

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

IN THE MATTER OF THE DETERMINATION OF THE REL- )  
ATIVE RIGHTS OF THE VARIOUS CLAIMANTS )  
TO THE WATERS OF WILLOW CREEK, A TRIBU- ) DECREE  
TARY OF MALHEUR RIVER, AND ITS TRIBUTARIES, )  
IN MALHEUR COUNTY, OREGON. )

On this 6 day of June, 1916, this matter came on to be heard upon the motion of the State Water Board of the State of Oregon, for correction of certain errors existing in decree entered in this matter on the 6th day of November, 1915, which decree was entered pursuant to and in conformity with the mandate of the Supreme Court of the State of Oregon to this Court, bearing date of the 7th day of April, 1915, and filed in this Court on the 9th day of April, 1915:

And the Court being now fully advised in the premises, and in compliance with and by virtue of said Mandate, and said corrections made by the State Water Board, it is now ordered, adjudged and decreed that the relative rights of the waters of Willow Creek and its tributaries, a tributary of Malheur River, in Malheur County, Oregon, be, and the same are hereby adjudicated and determined as follows:

| 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   |
|---|---------------------------|------------------------------|--------------|---------------------------------|-----------------------------|--|---|
| 2-1545 Albert Anders,<br>Malheur, Ore.<br>(C.W.Anders, P.A.<br>Hanson & Fred Har-<br>top, joint owners) | 1904                      | 1.00                         |              | Mining                          | Archer<br>Placer<br>Ditch   | Morman<br>Basin<br>Creek                   | Placer mining on NW $\frac{1}{4}$ ;<br>Sec. 17;<br>Tp. 14 S.R. 42 E.W.M.  |
| 2-1546 W. A. Anders,<br>Malheur, Ore.   | 1903                      | 0.15                         | 12           | Irrigation                      | Anders                      | Lost<br>Watch<br>Creek                     | 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 17;<br>Tp. 14 S.R. 42 E.W.M.   |
| 2-1547 A. W. Archer,<br>Malheur, Ore.   | 1903                      | 0.06                         | 4.5          | Irrigation<br>Storage           | Reservoir<br>and<br>ditches | Lost<br>Watch<br>Creek                     | 4.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 9;<br>Tp. 14 S.R. 42 E.W.M.  |
| 2-1548 Alice Banks,<br>2386 B. Street,<br>Baker, Ore.   | 1867<br>1903              | 1.00<br>0.45                 | 36           | Mining<br>Irrigation<br>Storage | Birch<br>Creek<br>Ditch     | Birch<br>Creek<br>Cotton-<br>wood<br>Creek | 2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>21 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 33;<br>6.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 34;<br>Tp. 13 S.R. 41 E.W.M.<br>15. acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 4;<br>1 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 3;<br>Tp. 14 S.R. 41 E.W.M.   |
| 2-1549 W. R. Banks,<br>Malheur, Ore.  | 1868                      | 1.00<br>0.01                 | 1            | Mining<br>Irrigation            |                             | Shasta<br>Creek                            | 1 acre in N $\frac{1}{2}$ SE $\frac{1}{4}$ ;<br>Sec. 17;<br>Tp. 13 S.R. 41 E.W.M.   |
| 2-1550 E. J. Beam,<br>Ironside, Ore.  | 1881<br>1890              | 0.63<br>0.72                 | 50<br>57.5   | Irrigation                      |                             | Boulder<br>Creek                           | 2.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>1.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 9;<br>1 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>29 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>17 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>23 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>15.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>1 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>31 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 15;<br>6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 16;<br>Tp. 14 S.R. 39 E.W.M.   |
| 4856<br>Sportel 45<br>T-6226<br>W. W. Beam,<br>Nyssa, Ore.<br>Admr. Est. of<br>J.R.Beam, deceased.      | 1880                      | 2.35                         | 188          | Irrigation                      | Beam                        | Beam<br>Creek                              | 1 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>24.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>5.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>13 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>7.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>26 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 26;<br>23 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>24.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>11 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>7.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>$\frac{1}{2}$ acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 27; |

| 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  |
|---|---------------------------|------------------------------|--------------|----------------------|----------------------------------|---|--|
| W. W. Beam (continued)                            |                           |                              |              |                      |                                  |   | 3 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>1 acre in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 28;<br>Tp. 14 S.R. 38 E.W.M.   |
| 2-1552 Ransom Beers,<br>Malheur City,<br>Oregon.  | 1879                      | 1.08                         | 86           | Irrigation           | Beers<br>ditch                   | Willow<br>Creek                                       | 18.5 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>30 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>5 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 13;   |
|   | 1863                      | 2.00                         |              | Mining               | Blair<br>Ditch                   | Mormon<br>Basin<br>Creek                              | 10.5 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>2 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>20 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 14;   |
|   | 1865                      | 1.00                         |              | Mining               | Crow<br>Creek<br>Ditch           | Crow<br>Creek<br>and Lost<br>Watch<br>Creek           | Tp. 14 S.R. 41 E.W.M.  |
| 2-1553 George H. Bodfish<br>Malheur, Ore.         | 1882                      | 1.00                         |              | Mining &<br>Milling  |                                  | Cotton-<br>wood and<br>springs<br>in Quartz<br>Gulch. | Red, White & Blue<br>Quartz Claims and Penrod<br>Porphyry Claims, situate<br>in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; S <sup>1</sup> / <sub>2</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 29;   |
|   |                           | 0.13                         | 10           | Irrigation           |                                  |   | Tp. 13 S.R. 41 E.W.M.  |
| 2-1554 D. F. Boggs,<br>Vale, Ore.<br>T 7720 D POD | 1882                      | 1.57                         | 125          | Irrigation           |                                  | Willow<br>Creek                                       | 30 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>20 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>20 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>15 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 4;                                  |
|   | 1908                      | 0.50                         | 40           |                      |                                  |   | Tp. 17 S.R. 44 E.W.M.  |
| 2-1555 Frank Boswell,<br>Bonita, Oregon.          | 1907                      | 0.50                         | 40           | Irrigation           |                                  | Crusen<br>Creek                                       | 40 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 8;<br>Tp. 15 S.R. 40 E.W.M.  |
| 2-1556 John Boswell,<br>Vale, Oregon.             | 1907                      | 1.25                         |              | Mining<br>Storage    | Rich<br>Creek<br>Mining<br>Ditch | Rich<br>Creek   | Placer in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 25;<br>Tp. 13 S.R. 40 E.W.M.   |
| 2-1557 Lew L. Boswell,<br>Malheur, Ore.           | 1910                      | 0.20                         | 15           | Irrigation           |                                  | Shasta<br>Creek                                       | 15 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 31;<br>Tp. 13 S.R. 41 E.W.M.   |
|   | 1866                      | 2.00                         |              | Mining               | Lafferty<br>Rich<br>Creek        |   |  |
|   | 1865                      |                              |              |                      |                                  |   |  |
|   | 1868                      |                              |              | Storage              | Campbell<br>Ditches              |   |  |
| 2-1558 W. S. Boswell,<br>Malheur, Ore.            | 1895                      | 0.03                         | 2            | Irrigation<br>Mining | Boswell                          | Quartz<br>Gulch                                       | 2 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 29;<br>Tp. 13 S.R. 41 E.W.M.  |
|   |                           | 1.00                         |              |                      |                                  |   |  |
| 2-1559 T. J. Brosnan,<br>Ontario, Ore.            | 1872                      | 2.41                         | 192.68       | Irrigation           | Hammer-                          | Willow<br>Creek                                       | 40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>27.31 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>37.87 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>7.5 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 23;<br>Tp. 17 S.R. 44 E.W.M. |

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|--|---------------------------|------------------------------|------------------|-----------------------|---|--------------------------------------|---|
| 2-1560 Henry C. Cleveland<br>Malheur, Ore.   | 1907                      | 0.40                         | 30               | Irrigation            | Dougherty   | Turner<br>Creek                      | 25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 21;<br>Tp. 16 S.R. 43 E.W.M.  |
| 2-1561 C. C. Crews,<br>Ironside, Ore.  | 1899<br>1902              | 0.05<br>0.27                 | 4<br>21          | Irrigation            |   | South<br>Fork of<br>Boulder<br>Creek | 2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 6;<br>11 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>12 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 8;<br>Tp. 14 S.R. 39 E.W.M.   |
| <del>CANCELLED</del><br>2-1562 A. A. Derrick,<br>Dell, Ore.  | 1873<br>1882              | 0.15<br>2.35                 | 12<br>188        | Irrigation            | Turner<br>Lockett                                   | Willow<br>Phipps                     | 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 3;<br>40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 10;<br>Tp. 16 S.R. 43 E.W.M.   |
| <i>Order # 1562 Canceled - Mar. 3, 1941<br/>33</i>   |                           |                              |                  |                       |   |                                      |   |
| 2-1563 John J. Dolan,<br>Vale, Ore.<br>T 7719 Δ POD  | 1908                      | 0.50                         | 40               | Irrigation            | Dolan-  | Willow                               | 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 10;<br>Tp. 17 S.R. 44 E.W.M.  |
| 2-1564 Ralph Duncan<br>and<br>Ray Duncan,<br>Ironside, Ore.  | 1884                      | 0.12                         | 9                | Irrigation            | Barnes  | Willow<br>and<br>Station<br>Creeks   | 8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 23;<br>Tp. 15 S.R. 38 E.W.M.  |
| 2-1565 Mrs. S. D. Duncan<br>Ironside, Ore.   | 1887<br>1897              | 0.23<br>1.32                 | 18<br>105.5      | Irrigation            | Young   | North<br>Fork<br>Willow<br>Creek     | 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>17.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>37.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 21;<br>27 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 16;<br>Tp. 14 S.R. 39 E.W.M.   |
|  | 1880<br>1881<br>1882      | 0.20<br>0.32<br>0.25         | 15<br>25<br>19.5 | Irrigation            | Ed Duncan<br>House<br>Rose &<br>Duncan<br>Southside | South<br>Fork<br>Willow<br>Creek     | 13 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>16 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>13 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>1.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>14.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 5;<br>Tp. 15 S.R. 39 E.W.M.              |
| 2-1566 Walter Duncan<br>Ironside, Ore.   | 1898                      | 0.80                         | 62.8             | Irrigation<br>Storage | Bradley<br>Ditch                                    | Picnic<br>Boulder<br>Bradley         | 17.66 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>13.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>8.64 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 8;<br>4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>11 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 17;<br>Tp. 14 S.R. 39 E.W.M. |
| 2-1567 Eastern Oregon<br>Land Company,<br>Ontario, Oregon.<br>T 7719 Δ POD                                     | 1867                      | 3.65                         | 292.02           | Irrigation            |   | Willow<br>Creek                      | 45.60 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$<br>and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;<br>Sec. 23;<br>88.68 acres in SE $\frac{1}{4}$<br>and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 5;<br>36 acres in Sec. 13;<br>Transferred, see order of Board<br>April 28, 1912. Vol. 1 Page 26  |
| <i>Order of transfer reversed -<br/>See Norwood v. E. Co. Land Co.<br/>777 Pac. 1111 - (111 ac - )<br/>288</i> |                           |                              |                  |                       |   |                                      |   |
|  |                           |                              |                  |                       |   | WILLOW                               | CREEK, MALHEUR COUNTY   |

| 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  |
|---|---------------------------|------------------------------|------------------|------------|--------------------|-------------------|--|
| Eastern Oregon Land Company (continued)     |                           |                              |                  |            |                    |                   | 41 acres in Sec. 25; Tp. 16 S.R. 43 E.W.M.<br>80.74 acres in Sec. 15; Tp. 17 S.R. 44 E.W.M.  |
|   | 1884                      | 0.38                         | 30.5             | Irrigation |                    | South Fork Willow | * 1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28;<br>12 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>5 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>* 9 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>* 2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 27;<br>Tp. 15 S.R. 38 E.W.M.  |
|   |                           |                              |                  |            |                    |                   | * Ch. in use and place of use - Sp. Or. V. 8, p. 23  |
|   | 1877                      | 0.59                         | 47.5             | Irrigation | Lockett or Company | Willow            | 37 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 31;<br>Tp. 15 S.R. 43 E.W.M.  |
|   | 1882                      | 1.08                         | 86 $\frac{1}{2}$ | Irrigation | Wilson             | Willow            | 7.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>25 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>33 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 7;<br>Tp. 15 S.R. 39 E.W.M. |
|   | 1883                      | 0.02                         | 9 $\frac{1}{2}$  | Irrigation | Lockett or Company | Willow            | 9.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 33;<br>Tp. 15 S.R. 43 E.W.M.   |
|   | 1887                      | 1.00                         | 80               | Irrigation |                    | Willow            | ✓ 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>✓ 70 acres in NW $\frac{1}{4}$ ; now in Board's hands<br>Tp. 17 S.R. 44 E.W.M. Dec. 1, 1914   |
|   | 1887                      | 0.62                         | 49.5             | Irrigation |                    | Willow            | 32 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5;<br>Tp. 16 S.R. 43 E.W.M.   |
| 2-1568 Harry C. Edwards, Ironside, Ore.     | 1883                      | 1.87                         | 149              | Irrigation | Whitely            | Willow            | 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>29 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 15;<br>Tp. 14 S.R. 39 E.W.M.   |
| 2-1569 H. S. Eldredge, Vale, Ore.           | 1897                      | 0.55                         | 220              | Irrigation | Eldredge           | Willow            | 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 14;<br>40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20;<br>Tp. 18 S.R. 45 E.W.M.  |
| 2-1570 Lawrence Faulkner, Ontario, Ore.     | 1873                      | 0.90                         | 71.5             | Irrigation |                    | Willow            | 14 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>21 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>(Overflow)<br>Sec. 5;<br>Tp. 17 S.R. 44 E.W.M.  |

transferred, etc  
order of Board, April 28, 1916

now in Board's hands  
Dec. 1, 1914

1914-19

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|---|---------------------------|------------------------------|--------------|-----------------------|----------------------|--|---|
| 2-1571 Patrick Faulkner<br>Ontario, Ore.                                      | 1907                      | 0.43                         | 34           | Irrigation            |                      | Willow   | 34 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 4;<br>Tp. 17 S.R. 44 E.W.M.   |
| 2-1572 Andrew S. Fields,<br>Jamieson, Ore.<br>T 7718 & POD                    | 1880                      | 2.63                         | 210          | Irrigation            |                      | Willow   | 22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>28 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 24;<br>Tp. 16 S.R. 43 E.W.M.   |
| 2-1573 Henry L. Glascock,<br>Brogan, Ore.                                     | 1897                      | 0.74                         | 59           | Irrigation            |                      | Crow   | 7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>12 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 10;<br>20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 15;<br>Tp. 14 S.R. 42 E.W.M.  |
| 2-1574 Andrew Hansen,<br>Rye Valley, Ore.                                     | 1896<br>1909              | 1.25<br>1.25                 |              | Mining<br>"           |                      | Morgan<br>Basin<br>Glengary<br>and French<br>Gulch |   |
| 2-1575 William P. Harris,<br>Vale, Ore.                                       | 1904                      | 0.23                         | 90           | Irrigation            | Harris               | Willow   | 39.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>20.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 26;<br>Tp. 17 S.R. 44 E.W.M.  |
| 2-1576 J. R. Hartman<br>Pocatello, Idaho.<br>& W.W.Young<br>Reed Point, Mont. | 1881                      | 1.03                         | 82           | Irrigation            | #1<br>#2<br>#3<br>#4 | South<br>Fork<br>Willow                            | 21- acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>4.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>12 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 13;<br>Tp. 15 S.R. 38 E.W.M.<br>17 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>3.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>17 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 18;<br>Tp. 15 S.R. 39 E.W.M.             |
| 2-1577 S. V. Hess,<br>Vale, Ore.<br>Cancelled-sp. or Rec. Vol. 14 p. 448      | 1897                      | 0.80                         | 320          | Irrigation            |                      | Willow   | 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 22;<br>Tp. 18 S.R. 45 E.W.M. |
| 2-1578 A. E. High,<br>M. G. Hope &<br>I. W. Hope<br>Vale, Ore.                | 1903                      | 0.67                         | 320          | Irrigation<br>Storage |                      | Little<br>Willow<br>Turner                         | 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 34;<br>Tp. 16 S.R. 43 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  |
|---|---------------------------|------------------------------|--------------|------------|---------------|-----------------|--|
| 1579 M.G. & I.W.Hope<br>Vale, Ore.          | 1887                      | 0.40                         | 160          | Irrigation | #1            | Willow          | 40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 6;<br>Tp. 18 S.R. 45 E.W.M.   |
|   | 1895                      | 2.50                         | 200          | Irrigation | #2            | Kern            | 40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;  |
|   | 1904                      | 18.50                        | 1480         |            | #3            | Turner          | 40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;  |
|   |                           |                              |              |            | #4            |                 | 40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;  |
|   |                           |                              |              |            | #5            |                 | 40 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;  |
|   |                           |                              |              |            | #6            |                 | Sec. 2;  |
|   | 1905                      |                              |              | Storage    |               | Spring Branch   | 40 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;  |
|   |                           |                              |              |            |               | Sheep           | 40 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;  |
|   |                           |                              |              |            |               | Corral          | 40 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;  |
|   |                           |                              |              |            |               | Currant or Kern | 40 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 1;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 3;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 10;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 9;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 8;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 17;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 16;<br>Tp. 17 S.R. 43 E.W.M. |

In distributing the water from Turner Creek between the claimants thereto the Water Master shall, as near as may be, limit the said M. G. and I. W. Hope to an equitable amount therefrom, considering the rights of said Hope Brothers to the waters of Spring Branch, Sheep Corral, Currant and Kern Creeks and the amount diverted therefrom, and apportion the quantity to be diverted from Turner Creek as nearly as may be, according to the amount heretofore used therefrom.

| 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  |
|---|---------------------------|------------------------------|---------------|---|---|----------------|--|
| 2-1580 J. A. Hoskins,<br>Vale, Ore.         | 1873                      | 1.79                         | 142.5         | Irrigation                              | #1  | Willow         | 19 acres in NE <sup>1</sup> NE <sup>1</sup> ;  |
|   | 1909                      | 0.70                         | 55            |   | #3  |                | 38.2 acres in NW <sup>1</sup> NW <sup>1</sup> ;                                      |
|   | 1883                      | 1.50                         | 120           |   | #2  | Gum            | 35.5 acres in SW <sup>1</sup> NE <sup>1</sup> ;                                      |
|   |                           |                              |               |   |   |                | 40 acres in SE <sup>1</sup> NE <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | 37.5 acres in NE <sup>1</sup> SE <sup>1</sup> ;                                      |
|   |                           |                              |               |   |   |                | 8.3 acres in NW <sup>1</sup> SE <sup>1</sup> ;                                       |
|   |                           |                              |               |   |   |                | 8.5 acres in SE <sup>1</sup> SE <sup>1</sup> ;                                       |
|   |                           |                              |               |   |   |                | Sec. 9;  |
|   | 1872                      | 0.05                         |               | Domestic,<br>house, barn<br>and orchard |   | Big<br>Spring  | 28.5 acres in SW <sup>1</sup> NW <sup>1</sup> ;                                      |
|   |                           |                              |               |   |   |                | 38.5 acres in SW <sup>1</sup> SW <sup>1</sup> ;                                      |
|   |                           |                              |               |   |   |                | 37 acres in NW <sup>1</sup> SW <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | 26.5 acres in NE <sup>1</sup> SW <sup>1</sup> ;                                      |
|   |                           |                              |               |   |   |                | Sec. 10;   |
|   |                           |                              |               |   |   |                | Tp. 16 S.R. 43 E.W.M.  |
| 2-1581 A. J. Howard,<br>Brogan, Ore.        | 1899                      | 0.53                         | 41.78         | Irrigation                              | Backus<br>and other<br>ditches  | Road<br>Canyon | 25 acres in NE <sup>1</sup> NW <sup>1</sup> ;  |
|   | 1905                      | 0.28                         | 21.75         |   |   |                |  |
|   |                           |                              |               | Storage                                 |   |                | 13.75 acres in NE <sup>1</sup> NE <sup>1</sup> ;                                     |
|   |                           |                              |               | 16.59 acre ft.                          |   |                | 13 acres in NW <sup>1</sup> NE <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | Sec. 20;   |
|   |                           |                              |               |   |   |                | Tp. 15 S.R. 42 E.W.M.  |
| 2-1580 Fannie Howard,<br>Malheur, Ore.      | 1880                      | 1.96                         | 156.5         | Irrigation                              | South<br>North  | Willow         | 40 acres in NE <sup>1</sup> SW <sup>1</sup> ;  |
|   | 1885                      | 0.19                         | 15            |   |   |                |  |
|   |                           |                              | Govt.<br>land |   |   |                | 30 acres in NE <sup>1</sup> SE <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | 40 acres in NW <sup>1</sup> SE <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | 16 acres in SW <sup>1</sup> SE <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | 7.5 acres in SE <sup>1</sup> SE <sup>1</sup> ;                                       |
|   |                           |                              |               |   |   |                | Sec. 13;   |
|   |                           |                              |               |   |   |                | The following Govt.<br>land so long as in<br>possession of claimant<br>and grantees: |
|   |                           |                              |               |   |   |                | 10.5 acres in SW <sup>1</sup> NE <sup>1</sup> ;                                      |
|   |                           |                              |               |   |   |                | 4.5 acres in SE <sup>1</sup> NE <sup>1</sup> ;                                       |
|   |                           |                              |               |   |   |                | Sec. 13;   |
|   |                           |                              |               |   |   |                | Tp. 14 S.R. 39 E.W.M.  |
| 2-1583 Anna Jackson,<br>Vale, Ore.          | 1901                      | 0.42                         | 33            | Irrigation                              | #1  | Willow         | 33 acres in NW <sup>1</sup> NE <sup>1</sup> ;  |
|   | 1905                      | 0.28                         | 22.26         |   |   |                | #2   |
|   |                           |                              |               |   | #3  |                | 10.26 acres in SE <sup>1</sup> NE <sup>1</sup> ;                                     |
|   |                           |                              |               |   |   |                | Sec. 31;   |
|   |                           |                              |               |   |   |                | Tp. 16 S.R. 44 E.W.M.  |
| 2-1584 George Jackson,<br>Dell, Ore.        | 1905                      | 0.25                         | 20            | Irrigation                              | Scott<br>O'Neill<br>Jackson   | Willow         | 15 acres in SW <sup>1</sup> NW <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                |  |
|   |                           |                              |               |   |   |                | Sec. 32;   |
|   |                           |                              |               |   |   |                | Tp. 16 S.R. 44 E.W.M.  |
| 2-1585 Sheridan Johnson,<br>Vale, Ore.      | 1910                      | 0.75                         | 60            | Irrigation                              |   | Willow         | 40 acres in NE <sup>1</sup> NE <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                |  |
|   |                           |                              |               |   |   |                | 16 acres in SE <sup>1</sup> NE <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | Sec. 6;  |
|   |                           |                              |               |   |   |                | Tp. 17 S.R. 44 E.W.M.  |
| 2-1586 M. D. Kelley,<br>Dell, Oregon.       | 1873                      | 1.50                         | 120           | Irrigation                              | Willow<br>Irrigation<br>and Drain-<br>age Ditch<br>or Lockett<br>D. Also<br>Turner D.<br>by agree-<br>ment. | Willow         | 40 acres in NE <sup>1</sup> SW <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                |  |
|   |                           |                              |               |   |   |                | 20 acres in SW <sup>1</sup> SW <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | 20 acres in SE <sup>1</sup> SW <sup>1</sup> ;  |
|   |                           |                              |               |   |   |                | Sec. 4;  |
|   |                           |                              |               |   |   | Phipps         | Tp. 16 S.R. 43 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  |
|--|---------------------------|------------------------------|--------------|------------|--------------------------------|-------------------------|--|
| 2-1586 M. D. Kelley,<br>Dell, Oregon.<br>(continued)   | 1908                      | 1.00                         | 80           | Irrigation |                                | Black<br>Creek          | 20 acres in SW <sup>1</sup> NW <sup>1</sup> ;<br>25 acres in NE <sup>1</sup> NW <sup>1</sup> ;<br>10 acres in NW <sup>1</sup> NW <sup>1</sup> ;<br>25 acres in SE <sup>1</sup> NW <sup>1</sup> ;<br>Sec. 12;<br>Tp. 16 S.R. 41 E.W.M.  |
| 46328-56142<br>2-1589 James E. Lawrence<br>and Heirs of Geo.<br>Lawrence, to-wit:<br>Georgia Lawrence,<br>Frank Lawrence,<br>Tracy Lawrence,<br>Carl Lawrence,<br>Mildred Lawrence, wife<br>Martha Lawrence,<br>Address,<br>Jas. E. Lawrence,<br>Vale, Ore.<br>T# 3912 Δ Pod part. | 1878                      | 2.20                         | 176          | Irrigation | North and<br>South<br>Lawrence | No. Fk.<br>Willow       | 40 acres in NE <sup>1</sup> NE <sup>1</sup> ;<br>40 acres in NW <sup>1</sup> NE <sup>1</sup> ;<br>6 acres in SW <sup>1</sup> NE <sup>1</sup> ;<br>2 acres in SE <sup>1</sup> NE <sup>1</sup> ;<br>39 acres in NE <sup>1</sup> NW <sup>1</sup> ;<br>31.5 acres in NW <sup>1</sup> NW <sup>1</sup> ;<br>1 acre in SE <sup>1</sup> SW <sup>1</sup> ;<br>Sec. 29;<br>9 acres in SW <sup>1</sup> SW <sup>1</sup> ;<br>3.5 acres in SE <sup>1</sup> SW <sup>1</sup> ;<br>4 acres in SW <sup>1</sup> SE <sup>1</sup> ;<br>Sec. 20.<br>Tp. 14 S.R. 39 E.W.M. |
| 2-1588 John A. Lawrence,<br>Ironsides, Ore.  | 1906                      | 0.44                         | 34.6         | Irrigation |                                | Black<br>Stump<br>Gulch | 1.6 acres in SE <sup>1</sup> SW <sup>1</sup> ;<br>Sec. 32;<br>Tp. 14 S.R. 38 E.W.M.<br>9 acres in NE <sup>1</sup> NW <sup>1</sup> ;<br>24 acres in SE <sup>1</sup> NW <sup>1</sup> ;<br>Sec. 5;<br>Tp. 15 S.R. 38 E.W.M.   |
|  | 1884                      | 0.30                         | 24           | Irrigation | Cunning-<br>ham                | North<br>Fork           | 13 acres in NE <sup>1</sup> SW <sup>1</sup> ;<br>19 acres in NW <sup>1</sup> SW <sup>1</sup> ;<br>Sec. 33;   |
|  | 1893                      | 0.08                         | 6            |            | Woodcock                       | Willow                  | 5.5 acres in NE <sup>1</sup> SW <sup>1</sup> ;   |
|  | 1901                      | 0.07                         | 5            |            | Lofton                         |                         | 17 acres in NE <sup>1</sup> SE <sup>1</sup> ;  |
|  | 1903                      | 0.34                         | 26.5         |            | Beam                           |                         | 7 acres in NW <sup>1</sup> SE <sup>1</sup> ;<br>Sec. 32;<br>Tp. 14 S.R. 38 E.W.M.  |
| 2-1589 C. T. Locey,<br>Ironsides, Ore.<br>44017<br>44016   | 1874                      | 1.00                         | 80           | Irrigation | Sargent                        | Willow                  | 8.5 acres in SW <sup>1</sup> NE <sup>1</sup> ;   |
|  | 1877                      | 0.94                         | 75           |            | Diven                          | Boulder                 | 17 acres in SW <sup>1</sup> NW <sup>1</sup> ;  |
|  | 1879                      | 1.92                         | 153          |            | Locey-<br>Smith                | Little<br>Boulder       | 40 acres in NE <sup>1</sup> SW <sup>1</sup> ;<br>40 acres in NW <sup>1</sup> SW <sup>1</sup> ;<br>19 acres in SW <sup>1</sup> SW <sup>1</sup> ;<br>28 acres in SE <sup>1</sup> SW <sup>1</sup> ;<br>40 acres in NE <sup>1</sup> SE <sup>1</sup> ;<br>40 acres in NW <sup>1</sup> SE <sup>1</sup> ;<br>35.5 acres in SW <sup>1</sup> SE <sup>1</sup> ;<br>40 acres in SE <sup>1</sup> SE <sup>1</sup> ;<br>Sec. 14;<br>Tp. 14 S.R. 39 E.W.M.  |
| 2-1590 Ernest Locey,<br>Ironsides, Ore.  | 1885                      | 0.27                         | 21           | Irrigation |                                | Long<br>Creek           | 6 acres in SW <sup>1</sup> NE <sup>1</sup> ;<br>15 acres in SE <sup>1</sup> NE <sup>1</sup> ;<br>Sec. 3;<br>Tp. 14 S.R. 39 E.W.M.  |
| 2-1591 J. T. Logan,<br>Brogan, Ore.  | Spring<br>of 1872         | 0.50                         | 40           | Irrigation | Logan                          | Willow<br>Becker        | 17.5 acres in NW <sup>1</sup> NE <sup>1</sup> ;<br>35 acres in SW <sup>1</sup> NE <sup>1</sup> ;<br>32 acres in NE <sup>1</sup> NW <sup>1</sup> ;<br>30 acres in SE <sup>1</sup> NW <sup>1</sup> ;<br>Sec. 24;<br>7.5 acres in NE <sup>1</sup> SW <sup>1</sup> ;<br>16.5 acres in NW <sup>1</sup> SW <sup>1</sup> ;<br>17 acres in SW <sup>1</sup> SW <sup>1</sup> ;<br>37.5 acres in SE <sup>1</sup> SW <sup>1</sup> ;<br>Sec. 13;<br>Tp. 15 S.R. 42 E.W.M.   |
|  | 1883                      | 1.92                         | 153          | Irrigation |                                |                         |  |

| 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  |
|--|---------------------------|------------------------------|--------------|------------|----------------------------------|-------------------------|--|
| 2. 1592 Nancy J. Logan,<br>Brogan, Ore.                      | 1883                      | 0.53                         | 42           | Irrigation | Wm. L. Logan                     | Willow                  | 22 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 14;<br>20 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 13;<br>Tp. 15 S.R. 42 E.W.M.  |
| 2. 1593 S. A. Lofton,<br>Ironsides, Ore.                     | 1881                      | 1.87                         | 149          | Irrigation | #1<br>#2<br>#3<br>#4<br>#5<br>#6 | North Fork<br>Willow    | 25 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>12.5 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 33;<br>4.5 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>25 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>26 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>24 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>30 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>2 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 34;<br>Tp. 14 S.R. 38 E.W.M.  |
|  | 1906                      | 0.85                         | 68           | Irrigation | Black Stump                      | Black Stump Gulch       | 20 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>20 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>20 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 4;<br>Tp. 15 S.R. 38 E.W.M.<br>8 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 33;<br>Tp. 14 S.R. 38 E.W.M.   |
| 2. 1594 W. R. Lofton,<br>Ironsides, Ore.                     | 1880                      | 0.32                         | 25           | Irrigation | First                            | North Fork              | 4.5 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;   |
|  | 1881                      | 0.63                         | 50           |            | Second                           | Fork                    | 28.5 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;  |
|  | 1887                      | 0.61                         | 48.5         |            | Third                            | Willow                  | 36 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>10 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>34 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>10.5 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 25;<br>Tp. 14 S.R. 38 E.W.M.  |
|  | 1882                      | 0.88                         | 70           | Irrigation | Lofton                           | Pole                    | 4.5 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;   |
|  | 1883                      | 0.50                         | 40           |            | Owens                            |                         | 1 acre in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;  |
|  | 1890                      | 0.13                         | 10           |            | Hart<br>Desert                   |                         | 8 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>1.5 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>16.5 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>11.5 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>8 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>9 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 22;<br>10 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>1/2 acre in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>17 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>4 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 23;<br>5 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>7 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>6.5 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 26;<br>Tp. 14 S.R. 38 E.W.M. |
|  | 1880                      | 0.40                         | 31           | Irrigation | Beam                             | Pole<br>Beam            | 25 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>16 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 25;<br>Tp. 14 S.R. 38 E.W.M.  |
| 2. 1595 W. R. Lofton and<br>S. A. Lofton,<br>Ironsides, Ore. | 1871                      | 2.50                         | 200          | Irrigation | South and<br>North<br>Carlisle   | North<br>Fork<br>Willow | 23 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>38 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>28 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>9 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>23 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 30;   |

| 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   |
|---|---------------------------|------------------------------|--------------|-----------------------------------|---|--|---|
| W. R. Lofton and<br>S. A. Lofton (continued)                            |                           |                              |              |                                   |   |  | 15.5 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>23 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>28 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>17 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 19;<br>Tp. 14 S.R. 39 E.W.M.   |
| 2-1596 M. B. Mathiesen<br>Owyhee, Ore. and<br>I. W. Hope,<br>Vale, Ore. | 1905                      | 0.07<br>1.13                 | 5            | Irrigation<br>Power and<br>Mining | Corydon   | Willow   | 5 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 3;<br>Tp. 14 S.R. 40 E.W.M.  |
| 2-1597 J. W. McCulloch,<br>Ontario, Ore.                                | 1906                      | 0.25                         | 100          | Irrigation                        | Eldridge  | Willow   | 20 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 8;<br>Tp. 18 S.R. 46 E.W.M.   |
| 2-1598 Mary McNamee,<br>Malheur, Ore.                                   | 1908                      | 0.15                         | 12           | Irrigation                        | McNamee   | Wizer  | 12 acres in E <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 36;<br>Tp. 13 S.R. 41 E.W.M.   |
| 2-1599 John McPherson,<br>Malheur, Ore.                                 | 1876                      | 4.10                         | 327          | Irrigation                        |   | Willow<br>West<br>Grouse<br>and<br>Grouse<br>Creek       | 8.5 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>18.5 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>5.5 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 6;<br>8.5 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>32.5 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>4.5 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 5;<br>15 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>36.5 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>7 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>38.5 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>28.5 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>9 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>21 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>2 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 8;<br>14 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>9 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>37.5 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>31 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 9;<br>Tp. 14 S.R. 40 E.W.M. |
| 56139<br>47308<br>46694<br>S. M. Moltham,<br>Ironside, Ore.             | 1880<br>1882              | 1.08<br>1.72                 | 86<br>137.5  | Irrigation                        | Bottom<br>Hill<br>Island<br>Elma<br>Young<br>or<br>Duncan | South<br>Fork of<br>Willow<br>North<br>Fork of<br>Willow | 20 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>29 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>10 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>(the foregoing being<br>Govt. land, the right<br>to water is dependent<br>upon lawful possession<br>of said land by claim-<br>ant and his grantees)<br>40 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>* 40 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>13 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>38 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>* 13 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 21;<br>20.5 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 20;<br>Tp. 14 S.R. 39 E.W.M.   |

40<sup>+</sup> Ac. Ch. Pt of Div. \*  
Sp. Or. 161.23 p 122

| 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  |
|---|---------------------------|------------------------------|--------------|------------------------|---------------------------|--|--|
| 2-1601 Charles H. Morfitt,<br>Malheur, Ore.   | 1907                      | 0.50                         | 40           | Irrigation             | C. H. Morfitt             | First  | 40 acres in NW- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>Sec. 10;<br>Tp. 14 S.R. 41 E.W.M.  |
| 2-1602 Estate of C. W. Morfitt, by<br>Albert Morfitt,<br>Malheur, Ore.  | 1889                      | 0.38                         | 30           | Irrigation             | Hurn                      | Alder  | 10 acres in NE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>10 acres in SE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>Sec. 35;<br>Tp. 13 S.R. 40 E.W.M.<br>10 acres in NE- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>Sec. 2;<br>Tp. 14 S.R. 40 E.W.M.  |
| 2-1603 James Morfitt,<br>Malheur, Ore.  | 1885                      | 0.69                         | 55.5         | Irrigation             | Henry Hug                 | Hug Creek<br>or Spring                         | 3 acres in SW- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>17 acres in SE- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>7 acres in NW- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>6 acres in NE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>17 acres in NW- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>5.5 acres in SW- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>Sec. 5;<br>Tp. 14 S.R. 40 E.W.M.   |
|   | 1881                      | 0.38                         | 30           | Irrigation             | Miller                    | Miller<br>Creek                                | 20 acres in NE- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>10 acres in NW- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>Sec. 3;<br>Tp. 14 S.R. 40 E.W.M.   |
|   | 1894                      | 0.44                         | 35           | Irrigation             | Morfitt<br>and<br>Worsham | Shasta   | 30 acres in NE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>5 acres in NW- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>Sec. 31;<br>Tp. 13 S.R. 41 E.W.M.   |
|   | 1897                      | 0.75                         | 60           | Irrigation             | Rich Creek                | Rich   | 15 acres in SW- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>30 acres in SE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>15 acres in SW- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>Sec. 31;   |
| <i>Change in p. of<br/>dev. - Sp. Or. Vol. 5, p. 163<br/>Also - Vol. 7, p. 488</i>  | 1868                      |                              |              | Supplemental<br>Supply |                           | Willow   | Tp. 13 S.R. 41 E.W.M.  |
|   | 1868                      | 1.57                         | 125          | Irrigation             | Morfitt                   | Willow   | 25 acres in NE- $\frac{1}{4}$ -NE- $\frac{1}{4}$ ;<br>30 acres in NW- $\frac{1}{4}$ -NE- $\frac{1}{4}$ ;<br>30 acres in NE- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>40 acres in NW- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>Sec. 6;<br>Tp. 14 S.R. 41 E.W.M.   |
| 2-1604 W. J. Morrison &<br>Peter S. Morrison<br>Vale, Ore.<br>for themselves and<br>Donald H. Morrison,<br>Hannah Morrison and<br>Jessie M. Morrison. | 1906                      | 17.00                        | 1360         | Irrigation             | Morrison                  | Little<br>Willow<br>Kennedy<br>Spring<br>Gulch | 40 acres in SE- $\frac{1}{4}$ -NE- $\frac{1}{4}$ ;<br>40 acres in NE- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>40 acres in NW- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>40 acres in SW- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>40 acres in SE- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>40 acres in NE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>40 acres in NW- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>40 acres in SW- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>40 acres in SE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>40 acres in NE- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>40 acres in NE- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>40 acres in NW- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>40 acres in SE- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>Sec. 35;<br>Tp. 16 S.R. 43 E.W.M.<br>40 acres in SE- $\frac{1}{4}$ -NW- $\frac{1}{4}$ ;<br>40 acres in NE- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>40 acres in NW- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>40 acres in SW- $\frac{1}{4}$ -SW- $\frac{1}{4}$ ;<br>40 acres in NW- $\frac{1}{4}$ -SE- $\frac{1}{4}$ ;<br>Sec. 2;<br>40 acres in NE- $\frac{1}{4}$ -NE- $\frac{1}{4}$ ;<br>40 acres in NW- $\frac{1}{4}$ -NE- $\frac{1}{4}$ ;<br>40 acres in SW- $\frac{1}{4}$ -NE- $\frac{1}{4}$ ;<br>40 acres in SE- $\frac{1}{4}$ -NE- $\frac{1}{4}$ ; |

| 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  |
|--|---------------------------|------------------------------|--------------|------------|---|-------------------------------------|--|
| W. J. Morrison, et al. (continued)   |                           |                              |              |            |   |                                     | 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 3;<br>40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 4;<br>Tp. 17 S.R. 43 E.W.M.   |
| 2-1605 Elmer North,<br>Dell, Ore.<br>(Ethel Gray &<br>Roe Gray)                                | 1885                      | 0.50                         | 40           | Irrigation | Gray  | Willow<br>Creek<br>Poison<br>Hollow | 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 10;<br>Tp. 16 S.R. 43 E.W.M.   |
| 2-1606 John Norwood,<br>Vale, Ore.   | 1871<br>1873              | 1.25<br>3.06                 | 100<br>244.8 | Irrigation | Turner<br>Imbler<br>McDowell                      | Willow                              | 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>12.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>35.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>38.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>38.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>38.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>25.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>13.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>34.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 14;<br>38.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>38.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>25.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 23;<br>Tp. 16 S.R. 43 E.W.M.   |
| 49718, 56509<br>Clarence H. Oxman<br>and Frank C. Oxman, Jr.<br>Vale, Ore.<br>(1) T-3728 A POD | 1871<br>1873              | 2.50<br>2.37                 | 200<br>189.5 | Irrigation | Turner<br>(1871)<br>Imbler-<br>McDowell<br>(1873) | Willow                              | (1) 19 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>(1) 36 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>(1) 14 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>(1) 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 10;<br>3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>36 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 11;<br>27 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>5.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 15;<br>40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>38 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>31- acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 14;<br>Tp. 16 S.R. 43 E.W.M. |
| 2-1608 Frank O'Neill,<br>Vale, Ore.  | 1882                      | 1.80                         | 144          | Irrigation | #1<br>#2<br>#3                                    | Willow                              | 30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 31;<br>25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>24 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 32;<br>Tp. 16 S.R. 44 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   |
|--|---------------------------|------------------------------|--------------|-----------------------|---------------------|---------------|---|
| 2-1609 A. D. Penrod,<br>Malheur, Ore.                          | 1901                      | 0.50                         | 40           | Irrigation            | Penrod<br>Longway   | Racey         | 5 acres in NW-NE-1/4;<br>10 acres in NE-SE-1/4;<br>5 acres in NW-SE-1/4;<br>Sec. 26;<br>Tp. 13 S.R. 40 E.W.M.<br>6 acres in NW-SE-1/4;<br>4 acres in SW-SE-1/4;<br>5 acres in SE-SE-1/4;<br>Sec. 14;<br>5 acres in NE-NE-1/4;<br>Sec. 23;<br>Tp. 13 S.R. 40 E.W.M.  |
| 2-1610 T. Charles<br>Pritchard,<br>Brogan, Ore.                | 1907                      | 2.97                         | 237          | Irrigation            | Dry Creek           | Dry<br>Creek  | 10 acres in NE-SW-1/4;<br>10 acres in NW-NW-1/4;<br>15 acres in SE-SE-1/4;<br>10 acres in SW-SE-1/4;<br>Sec. 10;<br>10 acres in NW-SW-1/4;<br>32 acres in NE-NE-1/4;<br>10 acres in NW-NE-1/4;<br>10 acres in SW-NE-1/4;<br>20 acres in SE-NW-1/4;<br>23 acres in SW-NW-1/4;<br>20 acres in NE-SW-1/4;<br>20 acres in NW-SW-1/4;<br>20 acres in NW-SE-1/4;<br>Sec. 11;<br>10 acres in NE-NW-1/4;<br>17 acres in NW-NW-1/4;<br>Sec. 15;<br>Tp. 16 S.R. 42 E.W.M. |
| Cancelled-sp. or Rec. Vol. <u>16</u> p. <u>395</u>             |                           |                              |              |                       |                     |               |   |
| 2-1611 Nancy Quinn and<br>William Quinn,<br>Ironsides, Ore.    | 1880                      | 2.13                         | 170          | Irrigation            | Brewer<br>and Adams | Willow        | 20 acres in NE-NE-1/4;<br>20 acres in NW-NE-1/4;<br>40 acres in SW-NE-1/4;<br>40 acres in SE-NE-1/4;<br>30 acres in SW-NW-1/4;<br>20 acres in SE-NW-1/4;<br>Sec. 18;<br>Tp. 14 S.R. 40 E.W.M.<br>35 acres in NE-SW-1/4;<br>34 acres in NW-SW-1/4;<br>35 acres in NW-SE-1/4;<br>Sec. 18;<br>Tp. 14 S.R. 40 E.W.M.  |
| Ch. Pt. of Div. Sp. Dr. Vol. 12 p. 572                         |                           |                              |              |                       |                     |               |   |
| 2-1612 J. H. Rose,<br>Ironsides, Ore.                          | 1887                      | 1.30                         | 104          | Irrigation            | F. Diven            | Willow        | 35 acres in NE-SW-1/4;<br>34 acres in NW-SW-1/4;<br>35 acres in NW-SE-1/4;<br>Sec. 18;<br>Tp. 14 S.R. 40 E.W.M.   |
| Ch. Pt. of Div. Sp. Dr. Vol. 12 p. 572                         |                           |                              |              |                       |                     |               |   |
| 47744<br>2-1613 J. H. Rose,<br>Ironsides, Ore.                 | 1892                      | 0.32                         | 25           | Irrigation<br>Storage |                     | Bridge        | 6 acres in SW-NE-1/4;<br>3 acres in SE-NW-1/4;<br>7 acres in NE-SW-1/4;<br>9 acres in NW-SW-1/4;<br>Sec. 6;   |
| Partial<br>Cancelled-sp. or Rec. Vol. <u>114</u> F. <u>256</u> | 1872                      | 2.00                         | 160          | Irrigation            | First               | South<br>Fork | Tp. 15 S.R. 39 E.W.M.   |
|  | 1873                      | 0.50                         | 40           |                       | Second              | Willow        | 12.5 acres in NW-NE-1/4;<br>1 acre in SW-NE-1/4;<br>36.5 acres in NE-NW-1/4;<br>38 acres in NW-NW-1/4;<br>* 35 acres in SW-NW-1/4;<br>* 35 acres in SE-NW-1/4;<br>* 17 acres in NE-SW-1/4;<br>* 37 acres in NW-SW-1/4;<br>* 30 acres in SW-SW-1/4;<br>* 3 acres in SE-SW-1/4;<br>Sec. 28;<br>* 35 acres in NE-NE-1/4;<br>2 acres in SW-NE-1/4;<br>* 35.5 acres in SE-NE-1/4;<br>3.5 acres in NE-SE-1/4;   |
|  | 1876                      | 0.32                         | 25           |                       | Third               |               |   |
|  | 1882                      | 0.32                         | 25           |                       | Fourth              |               |   |
|  | 1884                      | 1.99                         | 159          |                       | Fifth               |               |   |
|  |                           |                              |              |                       | Sixth               |               |   |
|  |                           |                              |              |                       | Seventh             |               |   |
|  |                           |                              |              |                       | Waltz               |               |   |
|  |                           |                              |              |                       | Barnes              |               |   |
| * Ch. Pt. of Div. Sp. Dr. Vol. 12 p. 285                       |                           |                              |              |                       |                     |               |   |

| 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   |
|--|---------------------------|------------------------------|-------------------|------------|----------------------------|-----------------------------------|---|
| J. H. Rose (continued)   |                           |                              |                   |            |                            |                                   | 17.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 32;<br>* 23 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 33;<br>* 7.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>* 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 29;<br>Tp. 14 S.R. 39 E.W.M.   |
| <del>2-1614</del> G. E. Rutherford,<br>Ironsides, Ore.             | 1885                      | 0.87                         | 69                | Irrigation | Rutherford                 | Willow                            | 5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>24 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 13;<br>Tp. 14 S.R. 39 E.W.M.   |
| <i>ch. Pt. of Div. Sp. Or. Vol. 12, p. 285</i>                     |                           |                              |                   |            |                            |                                   |   |
| <i>chg. pt. of div. Sp. Or. Vol. 15 p. 470</i>                     |                           |                              |                   |            |                            |                                   |   |
| <i>Change in pt. of div. Sp. Or. Vol. 7, p. 166</i>                |                           |                              |                   |            |                            |                                   |   |
| <del>2-1614</del> Robt. M. Russell,<br>by W.J.Scott,<br>Vale, Ore. | 1906                      | 0.94                         | 75                | Irrigation | Morrison<br>and<br>Russell | Little<br>Willow                  | 37 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>38 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 26;<br>Tp. 16 S.R. 43 E.W.M.   |
| <del>2-1615</del> W. J. Scott,<br>Vale, Ore.                       | 1877<br>1883<br>1905      | 1.75<br>0.75<br>1.13         | 140<br>60<br>90.4 | Irrigation | #1<br>#2<br>#3             | Willow                            | 24.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>12.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>35 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>38 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 25;<br>35 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 36;<br>Tp. 16 S.R. 43 E.W.M.<br>32 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>38 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 30;<br>Tp. 16 S.R. 44 E.W.M. |
| <del>2-1616</del> <sup>5038</sup> J. P. Smith,<br>Ironsides, Ore.  | 1871<br>1879              | 1.13<br>0.32<br>0.19         | 90<br>25<br>13.5  | Irrigation | Sargent<br>Locey-<br>Smith | Willow<br>South<br>Fork<br>Willow | 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>20.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 15;<br>20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 21;<br>10.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>25.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>23.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 22;<br>Tp. 14 S.R. 39 E.W.M.                      |
|  |                           |                              |                   |            |                            |                                   |   |
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|  |                           |                              |                   |            |                            |                                   |   |
|  |                           |                              |                   |            |                            |                                   |   |
| <del>2-1617</del> Z. T. Smith,<br>Malheur, Ore.                    | 1888                      | 0.97                         | 77.5              | Irrigation | Steiger                    | Main<br>Grouse                    | 9 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 30;<br>11.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>18.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 31;<br>Tp. 13 S.R. 40 E.W.M.<br>5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>8.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 25;<br>Tp. 13 S.R. 39 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   |
|--|----------------------------------|------------------------------|--------------|------------------------------|------------------------|--|---|
| 2-1678 Estate of Warren D. Springer, Decd., by J.H. Wolf, Admr. Heirs: Lula E. Springer Eugene E. Springer Warren D. Springer, Jr. Nyssa, Ore. | 1908                             | 4.00                         | 320          | Irrigation                   | Mulkey                 | Willow   | 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 8;<br>Tp. 18 S.R. 45 E.W.M.              |
| 2-1619 G. W. Taylor, Dell, Ore.  | 1877                             | 0.40                         | 32           | Irrigation                   | Lockett or Company     | Willow   | 7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>25 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 32;<br>Tp. 15 S.R. 43 E.W.M.  |
| 2-1620 J. B. Turner, Dell, Ore.  | 1898                             | 2.82                         | 225          | Irrigation                   | Turner                 | Turner   | 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>35 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>30 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 30;<br>Tp. 16 S.R. 43 E.W.M.<br>40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 25;<br>Tp. 16 S.R. 42 E.W.M.  |
| Partial<br>Cancelled-sp. or Rec. Vol. 22 P. 438  |                                  |                              |              |                              |                        |  |   |
| 2-1621 Uncle Sam Mining & Milling Company by Geo. Gardner, Agt. Malheur, Ore.  | 1869<br>1869<br>1869 )<br>1896 ) | 10.00<br>2.00<br>0.50        |              | Mining<br>"<br>"             | East Side<br>West Side | Morman Basin<br>First<br>Weiser<br>Gulch   |   |
| Superseded by<br>Cert. No. 34213   |                                  |                              |              |                              |                        |  |   |
| 56140<br>49068<br>(1) T 4304 add'l P&D 9 <sup>0</sup> 72 NW NE Sec 25  | 1881                             | 0.59                         | 47           | Irrigation                   | Carlisle               | Willow   | 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 25;<br>Tp. 14 S.R. 38 E.W.M.<br>22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>Sec. 30;<br>Tp. 14 S.R. 39 E.W.M.  |
| 1885   | 1.55                             | 124.5                        | Irrigation   | Ricker and two other ditches | Willow                 | 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>4 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>(1) 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>Sec. 25;<br>Tp. 14 S.R. 38 E.W.M. |   |
| 56141<br>1683<br>(1) T-4304 add'l P&D #11  | 1881                             | 0.72                         | 57.5         | Irrigation                   |                        | Willow<br>Beam   | (1) 29.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>(1) 28 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 24;<br>Tp. 14 S.R. 38 E.W.M.   |
| 2-1624 James F. Weaver, Ironside, Ore.   | 1878                             | 2.50                         | 200          | Irrigation                   |                        | Lost Valley Creek  | 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;<br>Sec. 19;<br>30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;<br>20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;<br>25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;<br>Sec. 20;<br>Tp. 14 S.R. 40 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  |
|---|---------------------------|------------------------------|---------------------------------|------------|--------------------------|------------------|--|
| 2 1625 Alice Williams,<br>Malheur, Ore.<br><br>* Note: By Court Order of August 30, 1956 - Vol. 15, p. 456<br>the 10 <sup>00</sup> Acres in SWNW is corrected to<br>read 8.5 Acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub><br><br>* T-3663 Add'l POD T-3663 Right Lost Sp. Or. V. 39, p. 448<br><br>2240 46220<br>2 447 Willow River Land &<br>Irrigation Company,<br>by<br>Dennis M. Brogan,<br>Director,<br>Brogan, Ore. | 1868                      | 1.38                         | 110                             | Irrigation | Morfitt                  | Willow           | Ch. Pt. of Div. Sp. Or. Vol. 9, p. 87<br><br>35 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; * 27 <sup>00</sup><br>15 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; * 11 <sup>00</sup><br>30 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; * 22 <sup>00</sup><br>* 10 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; * 8 <sup>00</sup><br>20 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; * 7 <sup>00</sup><br>Sec. 1;<br>Tp. 14 S.R. 40 E.W.M.  |
| Willow River Land &<br>Irrigation Company,<br>by<br>Dennis M. Brogan,<br>Director,<br>Brogan, Ore.  | Dec. 15 1872              | 2.24                         | 178 <sup>1</sup> / <sub>2</sub> | Irrigation | Cole                     | Willow           | 26 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>27 <sup>1</sup> / <sub>2</sub> acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>27 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>32.5 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>36 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>17 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>7 <sup>1</sup> / <sub>2</sub> acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>5 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 14;<br>Tp. 15 S.R. 42 E.W.M.  |
|   | 1873                      | 5.72                         | 457                             | Irrigation | Lockett<br>or<br>Company | Willow           | 4.5 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>32 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 24;<br>Tp. 15 S.R. 42 E.W.M.<br>2 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>20 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>11 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>36 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>39.5 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>39 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>Sec. 19;<br>19 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>32 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>12 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>13 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>6 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>8 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>37 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>21.5 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>6.5 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>38 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 30; |
|   | 1877                      | 6.28                         | 503                             | Irrigation | Lockett<br>or<br>Company | Willow<br>Phipps | 34.5 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>33 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>36 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>13.5 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>22.5 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>35.5 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>30 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 32;<br>Tp. 15 S.R. 43 E.W.M.<br>6 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>38.5 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>40 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>23 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ;<br>18 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>20 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ;<br>14.5 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>26.5 acres in NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>32 acres in SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>39.5 acres in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 4;<br>Tp. 16 S.R. 43 E.W.M.   |
|   | 1871                      | 1.38                         | 110                             | Irrigation | Rainey                   | Pole             | 40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ;<br>Sec. 23;   |

| 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   |
|--|---------------------------|------------------------------|--------------|-------------|---------------|--|---|
| 1627 Willow River Land & Irrigation Co. (continued)        | 1874                      | 0.65                         | 52           | Irrigation  |               | Black  | 30 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 24; Tp. 15 S.R. 42 E.W.M.  |
|  | 1882                      | 0.40                         | 32           | Irrigation  |               | Gun  | 4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 16 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 31 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 24; Tp. 15 S.R. 42 E.W.M.   |
|  | 1885                      | 1.20                         | 95           | Irrigation- | Anderson      | Willow   | 3.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 13.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 8; $\frac{1}{2}$ acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 9; Tp. 16 S.R. 43 E.W.M.   |
|  | 1870                      | 1.82                         | 146.5        | Irrigation  | Rose          | Willow   | $\frac{1}{2}$ acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 39 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 29 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 19 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. 5; Tp. 14 S.R. 41 E.W.M.   |
| Partial Cancellations 1-27-93 V47 P64 except 3 acres in S5 | 1904                      | 2.00                         | 160          | Irrigation  | Daugherty     | Turner Poison  | 25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 11 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 1 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 8; 9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 12 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 9 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 9; Tp. 14 S.R. 41 E.W.M. |
|  | 1886                      | 0.45                         | 36           | Irrigation  |               | Boulder  | 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 22; Tp. 16 S.R. 43 E.W.M.  |
|  | 1892                      | 0.29                         | 22.5         |             |               | South  | 9 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 17 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 4.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 4;   |
| 1894   | 0.18                      | 14                           |              |             | Fork          | 4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5;  |   |
| 1902   | 0.21                      | 16.5                         |              |             | Boulder       | 7.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; $\frac{1}{2}$ acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 9; |   |
| 1909   | 0.15                      | 12                           |              |             | Bradley       | 14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 16; Tp. 14 S.R. 39 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   |
|---|---------------------------|------------------------------|--------------|------------|--|--|---|
| 2-1628 Florence E. Woodcock,<br>Malheur, Ore. | 1869                      | 0.40                         | 31.5         | Irrigation | Alder Creek Ditch  | Alder Creek  | 1.5 acres in SW-NE;<br>8 acres in NW-SE;<br>14 acres in SW-SE;<br>2 acres in SE-SE;<br>Sec. 22;   |
|   | 1879                      | 1.24                         | 98.5         |            | Spring Ditch<br>Little Spring Ditch<br>Cave Hollow Spring<br>Ditch<br>Cave Hollow Spring Ditch | Cave Hollow Spring;<br>Other springs   | 1.5 acres in NE-NE;<br>4 acres in NW-NE;<br>2 acres in SW-NE;<br>30 acres in SE-NE;<br>39 acres in NE-SE;<br>1 acre in SW-SE;<br>27 acres in SE-SE;<br>Sec. 27;<br>Tp. 13 S.R. 40 E.W.M.                              |
| 2-1629 J. N. Woodcock,<br>Ironside, Ore.      | 1880                      | 0.38                         | 30           | Irrigation | Price Ditches  | Middle Fork Willow   | 33 acres in NE-NE;<br>17 acres in NW-NE;<br>10 acres in SW-NE;  |
|   | 1885                      | 0.25                         | 20           |            |  |  | 7 acres in NE-NW;   |
|   | 1898                      | 0.68                         | 54           |            | Slough Lofton  |  | 17 acres in SW-NW;<br>20 acres in SE-NW;<br>Sec. 35;<br>Tp. 14 S.R. 38 E.W.M.   |
|   |                           |                              |              |            |  |  |   |
| 2-1630 David K. Worsham,<br>Malheur, Ore.     | 1884                      | 0.67                         | 55.5         | Irrigation | Lynd   | Long Creek<br>Fish Big Grouse<br>Little Grouse<br>Alder Crooked<br>Rackaby Porter<br>Gulch Quartz<br>Gulch | 10.5 acres in SE-NW;<br>21 acres in NE-SW;<br>4 acres in SW-NE;<br>3 acres in NW-SE;<br>Sec. 13;<br>Tp. 13 S.R. 40 E.W.M.<br>4 acres in SW-SW;<br>Sec. 18;<br>13 acres in NW-NW;<br>Sec. 19;<br>Tp. 13 S.R. 41 E.W.M. |
|   | 1907                      | 0.06                         | 4.5          | Irrigation |  | Alder  | 4.5 acres in NW-NW;<br>Sec. 35;<br>Tp. 13 S.R. 40 E.W.M.  |
|   | 1866                      | 6.88                         |              | Mining     | Lynd   | Crooked Rackaby Porter<br>Gulch Quartz<br>Gulch Long<br>Fish Big<br>Grouse Little<br>Grouse Alder          | At any point in the vicinity of that ditch that will permit the water to flow back into the stream above the head of other ditches which have heretofore been below the discharge of the same.                        |
| 2-1631 R. W. Worsham,<br>Malheur, Ore.        | 1869                      | 0.57                         | 45           | Irrigation | Partlow  | Willow Alder   | 10 acres in NE-SW;<br>15 acres in NE-SE;<br>15 acres in NW-SE;<br>5 acres in SE-SE;<br>Sec. 2;<br>Tp. 14 S.R. 40 E.W.M.   |

*Transferred -  
See Sp. Cr. State  
Water Board - Vol. 1 - P. 306.  
See Certs. 1630  
and - 5384.*

Malheur Irrigation Company, Limited.

It is further considered, adjudged and decreed that the Malheur Irrigation Company, Limited, is now the owner of the several rights initiated by J. S. Stark in 1899, the Eastern Oregon Land and Irrigation Company in 1899, the Artesian Springs Water and Land Company in 1902 and 1903, the Malheur Irrigation Company, Limited, in 1904, and R. C. McKinney in 1906; that the several filings made by these several persons and corporations have never been abandoned, but are now in force; that the appropriations made by these several filings and the storage reservoir rights thereby asserted should be, and are hereby recognized and established with priorities as of the several dates of the filings, as follows, to-wit:

COW VALLEY RESERVOIR: It is found, adjudged and decreed that the Malheur Irrigation Company, Limited, a corporation, in the year of 1899, through its predecessors in interest, initiated a right to store the waters of Cow Valley Creek, a tributary of Willow Creek; that the work of construction of the reservoir at Cow Valley has been carried on with reasonable diligence, and has not been abandoned, nor any rights thereunder forfeited, the said reservoir at Cow Valley being located and situated in portions of Sections 1 and 12, T. 15 S. R. 40 E. W. M.; Sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, in T. 15 S. R. 41 E. W. M., and also Sections 33 and 34, T. 14 S. R. 41 E. W. M.; that the said Malheur Irrigation Company, Limited, is entitled to store the waters of Cow Valley Creek and its tributaries in said reservoir, and to complete the said reservoir so that the dam thereof shall not be more than fifty feet in height and the capacity thereof to be not greater than 75,000 acre feet, and to store waters therein, and to apply the same to a beneficial use on or before January 1st, 1918; that the said reservoir and the waters therein stored may be used in connection with the other parts of the system of the Malheur Irrigation Company, and for that purpose said company has the right to run its water from said reservoir down the main channel of Cow Creek to Willow Creek and the other parts of the system of the Malheur Irrigation Company, Limited; that when said appropriation is completed it shall have a priority of 1899.

BEERS RANCH RESERVOIR: It is found, adjudged and decreed that the Malheur Irrigation Company, Limited, through its predecessors in interest, initiated a right to store the waters of Willow Creek at Beers Ranch Reservoir in June, 1906; that the rights so initiated in June, 1906, have not been abandoned nor forfeited, but have been proceeded with due diligence, and are now

valid and subsisting rights. Said Beers Ranch Reservoir is located on the main channel of Willow Creek, covering portions of Sections 13, 14 and 24 in T. 14 S. R. 41 E. W. M. That the said Malheur Irrigation Company has the right to complete said reservoir and store the waters of Willow Creek therein to not greater than a capacity of 15,738 acre feet of water, and to apply the said waters so stored in said reservoir to a beneficial use on or before January 1st, 1918; that the said reservoir and the waters therein stored may be used in connection with the other parts of the system of the Malheur Irrigation Company, and for that purpose the said company has the right to run its waters from said reservoir down the main channel of Willow Creek and the other parts of the system of the Malheur Irrigation Company, Limited, and to take said waters out of Willow Creek and apply the same to a beneficial use in the irrigation of land; that when said appropriation is completed it shall have a priority of June, 1906.

COVE SPRINGS RESERVOIR: It is found, adjudged and decreed that the Malheur Irrigation Company, Limited, a corporation, in the year 1899, through its predecessors in interest, initiated a right to store the waters of Willow Creek and its tributaries at Cove Springs Reservoir by the construction of four dams; that the work of the construction of the reservoir at Cove Springs has been carried on with reasonable diligence, and has not been abandoned nor any rights thereunder forfeited; that the said Cove Springs Reservoir is located in portions of Sections 33 and 34, T. 16 S. R. 44 E. W. M., and also Sections 2 and 3, of T. 17 S. R. 44 E. W. M.; that the said supply ditch from Willow Creek to Cove Springs Reservoir begins in Section 25, T. 16 S. R. 43 E. W. M., and runs in a southeasterly direction, emptying into said reservoir in Section 33, T. 16 S. R. 44 E. W. M.; that the said Cove Springs Reservoir shall be completed on or before January 1st, 1918, and have a storage capacity of not exceeding 3400 acre feet, and that the waters therein stored shall, on or before January 1st, 1918, be applied to a beneficial use in the irrigation of lands; that said waters stored in said Cove Springs Reservoir shall have a priority of 1899.

That on or before January 1st, 1918, the said Malheur Irrigation Company, Limited, shall report to the State Water Board, giving an accurate report of its irrigation system as completed, and shall in said report give a description and the number of acres of lands to which waters from said Malheur Irrigation Company's system has been applied, and thereafter the said Malheur Irrigation Company, Limited, shall be limited to store the supply waters for irrigation purposes to the number of acres designated in said report.

That the said Malheur Irrigation Company, Limited, shall have the

right to store any of the waters of Willow Creek after the close of the irrigation season, as in this decree found and determined, during the winter months, and up to the opening of the irrigation season as in this decree found and determined, and that during the irrigation season of each and every year the said Malheur Irrigation Company, Limited, shall have the right to store up to its limited capacity, as in this decree found and determined, any of the waters of Willow Creek remaining in said creek after the users with a priority to said waters have taken from said creek the amounts decreed them in this decree.

It is further adjudged and decreed that said Malheur Irrigation Company, Limited, is entitled to a reasonable time within which to perfect said appropriations; that until January 1, 1918, is a reasonable time for such purpose, and that said Malheur Irrigation Company, Limited, be, and hereby is allowed until January 1, 1918, for the completion of its said project, subject to the rights of all other claimants whose priorities are hereby established of a date earlier than said appropriations and rights of said Malheur Irrigation Company, Limited.

It is further adjudged and decreed that said Malheur Irrigation Company, Limited, in order to protect and maintain its rights initiated by the filing of R. C. McKinney on what is known as the Beers Reservoir Site, with notice of appropriation of 25,000 cubic feet per second of the flood waters of Willow Creek, should commence the construction of its proposed works on the said Beers Reservoir Site within six months from the 16th day of February, 1915, to-wit: on or before the 16th day of August, 1915, and should prosecute such work with reasonable diligence to completion, not later than January 1, 1918, unless for good cause shown such time should be further extended by the State Water Board.

Eastern Oregon Land Company.

That the claimant, the Eastern Oregon Land Company, is the owner of the following described lands situated in the Lower Valley of Willow Creek, through which the channel of said Willow Creek passes, particularly described as follows:

All Sections 3 and 11, T. 15 S. R. 42 E. W. M.  $N\frac{1}{2}$ ;  $SE\frac{1}{4}$ ;  $N\frac{1}{2}SW\frac{1}{4}$ ;  $SE\frac{1}{4}SW\frac{1}{4}$ ; Sec. 31, T. 15 S.R. 43 E.W.M.  $N\frac{1}{2}$ ;  $SE\frac{1}{4}$ ;  $NE\frac{1}{4}SW\frac{1}{4}$ ; Sec. 5, T. 16 S.R. 43 E.W.M.  $NW\frac{1}{4}$ ;  $E\frac{1}{2}SW\frac{1}{4}$ ; Sec. 9, T. 16 S.R. 43 E.W.M.  $S\frac{1}{2}$ ;  $S\frac{1}{2}N\frac{1}{2}$ ;  $NW\frac{1}{4}NW\frac{1}{4}$ ; Sec. 23, T. 16 S.R. 43 E.W.M. All (except  $SE\frac{1}{4}$ ) Sec. 25, T. 16 S.R. 43 E.W.M.  $W\frac{1}{2}$ ;  $SE\frac{1}{4}$  (except  $NE\frac{1}{4}SE\frac{1}{4}$ ) Sec. 31, T. 16 S.R. 44 E.W.M.  $W\frac{1}{2}$ ;  $W\frac{1}{2}SE\frac{1}{4}$ ;  $SE\frac{1}{4}SE\frac{1}{4}$ ; Sec. 5,

T. 17 S. R. 44 E.W.M. All Sec. 9, T. 17 S.R. 44 E.W.M. All Sec. 15, T. 17 S. R. 44 E.W.M.  $W\frac{1}{2}$ ;  $SE\frac{1}{4}$  (except  $E\frac{1}{2}SE\frac{1}{4}$ ) Sec. 23, T. 17 S.R. 44 E.W.M. All Sections 23 and 25, T. 17 S.R. 44 E.W.M.  $S\frac{1}{2}SW\frac{1}{4}$ ;  $SW\frac{1}{4}SE\frac{1}{4}$ ; Sec. 21, T. 14 S.R. 42 E.W.M. All Sec. 27, T. 14 S.R. 42 E.W.M., which lands are riparian to said Willow Creek.

That the title to all of the lands owned by said Eastern Oregon Land Company in the water shed of said Willow Creek, with the exceptions of certain lands in Section 16 and Section 36 acquired from the State, was acquired by said company through and by virtue of an Act of Congress Approved February 25, 1867, and the Act of the Legislative Assembly of the State of Oregon Approved October 20, 1868, and therefore the title to such lands passed out of the Government prior to the Act of Congress Approved March 3, 1877.

That said Eastern Oregon Land Company is entitled to have irrigated the 292.02 acres of land on account of same having been heretofore overflowed in the amount and to the extent hereinbefore stated, subject to the rights since acquired by adverse user and the like antagonistic to such rights; said water for said 292.02 acres shall be diverted from Willow Creek under the supervision of the Water Master, in such manner as he may direct.

It is further adjudged and decreed that said Eastern Oregon Land Company is the owner of the Eldorado Ditch and is entitled to the exclusive use of all water discharged through the same into Willow Creek from Burnt River and its tributaries, which water so discharged shall be measured at the place where the same is usually discharged into Willow Creek, the place of measurement to be changed only by the Water Master on authority of the State Water Board; and that all such waters so discharged into Willow Creek through the Eldorado Ditch shall be allowed to flow down the stream of Willow Creek to such point or points where the Eastern Oregon Land Company or its successors in interest may desire to store such waters or make use of the same for the irrigation of lands of its own or of persons acquiring the right to the use of such water from said company or its assigns; and if such water is stored, then upon the release from storage such stored water shall likewise be discharged into said Willow Creek and permitted to flow down said creek to the point or points of use; at such point or points of use measuring devices shall likewise be installed for the measuring of said water delivered to the Eastern Oregon Land Company or those acquiring the right to the use of said Eldorado water, as the Superintendent of the Division, or Water Master of the district in which such water is used may order; if such water shall be stored in a reservoir or reservoirs other than one of those used

in common with parties entitled to the use of the natural flow of said stream, then like measuring devices shall be maintained by said company at the point where such water so to be stored is diverted from the channel of said Willow Creek into the ditch flowing to such reservoir; upon the proper installation of such measuring devices, and upon receipt of notice in writing giving the day when it is proposed to discharge such water from said Eldorado Ditch into Willow Creek or any of its tributaries, the volume of water so discharged, the place of storage if the same is to be stored -- and if not to be stored, the names of all persons and ditches entitled to its use, the Water Master of the district in which such water is situated shall measure said water into Willow Creek or into such tributary as the same may be discharged, and so adjust the headgates of all ditches upon the stream or watercourse, not entitled to the use of such water from said Eldorado Ditch, as will enable said company to store said water, or will enable those having the right, to secure the volume of such water to which they are entitled,; and said Water Master shall measure such volume of water to the persons so entitled to the same, less such an amount as said Water Master may determine has been lost by seepage and evaporation. If such water is stored by said Eastern Oregon Land Company, then said Superintendent or Water Master, upon receipt of notice in writing giving the day when it is proposed to discharge such stored water into Willow Creek from the storage reservoir, the volume of water to be discharged, and the names of persons and ditches entitled to its use, and said Water Master shall measure said water into Willow Creek from such reservoir, and adjust the headgates of all ditches upon the stream not entitled to the use of such stored water so as to enable those having the right, to secure the amount of such stored water to which they are entitled; and said Water Master shall measure such volume of water to the persons so entitled to the same, less such an amount as he may determine has been lost by seepage and evaporation after being recharged into said stream. This decree shall not give said Eastern Oregon Land Company any further right or title in or to the waters of Willow Creek and its tributaries than in this decree set forth; nor shall this decree be construed as affecting any rights which may appear in any future determination of the relative rights of the waters of Burnt River and its tributaries.

Lower Willow Creek Water Users' Association

It is further adjudged and decreed that the claimant, Lower Willow Creek Water Users' Association, has no rights to water for adjudication herein; and that whatever rights it had or claimed, have been permitted to lapse for failure to commence active construction or continue the same with reasonable dil-

igence, and such rights or claimed rights have ceased to exist.

Willow River Land and Irrigation Company

It is further considered, ordered and adjudged that the priority of all users of water from the Lockett or Company Ditch above where the same discharges into Phipps Creek shall be, and are hereby decreed a priority as of 1873, and that all users of the waters of said Lockett or Company Ditch receiving water therefrom at points below where the same discharges into Phipps Creek shall have a priority as of 1877; the extent and amount of water herein referred to being the amounts as hereinbefore decreed.

It is further considered, ordered and adjudged, based upon the waiver of the attorney of said Willow River Land and Irrigation Company in open court, that said last named company has waived any priority that it may have as against any and all the claimants to waters of Willow Creek taking water out above its reservoir No. 3, and this judgment shall be construed in connection with the tabulation of the water rights herein set forth, so as to give full effect to said waiver herein. This waiver shall not be enforced at any time so as to infringe upon any water rights to which said waiver does not pertain.

That on the 29th day of May, 1907, one Emory Cole posted a notice appropriating certain waters of <sup>Black</sup> Blank Creek for the purpose of irrigating all of Section 23, E $\frac{1}{2}$  of E $\frac{1}{2}$  of Section 22; S $\frac{1}{2}$  and SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 24; the N $\frac{1}{2}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 25, all in Township 15 S.R. 42 E.W.M.; that the Willow River Land & Irrigation Company is successor in interest to whatever rights the said Emory Cole acquired in such appropriation of water; that said appropriation is not completed; that said tract contains 1760 acres and said appropriation would take an amount of water equivalent to twenty-two second feet; that the waters of Black Creek have been diverted by the Willow River Land & Irrigation Company into Pole Creek, and then from Pole Creek into reservoir No. 1, situated in Section 22, Township 15 S. R. 42 E.W.M.; that said diversion is in pursuance of this appropriation and for the purpose of irrigating the land described in said notice; that on the 29th day of May, 1907, said Emory Cole posted a notice appropriating the waters of Pole Creek for the purposes of storage and irrigation, and for the purpose of irrigating all of section 14, section 23, W $\frac{1}{2}$  of section 24, E $\frac{1}{2}$ E $\frac{1}{2}$  of section 22, N $\frac{1}{2}$ , SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 25, township 15 S.R. 42 E.W.M.; that said land aggregated 2360 acres, and said appropriation to irrigate said lands requires about thirty second feet of water; that the Willow River Land & Irrigation Company succeeded to the rights of Emory Cole in and to the waters of Pole Creek acquired by said appropriation; that said

company has constructed reservoir No. 1, sometimes called Pole Creek Reservoir, on section 22, township 15 S. R. 42 E.W.M., and has diverted the waters of Pole Creek into said reservoir for the purposes of storage and irrigating the lands herein described; that some of said lands have been irrigated but said appropriation is not yet completed; that on the 7th day of April, 1908, said Willow River Land & Irrigation Company did post a notice appropriating five hundred second feet of the waters of Willow Creek for the purposes of storage and irrigation; that said company proceeded to work under said appropriation to make surveys and to take the necessary steps to apply the water so appropriated to the irrigation of the lands in the Lower Willow Creek valley; that thereafter said Willow River Land & Irrigation Company desired to change the place of location of their reservoir, and on the 22nd day of August, 1910, posted an amended notice of location describing such change, that said location of reservoir would work no injury upon any owner of water rights upon said Willow Creek, and that the change of place of diversion of water from said creek would not injure any prior rights thereto; that proceeding under said appropriation the said Willow River Land & Irrigation Company have now spent a large sum of money in the development of said irrigation project and in putting said water upon the land; that a large reservoir, known as reservoir No. 3, with a capacity of about 50,000 acre feet, situated in sections 4, 5, 6, 8, 9, 10, 14, 15 and 16, township 14 S. R. 41 E.W.M., was constructed at a cost of nearly \$500,000; that a diversion from Willow Creek known as Reservoir No. 2 is in section 27, township 14 S. R. 42 E.W.M.; that from said diversion point, the Mountainside Canal has been constructed, carrying water to what is known as the High Line Ditch of the Willow River Land & Irrigation Company; that at a point where said Mountainside Canal leaves the Willow Creek canyon, in section 15, Township 15 S. R. 42 E.W.M., a barrel syphon has been constructed, carrying two hundred second feet from said canal to reservoir No. 1; that after posting all of said notices herein named, work was begun thereunder in good faith and in compliance with law, upon the development of the irrigation project of the Willow River Land & Irrigation Company, and has been carried on diligently ever since; that said appropriations were intended to irrigate the following lands, to-wit:

Sections 14, 15, 16, 22, 23, 24, 25, 26, 27, 35 and 36, township 15 S. R. 42 E.W.M.; sections 19, 30, 31 and 32 in township 15 S.R. 43 E.W.M.; sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 21, 22, 23, 25, 26, 27, 28, 34, 35 and 36 in township 16 S.R. 43 E.W.M.; section 31 in township 16 S.R. 44 E.W.M.

Said company owns about ten thousand acres of land under this project; that about thirteen hundred acres of land were irrigated during the year

1911 from waters stored for that purpose; that contracts to furnish water to a number of land owners have been made; that for the development of such an irrigation project, a number of years are necessarily required; that five years from the first day of January, 1913, would be a reasonable time within which said project could be completed and that January 1st, 1918, is the date set by the State Water Board within which said Willow River Land & Irrigation Company shall complete its appropriation under the aforesaid notices and apply the water so appropriated to a beneficial use; that following the passage of the water code in 1909 by the Legislative Assembly of the State of Oregon, said Willow River Land & Irrigation Company filed applications for permits with the State Engineer of the State of Oregon, as required by that law; that said permits have not been granted by said State Engineer, and no rights have accrued thereunder for adjudication by the State Water Board. The State Engineer is hereby directed to issue a certificate to said Willow River Land & Irrigation Company and its successors and assigns, showing the time fixed by this finding within which the water appropriated by said company shall be applied to a beneficial use. The extent of the appropriations under said notices and locations of water rights shall be limited to such amount or volume of water as shall have been put to a beneficial use by the expiration of the time fixed in this finding, but in no case shall such volume or amount exceed the volume named in the notices of location of such water right. And said Willow River Land & Irrigation Company, its successors or assigns, is hereby decreed to be the owner of said storage rights and entitled to the use of the same upon the lands for which the same were initiated; and the rights thereby acquired, subject to the limitations and conditions hereinbefore expressed, are hereby confirmed and adjudicated.

So long as no more water is diverted from the stream than the Willow River Land and Irrigation Company is entitled to for direct irrigation, as its rights are determined in the findings herein, at the time of such diversion, and when the same may be done without detriment to existing rights, the said company shall be entitled to store the waters so diverted in conformity with the findings herein in respect thereto, and to use said stored waters for irrigation on the lands under its canals at any time during the irrigation season, provided the amount so stored out of such appropriations, together with the amount used for direct irrigation under such appropriation, without first being stored does not aggregate more than three acre feet per acre during any one irrigating season, based upon the acreage for which said company is hereby decreed, to have a right for irrigation. The exercise of this right of use of said stored waters is subject to the control of the State Water Board whenever it is made to

appear to said board at any time that such storage and use materially injures any vested right involved herein.

It is further considered, adjudged and decreed that by the decisions of the Circuit Court of the State of Oregon for Malheur County involving the respective rights to water for the irrigation of the Cole, Kendall and Logan lands, said Logan was granted a priority of twenty miners' inches; one A. W. Turner was granted a priority over Cole and Kendall and Gray by such decree for 100 inches; and that the rights secured under the Cole v. Logan decree are now held by the Willow River Land & Irrigation Company or its successors in interest, and J. T. Logan, respectively; that the rights secured under the Turner v. Cole decree are held by C. H. Oxman under the Turner right, and J. A. Hoskins under the Gray right, and the Willow River Land and Irrigation Company, under the Cole and Kendall right.

It is further considered, ordered and decreed that of the following ditches taken out near the head of Lower Willow Creek Valley, the ditch known as the Turner Ditch, taken out for land now owned by Oxman and Norwood, has a priority of 1871 for 2.5 second feet, and for the Norwood land, 1.25 second feet; that the Logan Ditch has priority as of the Spring of 1872 for 0.5 second feet; that the Cole and Kendall Ditch has a priority of December, 15, 1872, for 2.24 second feet or sufficient thereof to irrigate  $178\frac{1}{2}$  acres; that the Gray Ditch has priority of the Spring of 1873 for land owned by Hoskins, for 1.79 second feet, or sufficient thereof to irrigate  $142\frac{1}{2}$  acres of land; that the Company or Lockett Ditch has a priority as to the portion thereof above where it discharges into Phipps Creek, as of the Fall of 1873, and as to the water below where the same discharges into Phipps Creek, as of the year 1877. As to the relative priority of water rights otherwise than as expressly herein decreed, where two or more have the same date of relative priority, such rights are equal in every respect with the earliest rights of that year in which said rights are dated, and when water becomes short said water shall be divided so far as practical, pro rata among said rights of equal date, so long as all prior rights are supplied and the water flowing in the creek will reach to their headgates.

It is further adjudged and decreed that claimants Ernest Locey, B. Howard, J. P. Smith, R. W. Worsham, S. M. Moltham, Arthur McPherson, Harry C. Edwards, Nancy Quinn, Mrs. S. D. Duncan, G. E. Rutherford, and C. T. Locey have waived any priorities to the waters of Bridge Creek in favor of J. H. Rose, and this portion of this decree shall be construed in connection with the tabulation of water rights hereinbefore set forth so as to give force and effect to the stipulation signed by said parties.

James Morfitt shall be entitled to a priority date of 1868 from Willow Creek for the irrigation of 15 acres in the SW $\frac{1}{2}$ SE $\frac{1}{2}$ ; 30 acres in SE $\frac{1}{2}$ SW $\frac{1}{2}$ ; 15 acres in SW $\frac{1}{2}$ SW $\frac{1}{2}$ ; Sec. 31, Tp. 13 S. R. 41 E.W.M., except when he is able to obtain sufficient water from Rich Creek under the priority of 1897 for the irrigation thereof.

That the contest of M. G. Hope et al. v. J. B. Turner, was settled by stipulation, wherein it was agreed as between contestants and contestee that whenever and so long as the waters of Turner Creek, a tributary of Willow Creek, flowed more than one half second foot of water, that then said water should be divided equally between contestant and contestee up to the limit of their rights, and that whenever and so long as said waters of Turner Creek flowed less than one-half second foot, then said contestee J. B. Turner would be entitled to take all of said water for use upon his land. This provision shall not be enforced so as to affect any rights prior to those involved in said contest.

M. D. Kelly is allowed one cubic foot per second of the waters of Black Creek for the irrigation of 80 acres in Section 12, Tp, 16 S. R. 41 E.W.M., as set forth in the tabulation herein, during and only during such season of the year as the waters of Black Creek would not, if uninterrupted by him, reach Willow Creek.

Each claimant to the waters of the stream and its tributaries herein adjudicated and determined, claiming and using any of said water under and by virtue of a permit issued by the State Engineer, shall have a date of priority in accordance with such permit and the extent of the appropriation shall be determined by the State Water Board when final proof of appropriation thereunder is submitted by claimant.

It is further considered, adjudged and decreed 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 hereby confirmed entitle the owner of such right to divert and use such 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 cubic foot per second for each one thousand head of stock, and the quantity diverted for irrigation purposes during the irrigation season shall include, when it is so diverted, such 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.

It is further considered, adjudged and decreed that for the lands to be irrigated as described in the findings herein, the amount of water to which

each claimant shall be entitled for the irrigation of such lands shall not exceed a continuous flow of one-fortieth of a cubic foot per second for each acre of said lands until the first day of May of each year, and thereafter, during the remainder of the irrigating season as fixed in the decree, the amount of water shall be limited to a continuous flow not to exceed one-eightieth of a second foot for each acre of said land, and shall not exceed three acre feet per acre during any irrigating season, except for the lands of S. V. Hess, H. S. Eldredge, J. W. McCulloch, W. P. Harris, M. G. and I. W. Hope; the amount of water for such lands is hereby limited to six acre inches per acre during the irrigating season. //

It is further considered, adjudged and decreed that to get a sufficient head of water, the Water Master of the district in which such water is situated shall arrange such system or systems of rotation as may be best applicable: either (1) by giving a greater amount of water to an appropriator for a proportionately less time; provided that the giving of such greater amount does not infringe on any rights confirmed by this decree; and provided further that the amount of water taken by an appropriator does not exceed three acre feet during any irrigation season; or (2) that 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 water district in which such stream and its tributaries is situated, shall arrange such appropriators in groups or systems of rotation, first giving the appropriator who is first in priority a quantity of water equal to the combined appropriations of all the appropriators in said group or system, for a length of time bearing the same ratio to the whole time required to make the complete rotation through the whole group of appropriators as the appropriation of said first appropriator bears to the combined appropriation of said appropriators; and shall next serve the next appropriator in priority with a like quantity of water for his proportional 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; that in case of two or more appropriators in said group or system having the same priorities, then the said Water Master shall distribute the water as between those appropriators having the same priorities, to the one whose ditch taps the stream nearest its source, first, and the next lower down, next, and so on; and in case two or more appropriators have equal priorities and divert water through the same ditch, the said Water Master shall distribute the water as between said appropriators to the one whose lands are first covered by said ditch and nearest the head thereof, first, and to the next lower down on said ditch, next, and so on; and where two

or more appropriators agree as between themselves as to the manner and system of rotation in the use of water, the said Water Master shall distribute the water in accordance with such agreement; provided always, that such arrangement into groups or systems of distribution under such agreements shall not interfere with the prior rights of any appropriator not a member of such group or system.

It is further considered, ordered and decreed that the entire flow of Willow Creek after the irrigation season commences is and shall be subject to diversion and use for irrigation purposes to the extent of the amount to which each user thereof is entitled, in the order of the priorities confirmed herein. Any surplus amount of water over and above the combined needs and use of the various water users having prior rights for irrigation during the irrigation season may be stored as surplus water in accordance with this provision and according to dates of relative priority as herein set forth. In case the owner of any reservoir desires to use the bed of any streams, the relative rights to the waters of which are herein determined, 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, as herein determined. 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 Malheur County, sitting for the transaction of county business. Said County Court shall present a bill of one-half the expense 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.

It is further considered, ordered and decreed 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 specific tracts to which such rights of appropriation are herein set forth as appurtenant.

It is further considered, ordered and decreed that the order of the rights of the respective appropriators of the waters of said stream and its tributaries, and in which order they are entitled to divert and use the said water shall be and is according to the date of the relative priority of the right as herein set forth and determined, and the first in order of time according to the date of relative priority shall be and is the first in order of right; and so on, down to the date of the latest priority; and those having prior rights are entitled to divert and use the waters of said stream and its tributaries, when necessary for beneficial use in connection with the irrigation of their respective lands, or other useful and beneficial purpose for which they are decreed a right

of use, at all times, as against those having subsequent rights without let or hindrance; but the priorities herein determined, and the priority of the rights of appropriation hereby confirmed, confers no right of use of the waters appropriated upon other lands than those to which the same are appurtenant and for the benefit of which such appropriations were initiated and waters diverted for the irrigation thereof; and the diversion and use upon other lands shall be and is hereby prohibited; and whenever the water is not required by the appropriator having a prior right to its use for irrigation purposes, or other beneficial use for the beneficial irrigation of his premises, 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 hindrance 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 of appropriation, according to the order of their priority rights; and at all times, the waters diverted shall be beneficially, economically and reasonably used without waste, by those having a right to do so by reason of the priority of their rights, and no rights of appropriation are hereby confirmed to divert a greater quantity of water into the head of the ditch or ditches, of the appropriator having a valid right to divert 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 diverted exceed the quantity herein determined 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 beneficial use.

The irrigation season for all of the claimants described in the tabulation herein will begin on Lower Willow Creek on the 15th day of February and continue until the first of September; on Upper Willow Creek from the first of April to the first of September. The irrigation season on Lower Willow Creek shall commence on the 15th day of February, provided the ground is in a condition that irrigation will be beneficial; the irrigation season shall not in any event commence, and water shall not be required to be distributed to the lands of any water user, until the frost has left the ground and the use of the water for irrigation will be beneficial to the land. This must be left largely to the discretion of the water master, who will supply irrigators with water on Lower Willow Creek at any time after the 15th of February if it appears that the land is in condition to be benefited at that time by irrigation.

All the users of water on Upper Willow Creek will be entitled to the first use of water over all claimants on Lower Willow Creek subsequent to June 1st of each season; and by Lower Willow Creek is meant all that portion of

the creek below the canyon and by Upper Willow Creek is meant all that portion of the creek above the canyon.

It is further adjudged and decreed that the water to which the various water users are entitled as adjudicated by this decree shall be measured at the headgate or intake of each water user's lateral or service ditch.

It is further ordered, adjudged and decreed that neither party to this adjudication recover costs in this court.

DALTON BIGGS  
Circuit Judge.

STATE OF OREGON        )  
                          ) ss  
County of Malheur.    )

I, ARTHUR M. MOODY, County Clerk and Clerk of the Circuit Court of the County and State aforesaid, do hereby certify that the foregoing copy of Willow River Decree has been by me compared with the original, and that it is a correct transcript therefrom, and of the whole of such original Decree as the same appears on file and of record at pages 305 to 326 inc., in Vol. I, Circuit Court Journal at my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this Fifteenth day of March, 1917.

(Seal of the Circuit Court)                   Arthur M. Moody, Clerk  
By \_\_\_\_\_, Deputy.

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 copy of Decree of the Circuit Court of the State of Oregon for Malheur County, was received in the office of the State Water Board and entered of record herein on the 17th day of March, 1917

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State Water Board of Oregon, this 17th day of March, 1917.

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