

BEFORE THE STATE WATER BOARD OF THE STATE OF OREGON

WATER DIVISION NO. 2

UMATILLA COUNTY.

IN THE MATTER OF THE DETERMINATION OF )  
THE RELATIVE RIGHTS OF THE VARIOUS ) FINDINGS OF FACT  
CLAIMANTS TO THE WATERS OF THE UMATILLA ) AND  
RIVER, A TRIBUTARY OF THE COLUMBIA RIVER ) ORDER OF DETERMINATION.  
AND ITS TRIBUTARIES, IN UMATILLA COUNTY, )  
OREGON. )  
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Now on this 14th day of January, 1915, the above entitled matter coming on before the State Water Board of the State of Oregon, at a meeting of said Board, commenced and held on said day, and it appearing to the said board that all the evidence taken at the original hearing and in all contests herein has been duly filed in the office of the said board, and the said board having carefully considered all of the evidence, proofs and testimony taken, and the information and data gathered by the State Engineer, and being now fully advised in the premises, makes and orders to be entered of record in its office, the following:

FINDINGS OF FACT:

1.

That on the 7th day of May, 1909, there was filed in the office of the State Water Board, State of Oregon, a petition signed by Oliver P. Morton, for and on behalf of the United States of America, a water user upon said stream, requesting a determination of the relative rights of the various claimants to the waters of said stream, and that said petitioner is a user of the waters of the said Umatilla River and its tributaries, as appears from the order of determination herein. That thereupon the said State Water Board, after full investigation and due consideration of said petition, found the facts and conditions such as to justify the making of a determination of the relative rights of the various claimants of the waters of said stream and its tributaries thereto, and made and entered its order in the records of said office, fixing a time and place for the beginning and making of such an examination of said stream by the State Engineer, as would enable the said Board to determine the rights of the said claimants and also the time and place for the beginning and taking of testimony by the Superintendent of Water Division No. 2; that said time when said State Engineer or his assistants, did begin the examination of said stream, was set by order of said board for the 9th day of May, 1910, and the time when the Superintendent of Water Division No. 2 did attend and take the testimony of the various claimants was set by said order of said board as follows, to-wit: on Monday the 16th day of May, 1910, at the hour of ten o'clock a.m., in a certain building known as City Hall, in the Town of Echo, Umatilla County, Oregon, and on Thursday, the 19th day of May, 1910, at the hour of ten o'clock a.m., in the Circuit Court Room, in the County Court House in the City of Pendleton, Umatilla County, Oregon.

2.

That a notice was prepared by said board setting forth the date when the State Engineer, or his assistants, would begin the investigation of the flow of said stream, and the ditches diverting water therefrom, and the time and place certain when the Superintendent of Water Division No. 2 would begin the taking of testimony as to the rights of the various claimants to the waters thereof, and said notice was published in the East Oregonian, a newspaper published at Pendleton, Umatilla County, Oregon, and of general circulation in the County of Umatilla, Oregon, for a period of two consecutive weeks, beginning on the 25th day of March 1910, and ending on the 1st day of April, 1910,

the date of the last publication of said notice being more than 30 days prior to the date <sup>fixed</sup> for the making of said examination and measurement of the said streams and ditches by the State Engineer, and for the beginning of taking of testimony by the Division Superintendent.

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That on the 5th day of April, 1910, the Superintendent of Water Division No. 2, did send by registered mail, to each person, firm and corporation (Vol. 1.p 306 et seq) claiming a right to use the water of said stream, or any tributary thereof, and to each person, firm, and corporation owing or being in possession of land bordering on or having access to said stream or its tributaries, insofar as said claimants, owners, firms or corporations in possession could be reasonably ascertained, a similar notice to such published notice, setting forth the date when the State Engineer would commence the examination of said stream and its tributaries, and the ditches diverting water therefrom, and the time and place certain when the Superintendent of said Water Division would commence the taking of testimony as to the relative rights of the various claimants to said stream and its tributaries, and said Superintendent did enclose with each of said notices, a blank form upon which the said claimant or person in possession should present in writing all the particulars necessary for the determination of his rights to the waters of said stream, or a tributary thereof, under oath.

4.

That due proof of publication of said notice and of the sending of said notice by registered mail, (Vol. 1.p 316, et seq) has been made and is duly filed and is now a part of the record hereof.

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That upon the date named in said notice herein published and sent, and at the place specified therein, an assistant to the State Engineer did commence the examination of said stream and its tributaries, and the ditches diverting water therefrom, and the Superintendent of Water Division No. 2, did commence the taking of testimony as to the relative rights of said claimants, and did continue taking same until completed (Vol. 1, p423); that the following named persons, firms and corporations, were duly notified by registered mail, and by publication of said notice, as hereinbefore set forth, but that each and all of them, although so notified, have failed, neglected, and refused to appear herein and submit proof of their rights to said stream, if any they have or claim, and that each of said parties is in default, and that said default should be, and is hereby entered, to-wit:

Clarence E. Allen, W. M. Ayres, Matilda E. Ayres, Jennie Ammons, John Alexander, Melissa Abbott, James Anderson, Thos. W. Atkinson, Alexander Adams, American National Bank, W. D. Thompson, Pres., Dick O. Adams, Maggie Arlington, Susan E. Adams, John F. Adams, (Estate) J. D. Bullock, G. M. Baer, Llewellyn Brownell, Minnie A. Benedict, W. T. Brown, T. R. Barks, J. J. Baumgardner, W. M. Beagle, W. D. Brassfield, Myrtle H. Bell, J. A. Borie, C. Bronson, D. K. Bell, Wm. Barkhart, Phoebe A. Bartholomew, Mary E. Bowman, J. H. Barker, Ella Belts, Christopher Bolin, Gideon Brown, Jessie M. Bryson, Geo. A. Barnhard, Wm. M. Blakely, J. M. Butler, Phoebe Butler, A. J. Baker, M. A. Baker, Wm. Baker, James S. Bell, Lee Buttler, Hayes A. Blair, A. S. Bennett, J. Baumgardner, Cyril Brownhill, A. C. Crawford, Esther M. Correll, Frank C. Cook, Columbia Land Co.- H.W.Coe, Pres., B. B. Crowner, C. F. Coleworthy, Mrs. F. A. Campbell, Frank B. Clopton, Frank E. Crowe, M. F. Callbeck, Edwin Campbell, Angus Cameron, Charles R. Cate, W. F. Corley, Alex Cornett, J. S. Cherry, F. B. Clopton (Estate), Edward L. Cheney, L. K. Curtwright, Harry E. Cord, H. E. Cook, Mary E. Coffey, E. H. Caton, Katie Caton, Joseph Connelly, Matt Cononen, Ralph Crow, R. C. Canfield, H. E. Dickson, Jane M. Davison, F. H. Denzler, Henry Dorn, Mary T. Duncan, Frank Dickey, Elsie M. Dozier, Sarah J. Dozier, John Doherty, Catherine Agnes Doherty, J. N. Durham, G. DeGraw, F. C. Davis, J. W. Duncan, Sadie C. Elder, Wm. F. Ellis, W. R. Ellis, W. G. Estes, W. J. Emery G. Estes, Chas. Ely, James M. Eldridge, T. P. Edwards, Geo. W. Ellis, Amanda Ely, Green Estes, Anne E. Faude First Nat. Bank of Pendleton, Oregon, G. M. Rice, Cashier, Joseph Francis, C. P. Ford, Julius Fletcher, Mary E. Fletcher, Farmers Bank of Weston, Ore., Dillard French, John Foster, John H. French, J. D. French, Karl E. Fahrnwold, John H. Ferguson, N. B. Foster, Fish & Toft, E. C. Fish, Bertha B. Harris, Guernsey, H. B. Gillett, Wm. Griggsby, J. H. Gruelich, F. J. Greulich, E. M. Graham, D. E. Gitman, Dorothy Gilliam, Mrs. S. C. Geiss, Earl Gillanders, Frank Gerard, I.H.Govvell,

C. H. Gardner, C. S. Jackson, Annie Horan, Leonore G. Hunt, Bertha Guernsey Harris, H. T. Irwin, Charles D. Hawarth, Jessie A. Hutchinson, Herman Holverson, August Jashewak, Edgar B. Hoover, R. C. Hager, J. F. Harvey, S. L. Hawarth, Edith Howard, Paul Histor, Lucy M. Jarmon, Mrs. Laura Humphrey, J. L. Howard, Fred W. Handley, Chas. R. Hensley, Hill Bros. I. L. Howard, James Hawks, A. B. Johnson, Alex Hudson, Emma E. Horn, David Horne, Sarah Jones, W. W. Harrah, Maude L. Hailey, James M. Hager, Mrs. M. J. Holdman, W. Holdman, Rezilla Holcomb Oliver Holcomb, M. M. Johns, John S. Harris, John E. Hagen, Isaac Hagen, Mrs. Kate Hendrickson, C. W. Hibley, Wm. H. Isaac, Henrietta Milling & Grain Co.-Wm Daugherty-Pres., Tom Hurlburt, J. A. Kelly, Josiah H. Leezer, Mary Kine, Martha D. Kimball, Mathies Kononen, Lot Livermore, Stella Lacy, James Kash-Kash, J. M. Kimbrell, Maria L. Lightfoot, Imogene Keys, John Kopp, Emma Kilkupp, George W. Linser, B. F. Keller, Harmon I. Kamrath, W. Lyman, B. P. Keller, Frank Krebs, Harry E. Krebs, W. A. Krebs, G. W. Lieuallen J. T. Lieuallen, Henry Koepka, James A. King, F. G. Lucas, Henry Kopettke, Matt Kononen, William Ladd, E. H. Merrill, Lida A. McDonald, T. C. Mendenhall, Minerva Mendenhall, Kinsey Morton, Chas. E. Marple, J. R. Marple, E. P. Marshall, Chas. McDaniels, James McKay, Wm. McCormack, John E. McCormack, James Morgan, David McCarty, Geo. F. Mansfield, Wm. McCutchen, L. L. Mann, John Minthorn (Estate), Albert Moody, Wm. Manke, James G. McConnell, A. F. Michaels, Morse Estate, Mrs. S. L. Morse, Moody Estate, Clarence Morse, Billy Nurlin, A. E. McFarland, John McGinn, Tobitha Marquis, Alex McKenzie, Jno. A. McIntyre, Andrea B. McEwen, Wm. McCorkell, John M. McLaughlin, John L. McFall, J. S. McLeod, J. T. McNurlin, Mary T. Noble, Northern Pacific R'y Co., Margaret Oliver, R. J. Oliver, Wm. L. Noble, T. D. Oliver, Catherine Nelson, Eels C. Nelson, Sam Nelson, Chas. H. Olcott, Frank Noble, Wm. B. Owings, Chris Nelson, C. L. Nelson, S. M. Olmstead, Carl Oberg, Jackson Nelson, J. B. Owen, C. W. Hibley, Warren R. Parker, H. Pelmulder, Eliza E. Pugsley, J. B. Perry, Maggie H. Parr, Will M. Peterson, Eva M. Peterson, W. J. Perry, Pendleton Roller Mills, Pedro Bros., Alfred Palmer, G. Pea, Chief Peo, Amos Pond, Thos P. Page, Wm. L. Parcell, Samuel L. Frisco, D. A. Pearson, Rose Adell Heath, Joseph Rose, Annie Reeves, Henry Ruth, S. N. Richardson, Seth Richardson, C. E. Roosevelt, J. A. Rust, John Ray, J. H. Raley, Wm. Rhodes, A. B. Rhonimus, Adam B. Rothrock, L. C. Rothrock, W. C. Russell, Joseph Ringles, J. S. Ross, E. E. Rugg, John Runyan, W. B. Ross, Riparian Irrigation Company, - Wm Reeves, John D. Rice, W. H. Starr, C. P. Stanyan, Louis Scholl, Edith Smith, Paul F. Schneider, O. F. Steele, Matt Saari, Samuel Smith, James L. Smith, Wm. Smith, H. W. Schwartz, Schwarz & Gruelich, G. Schroeder, Chas. Switzler, Hattie Stanfield, Ephriam L. Smith, Minnie J. Suiste, J. W. Salisbury, Mrs. H. T. Stanfield, Elizabeth Stamper, Edward Serell, A. L. Swaggart, Chas. Schumann, Cap. Sumpkins, John Switzler, S. G. Shaw, I. E. Saling, John R. Smith, Henry W. Swartz, Agnes Swauger, T. B. Swearingen, E. P. Staples, Marshall Stevens, Dan Smythe, John B. Switzler, Ida M. Turner, E. E. Turner, R. E. Thom, Martha A. Travis, J. E. Taylor, M. L. Taylor, John F. Thompson, Wm. L. Thompson, T. D. Taylor, Squire D. Tucker, Elizabeth Tucker, \_\_\_\_\_ Tucker, W. W. Welch, Pauline West, Asa B. Thomson, Aura A. Thomson, David Sloan, Thomson, Ellen Tippet, Wm. Temple, Thompson-Figg Estate, Sarah Thompson Estate, Chris Traber, Belle Todd, J. S. Todd, Peter Toft, Peter L. Van Orsdell, Minerva D. Vaughan, Chas. Van Pelts, James Vey, Carrie C. Van Crandall, James Wardwell, Frank J. Watson, John S. West, J. F. Williams, Clark M. Ware, Horace Walker, M. L. Warren, E. A. Ware, Perry T. Whitworth, Wm. H. Wilson, John W. Whitman, Anna B. Weber, Mabel Wolfe, Peter West, Mary A. Waldron, Mary Wigglesworth, C. F. Williams, Mabel Wolfe, Mattie Walker, Alex Waugh, James P. Whittmore, R. W. Waucop, S. F. Wilson, A. L. Watts, Wm. Willaby, George L. Ward, Clark M. Ware, Walton Bros., William Wilson, Will Walton, Arthur H. Yates.

The following are Indian residing on the Umatilla Indian Reservation:

Kap-sis-e-wa-tin, In-na-ho-pe, Shee-loo-pow-yan, Catherine King, We-a-lux, Temich, Talaspaleo, Ida Pond, Ala-lame-ton-mi, Columbia Joe's Daughter Maud, Koot-to-tan's wife's sister, Talakekla, Acwate, Ruben-Wa-won-a-kee, W. W. H. 68, Ap-nash-kla-tuck, 341 C, W. W. H. 70, Watalawit, Sem-ka-we-ela, Ko-san-mi, Jessie Picard, Alayokimi, Non-sa-pa, George Pearson, Pauline Tower, Francis Lincoln, A-ko-wit-ye-a, Gus Cornoyer, T-me-e-liche, Yekow Widow, L-e-lite, Hooit-soot (or Hook-soot), He-you-wa-pe, Little Thomas, Mabel Bergevin, Wa-pe-ta-nin, Eyoustine, Pa-la-nat-hi-hi, Long Hair, Tet-ha-lot, We-wt-kee, Me-tet-tsa-lunk, Piap, Lix-le-wa, Joseph McBear, Yellow Jacket, In-za-sin-a, Pa-na-po-ye-aop, Wissates, Myrtle Hebart, W. W. H. 75. Except such rights to the use of said water as said parties may have, or be entitled to have, by, through, or under any claimant to whom a right is hereinafter granted and confirmed, such Indians are hereby declared to be in default.

That upon the completion of the taking of testimony by the Superintendent of Water Division No. 2, said Superintendent did on the 8th day of August, 1910 (Vol. 1, p 429 et seq) give notice by registered mail to each of the various claimants to the waters of said stream and its tributaries, that at the time and place named in said notice, to-wit: beginning on Monday, the 5th day of September, 1910, and ending on Friday the 23rd day of September, 1910, (Sundays excepted), from 9 a. m., to 12 m., and from 1:30 p.m., to 5 p. m., at the Commissioners Court Room, in the County Court House, in Pendleton, Umatilla County, Oregon, all of said evidence would be opened to the inspection of the various claimants or owners, and that said Division Superintendent did, in accordance with said notices, attend at said time and place, and keep said evidence open to inspection for a period of 17 full days, and said notice did also state forthwith, the county in which the determination of the said Water Board would be held, by the Circuit Court, to-wit: Circuit Court, State of Oregon, for Umatilla County, due proof of the holdings of said inspection and of the sending of said notices, by registered mail, being filed herein. (Vol. 1, p 436, et seq).

That at the time specified in said original notice, a duly qualified assistant of the State Engineer of the State of Oregon, did proceed to make an examination of said stream and its tributaries, and all of the ditches diverting water therefrom, and all of the lands irrigated, and susceptible to irrigation, from said ditches and canals, together with the measurements thereof, which observations and the measurements were made a matter of record in the office of the State Engineer, and said engineer did prepare a plat and a map, on a scale of measurement of two inches to the mile, showing with substantial accuracy the course of said stream and its tributaries, and the location of the various ditches diverting water therefrom, and the legal subdivisions of land which had been irrigated, or were susceptible to irrigation from said ditches and canals, already constructed, blue prints and copies of said maps, and information duly certified to by said engineer, being now on file herein, and a part of the records hereof.

That the following contests were duly filed with the Superintendent of Water Division No. 2, (Vol. 1, p.465, et seq) within five days after the close of inspection of the statement and proofs of claim of the various claimants to the waters of said river, to-wit: #1. Brownell Ditch Co., v. Maxwell Land & Irrigation Co.; #2. Brownell Ditch Co., v. H. G. Hurlburt; #3. Brownell Ditch Co., v. Harry R. Newport; #4. Brownell Ditch Co., v. Frank F. Fowler and Julia C. Fowler; #5. Brownell Ditch Co., v. Oregon Land & Water Co.; #6. The Beitel Ditch Co., v. Harry R. Newport; #7. The Courtney Irrigation Co., v. The Pioneer Irrigation Co.; #8. Courtney Irrigation Co., v. Western Land & Irrigation Co.; #9. Courtney Irrigation Co., v. Harry R. Newport; #10. Courtney Irrigation Co., v. Riparian Irrigation Co.; #11. Courtney Irrigation Co., v. United States of America; #12. Dillon Irrigation Co., v. Western Land & Irrigation Co.; #13. Dillon Irrigation Co., v. Courtney Irrigation Co.;- T. G. Smith, E. O. Baumgardner, Grace Rogers, William H. Gulliford, Henry Baumgardner, Will Moore, Zoeth Houser, Sadie Haney, H. G. Hurlburt, C. J. Smith; #14. Frank Donnelly v. J. E. Smith Livestock Co.; #15. Frank Donnelly v. Joseph Cunha; #16. Frank Donnelly v. Allen Ditch Co.--Joseph Cunha, Fred A. Andrews, Elvira Teel, O. D. Teel, George T. Higgenbotham, and Mildred Spike; #17. Dillon Irrigation Co., v. Pioneer Irrigation Co.-- W. J. Emery, Frank Corea, James Mendenhall, Elmer Reeves, George L. Ward, C. J. Ward, B. F. McCullough, B. F. Raley, A. J. Cleghorn, Ed. Gnavasuch, H. Baumgardner, and Charles Kennison; #18. The Maxwell Land & Irrigation Co., v. Oregon Land & Water Co.; #19. E. O. & L. D. Neill, v. R. F. Wigglesworth and I. C. Cox; #20. E. O. Neill and L. D. Neill. v. W. W. Howard; #21. E. O. Neill and L. D. Neill. v. R. F. and W. E. Wigglesworth; #22. E. O. and L. D. Neill, v. R. F. Wigglesworth; #23. E. O. and L. D. Neill, v. Kate Cornett; #24. E. O. Neill and L. D. Neill, v. George J. Currin; #25. E. O. and L. D. Neill, v. Chas. H. Bartholomew; #26. Oregon Land & Water Co., v. The Beitel Ditch Co.; #27. The Oregon Land & Water Co., v. Brownell Ditch Co.; #28. Oregon Land & Water Co., v. The Maxwell Land & Irrigation Co.; #29. Oregon Land & Water Co., v. United States of America; #30. Oregon Land & Water Co., v. Frank Donnelly; #31. Oregon Land & Water Co., v. The Riparian Irrigation Co.; #32. Oregon Land & Water Co., v. Courtney Irrigation Co.; #33. Oregon Land & Water Co., v. O. D. Teel; #34. Oregon Land & Water Co., v. Western Land & Irrigation Co.; #35. Mary E. Hopper., v. Umatilla County; #36. William T. Walton, v. Western Land & Irrigation Co.; #37. Sidney Walton v. Western Land & Irrigation Co.; #38. Western Land &

Irrigation Co., v. U. S.; #39. Western Land & Irrigation Co., v. Pioneer Irrigation Co.; #40. Western Land & Irrigation Co., v. Courtney Irrigation Co.; #41. Western Land and Irrigation Co., v. Harry R. Newport; #42. Western Land & Irrigation Co. v. Brownell Ditch Co.; #43 Western Land & Irrigation Co., v. John G. Peters and Thos. W. Peters; #44. Western Land & Irrigation Co., v. Oregon Land & Water Co.; #45. Western Land & Irrigation Co., v. F. H. Gritman; #46. Western Land & Irrigation Co., v. H. G. Hurlburt; #47. Western Land & Irrigation Co., v. Frank F. and Julia C. Fowler; #48. Western Land & Irrigation Co., v. Maxwell Irrigation Co.; #49. United States of America., v. George Higginbotham; #50. U. S. A., v. Crayne-Lisle Irrigation Co.; #51. U. S. A., v. E. J. Bean; #52. U. S. A., v. William Slusher; #53. U. S. A., v. Edmund D. Warner; #54 U. S. A. v. J. D. Ingram; #55. U. S. A., v. Thomas S. Gibson; #56. U. S. A., v. J. A. Guderian.; #57. U. S. A. v. H. H. Gilbert; #58. U. S. A. v. Geo. W. Bush; #59. U. S. A., v. P. E. Fletcher; #60. U. S. A., v. John Forth; #61. U. S. A., v. M. T. Baker; #62. U. S. A. v. Fred Gienger; #63 U. S. A. v. J. A. Owings; #64. U. S. A., v. Nicholas Brown; #65. U. S. A. v. James A. Fee; #66. U. S. A. v. U. G. Horn; #67. U. S. A., v. Douglas Belts; #68. U. S. A., v. Truman Cable; #69. U. S. A. v. Robert Dick; #70. U. S. A., v. John Bain; #71; U. S. A., v. Grace Gilliam; #72. U. S. A., v. Andrew Fiedler; #73. U. S. A., v. J. N. Hemphill; #74. U. S. A., v. Herbert Boylen; #75 U. S. A., v. Elizabeth Horn; #76. U. S. A., vs William H. Evans; #77. U. S. A. v. J. E. Smith Livestock Co.; #78. U. S. A., v. M. G. Edwards; #79. U. S. A., v. H. B. Owings; #80. U. S. A., v. Perry Knotts; #81. U. S. A., v. A. C. Henderson & Sons; #82. U. S. A., v. Perry Hauser; #83. U. S. A., v. Frank Frazier; #84. U. S. A., v. D. W. Bowman; #85, U. S. A., v. Courtney Irrigation Co.; #86; U. S. A., v R. L. Oliver; #87. U. S. A., vs. L. T. Kennison; #88. U. S. A., v. Elmer A. Snyder; #89. U. S. A., vs Mildred Spike; #90. U. S. A. v. Susan A. White; #91. U. S. A., v. H G. Hurlburt; #92. U. S. A. v. Dillon Irrigation Co., #93. U. S. A., v. Western Land & Irrigation Co.; #94. U. S. A., v. H, G. Hurlburt; #95. U. S. A., v. Furnish Ditch Co.; #96. U. S. A., v. C. J. Ward; #97. U. S. A. v. Wilson Irrigation Co.; #98. U. S. A. v. Geo. L. Ward; #99 U. S. A., v. Claude Sloan; #100. U. S. A. v. Elmer Spike; #101. U. S. A., v. John H. Young; #102. U. S. A. v. W. W. Whitworth ; #103. U. S. A. v. Frank Corea; # 104. U. S. A., v Lancy J. Lapham; #105 U. S. A., v. C. J. Smith; #106. U. S. A. v. T. G. Smith; #107. U. S. A. v. Will Moore; #108. U. S. A. v. Beitel Ditch Co.; #109. U. S. A., v. Brownell Ditch Co.; #110 U. S. A., v. W. J. Emery; #111. U. S. A. v. H. Baumgardner; #112. U. S. A. v. E. O. Baumgardner; #113. U. S. A. v. Grace B. Rogers; #114. U. S. A., v. Henry Baumgardner; #115. U. S. A., v. F. H. Gritman & C. E. Gritman; #116. U. S. A., v. Joseph Cunha; #117. U. S. A. v. O. D. Teel; #118. U. S. A., v. Clarence Gulliford; #119. U. S. A., v. J. Pelmaider; #120. U. S. A., v. Frank Corea; #121. U. S. A., v. J. K. Bott; #122. U. S. A., vs Rolla E. Bowman, Roy D. Bowman, Chas. C. Bowman and Hattie M. Hamlin; #123. U. S. A., v. W. B. Jenkins; #124. U. S. A., v. Frank L. Jordan. #125. U. S. A., v. James Johns. #126. U. S. A. v. Elizabeth Hemphill; #127. U. S. A. v. Carl A. Johnson; #128. U. S. A., v. B. H. Fix; #129. U. S. A., v. Robert Hoeft; #130. U. S. A., v. Mrs. E. A. Reagin; #131. U. S. A. v. John W. Crow. #132 U. S. A. v. Aaron M. Isaacs; #133. U. S. A. v. Mary E. Hopper; #134. U. S. A. v. W. J. Furnish; #135. U. S. A., v. J. W. Rook; #136. U. S. A. v George E. Adams; #137 U. S. A., v. John C. Cline; #138. U. S. A. v. Frank E. Sherman; #139. U. S. A., v. Umatilla County, T. P. Gilliland, County Judge, Frank Saling, County Clerk; #140. U. S. A. Ida Walker; #141. U.S. A v. Carrie Sparks; #142. U. S. A., v. Amanda Southwell; #143. U. S. A. v. Elwood F. Straughan. #144. U. S. A., v. A. D. Sloan; #145. U. S. A., v. J. Stonebraker, #146. U. S. A. v. Edward C. Simon; #147 U. S. A. v. John M. Wynn; #148 U. S. A., v. Annette Willson; #149. U. S. A., v. A. P. Warner; #150. U. S. A., v. E. L. Wright; #151. U. S. A. v. A. J. Sturtevant; #152. U. S. A., v Wenaha Springs Co., #153. U. S. A. v. Elvira Teel; #154. U. S. A., v. D. A. Pearson; #155. U. S. A., v. J. A. Mendenhall; #156 U. S. A., v. Chas. Kenison, #157. U. S. A. v. H. R. Newport; #158. U. S. A. v H. R. Newport; #159. U. S. A., v. Charles McBee; #160. U. S. A., v. Joseph Kane; #161 U. S. A. v Thomas Jacques; #162. U. S. A. v. Rebecca Kemler; #163. U. S. A., v Daniel Kemler; #164 U. S. A. v. Alonzo Knotts; #165. U. S. A. v Oscar P. Newquist; #166. U. S. A., v Louis McA La Dow. #167. U. S. A. v. W. W. Patton; #168 U. S. A., v. Geo. Male; #169 U. S. A., v John P. McManus; #170. U. S. A. v. Charles Ogilvie; #171. U. S. A., v Charles J. Manning; #172. U. S. A., v. W. F. Matlock. #173. U. S. A., v. Ben F. Brown; #174 U. S. A., v C. C. Hendricks; #175. U. S. A. v Daniel Shaw; #176. U. S. A., v Wm. L. Ely; #177. U. S. A. v Olive Harrison; #178. U. S. A. v. Hattie J. Davis; #179. U. S. A., v Omer O. Stephens; #180. U. S. A., v. John Schmidt; #181. U. S. A., v. T. J. Cheney; #182. U. S. A., v. James P. Brown; #183. U. S. A., v. Geo. L. Dunn. #184 U. S. A., v. F. T. Byrd and C. E. Byrd; #185. U. S. A., v. G. W. Runyan; #186. U.S.A. v. Sophie Byers; #187. U. S. A., v L. W. Reed; #188. U. S. A., v. William P. Daniels; #189. U. S. A., v. L. E. Roy and F. M. Smith; #190. U. S. A., v. William P. Card;

#191. U. S. A., v. Geo. W. Jones; #192. U. S. A., vs Marion Jack; #193. U. S. A., v. J. S. Holmes; #194. U. S. A., v. Carl Jensen; #195. U. S. A., v. Horseshoe Irrigation Co.; #196. U. S. A., v. Joseph Cunha; #197. U. S. A., v. Allen Ditch Co; #198. U. S. A. v. Levi Eldridge; (2 cases) #199. U. S. A., v Arthur S. Janes; (2 cases) #200. U. S. A., v Arthur S. Janes (2 cases) #201. U. S. A., v B. P. Doherty; #202. U. S. A., v. B. P. Doherty; #203. U. S. A., v. Cunningham Sheep & Land Co., #204. U. S. A., v. Cunningham Sheep & Land Co., #205. U. S. A., v. Cunningham Sheep & Land Co., #206. U. S. A., v. Joseph Ramos, #207, U. S. A., v. Elmer Reeves; #208. U. S. A., v. Chris Roberts; #209 U. S. A., v. E. F. Raley; #210 U. S. A. v. E. F. Carney; #211 U. S. A., v. J. E. Reeves; #212. U. S. A. v. Fred Andrews; #213. U. S. A., v. J. E. Smith Livestock Co., #214. U. S. A., v. J. E. Smith Livestock Co., #215. U. S. A., v. John J. & Thos. W. Peters; #216. U. S. A. v. Oregon Land & Water Co., #217. U. S. A., v. Oregon Land & Water Co., #218 U. S. A., v. Oregon Land & Water Co., #219 U. S. A., v. Sadie Haney; #220. U. S. A., v. Zoeth Houser; #221 U. S. A., v. William H. Gulliford; #222 U. S. A., v. Frank Donnelly; #223 U. S. A., v. Frank F. Fowler and Julia C. Fowler; #224. U. S. A., v E. E. Elder, #225. U. S. A. v. Ed. Gnavauca; #226. U. S. A. v. Pioneer Irrigation Co.; #227 U. S. A., v. Maxwell Irrigation Co.; #228. U. S. A., v. Addie C. Esteb; #229 U. S. A., v. A. J. Cleghorn; #230. U. S. A., v. Joel Halstead; #231 U. S. A., v. S. I. Lysle; #232. U. S. A., v E. F. McCullough; #233 U. S. A., v. Geo. Fiedler. #234 Sophie Byers v. Wa-wa-ne; #235. Sophie Byers v. Joe Parr; #236. Sophie Byers. v. Eli Parr; #237 Sophie Byers v. A-le-te-la; #238. Sophie Byers v. Pat-si-ak; #239. Sophie Byers v. To-yat, heirs of Peter Kalyton, Cayuse #240. Sophie Byers v. Frank Parr; #241. Sophie Byers. v. William Caldwell; #242 Sophie Byers. v. Mrs White Bull.

9.

That after the filing of said contests, the Superintendent of Water Division No. 2 did fix the time and place for the hearing of each and every of said contests to be Monday the 12th day of June, 1911, at the hour of 10 o'clock a.m., at the Court House in Pendleton, Oregon, which date was more than thirty days and less than sixty days from the date of the notice of hearing so served on each of the parties to each and every of said contests; that thereafter, said notice of hearing was duly served and returns made thereupon, which notice of hearing and proof of the service thereof is on file in these proceedings. That upon the date set for the hearing of said contests, and thereafter, from time to time, the Superintendent of Water Division No. 2 did attend and begin said hearings upon said contests, and did continue the hearings upon said contests from time to time, until each and every of said contests were fully heard, <sup>settled</sup> /or otherwise disposed of. That each and every of said contests were disposed of and the particular findings necessary for the decision of each and every of said contests, is as follows, to-wit:

Contest No. 1. Brownell Ditch Company, contestant. v. The Maxwell Land & Irrigation Co., contestee. Was settled by the parties and the contestee, the Maxwell Land and Irrigation Company, conveyed to the Brownell Ditch Company, a right of way across the riparian lands belonging to the said contestee, the said contestee reserving unto itself riparian rights for stock purposes, and based upon said settlement said contest is hereby dismissed. (Vol. 1, p/243 to 245, 275)

Contest No. 2. The Brownell Ditch Company, contestant, v. H. G. Hurlburt, contestee., was settled by stipulation on file herein, wherein and whereby the parties to said contest agreed that said contestees should have the right to use the waters of the Umatilla River for power purposes, providing said water so used for such purpose is returned to the channel of the said river at a point above the present intake of the Beitel Ditch; and it appearing from the claim filed by said contestee, that the water appropriated for such right has not yet been applied to a beneficial use, said water right is tabulated herein as an inchoate right, and said contestee in perfecting the said right shall have and receive such right, subject to this stipulation. (Vol. 6, p. 43)

Contest No. 3. Brownell Ditch Co. contestant, v. Harry R. Newport, contestee, was settled by stipulation wherein the parties hereto agreed that the contestee should have the right to a flow of 62 inches of water, miners measurement, under a six inch pressure, from the Beitel Ditch, subject to the rights of the contestant. It further appeared that the contestee has transferred all his right and title to the water herein to H. G. Hurlburt. That in 1910, H. G. Hurlburt reduced the land to cultivation and irrigation, and the rights claimed by the contestee are herein tabulated under the name of H. G. Hurlburt as successor to Harry R. Newport, for the lands described in the Statement and Proof of

Claimant, with a priority date of 1910. That said priority date is such as to make the use of said water subject to the right of the contestant in its use of water. As to the use of water for power, it appears that the contestee claims a right under the date of January, 1899, but has never applied any of said water to a beneficial use for the development of power. That more than ten years has passed between the initiation of such right and the filing of proof of said claimant, and that so far as said contestee is concerned, said water right has lapsed and said contestee has no rights therefor. (Vol. 6, p. 64)

Contest No. 4. The Brownell Ditch Company, contestant, v. Frank F. and Julia C. Fowler, contestees. It appearing to the Board that said contest was filed on the 27th day of September, 1910, being on the 4th day after the ending of said public inspection of the statements and proofs of claim; that thereafter, the Superintendent of Water Division No. 2, did fix the time and place for the hearing of said contests as Monday the 30th day of October, 1911, at the hour of ten o'clock a. m., at the Court House, in Pendleton, Oregon. That it further appears to the Superintendent of Water Division No. 2, that said Frank F. Fowler and Julia C. Fowler, and each of them, had departed from the State of Oregon, and had remained absent therefrom for a period of more than six consecutive weeks, and that said contestees, and each of them, were not at the time said contest was set for hearing, or at any time thereafter, residents of the state, but that said contestees were the owners of the lands described in the statements and proofs of claim, and had property within this state, and that said contestees since leaving the State of Oregon had become residents of the State of California, and that at the time of the publishing of said notices, and at all times thereafter resided at Midland, California, (Vol. 1, p 280); that upon the fixing of the time and place for the hearing of said contests, said Superintendent of Water Division No. 2 ordered said notice of said contest to be served by publication for six consecutive weeks, or seven issues of the "Live Wire", a weekly newspaper published and issued in Pendleton, and of general circulation in Umatilla County, Oregon, said newspaper being the one most likely to give notice to said contestees, due proof of said publication being filed herein (Vol. 6, p 74), and in addition to said publication, said Superintendent of Water Division No. 2, caused certified copies of said notice of contest, and said notice of hearing of said contest, to be mailed to said contestees with postage prepaid, and addressed to said contestees at Midland, California, due proof of which is filed herein (Vol. 6, p. 74). That the Superintendent of Water Division No. 2 did attend at the time and place fixed for the hearing of said contests, and said contestees failed and neglected to appear, or answer said notices of contest, and said contestees, Frank F. Fowler, and Julia C. Fowler, and each of them, were, and are in default, and it appearing from the statement and proof of said claimants that said water right was initiated in 1903, and that no use had been made of said water from the date of initiation of said water right; that said water right has lapsed, and said contestees Frank F. Fowler and Julia C. Fowler, and their successors, have no rights therein.

Contest No. 5. The Brownell Ditch Company, contestant, v. Oregon Land & Water Company, contestee, was settled by stipulation, wherein and whereby the date of priority of the Brownell Ditch Company was fixed at November 8th, 1893, and that of the Oregon Land & Water Company, April 14, 1895. That by said stipulation the Oregon Land & Water Company had a prior right for 75 second feet of water, and the Brownell Ditch Company should then receive 35 second feet of water, and thereafter the Oregon Land & Water Company should receive 75 second feet of water, and it appearing from the statement and proof of claimant, the Oregon Land & Water Company, that the lands upon which water had been beneficially applied amounted to 2066 acres; that no other land is sufficiently described in the statement and proof of claimant for the State Water Board to determine any further right to the use of the water, than for 2066 acres. That said claimant, the Oregon Land & Water Company, is entitled to receive sufficient water to irrigate said 2066 acres as shown in the tabulation hereunto attached, and not to exceed 50 second feet of water, prior to the rights of the contestant, the Brownell Ditch Company; that the Brownell Ditch Company has irrigated 374.5 acres, and has a water right therefor and of the priority date of November 8, 1893, for 31 acres and of 1902 for 343.5 acres, and that said Brownell Ditch Company has an inchoate right for 953.60 acres, under a priority date of 1903 as shown by the tabulation herein. That under this decree, said contestant, the Brownell Ditch Company shall be entitled to receive sufficient water to irrigate said land, in accordance with the priority dates above set forth, not exceeding 35 second feet, provided that the amount of water received for use upon the lands of the above contestant and contestee, shall be limited to such an amount per acre, as in these findings may be found necessary for the irrigation thereof, and no more. (Vol. 6, p 96).

Contest No. 6. Beitel Ditch Company, contestant, v. Harry R. Newport, contestee, was settled by stipulation wherein and whereby it was agreed between the parties that the contestant should have the <sup>first</sup> right to the use of 65.19 inches of water, miners measurement, under a six inch pressure, and the contestee should have the next right to the use of 62 inches of water, miners measurement, under a six inch pressure, and that the contestee should bear one half of the expense and labor of maintaining the Beitel Ditch from the head-gate through the west half of Section 9. It further appeared that the contestee has transferred all his right, and title to the water herein to H. G. Hurlburt. That in 1910 H. G. Hurlburt reduced the land to cultivation and irrigation, and the rights claimed by the contestee are herein tabulated under the name of H. G. Hurlburt as successor to Harry R. Newport for the lands described in the statement and proof of claimant, with a priority date of 1910; that said priority date is such as to make the use of said water subject to the rights of the contestant in its use of water. As to the use of water for power, it appears that the contestee claims a right under the date of January, 1899, but has never applied any of said water to a beneficial use for the development of power. That more than ten years has passed between the initiation of such right and the filing of proof of said claimant, and that so far as said contestee is concerned, said water right has lapsed and said contestee has no rights therefor. (Vol. 6, p. 116 ).

Contest No. 7. Courtney Irrigation Company, contestant, v. Pioneer Irrigation Company, contestee. Was settled by stipulation, wherein and whereby it was agreed that the Pioneer Irrigation Company shall be entitled to a priority of date from the 9th day of January, 1900, for an amount of water not to exceed 1005 inches, miners measurement, under a six inch pressure and that the Courtney Irrigation Company shall be entitled to a priority date of the 9th day of January, 1900, for an amount of water not to exceed 995 inches, miners measurement, under a six inch pressure, and that for the appropriations of the two parties for water, for said date, that their rights shall be considered as equal, and without priority as to each other. That the Courtney Irrigation Company, in addition to the foregoing appropriation, shall be entitled to receive the balance of its appropriation, not to exceed 722 inches of water, miners measurement, under a six inch pressure, under a priority date of January 17, 1900; that whenever the water is low and not sufficient to supply the amount required for the parties hereto, and is equal to or less than 1005 inches, miners measurement, under a six inch pressure, then the water shall be furnished to both ditches under a rotation method by giving such water first, to the Pioneer Irrigation Company for ten days, then to the Courtney Irrigation Company for ten days, and so on with the rotation during the balance of the irrigation season. That such agreements of parties shall be enforced according to the findings of fact herein, subject to the general finding of the amount of water necessary to irrigate the lands under such irrigation system, and if the amount of water under such stipulation be not required for such irrigation, then the amount in the above stipulation shall be proportionately diminished for each of the parties hereto. (Vol. 6, p. 135).

Contest No. 8. The Courtney Irrigation Company, contestant, v. Western Land & Irrigation Company, contestee, was settled by stipulation, wherein and whereby it was agreed that the Courtney Irrigation Company should have a right prior to the Western Land & Irrigation Company for an amount of water not exceeding 1500 inches, miners measurement, under a six inch pressure; the amount of water which the said Courtney Irrigation Company shall divert shall be governed by the findings as to the amount of water necessary to irrigate the land thereunder, and shall have prior right to such amount not exceeding said 1500 inches. (Vol. 1, p. 279).

Contest No. 9. The Courtney Irrigation Company, contestant, v. Harry R. Newport, contestee, was settled by stipulation, wherein all the rights of the Courtney Irrigation Company are agreed to be prior in time and superior in right, to the rights of the contestee, Harry R. Newport; the rights of said contestee, Harry R. Newport are further governed by the findings under Contest No. 3. (Vol. 6, p. 158).

Contest No. 10. The Courtney Irrigation Company, contestant, v. Dillon Irrigation Company, contestee, (under the name of Riparian Irrigation Company). The Dillon Ditch was constructed in the year 1897, (Vol. 33., Test., p. 49). and should have a priority date of 1897, for the lands described in the tabulation under the names of W. T. Reeves, F.H. Densler, B. F. Myerick, B. F. Rector, \_\_\_\_\_ Dixon, Umatilla Ranch Company, Frank Saling, Horace Walker, and W. J. Haney, and the rights of said Dillon Irrigation Company, contestee, under the name of Riparian Irrigation Company, shall be as therein established.



Contest No. 11. Courtney Irrigation Company, contestant, v. United States of America, contestee. The claim of the United States of America is divided into two parts; that part of the claim represented by Engineer's permits under Application #13, and Application #237, initiated March 28, 1909, not being completed rights are not in anywise determined by this decree of adjudication, but shall be determined and approved in accordance with Sections #6624, 6626, 6627, <sup>6628</sup>/6630, 6631, 6632 and 6633 of Lord's Oregon Laws.

That the second basis of claim of the United States of America is based upon what is called the Minnehaha and Maxwell rights; that R. E. W. Spargur settled on a desert claim, being the north half of Section 15, Twp. 4 N. R. 28 E. W. M., and his wife entered a desert claim consisting of the south half of Section 10 in said township and range, and that said R. E. W. Spargur purchased the East half of Section 16, of the same township and range; that thereafter, said R. E. W. Spargur abandoned his desert claim in the North half of Section 15, but that his wife proved up on her claim in the South half of Section 10, (See testimony of R. E. W. Spargur, Vol 1, p. 70. et seq) That thereafter, H. G. Hurlburt farmed the place to some extent and put in sixty acres of rye and irrigated the most of it. That the irrigation was under a great deal of difficulty, and was not carried on continuously (See testimony H. G. Hurlburt, Vol. 30, p. 715 et seq), also (testimony of S. B. Walton, Vol. 30, p 741. et seq). That about eighty acres is what the water was put over under the Minnehaha rights, and a water right for eighty acres of the priority date of 1894 has been established under the Minnehaha right. That on the 25th day of February, 1904, the Maxwell Land & Irrigation Company posted a notice of appropriation, and map filed therewith shows that the water was appropriated for the acreage as stated forthwith under the claim of the United States. That due diligence has been shown in the bringing of the lands thereunder into cultivation and irrigation, and that the United States Government should have under date of February 25, 1904, the lands as hereinafter tabulated; that this tabulation shall include the claim of the Maxwell Land & Irrigation Company and claimants thereunder, which will make the claim of the United States of America as tabulated, include the claims of the United States of America, Maxwell Land & Irrigation Company, J. F. McNaught, S. R. Oldaker and Chas. E. Baker.

Contest No. 12. Dillon Irrigation Company, contestant, v. Western Land & Irrigation Company, contestee. The contestee bases its rights upon three appropriations made in 1891, and upon a second appropriation made in 1903 (see Exhibits 25A, 25B, 25C and 25D). The appropriation made by J. M. Jones was afterwards transferred to the Columbia Valley Land & Irrigation Company, (see Exhibit 25E). That under the appropriation of J. M. Jones, water was diverted, and in the year 1892 a couple of hundred acres were irrigated (Vol. 32. Book C, p. 670) In 1893 there was no water diverted through the ditch (Vol. 32. p. 670A.) The ditch then fell into disuse and no further use was made of it until the rights were purchased by the Hinkle Ditch Company, which was succeeded by the Western Land & Irrigation Company. The Hinkle Ditch Company made a new appropriation on March 14, 1903. The priority date, therefore, of the Western Land & Irrigation Company, begins with the appropriation of the Hinkle Ditch Company, and the same is hereby established as March 14, 1903.

Contest No. 13, Dillon Irrigation Company, contestant, v. Courtney Irrigation Company, a corporation, - T. G. Smith, O. Baumgardner, Grace Rogers, Wm. H. Gulliford, Henry Baumgardner, Will Moore, C. J. Smith, Soeth Houser, Saide Haney, and H. G. Hurlburt, contestees. As to H. G. Hurlburt, showing is made that he had no further interest in the Courtney Irrigation Company, and as to him, the contest is abated by such disclaimer (Vol. 6, p. 321). and the said H. G. Hurlburt has no right or claim to any water for any irrigated land through the Courtney Irrigation Company's Ditch. That the claim of H. G. Hurlburt shall be continued as to 20 acres in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 4, Twp. 4 N. R. 28 E. W. M. and lying north and west of the Umatilla River, for the purposes of irrigation, by pumping the water direct from the Umatilla River and using it upon said land, and shall be given the priority date set forth in the tabulation herein. That the number of acres irrigated by the Courtney Irrigation Company is as shown in the tabulation hereinafter set forth, and the Courtney Irrigation Company shall be entitled to divert water from the Umatilla River under a priority date of January 9, 1900, for the acreage therein set out.

Contest No. 14. Frank Donnelly, contestant, v. J. E. Smith Livestock Company, contestee, (a corporation). Was dismissed by stipulation of the parties thereto. (Vol. 7, p. 21).

Contest No. 15. Frank Donnelly, contestant, v. Jos. Cunha, contestee, was settled by stipulation of the parties to the effect that the contestant should have a prior right to the contestee to two second feet of water, then contestee to have the next right to five second feet, and then the contestant to have the next right to seventy-five second feet, but in no event shall either party be awarded a greater amount of water under the above priorities than is given by the decree hereunder. That the amount of water awarded to each of the contestants is set out in the tabulation hereinafter contained, and the delivery of such water as is shown in the tabulation shall be subject to this finding and said stipulation of the parties. (Vol 7, p. 37).

Contest No. 16. Frank Donnelly, contestant, v. The Allen Ditch Company, a corporation, - Jos. Cunha, Fred Andrews, Elvira Teel, O. D. Teel, Geo. T. Higgenbotham, and Mildred Spike, contestees, was settled by stipulation, wherein the contestant should have the first prior right to two second feet of water, and contestees the next right to twenty-seven second feet of water, provided, that in no event shall any party have a greater amount of water than is awarded to such party upon the final adjudication of the water rights. That the rights to the amounts of water used and the acreage irrigated by the parties hereto are shown in the tabulation hereinafter contained. That the amount of water therein shown shall be distributed in accordance with said stipulation and statement of this contest. (Vol. 7, p. 179).

Contest No. 17. The Dillon Irrigation Company, contestant, v. Pioneer Irrigation Company, a corporation, - W. J. Emery, Frank Corea, James Mendenhall, Elmer Reeves, Geo. L. Ward, C. J. Ward, B. F. McCullough, B. F. Raley, C. J. Cleghorn, Ed. Gnavauch, Henry Baumgardner and Chas. Kennison, contestees. That the acreage irrigated is as shown by the contestees in the tabulation hereinafter contained, and that acreage is hereby established as being the irrigated area which the contestees use water upon, and are entitled to use water in accordance with the proportion allotted thereto under the findings herein as to the duty of water.

Contest No. 18. Maxwell Land & Irrigation Company, contestant, v. Oregon Land & Water Company, contestee. Was dismissed without prejudice to either of the parties hereto. (Vol. 1, p. 3).

Contests Nos. 19 to 25 incl., arose upon Butter Creek, and have been disposed of in separate findings as to Butter Creek, made herein.

Contest No. 26. Oregon Land & Water Company, contestant, v. Beitel Ditch Company, contestee. Was settled by stipulation wherein the priority date of the contestee was admitted as December 1, 1898, and such priority date is hereby established for the number of acres as set forth in the tabulation hereinafter contained, being 56 acres. (Vol. 1, p. 157).

Contest No. 27. Oregon Land & Water Company, contestant, v. Brownell Ditch Company, contestee, was settled by stipulation, wherein as between the contestant and contestee, the contestant is entitled to have, and is hereby found to have, the prior right to 75 second feet of water, and that the contestee shall have a right next prior in time to 35 second feet of water, and the balance of the contestant's rights shall be next in time to the contestee's right. That this stipulation shall not have the effect of increasing the amount of water that either party <sup>hereto</sup> may be given under these findings. (Vol. 1, p. 158).

Contest No. 28. The Oregon Land & Water Company, contestant, v. The Maxwell Land & Irrigation Company, contestee. It appears from the testimony and claims that the Maxwell Land & Irrigation Company sold all its rights to the United States Government, excepting the right to what the contestee calls the "Minnehaha Spring", and the contestant calls the "Maxwell Spring". It appears that this spring rises and is located upon the contestee's land and being so located, said contestee shall have the right to the use of the same to such an extent as is beneficial. ( L.O.L. Sec. 6673; Morrison v. Officer, 48 Or. 569)

Contest No. 29. The Oregon Land & Water Company, contestant, v. United States of America, contestee, was dismissed without prejudice or costs to either party. (Vol. 34. p. 512).

Contest No. 30. Oregon Land & Water Company, contestant, v. Frank Donnelly, contestee, was settled by stipulation wherein the contestee shall have a prior right to the contestant of 64 cubic feet per second, continuous flow, of the waters of the Umatilla River for milling and power purposes. It further appears from the evidence

and from the claim of the contestee, that water is used from the appropriation made by the contestee for the purpose of irrigation, but that such irrigation has also been claimed by water users of the Wilson Ditch, and such rights shall be established in the tabulation under the name of the person so claiming and using the water. (Vol. 34, p. 588).

Contest No. 31. The Oregon Land & Water Company, contestant, v. The Riparian Irrigation Company, contestee. It appears that the Riparian Irrigation Company appeared and answered the contest herein, under the name of the Dillon Ditch Company, and that the parties hereto settled said contest by stipulation, wherein it was stipulated that the rights of the contestee should be settled according to the testimony taken by the State Water Board in this adjudication and applicable to this contest. The rights of said contestee shall be as hereinafter tabulated. (Vol. 1. p. 160)

Contest No. 32. The Oregon Land & Water Company, contestant, v. Courtney Irrigation Company, contestee, was settled by stipulation, wherein and whereby the priority date of the contestee is acknowledged as January 9th, 1900. The water master shall distribute water to said contestee in accordance with such date of priority. (Vol. 1, p. 161).

Contest No. 33. Oregon Land & Water Company, contestant, v. O. D. Teel, contestee. The Contestee herein filed a claim for riparian rights covering stock water, household and domestic use, and it appears from the statement and claim that the same has been in use for the watering of stock and garden purposes upon the banks of the river, and said right shall be hereinafter tabulated for the purpose of household and domestic and stock water use.

Contest No. 34. Oregon Land & Water Company, contestant, v. Western Land & Irrigation Company, contestee, Was settled by stipulation wherein the contestant is acknowledged to have a prior right to the contestee of 75 second feet of water, and that the balance of contestant's rights shall be subsequent in time and right to the contestee, and the tabulation of the rights of the parties hereinafter contained shall be subject to this settlement, (Vol. 1, p. 162).

Contest No. 35. Mary E. Hopper, contestant, v. Umatilla County, contestee, was a contest involving the rights of the parties hereto to a joint use of certain ditches and the distribution of water, and does not involve their water right. It appears that the contestee was served with a notice of hearing of contest on the 25th day of April, 1911, setting the time for the hearing on Monday the 12th day of June, 1911, but the contestee did not appear, and it further appears that the parties thereto have agreed as to the use of the ditches. The contestant shall have the right to enter the premises of the contestee to repair the ditches; that the parties hereto will jointly keep the ditches <sup>on</sup> /contestee's land in repair while contestant shall keep the ditches on her own land in repair. The contestant shall have the use of water from Friday Morning until Monday morning of each week, and the contestee shall have the use of the water during the balance of the week, and the water master in the distribution of water shall be governed by such agreement. This finding only applied to ditches jointly used by the parties hereto. (Vol. 8, p. 122-125)

Contest No. 36. Wm. T. Walton, contestant, v. Western Land & Irrigation Company, contestee., was dismissed in open court without cost or prejudice to either party, and it further appearing that the rights of the parties are settled between themselves, no finding as to the rights of the parties is made. It further appearing that G. W. & A. W. Rugg are the successors in interest to Wm. T. Walton, such rights shall be considered as having been transferred. (Vol. 34, p. 527; Vol. 8, p. 129 et seq; Vol. 1. p. 261)

Contest No. 37. Sidney Walton, contestant, v. Western Land & Irrigation Company, contestee, was dismissed without cost or prejudice to either party, and James A. Fee, Jr., was substituted as to the claims of Sidney Walton, and it further appears that the rights of the parties are settled between themselves, no finding thereon is made. (Vol. 34. p. 527; Vol. 8. p. 154; Vol. 1. p. 261).

Contest No. 38. Western Land & Irrigation Company, contestant, v. U. S. A., contestee, involves the same matters as Contest No. 11, Courtney Irrigation Company, contestant v. United States of America, contestee, and shall be governed by the findings therein.

Contest No. 39. Western Land & Irrigation Company, contestant, v. Pioneer Irrigation Company, contestee, was settled by stipulation of the parties wherein it was agreed that as against the contestant, the contestee shall have a prior right to the use of not to exceed 1005 inches of water, miners measurement, under a six inch pressure, and in accordance with such stipulation, the contestee herein shall have and be entitled to the use under a prior right to the contestant to such an amount of water as said contestee shall be entitled to, under the tabulation hereinafter contained in the findings of this board, not to exceed 1005 inches. (Vol. 1, p. 300.)

Contest No. 40. Western Land & Irrigation Company, v. Courtney Irrigation Company, contestee, was settled by stipulation and is governed by the findings under Contest No. 8, (Vol. 1, p. 278.)

Contest No. 41. Western Land & Irrigation Company, contestant, v. Harry R. Newport, contestee, was settled by stipulation, wherein and whereby the rights of the contestee are agreed to be subsequent in time and inferior in right to the rights of the contestant, and the date of the said contestee shall be as in the tabulation hereinafter established, and shall have a later date than those of said contestant. And it further appearing that H. G. Hurlburt has succeeded to the rights of said Harry R. Newport, such tabulation shall be made in his name as such successor. (Vol. 1, p. 165-279).

Contest No. 42. Western Land & Irrigation Company, contestant v. Brownell Ditch Company, contestee, was settled by stipulation, wherein it was agreed that the rights of the contestee herein are prior in time and superior in right to any and all rights claimed by the contestant, except as to such rights as the contestant and its predecessors in interest may have secured with a priority date prior to March 14, 1903, and that as to such rights, the evidence in the case of the United States against the contestant herein shall be used to govern any such rights, if any there be. That such evidence has been duly examined and the date of priority of said contestant herein shall be as shown and established in the tabulation hereinafter contained. (Vol. 1, p. 167).

Contest No. 43. Western Land & Irrigation Company, contestant, v. John G. and Thos. W. Peters, contestees. A notice of the hearing of the contest was ordered to be served upon the contestees by publication, which order was made on or about the 12th day of June, 1911; that thereafter and on the 25th day of July, 1911, said notice of hearing was personally served upon the contestee, John G. Peters, in the County of San Bernadino, State of California, and on the 27th day of July, 1911, said notice of hearing was served upon the contestee, Thos. W. Peters, on the County of Orange, State of California. That said notice of hearing fixed the time and place for the hearing of said contest as Friday the 1st day of September, 1911, at the hour of ten o'clock, a.m., at the Court House, in the City of Pendleton, Oregon; that at said time and place the Superintendent of Water Division No. 2 did attend, and that said contestees, John G. and Thos. W. Peters, and each of them, failed to appear, answer, or otherwise plead to said notice of contest, but were in default, and in accordance with said notice of contest, it is hereby found, that said John G. Peters, and said Thos. W. Peters have no right, title, or interest in and to the use of any of the waters of the Umatilla River, upon the lands described in their claim, as being the East  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 8, Twp. 4 N., R. 28 E. W. M. (Vol. 8, p. 253, et seq)

Contest No. 44. Western Land & Irrigation Company, contestant, v. Oregon Land & Water Company, contestee. Was settled by stipulation to the same effect as Contest No. 34, and the findings in Contest No. 34 shall govern as to this contest. (Vol 1. p. 162)

Contest No. 45. Western Land & Irrigation Company, contestant, v., F. H. Gritman, contestee. It appears from the testimony in this contest that F. H. Gritman purchased the land in September 1909; that at the time the land was purchased there was an irrigation ditch opened, and that a few acres of land were being cleared for irrigation and that the irrigation of said land could not have been earlier than 1908. The priority date for said land is hereby established as 1908, and it further appearing that the contestee had 60 acres in cultivation, the contestee is entitled to the water for such 60 acres as is described in the tabulation hereinafter. (Vol. 34. p. 223 et seq)

Contest No. 46. Western Land & Irrigation Company, contestee, v. H. G. Hurlburt, contestee, was settled by stipulation, wherein whatever rights the contestee might have in the use of the waters of the Umatilla River were subsequent in time and inferior in right to the rights of the contestant. For irrigation, contestee shall have the priority date of 1910 for the lands described in the tabulation herein. (Vol. 1. p. 171)

Contest No. 47. Western Land & Irrigation Company, contestant, v. Frank F. & Julia C. Fowler, contestees. It appeared to the board that Frank F. Fowler, and Julia C. Fowler, were not within the State of Oregon, and could not be found within the State of Oregon, and that the Superintendent of Water Division No. 2 made an order that service of Notice of Hearing be made upon Frank F. Fowler and Julia C. Fowler by publication thereon, in the "Live Wire", a newspaper of general circulation in Umatilla County, Oregon; that said notices were published for seven consecutive issues, being six consecutive weeks, beginning with the 7th day of September, 1911, and ending with the 19th day of October, 1911, due proof of which is filed herein; that a copy of said notice and said notices of contest was duly mailed to Frank F. Fowler and Julia C. Fowler, addressed to Midland, California, and a copy of said notice of contest and said notice of hearing was duly mailed to said Frank F. Fowler and Julia C. Fowler, addressed to Midland, California. And it further appearing that the time and place of hearing of said notice of contest was fixed in said notice of hearing as Monday, the 30th day of October, 1911, at the hour of ten o'clock a.m., at the Court House, in the City of Pendleton, Oregon. That at said time and place said Superintendent of Water Division No. 2. did attend, but said contestees neither answered, appeared, or otherwise plead, but are in default, and in consideration of the premises, said default is here and now entered against them, and it is found that said Frank F. Fowler and said Julia C. Fowler, have no right in or to the use of the waters of the Umatilla River. (Vol. 9, p. 16, et seq)

Contest No. 48. Western Land & Irrigation Company, contestant, v. Maxwell Irrigation Company, contestee, was settled by stipulation, wherein said contestee is entitled to a right prior in time and superior in right to the contestant, to an amount not to exceed 462 inches of water, miners measurement, under a six inch pressure, and said contestee shall be entitled to such priority for the lands described in the tabulation herein, not to exceed 462 miners inches. (Vol. 1, p. 169)

Contest No. 49. U. S. A., contestant, v. George Higginbotham, contestee, was stipulated with Contest No. 197, United States of America, contestant, v. Allen Ditch Company, contestee, and shall be governed by the findings therein. (Vol. 24, p. 25).

Contest No. 50. U. S. A., contestant, v. Crayne-Lisle Irrigation Company, contestee. The acreage and priority date of said Crayne-Lisle Irrigation Company is settled by stipulation, as being March 7, 1904, and 473 acres, respectively. The question of the irrigation season and duty of water is settled by the general findings upon that subject, and the tabulation herein shows all the acreage to which such contestee is entitled under the evidence produced. (Vol. 34, p. 386).

Contest 51. U. S. A., contestant, v. H. J. Bean, contestee. The contestee has purchased lands lying under the system of the Western Land & Irrigation Company, and holds a contract for his water right from such company. The rights of the contestee shall be determined as shown in these findings under the claims and findings concerning and affecting the Western Land & Irrigation Company. (See claim of contestee).

Contest No. 52. U. S. A., contestant, v. William Slusher, contestee, The date of priority and acreage shall be as contained in the tabulation herein, and the duty of water and irrigation season shall be governed by the general findings upon that subject herein contained. (Vol. 34, p. 239 et seq).

Contest No. 53, U. S. A., contestant, v. Edmond D. Warner, contestee, was settled by stipulation that the evidence taken as to the contest involving Birch Creek would be deemed as evidence in this contest, and that the acreage and date of priority shall be as in the tabulation hereinafter contained, and the duty of water and irrigation season shall be as set forth in the general findings. (Vol. 31, p. 553).

Contest No. 54. U. S. A., contestant, v. J. D. Ingram, contestee, was settled by stipulation to the effect that the testimony taken as to any contests on Birch Creek should apply in this case. The date of priority and acreage shall be as in the tabulation herein contained, and the irrigation season and duty of water shall be as in the general findings herein. (Vol. 31, p. 3).

Contest No. 55. U. S. A., contestant, v. Thes S. Gibson, contestee, was stipulated to the effect that the testimony taken on any contest on Birch Creek should apply in this contest, and the acreage and date of priority shall be as hereinafter tabulated, and the duty of water and irrigation season shall be as in the general findings herein established. (Vol. 31, p. 3).

Contest No. 56. U. S. A., contestant, v. J. A. Guderian, contestee, was stipulated to the effect that the testimony taken in the contests on Birch Creek should apply in this contest, and the acreage and date of priority shall be as hereinafter tabulated, and the duty of water and irrigation season shall be as in the general findings established. (Vol. 31, p. 2-35)

Contest No. 57. U. S. A., v. H. H. Gilbert, contestee, was stipulated to the effect that the evidence taken as to the contests upon Birch Creek shall be considered in this contest, and the date of priority and acreage shall be as hereinafter tabulated, and the duty of water and irrigation season shall be as in the general findings contained. (Vol. 31, p. 3.)

Contest No. 58. U. S. A., contestant, v. Geo. W. Bush, contestee, was stipulated to the effect that the testimony taken in any of the contests on Birch Creek would apply in this contest, and the acreage and date of priority shall be as hereinafter tabulated, and the duty of water and irrigation season shall be as established in the general findings. (Vol. 31, p. 3, 448 et seq.)

Contest No. 59. U. S. A., contestant, v. P. E. Fletcher, contestee, was stipulated to the effect that the evidence taken in any of the contests as to Birch Creek should apply in this contest, and the acreage and date of priority shall be as in the tabulation hereinafter contained, and the duty of water and irrigation season shall be as established in the general findings. (Vol. 1, p 207.)

Contest No. 60. U. S. A., contestant, v. John Forth, contestee, was stipulated to the effect that the evidence taken in any of the contests as to Birch Creek should be considered in this contest, and the acreage and date of priority shall be as hereinafter tabulated, and the duty of water and irrigation season shall be as established in the general findings. (Vol. 1, p. 282).

Contest No. 61. U. S. A., contestant, v. M. T. Baker, contestee, was stipulated to the effect that the testimony taken upon contests on Birch Creek should be considered in this contest, and the acreage and date of priority shall be as hereinafter tabulated, and the duty of water and irrigation season shall be as established in the general findings. (Vol. 1, p. 282)

Contest No. 62. U. S. A., contestant, v. Fred Gienger, contestee, was stipulated to the effect that the testimony taken upon contests on Birch Creek should be considered in this contest, and the acreage and date of priority shall be as hereinafter tabulated, and the duty of water and irrigation season shall be as established in the general findings. (Vol. 1, p. 282)

Contest No. 63. U. S. A., contestant, v. J. A. Dwings, contestee, (W. A. Gilliam, transferee.) was stipulated to the effect that the evidence taken in contests as to Birch Creek should be considered in this contest, and the acreage and date of priority shall be as hereinafter tabulated, and the irrigation season and duty of water shall be as in the general findings established. (Vol. 1, p. 208)

Contest No. 64. U. S. A., contestant, v. Nicholas Brown, contestee, was dismissed under the stipulation that the amount of water to be used should be left to the determination of the board, and shall be in accordance with the general findings and tabulation of the acreage as herein contained. (Vol. 31, p. 546.)

Contest No. 65. U. S. A., contestant, v. Jas. A. Fee, contestee, was stipulated to the effect that the testimony on contests as to Birch Creek should be deemed and taken as the evidence in this contest, and the contestee shall be entitled to the acreage and date of priority as hereinafter tabulated, and in the use of water as in the general findings established. It was further stipulated, that the water of the contestee should be measured at the cement dam for a point of diversion, and for the lower part of the lands of the contestee, water shall also be measured at the point where the irrigation ditch crosses the public road, being a place from which the NE corner of the NW corner of Sec. 28, Twp. 3 N., R. 33 E. W. M., bears N. 23 degrees East, 11 chains distant. (Vol. 1, p.209).

Contest No. 66., U. S. A., contestant, v. U. G. Horn, contestee, was stipulated wherein it was agreed that the evidence relating to Birch Creek should apply in this contest, and the acreage and date of priority of the contestee shall be as hereinafter tabulated, and the use of water shall be as described in the general findings. (Vol. 1, p.210)

Contest No. 67. U. S. A., contestant, v. Douglas Belts, contestee, was settled by stipulation, wherein the contestee shall have the acreage and priority date as shown in the tabulation hereinafter contained, and the use of water shall be regulated by the general findings herein contained. (Vol. 31, p. 547).

Contest No. 68. U. S. A., contestant, v. Truman Cable, contestee, was settled by stipulation, wherein the evidence as to Birch Creek contests should apply as to this contest, and the contestee shall have the acreage and date of priority as hereinafter tabulated, and the use of water shall be according to the general findings herein. (Vol. 1, p. 211).

Contest No. 69, U. S. A., contestant, v. Robert Dick, contestee, was settled by stipulation wherein the testimony taken as to Birch Creek should apply in this contest, and the contestee shall have the acreage and priority dates as set forth in the tabulation, and as to the use of water, shall be governed by the general findings. (Vol. 31, p. 547)

Contest No. 70. U. S. A., contestant, v. John Bain, contestee, was stipulated to the effect that the testimony taken as to Birch and McKay Creeks should be considered as evidence in this contest, and the contestee shall be entitled to the acreage and date of priority as contained in the tabulation, and as to the use of water, therefor, shall be subject to the general findings in this decree. (Vol. 1, p. 282)

Contest No. 71. U. S. A., contestant, v. Grace A. Gilliam, contestee, was stipulated to the effect that the testimony as to contests on Birch Creek should be considered as evidence in this contest, and the contestee shall have the acreage and priority date as shown in the tabulation, and in the use of water shall be governed by the general findings herein as to Birch Creek. (Vol. 31, p. 547).

Contest No. 72, U. S. A., contestant, v. Andrew Fiedler, contestee, was stipulated to the effect that the testimony as to Birch Creek should apply in this contest, and the contestee shall have the acreage and priority as shown in the tabulation herein, and shall have the use of water subject to the general findings (Vol. 31, p. 547).

Contest No. 73. U. S. A., contestant, v. J. M. Hemphill, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should apply in this contest, and the contestee shall be entitled to the acreage and priority dates as shown in the tabulation herein, and shall have the use of water in accordance with the general findings. (Vol. 31, p. 547).

Contest No. 74. U. S. A., contestant, v. Herbert Boylen, contestee, was stipulated to the effect that the testimony taken as to contests on Birch Creek should apply in this contest. The contestee shall be entitled to the acreage and date of priority as shown in the tabulation, and as to the use of water, shall be governed by the general findings of the Board. (Vol. 31, p. 547.)

Contest No. 75. U. S. A., contestant, v. Elizabeth Horn, contestee, was stipulated to the effect that the testimony taken as to contests on Birch Creek should be used in this contest, and the contestee shall have the acreage and date of priority as given in the tabulation, and the right to use water as governed by the general findings. (Vol. 1, p. 212).

Contest No. 76. U. S. A., contestant, v. Wm. H. Evans, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should apply in this contest, and the contestee shall have the acreage and priority dates as shown in the tabulation, and in the use of water shall be governed by the general findings (Vol. 31, p. 547).

Contest No. 77., U. S. A., contestant, v. J. E. Smith Live Stock Company, contestee, was stipulated to the effect that the evidence taken in the case of the United States v. Slusher, and United States, v. State of Oregon, shall be deemed to be ~~in~~<sup>the</sup> evidence in this contest, and the contestee shall be entitled to the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings herein. (Vol. 1, p. 273).

Contest No. 78. U. S. A., contestant, v. M. G. Edwards, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should be taken as the testimony in this contest, and the contestee shall be entitled to the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings herein. (Vol. 1, p. 213)

Contest No. 79: U. S. A., contestant, v. H. B. Owings, contestee, was stipulated to the effect that the evidence<sup>as to the contests</sup> on Birch Creek should be taken as evidence in this contest, and C. R. Adams has purchased the rights of H. B. Owings, and as such transferee shall be entitled to the rights of the contestee, and as his successor in interest, shall have the acreage and priority date as shown in the tabulation, and as to the use of water shall be governed by the general findings herein contained. (Vol. 1, p. 214).

Contest No. 80. U. S. A., contestant, v. Perry Knotts, contestee, was stipulated to the effect that the evidence taken as to Birch Creek should apply in this contest, and the contestee shall have the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547).

Contest No. 81. U. S. A., contestant, v. A. C. Henderson & Sons, contestee, was stipulated to the effect that the evidence taken as to Birch Creek should be used as testimony in this contest. The contestee shall have the acreage and priority dates as shown in the tabulation, and in the use of water shall be governed by the general findings herein. (Vol. 31, p. 547)

Contest No. 82. U. S. A., contestant, v. Perry Houser, contestee, was stipulated to the effect that the evidence taken on Birch and McKay Creeks should be the evidence in this contest, and the contestee, Perry Houser, shall have the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings. And it further appearing that the contestee is the holder of Permit No. 137, issued by the State Engineer of Oregon, as such, contestee shall receive such further rights to the waters of East Birch Creek as he may be entitled to by law under said permit, and the lands irrigated under such permit will not be tabulated herein. The contestee in order to secure and perfect his rights under said permit will therefore perfect the same as required by law. (Vol. 1, p. 3)

Contest No. 83. U. S. A., contestant, v. Frank Frazier, contestee, was stipulated to the effect that the contestee was similarly situated<sup>as</sup> to the contestee in other contests as to Birch Creek, and the testimony taken as to Birch Creek should be used in this contest, and the contestee shall have the acreage and date of priority as shown in the tabulation, and shall be governed by the general findings as to the use of water. (Vol. 1, p. 281)

Contest No. 84. U. S. A., contestant, v. D. W. Bowman, contestee, was stipulated to the effect that the date of priority of the contestee should be subsequent in time to 1894, and that all matters as to the use of water and irrigation season should be decided by the Water Board, from the evidence introduced in the contest of the United States v. Pioneer Irrigation Company. The contestee shall have the acreage and priority date as given in the tabulation hereinafter, and in the use of water, shall be governed by the general findings applicable thereto. (Vol. 1, p. 174)

Contest No. 85. U. S. A., contestant, v. Courtney Irrigation Company, contestee, The contestee shall have the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings thereon.

Contest No. 86. U. S. A., contestant, v. R. L. Oliver, State of Oregon, transferee, contestee. The contestee herein shall have the acreage and priority date as set forth in the tabulation, and in the use of water shall be governed by the general findings.

Contest No. 87. U. S. A., contestant, v. L. T. Kennison, contestee. The contestee pumps water from the Main Stream and shall have the acreage and date of priority as given in the tabulation, and in the use of water shall be governed by the general findings.

Contest No. 88. U. S. A., v. Elmer Snyder contestee, was settled by stipulation to the effect that the testimony<sup>taken</sup> in the contests of the United States v. Slusher, and United States v. State of Oregon, shall be considered as the evidence in this contest. The contestee shall have the acreage and priority date as established in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 176)



Contest No. 89. U. S. A., v. Mildred Spike, contestee, was stipulated to the effect that the only question involved in the contest was the duty of water and irrigation season, and it appeared from the Engineer's maps, and from the claim and testimony taken, that the contestee is now irrigating 65 acres of land. The contestee shall have such acreage and date of priority as contained in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 24, p. 25.)

Contest No. 90. U. S. A., contestant, v. Susan A. White, contestee, was stipulated to the effect that the evidence taken as to the claims of L. T. Kennison and J. E. Reeves should be the evidence in this contest. The contestee shall have the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 215).

Contest No. 91, U. S. A., contestant, v. H. G. Hurlburt, contestee, was stipulated to the effect that H. G. Hurlburt waived all priority as to any and all rights of the contestant. The contestee shall have the rights as found under Contest No. 46, Western Land & Irrigation Company, contestant, vs. H. G. Hurlburt, contestee, but subject to this finding. (Vol. 13, p. 94)

Contest No. 92. U. S. A., contestant, v. Dillon Irrigation Company, contestee. The contestee herein shall be entitled to the acreage and date of priority as herein-after tabulated, and in the use of water shall be governed by the general findings. (Vol. 33, p. 47, et seq.: Vol. 34, p. 513. et seq.)

Contest No. 93. U. S. A., contestant, v. Western Land & Irrigation Company, contestee. The contestee bases its rights upon three appropriations made in 1891, and upon a second appropriation made in 1903 (see Exhibits 25A, 25B, 25 C and 25D.) The appropriation made by J. M. Jones was afterwards transferred to the Columbia Valley Land & Irrigation Company, (See Exhibit 25E.) The under the appropriation of J. M. Jones, water was diverted, and in the year 1892 a couple of hundred acres were irrigated (Vol. 32, p. 670A ). The ditch then fell into disuse and no further use was made of it until the rights were purchased by the Hinkle Ditch Company, which was succeeded by the Western Land & Irrigation Company, about the year 1903. The Hinkle Ditch Company made a new appropriation on March 14, 1903, the old appropriation of Jones having evidently been abandoned. The priority date therefore, of the Western Land & Irrigation Company begins with the appropriation of the Hinkle Ditch Company, and the same is hereby established as March 14, 1903.

Contest No. 94. U. S. A., contestant, v. H. G. Hurlburt, contestee, was stipulated to the effect that H. G. Hurlburt waived all priority as to any and all rights of the contestant, and is further governed by the findings in Contest No. 91, U. S. of America, contestant, vs H. G. Hurlburt, contestee.

Contest No. 95. U. S. A., contestant, v. Furnish Ditch Company, contestee. The contestee herein shall have the priority date of March 8, 1905, and shall have the right to irrigate the lands hereinafter tabulated, and in the use of water shall be governed by the general findings. (Vol. 34, p. 404)

Contest No. 96. U. S. A., contestant, v. C. J. Ward, contestee, was heard in connection with the contest as to the Pioneer Irrigation Company, and the contestee shall be entitled to the acreage and priority dates as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 30.)

Contest No. 97. U. S. A., contestant, v. Wilson Irrigation Company, contestee, was stipulated to the effect that the Wilson Irrigation Company was entitled to supply water to its stockholders for the acreage as follows: E. E. Elder, 35 acres: Addie C. Esteb, 5 acres: Joel Halstead, 12 acres: D. A. Pearson, 8 acres: Jos. Ramos, 60½ acres: Elmer Spike, 30 acres: W. W. Whitworth, 10 acres: and that the priority date should be December 15, 1904, for all the water except as to ten acres supplied W. W. Whitworth, which should have the priority date of May, 1881, and the question tried out by the testimony was as to the duty of water and irrigation season, and the contestee shall furnish water to the lands as described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 34, p. 555).

Contest No. 98. U. S. A., contestant, v. Geo. L. Ward, contestee, was heard in connection with the contest as to the Pioneer Irrigation Company, and the contestee shall have the acreage and priority date as in the tabulation contained, and in the use of water shall be governed by the general findings. (Vol. 30.)

Contest No. 99. U. S. A., contestant, v. Claude Sloan, contestee, was heard in connection with the contest as to the Crayne-Lisle Irrigation Company, and shall be governed by the findings therein. (Vol. 34, p. 387).

Contest No. 100. U. S. A., contestant, v. Elmer Spike, contestee, was heard in connection with the contest against the Wilson Irrigation Company, and shall be governed by the findings therein. (Vol. 34. p. 557).

Contest No. 101, U. S. A., contestant, v. John M. Young, contestee, was heard in connection with the contest against the Grayne-Lisle Irrigation Company, and shall be governed by the findings therein (Vol. 30.)

Contest No. 102. U. S. A., contestant, v. W. W. Whitworth, contestee, was heard in connection with the contest as to the Wilson Irrigation Company, and shall be governed by the findings therein. (Vol. 34, p. 557 ).

Contest No. 103. U. S. A., contestant, v. Frank Corea, contestee, was heard in connection with the contest as to the Pioneer Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 104. U. S. A., contestant, v. Nancy J. Lapham, contestee. The contestee was served with a notice of hearing on the 7th day of July, 1911, in the County of Union, State of Oregon. That said notice of hearing set the time and place of said contest as Friday the 1st day of September, at ten o'clock a. m., at the Court House, at Pendleton, Umatilla County, Oregon, and at the said time and place the Superintendent of Water Division No. 2 did attend. That the said Nancy J. Lapham did not appear, answer, or otherwise plead, and is therefore in default, and it appears from the said claim and contest, that the said Nancy J. Lapham claimed water from the Umatilla River by reason of a contract from the Oregon Land & Water Company, and that whatever rights the said Nancy J. Lapham has for the use of water, is by virtue of the contract existing between said Nancy J. Lapham and the Oregon Land & Water Company. That the said Oregon Land & Water Company also makes claim for a water right for this same land. That the claim of Nancy J. Lapham will be included in the claim of the Oregon Land & Water Company, and will not be individually tabulated herein. (Vol. 14, p. 187)

Contest No. 105. U. S. A., contestant, v. C. J. Smith, contestee, was heard in connection with the contest of the Courtney Irrigation Company, and shall be governed by the general findings therein. (Vol. 30.)

Contest No. 106. U. S. A., contestant, v. T. G. Smith, contestee, was heard in connection with the contest of the Courtney Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 107, U. S. A., contestant, v. Will Moore, contestee, was heard in connection with the contest of the Courtney Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 108. U. S. A., contestant, v. Beitel Ditch Company, contestee, was stipulated to the effect that the contestee should be entitled to sufficient water to irrigate fifty-six acres of land, under a priority date of December 1, 1898, and the contestee is entitled to irrigate such lands as are described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 177-178 ).

Contest No. 109. U. S. A., contestant, v. Brownell Ditch Company, contestee, was stipulated to the effect that the rights of the contestant secured through the appropriation of the Minnehaha Irrigation Company, should be prior in time to those of the contestee, and that the rights of the contestee as to 1200 acres of land, should be prior in time to all other rights of the contestant. That the balance of the contestee's claim should be subsequent in time to the contestant's rights, and that the duty of water shall be governed by the general findings of the board. That the contestee herein shall have the dates of priority and the acreage set out in the tabulation herein, subject to such stipulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 179.)

Contest No. 110. U. S. A., contestant, v. W. J. Emery, contestee, was heard in connection with the contest of the Pioneer Irrigation Company, and shall be governed by the findings therein. (Vol. 30. )

Contest No. 111. U. S. A., contestant, v. H. Baumgardner, contestee, was heard in connection with the contest of the Pioneer Irrigation Company and shall be governed by the findings therein. (Vol. 30.)

Contest No. 112. U. S. A., contestant, v. E. O. Baumgardner, contestee, was heard in connection with the contest of the Courtney Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 113. U. S. A., contestant, v. Grace B. Rogers, contestee, was heard in connection with the contest as to the Courtney Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 114. U. S. A., contestant, v. Henry Baumgardner, contestee, was heard in connection with the contest as to the Courtney Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 115. U. S. A., contestant, v. F. H. and C. E. Gritman, contestees. The contestees shall be entitled to the acreage and date of priority as set forth in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34, p. 229 )

Contest No. 116, U. S. A., contestant, v. Joseph Cunha, contestee, was heard in connection with the contest as to the Allen Ditch Company, and shall be governed by the general findings therein. (Vol. 24, p. 2.)

Contest No. 117. U. S. A., contestant, v. O. D. Teel, contestee, was heard in connection with the contest as to the Allen Ditch Company, and shall be governed by the general findings therein. (Vol. 24, p. 25.)

Contest No. 118. U. S. A., contestant, v. Clarence Gulliford, contestee. The contestee is entitled to the date of priority and the acreage as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34, p. 538.)

Contest No. 119. U. S. A., contestant, v. Jay Peldmulder, contestee, was stipulated by and between the contestant and Jos. T. Hinkle and Edna L. Cooper, assignees of the contestee, to the effect that said Jos. T. Hinkle should have a water right for 3.25 acres with a priority date of January 1st, 1900, and that Edna L. Cooper should have a water right for the irrigation of 4.9 acres with a priority date of January 1st, 1900, and that the duty of water should be determined by the evidence as to the L. T. Kennison and J. E. Reeves claims. That the lands of the assignees, Edna L. Cooper and Jos. T. Hinkle are situated in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 31, Twp. 4 N. R. 29 E. W. M., and the said Edna L. Cooper and Jos. T. Hinkle shall therefore be substituted for Jay Peldmulder and the tabulation shall show the lands irrigated by said Edna L. Cooper and Jos. T. Hinkle, and the said Jay Peldmulder shall have no further right to the use of the waters of the Umatilla River under his claim filed herein. ( Vol. 1, p 266-270)

Contest No. 120. U. S. A., contestant, v. Frank Corea, contestee, was heard in connection with the contest as to the Pioneer Irrigation Company, and shall be governed by the findings therein. It further appears that Frank Corea in addition to the irrigation of these lands through the Pioneer Irrigation Company's Ditch, also irrigates the same land by means of a pumping plant which was installed in the year 1907. As to the operation of this pumping plant, said contestee shall have the priority date of 1907. (Vol. 30.)

Contest No. 121. U. S. A., contestant, v. J. K. Bott, contestee. The contestee shall be entitled to the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34. p.220 ).

Contest No. 122. U. S. A., contestant, v. Rolla E. Bowman, Roy D. Bowman, Chas. C. Bowman, and Hattie M. Hamblin, contestees. (John Worster, transferee). The contestees herein withdrew from their appearance made in the contest, and upon the testimony taken, it is evident that the contestees irrigated about 22.6 acres, and as the contestant has acquiesced to any water right for the lands irrigated, the contestee shall have a water right for the lands described in the tabulation herein, and with a priority date therein set forth, and in the use of water shall be governed by the general findings. (Vol. 1, p. 235. et seq).

Contest No. 123. U. S. A., contestant, v. Z. T. Jenkins, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should govern in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 124. U. S. A., contestant, v. Frank L. Jordan, contestee, was stipulated to the effect that the testimony taken as to the contests on Birch Creek should be considered as evidence in this contest, and the contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 125. U. S. A., contestant, v. James Johns, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should apply to this contest. The contestee shall be entitled to irrigate the lands described in the tabulation, and to the priority dates as set forth therein, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 126. U. S. A., contestant, v. Elizabeth Hemphill, contestee, was stipulated to the effect that the testimony taken as to the contests on Birch Creek should be the evidence in this case, and the contestee shall be entitled to irrigate the lands described in the tabulation with the priority date as herein set forth, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 127. U. S. A., contestant, v. Carl A. Johnson, contestee, was stipulated to the effect that the testimony as to the contests on Birch Creek should apply in this contest, and the contestee shall have the date of priority and right to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 216.)

Contest No. 128. U. S. A., contestant, v. B. H. Fix, contestee, was stipulated to the effect that the contestee should have the use of the waters of Alkali Canyon for the lands which he can beneficially irrigate and described in the tabulation hereinafter, and in the use of water shall be governed by the general findings herein. (Vol. 1, p. 293.)

Contest No. 129. U. S. A., contestant, v. Robert Hoeft, contestee, was stipulated to the effect that the testimony in contests involving Birch and McKay Creeks should be taken as testimony in this contest. The contestee shall be entitled to the date of priority and the acreage as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 282.)

Contest No. 130. U. S. A., contestant, v. Mrs. E. A. Reagin, contestee, was heard in connection with the contests involving McKay Creek. The contestee shall have the use of water under the priority date and upon the lands described in the tabulation hereinafter, and in the use of water shall be governed by the general findings (Vol. 34)

Contest No. 131. U. S. A., contestant, v. John M. Crow, contestee (Wm. Wright, transferee), was stipulated to the effect that the testimony taken as to the contests involving Upper McKay Creek should apply in this contest. It further appears from the claim of the contestee that riparian rights only are claimed, and that no land has been placed under irrigation. That the tabulation herein shall give the contestee the right to stock water and domestic use. (Vol. 1, p. 217.)

Contest No. 132. U. S. A., contestant, v. Aston M. Isaacs, contestee, was stipulated to the effect that the testimony taken as to the contests involving McKay Creek should apply in this contest. The contestee shall have the date of priority and acreage as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 294.)

Contest No. 133. U. S. A., contestant, v. Mary E. Hopper, contestee, was heard in connection with the contests on McKay Creek, and the contestee shall have the use of water and under the priority date upon the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34.)

Contest No. 134. U. S. A., contestant, v. W. J. Furnish, contestee, was stipulated to the effect that the testimony as taken in respect to the rights of John Wynn and others as to Upper McKay Creek should be deemed as evidence in this contest. The contestee herein shall have the date of priority and the right to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 298.)

Contest No. 135., U. S. A., contestant, v. J. W. Rook, contestee, was stipulated to the effect that the testimony taken in respect to the waters of McKay Creek

should be deemed as evidence in this contest, and the contestee shall be entitled to the date of priority add to irrigate the lands described in the contest, and in the use of water shall be governed by the general findings. (Vol. 1, p. 218)

Contest No. 136. U. S. A., contestant, v. Geo. B. Adams, contestee, was heard in connection with the contests on McKay Creek. The contestee shall have the date of priority and the right to irrigate the lands described in the tabulation herein, and as to the use of water, shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 137. U. S. A., contestant, v. John C. Cline, contestee, was stipulated to the effect that the testimony as to the waters of Birch Creek should apply in this contest, and the contestee shall be entitled to the date of priority and to irrigate the lands as described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 219.)

Contest No. 138. U. S. A., contestant, v. Frank E. Sherman, contestee, was stipulated to the effect that the testimony taken as to other contests on Birch Creek should apply in this contest, The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 139. U. S. A., contestant, v. Umatilla County, T. P. Gilliland, County Judge, Frank Saling, County Clerk, was heard in connection with the contests on McKay Creek. The contestee shall be entitled to the acreage and date of priority as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 140. U. S. A., contestant, v. Ida Walker, contestee, was heard in connection with the contests on McKay Creek, and the contestee shall have the date of priority and the right to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 141. U. S. A., contestant, v. Carrie Sparks, contestee, was stipulated to the effect that the testimony as to Birch Creek should apply in this contest. The contestee shall have the date of priority and the right to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 142. U. S. A., contestant, v. Amanda Southwell, contestee, was stipulated to the effect that the testimony as to Birch Creek should apply in this contest, and the contestee shall have the date of priority and the right to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 143. U. S. A., contestant, v. Elwood F. Straghan, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should apply in this contest, and the contestee shall have the date of priority and the right to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547 .)

Contest No. 144. U. S. A., contestant, v. A. D. Sloan, contestee, (T. A. Stevens, transferee), was stipulated to the effect that the testimony taken as to Birch Creek should apply in this contest, and the contestee shall have the date of priority and the right to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest. No. 145. U. S. A., contestant, v. J. Stonebraker, contestee, was heard in connection with the contests on McKay Creek. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 294.)

Contest No. 146. U. S. A., contestant, v. Edward C. Simon, contestee, was heard in connection with the contests on McKay Creek. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 294.)

Contest No. 147. U. S. A., contestant, v. John M. Wynn, contestee, was heard in connection with the contests on McKay Creek. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings (Vol. 1, p. 295.)

Contest No. 148. U. S. A., contestant, v. Annette Wilson, contestee, was stipulated to the effect that the testimony taken in respect to the rights on Birch Creek should be used in this contest. The contestee is entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1. p. 220.)

Contest No. 149. U. S. A., contestant, v. A. P. Warner, contestee, was stipulated to the effect that the testimony taken in respect to the rights on Birch Creek should be used in this contest. The contestee is entitled to the date of priority and to irrigate the lands as described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1. p. 221.)

Contest No. 150. U. S. A., contestant, v. E. L. Wright, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should apply as to this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 282.)

Contest No. 151. U. S. A., contestant, v. K. J. Sturtevant, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should apply as to this contest, and the contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 152. U. S. A., contestant, v. Wenaha Springs Company, contestee, was stipulated to the effect that the testimony taken as to Upper McKay Creek should be deemed as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1 p. 298.)

Contest No. 153. U. S. A., contestant, v. Elvira Teel, contestee, was heard in connection with the contests as to the Allen Ditch Company, and shall be governed by the findings therein. (Vol. 24. p. 25.)

Contest No. 154. U. S. A., contestant, v. D. A. Pearson, contestee, was heard in connection with the contests against the Wilson Irrigation Company, and shall be governed by the findings therein. (Vol. 34. p. 557.)

Contest No. 155. U. S. A., contestant, v. James A. Mendenhall, contestee, was heard in connection with the contest of the United States v. Pioneer Irrigation Company, and shall be governed by the findings in that case. (Vol. 30.)

Contest No. 156. U. S. A., contestant, v. Chas. Kennison, contestee, was heard in connection with the contest of the United States v. Pioneer Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 157. U. S. A., contestant, v. H. R. Newport, contestee, involves the rights of the contestee to the use of the water through the Wilson Irrigation Company's Ditch, and it appearing that the contestee has no rights in and to the use of the water through the Wilson Ditch, the statement and proof of the claimant as to the use of the water from the Wilson Ditch is not established, and said contestee is not entitled to any such use. (Vol. 34. p. 571.)

Contest No. 158. U. S. A., contestant, v. H. R. Newport, contestee, involves the contestee's claim to the use of water for irrigation and power, and it appears that no steps have been taken to develop any power, and that the contestee claims to have originated his water right in 1899. That the right to use the water for power has been abandoned by reason of the delay in non-development of power. That so far as the right of irrigation is concerned, the same has been transferred to H. G. Hurlburt, and a stipulation was entered into between the contestant and the contestee whereby the priority date of the contestee is acknowledged to be subsequent in time to the rights of the contestant, and it appears that the contestant has rights initiated as late as March 28, 1909; and it further appears that the contestee never utilized any of the water until the year 1910, and the date of priority for said contestee for irrigation purposed therefore shall be 1910 for the lands described in the tabulation herein, under the name of H. G. Hurlburt, as successor to H. R. Newport. (Vol. 1, p. 279.)

Contest No. 159. U. S. A., contestant, v. Charles McBee, contestee, involves the use of the waters of Birch Creek and the contestee shall be entitled to use water of the priority date and for the lands described in the tabulation hereinafter, and in the use of water shall be governed by the general findings. (Test. 31, p. 547).

Contest No. 160. U. S. A., contestant, v. Joseph Kane, contestee, was tried with other contests relative to the waters of McKay Creek, and the contestee shall have the priority date for the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 161. U. S. A., contestant, v. Thomas Jacques, contestee, was stipulated to the effect that the testimony taken in respect to the rights and claims to the waters of Birch Creek and its tributaries, should be deemed as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation hereinafter, and in the use of water shall be governed by the general findings. (Vol. 1. p. 222.)

Contest No. 162, U. S. A., contestant, v. Rebecca Kemler, contestee, was tried in connection with other contests as to the waters of McKay Creek. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 163, U. S. A., contestant, v. Daniel Kemler, contestee, was heard in connection with other contests as to the waters of McKay Creek. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein and in the use of water shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 164. U. S. A., contestant, v. Alonzo Knotts, contestee, was stipulated to the effect that the testimony taken on Birch Creek should apply in this contest, and the contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 31. p. 547.)

Contest No. 165. U. S. A., contestant, v. O. P. F. Newquist, contestee, was stipulated to the effect that the testimony taken as to the waters of Birch Creek should apply in this contest, and the contestee shall have the priority date to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 166. U. S. A., contestant, v. Louis McA La Dow, contestee, was stipulated to the effect that the testimony as to the contests involving the waters of McKay Creek should apply in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 292.)

Contest No. 167. U. S. A., contestant, v. W. W. Patton, contestee, involves the water rights to the lands which have been transferred to the State of Oregon for State Hospital purposes, and the State of Oregon has been substituted for the contestee herein. The acreage and date of priority shall be as in the statement and proof of claim, shown in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 34. p. 590)

Contest No. 168. U. S. A., contestant, v. Geo. Male, contestee, was stipulated to the effect that the testimony taken as to the waters of Birch Creek should apply in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 169. U. S. A., contestant, v. John P. McManus, contestee, (John P. McManus, Appleburg Water Company and W. H. Evans, holding under said Appleburg Water Co.), was stipulated to the effect that the testimony taken in contests involving the waters of Birch Creek below Pilot Rock, should be deemed as evidence in this contest. The contestee shall be entitled to the priority date and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1. p. 281.)

Contest No. 170. U. S. A., contestant, v. Chas. Ogilvy, contestee, was stipulated to the effect that the testimony taken on Birch Creek should be used in this contest to determine the rights. The contestee shall be entitled to the priority date and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1. p. 223.)

Contest No. 171. U. S. A., contestant, v. Charles J. Manning, contestee, was stipulated to the effect that the testimony taken as to the waters of McKay Creek should be used in this contest, and the contestee shall be entitled to the priority date and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 282.)

Contest No. 172. U. S. A., contestant, v. W. F. Matlock, contestee, was stipulated to the effect that the City of Pendleton was the present owner of the premises described in the statement and proof of claimant, and that said land is now what is known as the Round-up Grounds, and was stipulated to the effect that the contestee should be entitled to one-half cubic foot per second, continuous flow, of the waters of Umatilla River for irrigation, stock and domestic use upon said grounds. (Vol. 34, p. 209.)

Contest No. 173. U. S. A., contestant, v. Ben F. Brown, contestee, was stipulated to the effect that the testimony taken in respect to the rights of John Wynn and others on Upper McKay Creek should be deemed as evidence in this contest, and the contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1 . p. 152.)

Contest No. 174. U. S. A., contestant, v. C. C. Hendricks, contestee, involves the lands which have been transferred to the State of Oregon for use as a State Hospital, and the State of Oregon has been substituted for the contestee herein, and shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 34. p. 590.)

Contest No. 175. U. S. A., contestant, v. Danial Shaw, Contestee, was tried in connection with all the contests as to the waters of McKay Creek. The contestee shall have the date of priority and the right to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings.

Contest No. 176. U. S. A., contestant, v. William L. Ely, contestee, was stipulated to the effect that the testimony taken on McKay Creek should be deemed as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the claim, and in the use of water shall be governed by the general findings. (Vol. 1, p. 302)

Contest No. 177. U. S. A., contestant, v. Olive Harrison, contestee, was stipulated to the effect that the contestee should have the use of water for the lands described in the proof of claim with a priority date as shown therein, and in the use of water, the contestee shall be governed by the general findings. (Vol. 1, p. 301).

Contest No. 178. U. S. A., contestant, v. Hattie J. Davis, contestee, was tried in connection with other contests arising as to the waters of McKay Creek, and it appearing that said Hattie J. Davis had sold and transferred the lands to T. B. Swearingen, said T. B. Swearingen was substituted as contestee in this contest. The contestee shall have the date of priority and be entitled to irrigate the lands described in the tabulation herein, and as to the use of water shall be governed by the general findings. (Vol. 1, p. 295.)

Contest No. 179. U. S. A., contestant, v. Omer D. Stephens, contestee, was tried in connection with the contests on McKay Creek, and the contestee shall have the priority date and be entitled to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 295.)

Contest No 180., U. S. A., contestant. v. John Schmidt, contestee, involves the rights of the contestee which are based upon State Engineer's Permit No. 360, dated June 7th, 1910. That the contestee appeared and refused further to proceed in the proceedings, and it is therefore ordered that the contestee shall have such rights as he may gain under the Laws of the State of Oregon relative to the appropriation of water by State Engineer's Permit, and the rights of said John Schmidt shall not be tabulated herein, but shall be governed by such proof as may be submitted under said Engineer's Permit, as required by law. (See claim.)

Contest No. 181. U. S. A., contestant, v. T. J. Cheney, contestee, was stipulated to the effect that the contests involving the waters of McKay Creek should be used in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 295.)



Contest No. 182. U. S. A. contestant, v. James P. Brown, contestee, was tried in connection with other contests on McKay Creek, and it further appeared that Peter Baker is the transferee of the lands in question as assignee of said James P. Brown, and said Peter Baker was substituted as contestee herein. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 183. U. S. A., contestant, v. Geo. L. Dunn, contestee, was tried in connection with other contests involving the waters of McKay Creek, and it further appeared that the lands in question in this contest were transferred to Chas. Tulloss, and said Chas. Tulloss was substituted for the contestee herein, and that thereafter, said lands were transferred to Geo. Adams. The contestee shall be entitled to the priority date and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 34, p. 1.)

Contest No. 184. U. S. A., contestant, v. F. T. and C. E. Byrd, contestees, was heard in connection with the contests involving the waters of Birch Creek, and the contestees shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 185. U. S. A., contestant, v. Geo. W. Runyan, contestee, was stipulated to the effect that the testimony taken with respect to the waters of Birch Creek should be used in determining this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein contained, and in the use of water shall be governed by the general findings. (vol. 31, p. 554.)

Contest No. 186. U. S. A., contestant, v. Sophie Byers, contestee, was stipulated to the effect that the testimony taken as to the waters of Birch Creek and its tributaries should be taken as evidence in this contest, and it further appearing that this contest does not involve any of the rights of the contestee in and to the use of the waters of the Umatilla River for power purposes and milling, but only as to the use of water for irrigation, the contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein contained, and in the use of water shall be governed by the general findings. (Vol. 1, p. 224.)

Contest No. 187. U. S. A., contestant, v. L. W. Reed, contestee, was stipulated to the effect that the testimony taken as to the rights of John Wynn and others as to the waters of Upper McKay Creek, above the forks thereof, will be deemed and taken as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 298.)

Contest No. 188. U. S. A., contestant, v. William P. Daniel, contestee, was stipulated to the effect that the testimony taken as to the claims to the waters of the Umatilla River, between Pendleton and the mouth of Birch Creek, should be deemed as evidence in this contest, and the contestee shall have the date of priority and to irrigate the lands in the tabulation herein described, and in the use of water shall be governed by the general findings. (Vol. 1, p. 225.)

Contest No. 189. U. S. A., contestant, v. L. E. Roy and F. M. Smith, contestees, was stipulated to the effect that the testimony taken respecting the rights and claims to the waters of Birch Creek and its tributaries should be deemed as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 226.)

Contest No. 190. U. S. A., contestant, v. William P. Card, contestee, was stipulated to the effect that the testimony taken in connection with the contests on McKay Creek should be taken as evidence in this contest, and it further appearing that the lands in question in this contest had been transferred to Earl Gillanders and Henry Kopitke, said transferees were substituted as contestees in this contest. The contestees shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 296.)

Contest No. 191. U. S. A., contestant, v. George W. Jones, contestee, was stipulated to the effect that the testimony taken in connection with the contests involving the waters of McKay Creek, should be taken as the evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands

described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1. p. 296.)

Contest No. 192. U. S. A., contestant, v. Marion Jack, contestee, was stipulated to the effect that the testimony taken in connection with the contests on McKay Creek should be deemed as the evidence herein. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 296.)

Contest No. 193. U. S. A., contestant, v. J. S. Holmes, contestee, was stipulated to the effect that the testimony taken in connection with the contests involving the waters of McKay Creek should be taken as the evidence herein. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 296.)

Contest No. 194. U. S. A., contestant, v. Carl Jensen, contestee, was stipulated to the effect that the testimony taken involving the contests on Birch Creek, below Pilot Rock, should be deemed as the evidence in this contest, and the contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1. p. 281.)

Contest No. 195. U. S. A., contestant, v. Horseshoe Irrigation Company, contestee. It appears that the contestee, the Horseshoe Irrigation Company, was served with a notice on the 29th day of April, 1911, by delivering to Edward Dupuis, personally and in person, a copy of the notice of hearing and a copy of the notice of contest, which said notice of hearing was served by the sheriff of Umatilla County, Oregon, and the notice of contest was served by Geo. T. Cochran, Superintendent of Water Division No. 2. That said Edward Dupuis was at said time, secretary of said corporation, and said notice of hearing set the time and place of said contest as at the Court House in the city of Pendleton, in Umatilla County, Oregon, at ten o'clock a.m., on Monday the 12th day of June, 1911. That at said time the contestee did not appear, ~~and~~ ~~answer~~, or otherwise plead in said contest. That said notice of contest states the ground of contest to be, that the contestees have no right to use any of the water in excess of one-eightieth of one cubic foot per second per acre of land irrigated, and further alleges that the irrigation season is 100 days from and after the 1st day of March, for any and all years, and that the contestee has no right to use any of the waters for irrigation at other times, and the rights of the contestee are subject to each and all of the rights of the contestant. It appears from the claim that the priority date of the contestee is December 26, 1904, and as to all claimants except said contestant, said priority date shall govern, and shall be placed in the tabulation hereinafter contained. That as to said contestant, said contestee shall at all times be deemed to have waived their priority date and shall be subject in the use of water to all rights of the contestant herein, and as to the irrigation season, and the use of water, said contestee shall be governed by the general findings herein and shall have the right to use the water to irrigate the lands described in the tabulation.

Contest No. 196. U. S. A., contestant, v. Jos. Cunha, contestee, was stipulated to the effect that the priority date of the contestee in the use of water from the Taylor Ditch shall be as of July 1st, 1884, and that the acreage which should receive water from said ditch is 186 acres. It further appeared that the lands irrigated at the present time was 166 acres, and the tabulation herein shall designate only such amount of land. In the use of water said contestee shall be governed by the general findings herein. (Vol. 34. p. 362 $\frac{1}{2}$ ).

Contest No. 197. U. S. A., contestant, v. Allen Ditch Company, contestee, was stipulated to the effect that the acreage irrigated from said ditch was as follows, to-wit: Fred Andrews, 184 acres; O. D. Teel, 205 acres; Elvira Teel, 170 acres; Mildred Spike, 71 acres; Jos. Cunha, 179 acres; George Higginbotham, 334 acres; but it appears from the testimony, maps, and data on file in the record, that the acreage is as follows, to-wit: Fred Andrews, 184 acres; O. D. Teel, 205 acres; Elvira Teel, 170 acres; Mildred Spike, 63 acres; Jos. Cunha, 169 acres; George Higginbotham, 151 acres; making a total of 942 acres which shall be described and designated in the tabulation hereinafter. It was further stipulated, that the rights of the contestees shall be prior in time and superior in right to any of the rights claimed by the contestant, and it appearing that the date of priority of said contestees is 1870, the tabulation herein shall show such date. In the use of water the contestee shall be governed by the general findings herein. (Vol. 24, p. 25.)

Contest No. 198. U. S. A., contestant, v. Levi Eldridge, (2 claims) contestee, was stipulated to the effect that the testimony taken in connection with the contests on McKay Creek should be taken as the evidence herein. The contestee shall be entitled to the priority date as shown in the tabulation, and to irrigate the lands therein described, and in the use of water shall be governed by the general findings. (Vol. 1, p. 296.)

Contests Nos. 199, 199a, 200. U. S. A. contestant, v. Arthur S. Janes, contestee, was stipulated to the effect that the testimony taken in respect to the rights to the waters of Birch Creek and its tributaries, shall be taken and deemed as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 1, p. 227.)

Contests Nos. 201, 202. U. S. A., contestant, v. B. P. Doherty, contestee, was stipulated to the effect that the testimony taken in contests involving the waters of Birch Creek, McKay Creek and Umatilla River, above the Furnish Reservoir would be deemed and taken as evidence in this contest, and the contestee shall be entitled to the date of priority to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. It further appears from the records of the U. S. Land Office, at La Grande, Oregon, that Lot 3 is the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 9, as claimed in contestee's claim. (Vol. 1, p. 282.)

Contests Nos. 203, 204, 205. U. S. A., contestant, v. Cunningham Sheep & Land Company, contestee, was heard in connection with the contests involving the waters of Birch Creek, and by stipulation is to be governed by the evidence herein. It appears in the claim filed by the contestee for lands irrigated under the J. E. Smith Ditch, that the contestee began the enlargement in 1907, and in March 1910 secured State Engineer's Permit No. 36, and for the irrigation of the lands covered thereby the contestee shall be entitled to the same in accordance with the laws governing the rights to the use of water appropriated under such permits. As to the irrigation of the lands claimed in the other statement and proofs filed by the contestee, said contestee shall be entitled to the date of priority as in the tabulation shown, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest No. 206. U. S. A., contestant, v. Joseph Ramos, contestee, was heard in connection with the contest against the Wilson Ditch Company, wherein it was stipulated that the priority date of the water users through the Wilson Ditch Company should be December 15, 1904, and that the number of acres which Joseph Ramos is entitled to irrigate is 95, and that in the diversion of water, the decree of the Circuit Court of the United States for the District of Oregon, in the case of the United States of America. vs. Joseph Ramos, et al., should be observed. It appears from the testimony, and especially from the maps of the State Engineer, that said Joseph Ramos has only 60 $\frac{1}{2}$  acres irrigated and such acreage shall be hereinafter designated in the tabulation, together with the priority date as established by said stipulation. In the use of water contestee shall be governed by the decree of said Circuit Court of the United States for the District of Oregon, and the general findings herein, (Vol. 34, p. 555.)

Contest No. 207. U. S. A., contestant, v. Elmer Reeves, contestee, was heard in connection with the contests as to the Pioneer Irrigation Company, and shall be governed by the findings therein, and in the use of water, by the general findings. (Vol. 30.)

Contest No. 208. U. S. A., contestant, v. Chris Roberts, contestee, was heard in connection with the contest of the U.S. v. Crayne-Lisle Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 209. U. S. A., contestant, v. B. F. Haley, contestee, was heard in connection with the contest of the U. S.A. v. Pioneer Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 210. U. S. A., contestant, v. E. F. Carney, contestee, was stipulated to the effect that the testimony taken as to the rights and claims of John Wynn and others on Upper McKay Creek, above the forks of said creek, should be deemed and taken as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation herein, and in the use of water shall be governed by the general findings. (Vol. 1, p. 228.)

Contest No. 211. U. S. A., contestant, v. J.E. Reeves, contestee. The contestee appears to be using water by means of pumping the same from the bed of the

Umatilla River, and shall be entitled to use the water upon the lands and under the priority date as in the tabulation hereinafter set forth, and in the use of water shall be governed by the general findings.

Contest No. 212. U. S. A., contestant, v. Fred W. Andrews, contestee, was heard in connection with the contest of the U. S. v. Allen Ditch Company, and shall be governed by the findings therein. (Vol. 24, p. 25.)

Contests Nos. 213. 214. U. S. A., contestant, v. J. E. Smith Livestock Company, contestee, was stipulated to the effect that the testimony taken in respect to the rights and claims to the waters of that portion of the Umatilla River between Pendleton and Echo, should be deemed and taken as evidence in this contest. The contestee shall be entitled to the priority date, and to irrigate the lands described in the tabulation hereinafter shown, and in the use of water shall be governed by the general findings. (Vol. 1, p. 173.)

Contest No. 215. U. S. A., contestant, v. John J. and Thos. W. Peters, contestees, is governed by the findings made under the contest of the Western Land & Irrigation Company v. John J. and Thos. W. Peters, being Case No. 43.

Contests Nos. 216, 217, and 218. U. S. A. contestant. v. Oregon Land & Water Company, contestee, were stipulated to the effect that the contestee should be entitled to 75 cubic feet per second of water, prior in time and superior in right to any right of or claims of the contestant. It is found that such rights shall have the priority date of April 14, 1893, and that the balance of the rights of the contestee shall be governed by the permits for the appropriation of water which have been taken under and by virtue of the water laws of the State of Oregon and issued thereunder by the State Engineer. The contestee shall be entitled to the priority date to irrigate the lands as described in the tabulation herein contained. (Vol. 1, p. 182.)

Contest No. 219. U. S. A., contestant. v. Sadie Haney, contestee, was heard in connection with the contests of the Courtney Irrigation Company, and shall be governed by the findings therein. It further appears, that the land in question in this contest has been transferred to Jas. A. Fee, Jr., and said Jas. A. Fee, Jr., is herebu substituted in this contest for the contestee. (Vol. 30.)

Contest No. 220. U. S. A., contestant, v. Zoeth Houser, contestee, was heard in connection with the contest of the U. S. v. Courtney Irrigation Company, and shall be governed by the findings thereunder. (Vol. 30.)

Contest No. 221. U. S. A., contestant, v. William H. Gulliford, contestee, was heard in connection with the contest of the Courtney Irrigation Company, and shall be governed by the findings thereunder. (Vol. 30.)

Contest No. 222. U. S. A., contestant, v. Frank Donnelly, contestee, was stipulated to the effect that Jos. Cunha was the successor in interest to Frank Donnelly, and is hereby substituted as the contestee in place of said Frank Donnelly. It was further stipulated that the contestee should be entitled to a priority date prior in time and superior in right to any rights of the contestant, to 35 cubic feet of water per second, which said 35 second feet of water should include the amount of water claimed by W. W. Whitworth, through the Wilson Ditch Company. That for the balance of the contestee's appropriation, being 32 cubic feet of water per second, the contestee should have a priority date of April 1st, 1906. It further appears that the priority date for the 35 second feet of water should be May 1881. (Vol. 1.p.283.)

Contest No. 223. U. S. A., contestant. v. Frank F. and Julia C. Fowler, contestees, shall be governed by the findings under the contest of the Western Land & Irrigation Company, v. Frank F. and Julia C. Fowler, being Case No. 47.

Contest No. 224. U. S. A., contestant, v. E. E. Elder, contestee, was heard in connection with the contest of the Wilson Irrigation Company, and shall be governed by the findings thereunder. (Vol. 34, p. 554.)

Contest No. 225. U. S. A., contestant, v. Ed. Gnavauch, contestee, was tried in connection with the contest of the Pioneer Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 226. U. S. A., contestant, v. Pioneer Irrigation Company, contestee. The contestee shall be entitled to furnish water to its stockholders and water users, under the date of priority and for the irrigation of the lands described in the tabulation hereinafter contained, and in the use of water shall be governed by the general findings. (Vol. 30.)

Contest No. 227. U. S. A., contestant, v. Maxwell Irrigation Company, contestee, was stipulated to the effect that the date of priority of the contestee shall be September 11, 1894, and that inasmuch as the ditch of the contestee flows through the City of Stanfield, for the purposes of municipal and domestic use, the contestee shall have a volume of  $11\frac{1}{2}$  cubic feet per second of water flowing in said ditch when same is available, under a priority date as aforesaid. It was further stipulated that the contestee was entitled to receive water from said ditch for the irrigation of 462 acres, but inasmuch as the claimant has only described in his claim 204 acres, such an amount shall be herein tabulated. The contestee shall have water for the irrigation of the same in accordance with the general findings herein, provided, that whenever there is no interference with the rights of others, the contestee may have a head of water of  $11\frac{1}{2}$  second feet. (Vol. 1, p. 185.)

Contest No. 228. U. S. A., contestant, v. Addie C. Esteb, contestee, was heard in connection with the contest of the U. S. v. Wilson Ditch Company, and shall be governed by the findings thereunder. (Vol. 34. p. 554.)

Contest No. 229. U. S. A., contestant, v. A. J. Cleghorn, contestee, was heard in connection with the contest of the Pioneer Irrigation Company, and shall be governed by the findings thereunder. (Vol. 30.)

Contest No. 230. U. S. A., contestant, v. Joel Halstead, contestee, was heard in connection with the contest of the Wilson Ditch Company, and shall be governed by the finding therein. (Vol. 34. p. 554.)

Contest No. 231. U. S. A., contestant, v. S. I. Lisle, contestee, was heard in connection with the contest of the U. S. v. Crayne Lisle Irrigation Company, and shall be governed by the findings therein. (Vol. 34. p. 386.)

Contest No. 232. U. S. A., contestant, v. Ben F. McCullough, contestee, was heard in connection with the contest of the Pioneer Irrigation Company, and shall be governed by the findings therein. (Vol. 30.)

Contest No. 233. U. S. A., contestant, v. Geo. Fiedler, contestee, was stipulated to the effect that the testimony taken heretofore in the contest involving the waters of Birch Creek should be deemed and taken as evidence in this contest. The contestee shall be entitled to the date of priority and to irrigate the lands described in the tabulation hereinafter contained, and in the use of water shall be governed by the general findings. (Vol. 31, p. 553.)

Contest #234	Sophie Byers, contestant,	vs. Wa-wa-ne,	Contestee,
#235	" "	vs. Joe. Parr,	"
#236	" "	vs. Eli Parr,	"
#237	" "	vs. A-le-te-la,	"
#238	" "	vs. Pat-si-ak,	"
#239	" "	vs. To-yat, heir of Peter Kalyton, Cayuse #248 by E.L. Swartzlander,	"
#240	" "	vs. Frank Parr	"
#241	" "	vs. Wm. Caldwell	"
#242	" "	vs. Mrs. White Bull	"

On the 5th day of June, 1911, and after service of notice of hearing had been made upon the contestees, the United States of America as Trustee and Guardian over the Indians and lands of the Indian Reservation in Umatilla County, Oregon, and on behalf of the contestees, and through the United States Attorney for the District of Oregon, acting under the direction and by the authority of the Attorney General of the United States of America, appeared and intervened in said contest. Thereafter the testimony was taken, and from the testimony it appears that on the 9th day of June, 1855, a treaty was made between certain Indian Tribes residing in Oregon and Washington, and the United States Government; this treaty was ratified by the United States Senate on the 5th day of March, 1859, and was proclaimed as being in force on the 11th day of April, 1859.

By this treaty, the lands which the contestees are irrigating were a part of those lands set apart and ceded as an Indian Reservation for the exclusive uses, and as a place of residence for said Indians. The Indians moved upon the reservation, established their residences, and they and their descendants have continued to live upon said reservation from that date until the present time, under government regulation, guardianship, and control of the United States.

On the 7th day of July, 1870, G. W. Bailey, Geo. A. LaDow, Lott Livermore, F. Coates, and other citizens of the United States and of the State of Oregon, obtained permission from the United States through the Department of the Interior, to take water from the Umatilla River, and to construct a ditch for the conveyance of the same across the Umatilla Indian Reservation. In pursuance of such permission from the U. S. Government, LaDow and others constructed a ditch from a point on the Umatilla River in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 1, Twp. 2 N. R. 32 E. W. M., to the City of Pendleton, taking and appropriating some of the waters of the Umatilla River, and applied the water for irrigation and other useful and beneficial purposes.

In the year 1874, the ditch and right to use the waters of the Umatilla River were conveyed to W. S. Byers, who constructed a grist and flour mill at Pendleton, and has since said time used the water for the operation of such mill. The contestant, Sophie Byers, is the widow and successor in interest to W. S. Byers; that at the time the government granted the permission to use the waters of the Umatilla River, and at the time W. S. Byers became the owner of the ditch and water privileges and built the mill, the lands on each side of the Umatilla River, both above, at, and below the point where the ditch tapped the river, were within the boundaries of the Umatilla Indian Reservation. That the amount of water necessary to operate the mill is about 10,000 cubic feet per minute, or nearly 167 second feet of water; that the river at Pendleton during the dry time of the year has had a minimum flow of as low as 23 second feet; that when the water is less than 167 second feet; then the contestant's mill requires all the water that is flowing in the stream, and has since the building of the mill used practically all of the water flowing in the stream, when the flow was less than 167 second feet. That the rainfall at the City of Pendleton for the past twenty years has varies from 8.21 inches per annum to 20.08 inches per annum; that the amount of rainfall is a great deal more in the foothills than in the mountains up the stream from the City of Pendleton, and is sufficient upon the reservation to raise good crops of wheat; oats, barley, and kindred crops; that irrigation upon the reservation would largely increase the crops of alfalfa, hay, orchard, garden, and kindred crops.

That on August 5th, 1882, Congress of the United States enacted a law entitled, "An Act authorizing the Secretary of the Interior to dispose of certain lands adjacent to the town of Pendleton, State of Oregon, belonging to the Umatilla Indian Reservation and for the purposes" (22 Stats. L. 297) By that Act, the Secretary of the Interior was authorized to survey, plat and dispose of a certain part of the Umatilla Indian Reservation, lying contiguous to the town of Pendleton, and the lands so authorized to be surveyed, platted and disposed of by the Secretary of the Interior, and about the year 1884, by mesne conveyance, W. S. Byers became the owner of all the lands on both sides of the Umatilla River at the point where said mill taps the river, and the contestant, Sophie Byers, is the successor in interest to said W. S. Byers.

That on the 3rd day of March, 1885, the Congress of the United States passed another act entitled "An Act providing for allotment in severalty to Indians residing upon the Umatilla Indian Reservation, in the State of Oregon, granting patents therefor, and for the purposes,\*\*\*\*\* (23 Stats. L. 340.) This Act provided that the Umatilla Indian Reservation should be surveyed and allotted in severalty to the Indians residing thereon, and that the United States Government should hold the lands in trust for a period of 25 years for the sole use and benefit of the Indian to whom such allotment should be made, or to his heirs, to be determined according to the laws of the State of Oregon, and that at the end of that period, or longer if the President should so determine, the United States should grant a patent to said Indian or to his heirs, and about the year 1891, the allotment was made and the lands are now so held in pursuance of that Act. Said Act further contains the following proviso, under Section 2. "Provided further, that the water right across a portion of said reservation from the town of Pendleton granted by the Interior Department, July 7th, 1870, on the application of Geo. LaDow, Lott Livermore, and other citizens of Pendleton, for manufacturing purposes be affirmed and continued to W. S. Byers and Company, or their successors, provided, that this Act shall in no way impair or affect any existing right to a reasonable use of the water of said stream for agricultural purposes, not shall confirm or grant any right to use the water thereof in any manner not to any extent beyond or different from that to which it has heretofore been appropriated."

That on the 23rd day of May, 1895, George W. Rigby, and William R. Rigby, through a private undertaking or agreement with the Indians having those allotments, constructed a ditch for the purpose of irrigation, and that said George W. Rigby and William T. Rigby were white persons, and the lands farmed by them have been farmed by various people, until now, they are farmed by William Caldwell, also a white person, and there has been irrigated upon the lands of the contestee, the lands described in the tabulation herein. After the Rigby's had taken out water from the Umatilla River, W. S. Byers filed a suit in the Circuit Court of the State of Oregon, for Umatilla County, as plaintiff, against George W. Rigby and William T. Rigby, Hoot-soot, Hop-sin, Wa-win-ta-la-son-mi, Peter Kalyton, James A. Fee, Thomas Thompson, Is-ka-malk, Nich-ga-we-tla, Good-man and Charles Wilkins as defendants. A stipulation was filed, wherein Messrs. Carter and Raley signed as attorneys for the Indians, and John H. Hall signed as United States attorney; upon this stipulation the findings of fact and conclusions of law were made, and a decree entered in said court to the effect that the rights of the defendants to the waters of the Umatilla River were inferior in time and right to those of W. S. Byers. There was some further testimony, that in the early days the Government had built a mill for the Indians with the intention of using the water of the Umatilla River for power purposes, but this was abandoned, and so far as these contestees are concerned, it does not appear that either the Government or the Indians themselves are using the water, but that the water is made use of by white persons under private arrangements with the Indians.

The contention of the United States is, that where a tract of land is set apart for special use by the Government, that the Government has a prior and superior right to all persons for the use of such water as flows upon that land, and relies upon the case of *Winters v. United States*, 143, Fed. 740, which is affirmed by the Supreme Court as reported in 207 U. S., 564. In the *Winters* case, arid lands in Montana along Milk River were involved and it appears that the U. S. Government and also the Indians themselves, had been using water for many years prior to the time when *Winters* and other parties associated with him, began the use of water, so that there was actually an appropriation, not only by the United States but also by the Indians themselves. Here, the lands produce excellent crops without irrigation, and the irrigation only increases the crops of alfalfa and garden; the use of the water is not a necessity, so that the water could be said to have been appropriated by the Indians by necessary implication. Furthermore, if the rights of the United States and of the Indians be conceded to be prior in time and superior in right to the rights of those below, such a priority would be personal to the Indians themselves or to the U. S. Government for governmental purposes, and could not be transferred to a white person who is governed by the laws of the state, concerning the use and distribution of water.

The Act of Congress of March 3, 1885, containing the proviso confirming the right to W. S. Byers and Company, and their successors, to the use of water, was not a grant of absolute right, but merely a confirmation of the change of ownership of the Permit originally given to La Dow and others. The sale of the lands by the U. S. Government over which the ditch was constructed for the Byers mill right, amounted to a release on the part of the U. S. Government of any right which the Government might have under the Permit, to prevent the diversion of water by Byers and their successors.

The statement and proofs of claim of the contestees were all made out and submitted by William Caldwell, who occupied the lands described in such proof, as a tenant. The appropriation was made by the U. S. Government for governmental use, and therefore, in the use of water shall be governed by the laws of the State of Oregon as to the appropriation and shall have the date of priority and be entitled to irrigate the lands described in the tabulation herein contained.

A stipulation was entered into as between the lands tabulated herein for which a water right was claimed by the Estate of Z. T. Jenkins, deceased, and for the lands in the tabulation herein contained, for the water right for the lands of Geo. Male, wherein it is agreed that the ditch known as the Dowman Ditch shall be used by both parties according to their water rights as confirmed by the State Water Board and that each party shall bear their proportionate share of the expense of upkeep of such ditch. The water master shall distribute the water accordingly.

11.

Rebecca Kemler, A. M. Despaign, and Umatilla County entered into a stipulation as to the use of a ditch known sometimes as the C. O. French Ditch, sometimes as the Home Irrigation Company's Ditch, and sometimes as the Kemler-Despaign-Umatilla County Ditch, wherein it was agreed that Rebecca Kemler should have the prior and superior right for the irrigation of 13 acres of land, and thereafter, A. M. Despaign 22 acres of land, and thereafter, Umatilla County 25 acres of land. The water master shall distribute the water according to the priorities as shown in this stipulation and as above enumerated.

12.

A stipulation was entered into between Geo. Male, Geo. W. Runyan, Carl Jensen, Frank Sherman, Elizabeth Hemphill, J. M. Hemphill, as to the priorities for the irrigation of the lands tabulated herein, and it was stipulated that George Male should have the prior right for 6 acres of land; that thereafter, the other parties should have the water distributed to them in accordance with the dates of priorities as found by the State Water Board, and the balance of the right of George Male should be subsequent in time to all of the rights of the said other parties. In accordance with this stipulation, the dates found and established are as follows, to-wit: George Male, 1867, 6 acres; 1908, 109 acres; G. W. Runyan, 1895, 25 acres; Carl Jensen, 1873, 30 acres; 1907, 40 acres; Frank Sherman, 1904, 57 $\frac{1}{2}$  acres; Elizabeth Hemphill, 1870, 54 acres; J. M. Hemphill, 1904, 62 acres. The water master shall distribute the water in accordance with such dates of priority and this stipulation.

13.

A stipulation was entered into between Geo. Male, J. A. Guderian, G. W. Bush, Oscar Newquist, E. F. Straughan, Henry Rockwell and Carrie Sparks, wherein it was agreed that the said Geo. Male should have a prior and superior right of irrigation for forty acres of land as hereinafter tabulated as irrigated by him; that J. A. Guderian, G. W. Bush, Oscar Newquist, E. F. Straughan, Henry Rockwell and Carrie Sparks should thereafter be entitled to the use of sufficient water to irrigate the lands described in the tabulation hereinafter contained, in accordance with the dates of priority as found by the State Water Board, and that after said parties had received sufficient water to irrigate such land, that then the said Geo. Male should be entitled to a sufficient amount of water to irrigate the balance of his land. The water master in the distribution of water shall be bound by such stipulation and shall distribute the water accordingly.

14.

A Stipulation was entered into between Geo. Male, Amanda J. Southwell, and the heirs of John Southwell, deceased, wherein it was agreed that the said Geo. Male should be entitled to a prior right to irrigate forty acres of <sup>the</sup> land described in the tabulation herein, and that thereafter the said Amanda Southwell and the heirs of John Southwell, deceased, should have sufficient water to irrigate the lands as in the tabulation is shown as irrigated by them; that after such irrigation by said Southwell, then the said Geo. Male should be entitled to irrigate the balance of his land. The water master shall be governed by such stipulation, and shall distribute the water in accordance therewith.

15.

A stipulation was entered into between Geo. Male, and H. H. Gilbert, wherein it was agreed that Geo. Male should have a prior right for a sufficient amount of water to irrigate six acres of land; that thereafter, said H. H. Gilbert should have the next prior right to the use of the water for the irrigation of the lands irrigated by him, and that the balance of the land belonging to said Geo. Male should have the next right. The water master shall distribute the water in accordance with this finding and said stipulation.

16.

A stipulation was entered into between Daniel Kemler, Laura B. Perrin and A. M. Despaign, as to the rights to the use of water from the ditches known as the Eastman-Beagle and Coldwell Brothers Ditch, and it was agreed that the parties to said stipulation should have rights to the irrigation of lands, equal in time and right as follows:



Daniel Kemler, 23 acres; Laura B. Perrin, 12 acres; A. M. Despain, 25 acres; and that A. M. Despaid should have the right to irrigate further lands from said ditch, but that such right should be junior in right and time to the above rights. The water master shall be governed by this findings in the distribution of water to said parties.

17.

There is a decree existing between the Appleburg Water Company, a corporation, the Hartman Abstract Company as Trustee, and J. P. McManus, as plaintiffs, and Addison C. Henderson, Emma C. Henderson, C. C. Henderson, Maggie Henderson, L. V. Henderson, and Cora Henderson, as defendants, wherein it was decreed that the plaintiffs and Lloyd Henderson were entitled to 35 inches of water, prior in time and right to any of the other rights of either the plaintiffs or defendants. The next subsequent thereto in right and priority, the said defendants are entitled to 105 inches of water, miners measurement, and that subsequent thereto and next in time the plaintiffs should be entitled to whatever water was appropriated by them; that of the 35 inches of water, miners measurement, belonging to the plaintiffs and defendants, that Lloyd Henderson, plaintiff should be entitled to the use of 30 inches thereof, and the defendant, Lloyd Henderson, to 5 inches thereof; that said 5 inches should be used upon the following described property. to-wit: Beginning at a point in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 28, Twp. 1 S. R. 32 E. W. M., which point is South 51 degrees East 1372 feet distant from the NW $\frac{1}{4}$  of Section 28, Twp. 1 S. R. 32 E. W. M., and from said point running thence south 200 feet; thence at right angles East a distance of about 400 feet, more or less, to the west bank of the main channel of East Birch Creek, and also running north from said beginning point which is South 51 degrees, East 1372 feet distant from the NW corner of said Section 28, 344.51 feet; thence at right angles 400 feet, more or less, to the west bank of the main channel of East Birch Creek, thence following up the west bank of said main channel of East Birch Creek to the line first herein described as running East to said West bank of said main channel. The water master in the distribution of water shall be bound by said decree, and shall distribute the water in accordance therewith; that none of the water coming from springs rising upon any of the land shall be affected by said decree, but shall be used upon the land<sup>upon</sup> which it arises if the parties so desire.

18.

Lillian A. Spicer, filed a statement and proof of claim; from said statement and proof it appeared that all of the land which she claims as irrigated is naturally sub-irrigated from McKay Creek. That it is low bottom ground, and that the claimant has never diverted any water through ditches, relying upon the low surface of the land for sub-irrigation. That the claimant has not appropriated any water from McKay Creek. That the claimant has not described any of the lands in her claim upon which the water is used; that said claimant is not entitled to have any rights tabulated herein, not to divert water through any ditches for the irrigation of any land.

19.

Jessie S. Vert filed a statement and proof of claim for riparian rights upon Meacham Creek and Wild Horse Creek. The place of use of such riparian rights shall be as tabulated herein, and shall be limited to stock water and domestic use.

20.

That the Umatilla River and its tributaries form a perennial stream with well defined bed and banks, wholly within the Counties of Umatilla and Morrow, but principally within the County of Umatilla, State of Oregon, having its source near the Eastern boundary of Umatilla County, in the Blue Mountains, and flowing in a westerly and northwesterly direction, and empties its water into the Columbia River. That the flow of this stream and its tributaries is torrential in its nature, flowing large quantities in the spring time when the winter snows are melting, and <sup>almost</sup> the main stream going dry in the dry part of the summer, and most of the tributaries do go dry.

That upon the tributaries it is necessary therefore to use the water for irrigation during the flood time, or the irrigators will not be able to divert any water whatever. That along the main stream the supply of water during the dry part of the summer is so short that a great many of the irrigators must divert water for irrigation during the flood time, or not be able to divert any water whatever. That the spring freshets beginning at different times each year, depending upon the time of the break of winter, and its quantity and duration is dependent upon the extent of the snowfall, the time when and the degree of temperature prevailing while the winter

snows are melting; that ordinarily, winter begins to break up about the first of February of each year. That it is customary among the irrigators to use the water from the various streams at any time of the year they can get it; that various irrigators irrigate their lands during the fall and winter, thereby storing sufficient water in their lands to carry them over the dry part of the summer season.

21.

That the soil of the water shed of the Umatilla River varies, in places there is a heavy sandy loam, other places a light sandy loam, others gravelly loam, others sage brush and desert land, other places a black loam, and in others a volcanic ash. That the annual rainfall in said watershed varies, and the necessity for irrigation varies according to that rainfall; that in general irrigation is necessary in order to produce crops; that that part of the Umatilla Watershed lying east and above the Furnish Reservoir has a greater rainfall than that part lying west of, and below said reservoir; that said part above said reservoir shall be called, and known in these Findings, as the Upper River, and that part below said reservoir shall be known as, and called, in these Findings, the Lower River. That along the tributaries the amount of water necessary to irrigate an acre of land varies according to the rainfall, and the kind and quality of the land; that gravelly places along the river require more water to irrigate than a loam soil.

22.

In no case, where water is stored, shall there be diverted from the stream more than the number of acre feet of water as represented by the number of acres to be irrigated with such stored water, multiplied by the number of acre feet that is sufficient for the irrigation of one acre, as found in these Findings, and the diversion for storage shall be the number of second feet appropriated for that purpose, diverted at any time there is water, according to the date of priority.

23.

In order to successfully irrigate a piece of ground, it is necessary to have a sufficient head of water; the flow of one-eighth of a second foot of water for the period of 120 days would approximately supply three acre feet of water. That a head of water of one-eighth of a second foot is inadequate for the purpose of irrigating an acre of land. That in order to irrigate any land, it is not necessary to keep a continuous flow of water upon each and every acre of said land. That it is necessary to irrigate an acre of land once in about every three weeks during the growing season. That the intermittent use of water upon an acre of ground makes it possible for the arrangement of satisfactory systems of rotation, so that the head of water necessary for the irrigation of an acre of land can be increased. That the head of water required to irrigate any land varies according to the season, rainfall, the heat, soil, crops, and humidity.

24.

That all claimants herein to water for irrigation shall be entitled to use such water for stock and domestic purposes; that the right of use for stock and domestic purposes is hereby confirmed and entitled the owner of such right to divert and use such a quantity of water as is reasonably necessary for his household and stock use, and for stock use, the amount so diverted and used shall not exceed the rate of one-fortieth of one cubic foot per second for each one thousand (1000) head of stock, and the quantity diverted for irrigation purposes during the irrigation season shall include when it is so diverted, such an amount as may be reasonably necessary for said stock and domestic purposes, and the right to divert and use the waters of said stream and its tributaries, for stock and domestic purposes continues throughout the year.

25.

That in all cases where any person, firm or corporation has a right under this decree to supply and deliver water to others and charge for the same, or may hereafter acquire such right, it is the duty of such person, firm or corporation to supply water to any and all persons applying for water who can use water along the line of the work belonging to such person, firm or corporation, or who can be reasonably supplied with water from said works under reasonable and uniform contracts and for reasonable and uniform charges up to the limit of the capacity of said works, so long as said person so taking water complies or is ready and able to comply with the terms of such

contract. Such contract may provide for any reasonable and uniform method of pro rata distribution of water, and such person, firm or corporation may make such reasonable and uniform rules and regulations as may be necessary to facilitate such distribution. In case such contract does not provide for such distribution of water, then such water shall be supplied to the water users in the order of, and according to the date of priority of use upon the land, or at the place upon which such water is to be used, and subject to rotation as in this decree generally provided; Provided, that no contract shall be made to deliver water to lands or places not theretofore supplied, to such an extent as to deprive any land or place of water which has been previously supplied, and provided further, that no contract shall be made to deliver water for irrigation or power unless the land or place where said water is to be used be entitled to such use under a right granted by this decree, by a Permit of the State Engineer, or by a water right certificate. All contracts for the use of water giving any preference other than as herein stated, are against the public policy and laws of the State of Oregon, and void.

26.

In all cases in this decree wherein the right to use water out of more than one stream for the same land is confirmed, the amount of water herein determined for said rights may be used out of either or both of said streams, so long as the amount of water taken does not exceed the volume named in this decree, and each stream may be used to supplement the other in furnishing said amount of water.

27.

That a right to store water is a separate and distinct right from the right to use such water for irrigation, and a water right for irrigation does not give the water user entitled thereto, the right to store such water. In all cases in these findings wherein a water user has both the right to store water and also the right to use such water for irrigation, he shall have the right to divert such water from the stream, according to the respective priority dates of such rights, and said right to store water may be used to supplement the diversion for irrigation, that is, when the water in said stream becomes so scarce that his right to the diversion of water for such irrigation right is cut off, then he shall have the right to use the water so stored by him for the purpose of supplementing the right of irrigation, and of increasing the length of the irrigation season upon the lands for which he has such irrigation right.

28.

That in all cases where water is stored by any claimant, said water shall be taken at any season of the year for said storage according to the dates of relative priority, and in case the owner of any reservoir desires to use the bed of any of the streams for the purpose of carrying such stored water from the reservoir to the consumer thereof, said owner of such reservoir shall install such headgates and measuring devices as the Superintendent of the Division, or the water master of the district in which the water is situated and used shall order. Said stored water may be used at any time during the year that the owner thereof may desire. Whenever said owner of such reservoir desires to use such stored water, he shall notify the water master of the district in which the stored water is to be used, giving the date when it is proposed to discharge water from such reservoir, its volume, and the names of all persons and ditches entitled to its use. Said water master shall then determine the percentage of loss by seepage, evaporation or other causes, between the place of discharge from the reservoir into the stream, and the place of diversion from the stream, and shall close or so adjust the headgates of all ditches from the stream as will enable those having such right to secure the volume discharged from the reservoir, less the determined loss. That in all cases where reservoirs are built so as to include within their boundaries, the bed of any stream, the waters of which are herein adjudicated and determined, the owner, manager, or lessee of such reservoir shall install in the stream above and below said reservoir, such measuring devices as the Superintendent of the Division or the Water Master of the District in which said reservoir is situated may order; the plans for the construction of said measuring devices shall be approved by the State Engineer. The said water master shall measure all water of such stream running into said reservoir and shall discharge from said reservoir sufficient water (not exceeding the volume of water running into said reservoir) to supply such prior rights as may be entitled to use said water; such discharge of water shall only be necessary during the time or season in which such prior rights are entitled to use the same. The water master shall keep a true and just account of the time spent by him

in the discharge of his duties as defined in this finding, and shall file the same with the County Court, sitting for the transaction of county business. Said County Court shall present a bill of one-half the expenses so incurred to the reservoir owner, manager, or lessee, and if such owner, manager or lessee shall neglect for thirty days after the presentation of such bill of costs to pay the same, the said costs shall be made a charge upon said reservoir, and shall be collected as delinquent taxes until the complete payment of such bill of costs has been made, and the rights of appropriation herein confirmed confer no rights to the diversion and use of waters which have been lawfully impounded in reservoirs and other storage works which have been, or may hereafter be constructed in accordance with law, when the same are discharged into the natural channel of said stream, or any tributary thereof, in a lawful manner by those having a lawful right to do so, but the said rights of appropriation herein confirmed are limited and confined to the waters flowing naturally in the natural channel of said stream and its tributaries.

29.

That the rights of appropriation hereby confirmed are appurtenant to the lands herein described for irrigation purposes, and the rights of use of the water of said stream and its tributaries by virtue of such rights of appropriation, are limited and confirmed to the irrigation of the lands herein described to the extent of said lands as herein set forth, and the priorities herein confirmed confer no right of use of the waters of said stream, and its tributaries, on the lands other than those specified tracts to which such right of appropriation are herein set forth as appurtenant, and each and every person shall be and hereby is prohibited, restrained and enjoined from diverting and using water from said stream on such other lands without lawful permit from the State Engineer.

30.

That the order of the rights of the respective appropriators of the waters of said stream and its tributaries, and in which order they are entitled to divert and use the said water shall be and is according to the date of the relative priority of the right as herein set forth and determined, and the first in order of time according to the date of relative priority shall be and is the first in order of right, and so on, down to the date of 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 beneficial use in connection with the irrigation of their respective lands, or other useful and beneficial purposes for which they are decreed a right of use, at all times and against those having subsequent rights, without let or hinderance, and whenever the water is not required by the appropriator having a prior right to its use for the purpose for which said water was appropriated, he must and shall permit it to flow down in 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 such water and to divert the same to the extent of their rights or appropriations, according to the order of their priority rights; and at all times the waters diverted shall be beneficially, economically and reasonably used without waste by those having a right to do so by reason of the priority of their rights, and no rights of appropriation are hereby confirmed to divert a greater quantity of water into the head of the ditch or ditches of the appropriator having a valid right to divert water than such appropriator can beneficially use for the purposes to which the water is to be put, and in no event shall the quantity of water diverted exceed the quantity herein as the quantity to which such appropriator is entitled, as the same is necessary for the proper and beneficial irrigation of his lands and has been actually put to a beneficial use.

31.

The United States of America, by its attorney in open session, waived any priorities based upon failure or adverse use, as made under the state laws by the government or its predecessors in interest that the United States may have as to all of the contestees upon Birch and McKay Creeks, and that part of the Umatilla River and its tributaries lying east of and above the City of Pendleton, who have acquired rights that have been initiated prior to February 24th, 1909. This waiver shall be construed in connection with the tabulation of water rights herein set forth so as to give it full effect and force, but said waiver shall not be enforced at any time so as to infringe upon any of the water rights to which said waiver does not appertain. (Vol. 31, p. 552.)

That the amount of water to be used for the irrigation of the lands in the tabulation herein described is limited to a continuous flow of not to exceed one-fortieth (1/40th) of a second foot for each acre of land, during the months of April and May, and not to exceed one-eightieth (1/80th) of a second foot for each acre of land during any month of the year. That to get a sufficient head of water, the water master of the district in which such water is situated shall arrange such a system or systems of rotation as may be best applicable to either, first, by giving a greater amount of water for an appropriator for a proportionately less time, provided that the giving of such greater amount does not infringe upon any of the rights confirmed by this decree, and provided further, that the amount of water taken by an appropriator does not exceed the number of acre feet as found in these findings to be necessary for the irrigation of the land during the irrigation season; second, or in the absence of an agreement between such appropriators arranging for such rotation, and the manner in which such water shall be used in such rotation, the water master of the district in which such stream and its tributaries is situated shall arrange such appropriators in groups or systems of rotation, first giving to the appropriator in such group a quantity of water equal to the combined appropriations, as the appropriators in said group or system for a length of time bearing the same ratio to the whole time required to make the complete rotation through the whole group of appropriators bears to the combined appropriation of said group, and shall next serve another appropriator with a like quantity of water for his proportionate time, and so on, until all the appropriators in said group or system are served, then the distribution of water shall be repeated in the same manner throughout the irrigation season.

The determination as to who shall be first served in said group or system of appropriators shall be left to the judgment of the water master.

Third, or, where two or more appropriators agree as between themselves as to the manner of said rotation in the use of water, said water master shall distribute the water in accordance with such agreement, provided always, that such arrangements into groups or systems of rotation shall not interfere with the prior rights of any appropriator, not a member of such group or system, and provided further, that such agreement shall be in writing, and filed by said appropriators with the water master.

That in all instances where water is stored, the water is run into the reservoirs during the high water time of the season, and stored until needed for use during the dry part of the summer season; that where storage is available, irrigators ordinarily use water during the growing season for their crops, provided their storage is sufficient to supply them with water for this growing season. The irrigation season ordinarily is between the 1st day of March and the 1st day of November of each year. In all cases where storage is not used and the water right of the irrigator is of a sufficiently early date, and the flow of water in the stream sufficient to supply such irrigator with water during the growing season, the irrigation season for such irrigators is from the 15th day of September of each year; in all other cases the irrigation season for each irrigator is, any time of the year that there is or may be a supply of water sufficient for such irrigator to carry on his irrigation, providing that during the months of November, December, January and February, all storage rights shall have priority over all irrigation rights. That upon all the tributaries of the Umatilla River there shall be no limit as to the irrigation season, and the irrigators shall have the right to use the water at any time of the year it can be secured.

That along the tributaries of the Upper River the irrigation of the land is generally carried on upon the bottom lands adjoining the streams, and very little irrigation is carried on upon the hills and uplands. That the lands along and adjoining such tributaries are gravelly, and require more water per acre to irrigate than the uplands would require. That the irrigation along the Main Stream of the Upper River is generally confined to the bottom lands adjoining the stream, and not to the uplands. That the bottom lands of the Upper River, west and below the City of Pendleton, require more water for irrigation than does the bottom land along the Main Stream, east of and above said City of Pendleton, on account of the difference in rainfall. That the bottom lands of the Upper River, west of and below the City of Pendleton, require about the same amount of water for irrigation as do the tributaries of said Upper River. That four and one-half acre feet of water per acre per year is sufficient water for the irrigation of the bottom lands along the tributaries of said Umatilla River, and also along the bottom lands of said Upper River, west of and below the City of Pendleton.

That three acre feet of water per acre per year is a sufficient amount of water for the irrigation of the bottom lands of said Upper River, east of and above the City of Pendleton, and for the irrigation of the uplands of said Upper River, That the lands of the Lower River shall be divided into the following classes: 1st, the lands along the tributaries; 2nd the bottom or meadow lands of the Umatilla River; 3rd, the raw sage brush lands of the uplands, and 4th, such uplands as have been reduced to cultivation and irrigation, and subdued from its wild state.

That along the tributaries of the Lower River the same duty of water shall prevail as along the tributaries of the Upper River. That the meadow and bottom land of said Lower River is easily watered, and in a great many cases, needs drainage, but that such need of drainage does not obviate the necessity of irrigation. That the rainfall of the Lower River is such that all the land needs irrigation to a large extent. That three acre feet of water per acre per year is a sufficient amount of water for the irrigation of such meadow and bottom lands of said Lower River. That along said Lower River there are a number of large irrigation projects partially developed. That it is the experience of the irrigators upon said project, that in order to reduce the raw lands upon said projects to a state of cultivation and irrigation, it is necessary to use a large amount of water upon said lands during the process of such reduction.

That after irrigation of a tract of land for a number of years, the amount of water necessary for the irrigation of such land materially decreases. That during the reduction of said lands from a raw state into a state of cultivation, four and one-half acre feet of water per acre per year is a sufficient amount of water for the irrigation thereof. That after said land has been reduced to a state of cultivation and irrigation, three acre feet of water per acre per year is a sufficient amount of water for the irrigation thereof.

That the specification of a definite amount of water per acre, in the foregoing Finding, for certain classes of land, shall not be taken as granting that specific amount of water to any water user, but shall only be taken as a rule and guide for the water master in distributing a maximum amount of water to any water user, and it shall be in the discretion of such water master to cut down the amount of water given for any particular acreage of land and turn the water to other land, at any time that such land becomes fully irrigated upon a less amount of water, and the water master shall have the right in his discretion, to cut off the supply of water to any land at any time in the distribution of water, when the date of priority of such land is such that as the water becomes short and scarce, there would not be sufficient water to deliver any to such land.

33.

That the name and address of each appropriator of water from said Umatilla River and its tributaries, arranged in alphabetical form, together with the date of relative priority of such appropriations, the amount of such appropriation, per cubic foot per second of time, according to the lowest limited continuous flow, the number of acres to which such appropriation is applied to which such water is appurtenant, the use or uses for which such water was appropriated and is now applied, and to which such use is limited, the name of the ditch or ditches through which such appropriation is diverted, the name of the stream or streams for which such appropriation is diverted, and the description of the land in the smallest legal subdivision in which such water right is appurtenant, arranged in alphabetical order, and set opposite, the name and post office address of each appropriator, are as follows, to-wit:

Adams, Geo. E. McKay, Ore. (Finding #9, Contest #136.)	1895 1905	.05 .15	4 12	Irrigation	Adams	McKay & Rail	11 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 29, Tp. 1 S. R. 34 E., W.M.
A-le-te-la, by William Caldwell, Pendleton, Ore.  (Finding #9 Contest #237)	May 23 1895	.3	24	Irrigation	Rigby	Main	24 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2, Tp. 2 N., R. 33 E. W. Wm.
Allen Ditch Co., by Jos. Cunha, Pres. Echo, Ore.  (Finding #9 Contests 16, 197)	1870	11.78	942	Irrigation Stock	Allen	Main	(See description of individual land hold- ers following)
Andrews, Fred, Echo, Ore.  (Finding #9 Contests 16, 212, 197)	1870	2.3	184	Irrigation	Allen	Main	40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 8: 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 17 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 17 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, Tp. 3 N. R. 29 E. W.M.
Teel, O. D. Echo, Ore.  (Finding #9 Contests 16, 197, 33 )	1870	2.56	205 (Vol.24, p.25)	Irrigation	Allen	Main	30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 31 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 24 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17, Tp. 3 N. R. 29 E. W. M.
Teel, Elvira, Echo, Ore.  (Finding #9 Contests #16, 197, 153.)	1870	2.13	170	Irrigation	Allen	Main	10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17; 160 acres in SW $\frac{1}{4}$ ; Sec. 7, Tp. 3 N. R. 29 E. W. M.
Spike, Mildred Echo, Ore.  (Finding #9 Contests 16, 197, 89.)	1870	.8	63	Irrigation	Allen	Main	1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 24 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 26 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 12 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 16, Tp. 3 N. R. 29 E, W. M. (Vol.24, p. 25 Engineer's Maps. Vol. 34, p. 366)
Cunha, Jos Echo, Ore. (Finding #9, Contests #16, 197, 116.)	1870	2.11	169	Irrigation	Allen	Main	18 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 8: 16 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 28 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 16; 25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17, Tp.3 N.R.29 E. (Vol.24,p.25) W.M.

Higgenbotham, Geo. Echo, Ore.  (Finding #9 Contests #16, 197, 49.)	1870	1.89	151	Irrigation	Allen	Main	15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 38 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ . Sec. 17: 38 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 18, Tp. 3 N. R. 29 E. W.M. (Eng. Maps. Vol. 34, p. 376-384)
Ashworth, Jos. C. by W. Orchard Hays, Nolin, Ore.	1906	.2	15	Irrigation	Slusher	Main	6 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 7 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5. 1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 8, Tp. 2 N. R. 30 E, W. M.
Bain, John Pendleton, Ore.  (Finding #9 Contest #70.)	1879	.07	5	Irrigation	Pump	Spring	5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 28, Tp. 1 N. R. 32, E. W. M.
Baker, M. T. Pilot Rock, Ore.  (Finding #9 Contest #61.)	1870 1907	.17 .07	13 5 $\frac{1}{2}$	Irrigation Domestic		East Birch & Spring NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, T. 1 S. 32 E.	2 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 33, Tp. 1 S. R. 32 E. W. M.  (Vol. 1, p. 252.)
Beitel Ditch Co., by D. C. Brownell, Pres., Umatilla Ore.  (Finding #9 Contests #6, 26.)	Dec. 1, 1898	.70	56	Irrigation Domestic	Beitel	Main	5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 25 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 26 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 4, Tp. 4 N. R. 28 E. W.M.  (Vol. 1. p. 157, 177)
Belts, Douglas Pendleton, Ore. (Finding #9 Contest #67)	1878 1890	.26 .06	21 5	Irrigation Irrigation		East Birch  West Birch	1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 11, Tp. 2 S. R. 32 E. W.M. 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17. Tp. 1 S. R. 32 E. W.M.
Bott, J.K. 211 Lincoln St., Pendleton, Ore. (Present owner, J. S. Rogers)  (Finding #9 Contest #121)	1905	.84	67 $\frac{1}{2}$	Irrigation		Main	7 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, Tp. 2 N. R. 32 E. W.M.



Bowman, Rolla E. Bowman, Roy D. Bowman, Chas. C. & Hattie M. Hamblen, Midvale, Idaho.  (Finding #9 Contest #122)	1860	.28	22.6	Irrigation	Parker	Main	1.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; .8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 17, Tp. 5 N. R. 28 E.W.M. (Vol. 1, p.235,237)
Bowman, D. W. Echo, Ore  (Finding #9, Contest #84.)	1896 (Vol. 1, p.174)	.73	58.70	Irrigation		Main	16.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 33.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 1.35 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7.05 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 8, Tp. 3 N. R. 29 E. W.M.
Bowman, O. P. 215 W. Court St. Pendleton, Ore.	1900	.48	39	Irrigation		Dry Tutuilla	9 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36; 7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 35; 4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 26; 6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 27, Tp. 2 N.R. 32 E. W. M.
Boylen, Herbert. Pilot Rock, Ore.  (Finding #9 Contest #74.)	1887	.69	55.5	Irrigation	Boylen Ditch	West Birch Bridge Creek	13 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11; 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 12; 9 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 1, Tp. 2 S. R. 31 E. W. M.
Brown, Nicholas. Pendleton, Ore.  (Finding #9 Contest #64)	1895	.07	5	Irrigation Stock	Brown	Spring	1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 1, Tp. 1 N. R. 31 E. W. M.
Brown, Ben F. Duncan, Ore.  (Finding #9 Contest #173.)	1904	.02	1	Irrigation Stock		Meacham and McKay	1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 30, Tp. 2 N. R. 36 E. W. M.
Brown, Jas. R. (Present owner, Peter baker, Pilot Rock, Ore.)  (Finding #9 Contest # 182)	1895	.10	8	Irrigation		McKay	8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 1, Tp. 1 S. R. 32 E. W. M.

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Bush, Geo. W. Pendleton, Ore. (Present owner, J. A. Guderian)  (Finding #9 & 13 Contest #58.)	1889	.44	35 $\frac{1}{2}$	Irrigation	Guderian Stamper	Birch Creek	11 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 18 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 22; 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; $\frac{1}{2}$ acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 15. Tp. 1 N. R. 32 E. W. M.
Byers, Sophie Pendleton, Ore.  (Finding #9 Contests #234 242, 186	1895  1870	.36  167.0	29.4	Irrigation  Milling	  Byers Mill Race	Main  Main	17.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 12, Tp. 2 N. R. 32 E. W. M. Flouring mill in the City of Pendleton, County of Umatilla, State of Oregon.
Byrd, F. T., for Byrd Brothers, Pilot Rock, Ore.  (Finding #9 Contest #134.)	1877  1903 (Vol. 31 p.328)	.50  .99	40.  79.5	Irrigation  Irrigation	Whitmore	Birch	10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 14 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14, Tp. 2 S. R. 31 E. W. M. 35 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 39 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 13, Tp. 2 S. R. 31 E. W. M.
Cable, Truman, Pilot Rock, Ore.  (Finding #9 Contest #68.)	1892	.36	29	Irrigation		West Birch	13 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 12; 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 11, Tp. 2 S. R. 31 E. W. M.
Caldwell, Wm. Pendleton, Ore., for Cayuse #339.  (Finding #9 Contest #241.)	1895	.17	13.6	Irrigation	Rigby	Main	13.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2, Tp. 2 N. R. 33 E. W. M.
Card, Wm. P. Pendleton, Ore. (Transferred to Earl Gilllanders & Henry Kopitke)  (Finding #9 Contest #190.)	1895	1.20	99	Irrigation	Card	McKay	31 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 18 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 23. T. 1 N. R. 32 E. W. M.

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Carney, E. F. McKay, Ore. (Finding #9 Contest #210)	1891	.17	14	Sub-Irrig.		So. Fk. McKay	10 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 30, Tp. 1 S. R. 34 E. W. M. (See Eng. Maps.)
Carpenter, Lucinda (Transferred to State of Oregon)  (Findings #9 )	1896	.12	10	Irrigation	Carpenter	Main	10 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ ; Sec. 9, Tp. 2 N. R. 32 E. W. M. (Lot "A", Utopian Gardens.)
Cheney, T. J. Pendleton, Ore.  (Findings #9 Contest #181 $\frac{1}{2}$ )	1880	.75	60	Irrigation	Fanning	McKay	15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 8; 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec 9. Tp. 2 N. R. 32 E. W. M.
Cline, John C. Pilot Rock, Ore.  (Findings #9, Contest #137)	1908	.10	8	Irrigation	Fletcher Fiedler	West Birch & Coyote Gulch	8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 4, Tp. 3 S., R. 32 E. W. M.
Corea, Frank Echo, Ore.  (Finding #9 Contest #120)	1907			Pumping plant		Main	(For description of land, see Pioneer Irrigation Company)
Crayne-Lisle Irrigation Company, by S. I. Lisle, Pres., Echo, Ore. (Finding #9 Contest #50)	Mar. 27, 1904	2.82	226	Irrigation Stock	Crayne- Lisle	Main	(See description of land of individual landholders following.)
Lisle, S. I. Portland, Ore. (Finding #9 Contests #50 and 231)	Mar. 7, 1904	1.46	117	Irrigation Stock	Crayne-Lisle	Main	18 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 27; 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 29 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 26, Tp. 3 N., R. 29 E. W. M.
Roberts, Chris, (Trans. to J.E.Krone Echo, Ore)  (Finding #9 Contest #50 and 208)	Mar. 7, 1904	.17	14	Irrigation Stock	Crayne-Lisle	Main	12 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 36, Tp. 3 N. R. 29 E. W. M.

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Sloan, Claude Echo, Ore. (Findings #9 Contests #50 and 99)	Mar. 7, 1904	.78	63	Irrigation Stock	Crayne-Lisle	Main	21 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 35; 13 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 36; 6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 26, Tp. 3 N. R. 29 E. W. M.
Young, John H. Echo, Ore. (Finding #9 Contests #50 and 101)	Mar. 7, 1904	.40	32	Irrigation Stock	Crayne-Lisle	Main	2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 11 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 26, Tp. 3 N. R. 29 E. W. M.
Crow, John W. (Transferred to W.N. Wright, Pilot Rock, Ore.) (Finding #9 Contests #50 and 131)				Stock and domestic		McKay	Place of use, NW $\frac{1}{4}$ of Sec. 7; Tp. 1 S. R. 34 E. W. M.
Cunha, Jos. Echo, Ore.  (Finding #9 Contest #196)	July 1, 1884	2.07	166	Irrigation	Taylor	Main	23 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21; 19 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22; 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28; 19 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 31 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 38 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 16 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec 27, Tp. 3 N. R. 29 E. W. M. (Engineer's maps)
Cunningham Sheep & Land Company, by J.N.Burgess, Pres. Pilot Rock, Ore.  (Finding #9 Contests #203 and 205)	1885  1880 1901	.07  .61  .02 .11	6  49  2 10	Irrigation Stock  Irrigation		W. Fork Birch Creek  Spring Hollow Creek	15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 29, Tp. 1 S. R. 31 E. W. M. 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 30, Tp. 1 S. R. 32 E. W. M. 7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 6, Tp. 2 S. R. 32 E. W. M.
Daniel, Wm. P. Pendleton, Ore.  (Finding #9 Contest #188)	1904	.16	13	Irrigation	Water Wheel & Ditch	Main	6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 8, Tp. 2 N. R. 32 E. W. M.

Davis, Hattie J. Pendleton, Ore. (Transferred to T. B. Swearingen)	1906	.06	5	Irrigation	Isabelle Strout	McKay	8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 13 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 26, Tp. 1 N. R. 32 E. W. M.
(Finding #9. Contest #178.)							
Despain, A. M. Pendleton, Ore.	1894	.31	25	Irrigation	E. B. C. Bros., K-De-S U- & Hummel	McKay	28 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 21, Tp. 2 N. R. 32 E. W. M.
(Findings #11, 16 and 9)	1894 1907	.27 .66	22 53		Ditches		
Dick, Robert Pilot Rock, Ore.	1889	.30	24	Irrigation Domestic and Stock	Al Horn & Davis	East Birch	8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 12, Tp. 2 S.R. 32 E. W. M. 9 acres in Lot 16, 7 acres in Lot 17, Sec. 7, Tp. 2 S. R. 33 E. W. M.
(Finding #9 Contest #69.)							
Doherty, B. P. Pendleton, Ore.	Mar. 1908	.19	15	Irrigation	Doherty	Tutuwillow	15 acres in Lot 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 9, Tp. 2 N. R. 32 E. W. M.
(Finding #9 Contests #201 and 202)	1893	.13	10	Irrigation	Wheel	Springs	10 acres in Lot 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 9, Tp. 2 N. R. 32 E. W. M.
Donnelly, Frank by Wm. Daughtrey Agt., Portland, Ore. [Jos Cunha, Successor in interest)	May 1881	35.0		Power	Koontz	Main	(See Vol. 1, p, 183,184) Henrietta Mills, near the town of Echo, Oregon.
(Finding #9 Contests #14, 15, 16, 30, 222)	1906	32.0					
Dunn, Geo. L. (Trans. to Geo. Adams, Pendleton, Ore.)	1893	.06	5	Irrigation	Private	McKay	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 19, Tp. 1 S. R. 34 E. W. M.
(Finding #9 Contest #183.)							
Edwards, M. G. Pilot Rock, Ore.	1880	.73	58	Irrigation Domestic	Edwards	Owings	8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 20; 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 29; 6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, T. 2 S.R. 31 E. W. M.
(Finding #9 Contest #78.)							

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Eldridge, Levi Pilot Rock, Ore.	1891	.69	55	Irrigation	Isabelle	McKay	20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
(Finding #9 Contest #198)	1894	.09	7	Irrigation	Eldridge #2	McKay	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 35, Tp. 1 N. R. 32 E. W. M.
Ely, Wm. L. Pendleton, Ore.	Jan. 1903	.53	42	Irrigation	Ely	McKay	5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 14, Tp. 1 N. R. 32 E. W. M.
(Finding #9 Contest #176.)							
Evans, Wm. H. Pilot Rock, Ore.	Dec. 5 1905	.45	36	Irrigation Domestic and stock	Evans	East Birch	26 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20, Tp. 1 S. R. 32 E. W. M.
(Finding #9 Contest #76)							
Fee, Jas. A. Pendleton, Ore.	1903	1.04	80	Irrigation stock and domestic	Fee	Wild Horse	7 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 1 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22: 1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 11 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 14 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21: 5 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 19 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 28, T. 3 N.R. 33 E. W. M.
(Finding #9 Contest #65)							
Fiedler, Geo. Pilot Rock, Ore.	May 1898	.05	4	Irrigation	Fiedler Warner	West Birch	4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 9, Tp. 3 S. R. 32 E. W. M.
(Finding #9 Contest #233)	May 1908	.12	9	Irrigation	Fiedler	West Birch	9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 9, Tp. 3 S. R. 32 E. W. M.
Fiedler, Andrew Pilot Rock, Ore.	Apr. 1898	.10	8	Irrigation	Fletcher Fiedler	West Birch	8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 5, Tp. 3 S. R. 32 E. W. M.
(Finding #9 Contest #72.)							
Fix, B. H. Pendleton, Ore.	1903	.08	6	Irrigation Stock	Fix	Alkali Canyon	6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 8, Tp. 1 N. R. 30 E. W. M.
(Finding #9 Contest #128)							

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	NO. ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM	DESCRIPTION OF LAND OR PLACE OF USE
Fletcher, P. E. Pilot Rock, Ore.  (Finding #9 Contest #59)	Nov. 1895	.25	19 $\frac{1}{2}$	Irrigation	Olcott	West Birch	1 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 1 $\frac{1}{2}$ acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 1 $\frac{1}{2}$ acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 4, Tp. 3 S. R. 32 E. W. M.
Forth, John Pendleton, Ore.  (Finding #9 Contest #60)	May 1909	.03	2	Irrigation Domestic		Birch	2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14, Tp. 2 N. R. 32 E. W. M.
Frazier, Frank Pendleton, Ore.  (Finding #9 Contest #83.)	1894	.25	20	Irrigation Domestic and stock		Tutuwillow	12 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 14, Tp. 2 N. R. 32 E. W. M.
Furnish, W. J. Portland, Ore.  (Finding #9 Contest #134)	1906	.06	5	Irrigation	Private	Main	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 13, Tp. 3 N. R. 36 E. W. M.
Gibson, Thos. S. Pilot Rock, Ore.  (Finding #9 Contest #55 )	1875	.27	22	Irrigation	Gordon- Edans	East Birch	6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 17; 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 18, Tp. 2 S. R. 33 E. W. M.
Gienger, Fred Pilot Rock, Ore.  (Finding #9 Contest #62)	Feb. 20 1890	.75	60	Irrigation Domestic	Gienger	Birch & Spring	29 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 33; 16 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 14 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 34, Tp. 1 N.R. 32 E. W.M.
Gilbert H. H. (Trans. to G. W. Bush, Pilot Rock, Ore.)  (Finding #15 and 9, Contest #57)	1870  1905	.15  .70	12  56	Irrigation Stock	Hemphill-  Gilbert & Hemphill	Birch  Birch	20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 11 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 4, Tp; 1 N. R. 32 E. W. M.

(See map with claim and  
Vol. 31, p. 448)

Gilliam, Grace A. Pilot Rock, Ore.  (Finding #9 Contest #71 )	1875	.39	31	Irrigation Domestic	Gilliam Knotts	East Birch	5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 4, Tp. 2 S. R. 32 E. W. M.
Gilliland, Thos. Pilot Rock, Ore.  (Finding #9)	1879	.46	37	Irrigation		Birch	8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14, T. 1 S.R. 32 E. W.M.
Gritman, F. H. Pendleton, Ore.  (Finding #9 Contest #115 )	Mar. 28 1908  Vol. 34. p. 235.	.75	60	Irrigation		Main	15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 8: 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 9, Tp. 2 N.R. 32 E. W.M. (Vol. 34, p. 228-238)
Guderian, J. A. Pendleton, Ore.  (Findings #13 & 9, Contest #56 )	1873  1889  1900	.31  .31  1.22	25  25  98	Irrigation Domestic Stock	Guderian  Stamper	Birch	1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 12 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; $\frac{1}{2}$ acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 37 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 15; 18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; $\frac{1}{2}$ acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 10; 18 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 22, Tp. 1 N. R. 32 E.W.M.
Gulliford, C. J. Echo, Ore.  (Finding #9 Contest #118 )	1883	.46	37	Irrigation	Henrietta Mill Race	Main	22 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16, Tp. 3 N. R. 29 E.W.M.  (Vol. 1, p. 252 )
Hanna, Geo. W. Pendleton, Ore.	Aug. 4, 1906	.05	4	Irrigation Domestic and stock	Well	near Main	2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 1, Tp. 2 N. R. 32 E. W. M.
Harrison, W. T. (For Ward Smith) Pendleton, Ore.	1870	.09	7	Irrigation		Stewart	4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 3, Tp. 1 S. R. 32 E. W. M.
Harrison, Olive Pilot Rock, Ore.  (Finding #9 Contest # 177)	1892	.05	4	Irrigation Domestic and stock.		Little McKay	4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11 Tp. 1 S. R. 32 E. W. M.



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Hascall Bros., (By J. N. Hascall) Pilot Rock, Ore.	Mar. 15 1907	2 2/3		Power 50 H.P.	Hascall Bros.	Birch	Place of use in Sec. 16, T. 3 S. R. 32 E.W.M.
Hascall, C. D. Pilot Rock, Ore.	Mar. 1, 1885	.32	25 1/2	Irrigation	Hascall	Birch	17 acres in NW 1/4 NW 1/4; 8 acres in SW 1/4 NW 1/4; 1/2 acre in SE 1/4 NW 1/4; Sec. 19, Tp. 2 S.R. 32 E.W.M.
Hascall, Fred W. Pilot Rock, Ore.	Mar. 1, 1885	.17	13 1/2	Irrigation		Birch	5 1/2 acres in SW 1/4 SW 1/4; Sec. 18: 4 acres in SW 1/4 NW 1/4; 4 acres in SE 1/4 NW 1/4; Sec. 19; Tp. 2 S.R. 32 E.W.M.
Hascall, A. E. Pilot Rock, Ore.	1886	.20	16	Irrigation		Birch	4 1/2 acres in SW 1/4 NE 1/4; 1 1/2 acres in NE 1/4 SE 1/4; 5 acres in SE 1/4 SE 1/4; 5 acres in NW 1/4 SE 1/4; Sec. 13, Tp. 2 S. R.31 E.W.M.
Hemphill, Elizabeth, Pilot Rock, Ore.  (Finding #12 & 9 Contest #126 )	1870	.73	58	Irrigation Domestic and stock	Hemphill	Birch	5 acres in NE 1/4 NW 1/4; 35 acres in NW 1/4 NW 1/4; 15 acres in SW 1/4 NW 1/4; 3 acres in SE 1/4 NW 1/4; Sec. 3, Tp. 1 S.R. 32 E.W.M. (See map with claim )
Hemphill, Jas. M. Pilot Rock, Ore.  (Findings #12, 9, Contest #73 )	1904	.78	62	Irrigation Domestic and stock	Jensen Jacques Hemphill	Birch	24 acres in NW 1/4 SE 1/4; 25 acres in SW 1/4 SE 1/4; 11 acres in SE 1/4 SW 1/4; Sec. 4: 2 acres in NE 1/4 NW 1/4; Sec. 9, T. 1 S. R. 32 E. W. M. (See map with claim, Vol. 31, p.221,222)
Henderson, A. C. & Sons, Pilot Rock, Ore.  (Findings #17, 9, Contest #81)	1891	1.32	105 1/2	Irrigation	Private	East Birch	22 acres in NE 1/4 NW 1/4; 2 acres in NW 1/4 NW 1/4; 9 acres in SE 1/4 NW 1/4; Sec. 33: 4 acres in NW 1/4 NW 1/4; 30 1/2 acres in SW 1/4 NW 1/4; 4 1/2 acres in SE 1/4 NW 1/4; 11 1/2 acres in NE 1/4 SW 1/4; 8 1/2 acres in NW 1/4 SW 1/4; 10 1/2 acres in SW 1/4 SW 1/4; 3 acres in SE 1/4 SW 1/4; Sec. 28. T. 1 S. R. 32 E. W. M.
Hendricks, C. C. (Transferred to State of Oregon)  ( Finding #9 Contest #174)	1892	.13	10	Irrigation	Oliver	Main	10 acres in E 1/2 of Lot F; W 1/2 of Lot E, Utopian Gardens, Sec. 9, Tp. 2 N. R. 32 E. W. M.

Hoeft, Robt. Pendleton, Ore.  (Finding #9 Contest #129)	Apr. 1910	.06	5	Irrigation		Little McKay.	5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 17, Tp. 1 S. R. 33 E. W. M.
Holmes, J. S. Pendleton, Ore.  (Finding #9 Contest #193)	May 1905	.94	75	Irrigation	Rhodes	McKay	15 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 22 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 13 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 24 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14, Tp. 1 N. R. 32 E. W. M.
Hopper, Mary E. (Transferred to I. N. Sohn) Pendleton, Ore.  (Finding #9 Contest #133 )	1892  1906	.13  .38	10  30	Irrigation  Irrigation	Chapman Raley  Chapman	McKay	30 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 16, Tp. 2 N. R. 32 E. W.M.
Horn, U.G.S. Pilot Rock, Ore.  (Finding #9 Contest #66 )	1870	.15	12	Irrigation	Luhr	Stewart	6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 24, Tp. 2 S. R. 32 E. W. M.
Horn, Elizabeth. Pilot Rock, Ore.  (Finding #9 Contest #75 )	Mar. 1905	.09	7	Irrigation	Davis	East Birch	7 acres in Lot 18; Sec. 7, Tp. 2 S. R. 33 E. W. M.
Horseshoe Irrigation Co., by Edw Dupuis, Secretary. Nolan, Ore.  (Finding #9 Contest #195.)	Dec. 26 1904	1.83	146	Irrigation	Horseshoe	Main	(See description of land of individual landholders following)
Kononen, M.		.31	25	Irrigation	Horseshoe	Main	15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 3 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 10 Tp. 2 N.R. 30 E.W.M.
Doherty, John		.45	36	Irrigation	Horseshoe	Main	11 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2, Tp. 2 N.R. 30 E.W.M.
Saari, Mat.		.50	40	Irrigation	Horseshoe	Main	15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec.9 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 10 T. 2 N. R. 30 E. W. M.
Dupuis, Edw.		.56	45	Irrigation	Horseshoe	Main	12 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 9, Tp. 2 N. R. 30 E. W. M.

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Houser, Perry, Pilot Rock, Ore.	1885	.13	10	Irrigation	Cap	East Birch	13 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11:
(Finding #9, Contest #82 )	1897	.60	48	Irrigation			15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 12: 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 13, Tp. 2 S. R. 32 E.W.M.  (see State Eng. Permit No. 137)
Hurlburt, H. G. Hermiston, Ore.	1910	1.32	105	Irrigation	Hurlburt	Main	35 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 16, Tp. 4 N.R.28 E.W.M.
Hurlburt, H. G. Hermiston, Ore. (Successor to H. R. Newport)	1910	.78	62	Irrigation	No name	Main	20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 19 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 4, Tp. 4 N. R. 28 E. W. M. 3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 9, Tp. 4 N. R. 28 E. W. M.
(Finding #9 Contests #3,6,9,13, 41,46, 91,94,157,158)							
Ingram, Dave. Pendleton, Ore.	1872	.25	20	Irrigation Domestic and stock	Green- Lee-Ing ram	Birch	12 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 33, Tp. 2 N. R. 32 E. W. M. 1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 4, Tp. 1 N.. R. 32 E. W.M.
(Finding #9 Contest #54)							
Isaac, Chas. B. (Transferred to Ross & Jones, Pendleton, Ore.	1901	.13	10 $\frac{1}{2}$	Irrigation	Isaac	McKay	8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 2 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2, Tp. 1 N. R. 32 E. W. M.
Isaac, Mary E. Pendleton, Ore.	1909	.08	6	Irrigation	Isaac	McKay	6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 2, Tp. 1 N. R. 32 E. W. M.  (See State Eng. Permit No. 257)
Isaac, Aaron M. Pendleton, Ore.	1892	.50	40	Irrigation		McKay	3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 11, Tp. 1 N. R. 32 E. W. M.
(Finding #9 Contest #132 )							

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Jack, Marion Pendleton, Ore.  (Finding #9 Contest #192)	Jan. 1904	.63	50	Irrigation		McKay	20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 32, Tp. 2 N. R. 32 E. W. M.
Jacobs, J. B. Pendleton, Ore.	May 1895	.18	14	Irrigation Domestic and stock.		Tutuwillow	6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 13, Tp. 2 N. R. 32 E. W.M.
Janes, A. B. Pilot Rock, Ore.	1885	.04	3	Irrigation		Stanley	3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 19, Tp. 2 S. R. 32 E. W. M.
Janes, Arthur S. Pilot Rock, Ore.	1886	.05	4	Irrigation		Birch	4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 19, Tp. 2 S. R. 32 E. W. M.
(Finding #9 Contests #199, 200)	Apr. 1908	.01	1	Irrigation	Janes	Stanley	1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 19, Tp. 2 S. R. 32 E. W. M.
	Apr. 1895	.09	7	Irrigation		West Birch	1 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 19, Tp. 2 S. R. 32 E.W.M.
Jacques, Thos. Pilot Rock, Ore.  (Finding #9 Contest #161)	1904	.29	23	Irrigation	Jacques, Jensen & Hemphill	Birch	23 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 9, Tp. 1 S. R. 32 E. W. M.
Jenkins, Z. T. (Transferred to O. T. Jenkins) Pilot Rock, Ore.  (Findings #10, 9, Contest #123)	1867	.08	6	Irrigation	Bowman	Birch	4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 27, Tp. 1 N. R. 32 E. W. M.
Jensen, Carl. Pilot Rock, Ore.  (Finding #9, 12, Contest #194)	1873 1907	.37 .50	30 40	Irrigation Domestic	Jacques Jensen & Hemphill	Birch	17 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 32 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 9, Tp. 1 S. R. 32 E. W. M. (See map with claim)

Johns, Jas (Transferred to J. B. Stanton) Pendleton, Ore.	1895	.50	40 $\frac{1}{2}$	Irrigation Domestic	Reith	Birch	1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 33 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 14 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 19 26 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 18, Tp. 2 N. R. 32 E. W. M. 3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 24. 9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 13, Tp. 2 N.R. 31 E. W.M.
(Finding #9 Contest #125)	1910	.75	60	Irrigation		Johns	
Johnson, Carl A. Pilot Rock, Ore.	1883	.08	6	Irrigation	Various	East Birch and trib- utaries thereof	1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4: 1 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 21:
(Finding #9 Contest #127)	1884	.06	5				
	1892	.05	4			Spring Hollow & Calif. Gulch	1 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22: 5 acres in NW $\frac{1}{4}$ Sec. 17, Tp. 2 S. R. 32 E. W.M. 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Tp. 1 S.R. 32 E.W.M.
	1900	.13	10				
Jones, Geo. W. Pendleton, Ore.	1904	.15	12	Irrigation & Sub-Irrig.		McKay	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 34, Tp. 2 N.R. 32 E.W.M.
(Finding #9, Contest #191)							
Jordan, Frank L. Pilot Rock, Ore.	Apr. 1895	.05	4	Irrigation		East Birch	2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 7: 2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 18, Tp. 2. S. R. 33 E. W.M.
(Finding #9 Contest #124)							
Kalyton, Pete, Cayuse #248; To-yat, heir of Umatilla Indian Agency, Pendleton Oregon.	1895	.01	1	Irrigation	Rigby	Main	1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 12; Tp/ 2 N. R. 33 E.W.M.
(Finding #9, Contest 239)							
Kane, Jos. Pendleton, Ore.	June 16, 1891	.54	43	Irrigation	Isabelle & Horton	McKay	20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 35, Tp. 1 N. R. 32 E. W.M.
(Finding #9, Contest #160)							
Kemler, Daniel. Pendleton, Ore.	1893	.41	33	Irrigation Stock	Eastman Beagle Coldwell Bros.	McKay	1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 26 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 28, Tp. 2 N.R. 32 E.W.M. (Vol.1,p.252)
(Findings 16,9, Contest #163)							

Kemler, Rebecca. Pendleton, Ore.  (Findings # 11,9 Contest #162)	1894 Vol. 1 p. 189	.16	13	Irrigation	French	McKay	10 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21, Tp. 2 N. R. 32 E. W.M.
Kennison, L. T. Stanfield, Ore.  (Finding #9 Contest #87 )	1903	.27	22	Irrigation	Pump	Main	17 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.
Knotts, Isaac, Estate of, by Alonzo Knotts, Agt. Pilot Rock, Ore. (Finding #9 Contest #164)	1875  1892	.37  .51	30  41	Irrigation	Knotts	East Birch	15 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10: 4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 3: 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 12 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 4, Tp. 2 S. R. 32 E. W.M. 4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 22, Tp. 2 S. R. 33 E. W.M.
Knotts, Perry Pilot Rock, Ore.  (Finding #9 Contest #80)	1882  1898	.05  110	4  8	Irrigation		California Gulch	9 ac res in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 10, Tp. 2 S. R. 32 E. W.M.
Koontz, J. H. Echo, Ore.	1903	.05	4	Irrigation	Pump	Main	4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 16, Tp. 3 N. R. 29 E. W. M.
LaDow, Louis McA 148 S. Calif. St. Stockton, Cal.  (Finding #9 Contest #166)	1891	.75	60	Irrigation domestic and stock.	La Dow	McKay	6 $\frac{1}{4}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 2 $\frac{1}{4}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 21 $\frac{1}{4}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; $\frac{1}{4}$ acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 3, Tp. 1 N. R. 32 E. W.M.
Lapham, Nancy J. Joseph, Ore.  (Finding #9 Contest #104)							(Included in claim of O. L. & W. Co.)

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	NO. ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE
Male, Louis (For Geo. Male) Pilot Rock, Ore.  (9, 10, 12, 13, 14, 15, Contest #168)	1867  1908 Vol. 1, p. 204, 192.	.08  1.36	6  109	Irrigation		Birch	5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22: 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 27, Tp. 1 N.R. 32 E. W.M.
Manning Chas. J. Pendleton, Ore.  (Finding #9 Contest #171.)	1893  1907	.13  .15	10  11.85	Irrigation		McKay	1 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 12 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 24: 8.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 25, Tp. 1 N.R. 32 E.W.M. (Map with claim)
Manning, Catherine Pilot Rock, Ore.	1890	.63	50 $\frac{1}{2}$	Irrigation		Birch	9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 11 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 1 $\frac{1}{8}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17: 2 $\frac{1}{8}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 18: 13 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 19 T. 1 S. R. 32 E. W.M.
Matlock W. F. (Transferred to City of Pendleton)  (Finding #9 Contest #172)	1890	.50	10 Vol.34 p. 208	Irrigation stock and domestic	Pipe line	Main	7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 10, Tp. 2 N. R. 32 E. W. M.
Maxwell Irrigation Co. Echo, Ore.  (Finding #9 Contests #48, 227)	Sep. 11, 1894  Sept.11, 1894	2.55  11.5	204  Vol.1 p.185	Irrigation  Municipal and domestic City of Stanfield	Maxwell	Main	13 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 5, Tp. 3 N.R. 29 E. W.M. 2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 34 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 31, Tp. 4 N.R. 29 E.W.M. 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 33 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 21 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 32, Tp. 4 N. R. 29 E. W.M.

Maxwell Land & Irrigation Co, by J. F. McNaught, Pres. Pendleton, Ore.	1864	3.0		Domestic Municipal	Minnehaha Springs	Location of Spring Sec. 21, Tp. 4 N. R. 28 E. W.M., near the NW Cor. thereof.
(Finding #9 Contests #1,18,28)						
McBee, Chas. (Transferred to Geo. Gredwhl)  (Finding #9 Contest #159)	1880	1.06	85	Irrigation	Birch	8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 27 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 18 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 19; 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 30, Tp. 2 N. R.32 E.W.M.
McCullough, Lucinda. Echo, Ore.	1883	.03	2	Irrigation	Henrietta Mill	2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 21, Tp. 3 N. R. 29 E. W.M.
McManus, John P. Pres. Appleburg Water Company, Pilot Rock. Ore.  (Findings #17, 9 Contest #169)	May 1909	2.61	209	Irrigation	Appleburg Water Co.	21 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 28: 11 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 19 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 19 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 21; 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 20; T. 1 S. R. 32 E. W. M.
(See State Engineer's Permit No. 237)						
Morrison, Rob't. Adams, Ore.	1902			Domestic	Wild Horse	Place of use, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 3, Tp. 3 N. R. 34 E. W. M.
Myers, Chas. H. (Transferred to State of Oregon)	May 1894	.31	25	Irrigation	Wheel	2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 23 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 9, Tp. 2 N. R. 32 E. W. M.
Newquist, O. P. Pendleton, Ore.  (Findings #13, 9 Contest #165)	May 1908	.63	50	Irrigation domestic and stock	Alcott	10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 29, Tp. 2 N. R. 32 E. W. M.
O'Brien, R. M. Pendleton, Ore.	Feb. 1898.	.06	5	Irrigation	O'Brien Springs	5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 1, Tp. 2 N. R. 32 E. W. M.



Ogilvy, Chas. Pilot Rock, Ore.  (Finding #9 Contest #170)	1880	.31	25	Irrigation	Ogilvy	East Birch	10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 27, Tp. 2 S. R. 32 E. W. M.
Oliver, R. L. (Transferred to State of Oregon)  (Finding #9 Contest #86)	1883	.68	54	Irrigation	Oliver	Main	20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 9 Tp. 2 N. R. 32 E. W.M.
Oregon Land & Water Co., by John W. Cook, Pres. Irrigon, Ore.  (Finding #9, Contests #5, 18, 26 to 34 inc., 216,217,218)	Apr. 14, 1893	25.83	2066	Irrigation domestic and stock	O. L & W. Co.	Main	29 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17: 29 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 37 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 34 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 18: 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20, Tp. 5N. R. 28 E. W.M. 18 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 28 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 13 9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 14: 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 15: 1 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 23 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 36 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 12 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 19: 1 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 29 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 26 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 29 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 20: 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 24 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 29 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 34 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 29 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 12 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 21: 17 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 26 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 29 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 22: 30 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 29:

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	NO. ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE
Oregon Land & Water Co., (Continued)							5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 30, T. 5 N.R. 27 E. W. M. 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22: 21 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 24 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 31 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 29 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 26 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 12 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 23: 3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 11 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 32 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 53 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 17 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 27 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 23 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 43 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 28 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 24: 24 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 34 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 28 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 34 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 22 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 21 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 27 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 25: 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 26: 19 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27: 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 35, T. 5 N., R. 26 E. W. M.
Oregon Railroad & Navigation Co., By J. W. Morrow, Portland, Ore.	1888			Railroad 6 inch pipe		Tie Creek	Place of use, Duncan Station, Diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 16, T. 1 N. R. 36 E. W. M.
	1888			Railroad 6" pipe		Beaver	Place of use, Meacham Station. Diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 9, Tp. 1 N. R. 35 E. W. M.
	1888			Railroad 3" pipe		Meacham	Place of use, Huron Station. Diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 8, Tp. 1 S.R.36 E. W. M.
	1888			Railroad 5" pipe		Meacham	Place of use, Gibson Station. Diversion in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 31, Tp. 3 N.R. 36 E. W.M.

Owings, J. A. by H. Boylen, Guardian, Pilot Rock, Ore.	1890	.13	10	Irrigation	Owings	Bear Creek	5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28, Tp. 2 S. R. 31 E. W. M.
(Finding #9 Contest #74)	1898	.38	30	Irrigation	Owings	Willow Springs Creek	15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 20, Tp. 2 S. R. 31 E. W. M.
Owings, H. B. Pilot Rock, Ore.	1898	.25	20	Irrigation	Owings	Willow Springs Creek	20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 19, Tp. 2 S. R. 31 E. W. M.
(Finding #9 Contest #79)							
Parr, Eli. Pendleton, Ore. (Finding #9 Contest #236)	1895	.06	4.4	Irrigation	Rigby	Willow Springs	4.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 3, Tp. 2 N. R. 33 E. W. M.
Parr, Joe. by Wm. Caldwell, Pendleton, Ore.	1895	.18	14 $\frac{1}{2}$	Irrigation	Rigby	Main	14 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2, Tp. 2 N. R. 33 E. W. M.
(Finding #9 Contest #235)							
Parr, Frank by Wm. Caldwell, Pendleton, Ore.	1895	.40	32	Irrigation	Rigby	Main	32 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 3, Tp. 2 N., R. 33 E. W. M.
(Finding #9 Contest #240)							
Pat-so-ak, by Wm. Caldwell, Pendleton, Ore.	1895	.38	30	Irrigation	Rigby	Main	30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2, Tp. 2 N. R. 33 E. W. M.
(Finding #9 Contest #238)							
Patton, W. W. (Transferred to State of Oregon)	1892	.06	5	Irrigation	Oliver	Main	The W $\frac{1}{2}$ of Block "F", Utopian Gardens, Sec. 9, Tp. 2 N. R. 32 E. W. M.
(Finding #9, Contest #167)							
Hinkle, Jos. T. (Assignee of Jay Peldmulder) Hermiston, Ore. (Finding #9 Contest #119.	Jan. 1, 1900	.04	3 $\frac{1}{4}$	Irrigation	Pump	Main	3 $\frac{1}{4}$ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sed. 31 Tp. 4 N. R. 29 E. W. M. (Vol. 1, p. 266)

Cooper, Edna L. (Assignee of Jay Peldmulder) Hermiston, Ore.  (Finding #9 Contest #119)	Jan. 1 1900	.06	4.9	Irrigation	Pump	Main	4.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.  (Vol. 1, p. 269)
Pendleton, City of By J. T. Brown	Nov. 11, 1885	2.00		Municipal		Main	City of Pendleton. State of Oregon.
Perrin Laura B. Pendleton, Ore.  (Finding #16)	1891	.15	12	Irrigation	Eastman Beagle Coldwell Bros.	McKay	12 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 21, Tp. 2 N. R. 32 E. W. M.
Peters, John J. and Thos. W. Delrosa, Calif.  (Finding #9 Contests #43, 215)							
Reagin, Mrs. E. A. Pilot Rock, Ore.  (Finding #9 Contest #130)	1894	.09	7	Irrigation	Eldrege No. 2.	McKay	7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, Ep. 1 S.R. 32 E. W. M.
Reed, L. W. Gibbon, Ore.  (Finding #9 Contest #187)	1896	.06	5	Irrigation		Main	4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22, Tp. 3 N. R. 36 E. W. M.
Reeves, J. E. Stanfield, Ore.  (Finding #9 Contest #211)	March 1906	.15	12	Irrigation	Pump	Main	10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.
Roach, Jas. McKay, Ore.	1891			Domestic and stock		North McKay	place of use, Tp. 1 N. R. 33 E. W. M.
	1892			Domestic and stock		North McKay	place of use, Sec. 28, Tp. 1 N. R. 33 E. W. M.
Roberts, Geo. R. (Transferred to State of Oregon)	1890	.11	9	Irrigation		Main	9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ . Sec. 9, Tp. 2 N. R. 32 E. W. M.

Rockwell, S. H. Pendleton, Ore.  (Finding # 13)	1894	.13	10	Irrigation	Guderian	Birch	2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 22: 8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 15, Tp. 1 N. R. 32 E. W. M.
	1894	.19	15	Irrigation	Strout	McKay	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 26, Tp. 1 N. R. 32 E. W. M. (Vol. 1, p. 305)
Rork, J. W. Pilot Rock, Ore.  (Finding #9 Contest #135)	April 1902	.24	19	Irrigation	Rork	McKay	12 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 1, Tp. 1 S. R. 32 E. W. M.
Rothlin, Jos. McKay, Ore.	1891	.19	15	Sub-irrigation		McKay	15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 12, Tp. 1 S. R. 33 E. W. M.
Rugg, G. W. & A. W. Pendleton, Ore.	1903	.31	25	Irrigation Domestic		Wild Horse	4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 1, Tp. 2 N. R. 32 E. W. M.
Runyan, Geo. W. Pilot Rock, Ore.  (Findings #12, 9 Contest #185)	1895	.31	25	Irrigation	Batton	Birch	13 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 11 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 27, Tp. 1 N. R. 32 E. W. M.
Schmidt, John McKay, Ore.							(See State Engineer's Permit No. 360)
Shaw, Daniel. Pendleton, Ore.  (Finding #9 Contest #175)	May 1892	.56	45	Irrigation	Shaw & Rhodes	McKay	8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 32 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 34 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14: 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28, Tp. 1 N. R. 32 E. W.M. (Vol. 34, p. 238)
	1904	1.55	122	Irrigation	Shaw & Rhodes	McKay	
Sherman, Frank E. Pilot Rock, Ore.  (Findings #12,9, Contest #138)	1904	.72	57 $\frac{1}{2}$	Irrigation	Sherman	Birch	6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 16 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 21 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 34, Tp. 1 N. R. 32 E. W. M. (Vol 31. p. 510 See map with claim)

Simon, Edw. C. Pendleton, Ore.  (Finding #9 Contest #146)	Apr. 1894	.02	1½	Irrigation	Horton	McKay	1½ acres in NW¼SE¼ Sec. 35, Tp. 1 N. R. 32 E. W. M.
Sloan, A. D. Pendleton, Ore. (Transferred to T. A. Stephens)  (Finding #9 Contest #144)	Oct, 1902	.81	65	Irrigation		Birch	7 acres in NE¼NE¼; 3 acres in SE¼NE¼; Sec. 14: 19 acres in NW¼NW¼; 25 acres in SW¼NW¼; Sec. 13: 11 acres in SE¼NW¼; Sec. 13, Tp. 2 N. R. 31 E. W. M.  (See map. Vol. 4, p. 136)
Sloan, Geo. C. Pendleton, Ore.	1892	.27	22	Irrigation		Main & Birch	3.5 acres in SE¼NE¼; 15 acres in NW¼SE¼; 3.5 acres in SE¼SE¼; Sec. 13, Tp. 2 N.R. 31 E. W.M.
Roy, L. E. and Smith, F. M. Pilot Rock, Ore. (Finding #9 Contest #189)	Apr. 1906.	.03	2	Irrigation	Evans	East Birch	1½ acres in SE¼NE¼; Sec. 17: ½ acre in SW¼NW¼; Sec. 16, Tp. 1 S. R. 32 E. W. M.
Snyder, Elmer A. Pendleton, Ore.  (Finding #9 Contest #88)	1899	.39	31	Irrigation	Boughman	Main	14 acres in SE¼SW¼; 15 acres in NW¼SE¼; 2 acres in SW¼SE¼; Sec. 7, Tp. 2 N. R. 32 E. W. M.
Southwell, Amanda, J. and heirs of John Southwell. Pendleton, Ore.  (Findings #14, 9, Contest #142)	1895	.38	30½	Irrigation	Southwell	Birch	20 acres in NW¼SE¼; 6 acres in SW¼SE¼; 4½ acres in SE¼SE¼; Sec. 29, Tp. 2 N. R. 32 E. W. M.
Sparks, Carrie Pendleton, Ore.	March 1904	.18	14	Irrigation	Frazier	Birch	8 acres in NW¼SW¼; Sec. 10: 6 acres in NE¼SE¼ Sec. 9, Tp. 1 N. R. 32 E. W. M.
	1890	.01	1	Irrigation		Springs	1 acre in NE¼SE¼; Sec. 9, Tp. 1 N. R. 32 E. W. M.
Spicer, Lillian A. (Transferred to Wattenburger) Pendleton, Ore.							See Finding #31.

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	NO. ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE
St. Andrews Mission By Chas. J. O'Reilly, (Transferred to the Pioneer Educational Society)	March 1893	.10		Domestic and stock		Springs & Mission Creek	Location of springs, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 25; SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 30, Tp. 2 N. R. 33 E. W. M. Point of diversion from Mission Creek in NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 30, Tp. 2 N. R. 34 E. W. M.
Stonebraker, J. A. Pendleton, Ore.  (Finding #9 Contest #145)	June 1896	.80	64	Irrigation	Stonebraker	McKay	5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23: 12 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 12 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 14, Tp. 1 N. R. 32 E. W. M.
Straughan, Elwood. Pendleton, Ore.  (Findings #13, 9, Contest #143)	1876	.94	74	Irrigation	Straughan	Birch	12 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29: 35 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 2 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 32: 6 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 13 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 33, Tp. 2 N. R. 32 E. W. M.
Sturtevant, A. J. Pilot Rock, Ore.  (Finding #9 Contest #151)	1873  1882 1895	.25  .63 .61	20  50 49	Irrigation and stock	Nos. 1, 2 and 3	East Birch	31 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 16  1 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17: 18 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 11 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 21 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 9 Tp. 1 S. R. 32 E. W. M.
Tachela, Peter Pendleton, Ore.	June 1884	.19	15	Irrigation		Wild Horse	5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 29, Tp. 3 R. 33 E. W. M.
Teel, O. D. Echo, Ore.  (Finding #9 Contests #16, 33, 117)	Aug. 5 1903			Household domestic and stock		Main	Place of use, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 30, Tp. 4 N. R. 32 E. W. M.
Thomas, E. A. Pilot Rock, Ore. (Transferred to Ed Warner)	1908	.05	4	Irrigation	Hascall Bros.	West Birch	4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 16, Tp. 3 S. R. 32 E. W. M.

Umatilla County, By T. P. Gilliland, Judge.  (Findings #9,11, Contests #35, 139)	1894	1.22	97.4	Irrigation	Home Irrig. #2 & 3	McKay	12.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 36.9 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 27.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 16, Tp. 2 N. R. 32 E. W. M.  (See Maps, P. 70)
Umbarger, C. M. and M. F. Pendleton, Ore.		1.00	80	Sub-irrigation		Tutuwillow	40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 20, Tp. 2 N. R. 33 E. W. M.
Vert, Jessie S. by John Vert, Pendleton, Ore.				Stock and domestic		Meacham & Wild. Horse	Claimant owns lands bordering streams named, in Tps. 1 N. R. 36; 1 S. R. 36; 1 N. R. 37; 3 N. R. 35; 3 N. R. 36, E. W. M.  (See finding #19)
Walker, Ida. Pilot Rock, Ore.  (Finding #9 Contest #140)	1895  1909	.25  .06	20  5	Irrigation		McKay	11 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 9 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 1, Tp. 1 S. R. 32 E. W. M.
Walters, Fred Pendleton, Ore.	1878	122		Power 300 H. P.	Cheape	Main	Mill located in N $\frac{1}{2}$ of N $\frac{1}{2}$ of Sec. 10, Tp. 2 N. R. 32 E. W. M.
Warner, A. P. Pilot Rock, Ore.  (Finding #9 Contest #149)	June 1886  1910	.34  .06	26 $\frac{1}{2}$  5	Irrigation		West Birch	4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19: 2 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 30, Tp. 2 S. R. 32 E. W. M. 2 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 25: 2 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 36; Tp. 2. S. R. 31 E., W.M.
Warner, Samuel. Pilot Rock, Ore.	May 1884	.20	15 $\frac{1}{2}$	Irrigation	Warner	Stanley	3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 29. 4 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 32: 2 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 33 Tp. 2 S. R. 32 E. W. M.
Warner, Edmond, Pilot Rock, Ore.  (Finding #9 Contest #53)	May 1908	.08	6	Irrigation	Fiedler Warner	West Birch	5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 9, Tp. 3 S. R. 32 E. W. M.



NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	NO. ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM	DESCRIPTION OF LAND OR PLACE OF USE
Waugh, Thos. D. Pilot Rock, Ore.	1880	.25	20	Irrigation		West Birch	16 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, Tp. 1 S. R. 32 E. W. M.
	1892	.25	20				
	1909	.22	19				
Wa-wa-ne, By Wm. Caldwell, Pendleton, Ore.  (Finding #9 Contest #234)	May 23 1895	.71	57	Irrigation	Rigby	Main	21 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1: 7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 29 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 2, Tp. 2 N. R. 33 E. W. M.
Wenaha Springs Co. By J. R. Raley, Secretary. Pendleton, Ore.  (Finding #9 Contest #152)	1880	.19	15	Irrigation		Main	15 acres in NE $\frac{1}{4}$ ; Sec. 18, Tp. 3 N. R. 36 E. W. M.
Westgate, Albert H. Pilot Rock, Ore.	1899	.06	5	Irrigation		East Birch	4 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; $\frac{1}{2}$ acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 23, Tp. 2 S. R. 33 E. W. M.
Whitaker, Susan M. Nye, Oregon.	1885	.02	1 $\frac{1}{2}$	Irrigation		Willow Springs	1 $\frac{1}{2}$ acres in the N $\frac{1}{2}$ of Sec. 18, Tp. 3 S. R. 31 E. W. M.
White, Susan A. Stanfield, Ore.  (Finding #9 Contest #90)	1906	.38	30	Irrigation	Pump	Main	30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.
White Bull, Mrs. By Wm. Caldwell, Pendleton, Ore.	May 23 1895	.30	23 $\frac{1}{2}$	Irrigation	Rigby	Main	3 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2, Tp. 2 N. R. 33 E. W. M.
Wilbur, Ephriam S. Duncan, Ore.	1891	.29	23	Irrigation		Camp	9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 11 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 9, Tp. 1 N. R. 36 E. W. M.

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	NO. ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM	DESCRIPTION OF LAND OR PLACE OF USE
Willson, Annette Pilot Rock, Ore.	March, 1874	.13	10	Irrigation	Willson	Birch	23 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 25:
(Finding #9 Contest #148)	1890	.90	72				20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 13 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 36, Tp. 1 S. R. 31 E. W. M.
Wilson Irrigation Co., by Elmer Spike Echo, Ore.	Dec. 15 1904	1.88	150 $\frac{1}{2}$	Irrigation	Wilson	Main	(See description of land of individual landholders following)
(Finding #9 Contest #97)	May 1881	.13	10				
Elder, E. E. Echo, Ore.	Dec. 15, 1904	.44	35	Irrigation	Wilson	Main	25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 21, Tp. 3 N. R. 29 E. W. M. (Vol. 34, p. 555)
(Finding #9 Contest #224)							
Esteb, Addie C. Echo, Ore.	Dec. 15 1904	.06	5	Irrigation	Wilson	Main	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16, Tp. 3 N. R. 29 E. W. M.
(Finding #9 Contest #228)							
Halstead, Joe.	Dec. 15, 1904	.15	12	Irrigation	Wilson	Main	12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16, Tp. 3 N. R. 29 E. W. M.
(Finding #9 Contest #230)							
Pearson, D. A. Echo, Ore.	Dec. 15, 1904	.10	8	Irrigation	Wilson	Main	8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22; Tp. 3 N. R. 29 E. W. M. (See Engineer's Maps)
(Finding #9 Contest #154)							
Ramos, Joe. Echo, Ore.	Dec. 15 1904	.76	60 $\frac{1}{2}$	Irrigation	Wilson	Main	20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 22: 33 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 21, Tp. 3 N. R. 29 E. W. M. (See Engineer's Maps)
(Finding #9 Contest #206)							
Spike, Elmer Echo, Ore.	Dec. 15, 1904	.38	30	Irrigation	Wilson	Main	30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16, Tp. 3 N. R. 29 E. W. M. (Vol. 34, p. 555)
(Finding #9 Contest #100)							

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UMATILLA RIVER.

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	NO. ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE
Wilson Irrigation Co., (Continued)							
Whitworth, W. W. (Finding #9 Contest #102)	May 1881	.13	10	Irrigation	Wilson	Main	10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16, Tp. 3 N. R. 29 E. W. M. (Vol. 34, p. 555)
Wilson, J. M. Pilot Rock, Ore.	1904	.19	15	Irrigation	Wilson	West Birch	9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17, Tp. 1 S. R. 32 E. W. M.
Wright, E. L. Pilot Rock, Ore.	1875	.03	2	Irrigation		Bridge	3 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 11 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 23, Tp. 2 S. R. 31 E. W. M.
(Finding #9 Contest #150)	1897	.21	17				
	1909	.11	9				
Wynn, John M. McKay, Ore.	April 1898	.19	15	Irrigation		McKay	10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 18, Tp. 1 S. R. 34 E. W. M.
(Finding #9 Contest #147)							

CERTIFICATE  
RECORD

No. PAGE

PERMIT  
NO.

State Water Board  
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UMATILLA RIVER.

34.

The following appropriators have, in their statement and proofs of claim, applied to the State Water Board to prescribe the time within which the full amount of water appropriated shall be applied to a beneficial use, and it appears to the said State Water Board that the appropriations <sup>of said appropriators</sup> and each of them, were made prior to February 24th, 1909, and that actual construction work had been commenced prior to said date.

The State Engineer is hereby directed to issue a certificate to each of said appropriators showing the time fixed by this finding within which the water appropriated by such appropriators shall be applied to a beneficial use. The extent of such appropriation shall be limited to such an amount or volume of water as shall have been put to a beneficial use by the expiration of the time fixed in this finding.

That the name and address of each appropriator of water from said Umatilla River and its tributaries, who has not completed such appropriation, and who has so applied to the State Water Board to prescribe the time within which the full amount of water shall be applied to a beneficial use, are hereinafter in this Finding arranged in alphabetical form, together with the date of relative priority of each of such appropriations, the limited date for the complete application of the full amount of water appropriated to a beneficial use, the use or uses for which such water was appropriated and is to be applied, the number of acres now irrigated and the number of acres to be irrigated, in case such appropriation is for irrigation, the name of the ditch or ditches through which such appropriation is to be diverted, and the description of the land in each smallest legal subdivision upon which water is now used, and the description of the land upon which such water must be applied to a beneficial use, and to which such use is limited, arranged in alphabetical order and set opposite the name and post office address of each such appropriator, are as follows, to-wit:

Brownell Ditch Co. by D. C. Brownell, Pres. Umatilla, Ore.  (Finding #9 Contests #1,2,3,4, 5,27,42,109)	Nov. 8. 1893	.39	Vested	31	Irrigation Stock and Domestic Fire and Municipal	Brownell & Three Mile Falls	Main	23.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 38.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 11 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 36.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 32.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 9: 11.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 18.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 4.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 27.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 23.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 9.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 22.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10: 9.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 17 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 1.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 1.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 11: 5.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 16, Tp. 5 N. R. 28 E. W. M.
	1902	4.29	Vested	343.5				
	1903		Jan. 1. 1920	953.6	Irrigation	Brownell	Main	39.48 acres in Sec. 8; 183.8 acres in Sec. 9; 133.1 acres in Sec. 10; 93.35 acres in Sec. 11; 154.07 acres in Sec. 16; 317.4 acres in Sec. 17; 32.4 acres in Sec. 18; Tp. 5 N. R. 28 E.W.M.
Courtney Irrigation Co., by T. G. Smith, Pres. Echo, Ore.  (Finding #9 Contests #7,8,9,10, 11,13,32,40,85)	Jan. 9 1900	6.46	Vested	517	Irrigation Stock and domestic	Pioneer Courtney Ditches	Main	(see description of individual holdings following)
	Jan. 9, 1900		Jan. 1, 1918	494	Irrigation	Courtney	Main	
Baumgardner, Henry. Echo, Ore. (Contests #13,114, 111, 17, 85)	Jan. 9 1900	.15	Vested	12	Irrigation	Pioneer Courtney	Main	12 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7, Tp. 3 N. R. 29 E. W. M. (Vol. 30, p. 22)
Baumgardner E. O. Echo, Ore.	Jan. 9 1900		Jan. 1 1918	35	Irrigation	Courtney	Main	28 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 7, Tp. 3 N. R. 29 E.
(Findings #9 Contests #13, 112,85)	Jan. 9 1900	.18	Vested	15	Irrigation	Pioneer Courtney	Main	12 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, Tp. 3 N.R. 29 E.W.M. (Vol. 30, p. 18-21)

Courtney Irrigation Co.  
(Continued)

Gulliford, Wm. H. Pendleton, Ore.  (Finding #9 Contests #13, 221,85)	Jan. 9 1900	1.0	Vested	80	Irrigation	Pioneer Courtney	Main	30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 17 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 33 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11, Tp. 3 N. R. 28 E. W. M.  (Vol. 30, p. 21)
Haney, Sadie, (Transferred to Jas. A. Fee, Jr., Pendleton, Ore.)  (Fnding #9 Contests #13, 219, 85)	Jan. 9, 1900	.27	Vested	22	Irrigation	Pioneer Courtney	Main	10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11, Tp. 3 N. R. 28 E. W. M. (Vol. 30, p. 23, 747, 758)
Houser, Zoeth, Pendleton, Ore.  (Finding #9 Contests #13, 220 and 85)	Jan. 9, 1900	1.01	Vested	81	Irrigation	Pioneer Courtney	Main	7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 6z 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 7, Tp. 3 N. R. 29 E. W. M. (Vol. 30, p. 24, 136,183,405,687)
	Jan. 9 1900		Jan.1, 1918	236	Irrigation	Courtney	Main	23 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 45 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 33 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 6; 30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 49 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 16 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 7, Tp. 3 N. R. 29 E. W. M.
Moore, Will. Pendleton, Ore.  (Finding #9 Contests #13, 107, 85)	Jan. 9, 1900	1.31	Vested	105	Irrigation	Pioneer Courtney	Main	22 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 33 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 2, Tp. 3 N. R. 28 E. W. M.  (Vol. 30, p.23)
	Jan. 9 1900		Jan.1. 1918	169	Irrigation	Courtney	Main	39 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 28 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 2, Tp. 3 N. R. 28 E. W. M.

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	Time limit for complete application.	ACRES	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE
Rogers, Grace B. Echo, Ore.  (Finding #9 Contests #13, 113, 85)	Jan.9 1900	.99	Vested	79	Irrigation	Pioneer Courtney	Main	39 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 7, Tp. 3 N. R. 29 E. W. M.  (Vol. 30, p. 26, 263)
	Jan. 9 1900		Jan.1. 1918	1	Irrigation	Courtney	Main	1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ . Sec. 7, Tp. 3 N. R.29 E. W.M.
Smith, C. J. Portland, Ore.  (Finding #9 Contests #13, 105, 85)	Jan. 9 1900	.76	Vested	61	Irrigation	Pioneer Courtney	Main	17 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 12, Tp. 3 N. R. 28 E. W. M. (Vol. 30, p. 24,184)
	Jan. 9 1900		Jan. 1, 1918	49	Irrigation	Courtney	Main	26 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 23 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 12, Tp. 3 N. R. 28 E. W. M.
Smith, T. G. Echo, Ore.  (Finding #9 Contests #13, 106, 85)	Jan. 9, 1900	.77	Vested	62	Irrigation	Pioneer Courtney	Main	26 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 12, Tp. 3 N. R. 28 E. W. M. (Vol. 30, p. 25)
	Jan. 9 1900		Jan. 1, 1918	4	Irrigation	Courtney	Main	4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 12, Tp. 3 N. R. 28 E. W. M.
Dillon Irrigation Company, by W. H. Daugherty, Pres., Portland, Ore.  (Finding #9 Contests #12,13, 17, 92 )	1907		Jan.1, 1918	1213.9	Irrigation	Dillon	Main	316.9 acres in Sec. 1. Tp. 3 N. R. 28 E. W. M. 227 acres in Sec. 36; 464.5 acres in Sec. 35; 34 acres in Sec. 26; 39 acres in Sec. 27; 132.5 acres in Sec. 34; Tp. 4 N. R. 28 E. W. M.
	Nov. 17 1897	4.75	Vested	<u>380</u> Vol.33 p.92	Irrigation domestic and stock	Dillon	Main	(See list of individual claimants below)
	<u>1907</u> (Vol.33 p.119)	5.00	Vested	399	Irrigation Domestic and stock	Dillon	Main	

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	Time Limit for complete appropriation.	ACRES.	USE AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE
Dillon Irrigation Co. (Continued)								
Reeves, W. T.		1.41	Vested	113				20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 31, Tp. 4 N.R. 29 E. W. M. 37 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 36 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 36, Tp. 4 N. R. 28 E. W. M. (Vol. 33, p. 313, 234) (Vol. 33, p. 313, 314, 234, 401)
Denzler, F. H.		.19	Vested	15				15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 36, Tp. 4 N.R. 28 E. W. M. (Vol. 33, p. 314)
Myrick, B. F.		.13	Vested	10				10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 36, Tp. 4 N. R. 28 E. W. M. (Vol. 33, p. 314)
Rector, B. F.		.18	Vested	14				14 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 36, Tp. 4 N. R. 28 E. W. M. (Vol. 33, p. 314)
Dixon, B. F.		.27	Vested	22				20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 36, Tp. 4 N. R. 28 E. W. M. (Vol. 33, p. 315)
Umatilla Ranch Company		4.03	Vested	322				7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 36, Tp. 4 N. R. 28 E. W. M. 13 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 19 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 24 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 19 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 11 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 35, Tp. 4 N.R. 28 E. W. M. 50 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 50 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 6, Tp. 3 N. R. 29 E. W. M. 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 23 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 24 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 1, Tp. 3 N. R. 28 E. W. M.  (Sec. 36. Vol. 33, p. 315) (Sec. 35. Vol. 33, p. 316 317, 318) (Sec. 6, Vol. 33, p. 318) (Sec. 1, Vol. 33, p. 318, 362, 401, 402)



Saling, Frank	1.50 Vested	120				26 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 14 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 36, Tp. 4 N. R. 28 E.W.M.  (Vol. 33, p. 315,221 )	
Walker, Horace	1.35 Vested	108				20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 36, Tp. 4 N.R. 28 E.W.M.  (Vol. 33, p. 315)	
Haney, W. J.	.69 Vested	55				40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 1, Tp. 3 N.R. 28 E.W.M.  (Vol. 33, p. 318)	
Furnish Ditch Co., by W. J. Furnish, President, Stanfield, Ore.	Mar. 8, 1905	40.91 Vested	3272.81	Irrigation	Furnish	Main and Furnish Reservoir	30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 13, Tp. 4 N. R. 28 E. W. M.
(Finding #9 Contest #95)	Feb. 23, 1909 <i>Jan 1, 1923</i>			Storage of 5600 ac. ft.	Furnish Reservoir	Main	21.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 36.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 9.82 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 4: 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 37 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5 6.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2.26 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22, Tp. 3 N. R. 29 E. W. M. 36.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 3; 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 4: 33 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 18 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38.51 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37.22 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 52.46 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 54 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$

NAME AND POSTOFFICE ADDRESS  
OF APPROPRIATOR

DATE OF RELATIVE  
PRIORITY

AMOUNT  
CU. FT.  
PER SEC.

Time limit  
for com-  
plete ap-  
plication,  
ACRES. AND IRRIGATION  
SEASON

NAME OF DITCH

STREAM

DESCRIPTION OF LAND OR PLACE OF USE

Furnish Ditch Co.  
(Continued)

40 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
37.86 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
36.3 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
40 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
40 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 7:  
40 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; Sec. 8:  
20 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
30 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
10 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; Sec. 9:  
20 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
20 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
5 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 10:  
10 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
15 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
18 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
10 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
40 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; Sec. 11:  
10 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; Sec. 12:  
10 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
5.1 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
20 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
6.8 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; Sec. 14:  
20 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
10 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; Sec. 18:  
29.9 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 22:  
30 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
40 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
22.9 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
40 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
20 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
40 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
40 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
40 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 23:  
10 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
22 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
40 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
16 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; Sec. 26:  
24.4 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
34.8 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
40 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
40 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
40 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
40 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
23 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
8 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
12.7 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 27:  
6.9 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
30 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
20.3 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
9.9 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 28:  
10.35 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
33.66 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
11.7 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 29:  
30 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
35 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
5 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
25 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
10 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
10 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
30 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 32

40 acres in NE-NE;  
 40 acres in NW-NE;  
 40 acres in SW-NE;  
 40 acres in SE-NE;  
 6.88 acres in NW-NW;  
 40 acres in SW-NW;  
 40 acres in SE-NW;  
 40 acres in NE-SW;  
 40 acres in NW-SW;  
 40 acres in SW-SW;  
 39.5 acres in SE-SW;  
 38.5 acres in NE-SE;  
 30 acres in NW-SE;  
 38 acres in SW-SE;  
 39 acres in SE-SE; Sec. 33:  
 10 acres in NE-NE;  
 32.4 acres in NW-NE;  
 27.4 acres in SW-NE;  
 5 acres in SE-NE;  
 40 acres in NE-NW;  
 40 acres in NW-NE;  
 40 acres in SW-NW;  
 40 acres in SE-NW;  
 27 acres in NE-SW;  
 40 acres in NW-SW;  
 32 acres in SW-SW;  
 7.38 acres in SE-SW;  
 2 acres in NW-SE; Sec. 34.  
 Tp. 4 N. R. 29 E. W. M.

Mar. 8,  
1905.

Jan. 1. 9670.05 Irrigation  
1920

Furnish

Main  
and  
Furnish  
Reservoir.

532.41 acres in Sec. 13;  
 640 acres in Sec. 24;  
 610 acres in Sec. 25;  
 80 acres in Sec. 26;  
 Tp. 4 N. R. 28 E. W. M.  
 37.48 acres in Sec. 3;  
 249.75 acres in Sec. 4;  
 10 acres in Sec. 5;  
 20.01 acres in Sec. 8;  
 170 acres in Sec. 9;  
 60 acres in Sec. 15;  
 1.29 acres in Sec. 23;  
 Tp. 3 N. R. 29 E. W. M.  
 296.12 acres in Sec. 4;  
 536.09 acres in Sec. 8;  
 557.65 acres in Sec. 9;  
 261.19 acres in Sec. 10;  
 548.99 acres in Sec. 11;  
 262.60 acres in Sec. 12;  
 400 acres in Sec. 13;  
 523.1 acres in Sec. 14;  
 320.6 acres in Sec. 17;  
 518.09 acres in Sec. 18;  
 253.19 acres in Sec. 19;  
 286.07 acres in Sec. 22;  
 311.9 acres in Sec. 23;  
 25.5 acres in Sec. 25;  
 440.95 acres in Sec. 26;  
 345.78 acres in Sec. 27;  
 228.79 acres in Sec. 28;  
 249 acres in Sec. 29;  
 282.78 acres in Sec. 30;  
 98 acres in Sec. 31;  
 194.47 acres in Sec. 32;  
 72.44 acres in Sec. 33;  
 210.81 acres in Sec. 34;  
 35 acres in Sec. 35; Tp. 4 N.R. 29 E.W.M.

Pioneer Irrigation Co., by C. J. Ward, Pres., Echo, Ore.	Jan. 9, 1900	8.40	Vested	672	Irrigation	Pioneer	Main	(See description of individual claims following)
(Finding #9 Contests #7, 39, 17, 226 )	Jan. 9, 1900			264	Irrigation	Pioneer	Main	(See description of individual claims following)
Baumgardner. H. Echo, Ore. (Finding #9 Contests #17,111)		.33	Vested	27	Irrigation	Pioneer	Main	27 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 6, Tp. 3 N. R. 29 E. W. M.  (Vol. 30, p. 30 )
				13	Irrigation	Pioneer	Main	13 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 6, Tp. 3 N. R. 29 E. W. M.
Cleghorn, A. J. Echo, Ore.  (Finding #9 Contests #17,229)		.46	Vested	37	Irrigation	Pioneer	Main	37 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 5, Tp. 3 N. R. 29 E. W. M.  (Vol. 30, p. 29 )
Corea, Frank Echo, Ore.  (Finding #9 Contests #17, 120)		1.69	Vested	135	Irrigation	Pioneer	Main	37 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 18 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 8, Tp. 3 N. R. 29 E. W. M. (Vol. 30, p. 27,245)
Emory, W. J. Echo, Ore.  (Finding #9 Contests #17,110)		.44	Vested	35	Irrigation	Pioneer	Main	35 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.  (Vol. 30, p. 28,326)
Gnavaugh, Ed. Echo, Ore.  (Finding #9 Contests #17, 225)		.45	Vested	36	Irrigation	Pioneer	Main	36 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 6, Tp. 2 N. R. 29 E. W. M.  (Vol. 30, p. 29)
Kennison, Chas. (Transferred to Will Reeves, Stanfield, Ore.  (Finding #9 Contests #17, 156 )		.35	Vested	28	Irrigation	Pioneer	Main	28 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.  (Vol. 30, p. 27,28)

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	Time limit for complete application.	ACRES	AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE	
McCullough, B. F. Echo, Ore.  (Finding #9 Contests #17,223)		1.01	Vested	84	Irrigation-	Pioneer	Main	37 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 37 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 8, Tp. 3 N. R. 29 E. W. M. (Vol. 30, p. 30)	
				Jan. 1, 1918	56	Irrigation	Pioneer	Main	28 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 28 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 8, Tp. 3 N. R. 29 E. W. M.
Mendenhall, J. A. Stanfield, Ore.  (Finding #9 Contests #17,155)		1.44	Vested	115	Irrigation	Pioneer	Main	8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 5: 30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 6, Tp. 3 N. R. 29 E. W. M. (Vol. 30, p. 32)	
				Jan. 1, 1918  <i>Jan. 1, 1922</i>	155	Irrigation	Pioneer	Main	20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5: 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 6, Tp. 3 N. R. 29 E. W. M.
Raley, B. F. Walla Walla, Washington.  (Finding #9 Contests #17,209)		.60	Vested	48	Irrigation	Pioneer	Main	31 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 17 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 5, Tp. 3 N. R. 29 E. W. M.  (Vol. 30, p. 32)	
Reeves, Elmer, Stanfield, Ore.  (Finding #9 Contests #17,207)		.09	Vested	7	Irrigation	Pioneer	Main	7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.  (Vol. 30, p. 31)	
Ward, C. J. Echo, Ore.  (Finding #9 Contests #17, 96)		.51	Vested	41	Irrigation	Pioneer	Main	20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 14 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5, Tp. 3 N. R. 29 E. W. M. (Vol. 30, p. 27, 281)	
				Jan. 1, 1918	20	Irrigation	Pioneer	Main	20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, Tp. 3 N. R. 29 E. W. M.

Pioneer Irrigation Co.,  
(Continued)

Ward, Geo. L. Stanfield, Ore.  (Finding #9 Contests #17, 98)	.99	Vested	79	Irrigation	Pioneer	Main	14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 35 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M. (Vol. 30, p. 28,616)	
			Jan. 1, 1918	20	Irrigation	Pioneer	Main	15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 31, Tp. 4 N. R. 29 E. W. M.
Roberts, Geo. R. Pendleton, Ore.	Jan. 4. 1909	.36	Vested	28.3	Irrigation Domestic	Private	Main	18 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11, Tp. 2 N. R. 31 E. W. M.
	1909	26.0	Jan. 1 1908		Power	Private	Main	Place of use, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 11, Tp. 2 N. R. 31 E. W. M.
Slusher, Wm. Pendleton, Ore.  (Finding #9 Contest #52)	1902	1.10	Vested	88	Irrigation	Slusher	Main	2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 35 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 14 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5: 2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 6, Tp. 2 N. R. 30 E. W. M.
	1902		1918	112	Irrigation	Slusher	Main	112 acres in Secs. 5 and 6, Tp. 2 N. R. 30 E. W. M.
Smith, J. E. Livestock Co., by J. E. Smith, Pres., Pendleton, Ore.  (Finding #9 Contests #14, 77, 213, 214.)	1881	1.57	Vested	125 $\frac{1}{2}$	Irrigation Stock	Smith	Bear	4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 27 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ . Sec. 36; 1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 35 T. 1 S. R. 31 E. W. M. 12 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 1: 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 2: 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 11: 1 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; $\frac{1}{2}$ acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10, Tp. 2 S.R. 31 E. W. M.

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT CU. FT. PER SEC.	Time limit for complete application.	ACRES.	Use AND IRRIGATION SEASON	NAME OF DITCH	STREAM.	DESCRIPTION OF LAND OR PLACE OF USE
Smith, J. E. Livestock Co., (Continued)	1899	.78	Vested	62	Irrigation Stock	Smith	West Birch	12½ acres in NE¼SW¼; 25½ acres in NW¼SW¼; 13 acres in SE¼SW¼; Sec. 36, Tp. 1 S. R. 31 E. W. M. 8 acres in NW¼NW¼; 3 acres in SE¼NW¼; Sec. 1, Tp. 2 S. R. 31 E. W. M.
	Feb. 1890	.94	Vested	75	Irrigation Stock	Barnhart	Main	2½ acres in NE¼SW¼; 6.75 acres in NW¼SW¼; Sec. 14: 2½ acres in SE¼NE¼; 12½ acres in SW¼NW¼; 12 acres in SE¼NW¼; 27.75 acres in NE¼SW¼; 7.75 acres in NW¼SW¼; 2½ acres in NE¼SE¼; 18 acres in NW¼SE¼; Sec. 15: 11.75 acres in SW¼NE¼; 5.75 acres in SE¼NW¼; 12 acres in NE¼SW¼; 10 acres in NW¼SW¼; 4½ acres in NW¼SE¼; Sec. 16, Tp. 2 N. R. 31 E. W. M.
	1902	.77	Vested	61½				
	1902		1918	157.75	Irrigation	Smith	Main	17.5 acres in Sec. 14; 10.5 acres in Sec. 15; 51.5 acres in Sec. 16; 50 acres in Sec. 17; 13½ acres in Sec. 18; 15 acres in Sec. 8; Tp. 2 N.R. 31 E. W. M.
Smith J. E. Pendleton, Ore. (Emma E. Smith, successor in interest)  (Vol. 1, p.274)	Oct. 15 1908	750.0	Jan.1, 1918		Power	Smith	Main	Place of use NE¼NW¼, Sec. 18; Tp. 2 N. R. 31 E. W. M.
Stephens, Omer O. Pendleton, Ore.  (Finding #9 Contest #179)	1892	.30	Vested	30	Irrigation	McKay Cr. Irrig. Co. Ditch & 2 others	McKay	20 acres in NE¼NE¼; 7 acres in NW¼NE¼; 3 acres in SW¼NE¼; Sec. 26, Tp. 1 N. R. 32 E. W. M.
	1904		1918	27	Irrigation		McKay	20 acres in SE¼NE¼; 7 acres in NE¼NE¼; Sec. 26, Tp. 1 N. R. 32 E. W. M.

United States of America, Mar. 28  
 by O. P. Morton. 1909  
 Portland, Ore.

(Appropriation under this  
 date not complete, see  
 Application #13, & 237 to  
 the State Engineer for permits)

Nov. 14, 1894	1.0	Vested	80	Irrigation	U.S.R.S. Maxwell	Main & Storage	20 acres in NE NE; 18 acres in NW NE; 4 acres in NE SW; 16 acres in NW SW; 25 acres in SE SW; 12 acres in NE SE; 11 acres in NW SE; 5 acres in SW SE;
Feb. 25, 1904	50.4	Vested	4031	Irrigation		Main & Cold Springs Reservoir.	Sec. 1: 4 acres in NE NE; 10 acres in NW NE; 10 acres in SW NE; 12 acres in SE NE; 5 acres in NE NW; 23 acres in NW NW; 30 acres in SW NW; 16 acres in SE NW; 5 acres in NE SW; 2 acres in NW SW; 5 acres in SW SW; 5 acres in SE SW; 2 acres in NW SE; 5 acres in SW SE; 5 acres in SE SE;
Sep. 6 1905	350.0	Vested		Storage of 50,000 ac. ft.	Feed Canal and Cold Springs Reservoir.	Main	Sec. 2: 20 acres in SW NE; 20 acres in SE NE; 32 acres in NE NW; 20 acres in SW NW; 30 acres in SE NW; 6 acres in NE SW; 25 acres in NW SW; 10 acres in SW SW; 25 acres in SE SW; 16 acres in NE SE; 28 acres in NW SE; 16 acres in SW SE; 16 acres in SE SE;
							Sec. 3: 14 acres in NE NE; 12 acres in NE SE;
							Sec. 4: 6 acres in SE SE; 10 acres in NE SW; 15 acres in SE SW; 10 acres in NE SE; 10 acres in NW SE;
							Sec. 9: 20 acres in SW SE; 20 acres in NW NE; 40 acres in SW NE; 13 acres in SE NE; 3 acres in NE NW; 20 acres in NW NW; 20 acres in SE NW; 30 acres in NE SW; 40 acres in NW SW; 40 acres in SW SW; 40 acres in SE SW; 30 acres in NE SE; 21 acres in NW SE; 40 acres in SW SE;
							Sec. 10: 40 acres in SE SE;



20 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
37 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
21 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
15 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
7 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
20 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
18 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
12 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
28 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
15 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
9 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
12 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
5 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 11:  
15 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
18 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
30 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
20 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
19 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
14 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
20 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
15 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
27 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
25 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
15 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 12:  
2 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
14 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; Sec. 13:  
15 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
10 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
28 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
11 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
25 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
34 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
36 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
37 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
26 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
38 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
5 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
6 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 14:  
32 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
39 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
21 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
22 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
6 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
15 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
36 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
12 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
30 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
10 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
30 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 15:  
5 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
5 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
5 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 16:  
7 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 19:  
25 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
15 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
20 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
3 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
4 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
8 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
20 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
17 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
3 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
2 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 20:

10 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 25 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
25 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 30 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
25 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 5 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
Sec. 21:  
25 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; Sec. 22:  
10 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; Sec. 30, Tp. 4 N.  
R. 28 E. W. M.  
12 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; Sec. 4  
10 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 10 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
10 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 15 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
14 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 9 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
3 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 5 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
20 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 5:  
16 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 12 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
19 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 12 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
30 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 28 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
28 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 20 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
4 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 8 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
36 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 38 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
Sec. 6:  
2 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 20 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
10 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 8 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
15 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; Sec. 7, Tp. 4 N.R.  
29 E. W. M.  
15 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 40 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
30 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 40 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
Sec. 24:  
18 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 10 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
Sec. 26:  
4 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 9 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
5 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 5 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
13 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 14 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
10 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 20 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
3 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 17 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
16 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 13 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
Sec. 34:  
12 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; Sec. 35:  
24 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 40 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
Sec. 36, Tp. 5 N. R. 28 E. W. M.  
5 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 15 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
Sec. 22:  
5 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 7 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
20 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 15 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
40 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 20 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
8 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 30 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
6 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 23 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
Sec. 27:  
32 acres in SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 25 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
22 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 28:  
5 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 5 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
4 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 5 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
15 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; Sec. 30:  
25 acres in NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 10 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
21 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 17 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
24 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 15 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
12 acres in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 15 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
14 acres in SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; 8 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ;  
12 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 10 acres in NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
20 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 30 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
Sec. 31:  
30 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 12 acres in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
15 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ; 21 acres in NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
25 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 30 acres in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ;  
25 acres in SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; 25 acres in NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
12 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; 25 acres in SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ;  
Sec. 32:

30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 33:  
10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 34, Tp. 5 N. R. 29 E. W. M.

Feb. 25  
1904

Jan. 1. 11011  
1920

Irrigation

U.S.R.A.  
Feed  
Canal

Main  
and  
Cold  
Springs  
Reservoir.

528 acres in Sec. 1;  
502 acres in Sec. 2;  
324 acres in Sec. 3;  
238 $\frac{1}{2}$  acres in Sec. 4;  
54 acres in Sed. 8;  
435 acres in Sec. 9;  
195 $\frac{1}{2}$  acres in Sec. 10;  
407 acres in Sec. 11;  
257 acres in Sec. 12;  
16 acres in Sec. 13;  
89 acres in Sec. 14;  
332 $\frac{1}{2}$  acres in Sec. 15;  
380 $\frac{1}{2}$  acres in Sec. 16;  
56 acres in Sec. 17;  
32 acres in Sec. 19;  
169 acres in Sec. 20;  
194 acres in Sec. 21;  
26 acres in Sec. 22;  
14 acres in Sec. 29;  
41 acres in Sec. 30;  
Tp. 4 N. R. 28 E. W. M.  
145 acres in Sec. 4;  
365 $\frac{1}{2}$  acres in Sec. 5;  
411 acres in Sec. 6;  
97 acres in Sec. 7;  
Tp. 4 N. R. 29 E. W.M.  
232 acres in Sec. 24;  
601 acres in Sec. 26;  
457 acres in Sec. 34;  
607 acres in Sec. 35;  
568 acres in Sec. 36;  
Tp. 5 N. R. 28 E. W. M.  
324 acres in Sec. 22;  
410 acres in Sec. 27;  
559 acres in Sec. 28;  
587 $\frac{1}{2}$  acres in Sec. 30;  
361 acres in Sec. 31;  
403 acres in Sec. 32;  
424 acres in Sec. 33;  
168 acres in Sec. 34;  
Tp. 5 N. R. 29 E. W. M.

Sep. 6,  
1905

Jan. 1. 9947 $\frac{1}{2}$   
1920

Irrigation

U.S.R.S.  
Feed Canal

Main &  
Cold Springs  
Reservoir.

49 acres in Sec. 12;  
96 acres in Sec. 13;  
200 acres in Sec. 14;  
8 acres in Sec. 15;  
71 acres in Sec. 20;  
254 acres in Sec. 21;  
480 acres in Sec. 22;  
155 acres in Sec. 23;  
198 acres in Sec. 27;  
464 acres in Sec. 28;  
254 acres in Sec. 29;  
4 acres in Sec. 30;  
Tp. 4 N. R. 28 E. W. M.  
61 acres in Sec. 10;  
4 acres in Sec. 14;  
321.5 acres in Sec. 15;

445 acres in Sec. 16;  
 406 $\frac{1}{2}$  acres in Sec. 21;  
 594 $\frac{1}{2}$  acres in Sec. 22;  
 441 acres in Sec. 23;  
 622 acres in Sec. 25;  
 603 acres in Sec. 27;  
 251 $\frac{1}{2}$  acres in Sec. 28;  
 307 acres in Sec. 33;  
 44 acres in Sec. 34;  
 Tp. 5 N. R. 28 E. W. M.  
 54 acres in Sec. 3;  
 376 acres in Sec. 4;  
 179 acres in Sec. 5;  
 24 acres in Sec. 6;  
 265 acres in Sec. 7;  
 183 acres in Sec. 8;  
 50 acres in Sec. 9;  
 Tp. 4 N. R. 29 E. W. M.  
 202 acres in Sec. 13;  
 212 acres in Sec. 14;  
 98 acres in Sec. 15;  
 38 acres in Sec. 16;  
 343 acres in Sec. 19;  
 482 acres in Sec. 20;  
 408 $\frac{1}{2}$  acres in Sec. 21;  
 71 acres in Sec. 23;  
 36 acres in Sec. 26;  
 592 acres in Sec. 29;  
 Tp. 5 N. R. 29 E. W. M.

Western Land &  
 Irrigation Co.,  
 By J. W. Messner,  
 Pres.,  
 Hermiston, Ore.

Mar. 14,  
 1903

38.33 Vested 3086

Irrigation

Hinkle

Main

(Finding #9  
 Contests #8,12,34  
 to 48 inc., 93)

14 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 4:  
 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 5:  
 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 6:  
 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 7:  
 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 8:  
 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 17:  
 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 33 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 12 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 12 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 18:  
 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 12 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 20

Western Land &  
Irrigation Co.,  
(Continued)

15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 28:  
40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 30:  
22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 31:  
25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
38 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
33 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 32:  
32 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 33:  
30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 34.  
Tp. 4 N. R. 28 E. W. M.  
13 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 12.  
Tp. 4 N. R. 27 E. W. M.  
55 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 18.  
Tp. 3 N. R. 29 E. W. M.  
10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
35 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2:  
18 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
39 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
32 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
14 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5:  
15 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 8.

NAME AND POSTOFFICE ADDRESS  
OF APPROPRIATOR

DATE OF RELATIVE  
PRIORITY

AMOUNT  
CU. FT.  
PER SEC.

Time limit  
for complete ap-  
plication.

USE  
AND IRRIGATION  
SEASON

NAME OF DITCH

STREAM

DESCRIPTION OF LAND OR PLACE OF USE

Western Land &  
Irrigation Co.,  
(Continued)

15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 11:  
15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
14 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 13:  
38 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
25 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
31 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
32 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 14:  
6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 15:  
Tp. 3 N. R. 28 E. W. M.  
10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
36 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2:  
Tp. 3 N. R. 27 E. W. M.  
10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 32:  
40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
30 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 33:  
Tp. 5 N. R. 28 E. W. M.

(Lands listed in the claim of H. J. Bean  
are included in the foregoing description.)  
(Vol. 36, p. 89, Ex 25)

Mar. 14,  
1903

Jan. 1, 1920  
14127.09  
Irrigation

Hinkle

Main

258.05 acres in Sec. 4;  
471.96 acres in Sec. 5;  
44.2 acres in Sec. 6;  
461.47 acres in Sec. 7;  
420 acres in Sec. 8;  
110 acres in Sec. 9;  
455 acres in Sec. 17;  
430.92 acres in Sec. 18;  
548.66 acres in Sec. 19;  
90 acres in Sec. 20;  
15 acres in Sec. 28;  
298 acres in Sec. 29;  
188.36 acres in Sec. 30;  
538.13 acres in Sec. 31;  
204 acres in Sec. 32;  
453 acres in Sec. 33;  
165 acres in Sec. 34;  
Tp. 4 N. R. 28 E. W. M.  
105 acres in Sec. 2;  
15 acres in Sec. 3;  
5 acres in Sec. 4;  
537.68 acres in Sec. 5;  
75 acres in Sec. 6;  
15 acres in Sec. 7;  
78 acres in Sec. 8;  
338 acres in Sec. 11;  
319 acres in Sec. 13;  
257 acres in Sec. 14;  
103 acres in Sec. 15;  
Tp. 3 N. R. 28 E. W. M.

PERMIT NO.

CERTIFICATE RECORD  
No. PAGE

# State Water Board Order Record ~~Board of Control~~ State of Oregon

UMATILLA RIVER.

UMATILLA RIVER.

NAME AND POSTOFFICE ADDRESS OF APPROPRIATOR	DATE OF RELATIVE PRIORITY	AMOUNT for complete application. CU. FT. PER SEC.	Time limit	USE	NAME OF DITCH	STREAM	DESCRIPTION OF LAND OR PLACE OF USE
			for com- plete ap- plication.	ACRES AND IRRIGATION SEASON			

Western Land & Irrigation Co.,  
(Continued)

641.92 acres in Sec. 1.  
 433.36 acres in Sec. 2;  
 643.45 acres in Sec. 3;  
 521.93 acres in Sec. 4;  
 160 acres in Sec. 9;  
 250 acres in Sec. 10;  
 Tp. 3 N. R. 27 E. W. M.

640 acres in Sec. 1;  
 39 acres in Sec. 12;  
 640 acres in Sec. 13;  
 253 acres in Sec. 24;  
 587 acres in Sec. 25;  
 400 acres in Sec. 35;  
 640 acres in Sec. 36;  
 Tp. 4 N. R. 27 E. W. M.

640 acres in Sec. 29;  
 283 acres in Sec. 32;  
 93 acres in Sec. 33;  
 Tp. 5 N. R. 28 E. W. M.

5 acres in Sec. 18;  
 47 acres in Sec. 16;  
 170 acres in Sec. 17;  
 40 acres in Sec. 21;  
 Tp. 3 N. R. 29 E. W. M.

State Water Board  
 Order Record ~~Board of Control~~ State of Oregon

UMATILLA RIVER.

35.

In the foregoing Finding No. 34, each of the appropriators tabulated therein shall complete their appropriation, including the construction work and application of the water to a beneficial use, on or before the date set in such tabulation as being the limiting date for the complete application of such water to a beneficial use, or, within such time as the State Water Board for a good cause shown, may extend as provided by law. Upon the expiration of said time for the complete application of the water to a beneficial use as in said Finding provided, or any extension thereof, the State Water Board shall cause due proof to be taken of such application of the water to a beneficial use, and grant such water right certificate as said State Water Board may ascertain that such appropriator is entitled to receive by virtue of such proof.

And the State Water Board being fully advised in the premises, it is hereby CONSIDERED and ORDERED, that the relative rights to the use of the water of the Umatilla River and its tributaries, a tributary of the Columbia River, be, and the same are hereby adjudicated, determined, and settled, in accordance with and as set out in the foregoing Findings. It is further CONSIDERED and ORDERED, that each and every appropriator holding permits for the appropriation of water from said Umatilla River and its tributaries, shall have such water right thereunder as is provided by law, and the rights of such appropriators shall be established in the manner provided by law for the issuing of water right certificates in such cases.

*John H. Lewis*  
 State Engineer, and President of State Water Board.

*James T. Chinnock*  
 Superintendent of Water Division No. 1.  
*Geo. T. Cochran*  
 Superintendent of Water Division No. 2.

ATTEST:

*M. F. Myers*  
 Secretary of State Water Board.