon (Proof No. 110)	P.	0.10		Hydraulic Ram	Pipe line	Section 1 Grauer Cr	
Vanaken, Frank 1902 - 21st Ave. Forest Grove, Oregon (Proof No. 111)	Right	s acquir	ed unde	er State Engine	er's Permit	22040, Cer	rtificate 22078
Van Derzanden, V. J. Route 1 Box 68 Cornelius, Oregon (Proof No. 112)	Claim	denied.	See J	Finding 49.			e e
Viaene, Ninya J. 1345 S.E. Bidwell St. Portland 2, Oregon (Proof No. 113) (See Finding 58)	1866			Stock direct 50 head		Two Unnamed Streams trib. to Rock Cr.	NE/4SE/4 and NW/4SE/4 Section 5 T. 3 S., R. 1 W., W.M.
Walgraeve, Delmar Route 4 Sherwood, Oregon (Proof No. 114) (See Findings 21 and	1890 1 22)	0.075	6.0	Irrigation	Unnamed	Unnamed Ditches trib. to Rock Cr.	0.5 acre in NE/ANW/4 5.0 acres in NW/ANW/4 Section 28 0.5 acre in NE/ANE/4 Section 29 T. 2 S., R. 1 W., W.M.
Walgraeve, Morris and Jane Route 4 Sherwood, Oregon (Proof No. 115)	1904	0.050	4.0	Irrigation Stock direct 30 head	Unnamed	Two spring in SW/4SE/ Sec. 22 and Unnamed	
(See Findings 21, 2		·		22, T. 2 S., of said SW/4SI point being thence continues. 6° E. 5.5	R. 1 W., W. The thence Nother point of the point of the the the chains; the	M. 11.5 cha . 72° E. 4 beginning E. 14.5 cl nce S. 72°	ine of the SW/SE/4, Section ains north of the SW corner 5 chains more or less to a of the tract here described; hains to a point; thence W. 15.2 chains to a e or less to the point of
Wall, Howard Milton Terminal Sales Bldg. Fortland 5, Oregon (Proof No. 116) (See Findings 50, 5	1890 3 & 56)	0.0328	2.0	Irrigation Domestic & Stock	Pipe line	Spring in SW/NW/4 Sec. 18	n 0.9 acre in SW/NW/4 0.6 acre in SE/ANW/4 0.5 acre in NW/4SW/4 Section 18 T. 1 N., R. 4 W., W.M.
Wark, Glenn D. Route 3 Box 198-N Sherwood, Oregon (Proof No. 117)	Right	ts acquir	ed und	er State Engine	er's Permit	21282, Ce	rtificate 23247.
Werre, Frederick R., Gottlieb and Daniel Route 4 Box 295 Sherwood, Oregon (Proof No. 118)	1893	0.01		Domestic & Stock	Pipe line	Spring in SE/NW/4 Sec. 23	n NW/NE/4 and W/2SW/NE/4 Section 23 T. 2 S., R. 2 W., W.M.
(See Finding 56) (See Finding 58)	1893			Stock direct 50 head	·	Unnamed Stream	NEWNWW and SEWNWW Section 23 T. 2 S., R. 2 W., W.M.
Western Oregon Conference Ass'n of Seventh Day Adventis By: Lloyd E. Biggs, Gaston, Oregon (Proof No. 119)	ts	ts acqui:	red und	er State Engin	eer's Permit	15925 <b>,</b> Ce	rtificate 17006.
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State Printing Dept. 44550							

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
White, Lester Route 1 Box 236-B Forest Grove, Oregon (Proof No. 120) (See Finding 56)	1907	0.01		Domestic & Stock	Pipe line	Spring in NW/ANE/4 Sec. 27	SWASEMA Section 22 T. 1 N., R. 4 W., W.M.
Whiteman Lumber Co. By: John H. Haston Att'y in Fact Manning, Oregon (Proof No. 121)	1907	0.10 2.5 ac.	ft.	Manufacturing Sawmill and Log Pond		West Fork Dairy Cr.	
Williams, Wm. D. and Viola V. Gales Creek, Oregon (Proof No. 122) (See Finding 56)	1901	0.01		Domestic and Stock	Pipe line	Spring in NW/SE//SW// Section 1	
Windolph, Carl R. Walker Road Beaverton, Oregon (Proof No. 123)	Claim	denied.	See I	inding 51.			
Winters, Mabel L. Route 3 Box 156 Sherwood, Oregon (Proof No. 124)	1883	0.01		Domestic and Stock	Pipe line	Spring in NE%SE%SW Section 3	
(See Finding 56) (See Finding 58)	1883			Stock Direct 20 head		Spring in SW/NW/4SE// Section 3 and strea	
Withycombe, Sue 618 N. Newlin St. Whittier, Calif. By: Thomas E. Withyco 334 N.W. 22nd Ave. Portland 5, Oregon (Proof No. 125) (See Finding 58)	1894 ombe			Stock direct 30 head		Unnamed Creek trib. to Tualatin River	SW/NW/4 Section 19 T. 1 S., R. 2 W., W.M. SE/ANE/4 Section 24 T. 1 S., R. 3 W., W.M.
(See Finding 58)  Woell, George Route 2 Gaston, Oregon (Proof No. 126) (See Finding 58)	1900			Stock direct 175 head		Ayres Cr.	NW/NW/ Section 18 T. 2 S., R. 3 W., W.M.
Woell, George and Edna Route 2 Gaston, Oregon (Proof No. 127) (See Finding 58)	1900			Stock direct 175 head		also know	NWASE and SWASEW n Section 12 T. 2 S., R. 4 W., W.M.
Wohlschlegel, Ed B. 508 East Main Street Hillsboro, Oregon (Proof No. 128) (See Finding 54)	1895	0.01		Domestic	Pipe line	Spring in SW/4SE/4 Sec. 21	SW/4SE/4 Section 21 T. 2 S., R. 2 W., W.M.
Wohlschlegel, Ed B. 508 East Main Street Hillsboro, Oregon (Proof No. 129) (See Finding 54)	1885	0.01		Domestic	Pipe line	Spring in SW/NW/4SW/4 Section 2	T. 2 S., R. 2 W., W.M.
Wright, Nathan O. Route 1 Box 424 West Linn, Oregon (Proof No. 130)	Right	s acquir	ed und	er State Engine	er's Permit	21335, Cer	rtificate 22613.
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use		
29232 Young, William R. and Mary	1890	0.0625	5.0	Irrigation	Unnamed	Rock Cr.	1.63 acres in SE1/4SE1/4 Section 20 3.37 acres in SW1/4SW1/4		
Route 4 Box 207 Sherwood, Oregon (Proof No. 131) (See Findings 21 and	. 22)			Beginning at common to Section thence N. 89 538.0 feet to a point; there	a point nor tions 20, 2 01' E. 272 a point; the south 53 the south	th 12.0 feel, 28 and 2 .8 feet to hence south 3.0 feet to line of sai	Section 21 T. 2 S., R. 1 W., W.M. described as follows: t from the section corner 9, T. 2 S., R. 1 W., W.M.; a point; thence north 89° 01' W. 404.8 feet to a point which is 12.0 d Section 20; thence N. 89°		
Zurbrugg, Edwin Route 2 Box 514 Portland 9, Oregon (Proof No. 132)	1886			Stock direct 18 head		Abbey Cr.	SEMSEM Section 8 T. 1 N., R. 1 W., W.M.		
(See Finding 58) (Proof No. 133) (See Finding 56)	1886	0.01		Domestic and Stock	Pipe line	Spring in SE/4SE/4SE/ Sec. 8	4 T. 1 N., R. 1 W., W.M.		
(See Finding 55)	1886	0.01	7.1	Stock	Pipe line	Spring in SW/4SE/4SE/ Sec. 8			
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And the State Engineer of Oregon, being fully advised in the premises, it is hereby CONSIDERED AND ORDERED that the relative rights of the various claimants to the use of the waters of Tualatin River and its tributaries, be and the same are hereby determined and settled as set forth in the foregoing Findings of Fact and Order of Determination.

Dated at Salem, Oregon, this 9th day of December, 1959.

LEWIS A. STANLEY

State Engineer

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