

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR UMATILLA COUNTY.

IN THE MATTER OF THE DETERMINATION)
OF THE RELATIVE RIGHTS OF THE VARIOUS)
CLAIMANTS TO THE WATERS OF THE UMATILLA) FINAL DECREE.
RIVER AND ITS TRIBUTARIES, A TRIBUTARY)
OF THE COLUMBIA RIVER, IN UMATILLA)
COUNTY, OREGON.)
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Now, at this time this matter came on for hearing upon the Findings of the State Water Board, heretofore filed in the above entitled proceeding and the exceptions filed thereto, and it appearing to the Court that said Findings of the State Water Board should be modified in a large number of particulars, and upon due hearing upon same, the Court made the Findings of Fact and Conclusions of Law, which Findings of Fact and Conclusions of Law do modify the Findings of the State Water Board, and the Court having filed said Findings of Fact and Conclusions of Law in the above named proceeding, and being fully advised in the premises, and based upon the testimony and records in the above entitled proceeding and said Findings of Fact and Conclusions of Law so made by said Court, it is hereby CONSIDERED, ORDERED and DECREED, as follows:

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 said 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 fixed for the making of said examination and measurement of the said stream and ditches by the State Engineer, and for the beginning of taking of testimony by the Division Superintendent.

3.

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, page 306, et. seq) claiming a right to use the water of said stream, or any tributary thereof, and to each person, firm and corporation owning or being in possession of land bordering on or having access to said stream or any tributary thereof, in so far 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.

5.

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, p.423); 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; Godeon Brown; Jessie M. Bryson; Geo. A. Barnhard; Wm. B. 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. Cowner; 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. Courtwright; Harry
 E. Cord; H. E. Cook; Mary M. 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; Gredn Estes; Anne E. Faude; First Nat. Bank of Pendleton-Oregon,-
 G. M. Rice, Cashier; Joseph Francis; C. P. Ford; Julius Fletcher; Mary E. Fletdher;
 Farmers Bank of Weston, Oregon, Dillard French; John Foster; John H. French; *J. D. French*
 Karl F. Fahrwald; John H. Ferguson; N. B. Foster; Fish & Toft; E. C. Fish;
 Bertha B. Harris; Guernsey H. B. Gillett; Wm. Grigsby; J. H. Gruelich; F. J.
 Gruelich; E. M. Graham; D. E. Gritman; Dorothy Gilliam; Mrs. S. C. Geiss; Earl
 Gillanders; Frank Gerard; I. H. Govvell; C. H. Gardner; S. S. Jackson; Annie
 Horn; Leonora G. Hunt; Bertha Guernsey Harris; H. T. Irwin; Charles B. Hawarth;
 Jessie A. Hutchinson; Herman Holverson; August Jachewak; Edgar B. Hoover; R. C.
 Hager; J. F. Harvey; S. L. Hawarth; Edith Howard; Paul Histor; Lucy M. Jarmon;
 Mrs. Laura Humphreys, J. L. Howard; Fred W. Handley; Chas. R. Hensley; I. L. Howard;
 Hill Bros; James Hawks; A. B. Johnson; Alex Hudson; Emme E. Horn; David Horne;
 Sarah Jones; W. W. Harrah; Maude L. Hailey; James M. Hager; Mrs. M. J. Holdman;
 Oliver Holcomb; Razille 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. Kelley; Josiah H. Leezer;
 Mary Kine; Martha D. Kimball; Mathies Rononen; Lot Livermore; Stella Lacy; James
 Kash-Kash; J. W. Kimbrell; Maria L. Lightfoot; Imogene Keys; John Koop; 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 R. 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. McCutcheon; 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; Nels. 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. Nibley; Warren R. Parker; H. Pelmulder; Eliza E. Pugsley; J. B. Perry; Maggie N. Parr; Will M. Peterson; Eva M. Peterson; E.J. Perry; Pendleton Roller Mills; Pedro Bros; Alfred Palmer; Chief Peo; Amos Pond; G. Pea; Thos. P. Page; Wm. L. Parcell; Samuel L. Priscoe; 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. L. Raley; Wm. Rhodes; A. D. 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. Schwarts; Schwarts & Gruelich; G. Schroeder; Chas. Switzler; Hattie Stanfield; Ephriam L. Smith; Minnie J. Suista; J. W. Salisbury; Mrs. H. T. Stanfield; Elizabeth Stamper; Edward Serell; A. L. Swaggert; Chas. Schumann; Cap. Sumpkins; John Switzler; S. G. Shaw; I. E. Saling; John R. Smith; Henry W. Schwartz; Agnes Swauger; T. B. Swearngen; 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; E. W. Welch; Pauline West; Asa B. Thomson; Aura A. Thomson; David Sloan; Thomson; Ellen Tippett; Wm. Temple; Thompson-Figg Estate; Sarah Thompson Estate; Chris Tarver; Belle Todd; J. S. Todd; Peter Toft; Peter L. Van Orsdell; Minerva D. Vaughan; Chas. Van Pelt; 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. R. 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 Indians residing on the Umatilla Indian Reservation:

Kap-sis-e-wa-tin; In-na-ho-pe; Shee-loo-pow-yan; Catherine King; We-a-lux; Temigh; Talaspaleo; Ida Pond; Ala-lame-ton-mi; Columbia Joe's daughter Maud; Koot-to-tam's wife's sister, Talakekla; Ruehen-wa-won-a-kee; Acwate; W.H.H.68; Ap-nash-kla-tuck; 341 G; W.W.H.70; Watalawit; Sem-ka-we-ela; Ko-san-mi-

Jesse 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-Sook); He-you-wa-pe; Little Thomas; Mabel Bergevin; Wa-pe-ta-nin; Eyoustime; Pa-la-nat-hi-hi; Long Hair; Tet-ha-lot; We-wt-kee; Me-tot-tsa-lumk; Paip; Lix-le-wa; Joseph McBear; Yellow Jacket; In-za-sin-a; Pa-na-po-ye-aop; Wissates; Myrtle Hebart; W. H. H. 75. And 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, or by appropriation according to law subsequent to the date of taking effect of C. 216, Gen. Laws of Oregon, 1909, such parties are hereby declared to be barred and estopped from asserting any rights to any of the waters of said Umatilla River and its tributaries, or either or any of them.

6.

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 notice, 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 holding of said inspection and of the sending of said notices, by registered mail, being filed herein. (Vol. 1, p. ⁴³⁶346, et seq).

7.

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.

8.

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 statements 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 Beitle 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;
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. Gnavauch, 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.
 Neill and L. D. Neill, v. Kate Cornett; #24. E. O. Neill and L. D. Neill. v.
 George J. Currin; #25 E. O. Neill and L. D. Neill, v. Chas. E. Batholomew;
 #26. Oregon Land & Water Co. v. The Beitle 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 & 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 Thomas W. Peters; #44. Western Land & Ir-
 rigation Co. v. Oregon Land & Water Co; #45. Western Land & Irrigation Co. v.
 F. H. Gritman; #46. 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 Higgenbotham; #50. U. S. A. v. Crayne-Lisle Irrigation Co;
 #51 U. S. A., v. H. 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., v. William H. Evans; #77. U. S. A., v. J. E.
 Smith Livestock Co; #78. U. S. A., v. M. E. 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., v. L. T. Kennison; #88. U. S. A., v. Elmer A. Snyder; #89. U.S.A
v., Mildred Spike; #90. U. S. A., v. Susan White; #91. U. S. A., v. H. G. Hurl-
burt; #92. U.S.A., v. Dillon Irrigation Co. #93. U. S. A., v. Western Land &
Irrigation Co; #94. U. S. A., 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. Whit-
worth; #103. U.S.A., v. Frank Corea; #104. U. S. A., v. Nancy 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. Beitle 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; #116.
U. S. A., v. Joseph Cuhna; #117. U. S. A., v. O. D. Teel; #118. U. S. A., v
Clarence Gulliford; #119. U. S. A., v. J. Peldmulder; #120. U. S. A., v. Frank
Corea; #121. U. S. A., v. J. K. Bott; #122. U. S. A., v. Rolla E. Bowman; Roy
D. Bowman, Chas. C. Bowman, and Hattie M. Hamblin; #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. Roorck; #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., v. 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 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. 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. Dhas. 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
Mc A 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 A. 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
G. 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., v. 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; #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 and 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. B. 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. and 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. Wm. 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. Gnauvauch; #226.
U. S. A., 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. Lisle; #232. U. S. A., v.

B. 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, by E. L. Swartz-lander; #240. Sophie Byers. v. Frank Parrl #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, settled, 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 #1. Brownell Ditch Company, contestant, v. The Maxwell Land & Irrigation Company, 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 #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 waters 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 #3. Brownell Ditch Company, contestant, v. Harry R. Newport, contestee. Was settled by stipulation wherein the parties hereto agree 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 #4. The Brownell Ditch Company contestant, v. Frank F. and Julia C. Fowler, contestee. It appeared to the Board that said contest was filed on the 27th day of September, 1910, being 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 contests, 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 #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, 1893. That by said stipulation the Oregon Land and 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 and Water Company, and the record herein, that the lands upon which water has been beneficially applied amounted to 2066 acres under date of April 14, 1893, and an inchoate right for 3974 acres under date of 1906. That said claimant, the Oregon Land & Water Company is entitled to receive sufficient water to irrigate said lands as shown in the tabulation hereunto attached, and not to exceed 75

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 #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 first 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 headgate 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 #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 agreement of parties shall be enforced according to the findings of fact herein, subject to the general findings of the amount of water necessary to irrigate the lands under such irrigating 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 #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 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 a prior right to such amount not exceeding said 1500 inches. (Vol. 1, p. 278.)

Contest #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. 185.)

Contest #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 for part of the lands and extended for other lands in 1907. (Vol. 33. Test., p. 49) and should have a priority date of 1897 and 1907 for the lands described in the tabulation under the name of W. T. Reeves, F. H. Densler, B. F. Myerick, B. F. Rector, B. F. Dixon, Umatilla Ranch Company, Frank Saling, Horace Walker, and W. J. Haney, and for lands not yet irrigated ~~contestee~~ should have a priority date of 1907 with limiting date of completion of Jan. 1, 1920, and the rights of said Dillon Irrigation Company, shall be as therein established.

Contest #11. Courtney Irrigation Company, contestant, v. United States of America, contestee. The claim of the United States of America is divided into three parts; that part of the claim represented by Engineer's permits under Application #13, and Application #237, initiated March 28th, 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, 6628, 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 of 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 right, 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.

The third basis of claim of the United States of America is based upon the appropriation of Sept. 6, 1905, wherein the water rights are reserved to the United States under a Statute of the State of Oregon appearing as Chapter 228, Gen. Laws of Oregon for 1905. This right is tabulated and described with the other rights of the United States in Finding No. 34.

Contest #12. Dillon Irrigation Company, contestant, v. Western Land & Irrigation Company, contestee. The contestee bases its right 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, for 4109.68 acres, and July 1907, for 12,747.48 acres.

Contest #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, Zoeth Houser,

Sadie 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 as now vested, and a priority date
of 1906 for all inchoate rights.

Contest #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 #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 #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
the 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 tab-

ulation hereinafter contained. That the amount of water therein shown shall be distributed in accordance with said stipulation and settlement of this contest.

(Vol. 7, p. 179.)

Contest #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 #18. Maxwell Land & Irrigation Company, contestant, v. Oregon Land & Water Company, contestee. Was dismissed without prejudice to either of the parties thereto. (Vol. 1, p. 3)

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

Contest #26. Oregon Land & Water Company, contestant, v. Beitle 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 #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 hereto may be given under these findings. (Vol. 1, p. 158)

Contest #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 has 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 a 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 #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 #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. 586.)

Contest #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 #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, and the tabulation as hereinafter set forth. (Vol. 1, p. 161.)

Contest #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 #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 herein-after contained shall be subject to this settlement. (Vol. 1, p. 162).

Contest #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 distribution of water, and does not involve their water right. It appears that the contestee was served with an 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 on 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 water master in the distribution of water shall be governed by such agreement. This finding only applies to ditches jointly used by the parties hereto. (Vol. 8, p. 122-125).

Contest #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 #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 claim 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 #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 #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 #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 #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 #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 #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 contestee 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 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 #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 #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 open, 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. That 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. 228. et seq).

Contest #46. Western Land & Irrigation Company, contestant, 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 #47. Western Land & Irrigation Company, contestant, v. Frank F. and 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 were 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 any of the waters of the Umatilla River. (Vol. 9, p. 16, et seq.)

Contest #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 and to the amount of water allowed by the general findings herein and duty of water, not to exceed 462 miners inches. (Vol. 1, p. 169.)

Contest #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 #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 under finding 34 shows all the acreage to which such contestee is entitled under the evidence produced. (Vol. 34, p. 386.) As to the balance of the acreage the same is tabulated in finding 34 as inchoate rights, under the names of S. I. Lisle, Chris Roberts, Claude Sloan and John H. Young.

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 #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 #53. U. S. A., contestant, v. Edmond D. Warner, contestee, was settled by stipulation that the evidence taken as to the contests 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 #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 #55. U. S. A., contestant, v. Thos. 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 #56. U. S. A., contestant, v. J. A. Guderian, contestee, was stipulated to the effect that the testimony taken in 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 #57. U. S. A., contestant, 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 #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 #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 #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 #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 #62. U. S. A., contestant, v. Fred Glenger, 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 #63. U. S. A., contestant, v. J. A. Owings, 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 #64. U. S. A., contestant, v. Nicholas Brown, contestee, was dismissed under a 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 #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 North 23 degrees East, 11 chains distant. (Vol. 1, p. 209.)

Contest #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 #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 #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 #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 #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 #71. U. S. A., contestant, v. Grace A. Gilliam, contestee, was stipulated to the effect that the testimony as to the 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 #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 #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 #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 #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 #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 #77. U. S. A., contestant, v. J. M. Smith Livestock 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 the 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 #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 #79. U. S. A., contestant, v. H. B. Owings, contestee, was stipulated to the effect that the evidence as to the contests 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 dates 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 #80, U. S. A., contestant, v. Perry Knotts, contestee, was stipulated to the effect that the evidence taken as to Birch Creek should apply to 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 #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 taken as testimony in this contest. The contestee shall have the acreage and priority dates as shown in the tabulation, and in use of water shall be governed by the general findings herein. (Vol. 31, p. 547.)

Contest #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 #83. U. S. A., contestant, v. Frank Frazier, contestee, was stipulated to the effect that the contestee was similarly situated to the contestees 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 #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 #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 #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 #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 #88. U. S. A., contestant, v. Elmer Snyder, contestee, was settled by stipulation to the effect that the testimony taken 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 #89. U. S. A., contestant, 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 63 acres of land. The contestee shall have such acreage and date of priority, both vested and inchoate, as contained in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 24, p. 25.)

Contest #90. U. S. A., contestant, v. Susan A. White, contestee, was stipulated to the effect that the evidence taken as to the claim 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 finding. (Vol. 1, p. 215.)

Contest #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. v. H. G. Hurlburt, contestee, but subject to this finding. (Vol. 13, p. 94.)

Contest #92. U. S. A., contestant, v. Dillon Irrigation Company, contestee. The contestee herein shall be entitled to the acreage and date of priority as hereinafter 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 #93. U. S. A., contestant, v. Western Land & Irrigation Company, contestee. The rights of the contestee are established the same as in Contest No. 12 heretofore set forth in this finding.

Contest #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, v. H. G. Hurlburt, contestee.

Contest #95. U. S. A., contestant, v. Furnish Ditch Company, contestee. The contestee herein has priority rights under date of March 8, 1905 for irrigation of land, and also under date of February 25, 1909, for storage and irrigation of land. The water stored under the appropriation of February 25, 1909 is to be carried from the reservoir in the channel of the river to the main canal of the distribution system and used upon the lands as in these findings listed, covered by both appropriations of March 8, 1905 and February 25, 1909, both as to the vested and inchoate rights. The rights of the contestee as to the acreage and irrigation of the land shall be as hereinafter tabulated, and in the use of water contestee shall be governed by the general findings. (Vol. 34, p. 404.)

Contest #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, both vested and inchoate, as shown in the tabulation, and in the use of water shall be governed by the general findings. (Vol. 30).

Contest #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, 60 $\frac{1}{2}$ acres vested and 30 acres inchoate; 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.) It further appears that the contestee was a party to the suit of the United States, v. Ramos, et al., described under Contest No. 206, and shall be governed thereby. (Exhibit #126).

Contest #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, both as to vested and inchoate rights, as in the tabulation contained, and in the use of water shall be governed by the general findings. (Vol. 30.).

Contest #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 finding therein. (Vol. 34, p. 387.)

Contest #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 finding therein. (Vol. 34, p. 557.)

Contest #101. U. S. A., contestant, v. John M. Young, contestee, was heard in connection with the contest against the Crayne-Lisle Irrigation Company, and shall be governed by the finding therein. (Vol. 30.)

Contest #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 finding therein. (Vol. 34, p. 557.)

Contest #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 finding therein. (Vol. 30.).

Contest #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 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 #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 #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 #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 finding therein. (Vol. 30).

Contest #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 56 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 #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 #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 #111. U. S. A., contestant, v. H. Baumgardner, contestee, was heard in connection with the contest as to the Pioneer Irrigation Company, and shall be governed by the finding therein. (Vol. 30).

Contest #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 finding therein. (Vol. 30.)

Contest #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 #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 #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 #116. U. S. A., contestant, v. Joseph Cuhna, 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 #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 #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 #119. U. S. A., contestant, v. Jay Pelmulder, 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 Pelmulder, and the tabulation shall show the lands irrigated by said Edna L. Cooper and Jos. T. Hinkle, and the said Jay Pelmulder 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 #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 #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 #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 the water shall be governed by the general findings. (Vol. 1, p. 235 et seq).

Contest #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 #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 #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 date as set forth therein, and in the use of water shall be governed by the general findings. (Vol. 31, p. 547.)

Contest #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 #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 #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 #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 #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 #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 #132. U. S. A., contestant, v. Aaron M. Isaacs, contestee, was stipulated to the effect that the testimony taken as to the contests involving McKay Creek should apply in 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 #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 #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 #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 should be entitled to the date of priority and 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 #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 #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 #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 #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 #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 #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 #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 #143. U. S. A., contestant, v. Elwood F. Straughan, 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 #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 to 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 #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 #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 #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 #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 #149. U. S. A., contestant, v. A. P. Warner, contestee, was stipulated to the effect that the testimony taken as to Birch Creek should apply as to 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. 221.)

Contest #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 #151. U. S. A., contestant, v. A. 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 #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 #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 #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. (Vo. 34, p. 557.)

Contest #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 #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 #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 #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 the use of 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 purposes 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 #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 #160. U. S. A., 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 #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 #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 #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 #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 #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 #166. U. S. A., contestant, v. Louis McA. LaDow, 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 #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 herein. (Vol. 34, p. 590).

Contest #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 #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 #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 #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 #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 the Unaila River for irrigation, stock and domestic use upon said grounds. (Vol. 34, p. 209.)

Contest #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 #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 #175. U. S. A., contestant, v. Daniel Shaw, contestee, was tried in connection with 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 #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 #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 #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 for 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 #179. U. S. A., contestant, v. Omer O. 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 #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 entirely by such proof as may be submitted under said Engineer's Permit, as required by law. (See claim).

Contest #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 #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 #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 #184. U. S. A., contestant, v. R. T. and C. E. Byrd, contestee, 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 #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 #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 #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. 296.)

Contest #188. U. S. A., contestant, v. William P. Daniels, 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. The contestee shall have the date of priority and be entitled 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 #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 #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 the 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 #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 #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 #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 #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 #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, 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 has not appeared, answered, 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 waters 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 contestees 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 rights to the use of the water to irrigate the lands described in the tabulation.

Contest #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 the Taylor Ditch shall be 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^{1/2}).

Contest #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 contestees shall be governed by the general findings herein. (Vol. 24, p. 25.) That Mildred Spike shall have an inchoate right for 9 acres; Jos. Cunha for 10 acres, and George Higginbotham for 183 acres, which inchoate right shall be tabulated in the tabulation of inchoate rights, with the description of the land, date of priority and a time for the completion shall be set as January 1st, 1918.

Contest #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 #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 #201, 202. U. S. A., contestant, v. B. P. Doherty, contestee, was stipulated to the effect that the testimony taken on 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 and 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 1/4 of Section 9, as claimed in contestee's claim. (Vol. 1, p. 282.)

Contests #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 therein. It appears in the claim filed by the contestee for the 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 statements 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 #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 of which Joseph Ramos is entitled to irrigate is 90.5 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, v. 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. As to the balance of 30 acres, contestee shall have an inchoate right. In the use of water contestee shall be governed by the decree of said Circuit Court of the United States from the District of Oregon, and the general findings herein. (Vol. 34, p. 555). (Ex. 126.)

Contest #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 #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 #209. U. S. A., contestant, v. B. F. Raley, contestee, was heard in connection with the contest of the U.S.A., v. Pioneer Irrigation Company, and shall be governed by the finding therein. (Vol. 30)

Contest #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 #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 #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 finding therein. (Vol. 24, p. 25.)

Contests #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 #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 contest No. 43.

Contests #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, for 2066 acres as a vested right, and 3974 acres as an inchoate right under date of 1906, and 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 #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 lands in question

in this contest has been transferred to Jas. A. Fee, Jr., and said Jas. A. Fee, Jr., is hereby substituted in this contest for the contestee. (Vol. 30)

Contest #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 #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 #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 #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 #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 finding thereunder. (Vol. 34, p. 554.)

Contest #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 finding therein. (Vol. 30.)

Contest #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 #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 $1\frac{1}{2}$ 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 $1\frac{1}{2}$ second feet. (Vol. 1, p. 185.)

Contest #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 #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 #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 findings therein. (Vol. 34, p. 554.)

Contest #231. U. S. A., contestant, v. S. L. 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 #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 #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,	v. Wa-wa-ne,	Contestee,
235.	"	"	"	V. Joe Parr, "
236.	"	"	"	v. Eli Parr, "
237.	"	"	"	v. A-le-te-la, "
238.	"	"	"	v. Pat-si-ak. "
239.	"	"	"	v. To-yat, heir of Peter Kalyton, Cayuse #248, by E.L. Swartzlander
240.	"	"	"	v. Frank Parr, Contestee
241.	"	"	"	v. Wm. Caldwell, "
242.	"	"	"	v. Mrs. White Bull, "

On the 5th day of June, 1911 and after service of notices 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 8th 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 residence, 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, Lot 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 $\frac{1}{2}$ 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 of 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 varied 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.

On August 5, 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 conveyances, W. S. Byers became the owner of all of 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 the 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 contained 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, Lot 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 nor to any extent beyond or different from that to which it has heretofore been appropriated."

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 ^{and the lands farmed by them have been farmed by white people until now they are} William F. Rigby were white persons, and the ^{lands} 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, Hootsoot, Hop-sin, Wa-win-ta-le-son-mi, Peter Kalyton, James A. Fee, Thomas Thompson, Iska-malk, Nich-ga-we-tle, 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 finding 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 government is that by the Act of March 3, 1885, a continuance of this permissive use was permitted, but subject to revocation at any time. Counsel for Byers Mill interests assert that a right was obtained first, because of the alleged Congressional Grant, and second, because of riparian ownership. The United States claims that by the treaty of 1885 with the Indians, the land embraced within the Umatilla Reservation was set aside for the use of the Indians, and that by necessary implication there was reserved for the Indian the use of the waters of the Umatilla River flowing over and across said lands. Much testimony was taken and a strong argument made by each side in this controversy, but so far as the Congressional Act is concerned, I am of the opinion that this Court cannot at this time either add to nor take from the contestant, any of the privileges extended to contestant in said act and that any attempt on the part of Congress or the Department of the Interior to

repeal, modify or withdraw the privileges mentioned, any action of this Court would be premature, and would not have any binding effect. Such right as the contestant obtained by the Act of Congress, whether by license or by grant, is a right which continues for the benefit of the contestant or her successor, at least until some attempt is made to take away such rights or privileges.

As to the use of water by the Indians, when the United States by the Act of Congress of March 3rd, 1885, set aside for the use of the Indians the lands included within the Umatilla Reservation, such water as was or might be needed for domestic uses, and for the purposes of agriculture was also set aside or reserved, and to the extent said waters may be required on the Reservation for domestic and agricultural uses by the Indians upon the Reservation, there is vested in the Indians a paramount right. (Winters v. United States, 207 U. S., 340).

The fact that upon the Umatilla Reservation the lands may require less water and may be of a different character than the lands under consideration in the Winters case, does not furnish sufficient reason why a different principle or construction should be applied. Changed conditions will measure the extent of use, but it cannot take away the right. The amount of water that can be put to a beneficial use will measure the right in any case, but the requirements cannot add to nor take from the right itself.

10.

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 Bowman 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. Despain, and Umatilla County entered into a stipulation as to the use of a ditch known sometimes as the C. C. French Ditch, sometimes as the Home Irrigation Company's Ditch, and sometimes the Kemler-Despain-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. Despain 22 acres of land, and thereafter, Umatilla County, 25 acres of land. The water master shall distribute 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 priority 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: Geo. 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 George 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 the 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 the land described in the tabulation herein, and that thereafter the said Amanda J. Southwell and the heirs of John Southwell, deceased, should have a sufficient amount of water to irrigate the lands as in the tabulation as shown as irrigated by them; that after such irrigation by said Southwells, 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 the 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. Despain, 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 rights as follows: Daniel Kemler, 23 acres; Laura B. Perrin, 12 acres; A. M. Despain, 25 acres, and that A. M. Despain 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 finding 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, 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 *thence following up the west bank of said main channel of East Birch Creek* bank of the 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 lands upon which it arises if the parties so desire.

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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 land, 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 had 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, nor 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 the main stream almost 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 irrigating 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 place 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 water shed 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.

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.

In order to successfully irrigate a piece of ground, it is necessary to have a sufficient head of water; the flow of one-eightieth 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-eightieth 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.

That all claimants herein to water for irrigation shall be entitled to use such water for stock and domestic purposes; that the rights 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.

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, 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 such 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 and 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.

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 right 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 purposes 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 of Umatilla County, sitting for the transaction of county business. Said County Court shall present a bill for 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 be hereafter 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 waters of said stream and its tributaries by virtue of such rights of appropriation, are limited and confined 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 rights 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 relative priority of the rights 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 the 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 their 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 the 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 the contestees upon Birch Creek 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.)

32.

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 sufficient 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 irrigator is from the 1st day of March to the 1st day of November 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. 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.

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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 sufficient 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 along said Lower River there are a number of large irrigation projects partially developed. That it is the experience of the irrigators upon said projects, that in order to reduce the raw lands upon said projects to a state of cultivation and irrigation, it is necessary to use a larger 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, six 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, except when the soil is composed mostly of loose ground which requires six acre feet.

*Paragraph changed by
Mandate
p. 381* → (That the specification of a definite amount of water per acre, in these findings, 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 the distribution of 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, or such water be not economically and beneficially used, 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.

That in diverting water for the irrigation of lands, different heads or quantities of water are required for different conditions. The testimony shows there are the following different conditions: 1st. raw sage brush land not reclaimed, or in process of reclamation; 2nd. reclaimed lands of loam or fine sand or fine soil texture; 3rd. reclaimed land of coarse sand or loose gravel subsoil, or loose coarse soil texture. That for the reclamation of the first class of land, being raw land, a diversion of a head of 1/40th of a second foot, per acre, is required. That for the irrigation of the second class, or fine texture soil, after reclamation, a diversion of a head of 1/80th of a second foot, per acre, is required. That for the irrigation of the third class, or loose coarse texture soil, after reclamation, a head of 1/40th of a second foot, per acre, is required.

In all cases however, where a specific quantity of water has been appropriated, the diversion shall not exceed such amount except as the result of rotation, nor in any case shall the amount of water diverted exceed the number of acre feet required for the irrigation of such land as found herein, to-wit: not more than six acre feet in all cases where 1/40th of a second foot per acre is diverted,

and not more than three acre feet per acre in all cases where $1/80$ th of a second foot per acre is diverted. In all cases, the water master where the works are in good condition, may, at his discretion, allow an increased diversion for seepage and evaporation, which increased diversion shall be determined by the water master according to the actual seepage and evaporation in the diversion works, but in no case shall such increased diversion exceed twenty percentum of the amount allowed by this finding.

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, (computed for convenience at a flow of $1/80$ th of a second foot per acre) the number of acres by which such appropriation is applied and to which such water is appurtenant, the use or uses for which such water was appropriated and is now applied, and to which such is limited, the name of the ditch or ditches through which such appropriation is diverted, the name of the stream or streams from 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 such appropriator, are as follows, to-wit:

(NOTE) Notwithstanding the fact that the computation in the following schedule is made on the basis of $1/80$ th of a cubic foot per second per acre, it is intended that all lands falling within classes 1st and 3rd, as declared in next to last paragraph, in Finding 32 hereof, shall be entitled to receive and shall receive, $1/40$ th of a cubic foot of water per second, per acre (to the extent that the same may be economically and beneficially used) and the schedule shall be deemed and construed to accord to all lands in said classes 1st and 3rd, $1/40$ th of a cubic foot of water per second, per acre (to the extent that the same may be economically and beneficially used.)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
1482 Adams, Geo. E. McKay, Oregon (Finding #9 Contest #136)	1895 1905	.05 .15	4 12	Irrigation	Adams	McKay & Rail	11 a SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 a SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 29 T. 1 S. R. 34 E. W. M.
2483 A-le-te-la, by William Caldwell, Pendleton, Ore. (Finding #9 Contest #237)	May 23 1895	.3	24	Irrigation	Rigby	Main	24 a. SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 2 T. 2 N.R. 33 E.W.M.
NOTE: This right when used by an Indian is paramount to all other rights; when used by any other person is regulated by priority date.							
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 holders following).
<i>also see schedule of distribution of water</i> -- Andrews, Fred Echo, Ore. (Finding #9 Contests #16, 212, 197)	1870	2.3	184	Irrigation	Allen	Main	40 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 a. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 40 a. NE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 a. NW $\frac{1}{4}$ SE $\frac{1}{4}$; 17 a. SW $\frac{1}{4}$ SE $\frac{1}{4}$; 17 a. SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 7 T. 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 a. 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 T. 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 T. 3 N. R. 29 E. W. M.
-- Spike, Mildred Echo, Ore. (Finding #9 Contests 16,197,89)	1870	.8	63	Irrigation	Allen (Vol.24, p.25 Engineers Maps,Vol. 34,p.366)	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 T. 3 N. R. 29 E. W. M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
-- 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 T. 3 N. R. 29 E. W. M. (Vol.24, p. 25)
-- Higginbotham, 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 T. 3 N. R. 29 E. W. M. (Engineer's Maps, Vol. 34, p. 376, 384)
2484 Ashworthy, 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 T. 2 N. R. 30 E. W. M.
2486 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 T. 1 N. R. 32 E. W. M.
38658 2486 Baker, M. T. 22162 Pilot Rock, Ore. + Sp. Or. Oct. 13 p. 550 (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.R. 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 T. 1 S. R. 32 E. W. M. (Vol. 1, p. 252)
2487 Beitle Ditch Co. by D.C.Brownell, Pres. Umatilla, Ore. (Finding #9 Contest 6,26)	Dec.1 1898	.70	56	Irrigation Domestic	Beitle	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 T. 4 N.R. 28 E.W.M. (Vol.1,p.157,177)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2488 Belts, Douglas Pendleton, Ore. (Finding #9 Contest #67)	1878	.26	21	Irrigation		East 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 T. 2 S. R. 32 E. W.M.
	1890	.06	5	Irrigation		West Birch	5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 17 T. 1 S. R. 32 E.W.M.
51218 2487 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 T. 2 N.R. 32 E.W.M.
							<i>all of these lands, except 20 ac SE$\frac{1}{4}$SW$\frac{1}{4}$, changed to maint. of log pond Sp. Or. Vol. 8, p 272</i>
2490 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 T. 5 N.R. 28 E.W.M. (Vol. 1, p. 235, 237)
53515 2497 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 T. 3 N.R. 29 E.W.M.
							<i>7.85 ac CANCELED Spec. Or. V. 31 p. 263</i>
65146 2498 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 T. 2 N.R. 32 E.W.M.
							<i>* ch. in pt. of div. for part. Sp. Or. V. 8, p. 548</i>
2499 Boylen, Herbert Pilot Rock, Ore. (Finding #9 Contest 74)	1887	.69	55.5	Irrigation	Boylen	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 T. 2 S. R. 31 E.W.M.
2494 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 T. 1 N.R. 31 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2495 Brown, Ben F. Duncan, Ore. (Finding #9 Contest 173)	1904	.02	1	Irrigation Stock		Meacham & McKay	1 acres in SE-SE $\frac{1}{4}$; Sec. 30 T. 2 N.R. 36 E.W.M.
2496 Brown, Jas. R. Pendleton, Ore. (Present owner, Peter Baker, Pilot Rock, Ore.) (Finding #9 Contest 182)	1895	.10	8	Irrigation		McKay	8 acres in SW-NW $\frac{1}{4}$; Sec. 1 T. 1 S.R. 32 E.W.M.
5670 2497 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-NE $\frac{1}{4}$; 18 acres in SW-NE $\frac{1}{4}$; 1 acre in NE-NW $\frac{1}{4}$; Sec. 22 5 acres in SE-SW $\frac{1}{4}$; $\frac{1}{2}$ acre in NW-SE $\frac{1}{4}$; Sec. 15 T. 1 N.R. 32 E.W.M.
29165 2498 Byers, Sophie Pendleton, Ore. (Finding #9 Contests 234, 242, 186)	1895	.36	29.4	Irrigation		Main	17.6 acres in NE-NE $\frac{1}{4}$; 4.6 acres in NW-NE $\frac{1}{4}$; 7.2 acres in SE-NE $\frac{1}{4}$; Sec. 12 T. 2 N.R. 32 E.W.M.
	1870	167.00	312	Milling	Byers Mill Race	Main	Flouring Mill in the City of Pendleton, County of Umatilla, State of Oregon.
							Power Claim # 3
2499 Byrd, F. T., for Byrd Brothers, Pilot Rock, Ore. (Finding #9 Contest 184)	1877	.50	40	Irrigation	Whitmore	Birch	10 acres in NE-NE $\frac{1}{4}$; 15 acres in SE-NE $\frac{1}{4}$; 14 acres in NE-SE $\frac{1}{4}$; Sec. 14 T. 2 S.R. 31 E.W.M.
	1903 (Vol. 31 p. 328)	.99	79.5	Irrigation			35 acres in NW-NW $\frac{1}{4}$; 39 acres in SW-NW $\frac{1}{4}$; 2.5 acres in SE-NW $\frac{1}{4}$; 4 acres in NW-SW $\frac{1}{4}$; Sec. 13 T. 2 S.R. 31 E.W.M.
2500 Cable, Truman Pilot Rock, Ore. (Finding #9 Contest 68)	1892	.36	29	Irrigation		West Birch	13 acres in NW-NW $\frac{1}{4}$; 6 acres in SW-NW $\frac{1}{4}$; Sec. 12 10 acres in SE-NE $\frac{1}{4}$; Sec. 11 T. 2 S. R. 31 E. W.M.
2501 Caldwell, Wm., Pendleton, Ore for Cayuse #339. (Finding #9 Contest 241)	1895	.17	13.6	Irrigation	Rigby	Main	13.6 acres in NE-SW $\frac{1}{4}$; Sec. 2 T. 2 N.R. 33 E.W.M.

NOTE: This right when used by an Indian is paramount to all other rights; when used by other person is regulated by priority date.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2502 Card, Wm. P. Pendleton, Ore. (Transferred to Earl Gillanders & 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.
2503 Carney, E. F. McKay, Ore. (Finding #9 Contest 210)	1891	.17	14	Sub-irrig.		South Fk. McKay	10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 30 T. 1 S.R. 34 E.W.M. (See Engineers Maps)
2504 Carpenter, Lucinda (Transferred to State of Oregon) (Finding #9)	1896 CANCELED	.12 Spec. Or. V. 28 p. 216	10 215 216	Irrigation	Carpenter	Main	10 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 9 T. 2 N.R. 32 E.W.M. (Lot "A", Utopian Gardens.)
2504 Cheney, T. J. Pendleton, Ore. (Finding #9 Contest 181)	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 T. 2 N.R. 32 E.W.M.
2505 Cline, John C. Pilot Rock, Ore. (Finding #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 T. 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 Irrig. Company, by S. I. Lisle, Pres., Echo, Ore. (Finding #9 Contest 50)	Mar. 7 1904	2.82	226	Irrigation Stock	Crayne-Lisle	Main	(For description of land, see individual landholders following)
-- Lisle, S. I. Portland, Ore. (Finding #9 Contests 50, 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 T. 3 N.R. 29 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
-- Roberts, Chris (Transferred to J. E. Krone) Echo, Ore. (Finding #9 Contests 50-208)	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 T. 3 N.R. 29 E.W.M.
-- Sloan, Claude Echo, Ore. (Finding #9 Contests 50,99)	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 $\frac{1}{4}$ -NW $\frac{1}{4}$; 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 T. 3 N.R. 29 E.W.M.
-- Young, John H. Echo, Ore. (Finding #9 Contests 50,101,)	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 T. 3 N.R. 29 E.W.M.
2566 Crow, John W. (Transferred to W.N.Wright, Pilot Rock, Ore) (Finding #9 Contests 50,131)				Stock & domestic		McKay	Place of use, NW $\frac{1}{4}$ of Sec. 7, T. 1 S., R. 34 E. W.M.
T-8431 ΔAPO vs 47 391 2567 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 T. 3 N. R. 29 E. W.M. (See Engineers Maps)
2568 Cunningham Sheep & Land Company, by J. N. Burgess, Pres, Pilot Rock, Ore. (Finding #9 Contests 203,205)	1865 1880 1880 1901	.07 .61 .02 .11	6 49 2 10	Irrigation Stock Irrigation		West Fk. Birch Creek Spring Hollow Creek	15 acres in NE $\frac{1}{4}$ -SE $\frac{1}{4}$; Sec. 25 T. 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, T. 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 T. 2 S.R. 32 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use.
2509 Daniel, Wm. P. Pendleton, Ore. (Finding #9 Contest 188)	1906	1.13	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 T. 2 N. R. 32 E. W. M.
2510 Davis, Hattie J. Pendleton, Ore. (Transferred to T.B.Swearingen) (Finding #9 Contest 178)	1906 1908	.06 .26	5 21	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 T. 1 N. R. 32 E. W. M.
2511 Despain, A. M. Pendleton, Ore. (Findings #11,16, & 9)	1894 1894 1907	.31 .27 .66	25 22 53	Irrigation	E.B.C. Bros., K-De-S-U & Hummel Ditches	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 T. 2 N. R. 32 E. W. M.
<p>Chg. in pts. of div's: ① 434 CANCELED Spec. Or. V. 31 p. 255 Sp. Or. Vol. 8, p. 383 ✓ " " 8 " 391 ✓ " " 8 " 399 ✓ Chg. in pts. of div. and place of use: Sp. Or. Vol 8, p. 395 ✓</p>							
2512 Dick, Robert Pilot Rock, Ore. (Finding #9 Contest 69)	1889	.30	24	Irrigation Domestic Stock	Al Horn & Davis	East Birch	8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 12 T. 2 S. R. 32 E. W. M. 9 acres in Lot 16 7 acres in Lot 17 Sec. 7 T. 2 S. R. 33 E. W. M.
2513 Doherty, B. R., Pendleton, Ore. (Finding #9 Contests 201,202)	March 1908 1893	.19 .13	15 10	Irrigation Irrigation	Doherty Wheel	Tutu Willow Springs	15 acres in Lot 3 SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 9 T. 2 N. R. 32 E. W. M. 10 acres in Lot 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 9 T. 2 N. R. 32 E. W. M.
2514 Donnelly, Frank, by Wm. Daugherty, Agt., Portland, Ore. (Jos Cunha successor in inter- est.) (Finding #9 Contests 14,15 16,30,222)	May 1881 1906	35.0 32.0		Power Power	Koontz	Main	(See Vol. 1, p. 183, 184) Henrietta Mills, near the town of Echo, Oregon.
2515 Dunn, Geo. L. (Transferred to Geo. Adams, Pendleton, Ore.) (Finding #9 Contest 183)	1893	.06	5	Irrigation	Private	McKay	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 19 T. 1 S. R. 34 E. W. M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2576 Edwards, M. G. Pilot Rock, Ore. (Finding #9 Contest 78)	1880	.73	58	Irrigation Domestic	Edwards	Owings	8 acres in SE-SW; Sec. 20 8 acres in SW-NE; 5 acres in NE-NW; 5 acres in SE-NW; 8 acres in NW-SE; 8 acres in SW-SE; Sec. 29 6 acres in NW-NE; 10 acres in SW-NE; Sec. 32 T. 2 S.R. 31 E.W.M.
414 Eldridge, Levi Pilot Rock, Ore. (Finding #9 Contest 198) 41634	1891 1894	.69 .09	55 7	Irrigation Irrigation	Isabelle Eldridge #2	McKay McKay-	20 acres in NE-SE; 5 acres in NW-SE; 30 acres in SE-SE; 7 acres in NW-SE; Sec. 35 T. 1 N.R. 32 E.W.M.
410 Canceled Sp.Or.Rec.Vol. 47 P. 27 Ely, Wm. L. Pendleton, Ore. (Finding #9 Contest 176)	Jan. 1903	.53	42	Irrigation	Ely	McKay	5 acres in NE-NW; 37 acres in SE-NW; Sec. 14 T. 1 N.R. 32 E.W.M.
2519 Evans, Wm. H. Pilot Rock, Ore. (Finding #9 Contest 76)	Dec.5 1905	.45	36	Irrigation Domestic Stock	Evans	East Birch	26 acres in NE-NE; 10 acres in SE-NE; Sec. 20 T. 1 S.R. 32 E.W.M.
2520 Fee, Jas. A. Pendleton, Ore. (Finding #9 Contest 65)	1903	1.01	80	Irrigation Stock Domestic	Fee	Wild Horse	7.5 acres in NE-SW; 10 acres in NW-SW; 1 1/2 acres in SW-SW; Sec. 22 1 acre in NE-SE; 11 1/2 acres in SW-SE; 14 1/2 acres in SE-SE; Sec. 21 5 1/2 acres in NW-NE; 6 1/2 acres in NE-NW; 2 1/2 acres in NW-NW; 19 acres in SW-NW; 2 acres in SE-NW; Sec. 28 T. 3 N.R. 33 E.W.M.
2521 Fiedler, Geo. Pilot Rock, Ore. (Finding #9 Contest 233)	May 1898 May 1908	.05 .12	4 9	Irrigation Irrigation	Fiedler Warner Fiedler	West Birch West Birch	4 acres in NE-NW; Sec. 9 T. 3 S.R. 32 E.W.M. 9 acres in NW-NE; Sec. 9 T. 3 S.R. 32 E.W.M.
2522 Fiedler, Andrew Pilot Rock, Ore. (Finding #9 Contest 72)	April 1898	.10	8	Irrigation	Fletcher Fiedler	West Birch	8 acres in SE-NE; Sec. 5 T. 3 S.R. 32 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2323 Fix, B. H. Pendleton, Ore. (Finding #9 Contest 128)	1903	.08	6	Irrigation Stock	Fix	Alkali Canyon	6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 8 T. 1 N.R. 30 E.W.M.
2324 Fletcher, P. E. Pilot Rock, Ore. (Finding #9 Contest 59)	Nov. 1895	.25	19.5	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 T. 3 S.R. 32 E.W.M.
2325 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 T. 2 N.R. 32 E.W.M.
2326 Frazier, Frank Pendleton, Ore. (Finding #9 Contest 83)	1894	.25	20	Irrigation Domestic Stock		Tutu Willow	12 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 14 T. 2 N.R. 32 E.W.M.
<i>Decree Correction Order Vol. 19, Pg 276</i> 81985 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 T. 3 N.R. 36 E.W.M.
2328 Gibson, Thos. S. Pilot Rock, Ore. (Finding #9 Contest 55)	1875	.27	22	Irrigation	Gordon- Evans	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 T. 2 S.R. 33 E.W.M.
2329 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 T. 1 N.R. 32 E.W.M.
49213 2080 Gilbert, H. H. (Transferred to G. W. Rush, Pilot Rock, Ore.) (Finding #9 & 15 Contest 57)	1870 1905	.15 .70	12 56	Irrigation Stock	Hemphill Gilbert & Hemphill	Birch Birch	16 ⁵ 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 34 ² 37 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; 11 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 4 T. 1 N.R. 32 E.W.M. (See Map with claim and Vol. 31, p. 448)

*This land is in T. 15. not T. 1N.
Corrected by Court Order Feb. 23, 1933
Recorded Vol. 15 p. 452*

Part Canceled Sp. Ord. Vol. 29 P. 232

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
32403 & 53012 Gilliam, Grace A. Pilot Rock, Ore. (Finding #9 Contest 71)	1875	.39	31	Irrigation Domestic	Gilliam Knotts	East Birch	5 acres in NE-SE $\frac{1}{4}$; 10 acres in NW-NE $\frac{1}{4}$; 10 acres in SW-NE $\frac{1}{4}$; 6 acres in SE-NE $\frac{1}{4}$; Sec. 4 T. 2 S.R. 32 E.W.M.
2532 Gilliland, Thos. Pilot Rock, Ore. (Finding #9)	1879	.46	37	Irrigation		Birch	8 acres in SW-NE $\frac{1}{4}$; 7 acres in SE-NE $\frac{1}{4}$; 8 acres in NE-NE $\frac{1}{4}$; 6 acres in SW-NW $\frac{1}{4}$; 8 acres in NW-NE $\frac{1}{4}$; Sec. 14 T. 1 S.R. 32 E.W.M.
2533 Gritman, F. H. Pendleton, Ore. (Finding #9 Contest 115)	Mar.28 1908	.75	60	Irrigation		Main	15 acres in NE-NE $\frac{1}{4}$; 30 acres in SE-NE $\frac{1}{4}$; Sec. 8 5 acres in NW-NW $\frac{1}{4}$; 10 acres in SW-NW $\frac{1}{4}$; Sec. 9 T. 2 N.R. 32 E.W.M. (Vol.34, p.228-238)
5617 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-NE $\frac{1}{4}$; 9 acres in SW-NE $\frac{1}{4}$; 12 acres in NE-NW $\frac{1}{4}$; $\frac{1}{2}$ acre in NW-NW $\frac{1}{4}$; 7 acres in SE-NW $\frac{1}{4}$; 5 acres in NE-SW $\frac{1}{4}$; 37 acres in NW-SE $\frac{1}{4}$; 40 acres in SW-SE $\frac{1}{4}$; Sec. 15 18 acres in SW-SW $\frac{1}{4}$; $\frac{1}{2}$ acre in SE-SW $\frac{1}{4}$; Sec. 10 18 acres in NW-NE $\frac{1}{4}$; Sec. 22 T. 1 N.R. 32 E.W.M.
							<p>5795 A USE, Pdu, for 40 ac SW NE, Cont'd 1.0 ac SW NE 72 ac SW NW 50 ac NE SW 10 ac NW SE, Cont'd 0.5 ac NW SE 11 ac SW SE</p> <p>Pr to supp part V 9, p 123</p>
335 Gulliford, C. J., Echo, Ore. (Finding #9 Contest 118)	1883	.46	37	Irrigation	Henrietta Mill Race	Main	22 acres in SE-SE $\frac{1}{4}$; 15 acres in NE-SE $\frac{1}{4}$; Sec. 16 T. 3 N.R. 29 E.W.M. (vol.1, p.252)
2556 Hanna, Geo. W. Pendleton, Ore.	Aug.4 1906	.05	4	Irrigation Domestic Stock	Well	Near Main	2 acres in SW-SE $\frac{1}{4}$; 2 acres in SE-SW $\frac{1}{4}$; Sec. 1 T. 2 N.R. 32 E.W.M.
2337 Harrison, W. T., for (Ward Smith) Pendleton, Ore.	1870	.09	7	Irrigation		Stewart	4 acres in NE-SW $\frac{1}{4}$; 3 acres in SE-SW $\frac{1}{4}$; Sec. 3 T. 1 S.R. 32 E.W.M.
2338 Harrison, Olive Pilot Rock, Ore. (Finding #9 Contest 177)	1892	.05	4	Irrigation Domestic Stock		Little McKay	4 acres in SE-SE $\frac{1}{4}$; Sec. 11 T. 1 S.R. 32 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Cancelled-sp. or Pcc. Vol. <i>11 P. 56</i>							
2539- Hascall Brothers, by (J.N.Hascall Pilot Rock, Ore.) <i>Power Claim #108</i>	Mar.15 1907	2-2/3		Power 50 HP.	Hascall Bros.	Birch	Place of use, in Sec. 16 T. 3 S.R. 32 E.W.M.
2540 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 T. 2 S.R. 32 E.W.M.
2541 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 T. 2 S.R. 32 E.W.M.
2542 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 T. 2 S.R. 31 E.W.M.
2543 Hemphill, Elizabeth Pilot Rock, Ore. (Finding #12,9, Contest 126)	1870	.73	58	Irrigation Domestic 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 T. 1 S.R. 32 E.W.M. (See map with claim)
2544 Hemphill, Jas. M. Pilot Rock, Ore. (Finding #12,9, Contest 73)	1904	.78	62	Irrigation Domestic 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)
2545 Henderson, A.C. & Sons Pilot Rock, Ore. (Finding #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.

* chg. in pt. of div. -
Sp. Or. Vol. 8, p. 496.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2546 Hendricks, C. C. (Transferred to State of Oregon) (Finding #9 Contest 174)	1892 CANCELED	.13	10	Irrigation	Oliver	Main	10 acres in E $\frac{1}{2}$ of Lot F; W $\frac{1}{2}$ of Lot E, Utopian Gardens; Sec. 9 T. 2 N.R. 32 E.W.M.
2547 Hoeft, Robert 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 T. 1 S.R. 33 E.W.M.
2548 Canceled Sp.Or.Rec.Vol. <u>47</u> P. <u>28</u> 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 T. 1 N.R. 32 E.W.M.
2549 Hopper, Mary E (Transferred to I.N.Sohn) Pendleton, Ore. (Finding #9 Contest 133)	1892 1906	.13 .38	10 30	Irrigation Irrigation	Chapman Railey 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 T. 2 N.R. 32 E.W.M. * Pt of div. change for 6 ac. Sp. Or Vol. 9, p. 208
2550 Horn, U. G. 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 T. 2 S.R. 32 E.W.M.
2551 Horn, Elizabeth Pilot Rock, Ore. (Finding #9 Contest 75)	Mar. 1905	.09	7	Irrigation	Davis	East Birch	7 acres in Lot 18 Sec. 7 T. 2 S.R. 33 E.W.M.
2552 ⁵⁵³²⁹ 35280 Horseshoe Irrig.Co., by Edw.Dupuis, Sect Nolan, Ore. (Finding #9 Contest 195)	Dec.26 1904	1.83	146	Irrigation	Horseshoe	Main	(see description of land of individual land holders following)
2553 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 T. 2 N.R. 30 E.W.M. ch. in pt. of div. and pt. of use for part - See Sp. Or. Vol. 8, p. 481.
2554 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 T. 2 N.R. 30 E.W.M. Pt. of div. chg. for all 36 ac. Place of use chg. for 1.1 ac Sp. Or. Vol. 7, p. 598

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
— Saari, Mat		.50	40	Irrigation	Horseshoe	Main	15 acres in NE-NE $\frac{1}{4}$; Sec. 9 10 acres in NE-NW $\frac{1}{4}$; 15 acres in NW-NW $\frac{1}{4}$; Sec. 10 T. 2 N.R. 30 E.W.M.
— Dupuis, Edw. CANCELED Spec. Or. V. 13, p. 343		.56	45	Irrigation	Horseshoe	Main	12 acres in NW-NE $\frac{1}{4}$; 15 acres in SW-NE $\frac{1}{4}$; 3 acres in NE-NW $\frac{1}{4}$; 15 acres in SE-NW $\frac{1}{4}$; Sec. 9 T. 2 N.R. 30 E.W.M.
2553 Houser, Perry Pilot Rock, Ore. (Finding #9 Contest 82)	1885	.13	10	Irrigation	Cap	East Birch	13 acres in SW-SE $\frac{1}{4}$; 15 acres in SE-SE $\frac{1}{4}$; Sec. 11 15 acres in SW-SW $\frac{1}{4}$; 10 acres in SE-SW $\frac{1}{4}$; Sec. 12 5 acres in SE-NE $\frac{1}{4}$; Sec. 13 T. 2 S.R. 32 E.W.M. (State Engineer Permit #137)
2554 Hurlburt, H. G. Hermiston, Ore.	1910	1.32	105	Irrigation	Hurlburt	Main	35 acres in SW-NW $\frac{1}{4}$; 40 acres in NW-SW $\frac{1}{4}$; 30 acres in SW-SW $\frac{1}{4}$; Sec. 16 T. 4 N.R. 28 E.W.M.
54313 2555 Hurlburt, H.G. Hermiston, Ore. (Successor to H.R. Newport) (Finding #9 Contests 3,6,9, 13,41,46,91,94, 157,158)	1910	.78	62	Irrigation	Beitle	Main	x 20 acres in SW-SW $\frac{1}{4}$; 19 acres in SW-NE $\frac{1}{4}$; Sec. 4 T. 4 N.R. 28 E.W.M. x 3 acres in NW-NW $\frac{1}{4}$; x 20 acres in NE-NW $\frac{1}{4}$; Sec. 9 T. 4 N.R. 28 E.W.M.
2556 Ingram, Dave Pendleton, Ore. (Finding #9 Contest 54)	1872	.25	20	Irrigation Domestic Stock	Green- Lee - Ingram	Birch	12 acres in SE-SW $\frac{1}{4}$; 7 acres in SW-SE $\frac{1}{4}$; Sec. 33 T. 2 N.R. 32 E.W.M. 1 acre in NE-NE $\frac{1}{4}$; Sec. 4 T. 1 N.R. 32 E.W.M.
2557 Canceled Sp.Or.Rec.Vol. 47 P. 29 Isaac, Chas. B. (Transferred to Ross & Jones, Pendleton, Ore.)	1901	.13	10 $\frac{1}{2}$	Irrigation	Isaac	McKay	8 acres in NW-SW $\frac{1}{4}$; 2 $\frac{1}{2}$ acres in SW-SW $\frac{1}{4}$; Sec. 2 T. 1 N.R. 32 E.W.M.
2558 Canceled Sp.Or.Rec.Vol. 47 P. 30 Isaac, Mary E. Pendleton, Ore.	1909	.08	6	Irrigation	Isaac	McKay	6 acres in SW-NW $\frac{1}{4}$; Sec. 2 T. 1 N.R. 32 E.W.M. (See State Eng. Permit #257.)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
<p>Canceled Sp.Or.Rec.Vol. <u>47</u> P. <u>31</u></p> <p>2559 Isaac, Aaron M Pendleton, Ore.</p> <p>(Finding #9 Contest 132)</p>	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 T. 1 N.R. 32 E.W.M.
<p>2560 Jack, Marion Pendleton, Ore.</p> <p>(Finding #9 Contest 192)</p>	Jan. 1904	.63	50	Irrigation		McKay	20 acres in NW- $\frac{1}{4}$ -NW- $\frac{1}{4}$; 10 acres in SW- $\frac{1}{4}$ -NW- $\frac{1}{4}$; 20 acres in SE- $\frac{1}{4}$ -NW- $\frac{1}{4}$; Sec. 32 34 T. 2 N.R. 32 E.W.M.
See Decree of Court Sept. 20, 1956 Vol. 15 pg 454							
<p>2561 Jacobs, J. B. Pendleton, Ore.</p>	May 1895	.29	22 $\frac{1}{2}$	Irrigation Domestic Stock		Tutu Willow	12 $\frac{1}{2}$ acres in SW- $\frac{1}{4}$ -NE- $\frac{1}{4}$; 10 acres in SE- $\frac{1}{4}$ -NE- $\frac{1}{4}$; Sec. 13 T. 2 N.R. 32 E.W.M.
<p>2562 Jones, A. B. Pilot Rock, Ore.</p>	1885	.04	3	Irrigation		Stanley	3 acres in SE- $\frac{1}{4}$ -NW- $\frac{1}{4}$; Sec. 19 T. 2 S.R. 32 E.W.M.
<p>2563 Jones, Arthur S. Pilot Rock, Ore.</p> <p>(Finding #9 Contests 199, 200)</p>	1886	.05	4	Irrigation		Birch	4 acres in NE- $\frac{1}{4}$ -SW- $\frac{1}{4}$; Sec. 19 T. 2 S.R. 32 E.W.M.
	Apr. 1908	.01	1	Irrigation	Janes	Stanley	1 acre in NE- $\frac{1}{4}$ -SW- $\frac{1}{4}$; Sec. 19 T. 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 T. 2 S.R. 32 E.W.M.
<p>2564 Jacques, Thos. Pilot Rock, Ore</p> <p>(Finding #9 Contest 161)</p>	1904	.29	23	Irrigation	Jacques Jensen & Hemphill	Birch	23 acres in NW- $\frac{1}{4}$ -NE- $\frac{1}{4}$; Sec. 9 T. 1 S. R. 32 E.W. M.
<p>2565 Jenkins, Z. T. (Transferred to O.T.Jenkins) Pilot Rock, Ore.</p> <p>(Finding #10,9 Contest 123)</p>	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 T. 1 N.R. 32 E.W.M.
<p>2566 Jensen, Carl Pilot Rock, Ore.</p> <p>(Finding #9,12 Contest 194)</p>	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 T. 1 S.R. 32 E.W.M. (See map with claim)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
53264 547 Johns, Jas (Transferred to J. E. Stanton) Pendleton, Ore. (Finding #9 Contest 125)	1895 1910	.50 .75	40 $\frac{1}{2}$ 60	Irrigation Domestic Irrigation	Reith	Birch Johns	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 T. 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 T. 2 N.R. 31 E.W.M.
6497 Johnson, Carl A Pilot Rock, Ore. (Finding #9 Contest 127)	1883 1884 1892 1900	.08 .06 .05 .13	6 5 4 10	Irrigation	Various	E. Birch & tribu- taries thereof. Spring Hollow & Calif. Gulch	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 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 T. 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 T. 1 S.R. 32 E.W.M.
Cancelled Sp.Or.Rec.Vol 47 P. 32 648 Jones, Geo. W. Pendleton, Ore. (Finding #9 Contest 191)	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 T. 2 N.R. 32 E.W.M.
72312 564 Jordan, Frank L. Pilot Rock, Ore. T-6254 Δ POD (Finding #9 v. 44, p. 12 Contest 124)	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 T. 2 S.R. 33 E.W.M.
2576 Kalyton, Pete Cayuse #248; To-Yat heir of Umatilla Indian Agency, Pendleton Oregon. (Finding #9 Contest 239)	1895	.01	1	Irrigation		Rigby Main	1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 12 T. 2 N.R. 33 E.W.M.
2571 Kane, Jos. Pendleton, Ore. (Finding #9 Contest 160)	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 T. 1 N.R. 32 E.W.M.

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
76265 Kemler, Daniel Pendleton, Ore. (Findings 16,9 Contest 163)	1893	.41	33	Irrigation Stock	Eastman Beagle & Coldwell Bros.	McKay	1 acre in NE-NE- 26 acres in NW-NE- 6 acres in NE-NE- Sec. 28 SW NE T. 2 N.R. 32 E.W.M. (Vol.1,p.252)
55608 4948 Kemler, Rebecca Pendleton, Ore. (Findings #11,9 Contest 162) T#3333	1894 Vol.1, p.189	.16	13	Irrigation	French	McKay	10 $\frac{1}{2}$ acres in NW-SE- 2 $\frac{1}{2}$ acres in SW-SE- Sec. 21 T. 2 N.R. 32 E.W.M.
46363 4974 Kennison, L. T. Stanfield, Ore. (Finding #9 part Contest 87)	1903	.27	22	Irrigation	Pump	Main	17 acres in NE-SE- 5 acres in SE-SE- Sec. 31 T. 4 N.R. 29 E.W.M.
32154 & 53013 4974 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-NE- 3 acres in SE-NE- 10 acres in NW-SE- Sec. 10 ⊗ 4 acres in NE-SW- ⊗ 14 acres in SE-SW- Sec. 3 ⊗ 5 acres in SE-NE- ⊗ 12 acres in NE-SW- Sec. 4 T. 2 S.R. 32 E.W.M. 4 acres in SW-NE- 4 acres in NE-NW- Sec. 22 T. 2 S.R. 33 E.W.M.
1097 Knotts, Perry Pilot Rock, Ore. (Finding #9 Contest 80)	1882 1898	.05 .10	4 8	Irrigation		California Gulch	9 acres in NE-NW- 3 acres in NW-NW- Sec. 10 T. 2 S.R. 32 E.W.M.
2577 Koontz, J. H. Echo, Ore.	1903	.05	4	Irrigation	Pump	Main	4 acres in SE-NW- Sec. 16 T. 3 N.R. 29 E.W.M.
Cancelled Sp.Or.Rec.Vol. 47 P. 33 4977 LaDow, Louis McA, 148 So. Calif. St., Stockton, Calif. (Finding #9 Contest 166)	1891	.75	60	Irrigation Domestic Stock	La Dow	McKay	6 $\frac{1}{2}$ acres in NE-NE- 2 $\frac{1}{2}$ acres in NW-NE- 7 acres in SW-NE- 21 $\frac{1}{2}$ acres in SE-NE- 15 acres in NE-SE- $\frac{1}{2}$ acre in NW-SE- 8 acres in SE-SE- Sec. 3 T. 1 N.R. 32 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Lapham, Nancy J. Joseph, Ore. (Finding #9 Contest 104) 50922 54766, 54767, 49735 54768, 54769 Male, Louis (For Geo. Male) Pilot Rock, Ore. T# 3870, 3948 (Findings #9, 10, 12, 13, 14, 15 Contest 168)	1867 1908 Vol. 1 p. 204, 192	.08 1.36 (1) T-3160 A POD	6 109	Irrigation		Birch	(Included in claim of O.L & W. Co.) 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 $\frac{1}{4}$; (1) 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; (D) 5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 27 T. 1 N.R. 32 E.W.M.
Manning, Chas. J. Pendleton, Ore. (Finding #9 Contest 171)	1893 1907	.13 .15	10 11.85	Irrigation		McKey	1 $\frac{1}{4}$ 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 T. 1 N.R. 32 E.W.M. (See map with claim)
Manning, Catherine Pilot Rock, Ore. * 33400 CANCELED Spec. Or. V. 21 p. 185	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 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 17 2 $\frac{1}{2}$ 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 Domestic	Pipeline	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 T. 2 N.R. 32 E.W.M.
Maxwell Irrigation Co., Echo, Ore. Finding #9 Contests 48, 227) Ch. Pt. of Div. Sp. Or. Vol. 7 p. 148 T-5699 A POD part T-7527 A POD	Sep. 11 1894 Sep. 11 1894	2.55 11.5 (Vol. 1 p. 185)	204	Irrigation Municipal & Domestic, City of Stanfield, Oregon.	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 T. 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 T. 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 T. 4 N.R. 29 E.W.M. UMATILLA RIVER

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2584 Maxwell Land & Irrigation Co., by J.F. McNaught, Pres., Pendleton, Ore. (Finding #9 Contests 1, 18 & 28)	1864	3.0		Domestic Municipal		Minnehaha Springs	Location of Spring, Sec. 21 T. 4 N.R. 28 E.W.M., near the NW corner thereof.
75656 2575 McBee, Chas., (Transferred to Geo. Gredwhl) (Binding #9 Contest 159) Corrected Circuit Court case # CV 971313	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 $\frac{1}{4}$ NW $\frac{1}{4}$; 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 T. 2 N.R. 32 E.W.M.
2575 McCullough, Lucinda Echo, Ore. MODIFIED and Deleted by V. 19, P. 97, Cont. No. _____	1883	.03	2	Irrigation	Henrietta Mill	Main	2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 21 T. 3 N.R. 29 E.W.M.
53122 2577 McManus, John P. Pres. Appleburg Water Co., Pilot Rock, Ore. (Findings #17, 9, Contest 169)	May 1909	2.61	209	Irrigation	Appleburg Water Co.	Birch (East)	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 19 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 11 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; * 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 19 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 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 Eng. Permit #237)
2578 Morrison, Rob't Adams, Ore.	1902			Domestic		Wild Horse	Place of use: NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 3 T. 3 N.R. 34 E.W.M.
2579 Myers, Chas. H. (Transferred to State of Oregon)	May 1894	.31	25	Irrigation	Wheel	Main	2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 23 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 9 T. 2 N.R. 32 E.W.M.
2590 Newquist, O. P. Pendleton, Ore. (Findings #13, 9 Contest 165)	May 1908	.63	50	Irrigation Domestic Stock	Alcott	Birch	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 T. 2 N.R. 32 E.W.M.
2591 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 T. 2 N.R. 32 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2592 Ogilvy, Chas. Pilot Rock, Ore. (Finding #9 Contest 170)	1880	.31	25	Irrigation	Ogilvy	East Birch	10 acres in SE-SE; Sec. 22 5 acres in NE-NE; 10 acres in NW-NE; Sec. 27 T. 2 B.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-NW; 10 acres in NW-NW; 3 acres in SW-NW; 21 acres in SE-NW; Sec. 9 T. 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 Stock	O.L. & W. Co.	Main	29 acres in NW-SE; 10 acres in SW-SE; 10 acres in SE-SE; Sec. 17 29 acres in NE-SW; 37 acres in NW-SW; 34 acres in NW-SE; Sec. 18 5 acres in NE-NE; 5 acres in NW-NE; Sec. 20 T. 5 N.R. 28 E.W.M. 18 acres in NE-SW; 28 acres in NE-SE; 6 acres in NW-SE; 3 acres in SE-SE; Sec. 13 9 acres in SW-SW; 10 acres in SE-SW; Sec. 14 2 acres in SW-SE; 8 acres in SE-SE; Sec. 15 1 acre in SW-NE; 7 acres in NE-SW; 7 acres in NW-SW; 23 acres in SW-SW; 36 acres in SE-SW; 30 acres in NW-SE; 12 acres in SW-SE; 5 acres in SE-SE; Sec. 19 1 acre in SW-NE; 6 acres in SE-NE; 20 acres in NE-SW; 5 acres in NW-SW; 29 acres in SW-SW; 26 acres in SE-SW; 29 acres in NE-SE; 10 acres in NW-SE; 7 acres in SW-SE; 5 acres in SE-SE; Sec. 20 40 acres in NE-NE; 24 acres in NW-NE; 29 acres in SW-NE; 34 acres in SE-NE; 2 acres in NE-NW; 29 acres in SW-NW; 40 acres in SE-NW; 12 acres in NW-SW; Sec. 21
T-3525 T-3575 T-3693 T-3517 T-4526 A POU 0 ³⁶ ac SWSW, Sec 19 T-4652 A POU 1 ⁰³ ac SWSW, Sec 19 T-4721 A POU 2 ⁰ ac SWSE, Sec 15, TSN, R27E 8 ⁰ ac SESE, Sec 15 ✓ ✓ T-4723 A POU 2 ⁶ ac NWNE, Sec 21, TSN, R27E 5 ⁶ ac SWNE, - - ✓ T-4761 A POU 3 ⁰ ac NWSE, Sec 19, TSN, R27E							
							TSN, R27E, W UMATILLA RIVER

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Oregon Land & Water Co., continued.							
(1) T-4033 A POU	5 ² / ₂₄ NE NW, Sec 30 5 ² / ₂₄ SE NW 10 ² / ₂₄ SW NW 5 ² / ₂₄ NW NE		30				(U) 17 acres in NE-NW; (U) 26 acres in NW-NW; 29 acres in NE-NW; 40 acres in NW-NW; 6 acres in SW-NW; Sec. 22
(2) T-4526 A POU	0 ² / ₂₄ NE SE, Sec 29						30 acres in NW-NW; Sec. 29
(3) T-4825 A POU	1 ² / ₂₄ NE NE, Sec 22 15 ² / ₂₄ NW NE						(U) 5 acres in NW-NW; (U) 5 acres in NE-NW; 21 acres in NW-NW; (U) 10 acres in SW-NW; (U) 5 acres in SE-NW; 10 acres in NW-SW; Sec. 30
							T. 5 N.R. 27 E.W.M.
							40 acres in NE-NW; 15 acres in SW-NW; 20 acres in SE-NW; 20 acres in SW-NW; 20 acres in NW-SW; Sec. 22
							21 acres in SW-NE; 24 acres in SE-NE; 5 acres in NE-NW; 4 acres in NW-NW; 20 acres in SW-NW; 40 acres in SE-NW; 40 acres in NE-SW; 40 acres in NW-SW; 31 acres in SW-SW; 29 acres in NE-SE; 26 acres in NW-SE; 12 acres in SW-SE; 5 acres in SE-SE; Sec. 23
							3 acres in SW-NE; 11 acres in SW-NW; 4 acres in SE-NW; 32 acres in NE-SW; 53 acres in NW-SW; 17 acres in SW-SW; 27 acres in SE-SW; (2) 15 acres in NE-SE; 13 23 acres in NW-SE; 43 acres in SW-SE; 28 acres in SE-SE; Sec. 24
							24 acres in NE-NE; 34 acres in NW-NE; 30 acres in SW-NE; 28 acres in SE-NE; 34 acres in NE-NW; 22 acres in NW-NW; 5 acres in SW-NW; 15 acres in SE-NW; 20 acres in NE-SW; 21 acres in NW-SW; 27 acres in SW-SW; 15 acres in SE-SW; 8 acres in NE-SE; 5 acres in NW-SE; 10 acres in SW-SE; 9 acres in SE-SE; Sec. 25
							T 5 N, R 26 E, W 1
							UMATILLA RIVER

30²/₂₄ CANCELED Spec. Or. V. 49 p. 66

13.45 acres CANCELED Spec. Or. V. 22 p. 602

10.0 Canceled - sp. or Rec. Vol. 18 p. 344 - 13
 Amending Order Vol. 23, p. 501

0.3 ac CANCELED Spec. Or. V. 36 p. 406
 4.2 ac CANCELED Spec. Or. V. 38 p. 407
 Canceled - sp. or Rec. Vol. 36 P. 607

10.0 T 3578
 4.5 T 3643

2.5 Canceled - sp. or Rec. Vol. 31 p. 500

11.0 ac Canceled Sp. Or. Rec. Vol. 24 P. 115
 5.0 ac Canceled Sp. Or. Rec. Vol. 24 P. 115

Canceled - sp. or Rec. Vol. 36 P. 607 T 3643 .0.01

T-4759 A POU 1²/₂₄ SE NW, Sec 25
 T-4522 A POU 0²/₂₄ NW SE, Sec 25

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Oregon Land & Water Co., continued							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 $\frac{1}{4}$ (3) 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, (1) 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ (2) (1) 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ (2) (1) 15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ (1) 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ (1) 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T. 5 N.R. 26 E.W.M.
(1) T-4033 Δ POU 5 $^{\circ}$ NENE, Sec 35 3 $\frac{1}{2}$ NWNE ✓ 10 $\frac{1}{2}$ NENW ✓ 5 $^{\circ}$ NWNW ✓ 5 $^{\circ}$ SWNW ✓ (2) Canceled Sp.Or.V 32, P 84 1 $\frac{1}{2}$ NWNE, Sec 35 4 $\frac{1}{2}$ NENW, ✓ (3) T-4282 Δ POU 15 $^{\circ}$ NW NESE, Sec 26					Canceled Sp.Or.Rec.Vol. 24 P. 173		
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.
10,628 (connection cert.) See Spec. Or. Vol. 2, P. 314.	1888			Railroad 6 inch pipe		Beaver	Place of use: Meacham Station. Diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T. 1 S.R. 35 E.W.M.
11093. connection cert. Sp. Or. Vol. 2, P. 404	1888			Railroad 3 inch pipe		Meacham	Place of use: Huron Station. Diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 T. 1 S.R. 36 E.W.M.
	1888			Railroad 6 inch pipe		Meacham	Place of use: Gibbon Station. Diversion in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31 T. 3 N.R. 36 E.W.M.
	1893			Railroad 2 $\frac{1}{2}$ inch pipe		Umatilla	Place of use: Cayuse Station. Diversion in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T. 2 N.R. 34 E.W.M.
	1897			Railroad 4 inch pipe		Meacham	Place of use: Camp Station. Diversion in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 T. 1 S.R. 36 E.W.M.
2594 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 T. 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 T. 2 S.R. 31 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2596 Owings, H. B. Pilot Rock, Ore (Finding #9 Contest 79)	1898	.25	20	Irrigation	Owings	Willow Springs Creek	20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19 T. 2 S.R. 31 E.W.M.
2597 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 T. 2 N.R. 33 E.W.M.
NOTE: This right when used by an Indian is paramount to all other rights; when used by any other person is regulated by priority date.							
2799 2939 2610 Parr, Joe, by Wm. Caldwell Pendleton, Ore. (Finding #9 Contest 235)	1895	.18	14 $\frac{1}{2}$	Irrigation	Rigby	Main	14 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T. 2 N.R. 33 E.W.M.
NOTE: This right when used by an Indian is paramount to all other rights; when used by any other person is regulated by priority date.							
2599 Parr, Frank, by Wm. Caldwell Pendleton, Ore. (Finding #9 Contest 240)	1895	.40	32	Irrigation	Rigby	Main	32 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3 T. 2 N.R. 33 E.W.M.
NOTE: This right when used by an Indian is paramount to all other rights; when used by any other person is regulated by priority date.							
Cancelled - sp. or Rec. Vol. 24 p. 333 W 24 P 333							
2600 Pat-si-ak, by Wm. Caldwell, Pendleton, Ore. (Finding #9 Contest 238)	1895	.38	30	Irrigation	Rigby	Main	30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2 T. 2 N.R. 33 E.W.M.
NOTE: This right when used by an Indian is paramount to all other rights; when used by any other person is regulated by priority date.							
2601 Patton, W. W. (Transferred to State of Oregon) (Finding #9 Contest 167)	1892	.06	5	Irrigation	Oliver	Main	The W $\frac{1}{2}$ of Block "F" Utopian Gardens, Sec. 9 T. 2 N.R. 32 E.W.M.
CANCELED Spec. Or. V. 38 p. 215							
2602 Hinkle, Joe. T. (Assignee of J. Pelmulder) 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 $\frac{1}{4}$ Sec. 31 T. 4 N.R. 29 E.W.M. (Vol. 1, p. 266)
Canceled Sp. Or. Rec. Vol. 46 p. 95							

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2603 Cooper, Edna L (Assignee of Jay Pelmulder, Hermiston, Ore. (Finding #9 Contest 119)	Jan.1 1900 Canceled Sp.Or.Rec.Vol.	.06	4.9	Irrigation	Pump	Main	4.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31 T. 4 N.R. 29 E.W.M. (Vol.1,p.269)
2604 Pendleton, City of by J.T.Brown	Nov.11 1885	2.00		Municipal		Main	City of Pendleton, State of Oregon.
2605 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 T. 2 N.R. 32 E.W.M.
Peters, John J. & Thos. W. Delrosa, Calif. (Finding #9 Contests 43,215)							
45766 51871 Reagin, Mrs. M.A. Pilot Rock, Ore. (Finding #9 Contest 130)	1894 Chg. pl. of use Sp. Or. Vol 3, P. 217 (Tr. 3472)	.09	7	Irrigation	Eldredge #2	McKay	7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T. 1 N.R. 32 E.W.M.
2607 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 T. 3 N.R. 36 E.W.M.
2608 Reeves, J. E. Stanfield, Ore. (Finding #9 Contest 211)	March 1906	.15	12	Irrigation	Pump CANCELED 34 214	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 T. 4 N.R. 29 E.W.M.
2609 Roach, Jas., McKay, Ore.	1891 1892			Domestic Stock Domestic Stock		North McKay North McKay	Place of use: T. 1 N.R. 33 E.W.M. Place of use: Sec. 28 T. 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 T. 2 N.R. 32 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
56172 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 T. 1 N.R. 32 E.W.M.
	1894	.19	15	Irrigation	Strout	McKay	5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T. 1 N.R. 32 E.W.M. (Vol.1,p.305)
68052 65492 57563 39852 Rook, J. W. Pilot Rock, Ore. (Finding #9 Contest 135)	April 1902	.24	19	Irrigation	Rook	McKay	12 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T. 1 S.R. 32 E.W.M.
2617 Rothlin, Jos. McKay, Ore.	1891	.19	15	Sub-Irrig.		McKay	15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T. 1 S.R. 33 E.W.M.
2618 Rugg, G. W. & A. W. Pendleton, Ore.	1903	.31	25	Irrigation Domestic		Wild Horse	4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T. 2 N.R. 32 E.W.M.
2614 2751 54765 Runyan, Geo. W. Pilot Rock, Ore. (Findings #12,9 Contest 185)	1895	.31	25	Irrigation	Patton	Birch	13 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27, 11 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, T. 1 N.R. 32 E.W.M.
Schmidt, John McKay, Ore.							(See State Eng. Permit No. 360)
Cancelled Sp.Or.Rec.Vol. 47 P. 34 Shaw, Daniel Pendleton, Ore. (Finding #9 Contest 175)	May 1892	.56	45	Irrigation	Shaw & Rhodes	McKay	8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 32 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 34 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14
Modified to read Section 23 instead of Sec. 28 See Decree Vol. 14, p. 556.	1904	1.55	122	Irrigation	Shaw & Rhodes	McKay	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 T. 1 N.R. 32 E.W.M. (Vol. 34, p. 38)
2616 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 $\frac{1}{4}$ Sec. 34 16 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34 21 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34 14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34 T. 1 N.R. 32 E.W.M. (Vol.31,p.510: see map with claim)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2617 Simon, Edw. C. Pendleton, Ore. (Finding #9 Contest 146)	Apr. 1894	.02	1 $\frac{1}{2}$	Irrigation	Horton	McKay	1 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec 35 T. 1 N.R. 32 E.W.M.
2618 Sloan, A. D. (Transferred to T.A. Stephens) Pendleton, Ore. (Finding #9 Contest 144)	Oct. 1902	.81	65	Irrigation		Birch	7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14 19 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13 11 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13 T. 2 N.R. 31 E.W.M. (See map, Vol.4, p.136)
2619 Sloan, Geo. C. Pendleton, Ore.	1892	.27	22	Irrigation		Main & Birch	3.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 T. 2 N.R. 31 E.W.M.
2620 Roy, L.E. and Smith, F.M., Pilot Rock, Ore. (Finding #9 Contest 189)	Apr. 1906	.03	2	Irrigation	Evans	East Birch	1 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 $\frac{1}{2}$ acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16 T. 1 S.R. 32 E.W.M.
2621 Snyder, Elmer A Pendleton, Ore. (Finding #9 Contest 88)	1899	.39	31	Irrigation	Boughman	Main	14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7 T. 2 N.R. 32 E.W.M.
2622 Southwell, Amanda J. and heirs of John Southwell Pendleton, Ore. (Findings #14,9 Contest 142)	1895	.38	30 $\frac{1}{2}$	Irrigation	Southwell	Birch	20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 T. 2 N.R. 32 E.W.M.
46937 Sparks, Carrie Pendleton, Ore. ① T-4025 POD & PDU 142 As Birch Creek	March 1904	.18	14	Irrigation	Frazier	Birch	① 8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10 ① 6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9 T. 1 N.R. 32 E.W.M.
Spicer, Lillian A. (Transferred to Wattenberger) Pendleton, Ore.	1890	.01	1	Irrigation		Springs	1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9 T. 1 N.R. 32 E.W.M. (See Finding #31)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2624 St. Andrews Mission by Chas. J.O'Reilly (Transferred to the Pioneer Educational Society)	March 1893	.10		Domestic 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 T. 2 N.R. 33 E.W.M. Point of diversion from Mission Creek, in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 T. 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 T. 1 N.R. 32 E.W.M.
Canceled Sp.Or.Rec.Vol. <u>47 P. 35</u> Cert. No. <u>68114</u> Superseded by							
2626 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 T. 2 N.R. 32 E.W.M.
Superseded by Cert. No. <u>42284</u>							
Sturtevant, A. J. Pilot Rock, Ore. (Finding #9 Contest 151)	1873 1882 1895	.25 .63 .61	20 50 49	Irrigation Stock	Nos. 1,2 & 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 T. 1 S.R. 32 E.W.M.
3.5 ac. Part of Canceled Sp.Or.Rec.Vol. <u>25 P. 346</u> 135 32 31, 32, 33							
2628 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 T. 3 N.R. 33 E.W.M.
2629 Teel, O. D. Echo, Ore. (Finding #9, Contests 16, 33 117)	Aug. 5 1903			Household Domestic Stock		Main	Place of use: SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30 T. 4 N.R. 32 E.W.M. <i>This description apparently is in error, far north of river. See letter of 8-4-20 from Mr. Perry, Watermaster, in Umatilla River File. Cert. # 2629 returned by Teel.</i>

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2630 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 T. 3 S.R. 32 E.W.M.
2631 Umatilla County by T.P.Gilliland, Judge (Finding #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 T. 2 N.R. 32 E.W.M. (See maps, p. 70)
2632 Umbarger, C.M. & M. F. Pendleton, Ore.		1.00	80	Sub-irrig.		Tutu willow	40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 T. 2 N.R. 33 E.W.M.
2633 Vert, Jessie S. by John Vert Pendleton, Ore.	Riparian Right			Stock 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)
36470 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 $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$ Sec. 1 T. 1 S.R. 32 E.W.M.
Walters, Fred Pendleton, Ore. Power Claim # 27	1878	122		Power 300 H.P.	Cheape	Main	Mill located in N $\frac{1}{2}$ of N $\frac{1}{2}$ of Sec. 10 T. 2 N.R. 32 E.W.M.
2634 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 T. 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 T. 2 S.R. 31 E.W.M.

ch. in pt. of div-
Sp. Or. Vol. 8, p. 404 ✓
" " Vol. 7 p 95

Amended by Decree Vol. 17, p. 4
5^o Cancelled-sp. or Rec. Vol. 19, P. 24

Cancelled - see Sp. Or. Vol. 9, p. 205

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2637 Warner, Samuel Pilot Rock, Ore.	May 1884	.20	15½	Irrigation	Warner	Stanley	3 acres in SW¼SE¼ Sec. 29 4½ acres in NE¼NE¼ 5½ acres in SE¼NE¼ Sec. 32 2½ acres in SW¼NW¼ Sec. 33 T. 2 S.R. 32 E.W.M.
2638 Warner, Edmond Pilot Rock, Ore. (Finding #9 Contest 53)	May 1908	.08	6	Irrigation	Fiedler Warner	West Birch	5 acres in SW¼NE¼ 1 acre in SE¼NW¼ Sec. 9 T. 3 S.R. 32 E.W.M.
2639 Waugh, Thos. D. Pilot Rock, Ore.	1880 1892 1909	.25 .25 .22	20 20 18	Irrigation		West Birch	16 acres in SW¼NE¼ 3 acres in NE¼SW¼ 21 acres in SE¼SW¼ 10 acres in NW¼SE¼ 8 acres in SW¼SE¼ Sec. 19 T. 1 S.R. 32 E.W.M.
2640 Wa-wa-ne , by Wm. Caldwell Pendleton, Ore. (Finding #9 Contest 234)	May 23 1895	.71	57	Irrigation	Rigby	Main	21 acres in SW¼SW¼ Sec. 1 7 acres in NE¼SE¼ 29 acres in SE¼SE¼ Sec. 2 T. 2 N.R. 33 E.W.M.
2641 Wenaha Springs Co., by J. R. Raley, Sect., Pendleton, Ore. (Finding #9 Contest 152)	1880	.19	15	Irrigation		Main	15 acres in NE¼ Sec. 18 T. 3 N.R. 36 E.W.M.
2642 Westgate, Albert H. Pilot Rock, Ore.	1899	.06	5	Irrigation		East Birch	4½ acres in NW¼SW¼ ½ acre in SW¼SW¼ Sec. 23 T. 2 S.R. 33 E.W.M.
2643 Whitaker, Susan M Nye, Oregon	1885	.02	1½	Irrigation		Willow Springs	1½ acres in N¼ of Sec. 18 T. 3 S.R. 31 E.W.M.
2644 White, Susan A. Stanfield, Ore. (Finding #9 Contest 90)	1906	.38	30	Irrigation	Pump	Main	30 acres in SE¼NW¼ Sec. 31 T. 4 N.R. 29 E.W.M.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2646 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 T. 2 N.R. 33 E.W.M.
2645 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 T. 1 N.R. 36 E.W.M.
2647 Willson, Anette Pilot Rock, Ore. (Finding #9 Contest 148) Change in pt. of Div See Sp. Or. page 485 Vol. 1	March 1874 1890	.13 .90	10 72	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 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 T. 1 S.R. 31 E.W.M.
2648 Wilson Irrigation 75448 Co., by 75449 Elmer Spike 75450 Echo, Ore. 75451 75452 80979 (Finding #9 Contest 97)	Dec.15 1904 May 1881	1.88 .13	150 $\frac{1}{2}$ 10	Irrigation	Wilson	Main	(See description of land of individual land holders following)

NOTE:

Certificate of Water Right Recorded in Volume 3 at Page 2648, as issued, includes the rights allowed in the names of J. N. Wilson, E. L. Wright and John H. Wynn, whose lands were not a part of the Wilson Irrigation Company. See Contest No. 97 - U. S. A. contestant vs Wilson Irrigation Company, appearing on page 157 of the Decree of Sept. 9, 1916 wherein the acreage of the Wilson Irrigation Company is set out by stipulation.

-- Halstead, Joel (Finding #9 Contest 230)	Dec.15 1904	.15	12	Irrigation	Wilson	Main	12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 T. 3 N.R. 29 E.W.M.
See Sp. Or. Vol. 13 p 517 for Stipulation. Canceled Sp. Or. Rec. Vol. 27 p 381							
-- Pearson, D.A. Echo, Ore. (Finding #9 Contest 154)	Dec.15 1904	.10	8	Irrigation	Wilson	Main	8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 T. 3 N.R. 29 E.W.M. (See Engineers Maps)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2646 White Bull, Mrs by Wm. Caldwell Pendleton, Ore.	May 23 1895	.30 NOTE: This right when used by an Indian is paramount to all other rights; when used by any other person is regulated by priority date.	23 1/2	Irrigation	Rigby	Main	3 1/2 acres in NW 1/4 SE 1/4 20 acres in SW 1/4 SW 1/4 Sec. 2 T. 2 N.R. 33 E.W.M.
2645 Wilbur, Ephriam S Duncan, Ore.	1891	.29	23	Irrigation		Camp	9 acres in NW 1/4 NW 1/4 11 acres in SW 1/4 NW 1/4 3 acres in NW 1/4 SW 1/4 Sec. 9 T. 1 N.R. 36 E.W.M.
2647 Willson, Anette Pilot Rock, Ore. (Finding #9 Contest 148)	March 1874 1890	.13 .90	10 72	Irrigation	Willson	Birch	23 acres in NE 1/4 SE 1/4 10 acres in SW 1/4 SE 1/4 Sec. 25 20 acres in NW 1/4 NE 1/4 13 acres in NE 1/4 NW 1/4
Change in pt of Div See Sp. Or. Rec. Vol. 13 p. 517							

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-- Elder, E.E. Echo, Ore. (Finding #9 Contest 224)	Dec.15 1904	.44	35	Irrigation	Wilson	Main	25 acres in NE 1/4 NE 1/4 10 acres in NW 1/4 NE 1/4 Sec. 21 T. 3 N.R. 29 E.W.M. (Vol. 34, p. 555)
-- Esteb, Addie C. Echo, Ore. (Finding #9 Contest 228)	Dec. 15 1904	.06	5	Irrigation	Wilson	Main	5 acres in NW 1/4 SE 1/4 Sec. 16 T. 3 N.R. 29 E.W.M.
-- Halstead, Joel (Finding #9 Contest 230)	Dec.15 1904	.15	12	Irrigation	Wilson	Main	12 acres in NW 1/4 SE 1/4 Sec. 16 T. 3 N.R. 29 E.W.M. See Sp. Or. Vol. 13 p. 517 for Stipulation. Canceled Sp. Or. Rec. Vol. 27 p. 381
-- Pearson, D.A. Echo, Ore. (Finding #9 Contest 154)	Dec.15 1904	.10	8	Irrigation	Wilson	Main	8 acres in NW 1/4 SW 1/4 Sec. 22 T. 3 N.R. 29 E.W.M. (See Engineers Maps)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount cubic feet per second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Wilson Irrigation Co., continued.							
-- Ramos, Jos. Echo, Ore. (Finding #9 Contest 206)	Dec. 15 1904	.76	60½	Irrigation	Wilson	Main	20 acres in SW¼NW¼ Sec. 22 33 acres in SE¼NE¼ 7½ acres in SW¼NE¼ Sec. 21 T. 3 N.R. 29 E.W.M. (See Engineers Maps)
-- Spike, Elmer Echo, Ore. (Finding #9 Contest 100)	Dec. 15 1904	.38	30	Irrigation	Wilson	Main	30 acres in SW¼SE¼ Sec. 16 T. 3 N.R. 29 E.W.M. (Vol. 34, p. 555)
-- Whitworth, W.W. (Finding #9 Contest 102)	May 1881	.13	10	Irrigation	Wilson	Main	10 acres in SE¼SE¼ Sec. 16, T. 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 NE¼SW¼ 4 acres in SE¼SW¼ 2 acres in NW¼SE¼ Sec. 17 T. 1 S.R. 32 E.W.M.
-- Wright, E.L. Pilot Rock, Ore. (Finding #9 Contest 150)	1875 1897 1909	.03 .21 .11	2 17 9	Irrigation		Bridge	3½ acres in NW¼NE¼ 11 acres in SW¼NE¼ 10½ acres in NW¼SE¼ 3 acres in SW¼SE¼ Sec. 23 T. 2 S.R. 31 E.W.M.
-- Wynn, John M. McKay, Ore. (Finding #9 Contest 147)	April 1898	.19	15	Irrigation		McKay	10 acres in SW¼NW¼ 5 acres in NW¼SW¼ Sec. 18 T. 1 S.R. 34 E.W.M.

The following appropriators have, in their statements 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 of said appropriators, and each of them, were made prior to February 24th, 1909, and that actual construction work had been commenced in good faith prior to said date, and

It further appears from the statements and proofs of claims filed, and the evidence adduced at the hearing, that the United States has appropriations of Nov. 14, 1894, Feb. 25, 1904, and an appropriation and reservation of Sept. 6, 1905. That the appropriation of Nov. 14, 1894, is completely vested as to one second foot; that the appropriation of Feb. 25, 1904, at the time of filing the statement and proof of claim was completely vested for 25 second feet of water, for 2000 acres of land, and that the appropriation of Sept. 6, 1905, is a complete reservation under and by virtue of Chapter 228, Gen. Laws of Oregon for 1905, and that the appropriation and reservation of Sept. 6, 1905 includes the lands covered by the appropriations of Nov. 14, 1894, and Feb. 25, 1904.

That the lands covered by said appropriations and reservation are hereinafter tabulated in this Finding for the purpose of having the water rights of the United States fully set out and described in this Finding, and to the further end, that a compliance with this Finding by the United States so far as the application of water to a beneficial use is concerned within the time limited herein, may have the effect of establishing its date of relative priority as of the date of Feb. 25, 1904, so far as the lands covered by that appropriation are concerned.

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. In the column headed "Time Limit for Complete application", in the following tabulation the word "vested" means that water has been completely applied to a beneficial use to the extent described therein, and in all cases where water had not been completely applied to a beneficial use, a limiting date is set for such application to a beneficial use, and such incompleting rights are known and called "inchoate rights."

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 limiting 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 for which the appropriation was made and the number of acres now irrigated, or for which rights are reserved by Statute in case such appropriation is for irrigation or storage, the name of the ditch or ditches, or reservoirs through which such appropriation is to be diverted, the name of the stream from which the water was appropriated, and the description of the land in each legal subdivision for which the appropriation was made, the description of the land upon which such water has been or is to 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:

INCHOATE RIGHTS.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount per second Limit for complete application.	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
<p>ALLEN DITCH COMPANY by Jos. Cunha, Pres. Echo, Ore.</p>	1900	Jan.1 1918	9	Irrigation	Allen	Main	9 a. in the S ¹ SW ¹ Sec. 16 T. 3 N.R. 29 E.
<p>Mildred Spike Echo, Ore.</p>	1900	Jan. 1 1918	10	Irrigation	Allen-	Main	10 a. in the SE ¹ NE ¹ Sec. 17 T. 3 N.R. 29 E.
<p>Geo. Higginbotham Echo, Ore. (Finding #9 Contests 16,89,116, 49,197)</p>	1900	Jan.1 1918	183	Irrigation	Allen	Main	20 a. in the NW ¹ NE ¹ 25 a. in the SW ¹ NE ¹ 35 a. in the SE ¹ NE ¹ 40 a. in the NE ¹ NW ¹ 30 a. in the SE ¹ NW ¹ 2 a. in the NE ¹ NE ¹ Sec. 18 8 a. in the SE ¹ SE ¹ 23 a. in the SW ¹ SE ¹ Sec. 7 T. 3 N.R. 29 E.
<p>BROWNELL DITCH COM- PANY, by D.C. Brownell, Pres. Umatilla, Ore.</p>	Nov.8 1893	Vested .39 sec. ft.	31	Irrigation Stock Domestic	Brownell & Three Mile Falls	Main	23.2 a. in the SE ¹ NE ¹ 3.5 a. in the SE ¹ SW ¹ 38.7 a. in the NE ¹ SE ¹ 11 a. in the NW ¹ SE ¹ 36.5 a. in the SW ¹ SE ¹ 32.6 a. in the SE ¹ SW ¹ Sec. 9
<p>(Finding #9 Contests, #1,2,3, 4,5,27,42,109)</p>	1902	Vested 4.29 sec.ft.	343.5				11.3 a. in the SW ¹ NE ¹ 20.9 a. in the SE ¹ NE ¹ 18.2 a. in the SW ¹ NW ¹ 4.4 a. in the SE ¹ NW ¹ 27.9 a. in the NE ¹ SW ¹ 40 a. in the NW ¹ SW ¹ 23.8 a. in the SW ¹ SW ¹ 9.6 a. in the SE ¹ SW ¹ 15.4 a. in the NE ¹ SE ¹ 22.7 a. in the NW ¹ SE ¹ Sec. 10 9.3 a. in the SW ¹ NE ¹ 17 a. in the SW ¹ NW ¹ 1.4 a. in the SE ¹ NW ¹ 1.6 a. in the NW ¹ SW ¹ Sec. 11 5.5 a. in the SW ¹ NW ¹ Sec. 16 T. 5 N.R. 28 E.
<p>1903</p>	1903	Jan.1 1920	953.6	Irrigation	Brownell	Main	39.48 a. in Sec. 8 183.8 a. in Sec. 9 133.1 a. in Sec. 10 93.35 a. in Sec. 11 154.07 a. in Sec. 16 317.4 a. in Sec. 17 32.4 a. in Sec. 18 Twp. 5 N.R. 28 E.W.M.
<p>1903</p>	1903	Jan.1 1920	5	Fire & Municipal			953.60

*Time extended to 10-1-43 - 4 p. 126
do 44 do 4 p. 444
do 45 do 4 p. 514
do 46 do 5 p. 127
do 47 do 5 p. 267
do 48 do 5 p. 546*

*23 V. 6, P. 316
1925 V. 6, P. 412
1925 V. 6, P. 317
1928 P. 317
1929 P. 471
1936 - 3 p. 153
1939 - 3 p. 391
1940 - 3 p. 503
1941 - 3 p. 503*

*Extended to 10-1-1936 - 3 p. 153
" " 10-1-1939 - " " 3 p. 391
" " 10-1-1940 - " " 3 p. 503
" " 10-1-1941 - " " 3 p. 503*

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount - cubic feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
		for complete application.					
COURTNEY IRRIGATION COMPANY, By T.G.Smith, Pres. Echo, Ore.	Jan.9 1900	Vested 6.46 sec.ft	517	Irrigation	Pioneer-Courtney Ditches	Main	(See description of individual holdings following)
(Finding #9 Contests #7,8,9, 10,11,13,32,40,85)	1900	Jan.1 1918	1078				
Baumgardner, Henry Echo, Ore.	Jan.9 1900	Vested .15 sec.ft	12	Irrigation	Pioneer-Courtney Ditches	Main	12 a. in the NW-NE ¹ Sec. 7 T. 3 N.R. 29 E. (Vol.30, p. 22)
(Finding #9 Contests 13,114,111 17,85)	1900	Jan.1 1918	20	Irrigation	Pioneer-Courtney	Main	20 a. in the NE-NW ¹ Sec. 6 T. 3 N.R. 29 E.
Baumgardner, E.O. Echo, Ore.	Jan.9 1900	Vested .18 sec.ft.	15	Irrigation	Pioneer-Courtney	Main	12 a. in the SW-NE ¹ 3 a. in the NW-SE ¹ Sec. 7 T. 3 N.R. 29 E. (Vol.30.p. 18-21)
(Finding #9 Contests 13, 112, 85)	1900	Jan.1 1918	35	Irrigation	Pioneer-Courtney	Main	28 a. in the SW-NE ¹ 7 a. in the NW-SE ¹ Sec. 7 T 3 N.R. 29 E.
Gulliford, Wm.H. Pendleton, Ore.	Jan.9 1900	Vested 1.0 sec.ft	80	Irrigation	Pioneer-Courtney	Main	30 a. in the NE-SE ¹ 17 a. in the SW-SE ¹ 33 a. in the SE-SE ¹ Sec. 11 T. 3 N.R. 28 E. (Vol.30.p.21)
(Finding #9 Contests 13,221, 85)		EXTENDED TO Jan 1, 1922					
Haney, Sadie (Trans. to Jas.A.Fee, Jr. Pendleton, Ore.)	Jan.9. 1900	Vested .27 sec.ft	22	Irrigation	Pioneer-Courtney	Main	10 a. in the NE-SE ¹ 7 a. in the SW-SE ¹ 5 a. in the SE-SE ¹ Sec. 11 T. 3 N.R. 28 E. (Vol.30. p.23,747,758)
(Finding #9 Contests 13,219 85)							
Houser, Zoeth Pendleton, Ore.	Jan.9 1900	Vested 1.01 sec.ft.	81	Irrigation	Pioneer-Courtney	Main	7 a. in the NE-SW ¹ 40 a. in the SE-SW ¹ Sec. 6 10 a. in the NE-NW ¹ 24 a. in the SE-NW ¹ Sec. 7 T. 3 N.R. 29 E. (Vol.30, p.24,136,183, 405,687)
(Finding #9 Contests 13,220, 85)							

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second Limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
<p>76720 76930 COURTNEY IRR. CO. (Continued)</p> <p>✓ Houser, Zoeth (Continued)</p>	1900	<p>for complete application.</p> <p>Jan.1 1918</p>	396 ✓	Irrigation	Pioneer-Courtney	Main	<p>160 a. in the NE $\frac{1}{4}$ Sec. 12 T. 3 N.R. 28 E. 23 a. in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ 45 a. in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 a. in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6 30 a. in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 a. in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ 49 a. in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16 a. in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T. 3 N.R. 29 E.</p>
<p>76719 76931 Moore, Will Pendleton, Ore.</p> <p>(Finding #9 Contests 13,107, 85)</p>	Jan.9 1900	Vested 1.31 sec.ft	105	Irrigation	Pioneer-Courtney	Main	<p>22 a. in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 220 20 a. in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 200 20 a. in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 200 10 a. in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 a. in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 146 Sec. 2 T. 3 N.R. 28 E. (Vol.30, p. 23)</p>
<p>Rogers, Grace B. Echo, Ore.</p> <p>(Finding #9 Contests 13,113, 85)</p>	Jan.9 1900	Vested .99 sec.ft	79	Irrigation	Pioneer-Courtney	Main	<p>39 a. in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 a. in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7 T. 3 N.R. 29 E. (Vol.30, p.26,263)</p>
<p>Smith, C.J. Portland, Ore.</p> <p>(Finding #9 Contests 13,105, 85)</p>	Jan.9 1900	Vested .76 sec.ft.	61	Irrigation	Pioneer-Courtney	Main	<p>17 a. in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 a. in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10 a. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 a. in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12 T. 3 N.R. 28 E. (Vol.30, p. 24,184)</p>
<p></p>	1900	Jan.1 1918	259 ✓	Irrigation	Pioneer-Courtney	Main	<p>20 a. in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 a. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ 160 a. in the NW $\frac{1}{4}$ 26 a. in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 23 a. in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12 T. 3 N.R. 28 E.</p>

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic-feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Smith, T. G. Echo, Ore. (Finding # 9 Contests 13,106, 85)	Jan.9 1900	Vested .77 sec.ft	62	Irrigation	Pioneer- Courtney	Main	26 a. in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 a. in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 a. in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1 a. in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 T. 3 N.R. 28 E. (Vol.30, p. 25)
	1900	Jan.1 1918 <i>1/1,200</i>	98 ✓	Irrigation	Pioneer- Courtney	Main	14 a. in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 a. in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ 25 a. in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ 39 a. in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 T. 3 N.R. 28 E.
CRAYNE -LISLE IRRIGATION COMPANY, by S.I.Lisle Echo, Ore. (Finding #9 Contest 50†)			199				(See description of individual landholders following)
Lisle, S. I. Portland, Ore. (Finding #9 Contests 50,231)	Mar.7, 1904	Jan.1 1918	133 ✓	Irrigation	Crayne- Lisle	Main	133 a. in the E $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 27 NW $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 26 T. 3 N.R. 29 E.
Roberts, Chris Echo, Ore. (Finding #9 Contests 50,208)	Mar.7, 1904	Jan.1 1918 <i>1/1,200</i>	11 ✓	Irrigation	Crayne- Lisle <i>Modified by Decree Vol. 14, p. 569</i>	Main	11 a. in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 26 T. 3 N.R. 29 E.
Sloan, Claude Echo, Ore. (Finding #9 Contests 50,99)	Mar.7 1904	Jan.1 1918 <i>1/1,200 - 1/1,210,000</i>	112 ✓	Irrigation	Crayne- Lisle	Main	112 a. in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36 T. 3 N.R. 29 E.
Young, John H. Echo, Ore. (Finding #9 Contests 50,101)	Mar.7, 1904	Jan.1 1918	8 ✓	Irrigation	Crayne- Lisle	Main	8 a. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T. 3 N.R. 29 E.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount subic-foot per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
DILLON IRRIGATION COMPANY, by W.H. Daughtrey, Pres. Portland, Ore. (Finding #9 Contests 12,13, 17,92) <i>✓</i> Ent. 001.1.15.4 Vol. 33 p. 119 <i>✓</i> " " 001.1.15.4 Vol. 33 p. 119		for complete application.					
	1907	Jan. 1 1920	1213.9 ✓	Irrigation	Dillon	Main	25 a. in NE- ¹ / ₄ NW- ¹ / ₄ 40 a. in NW- ¹ / ₄ NW- ¹ / ₄ 24 a. in SW- ¹ / ₄ NW- ¹ / ₄ 40 a. in SE- ¹ / ₄ NW- ¹ / ₄ 40 a. in NE- ¹ / ₄ SW- ¹ / ₄ 9.9 a. in NW- ¹ / ₄ SW- ¹ / ₄ 20 a. in SE- ¹ / ₄ SW- ¹ / ₄ 80 a. in W ¹ / ₂ of SE- ¹ / ₄ 17 a. in SE- ¹ / ₄ NE- ¹ / ₄ 16 a. in SW- ¹ / ₄ NE- ¹ / ₄ 5 a. in NW- ¹ / ₄ NE- ¹ / ₄ Sec. 1 T. 3 N.R. 28 E. 23 a. in SW- ¹ / ₄ SW- ¹ / ₄ 11 a. in SE- ¹ / ₄ SW- ¹ / ₄ Sec. 26 13 a. in SW- ¹ / ₄ SE- ¹ / ₄ 26 a. in SE- ¹ / ₄ SE- ¹ / ₄ Sec. 27 32 a. in NE- ¹ / ₄ NE- ¹ / ₄ 31 a. in NW- ¹ / ₄ NE- ¹ / ₄ 34.5 a. in SW- ¹ / ₄ NE- ¹ / ₄ 35 a. in SE- ¹ / ₄ NE- ¹ / ₄ Sec. 34 19.3 a. in NE- ¹ / ₄ NE- ¹ / ₄ 12.8 a. in NW- ¹ / ₄ NE- ¹ / ₄ 20 a. in SW- ¹ / ₄ NE- ¹ / ₄ 20 a. in SE- ¹ / ₄ NE- ¹ / ₄ 9.6 a. in NE- ¹ / ₄ NW- ¹ / ₄ 20 a. in NW- ¹ / ₄ NW- ¹ / ₄ 33 a. in SW- ¹ / ₄ NW- ¹ / ₄ 24.8 a. in SE- ¹ / ₄ NW- ¹ / ₄ 80 a. in N ¹ / ₂ of SW- ¹ / ₄ 25 a. in SW- ¹ / ₄ SW- ¹ / ₄ 40 a. in SE- ¹ / ₄ SW- ¹ / ₄ 160 a. in SE- ¹ / ₄ Sec. 35 37 a. in NE- ¹ / ₄ NE- ¹ / ₄ 20 a. in NW- ¹ / ₄ NE- ¹ / ₄ 13 a. in SW- ¹ / ₄ NE- ¹ / ₄ 20 a. in NW- ¹ / ₄ NW- ¹ / ₄ 18.9 a. in NE- ¹ / ₄ NW- ¹ / ₄ 31.6 a. in SW- ¹ / ₄ SW- ¹ / ₄ 6.5 a. in SE- ¹ / ₄ SW- ¹ / ₄ 80 a. in W ¹ / ₂ of SE- ¹ / ₄ Sec. 36 T. 4 N.R. 28 E.
	Nov. 17 1897	Vested 4.75 sec.ft.	380 Vol.33 p.92	Irrigation Domestic Stock			
1907	Vested 5.00 sec.ft.	399	Irrigation Domestic Stock				
		Vol.33 p.119					
Reeves, W. T.		Vested 1.41 sec.ft.	113 ✓				20 a. in NW- ¹ / ₄ SW- ¹ / ₄ 20 a. in SW- ¹ / ₄ SW- ¹ / ₄ Sec. 31 T. 4 N.R. 29 E. 37 a. in SE- ¹ / ₄ SE- ¹ / ₄ 36 a. in NE- ¹ / ₄ SE- ¹ / ₄ Sec. 36 T. 4 N.R. 28 E. (Vol. 33, p. 313,234) (Vol.33, p.313,314,234 401)
Denzler, F.H.		Vested .19 sec.ft.	15 ✓				15 a. in SE- ¹ / ₄ NE- ¹ / ₄ Sec. 36 T. 4 N.R. 28 E. (Vol.33, p. 314)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount - cubic feet per second Limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
		for complete application.					
Dillon Irrigation Co. continued.							
Myrick, F. B.		Vested .13 sec.ft.	10'				10 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 T. 4 N.R. 28 E. (Vol.33, p. 314)
Rector, B.F.		Vested .18 sec.ft.	14'				14 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 T. 4 N.R. 28 E. (Vol.33,p.314)
Dixon, B.F.		Vested .27 sec.ft	22'				20 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 T. 4 N.R. 28 E. (Vol.33, p. 315)
Umatilla Ranch Company		Vested 4.03 sec.ft.	322'	Irrigation Domestic Stock	Dillon	Main	7 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36 T. 4 N.R. 28 E. 13 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 19 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 19 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 11 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T. 4 N.R. 28 E. 50 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 50 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6 T. 3 N.R. 29 E. 20 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 23 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 T. 3 N.R. 28 E. (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		Vested 1.50 sec.ft.	131'	Irrigation Domestic Stock	Dillon	Main	31 a. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36 T. 4 N.R. 28 E. (Vol.33, p.315,221)
Walker, Horace		Vested 1.35 sec.ft.	108'				20 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 8 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36 T. 4 N.R. 28 E. (Vol.33,p.315)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Dillon Irrigation Company, continued. Haney, W. J.		for complete application. Vested .69 sec. ft.	55				40 a. in NE-NE-NE 15 a. in NW-NE-NE Sec. 1 T. 3 N.R. 28 E.W.M. (Vol.33, p. 318)
FURNISH DITCH COMPANY, by W.J.Furnish, Pres., Stanfield, Ore. (Finding #9 Contest 95)	Mar. 8, 1905	Vested 40.51 sec.ft.	3240.70	Irrigation	Furnish	Main	30 a. in NE-NE-NE 40 a. in SE-NE-NE Sec. 13 T. 4 N.R. 28 E.
	Feb. 25 1909			Storage of 5500 acre ft.	Furnish Reservoir	Main	21.5 a. in NE-NE-NE 30 a. in NW-NE-NE 36.5 a. in NE-NW-NE 37 a. in NW-NW-NE 37.5 a. in SW-NW-NE 20.5 a. in SE-NW-NE 7 a. in NE-SW-NE 9.82 a. in SW-NE-NE Sec. 4 40 a. in NE-NE-NE 40 a. in SE-NE-NE 40 a. in NE-SE-NE 10 a. in NW-SE-NE 5 a. in SE-SE-NE Sec. 5 6.5 a. in SW-NW-NE 7 a. in SE-NW-NE 2.26 a. in NE-SW-NE Sec. 22 T. 3 N.R. 29 E. 36.3 a. in NW-SW-NE 40 a. in SW-SW-NE Sec. 3 40 a. in SE-SW-NE *T-3470 Δ POU Sec. 4 33 a. in NE-NE-NE 18 a. in NW-NE-NE 40 a. in SW-NE-NE 38.51 a. in SE-NE-NE 10 a. in NE-NW-NE 10 a. in SW-NW-NE 30 a. in SE-NW-NE 37.22 a. in NE-SW-NE 52.46 a. in NW-SW-NE 54 a. in SW-SW-NE 40 a. in SE-SW-NE 37.86 a. in NE-SE-NE 36.3 a. in NW-SE-NE 40 a. in SW-SE-NE 40 a. in SE-SE-NE Sec. 7 40 a. in NW-SW-NE Sec. 8 20 a. in NE-NE-NE 30 a. in NW-NE-NE 10 a. in NE-NW-NE Sec. 9 20 a. in NW-NE-NE 20 a. in NE-NW-NE 5 a. in NE-SE-NE Sec. 10
		NOTE: The water stored under the appropriation of Feb. 25, 1909. is to be carried from the reservoir in the channel of the river to the main canal of the distribution system, and used upon the lands as in this decree listed, covered by the appropriation of March 8, 1905, and Feb. 25, 1909, both vested and inchoate.					

Remapping
ORS 541.329
SP ORD Vol 52
P9 345

Certificates
74662
74663 +
76379

EXTENDED TO Jan 1-1923
See order of Board April 14, 1920

T-2504 Δ POU 332 SW-NE-NE
T-9028 Δ POU 3551 → 30"
19.0 Ac Trsf. Sp. Or. Vol 26, P. 139 →
291 Ac Trsf. Sp. Or. Vol. 20 p. 65 → 33 a. in NE-NE-NE
18.0 Ac Trsf. Sp. Or. Vol 26, P. 139 → 18 a. in NW-NE-NE
7.0 Ac Trsf. Sp. Or. Vol 26, P. 139 → 40 a. in SW-NE-NE
10.0 Ac Trsf. Sp. Or. Vol 26, P. 139 → 38.51 a. in SE-NE-NE
3.0 Ac Trsf. Sp. Or. Vol 26, P. 139 → 10 a. in NE-NW-NE
25.0 Ac Trsf. Sp. Or. Vol 26, P. 139 → 10 a. in SW-NW-NE
37.22 " " " " " " " " → 30 a. in SE-NW-NE
T-2509 Δ 2716 → 37.22 a. in NE-SW-NE
54 " " " " " " " " → 52.46 a. in NW-SW-NE
30 " " " " " " " " → 54 a. in SW-SW-NE
T-9028 Δ POU 22 → 40 a. in SE-SW-NE
70 " " " " " " " " → 37.86 a. in NE-SE-NE
" " " " " " " " → 36.3 a. in NW-SE-NE

beginning of
Furnish ditch co.
T 7571
Pg. 235 has same
priority date

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Furnish Ditch Company continued.		for complete application.					
(1) T-5810 A POU	17 ⁰ / ₂ ac NE SW 15 ⁰ / ₂ ac NW SW 16 ⁰ / ₂ ac SW SW						10 a. in SW ¹ / ₄ NW ¹ / ₄ 15 a. in NE ¹ / ₄ SW ¹ / ₄ 18 a. in NW ¹ / ₄ SW ¹ / ₄ 10 a. in SW ¹ / ₄ SW ¹ / ₄ 40 a. in SE ¹ / ₄ SW ¹ / ₄ Sec. 11
T-5864 A POU	0 ²⁰ / ₂ ac NE SE Sec 32						10 a. in NW ¹ / ₄ SW ¹ / ₄ Sec. 12
T-5868 A POU	1 ⁰ / ₂ ac SE NE Sec 32						10 a. in NE ¹ / ₄ NW ¹ / ₄ 5.1 a. in SW ¹ / ₄ NW ¹ / ₄ 20 a. in SE ¹ / ₄ NW ¹ / ₄ 6.8 a. in NW ¹ / ₄ SW ¹ / ₄ Sec. 14
							20 a. in NE ¹ / ₄ NE ¹ / ₄ 10 a. in SW ¹ / ₄ NE ¹ / ₄ Sec. 18
							29.9 a. in NE ¹ / ₄ SE ¹ / ₄ Sec. 22
							30 a. in NE ¹ / ₄ NE ¹ / ₄ 40 a. in SW ¹ / ₄ NE ¹ / ₄ 22.9 a. in SE ¹ / ₄ NE ¹ / ₄
							20 a. in NW ¹ / ₄ NW ¹ / ₄
							40 a. in SW ¹ / ₄ NW ¹ / ₄
							20 a. in SE ¹ / ₄ NW ¹ / ₄
							40 a. in NE ¹ / ₄ SW ¹ / ₄
							40 a. in SW ¹ / ₄ SW ¹ / ₄
							40 a. in SE ¹ / ₄ SW ¹ / ₄
							20 a. in NW ¹ / ₄ SE ¹ / ₄ Sec. 23
							10 a. in SW ¹ / ₄ NE ¹ / ₄
							(1) 22 a. in NE ¹ / ₄ SW ¹ / ₄
							(1) 40 a. in NW ¹ / ₄ SW ¹ / ₄
							(1) 16 a. in SW ¹ / ₄ SW ¹ / ₄ Sec. 26
							24.4 a. in SW ¹ / ₄ NW ¹ / ₄
							34.8 a. in SE ¹ / ₄ NW ¹ / ₄
							40 a. in NE ¹ / ₄ SW ¹ / ₄
							40 a. in NW ¹ / ₄ SW ¹ / ₄
							40 a. in SW ¹ / ₄ SW ¹ / ₄
							40 a. in SE ¹ / ₄ SW ¹ / ₄
							23 a. in NW ¹ / ₄ SE ¹ / ₄
							8 a. in SW ¹ / ₄ SE ¹ / ₄
							12.7 a. in SE ¹ / ₄ SE ¹ / ₄ Sec. 27
							6.9 a. in SW ¹ / ₄ SW ¹ / ₄
							30 a. in SE ¹ / ₄ SW ¹ / ₄
							20.3 a. in NE ¹ / ₄ SE ¹ / ₄
							9.9 a. in SW ¹ / ₄ SE ¹ / ₄ Sec. 28
							(1) 10.35 a. in SE ¹ / ₄ SW ¹ / ₄
							(1) 33.66 a. in SW ¹ / ₄ SE ¹ / ₄
							(1) 11.7 a. in SE ¹ / ₄ SE ¹ / ₄ Sec. 29
							30 a. in NE ¹ / ₄ NE ¹ / ₄
							35 a. in NW ¹ / ₄ NE ¹ / ₄
							5 a. in SE ¹ / ₄ NE ¹ / ₄
							25 a. in NE ¹ / ₄ SE ¹ / ₄
							10 a. in NW ¹ / ₄ SE ¹ / ₄
							10 a. in SW ¹ / ₄ SE ¹ / ₄
							30 a. in SE ¹ / ₄ SE ¹ / ₄ Sec. 32
							40 a. in NE ¹ / ₄ NE ¹ / ₄
							40 a. in NW ¹ / ₄ NE ¹ / ₄
							40 a. in SW ¹ / ₄ NE ¹ / ₄
							40 a. in SE ¹ / ₄ NE ¹ / ₄
							6.88 a. in NW ¹ / ₄ NW ¹ / ₄
							40 a. in SW ¹ / ₄ NW ¹ / ₄
							40 a. in SE ¹ / ₄ NW ¹ / ₄

19.5 ac. Trsf. Sp. Or Vol. 8, p 491

T-5954 A POU 3²/₂ ac SW NW, Sec 33

T# 3026 (1)

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount - cubic feet per second - limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Furnish Ditch Co. continued. (1) T-4789 A POU 1 3/4 ac (2) T-5082 A POU 4 1/2 ac (3) T-5784 A POU 3 0 ac (4) T-5785 A POU 2 1/2 ac	March 8 1905	for complete application Jan. 1 1920	4678.92	Irrigation	furnish	Main	40 a. in NE-SW (4) (1) 40 a. in NW-SW 40 a. in SW-SW (1) 39.5 a. in SE-SW 38.5 a. in NE-SE 30 a. in NW-SE (2) 38 a. in SW-SE 39 a. in SE-NE 8 1/4 Sec. 33 10 a. in NE-NE 32.4 a. in NW-NE 27.4 a. in SW-NE 5 a. in SE-NE 40 a. in NE-NW 40 a. in NW-NW 40 a. in SW-NW 40 a. in SE-NW 27 a. in NE-SW 40 a. in NW-SW 32 a. in SW-SW 7.38 a. in SE-SW 2 a. in NW-SE (32 3/4) Sec. 34 T. 4 N.R. 29 E. 492.41 a. in Sec. 13 T. 4 N.R. 28 E. 75.18 a. in Sec. 4 24.10 a. in Sec. 5 22 a. in Sec. 9 T. 3 N.R. 29 E. 240 a. in Sec. 4 522 a. in Sec. 8 246 a. in Sec. 9 164 a. in Sec. 10 485 a. in Sec. 11 262.60 a. in Sec. 12 78 a. in Sec. 13 156.10 a. in Sec. 14 18.60 a. in Sec. 17 470 a. in Sec. 18 25 a. in Sec. 19 74.10 a. in Sec. 22 257.10 a. in Sec. 23 298 a. in Sec. 26 334.10 a. in Sec. 27 131.90 a. in Sec. 28 194.47 a. in Sec. 32 72.44 a. in Sec. 33 35.82 a. in Sec. 34 T. 4 N.R. 29 E.
	Feb. 25 1909	Jan. 1 1920	2080.38	Irrigation	furnish	Main	37.48 a. in Sec. 3 174.57 a. in Sec. 4 35 a. in Sec. 5 20.01 a. in Sec. 8 148 a. in Sec. 9 60 a. in Sec. 15 1.29 a. in Sec. 23 T. 3 N.R. 29 E. 56.12 a. in Sec. 4 14.09 a. in Sec. 8 311.65 a. in Sec. 9 64.57 a. in Sec. 10 59.99 a. in Sec. 11 162 a. in Sec. 13 367.09 a. in Sec. 14 32.06 a. in Sec. 18 79.17 a. in Sec. 19 119.89 a. in Sec. 22 54.80 a. in Sec. 23 18.85 a. in Sec. 26 11.66 a. in Sec. 27 96.93 a. in Sec. 28 155.16 a. in Sec. 34 T. 4 N.R. 29 E.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second Limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
OREGON LAND & WATER COMPANY, By J. W. Cook, Pres. Irrigon, Ore. (Finding #9 Contests 5,18,26 to 34 inc., 216, 217, 218)	1906	for complete application. Jan. 1 1920	3974	213 Irrigation	O.L. & W. Company	Main	25 a. in SW SE 10 a. in SE SE 20 a. in NE SE 10 a. in NW SE 6 a. in SE SW Sec. 17 20 a. in NE SE Sec. 18 T. 5 N.R. 28 E. 18 a. in NE SW 30 a. in NW SW 12 a. in SW SW 10 a. in SE SW 9 a. in NE SE 31 a. in NW SE 6 a. in SW SE Sec. 13 28 a. in SW SW 25 a. in SE SW 20 a. in NE SE 10 a. in NW SE 30 a. in SW SE 25 a. in SE SE Sec. 14 5 a. in NE SW 10 a. in NW SW 40 a. in SW SW 38 a. in SE SW 2 a. in NW SE 35 a. in SW SE 28 a. in SE SE Sec. 15 25 a. in SW SW 35 a. in SE SW 15 a. in NE SE 10 a. in NW SE 80 a. in SE SE Sec. 16 9 a. in SW NE 10 a. in SE NE 33 a. in NE SW 33 a. in NW SW 17 a. in SW SW 4 a. in SE SW 37 a. in NE SE 4 a. in NW SE 26 a. in SW SE 35 a. in SE SE Sec. 19 40 a. in NE NE 20 a. in NW NE 37 a. in SW NE 31 a. in SE NE 20 a. in SW NW 35 a. in SE NW 17 a. in NE SW 32 a. in NW SW 10 a. in SW SW 5 a. in SE SW 11 a. in NE SE 28 a. in NW SE 5 a. in SW SE Sec. 20 13 a. in NW NE 5 a. in SW NE 35 a. in NE NW 40 a. in NW NW 8 a. in SW NW 5 a. in NW SW 4 a. in NE SW Sec. 21

Handwritten notes:
 Now...
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount -cubic-foot per second- limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Oregon Land & Water Company, continued.		for complete application					<p>5 a. in NW¹/₄NE¹/₄</p> <p>5 a. in NE¹/₄NW¹/₄</p> <p>12 a. in NW¹/₄NW¹/₄</p> <p>Sec. 23</p> <p>23 a. in NE¹/₄NE¹/₄</p> <p>34 a. in NW¹/₄NE¹/₄</p> <p>2 a. in SW¹/₄NE¹/₄</p> <p>35 a. in NE¹/₄NW¹/₄</p> <p>19 a. in NW¹/₄NW¹/₄</p> <p>28 a. in SW¹/₄NW¹/₄</p> <p>15 a. in SE¹/₄NW¹/₄</p> <p>Sec. 30</p> <p>T. 5 N.R. 27 E.</p> <p>760 a. in Sec. 22</p> <p>15 a. in SW¹/₄NE¹/₄</p> <p>10 a. in SE¹/₄NE¹/₄</p> <p>25 a. in NW¹/₄NW¹/₄</p> <p>20 a. in SW¹/₄NW¹/₄</p> <p>9 a. in SW¹/₄SW¹/₄</p> <p>40 a. in SE¹/₄SW¹/₄</p> <p>11 a. in NE¹/₄SE¹/₄</p> <p>14 a. in NW¹/₄SE¹/₄</p> <p>25 a. in SW¹/₄SE¹/₄</p> <p>32 a. in SE¹/₄SE¹/₄</p> <p>Sec. 23</p> <p>7 a. in SW¹/₄NE¹/₄</p> <p>3 a. in SE¹/₄NE¹/₄</p> <p>10 a. in SW¹/₄NW¹/₄</p> <p>11 a. in SE¹/₄NW¹/₄</p> <p>8 a. in NE¹/₄SW¹/₄</p> <p>23 a. in SW¹/₄SW¹/₄</p> <p>17 a. in SE¹/₄SW¹/₄</p> <p>25 a. in NE¹/₄SE¹/₄</p> <p>17 a. in NW¹/₄SE¹/₄</p> <p>12 a. in SE¹/₄SE¹/₄</p> <p>Sec. 24</p> <p>16 a. in NE¹/₄NE¹/₄</p> <p>6 a. in NW¹/₄NE¹/₄</p> <p>10 a. in SW¹/₄NE¹/₄</p> <p>12 a. in SE¹/₄NE¹/₄</p> <p>6 a. in NE¹/₄NW¹/₄</p> <p>18 a. in NW¹/₄NW¹/₄</p> <p>35 a. in SW¹/₄NW¹/₄</p> <p>25 a. in SE¹/₄NW¹/₄</p> <p>20 a. in NE¹/₄SW¹/₄</p> <p>19 a. in NW¹/₄SW¹/₄</p> <p>13 a. in SW¹/₄SW¹/₄</p> <p>20 a. in SE¹/₄SW¹/₄</p> <p>13 a. in NE¹/₄SE¹/₄</p> <p>32 a. in NW¹/₄SE¹/₄</p> <p>Sec. 25</p> <p>40 a. in NE¹/₄NE¹/₄</p> <p>20 a. in NW¹/₄NE¹/₄</p> <p>40 a. in SW¹/₄NE¹/₄</p> <p>30 a. in SE¹/₄NE¹/₄</p> <p>15 a. in NE¹/₄NW¹/₄</p> <p>25 a. in NW¹/₄NW¹/₄</p> <p>80 a. in S¹/₂NW¹/₄</p> <p>160 a. in SW¹/₄</p> <p>25 a. in SE¹/₄SE¹/₄</p> <p>80 a. in W¹/₂SE¹/₄</p> <p>Sec. 26</p> <p>640 a. in Sec. 27</p> <p>T. 5 N.R. 26 E.</p>

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second - limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
PIONEER IRRIGATION COMPANY, a Corp. by C.J.Ward, Pres. Echo, Ore.	Jan.9 1900	Vested 8.40 sec.ft	672	Irrigation	Pioneer	Main	(See description of individual claims following)
(Finding #9 Contests 7, 39, 17, 226)	Jan.9 1900	Jan.1 1918	328				
Baumgardner, H Echo, Ore.		Vested .33 sec.ft	27				27 a. in SW-NE-1/4 Sec. 6 T. 3 N.R. 29 E.
(Finding #9 Contests 17,111)							(Vol.30, p.30)
		Jan.1 1918	13				13 a. in SW-NE-1/4 Sec. 6 T. 3 N.R. 29 E.
Cleghorn, A.J. Echo, Ore.		Vested .46 sec.ft.	37				37 a. in SE-1/4-SW-1/4 Sec. 5 T. 3 N.R. 29 E.
(Finding #9 Contests 17,229)							(Vol.30, p.29)
		Jan.1 1918	3				3 a. in SE-1/4-SW-1/4 Sec. 5 T. 3 N.R. 29 E.
Corea, Frank Echo, Ore.		Vested 1.69 sec.ft.	135				37 a. in NE-1/4-NW-1/4 40 a. in NW-1/4-NW-1/4 40 a. in SW-1/4-NW-1/4 18 a. in SE-1/4-NW-1/4 Sec. 8 T. 3 N.R. 29 E.
(Finding #9 Contests 17,120)							(Vol. 30, p. 27,245)
		Jan.1 1918	15				15 a. in E-1/2-NE-1/4 Sec. 8 T. 3 N.R. 29 E.
Emery, W. J. Echo, Ore.		Vested .44 sec.ft.	35				35 a. in SW-1/4-NW-1/4 Sec. 31 T. 4 N.R. 29 E.
(Finding #9 Contests 17,110)							(Vol.30, p.326)
		Jan.1 1918	5				5 a. in SW-1/4-NW-1/4 Sec. 31 T. 4 N.R. 29 E.
Gnavauch, Ed Echo, Ore.		Vested .45 sec.ft.	36				36 a. in NW-1/4-NE-1/4 Sec. 6 T. X N.R. 29 E.
(Finding #9 Contests 17,225)							(Vol.30, p.29)
		Jan.1 1918	4				4 a. in NW-1/4-NE-1/4 Sec. 6 T. X N.R. 29 E.

1871 cont. 179-180 MB

5 ac. of vested right trst. - Sp. Or Vol. 6, p. 96

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Time -Amount- -cubic feet- -per second- Limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
for complete application.							
Pioneer Irrigation Co. Continued.							
Kemnison, Chas. (Trans. to Will Reeves) Stanfield, Ore.		Vested .35 sec.ft.	28				28 a. in SW ¹ / ₄ SW ¹ / ₄ Sec. 31 T. 4 N.R. 29 E. (Vol.30, p.27,28)
(Finding #9 Contest 17,156)		Jan.1 1918	2				2 a. in SW ¹ / ₄ SW ¹ / ₄ Sec. 31 T. 4 N.R. 29 E.
McCullough, B.F. Echo, Ore.		Vested 1.01 sec.ft	84				37 a. in NE ¹ / ₄ SW ¹ / ₄ 37 a. in SE ¹ / ₄ SW ¹ / ₄ 8 a. in NW ¹ / ₄ SE ¹ / ₄ 2 a. in SW ¹ / ₄ SE ¹ / ₄ Sec. 8 T. 3 N.R. 29 E. (Vol.30, p. 30)
(Finding #9 Contests 17,223)		Jan. 1 1918	56				28 a. in NW ¹ / ₄ SE ¹ / ₄ 28 a. in SW ¹ / ₄ SE ¹ / ₄ Sec. 8 T. 3 N.R. 29 E.
Mendenhall, J.A. Stanfield, Ore.		Vested 1.44 sec.ft	115				8 a. in NW ¹ / ₄ NW ¹ / ₄ 7 a. in SW ¹ / ₄ NW ¹ / ₄ Sec. 5 30 a. in NE ¹ / ₄ NE ¹ / ₄ 15 a. in NE ¹ / ₄ SE ¹ / ₄ 15 a. in SE ¹ / ₄ SE ¹ / ₄ 40 a. in SE ¹ / ₄ NE ¹ / ₄ Sec. 6 T. 3 N.R. 29 E. (Vol.30, p.32)
(Finding #9 Contests 17,155)		Jan.1 1918	155				20 a. in SW ¹ / ₄ NW ¹ / ₄ Sec. 5 10 a. in NE ¹ / ₄ NE ¹ / ₄ 25 a. in NE ¹ / ₄ SE ¹ / ₄ 25 a. in SE ¹ / ₄ SE ¹ / ₄ 35 a. in NW ¹ / ₄ SE ¹ / ₄ 40 a. in SW ¹ / ₄ SE ¹ / ₄ Sec. 6 T. 3 N.R. 29 E.
Raley, B. F. Walla Walla, Wash.		Vested .60 sec.ft.	48				31 a. in NW ¹ / ₄ SW ¹ / ₄ 17 a. in SW ¹ / ₄ SW ¹ / ₄ Sec. 5 T. 3 N.R. 29 E. (Vol.30,p.32)
(Finding #9 Contests 17,209)		Jan.1 1918	32				9 a. in NW ¹ / ₄ SW ¹ / ₄ 23 a. in SW ¹ / ₄ SW ¹ / ₄ Sec. 5 T. 3 N.R. 29 E.
Reeves, Elmer Stanfield, Ore.		Vested .09 sec.ft.	7				7 a. in SW ¹ / ₄ SE ¹ / ₄ Sec. 31 T. 4 N.R. 29 E. (Vol.30, p.31)
(Finding #9 Contests 12,207)		Jan 1 1918	3				3 a. in SW ¹ / ₄ SE ¹ / ₄ Sec. 31 T. 4 N.R. 29 E.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount - cubic feet per second - limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
for complete application.							
Pioneer Irrigation Co. continued.							
Ward, C.J. Echo, Ore. (Finding #9 Contests 17,96)		Vested .51 sec.ft.	41				20 a. in NE-SW 7 a. in NW-SE 14 a. in SW-SE Sec. 5 T. 3 N.R. 29 E. (Vol.30. p.27,281)
		Jan.1 1918	20				20 a. in NE-SW Sec. 5 T. 3 N.R. 29 E.
Ward, Geo. L. Stanfield, Ore. (Finding #9 Contests 17,98)		Vested .99 sec.ft.	79				14 a. in NE-SW 30 a. in NW-SW 35 a. in SE-SW Sec. 31, T.4 N.R.29 E. (Vol.30,p.28,616)
		Jan.1 1918	20				15 a. in NE-SW 5 a. in SE-SW Sec. 31 T. 4 N.R. 29 E.
Roberts, Geo. R. Pendleton, Ore.	Jan.4 1909	Vested .36 sec.ft.	28.3	Irrigation Domestic	Private	Main	18 a. in SW-SE 10.3 a. in SE-SE Sec. 11 T. 2 N.R. 31 E.
	1909	Jan.1 1918	26 cu.ft.	Power	Private	Main	Place of use: S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 11 T. 2 N.R. 31 E.
Slusher, Wm Pendleton, Ore. (Finding #9 Contests 52)	1902	Vested 1.10 sec.ft.	88	Irrigation	Slusher	Main	(2) (2) 2 a. in NW-NW (2) (1) 35 a. in SW-NW (2) (1) 14 a. in SE-NW (2) (1) 21 a. in NE-SW (2) (1) 3 a. in NW-SW (1) 7 a. in SW-SE Sec. 5 (2) (1) 2 a. in NE-NE (2) (1) 4 a. in SE-NE Sec. 6 T. 2 N.R. 30 E.
Pt. of div. change Sp.Or.V.7, p.314	1902	Jan.1 1918	112	Irrigation	Slusher	Main	112 a. in Secs. 5 and 6 T. 2 N.R. 30 E.
(1) T-4763 Add'l POD (2) T-5463 Add'l POD							

67 1/2 x 100 Transferred to
 2 p. 16 p. 16
 4 p. 16 p. 16
 Sec. 31, T. 4 N.R. 29 E.
 Vol. 1 p. 246.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time - Amount - cubic feet per second - limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Smith, J. E., Live Stock Co., by J.E. Smith, Pres. Pendleton, Ore. (Finding #9 Contests 14,77,213 214)	1881	Vested 1.57 sec.ft. NOTE: for complete application.	125.5	Irrigation & Stock	Smith	Bear	4 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 27 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36 1 a in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35 T. 1 S.R. 31 E. 12.5 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 10 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 8 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.5 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3 a. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 10 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 1.5 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 7 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.5 a. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 a. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 a. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10 T. 2 S.R. 31 E. 12.5 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 25.5 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 13 a. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36 T. 1 S.R. 31 E. 8 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 T. 2 S.R. 31 E. 2.5 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.75 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14 2.5 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.5 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 12 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.75 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.75 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 a. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 11.75 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.75 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.5 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 T. 2 N.R. 31 E. 17.5 a. in Sec. 14 10.5 a. in Sec. 15 51.5 a. in Sec. 16 50 a. in Sec. 17 13 $\frac{1}{2}$ a. in Sec. 18 15 a. in Sec. 8 T. 2 N.R. 31 E.
	1899	Vested .78 sec.ft.	62	Irrigation & Stock	Smith	West Birch	T. 1 S.R. 31 E. 8 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 T. 2 S.R. 31 E. 2.5 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.75 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14 2.5 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.5 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 12 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.75 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.75 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 a. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 11.75 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.75 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.5 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 T. 2 N.R. 31 E. 17.5 a. in Sec. 14 10.5 a. in Sec. 15 51.5 a. in Sec. 16 50 a. in Sec. 17 13 $\frac{1}{2}$ a. in Sec. 18 15 a. in Sec. 8 T. 2 N.R. 31 E.
	Feb. 1890	Vested .94 sec.ft.	75	Irrigation & Stock	Barnhart	Main	T. 2 N.R. 31 E. 17.5 a. in Sec. 14 10.5 a. in Sec. 15 51.5 a. in Sec. 16 50 a. in Sec. 17 13 $\frac{1}{2}$ a. in Sec. 18 15 a. in Sec. 8 T. 2 N.R. 31 E.
	1902	Vested .77 sec.ft.	61 $\frac{1}{4}$				11.75 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.75 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.5 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 T. 2 N.R. 31 E. 17.5 a. in Sec. 14 10.5 a. in Sec. 15 51.5 a. in Sec. 16 50 a. in Sec. 17 13 $\frac{1}{2}$ a. in Sec. 18 15 a. in Sec. 8 T. 2 N.R. 31 E.
	1902	Jan.1 1918	157.75	Irrigation	Smith	Main	17.5 a. in Sec. 14 10.5 a. in Sec. 15 51.5 a. in Sec. 16 50 a. in Sec. 17 13 $\frac{1}{2}$ a. in Sec. 18 15 a. in Sec. 8 T. 2 N.R. 31 E.
Smith, J. E. Pendleton, Ore. (Emma E. Smith successor in interest) (Vol.1,p.274)	Oct.15 1908	Jan.1 1918	750 sec.ft.	Power	Smith	Main	Place of use: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T. 2 N.R. 31 E.

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T-6386

ch. pts of div.
Sp.Or. Vol. 20 p. 29

ch. in pt. of div.
Sp.Or. Vol. 20 p. 29

* ch. in pt. of div.
Sp.Or. Vol. 8, p. 205

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Stephens, Omer U. Pendleton, Ore.	1892	Vested .38 sec.ft.	30	Irrigation	McKay Ck. McKay Irrig.Co's Creek Ditch & 2 others	McKay	20 a. in NE-NE-1/4 7 a. in NW-NE-1/4 3 a. in SW-NE-1/4 Sec. 26 T. 1 N.R. 32 E.
(Finding #9 Contest 179)	1904	Jan.1 1918	27		Belle Miller & J.W.	"	20 a. in SE-NE-1/4 7 a. in NE-NE-1/4 Sec. 26 T. 1 N.R. 32 E.
UNITED STATES OF AMERICA	Nov.14 1894	Vested 1. sec.ft.	80	Irrigation	Maxwell 307 ac. CANCELED Spec. Or. V.38 p.448	Main V.38 p.448	40 a. in SW-SW-1/4 35 a. in SE-SW-1/4 Sec. 10 5 a. in NE-NE-1/4 Sec. 16 T. 4 N.R. 28 E.
Allowed Vested by Supreme Court Decision 88 ORE 376	Feb.25 1904	Jan.1 1920 115 sec.ft.	10435	Cancelled-sp. or Rec. Vol. 25 p. 93 T-6516-SP OR V 46 P 471	3.28 ac	25 p. 93	409 a. in Sec. 1 343 a. in Sec. 2 490 a. in Sec. 3 270.5 a. in Sec. 4 54 a. in Sec. 8 500 a. in Sec. 9 592.5 a. in Sec. 10 626 a. in Sec. 11 428 a. in Sec. 12 131.5 a. in Sec. 14 407 a. in Sec. 15 404.5 a. in Sec. 16 56 a. in Sec. 17 151 a. in Sec. 20 44 a. in Sec. 21 T. 4 N.R. 28 E. 22 a. in Sec. 6 T. 4 N.R. 29 E. 66.5 a. in Sec. 10 4 a. in Sec. 14 321.5 a. in Sec. 15 445 a. in Sec. 16 78 a. in Sec. 21 533.5 a. in Sec. 22 431 a. in Sec. 23 357 a. in Sec. 24 605 a. in Sec. 25 348 a. in Sec. 26 67 a. in Sec. 27 191 a. in Sec. 36 T. 5 N.R. 28 E. 343 a. in Sec. 19 482 a. in Sec. 20 351 a. in Sec. 21 63 a. in Sec. 28 272 a. in Sec. 29 387.5 a. in Sec. 30 160 a. in Sec. 31 T. 5 N.R. 29 E.
		NOTE: Excepting 25 cu.ft. per second vested for 2000 acres, as shown hereinafter in this schedule.					
		NOTE: Lands described under appropriation of Feb.25,1904, include the lands described under appropriation of Nov. 14, 1894					
T-10279	Sept.6 1905	Vested 350 sec.ft.	25072	Irrigation Storage in Cold Springs Reservoir capacity 50,000 ac.ft. and irrigat- ion from said reser- voir	Feed Canal	Main 10435	639 a. in Sec. 1 641 a. in Sec. 2 600 a. in Sec. 3 270.5 a. in Sec. 4 54 a. in Sec. 8 500 a. in Sec. 9 592.5 a. in Sec. 10 626 a. in Sec. 11 584 a. in Sec. 12 123 a. in Sec. 13 560 a. in Sec. 14 593.5 a. in Sec. 15 415.5 a. in Sec. 16
		① 3.28 ac. Canceled-sp. or Rec. Vol. 25 p. 93 ② 307 ac. CANCELED Spec. Or. V.38 p.448					

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount-cubic-feet per second Limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
United States of America, continued.		for complete application.					<p>56 a. in Sec. 17 39 a. in Sec. 19 377 a. in Sec. 20 578 a. in Sec. 21 531 a. in Sec. 22 167 a. in Sec. 23 198 a. in Sec. 27 464 a. in Sec. 28 268 a. in Sec. 29 55 a. in Sec. 30 T. 4 N.R. 28 E. 54 a. in Sec. 3 533 a. in Sec. 4 640.5 a. in Sec. 5 664 a. in Sec. 6 417 a. in Sec. 7 183 a. in Sec. 8 50 a. in Sec. 9 T. 4 N.R. 29 E. 66.5 a. in Sec. 10 4 a. in Sec. 14 321.5 a. in Sec. 15 445 a. in Sec. 16 406.5 a. in Sec. 21 594.5 a. in Sec. 22 431 a. in Sec. 23 357 a. in Sec. 24 622 a. in Sec. 25 629 a. in Sec. 26 603 a. in Sec. 27 251.5 a. in Sec. 28 307 a. in Sec. 33 630 a. in Sec. 34 619 a. in Sec. 35 632 a. in Sec. 36 T. 5 N.R. 28 E. 202 a. in Sec. 13 212 a. in Sec. 14 98 a. in Sec. 15 38 a. in Sec. 16 343 a. in Sec. 19 482 a. in Sec. 20 408.5 a. in Sec. 21 344 a. in Sec. 22 71 a. in Sec. 23 36 a. in Sec. 26 584 a. in Sec. 27 638 a. in Sec. 28 592 a. in Sec. 29 621.5 a. in Sec. 30 594 a. in Sec. 31 623 a. in Sec. 32 609 a. in Sec. 33 183 a. in Sec. 34 T. 5 N.R. 29 E.</p>
		<p>NOTE: The lands described under the appropriation and reservation of Sept. 6, 1905 include the lands described under the appropriations of Nov. 14, 1894 and of Feb. 25, 1904. Thus the waters appropriated and reserved as of Sept. 6, 1905, are to be used jointly or interchangeably as the case may be, with the waters appropriated as of Nov. 14, 1894, and Feb. 25, 1904, upon the lands described thereunder. The distribution system has been constructed so as to provide for this.</p>					
							<p>NOTE: of the 25,072 acres under the appropriation and reservation of Sept. 6, 1905, 4,031 acres had been irrigated prior to the filing of Statement and Proof by the United States in Sept. 1910. Of this area 2,000 acres were also irrigated by way of the appropriation of Feb. 25, 1904, and rights have become vested thereunder as follows:</p>

part of

19 163

25072

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
United States of America, Continued.	Feb.25 1904	for complete application. Vested 2000 25. sec.ft.	2000	Irrigation	Maxwell	Main	<p>20 a. in NE-NE 18 a. in NW-NE 4 a. in NE-SW 16 a. in NW-SW 25 a. in SE-SW 12 a. in NE-SE 11 a. in NW-SE 5 a. in SW-SE Sec. 1 2 a. in SW-NE 5 a. in SE-NE 5 a. in NW-NW 30 a. in SW-NW 16 a. in SE-NW 5 a. in NE-SW 2 a. in NW-SW 5 a. in SW-SW 5 a. in SE-SW 2 a. in NW-SE 5 a. in SW-SE 5 a. in SE-SE Sec. 2 20 a. in SW-NE 20 a. in SE-NE 25 a. in NE-NW 20 a. in SW-NW 30 a. in SE-NW 6 a. in NE-SW 25 a. in NW-SW 10 a. in SW-SW 25 a. in SE-SW 16 a. in NE-SE 28 a. in NW-SE 16 a. in SW-SE 16 a. in SE-SE Sec. 3 14 a. in NE-NE 12 a. in NE-SE 6 a. in SE-SE Sec. 4 10 a. in NE-SW 15 a. in SE-SW 10 a. in NE-SE 10 a. in NW-SE 20 a. in SW-SE Sec. 9 20 a. in NW-NE 40 a. in SW-NE 13 a. in SE-NE 3 a. in NE-NW 20 a. in NW-NW 20 a. in SE-NW 30 a. in NE-SW 40 a. in NW-SW 5 a. in SE-SW 30 a. in NE-SE 21 a. in NW-SE 40 a. in SW-SE 40 a. in SE-SE Sec. 10 20 a. in NE-NE 37 a. in SW-NE 21 a. in SE-NE 15 a. in NW-NW 7 a. in SW-NW 20 a. in SE-NW 18 a. in NE-SW 12 a. in NW-SW 28 a. in SW-SW</p>
				3.2 Cancelled-sp. or Rec. Vol. 25 P. 93			

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
United States of America, continued.		for complete application.					<p>15 a. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 12 a. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 a. in SE $\frac{1}{4}$ SE $\frac{1}{4}$</p> <p>Sec. 11</p> <p>15 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 18 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 19 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 14 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 a. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$</p> <p>Sec. 12</p> <p>4 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 7 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 34 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 12 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$</p> <p>Sec. 14</p> <p>32 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 21 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 36 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 30 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$</p> <p>Sec. 15</p> <p>5 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 a. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$</p> <p>Sec. 16</p> <p>5 a. in SE $\frac{1}{4}$ SE $\frac{1}{4}$</p> <p>Sec. 19</p> <p>25 a. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 a. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 a. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3 a. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 a. in NW $\frac{1}{4}$ SE $\frac{1}{4}$</p> <p>Sec. 20</p> <p>T. 4 N.R. 28 E.</p> <p>30 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$</p> <p>Sec. 6</p> <p>T. 4 N.R. 29 E.</p> <p>15 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 a. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 30 a. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 a. in SE $\frac{1}{4}$ SE $\frac{1}{4}$</p> <p>Sec. 24</p> <p>18 a. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$</p> <p>Sec. 26</p> <p>24 a. in NW $\frac{1}{4}$ NE $\frac{1}{4}$</p> <p>Sec. 36</p> <p>T. 5 N.R. 28 E.</p> <p>17 a. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 24 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 14 a. in SW $\frac{1}{4}$ SW $\frac{1}{4}$</p> <p>Sec. 31</p> <p>T. 5 N.R. 29 E.</p>

2000^c

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount - cubic feet per second Limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
76715 WESTERN LAND & IRRIGATION COMPANY, by J.W. Messner, Pres., Hermiston, Ore. (Finding #9 Contests 8, 12, 34 to 48 inc., 93) <i>(Extension of time granted until 10/1/20 recorded of record Vol. 1, page 42)</i> <i>(for contest 8, 12, 34, 48) (Spec. Lib. Bk 2, P. 239)</i> <i>" " Oct 1, 1928 " " " P. 259)</i> <i>" " Oct 1, 1930 " " " P. 476)</i> <i>" " Oct 1, 1932 " " " 152 Vol. 2)</i> <i>" " Oct 1, 1934 (Spec. Lib. Bk 2, P. 239)</i> <i>" " Oct 1, 1945 " " Vol 3, P. 471)</i> a T 3135 Δ POU T-5391 Δ POU 1623 ac NW NW, Sec 18 (reference of T-7889) T-5763 Δ POU 10 ⁰ ac NW NW } Sec 2 35 ⁰ ac SW NW } 20 ⁰ ac NW SW } T-8442 Δ POU 27.9 ac SW NE } 1. ac NW SE } Sec 17 1. ac SW NE } 1. ac SE NE } 1. ac NE SE } 1. ac NW SE } (U) T-7684 Δ POU 5 ⁰ ac NE SE, Sec 33 11 ⁰ ac NW SE, Sec 33	Mar. 14 1903	Vested 17.2 sec.ft.	1375	Irrigation	Hinkle	Main	55 a. in NW-NW 25 a. in SW-NW Sec. 18 <u>T. 3 N.R. 29 E.</u> 10 a. in NW-NW 35 a. in SW-NW 20 a. in NW-SW Sec. 2 18 a. in NE-SW 39 a. in SW-SW 32 a. in SE-SW 14 a. in NW-SE 3 a. in SW-SE Sec. 5 15 a. in SW-NE 30 a. in NE-NW 20 a. in SW-NW 40 a. in SE-NW 15 a. in NE-SW 15 a. in NW-NE Sec. 8 15 a. in NW-NE Sec. 11 15 a. in NE-NE 20 a. in SE-NE 2 a. in NE-SW 14 a. in NW-SW Sec. 13 38 a. in NE-NE 25 a. in SW-NE 20 a. in NE-NW 20 a. in NW-NW 22 a. in SW-NW 31 a. in SE-NW 10 a. in NE-SW 32 a. in NW-SW Sec. 14 6 a. in SE-NE 6 a. in NE-SE Sec. 15 <u>T. 3 N.R. 28 E.</u> 15 a. in SW-SW 5 a. in SE-SW Sec. 28 40 a. in NE-NE 25 a. in NW-NE 38 a. in SW-NE 40 a. in SE-NE 30 a. in NE-NW 15 a. in SW-NW 40 a. in SE-NW 15 a. in NE-SW 15 a. in NW-SW 10 a. in SW-SW 20 a. in SE-SW 40 a. in NE-SE 40 a. in NW-SE 33 a. in SW-SE 35 a. in SE-SE Sec. 32 32 a. in NW-NW 10 a. in SW-NW 25 a. in NW-SW 30 a. in NE-SE 60 30 a. in NW-SE 60 Sec. 33

25.0 ac. Cancelled - sp. or Rec. Vol. 25 P. 203

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Western Land & Irrigation Company. continued.	Mar. 14 1903	Jan. 1 1920 34.4 sec.ft. for complete application.	2759.68	Irrigation	Hinkle	Main	30a. in NE-SW 30 a. in NW-SW 30 a. in SE-SW 10 a. in NW-SE 20 a. in SW-SE 10 a. in SE-SE Sec. 34 T. 4 N.R. 28 E. 5 a. in Sec. 18 47 a. in Sec. 16 40 a. in Sec. 21 T. 3 N.R. 29 E. 105 a. in Sec. 2 15 a. in Sec. 3 5 a. in Sec. 4 467.68 a. in Sec. 5 53 a. in Sec. 8 338 a. in Sec. 11 319 a. in Sec. 13 257 a. in Sec. 14 103 a. in Sec. 15 T. 3 N.R. 28 E. 15 a. in Sec. 28 298 a. in Sec. 29 109 a. in Sec. 32 418 a. in Sec. 33 165 a. in Sec. 34 T. 4 N.R. 28 E.
76717 (1) T-4373 A POW 265 ac SW-SW (2) T-4696 A POW 35 ac SE NE, Sec 6 (3) T-5698 A POW 97 ac NENW Sec 5 (4) T-6062 A POW 1 ac T-6063 A POW 2 ac T-6064 A POW 10 ac T-6066 A POW 10 ac	July 1907	Vested 20.9 sec.ft.	1671	Irrigation	Hinkle	Main	14 a. in NW-SW 15 a. in SW-SW Sec. 4 40 a. in NE-NW 20 a. in SW-NW 40 a. in SE-NW 40 a. in NE-SW 40 a. in NW-SW Sec. 5 20 a. in NE-NE 3 a. in SW-NE (2) 35 a. in SE-NE Sec. 6 40 a. in NE-NE 20 a. in NW-NE 30 a. in SW-NE 40 a. in SE-NE 20 a. in SW-SE Sec. 7 40 a. in NE-NW 10 a. in NW-NW 10 a. in SW-NW 40 a. in SE-NW 35 a. in SW-SW Sec. 8 40 a. in NE-NW 20 a. in NW-NW 40 a. in SE-NW Sec. 17 20 a. in NE-NE 30 a. in SE-NE 10 a. in SW-NE 33 a. in NW-NW 12 a. in SE-NW 30 a. in SW-SW 12 a. in NE-SW 10 a. in NW-SE 25 a. in NE-SE Sec. 18 40 a. in NW-NW 3 a. in SW-NW 12 a. in NW-SW Sec. 20 471-28 E UMATILLA RIVER
76718 (1) T-4598 A POW 2.85 ac NENW T-5377 A POW 2 ac NENW							10.31 ac. Tract Sp. Or. Vol. 26 P. 252 T-4925 A POW 37 ac V33 P. 15940

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time -Amount -subso-foot -per second- -limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Western Land & Irrigation Co. continued.	(1) T-4339 Δ POU	for complete application. 02 SESW 42 SWSE		Irrigation	Hinkle	Main	258.05 a. in Sec. 4 417.22 a. in Sec. 5 44.20 a. in Sec. 6 461.47 a. in Sec. 7 420 a. in Sec. 8 110 a. in Sec. 9 455 a. in Sec. 17 430.92 a. in Sec. 18 432.97 a. in Sec. 19 90 a. in Sec. 20 147 a. in Sec. 30 442.78 a. in Sec. 31 110 a. in Sec. 32 T. 4 N.R. 28 E. 4 a. in Sec. 12 140 a. in Sec. 13 25 a. in Sec. 25 40 a. in Sec. 35 360 a. in Sec. 36 T. 4 N.R. 27 E. 75 a. in Sec. 6 15 a. in Sec. 7 T. 3 N.R. 28 E.
T-5698 Δ POU 8 ⁰ ac NESE, Sec 12, T4N, R27E 2 ⁰ ac NWSE, " 18 ⁰ ac SWSE, " 0 ⁶³ ac SESW, Sec 32, T5N, R28E							
T-5732 Δ POU 10 ⁰ ac SWSW, Sec 2, T3N, R27E							
(2) T-5121 Δ POU 10 ⁰ ac 1/36, P551							
	July 1907	Jan. 1 1920	11,264.97				40 a. in SW NE 1/4 40 a. in NE NW 1/4 20 a. in NW NW 1/4 20 a. in SE NW 1/4 20 a. in SW NW 1/4 40 a. in NE SW 1/4 20 a. in NW SW 1/4 (1) 25 a. in SE SW 1/4 10 a. in NE SE 1/4 40 a. in NW SE 1/4 (1) 40 a. in SW SE 1/4 Sec. 30 22 a. in SW NW 1/4 4 a. in NE SW 1/4 20 a. in NW SW 1/4 Sec. 31 T. 4 N.R. 28 E. (1) 13 a. in SE NE 1/4 30 a. in NE SE 1/4 2 a. in NW SE 1/4 30 a. in SW SE 1/4 40 a. in SE SE 1/4 Sec. 12 T. 4 N.R. 27 E. 10 a. in SW NE 1/4 40 a. in NE SW 1/4 40 a. in NW SW 1/4 40 a. in SW SW 1/4 36 a. in SW SE 1/4 Sec. 2 T. 3 N.R. 27 E. 10 a. in SE SW 1/4 Sec. 32 (1) 30 a. in NW NW 1/4 (1) 40 a. in SW NW 1/4 (1) 20 a. in NW SW 1/4 (2) (part) 40 a. in SW SW 1/4 Sec. 33 T. 5 N.R. 28 E.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Time Amount cubic feet per second Limit	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Western Land & Irrigation Company. continued.		for complete application.					250.62 a. in Sec. 1 336.36 a. in Sec. 2 627.29 a. in Sec. 3 521.83 a. in Sec. 4 160 a. in Sec. 9 250 a. in Sec. 10 T. 3 N.R. 27 E. 145 a. in Sec. 29 283 a. in Sec. 32 93 a. in Sec. 33 T. 5 N.R. 28 E. 54.74 a. in Sec. 5 32.56 a. in Sec. 6 115.69 a. in Sec. 19 56.36 a. in Sec. 30 95.35 a. in Sec. 31 T. 4 N.R. 28 E. 391.30 a. in Sec. 1 97 a. in Sec. 2 16.16 a. in Sec. 3 T. 3 N.R. 27 E. 640 a. in Sec. 1 500 a. in Sec. 13 253 a. in Sec. 24 562 a. in Sec. 25 360 a. in Sec. 35 280 a. in Sec. 36 T. 4 N.R. 27 E. 495 a. in Sec. 29 T. 5 N.R. 28 E. 170 a. in Sec. 17 T. 3 N.R. 29 E.
Hemphill, Jas. M. Pilot Rock, Ore.	1904	Jan. 1 1918	58.2	Irrigation	Jensen-Jacques-Hemphill	Birch Creek	20 a. in NW-SE $\frac{1}{4}$ 15.2 a. in SW-SE $\frac{1}{4}$ 20 a. in SE-SE $\frac{1}{4}$ 1 a. in SE-SW $\frac{1}{4}$ Sec. 4 2 a. in NE-NW $\frac{1}{4}$ Sec. 9 T. 1 S.R. 32 E.

Each of the appropriators tabulated herein 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 this Decree 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 certificates as said State Water Board may ascertain that such appropriator is entitled to receive by virtue of such proof, and

It is further CONSIDERED, ORDERED and DECREED that the water rights of the various claimants in said proceedings be, and the same are hereby established in accordance with the foregoing Decree, and

It further appearing to the Court that separate Findings were made by the State Water Board as to the relative rights to the use of water from Butter Creek, a tributary of the Umatilla River; that no exceptions were filed to said Findings as to Butter Creek, and that the water rights as therein determined are in accordance with the true rights of said claimants, and the Court being fully advised in the premises, and based upon the records and said Findings of said State Water Board,

It is further CONSIDERED, ORDERED and DECREED, that said Findings of said State Water Board as to the relative rights to the use of the waters of said Butter Creek, a tributary of the Umatilla River being in Umatilla and Morrow Counties, State of Oregon, be and the same are hereby confirmed.

Circuit Judge.

Dated this day of September, 1916.

*Amended
Vol. 15 p. 527*

Fuller

STATE OF OREGON)
) ss
County of Umatilla.)

I, Frank Saling, County Clerk of Umatilla County, and ex-officio Clerk of the Circuit Court of the State of Oregon, do hereby certify that the foregoing copy of FINAL DECREE in the Matter of the Determination of the Relative Rights of the Various Claimants to the Waters of the Umatilla River and its tributaries, a tributary of the Columbia River, in Umatilla County, Oregon, is a true and correct transcript of the original, and of the whole thereof, as the same appears of Record and on file at my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court, this 9th day of September A. D., 1916.

Frank Saling,

(Seal of the Circuit Court)

Clerk of the Circuit Court of Oregon
for Umatilla County.

STATE OF OREGON,)
) SS
County of Marion)

I, M. F. MERS, Secretary of the State Water Board of the State of Oregon, do hereby certify that the above Decree of the Circuit Court for Umatilla County, was received in the office of the State Water Board and entered of record herein on the first day of November, 1916.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State Water Board, this first day of November, 1916.

M. F. Mers
Secretary State Water Board.