

12. That all of said exceptors, excepting to the said claims of Smith, McPhee and Dalton, are water users of the waters of said stream, for irrigation purposes and have rights of appropriation appurtenant to their respective lands, through ditches diverting the waters of said stream at different points, above the head of said Company's Mill Race. That all of said exceptors, excepting L. S. Kelsey, divert the waters of said stream through ditches whose diversion points are above the diversion points of those ditches hereinbefore named, through which said Smith, McPhee and Dalton, have rights of appropriation for their said lands, and are now claiming the right to divert the said waters purchased by them from said Company. That J. S. Davis diverts a portion of his appropriation through said Davis Dalton Ditch; that a number of said exceptors divert water through the Kelsey-Wilson ditch, in which said Smith and Dalton have rights of appropriation. That the Ellis Ditch, owned by L. S. Kelsey and others, heads below the Davis-Dalton ditch, and above the Kelsey-Wilson Ditch; and the Beaty and Kelsey Ditches, owned by L. S. Kelsey, head below the Kelsey-Wilson Ditch. That the Smith-McPhee and Tanner Ditch is owned by J. D. McPhee, P. L. Smith, James Dalton and five others; but none of the owners of said ditch have filed exceptions to said order. That the McPhee ditch is owned by Smith and McPhee and another, the latter not filing exceptions to said order. That none of the claimants through ditches heading below the McPhee ditch have filed exceptions as to the claim of said Smith-McPhee and Dalton. That all of the parties filing exceptions to said Smith-McPhee and Dalton claims, except Laura A. Dodson for fifty-three (53) acres, William N. Gardner for stock and domestic purposes and for eighty-five (85) acres, W. L. Miller Estate for about eighty-five (85) acres, J. O. Pilcher for about seventy-four (74) acres, James A. Pilcher for forty (40) acres, and J. O. Pilcher for seventeen (17) acres from Pilcher Creek, are claiming rights of appropriation which were initiated at times subsequent to the time when the right of said North Powder Milling and Mercantile Company for power purposes was initiated. That the entire quantity of water appropriated by those having rights equal or prior in time to the North Powder M. and M. Co. appropriation, is not in excess of twelve (12) second feet, or four hundred and eighty (480) inches, for four hundred and forty (440) acres, to which such rights are appurtenant, and including the water required by William N. Gardner for stock and domestic purposes. The lands of Andrew O. Lun, who has filed no exception, have water rights as of the year 1870, for two hundred and three (203) acres, and he is entitled to rights of equal priority to the extent of two hundred and three (203) inches with said Company. Therefore, a total quantity of water has been appropriated with equal or prior rights to said Company, which does not exceed seven hundred (700) miner's inches, or seventeen and one-half (17½) second feet, and of these rights, the quantity to which those who are equally prior in time are entitled, does not exceed three hundred inches, or seven and one-half second feet. That there is no means of determining the average or normal flow of said stream during the months of July and August, but during the season of 1912, measurements show, taking into

consideration the quantities of water diverted by the various ditches, that the average flow during July and August for that year, was about one hundred (100) second feet, varying from one hundred (100) to three hundred (300) second feet during July, and from fifty (50) to one hundred (100) second feet during August.

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On July 27th, 1907, North Powder River was measured in the vicinity of the town of North Powder, and a record of this measurement appears in Water Supply Paper No. 252, United States Geological Survey, at Page 265, which paper was filed as an Exhibit in this proceeding, in the contest of Anthony et al. against Baer et al. This measurement shows that at that time, there were twenty-five (25) second feet of water flow-  
ing down the natural channel of North Powder River. This measurement being made below the ditches diverting water from the stream, does not take into consideration the various ditches diverting water above. The year 1912 was an unusual year and the flow of water was above the normal flow of average years, but the Board is of the opinion that there was sufficient water in the channel of North Powder River, over and above the quantities required to supply prior rights, for the operation of said mill, if said water had not been diverted during normal years by ditches above having subsequent rights; that is to say, that the natural flow of North Powder River, during preceding normal years, has been sufficient to supply all rights prior to said Mill Company rights, and to supply in addition said Mill Company right and those having equal rights with it, during the month of July, and at least a portion of the month of August.

13. It appears to the Board that some understanding was had between one L. S. Kelsey, a director and officer of the North Powder Milling Company, the predecessors of the North Powder Milling and Mercantile Company, about the year 1898, and several farmers and claimants herein diverting water above the Mill Race, to the effect that during the month of July and August, the mill Company would permit those having ditches above to use the water of said stream providing the latter would turn the water down to the Mill after the first of September; but it appears to the Board that the evidence does not sustain the contention that said understanding was an agreement amounting to a valid contract, or that the said Company in fact authorized this arrangement; on the contrary, the evidence discloses that the proposition made by said Kelsey to said farmers was made without the authorization of the other directors and officers of said Company and his authority to make such agreement is not sufficiently established by the testimony; more over, it appears to the Board that such agreement was without consideration moving to said Company, for the reason that said company was legally entitled to the said water as against those having subsequent right, at all times during the year, and could have required said farmers above having later rights<sup>to</sup>/allow said water to come down to said Mill Race as a matter of law and right, after the first of September; on the other hand, those having prior right to the Mill Company could have used the water during July and August without

such agreement or the consent of the Mill Company, since they had the priority of right. Hence an agreement of those above to allow said water to come down to said Mill Race was no consideration for the use of said water during July and August. It also appears that there was no concerted action taken by all of these exceptors, relative to said arrangement. Said arrangement was never reduced to writing, and was entirely indefinite and uncertain as to who were parties to it, and has been absolutely denied by many claimants, and the contention that such understanding amounted to a valid and binding contract between the Mill Company and those having ditches above said Mill Race is not sustained, in the opinion of the Board, by the evidence. The Board is of the opinion that a promise by those having subsequent right, to allow the water to flow down to the Mill Race after September 1st, was no more than they were required to do as a duty imposed upon them, and such promise was of no value and not sufficient consideration for a promise on the part of the Mill Company to permit such parties to use water during July and August; and vice versa, those having rights prior to the Mill Company, were under no obligations to permit the water to flow down during September and to refrain from diverting it during July and August. In either case there appears to have been no sufficient consideration. This conclusion is based upon the legal proposition that a promise to do what the promisor is already bound to do as a matter of law, is no consideration for a contract.

14. If such arrangement did not amount to a valid contract and agreement as between the Mill Company and those above, binding on all these parties, it appears to the Board that such use by those above was rather in the nature of a permissive use than under an absolute claim of right as against same Mill Company; but the evidence shows that said claimants above have for many years constructed tight dams in the stream, interrupting so far as possible the flow thereof, and diverted the water into their respective ditches, absolutely disregarding the priority of right of appropriation of those diverting water below the head of such ditches, and in fact, it appears that the higher up the stream the point of diversion, the better the right, or at least so it appears to have been considered by these claimants, and the natural situation was evidently regarded as superior to 389 priority of appropriation. Apparently but scant attention has been paid by these claimants in preceeding years, to priority of right, and the use of the waters of said stream, especially during the months of July and August, has been a "scrambling" use, the "scramble" for water increasing in proportion to the increase of diversion and quantity of water diverted. It appears, moreover, that such use has not been adverse to the claim of the Mill Company more than as against the claim of these claimants as among themselves, one against the other. The Board finds, however, that there has been a shortage of water at the head of said Mill Race during at least a part of July and all of August, for more than ten years, which shortage was caused by the diversion and the use of the waters of said stream by those having ditches heading upon said Mill Race, but the Board is of the opinion that said shortage is not sufficient to establish that said claimants above have acquired rights to the appropriation of said Milling Company during those months by prescriptive and adverse users.

15. The Board finds that said Mill Company has not used the waters of said stream or diverted any considerable quantity thereof through its Mill Race, after the middle of July and during the months of August, for more than ten years, and that the season during which said Company has used said waters for milling purposes, during more than ten years last past, has commenced about September 1st of each year and has terminated about the 15th of July, or earlier. The reason for not using water during July and August has been two fold: first, there has been little or no grain on hand to grind after the first of July, and there has been a shortage of water, caused by upper diversions during those months.

16. That no substantial injury would result to those having subsequent rights if the four hundred (400) inches of water alleged to have been purchased by said Smith, McPhee, and Dalton were diverted through their respective ditches, provided the North Powder Milling and Mercantile Company is entitled to have that quantity of water flow down to the head of its Mill Race during July and August. It is contended that one L. S. Kelsey has diverted the waters of the tail race of said Mill Race into a ditch and is using the same under an agreement with said Company, which entitles him thereto, and that it would be prejudicial to his rights of use of said tail waters if a transfer of said four hundred (400) inches was made to other ditches, but the Board is unable to find any evidence or testimony in the records concerning such alleged contract for such use by said L. S. Kelsey.

#### XLV.

##### DUTY OF WATER.

1: - FLOW OF WATER IN NORTH POWDER RIVER: That the high water stages occur in April, May and June, and generally consist of two distinct rises or periods of high water. The first rise generally occurs in May, but in some years, by reason of an early warm season, the snow commences to melt rapidly in April, causing the first rise of high water to occur during that month; warm weather during the early months of spring causing the melting of the snows at the source of the stream, the water passes rapidly down the channel, thereby depleting the source of supply during the later months when irrigation is practised, and causing a serious shortage of water during the month of June, which is the month of normal high water. In ordinary years, however, the stream commenced to rise in the early part of May, and with some fluctuations, continues to rise until it reaches its flood height or peak of high water for that month, or the first rise, about the last of the month. During this period, considerable water is diverted for the irrigation of hay, alfalfa, and grain.

There is generally a fall of the water toward the end of May, in normal years, and then, in a few days, generally a second rise, known as the June rise, and this is the proper commencement of the irrigation season, during which the greater part of the lands are actually irrigated. From this time on the stream rises rapidly until about the middle

of June, the rapidity of the rise depending principally upon the warmth of the season, and reaches the peak of high water of the entire irrigation season, between June 15th and June 20th (this is subject, however, to considerable variation, the peak being sometimes early, sometimes later than the period mentioned); after June 20th in normal years, there is generally a very rapid fall of the water, the flow diminishing rapidly for a few days, with occasional rises of a few hours duration, or for a day or two, until the first of July, and the 5th day of July, in all years, marks the close of the irrigation season for grain hay and alfalfa, with the exception of the use of the water for the second cutting of alfalfa about the middle of July, and for timothy, when water therefor is available. 390

The irrigation season during which practically all of the irrigation is done, extends over a period of about <sup>forty</sup> (40) days during the second high water period mentioned, and the latter half of said first period, and during this period, the various water users endeavor to secure sufficient water for the crops raised, and in ordinary and normal years, there is sufficient water to fill all of the various ditches diverting water to their maximum capacity, including the North Powder Milling and Mercantile Company's Mill Race, but as a matter of fact, all of said ditches are seldom diverting their maximum capacity at the same time during the season, some claimants commencing to irrigate earlier than others, and others continuing the use of water later, and there being a daily fluctuation in the flow of the stream, the quantity diverted by the various ditches varies from day to day, depending largely upon the diligence in regulation of the dams and headgates by the users to correspond with the fluctuation in flow.

2. WATER SUPPLY: - The source from which these lands are irrigated is North Powder River and its tributaries, the most important of which is Anthony Creek. Measurements of North Powder River and Anthony Creek were made during the year 1912, to ascertain in the discharge. However, there is no record available of the flow of North Powder River during the irrigation season of preceding years. The testimony shows that the season of 1912 was unusual, in that the stream maintained a more constant flow than in most previous years, and the supply of water was greater than in ordinary years. For the reason that there is no available records of previous years, and because the year 1912 was not a normal, but on the contrary, an exceptional year, the measurements made are comparatively of little value in ascertaining the supply of water usually available for irrigation purposes. It may be conceded, however, that the measurements for 1912 show a considerably greater supply than for normal years.

For the measurement made, the Board finds that during the year 1912, the maximum discharge of North Powder River was about twelve hundred (1200) second feet, and this maximum occurred on June 7th. The maximum discharge was reached about August 21st and was about fifty second feet. From May 17th to May 24th, the flow of the stream exceeded six hundred (600) second feet, and from May 26th to June 22nd, the flow again exceeded six

hundred (600) second feet. Thus for a period of thirty-four (34) days, there was practically a surplus in excess of six Hundred (600) feet, flowing in the channel of North Powder River. Taking into consideration that 1912 was an unusual year, but without any records to base this estimate upon, it is probable that the total discharge during ordinary years does not exceed more than six hundred (600) second feet for a period of twenty to twenty-five days. In years of extreme drought, it is probable that the maximum flow seldom exceeds six hundred (600) second feet, unless in years of sudden melting and passing off of the snows early in the season, and it is doubtful if more than five hundred second feet is available for a period of twenty (20) days prior to July 1st, which marks the close of the irrigation season for grain.

The average flow for July and August, for 1912, was about one hundred (100) second feet, being from one hundred to three hundred second feet during July, and from fifty to one hundred feet during August, gradually diminishing. This is undoubtedly much in excess of the average flow for these two months, during ordinary years. The low water stage probably occurs, during ordinary years, from August 15th and is probably from thirty to forty second feet. In years of extreme drought the low flow may not exceed twenty second feet, or even less, at the mouth of the stream. Consideration must be paid to the fact that much of the water used returns to the natural channel in the form of seepage water. It should be borne in mind that all ditches may not be diverting water, or at least the maximum quantity, at the same time, although generally during the month of June, most of the ditches are kept as full as possible, most of the time.

The foregoing measurements are of the stream below the mouth of Anthony Creek. The maximum discharge of Anthony Creek, occurred on June 7th, when about four hundred and ten (410) second feet, plus the discharge of certain ditches above the measuring point, were found. The maximum discharge occurred on July 24th and was fourteen (14) second feet. The ditches above the station, however, were diverting their maximum capacities. Subsequent to July 24th, the flow never exceeded twenty (20) second feet.

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The discharge of the south fork, or North Powder above the mouth of Anthony Creek varied from a maximum discharge of seven hundred and eighty-nine second feet on June 10th to about 20 second feet in August, and was above two hundred second feet throughout the month of June. About ten ditches were diverting, altogether, more than one hundred second-feet, above the measuring station. The discharge dropped to sixty second feet on July 15th, and to twenty-six second feet on August 1st, from which time, until October, it varied from twenty to sixty second feet.

3. QUANTITIES OF WATER CLAIMED: The claimants to the waters of said stream and its tributaries, in their proofs are claiming amounts of water which in the aggregate, exceed 28,000 miner's inches, or 700 second feet. In a great majority of the claims, the estimate of quantity required is based upon the capacity of the ditches through which water is diverted. In some instances claimants are claiming in the aggregate, greater quantities

of water than the ditches will possibly carry. The Board finds that all appropriations are limited in point of quantity, by the carrying capacity of the ditches through which the waters appropriated are diverted.

The usual claim made is for water at the rate of one inch per acre. The quantity required at that rate, based upon the area irrigated, is in excess of 20,000 miner's inches, or 500 second feet. Since February 24th, 1909, applications have been filed in the State Engineer's office of the State of Oregon, for permit to appropriate the waters of said stream or tributaries thereof, which have been approved by the State Engineer, in a total amount of approximately 26 3/4 second feet, for approximately a total area of 2140 acres, which is proposed by the applicants to reclaim and irrigate. Inchoate rights initiated prior to 1909, and which are approved in these findings, contemplate the irrigation of about 2000 acres. Practically, therefore, a total area of 4000 acres will within a few years require irrigation, in addition to the lands already irrigated. Estimating the quantity of water required at one inch per acre during the months of May and June, and taking into consideration the area of the land to be irrigated under permit and inchoate rights, it will be seen that about 600 second feet of water will be required.

4. LANDS IRRIGATED:- That from the maps of the State Engineer, and the data and information gathered and submitted by him in the above entitled proceeding, it appears that about 21,000 acres of the land lying in the valley of said stream and its tributaries, and susceptible to irrigation therefrom, have been reclaimed, and the waters flowing in said stream diverted into ditches and applied there to fore the irrigation thereof. Of this acreage, approximately 19,000 acres are cultivated lands and hay lands upon which are annually raised crops of grain, alfalfa, timothy and various other kinds of hay. Part of the grain land owned by some of the claimants are summerfallowed. In order to destroy the weeds and foul "stuff" it has been customary to plow the grain land generally each year succeeding the cropping of the same, and allow the land so plowed to lie fallow during the irrigation season and summer months and to the lands so summerfallowed, no water is applied. It appears from the testimony taken and from the maps filed herein that a considerable area of said lands have been summerfallowed, and it has been the custom among the claimants, in the past to a considerable extent, and is yet the custom among a number at the present time, to summerfallow portions of their said grain lands. While the primary purpose of summerfallowing grain lands has been to destroy and drive out the weeds which grow up among the grain plants and become obnoxious to those crops, if grain crops are raised each succeeding year on the same land, yet another important reason for summerfallowing is to be found in the fact that some of the ditches are of insufficient carrying capacity to supply sufficient water to properly irrigate all of the lands susceptible of irrigation therefrom, and hence it being impossible to irrigate all of said lands, portions are summerfallowed. This is obvious from the fact that under such ditches, much of the land designated on the State Engineer's maps as irrigated land was in a state of summerfallow when the surveys upon which these maps are based,

were made. It appears, however, from the testimony of witnesses, that the custom of summerfallowing in order to destroy the weeds is not followed as extensively as in former years, and that the custom for this purpose is fast obsolete. Most of the water users having water rights sufficient for the irrigation of all their lands have adopted the system of rotating other crops with grain crops in succeeding years, and hence water is used for all their lands each year. The area of land summerfallowed for the purpose of destroying weeds is becoming smaller each year as improved methods of farming are adopted. 392

From the maps of the State Engineer, and the proofs taken, it appears that approximately 22,000 acres of land lying in the valley or vicinity of said stream and its tributaries, have been reclaimed and irrigated, of which from 19,000 to 20,000 acres are cultivated lands, or hay lands, and the balance are lands used exclusively for pasturage purposes.

From 2,000 to 3,000 acres of land are used exclusively for pasturage, and to these lands water is applied more or less regularly, for the purpose of growing grasses thereon, necessary and essential to the feeding of live stock pastured on the same. Such lands are, in general, of little value for the cultivation of marketable crops, are in places affected by alkali, and their chief value is for the pasturing of live stock. In some instances these lands have been in the past cultivated, but owing to the presence of alkali, or their inability to produce good crops, the same have been devoted to pasturage purposes.

5. CROPS RAISED:- The chief crops raised on the cultivated lands and hay lands which are irrigated with the waters of said stream, are grains of various kinds, and hay. The grains grown, include wheat, oats, and barley, and the hay crops include alfalfa, timothy, and clovers, and the various grasses, including native and meadow grasses, ordinarily cut for hay. Grass is grown on the irrigated pasture lands for pasturage purposes, and there are some orchards and gardens which are irrigated to produce fruits and vegetables for home consumption. Nearly half of the lands irrigated are hay lands, and the balance grain land. The orchards and gardens consist of but a few acres, and are unimportant in comparison with other land irrigated.

6. METHODS OF IRRIGATION:- The methods of irrigation most extensively practised by the water users, is that commonly known as "flooding". This consists in conducting the water into temporary ditches from the main laterals, over the land to be irrigated, and by means of dirt dams the water is caused to over flow the banks of the ditches and spread over the surface of the ground. This method is doubtless followed in order to thoroughly saturate the soil during the short irrigation season, when a supply of water is available for use. There are variations of this method of irrigation. Some farmers prefer what they term a system of "furrow irrigation", where the soil is of such



character that the water will subirrigate between the furrows, It is the prevalent idea among the water users, that the ground should be thoroughly saturated with water during the season, and for grain crops, after the grain has properly stood so as to shade the ground, water is applied constantly by this method until the first of July. The water users have learned by experience that application of the water to grain after the first of July will prevent the maturity of the grain in its proper season, and endanger the crop on account of early frosts which are liable to injure it if not fully matured.

7.- SEASON AND CLIMATIC CONDITIONS:- The lands irrigated are situated at a relatively high altitude, and the spring season is generally cold and short, and the winter season cold and long. Frosts are frequent during the month of May and sometimes occur in the early part of June. The first fall frost generally occurs dry and hot. The rain fall is exceptionally light as compared with adjacent localities. High winds are more common than in neighboring sections. Most of the land now irrigated was originally sage brush land and entirely arid in character.

8. - SOILS:- The soils of the land susceptible of irrigation and actually irrigated from said stream, vary from a gravelly loam to a heavy black loam, the greater portion of said soil being composed of what is termed a sandy loam or a black loam, with comparatively little gravel in the subsoil. A considerable area of said lands is underlaid with a hard pan, and above this the soil varies in depth from a few inches to several feet. There is considerable conflict in the proof and testimony as to which soil requires the greater quantity of water. Apparently each claimant is of the opinion that his particular land is a little more porous and requires a little more water than any other tract in the locality. The Board, however, from its investigations and the testimony, has come to the conclusion that there is very little difference in the requirements of the different tracts of land, so far as the soil is concerned.

9. IRRIGATION OF GRAIN CROPS:- Nearly all of the grain grown by the claimants is spring grain, very little fall grain being planted. Fall grain when grown, matures earlier than the spring grain but the quantity of fall grain sowed, as compared with the spring grain, is unimportant. The farmers have found that spring sown grain will produce better crops than grain planted in the fall. The spring grain matures during the month of August and early part of September. The grain crops receive one irrigation which is as continuous as possible, commencing the latter part of May and continuing until about the first of July; and after the first of July water is seldom applied to the irrigation of grain. It is the practice to withhold the water until the grain has grown sufficiently to shade the ground and has stood out properly. If the water is applied to the grain before it has thus properly shaded the ground, the soil will bake and retard the growth of the plant, which will shoot up in single shoots without stooling out, diminishing the yield to a considerable extent.

after the ground is properly shaded by the plants, the first application of water is made. The grain is generally in a condition to receive the first application of water between the 20th of May and the 5th of June, according to the time it was planted in the spring, and from the first application of the water, the irrigation is as continuous as possible, and is completed as rapidly as possible. The practice is to saturate the soil thoroughly with water before the first of July. An unreasonable delay in this respect (say from 20 to 30 days) will result in the drying out of the crop and it will burn up in places. After the first of July it is not customary to irrigate grain, as irrigation after that date delays the ripening of the grain, and the immatured plants are exposed to the early fall frosts, which are liable to occur earlier than before the plant is fully matured and the crop hereby endangered, and the frosts will destroy or injure the grain and ruin it for milling purposes. During the irrigation season for grain and up to the first of July, there is in normal or ordinary years, sufficient water for grain irrigation the stream being at its flood height during the month of June. There has been generally a surplus of water in the stream during that month, over and above the quantity in actual use.

10. IRRIGATION OF ALFALFA AND HAY CROPS:- Alfalfa is an important crop, requiring a considerable quantity of moisture. The irrigation of alfalfa, timothy, clover and wild meadow grasses begin in the latter part of April or the first part of May, depending upon the season and the lateness of the spring frosts. The application of water too early in the season and while it is cold, is considered injurious to the growth of the alfalfa, and it is therefore the practise to apply the water to the alfalfa after the weather is moderated, which is generally after the first of May. Two crops of alfalfa are grown each season, and it is customary to irrigate once for each crop or two irrigations altogether, when the water is available for a second irrigation. The water is applied in much the same manner as to grain, and irrigation of the alfalfa for the first crop is completed as rapidly as possible. Irrigation for the second crop is practised whenever there is sufficient water for that purpose. It is customary to irrigate for the second crop just prior to cutting the first crop, or in some cases, after cutting the first crop; it being considered more beneficial by many to irrigate for the second crop just before cutting the first crop, and by other water users, the second crop is irrigated as possible after the cutting of the first crop and its removal from the ground; and the second irrigation for alfalfa is made during the month of July. In many years, however, there is an insufficient supply of water to properly irrigate the alfalfa and other hay crops the second time, and the crops receive but one irrigation. For the best results, however, they should receive a second irrigation in the month of July, a short time prior to the cutting of the first crop, as the cutting of the crop is easier and the ground is kept shaded by the growing crop, and

the moisture retained in the soil until it is cut, thus providing sufficient moisture to start the second crop of alfalfa.

11. IRRIGATION OF TIMOTHY AND OTHER GRASSES:- The irrigation of timothy and other grasses commenced earlier in the spring than alfalfa, it being considered not to be injurious to apply the water earlier in the spring and while the weather is still cold, and this is often done as soon as the snow is off the ground. These crops are irrigated twice, if the water is available, the second irrigation coming just before the hay is cut so that after the removal it may serve as pasture, and during the cutting of the crop, the ground will be in good condition for cutting, free from dust, etc., and there will be sufficient moisture in the soil to start the grasses growing for pasturage purposes after the crop is cut and removed from the ground.

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12. GARDENS AND ORCHARDS:- Comparatively a small acreage is devoted to these purposes, and the use of water therefor is relatively unimportant irrigation for these purposes commenced in the spring, as soon as the orchard and vegetables are in condition to receive an application, and continues throughout the season as required by the orchards and gardens until the first of September.

13. PASTURE LANDS:- The pasture lands are irrigated more or less regularly throughout the irrigation season, or so long as a supply of water is available therefor, commencing about the first of May and terminating the latter part of July. The application of water to these lands is generally made after the requirements of the grain and hay crops are satisfied. Said pasture lands are to a great extent affected with salt and sage brush, and produce grasses of little value except as food for stock in pasture. Pasture lands within the meaning of these findings, include only those lands which are used exclusively for pasturage and does not include lands on which hay or grain is cut, and which are, after the removal of the crop, used for pasturage purposes.

14. IRRIGATION SEASON:- The irrigation season for grain commences subsequent to the 15th day of April and ends the first of July. The irrigation season for alfalfa commences the first of May and ends by the last of July. The irrigation season for timothy and other grasses cut for hay commences in April and sometimes extends into August, but ends before the middle of August. The irrigation season for gardens and orchards commences about the first part of May and ends about the first of September. The irrigation season for pasturage purposes commences in April and ends in August. An irrigation season commencing the 15th of April and ending the first day of September, for all classes and kinds of crops, is a liberal estimate of the length of the irrigation season in this vicinity.

15. ROTATION OF WATER:- There has been to some extent, a rotation in the use of water among the water users during the latter part of the season when the water supply becomes insufficient, but rotation has not been practised to any great extent, and cannot be said to be customary among the water users. The irrigation season for grain is so short

that the land requires practically continuous application of the water, to thoroughly saturate the soil before the first of July. The supply of water available may and does diminish rapidly, and it is necessary for the irrigation of grain that each claimant secure the water while it is in the river, and practically all require the use of water at the same time. Under these conditions, rotation in the use of water is not practical, nor is it in ordinary years necessary, as there is 'more than sufficient' water for all ditches during the irrigation season for grain. Any delay for a period necessary in order to secure rotation, while irrigation grain, would be injurious to the growth of the plant. But it appears to the Board that when the stream is at its low flow, subsequent to the first of July, rotation in the use of water by the various water users would aid greatly in securing the necessary heads of water to irrigate second crops and pasture. After the first of July, the grain and alfalfa have received their main irrigation, the flow of the stream becomes smaller, and there is an insufficient supply for the purpose required by the claimants, no matter what duty may be fixed. Only a few of the prior claimants can hope to secure water for second irrigation purposes during July and August. Therefore the Board is of the opinion that after the first of July, rotation in the use of water by the different users, would be beneficial particularly to those having later rights, who, by rotation, might secure portions of the water for later irrigation. The necessity of rotating and the method and arrangement of rotation should be left largely to the judgment of the water master who should take into consideration the priorities of the various rights.

16. HEAD OF WATER:- For the proper irrigation of the grain and hay crops during the months of May and June, the head of water which the claimant has at his command is exceedingly important. A large head of water enables the water user to complete his irrigation within the necessary time and prevents portions of his field drying out before the same can be reached, as in the case of irrigating with a small head. A small head of water requires a longer irrigation, and often entails injury to the crop by reason of burning before the water can be applied. Since the season is short, the requirement of a large head of water for the irrigation of the lands in question is obvious. Under ordinary circumstances, a head of water can be secured through a rotation system, but in this vicinity, on account of the extreme shortness of the actual irrigation season, the area of land to be covered, and the fact that the supply of water in the river is liable to become depleted, the water must be applied almost continuously by each water user, and the delay of application will cause injury to the crop. Hence each water user must have a sufficient head of 395 water to make a rapid application during the period water is available. The testimony of the

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witness/on the quantity of water required does not vary to any great extent. In general, it is apparent that one inch to the acre is considered sufficient for the proper irrigation of the crops raised. From one and one-half to two and one-half acre feet is sufficient, it is believed, for grain and alfalfa, and all other crops in this vicinity, but the application of this quantity of water must be made in a period approximately from thirty to forty days in length.

17. That a number of claimants having late rights, have small tracts of land, and will, on account of their late date of priority, receive a supply of water for only a short period of time during normal years, These claimants require a large head of water for proper irrigation, and a constant supply during the season that water is available, and hence rotation as among them is not profitable, both for this reason and because their ditches and land are not situated so as to render rotation as among these small users of any value. In addition, to secure sufficient water, these claimants, for their small tracts, will require in some cases, two inches per acre or more, while the water is available. This finding has reference to those tracts less than forty (40) in area.

18. QUANTITY:- The Board finds, therefore, that the lands of the various claimants herein require for their proper irrigation, during the irrigation season, a quantity of water varying from one and one-half acre feet to two and one-half acre feet per acre; and a constant flow of one inch per acre, or one second foot for each forty (40) acres, from the beginning of the irrigation season each year to July 1st; and after July 1st the right of the various claimants should be limited to one second foot to each eighty (80) acres, or one-half inch per acre, such allowance, <sup>however,</sup> not to exceed a total of two and one-half (2½) acre feet per acre during any one season for irrigation purposes.

Based upon the foregoing Findings of Fact, the Board of Control now makes the following:

#### ORDER OF DETERMINATION

##### 1.

That each and all of the following named persons are in default herein, and have no right, title or interest in or to the waters of said North Powder River, or any tributaries thereof, and are barred and estopped from hereafter asserting any right, title or interest in or to said water, to-wit: Edward Ashby, Mrs. M. J. Atterberry, James Anderson, Bank of Commerce of Boise, Idaho, Ephriam Barnes, Thomas Burns, Mrs. E. W. Barnes, W. J. Cavender, John Craig, Oscar Dannings, Emil Forsey, J. M. Gilkinson, H. O. Gorgam, W. E. Hill, C. A. Holstrom, S. P. Herring, John Haines, W. E. Haines, H. L. Haines, R. E. Haines, Will Henderson, John Holinger, Mrs. A. R. Hunter, Chas. Harrison, Bennett Harrison, Ira Harrison, Walter Jones, Mrs. F. E. Lynch, Miles Lee, Frank Leonig, J. E. Lenhart, George Lee, E. L. Ledbetter, J. A. McLaren, Mrs. M. McCurry, L. B. Moore, I. W. Maharry, E. Mott, C. Oleson, Oscar Moody, Violet Parker, Powder Valley State Bank of North Powder, William Pearson, T. J. Pearce,

James Riggs  
Harrison Pearson, Ed Riggs, Miran Riggs, John Rizer, S. A. Rollins, Otto Schuman, . . .  
D. B. Sherritt, Howard Sloane, M. R. Shord, Harry Slater, Mrs. A. H. Titus, A. F. Tally,  
Sanford Vandecarr, Vern Webb, Clarence Wilson, John Yankee and George Young.

II.

That the hereinafter named claimants are entitled to divert and use the waters of North Powder River, or its tributaries, when their respective appropriations are diverted to the extent and for the purposes hereinafter provided, in the order of their respective priority; and all other persons, firms and corporations heretofore claiming any right title or interest in or to the waters of said stream, or its tributaries, or owning or being in possession of land bordering on or having access to said stream or its tributaries, are barred and estopped from asserting any right which they have heretofore acquired to the waters of said stream, or its tributaries, and shall be deemed to have forfeited all rights to the use of said water which may have heretofore been claimed by them, except as such right shall have been initiated under and by virtue of the provisions of Chapter 216, General Laws of Oregon for 1909.

III.

That Andrew O. Lun., and all other owners of land bordering upon said stream, or its tributaries, or having access thereto, have at all times used, and claimed the right to divert and use, and their predecessors did divert and use the waters of said stream and its tributaries, flowing down to their land, by virtue of appropriation thereof, and have waived whatever right by virtue of riparian ownership they or their predecessors may have had which may have attached heretofore to said land.

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IV.

That the following is a tabulated statement, setting forth the relative rights of the various claimants to the waters of said stream and its tributaries; the first column sets forth the names of the appropriators, or joint-appropriators, and their respective post office addresses; the second column sets forth the date of relative priority of each appropriation, opposite the appropriators name; the third column sets forth the quantity or amount of water to which each such appropriator is entitled, in cubic feet per second, from April 15th to July 1st of each irrigation season; (the quantity to which such appropriator is entitled after July 1st shall in all cases be limited to the rate of one-half inch per acre irrigated, or one second foot to each eighty (80) acres thereof, and shall be determined by the number of acres set opposite the name of such appropriator in the following statement, and the total volume diverted for irrigation during the full irrigation season shall not exceed the acre foot limitation herein fixed); the fourth column sets forth the number of acres actually irrigated by the appropriator; the fifth column sets forth the particular use

for which the appropriation of such appropriator is hereby confirmed; the sixth column sets forth the name of the ditch or ditches through which such appropriator is entitled to divert and use water, and, where the same has been determined, the respective interest or right of such claimant in such ditch; and the seventh column sets forth the description of the land of such appropriator in each forty (40) acre tract or smallest legal subdivision, and the number of acres in each such forty(40) acre tract which such appropriator is entitled to irrigate, and to which such water right is and must remain appurtenant.

In explanation of the following tabulated statement, the following statements are made:

Whenever there are two or more dates of priority opposite the name of an appropriator, the quantity of water allowed, and number of acres irrigated are set forth opposite each date respectively. For example, and by way of illustration, John Ashworth is entitled to 0.45 second foot, or eighteen (18) inches, as of the priority date of 1880, for eighteen (18) acres of the lands described in the seventh column; and to 2.55 second feet or one hundred and two (102) inches as of the priority date of 1898 for the irrigation of one hundred and two acres of the lands described in the seventh column, subject to the acre foot limitation herein fixed.

Whenever there are two or more dates of relative priority <sup>opposite</sup> the name of an appropriator and several ditches, such appropriator is entitled to divert the quantity of water set opposite each date for the number of acres opposite such quantity, through the ditch set opposite such number of acres, and is limited to such ditch in the diversion and use of such quantity as of such date of priority. For example, W. L. Goff in the tabulated statement, has a right of appropriation through the Davis-Kelsey Ditch, as of the 1897, for one second foot of water for thirty-two (32) acres; and a right through the Pearson Ditch as of the year 1893 for one second foot of water for thirty-eight (38) acres; and a right through the Ellis Ditch as of the year 1904 for one second foot of water for thirty-five and one-half (35½) acres; all of said appropriations are appurtenant to the lands described in the seventh column, and subject to the acre foot limitation as to total volume of water diverted per season.

Whenever, in said tabulated statement, the names of the ditches are joined together by the conjunction "and", it shall be taken to mean that the priorities of the appropriation set opposite the name of the claimants are not applicable to any one particular ditch, but that such appropriation may be diverted through any or all of said ditches, at the option of the appropriator. Thus J. L. Dodson has rights of appropriation as of the year 1884 to two and one-half second feet, and as of the year 1906 to 0.75 second feet through the Daley, Powers Company, and Gardner Mill Race Ditches, for the lands described in the seventh column, and his interest in said ditches and right is such as to entitle him to divert both said appropriations through any of said ditches or partially

through each thereof, subject however, to the acre foot limitation for the irrigation season.

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Whenever in the sixth column the words "by permission" are set forth, it shall be taken to indicate and mean that the right of the said appropriator opposite whose name such notation appears, to divert water through said ditch is by, and subject to the permission of the owners of such ditch: but such claimant has right as against all others than those owning such ditch and shall be deemed a valid appropriator of water as of the date of priority therein set forth; and also as against said owners of such ditch, except as to the right of such claimant to the use of and in such ditch.

Subject to the foregoing explanatory statements, the following named claimants and appropriators of the waters of North Powder River and its tributaries, are hereby determined to have appropriated the waters of said stream or a tributary thereof, to the extent set forth in the following tabulated statement, and are entitled to a decree of this Court and issuance of water right certificate in accordance with such tabulated statement establishing and confirming their several titles and rights to the use of said waters as of the date of relative priority, to the quantity in second feet, from April 15th to July 1st, for the irrigation of the number of acres, through the ditch or ditches, upon the hereinafter described land, or for such other use as may be herein set forth, as such date, amount, number of acres, use, ditch or ditches, and lands are hereinafter set forth in tabulated form, opposite the name of each of said claimants, respectively, under said North Powder River or the particular tributaries when such appropriations are diverted; the amount to which such claimants are respectively entitled after and subsequent to July 1st of each year for irrigation is not herein set forth, but shall be determined at the rate of one-half inch per acre, or one second foot for each eighty (80) acres, according to the number of acres for which each claimant is respectively found to have a water right, in the third column hereunder, provided however, that the total quantity of water to be diverted for the irrigation of any land shall not exceed two and one half ( $2\frac{1}{2}$ ) acre feet per acre during any irrigation season; said tabulated statement being as follows, to-wit:



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
40 John Ashworth, Haines, Oregon	1880 1898	0.45 2.55	18 102	Irrigation <i>Ch. Pt. of Div. Sp. Or. Vol. 13, p. 413</i>	Hearing & Angel 1/2 int.		398 58 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 18 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 27 " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 21; T. 7 S. R. 38 E. W. M., all in Baker County, Ore.
51173 John Brant, North Powder, Ore.	1899	3.90	155 $\frac{1}{2}$	Irrigation	Smith-Mc- Phee & Tanner		59 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 27 " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 " " SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 35; Tp. 6 S. R. 39 E. W. M.,  28 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 $\frac{1}{2}$ " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 2; Tp. 7 S. R. 39 E. W. M.; all in Baker County, Ore.
452 J. E. Burnside, Haines, Ore.	1900	1.00	14	Irrigation	Warfield- Burnside: $\frac{1}{4}$ int.		14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 21; Tp. 7 S. R. 38 E. W. M.; all in Baker County, Ore.
453 Sam & W. A. Carnes, North Powder, Ore.	1886	2.97	119	Irrigation	Kelsey- Wilson		40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 32; Tp. 6 S. R. 39 E. W. M.;  10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 39 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 30 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 5; Tp. 7 S. R. 39 E. W. M.; all in Baker County, Ore.
13546 Clayton Coleman, Baker, Ore.	1893 1906	1.73 .75	69 30	Irrigation <i>Ch. Pt. of Div. Sp. Or. Vol. 3, p. 413</i>	Mansfield 1/8 int.		10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14 40 " " NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 19 " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 25; Tp. 7 S. R. 38 E. W. M.; all in Baker County, Ore.
455 C. E. & A. B. Davis, North Powder, Ore.	1873 1888 1906	1.75 12.4 .58	70 496 15 <i>561 - cul 15</i>	Irrigation, Dom. & Stock <i>591</i>	Powers Co. 1/7 int.		28 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 19 $\frac{1}{2}$ " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 $\frac{1}{2}$ " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 12 $\frac{1}{2}$ " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 36; 1 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 38 $\frac{1}{2}$ " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 35; Tp. 6 S. R. 38 E. W. M.;  160 acres in NE $\frac{1}{4}$ ; 80 " " E $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 80 " " N $\frac{1}{2}$ SE $\frac{1}{4}$ ; Sec. 1; 40 " " NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 2; Tp. 7 S. R. 38 E. W. M., in Baker County, Ore.

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
<sup>155</sup> C. E. & A. B. Davis, North Powder, Ore.  <i>Ch. in pt. of div - Sp. Dr. Vol. 7, p. 491</i>	1877 1903	1.73 3.75	69 150 <sup>1</sup> / <sub>2</sub>	Irrigation, Dom. & Stock	Bugler 1/3 int.		28 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 1 <sup>1</sup> / <sub>2</sub> " " NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 36 <sup>1</sup> / <sub>2</sub> " " SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; Sec. 11; 80 " " NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 39 " " SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 38 " " SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; Sec. 12; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>156</sup> J. S. Davis, North Powder, Ore.	1874	2.1	84	Irr. & Dom.	Davis- Dalton 1/3 int.		21 <sup>1</sup> / <sub>2</sub> acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; 11 <sup>1</sup> / <sub>2</sub> " " SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; Sec. 36; 17 <sup>1</sup> / <sub>2</sub> " " SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 35 <sup>1</sup> / <sub>2</sub> " " NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ; Sec. 35; Tp. 6 S. R. 38 E. W. M., in Baker County, Ore.
<sup>156</sup> J. S. Davis North Powder, Ore.	1887	5.58	223	Irr. & Dom.	Davis-Kelsey 1/4 int.		1 <sup>1</sup> / <sub>2</sub> acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 7 <sup>1</sup> / <sub>2</sub> " " NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 80 " " SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 16 <sup>1</sup> / <sub>2</sub> " " NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 25 " " NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 18 " " SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 32 " " SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; Sec. 36; 54 <sup>1</sup> / <sub>2</sub> " " NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 8 " " SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; Sec. 35; Tp. 6 S. R. 38 E. W. M., in Union County, Ore.
<sup>157</sup> W. S. Dougherty, North Powder, Ore.	1904	7.3	292	Irrigation	Warfield- Burnside 1/8 int.		40 ac. in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ; 35 ac. in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ; Sec. 7; 21 ac. in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 2 " " SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; Sec. 18; 12 <sup>1</sup> / <sub>2</sub> " " NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; 23 " " SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; Sec. 8; 56 ac. in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 38 ac. in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 26 <sup>1</sup> / <sub>2</sub> " " SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 20 " " NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; 40 " " NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; Sec. 17; Tp. 7 S. R. 39 E. W. M., in Baker County, Ore.
<sup>158</sup> Laura A. Dodson, Baker, Ore.  <i>Ch. in Ph. &amp; Div. Sp. Dr. Vol. 2, p. 159</i>	1865 1873 1886	1.33 3.50 .53	53 140 21	Irrigation & Dom.	Old Powers Powers Co. & J. L. Dodson, "itches.		30 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ; 30 " " SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ; 37 " " NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; 40 " " SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ; 40 " " SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ; 37 " " NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ; Sec. 35; Tp. 6 S. R. 38 E. W. M., all in Baker and Union Counties, Oregon.

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
547 J. L. Dodson, Baker, Oregon.	1884 1906	2.50 .75	100 30	Irrigation & Dom.	Daley, Powers Co. & Gardner Mill Race Ditches.		29 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 34; Tp. 6 S. R. 38 E. W.M., in Union County, Ore. 23 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 34; Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.
460 66136 James Dalton, North Powder, Ore.	1888	4.31	172 $\frac{1}{2}$	Irrigation Dom. & stock	Kelsey-Wilson		40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 54 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 18 $\frac{1}{2}$ " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 10; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 2, Tp. 7 S. R. 39 E. W. M., in Baker County, Ore.
460 66136 James Dalton, North Powder, Ore.	1888	5.20	208	Irr., Dom. & Stock.	Davis-Dalton		38 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 58 " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 6; 3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 9; 17 $\frac{1}{2}$ " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 21 $\frac{1}{2}$ " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 16 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 4; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
460 66136 James Dalton, North Powder, Ore.	1893	8.40	336	Irr. & Dom. & Stock	Smith-McPhee & Tanner		40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 10; 17 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 88 " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 160 " " SW $\frac{1}{4}$ ; Sec. 5; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
461 S. A. Daugherty, North Powder, Ore.	1881 1874	4.55 .18	182 7	Irr. Dom. & Stock	Powers Co., Gardner Mill Race		80 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ ; 39 " " NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 33; 15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28; Tp. 6 S. R. 38 E. W.M., in Baker County, Oregon.
462 B. P. Doherty, Pendleton, Ore.	1903	1.00	38 $\frac{1}{2}$	Irr. & Stock	Kelsey- Wilson		58 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 32; Tp. 6 S. R. 39 E. W. M., in Baker County, Ore.
T-6649 A P.O.D B. P. Doherty, Pendleton, Ore.	1893	2.8	112	Irr. & Stock	Smith, McPhee & Tanner		37 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 39 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 36 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 32; Tp. 6 S. R. 39 E. W. M., all in Baker and Union Counties, Oregon.

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
<sup>63</sup> L. M. Daugherty, North Powder, Ore.	1898	3.13	125	Irr., Dom. & stock	Smith, Mc-Phee & Tanner		80 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10 Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
Allie Dalton, North Powder, Ore.	1904 <i>All cancelled by PC 88-10</i>	1.00	36	Irr.	Ellis		<del>16 acres in NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math>; 20 " " NW<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math>; Sec. 28, Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.</del>
<sup>64</sup> 64218 Grant Dalton, <sup>160 acres cancelled by</sup> North Powder, Ore. PC 88-11	1887 1897 1904	2.00 2.00 1.00	80 80 35 $\frac{1}{2}$	Irr.	Davis-Kelsey & Ellis		<del>160 acres in SE<math>\frac{1}{4}</math> Sec. 21 16 acres in NE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; 16<math>\frac{1}{2}</math> " " SW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; 3 " " SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Sec. 22; Tp. 6 S. R. 39 E. W. M. in Union County, Ore.</del>
<sup>66</sup> Ben Fisher, Haines, Oregon.	1880	0.5		Irrigation	Bugler		to A right/supplement the flow of certain springs for the irrigation of:  38 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5; 26 " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 10; Tp. 7 S. R. 38 E. W. M., in Baker County, Ore. 400
H. K. Fisher, Haines, Oregon.	1877 1905	1.37 0.13	80 9 $\frac{1}{2}$	Irrigation & Dom.	Bugler 1/8 int.		34 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 16 $\frac{1}{2}$ " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 39 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10; Tp. 7 S. R. 38 E. W. M., in Baker County, Ore.
<sup>64</sup> W. L. Goff, North Powder, Ore.  <i>All cancelled by PC 88-12</i>	1897 1895 1904	1.00 1.00 1.00	32 38 35 $\frac{1}{2}$	Irrigation	Davis-Kelsey Pearson Ellis		<del>18 acres in NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math>; 20 " " NW<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math>; 21 " " SE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math>; 20 " " NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math>; 12 " " NW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math>; Sec. 28; Tp. 6 S. R. 39 E. W. M., in Union County, Ore.</del>
<sup>68</sup> William N. Gardner, North Powder, Ore. <i>ch. in pt. of div. Sp. Or. Vol. 7, p. 497</i>	1862 1870		none 87	Dom., & Stock Irr.	Gardner Mill Race		40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 33; Tp. 6 S. R. 38 E. W. M., in Baker County, Ore.
<sup>68</sup> William N. Gardner, North Powder, Ore.  <i>ch. in pt. of div. Sp. Or. Vol. 7, p. 494</i>	1871 1875 1895	.75 .93 .50	30 37 20	Irr., Dom. & Stock	Hunsacker Powers Co.		17 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 28 " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 33; Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.

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
169 J. H. Hutchinson, Union, Oregon	1873 1895 1903	3.45 5.68 2.94	190 313 162 <u>665</u>	Irr., Dom. & Stock	Side Hill		10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 $\frac{1}{2}$ " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 " " NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 9 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 38 " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 17 $\frac{1}{2}$ " " SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 7, Tp. 7 S. R. 39 E. W. M.,  5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 39 " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 " " N $\frac{1}{2}$ SE $\frac{1}{4}$ ; Sec. 5; 30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 " " S $\frac{1}{2}$ NE $\frac{1}{4}$ ; 160 " " SE $\frac{1}{4}$ ; Sec. 12; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
469 J. H. Hutchinson, T-3809 Add'l P.O.D. (4) D-112 Add'l P.O.D. part (b)	1871 1882	8.64 2.50	545 $\frac{1}{2}$ 100	Irr., Dom. & Stock	Gardner Mill Race		(4) 80 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ ; (4) 28 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 33; (4) 80 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$ ; (4) 36 " " SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; (4) 40 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 160 " " SE $\frac{1}{4}$ ; Sec. 34; 21 $\frac{1}{2}$ " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 35; Tp. 6 S. R. 38 E. W. M. in Baker County, Oregon.
469 MODIFIED see Decree V. 19 P. 105 Cert. No. 5 J. H. Hutchinson, Ch. Pt. of Div Sp. Ov. Vol. 3 p 413	1879	4.18	357 $\frac{1}{2}$ 257 $\frac{1}{2}$	Irrigation	Blume- Zilkey		31 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 57 " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 35 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 80 " " S $\frac{1}{2}$ NW $\frac{1}{4}$ ; 80 " " N $\frac{1}{2}$ SW $\frac{1}{4}$ ; 40 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 24 $\frac{1}{2}$ " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11; Tp. 7, S. R. 38 E. W. M., in Baker County, Oregon.
469 J. H. Hutchinson, Union, Oregon.	1872	1.41	56 $\frac{1}{2}$	Irrigation	Daley		28 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 18 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 26; 10 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 35; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
470 W. R. Hutchinson,	1875 1888 1903	2.18 3.99 3.42	120 220 188 $\frac{1}{2}$ <u>528<math>\frac{1}{2}</math></u>	Irr., Dom. & Stock	Side Hill		21 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 54 " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 " " SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 37 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 28 $\frac{1}{2}$ " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 51 " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 2 80 " " N $\frac{1}{2}$ SW $\frac{1}{4}$ ; 40 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 25 " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 7 $\frac{1}{2}$ " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 1; Tp. 7 S. R. 38 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
170 W. R. Hutchinson, (continued)							10½ acres in SW¼ SW¼; 19½ acres in SE¼ SW¼; Sec. 6; 80 acres in E¼ NW¼; 36 acres in NW¼ NW¼; 38 acres in SW¼ NW¼; Sec. 7; Tp. 7 S. R. 39 E. W. M., in Baker County, Ore. 401
170 " R. Hutchinson, Union, Oregon  pt. of div. changed for 77 ac. - See Sp. Or. Vol. 7, p. 428 " " " 7, p. 474 (477)	1871 1883 1899	4.00 1.24 1.00	180 50½ 40	Irr., Dom. & stock	Gardner Mill Race		32 acres in NE¼ NE¼; Sec. 3; 40 acres in NW¼ NE¼; 35 " " SW¼ NE¼; 40 " " NW¼ NW¼; 36½ " " SW¼ NW¼; 27 " " SE¼ NW¼; 49 acres in NE¼ NE¼; Sec. 2; Tp. 7 S. R. 38 E. W. M., in Baker County, Ore.
170 " R. Hutchinson, Union, Oregon.  pt. of div. changed Sp. Or. Vol. 3, p. 413	1879	1.68	95	Irr.	Blume-Zilkey		19 acres in NW¼ NE¼; 40 " " SW¼ NE¼; 36 " " NE¼ NW¼; Sec. 14; T. 7 S. R. 38 E. W. M., in Baker County, Ore.
" R. Hutchinson, Union, Oregon	1879	2.64	105½	Irrigation	Ellis		37 acres in NE¼ SE¼; 29 " " NW¼ SE¼; 4½ " " NE¼ SW¼; Sec. 36. Tp. 6 S. R. 38 E. W. M., in Union County, Oregon. 35 acres in NW¼ SW¼; Sec. 31 Tp. 6 S. R. 39 E. W. M. in Union County, Oregon.
171 Chas. E. Hutchinson, North Powder, Oregon	1902	2.26	90½	Irrigation	Side Hill & Gardner Mill Race		25½ acres in NE¼ SE¼; 50½ acres in SE¼ SE¼; Sec. 2; 36½ acres in SW¼ SW¼; Sec. 1; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
172 Dora B. Hutchinson, Union, Oregon  Ch. in pt. of div Sp. Or. Vol. 3, p. 413	1903	1.68	198	Irrigation	Blume- Zilkey		160 acres in NE¼; 20 " " NE¼ SE¼; 18 " " NW¼ SE¼; Sec. 15; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
173 Mary F. Hutchinson, Union, Oregon	1871	2.00	80	Irr. & Stock	Gardner Mill Race	W 1/2 on cut off	? W 1/2 sec cut off 80 acres in E¼ SW¼; Sec. 55; Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.
174 Ll F. Hutchinson, North Powder, Oregon	1896	3.56	142½	Irrigation	Davis-Kelsey		80 acres in E¼ SW¼; 36½ " " NW¼ SW¼; 26 " " SW¼ SW¼; Sec. 21; Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.

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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
N. J. Hoberg	See W. C. Nicholson, deceased, Estate of						
<sup>15</sup> Albert Hutchinson, North Powder, Ore. T-6649 Δ POD	1879 1896	3.50 1.04	140 41½	Irrigation	Ellis	171	39 acres in NE¼ SE¼; Sec. 31; 35 acres in SE¼ NW¼; 40 acres in SW¼ NW¼; 19 acres in NE¼ SW¼; 38 acres in NW¼ SW¼; Sec. 32. Tp. 6 S. R. 39 E. W. M., in Union County, Ore.
<sup>175</sup> Albert Hutchinson, North Powder, Ore. T-6649 Δ POD	1896	1.45	58	Irrigation	Kelsey- Wilson No. Int.		18 acres in NE¼ SW¼; 40 " " SE¼ SW¼; Sec. 32; Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
<sup>176</sup> Seth Hart, Haines, Ore.	1887 1903	2.18 0.70	100 32	Irrigation & Domestic	Bugler		23 ac. in SE¼ SW¼; <i>Part of claim map, 460.</i> 29 " " SW¼ SE¼; 40 " " SE¼ SE¼ <i>shown in Sec. 10</i> 40 " " SW¼ SW¼; Sec. 11; Tp. 7 S. R. 38 E. W. M. in Baker County, Oregon.
<sup>176</sup> Seth Hart, Haines, Oregon.	1904	0.64	25½ <i>Ch. Pt. of Div. Sp. Dr. Vol. 3 p 413</i>	Irrigation	Dutch Flat Creek		5½ acres in NW¼ SW¼; 20 " " SW¼ SW¼; Sec. 10; Tp. 7 S. R. 38 E. W. M. in Baker County, Oregon.
<sup>177</sup> M. Ella Haskin, Haines, Ore.	1875 1889	1.88 .55	75 22 <i>Ch. Pt. of Div. Sp. Dr. Vol. 3 p 413</i>	Irrigation	John Williams		22 acres in SE¼ SW¼; 35 acres in SW¼ SE¼; 40 acres in SE¼ SE¼; Sec. 15; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>178</sup> A. J. Hartung, Haines, Oregon. T-5937 Δ POD (Add'l - Bugler Ditch)	1878	1.66	66½	Irrigation	Nicholson- Hartung		26½ ac. in SW¼ SW¼; Sec. 15; 40 " " NW¼ NW¼; Sec. 22; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon. 402
<sup>179</sup> Lucinda Hartung, Haines, Oregon	1886 1898	1.00 .25	40 10	Irrigation	Nicholson- Hartung. Mansfield 1/4 int.		10 acres in NW¼ SW¼; Sec. 15; 40 acres in NE¼ NW¼; Sec. 22; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>180</sup> SAMUEL HEARING, Dec'd Estate of: Susan J. Hearing, Fidelia A. Harpham, James A. Hearing, Harvey F. Hearing, Etie C. Hearing, Lie M. Hearing, Lie W. Hearing, Earl F. Hearing, Samuel L. Hearing, Heirs at Law.	1884  1877 1898	2.00  2.33 1.18	80  93 47 <i>Ch. Pt. of Div. Sp. Dr. Vol. 3 p 413</i>	Irrigation & Stock  Irrigation & Stock	Bugler 1/6 int.  John Williams 1/3 int.		40 acres in NE¼ NE¼; 40 " " SE¼ NE¼; Sec. 15; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon. 40 acres in NE¼ SE¼; 40 " " NW¼ SE¼; 13 " " NE¼ SW¼; Sec. 15; 35 " " NE¼ SE¼; 12 " " NW¼ SE¼; Sec. 16; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.

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
181 W. M. Hearing, Haines, Oregon	1895 1897	.50 1.80	20 72	Irrigation <i>Ch. Pt. &amp; Div. Sp. Or. Vol. 3 p 413</i>	Hearing & Angel		40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 32 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
182 James Hearing, Haines, Oregon.	1889 1898	0.05 0.90	1 35	Irrigation <i>Ch. Pt. &amp; Div. Sp. Or. Vol. 3 p 413</i>	John Williams Hearing & Angel		56 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 16; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
183 S. W. Holmes, Ostrander, Wash.	1887	6.50	259 $\frac{1}{2}$	Irrigation & Stock <i>Ch. P.O.D. Sp. Or. Vol. 5, p. 410</i>	Harlan- Sanders		21 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 35 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 50 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 25; 57 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 24; 23 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 58 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 54 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 26; Tp. 6 S. R. 39 E. W. M., in Baker County, Ore.
183 S. W. Holmes, Ostrander, Ore.	1888	2.70	107 $\frac{1}{2}$	Irr. Dom., stock. N. P. M.	Co. Mill Race.		52 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 30 " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14, 52 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 $\frac{1}{2}$ " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 25; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.  Subject to the limitations of paragraph LVIII. and paragraph VIII page 159.
184 Chris. Johnson North Powder, Ore.	1893 1893	1.5 2.5	60 100	Irr. & Stock	Harlan-Sanders & Jacobson Ditches.		80 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ ; 59 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 27; Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
185 C. E. Jacobson, North Powder, Ore.	1890 1893	3.50 5.91	140 236 $\frac{1}{2}$	Irr. & Stock <i>376.5</i>	Jacobson		40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 " " S $\frac{1}{2}$ NW $\frac{1}{4}$ ; 37 " " NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 39 " " SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 80 " " W $\frac{1}{2}$ SE $\frac{1}{4}$ ; 12 " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 6 $\frac{1}{2}$ " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 26; Tp. 6 S. R. 39 E. W. M., in Baker County, Ore.
T-6572 Δ POU EPD-Reject - Sp or v 46 P 309							
1147 Oscar Jacobson, North Powder, Oregon.	1893 1899	1.01 5.94	40 $\frac{1}{2}$ 237 $\frac{1}{2}$	Irrigation	Smith, Mc- Phee & Tanner		20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5 " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10; 5 " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 $\frac{1}{2}$ " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 32 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 $\frac{1}{2}$ " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 34 " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 " " NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;



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
Oscar Jacobson, North Powder, Ore. (continued)	1886	1.00	107	Irrigation	Smith, McPhee & Tanner		10 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 30 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11; 17 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
L. S. Kelsey, North Powder, Oregon.	1887 1902	2.00 1.05	80 42	Irrigation & Stock	Davis- Kelsey		22 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 31 $\frac{1}{2}$ " in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 " in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 6 $\frac{1}{2}$ " in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 31 Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
L. S. Kelsey, North Powder, Oregon.	1886	12.60	504	Irr. & Stock	Kelsey-Wilson		40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 55 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 5; 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 acres in E $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 6; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
L. S. Kelsey, North Powder, Ore.	1883	2.11	84 $\frac{1}{2}$	Irrigation & Stock	Beatty		8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 22 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 24 $\frac{1}{2}$ " in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 50 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 31; Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
L. S. Kelsey, North Powder, Ore.	1886	2.95	118	Irrigation & Stock	Kelsey		40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 $\frac{1}{2}$ " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 $\frac{1}{2}$ " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 31; Tp. 6 S. R. 39 E. W. M. in Union County, Ore.
L. S. Kelsey, North Powder, Ore.	1880	1.56	62 $\frac{1}{2}$	Irr. & Stock	Ellis		12 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 27 $\frac{1}{2}$ " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 25 " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 31; Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.

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
187 C. L. Kent, Haines, Oregon	1897	3.75	150	Irrigation	Mansfield		✓ 34 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 21; ✓ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; ✓ 36 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; ✓ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16 ✓ Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
188 J. R. Long, Haines, Oregon	1885 1885	.30 .25	12 10	Irrigation	Bugler, Blume- Zilkey. No. Ch. Pt. of Div. Sp. Ov. V. 1.3p 413		22 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 15; Tp. 7 S. R. 39 E. W. M., in Baker County, Ore.
189 A. Long, Haines, Oregon	1897	0.75	30	Irrigation	Mansfield		15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
52516 Andrew O. Lun, North Powder, Ore.	1884	1.00	37	Irr. & Stock	Harlan-Sanders		37 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27; Tp. 6 S. R. 39 E. W. M. in Baker County, Ore.
52516 Andrew O. Lun, North Powder, Ore.	1886	2.50	none	Ice-making Oct. 15 to Mar. 1.	Small ditches		Ice ponds consisting of about 20 acres in the SE $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; Sec. 22; and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27, Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
52516 Andrew O. Lun, North Powder, Ore. T-5483 A POD 8 $\frac{1}{2}$ ac SWSE T-6572 A POD E POD	1870	5.09	205 $\frac{1}{2}$	Irr. Dom. & stock	Lun ditches and sloughs		37 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 17 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 50 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22; 35 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 55 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 57 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27; 1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28. Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
Superseded by 5053 J. B. Luster, North Powder, Ore.	1901	1.00	30 $\frac{1}{2}$	Irrigation	Smith, McPhee and Tanner		15 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 4; Tp. 7 S. R. 39 E. W. M., in Baker County, Ore.
Superseded by 5053 J. B. Luster, North Powder, Ore.	1902	1.00	37 59 $\frac{1}{2}$	Irrigation	Kelsey-Wilson		22 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 1 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 11 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 4; Tp. 7 S. R. 39 E. W. M., in Baker County, Ore.
Superseded by 55561 W. R. Moore, Haines, Oregon. -5169 A POD See Decree V3, p 267 T-6003 62316 Additional POD	1876 1889	2.49 2.51	116 117	Irr. Dom. & stock	Joe Savage		* 80 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ ; * 55 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 62 58 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 17 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22;

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet For Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
529 William A. Coughanour, Payette, Idaho	1880 1900	12.54 5.40	800 348	Irr.Dom. & Stock	Coughanour		40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 28 $\frac{1}{2}$ " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 87 " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 16 " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 7 " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 39 " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 17 $\frac{1}{2}$ " " NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 39 " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 21 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 3 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 19; 80 " " E $\frac{1}{2}$ NE $\frac{1}{4}$ ; 33 " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 29 $\frac{1}{2}$ " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 80 " " S $\frac{1}{2}$ NW $\frac{1}{4}$ ; 29 " " NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 7 $\frac{1}{2}$ " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 80 " " N $\frac{1}{2}$ SE $\frac{1}{4}$ ; 1 " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 20; 160 " " NE $\frac{1}{4}$ ; 80 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ ; 27 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 21; 80 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22; Tp. 6 S. R. 39 E. W. M., in Union County, Oregon
530 Geo. M. Carnes, North Powder, Ore. T-6218 $\Delta$ POD 1/43/50	1898	4.00	199 $\frac{1}{2}$	Irr. Dom. & stock	Carnes Co. 1/8 int.		37 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 29 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 29 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 39 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 25; Tp. 6 S. R. 38 E. W. M.  40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 30; Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
531 Edward A. Carnes, North Powder, Ore. T-6218 $\Delta$ POD 1/43/50	1898	3.50	144	Irr., Dom. & stock	Carnes Co. 1/8 int.		40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 34 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 30; Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
532 A. K. Dryborough, North Powder, Ore.	1872	1.46	58 $\frac{1}{2}$	Irr., Dom. & stock	Pilcher- Dryborough 1/3 int.		3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 20; 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 9 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 21; 11 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 28; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
533 C. C. Garwood, North Powder, Ore.	1890	1.00	34	Irrigation	Pilcher-Evans Filkins.		16 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;

Name and Post Office 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
169 J. H. Hutchinson Union, Oregon	1885	2.43	97	Irr., Dom. & stock	Tucker Flat 9/10 int.		20½ acres in NW¼ NW¼; 25 acres in SW¼ NW¼; 11 acres in NW¼ SW¼; Sec. 18; 6½ acres in NE¼ NE¼; 27 acres in SE¼ NE¼; 7 acres in NE¼ SE¼; Sec. 17; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
534 Lewis Klinefelter, North Powder, Ore.	1885	1.08	43	Irrigation	Anthony		31 acres in NE¼ SE¼; 3 acres in NW¼ SE¼; Sec. 20; 9 acres in NW¼ SW¼; Sec. 21; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
536 James A. Pilcher, North Powder, Ore.	1890	1.00	33	Irrigation	Pilcher- Evans-Filkins		14 acres in NW¼ NW¼; 5 acres in SW¼ NW¼; Sec. 27; 10 acres in NE¼ NE¼; 1 acre in SE¼ NE¼; 2 acres in NW¼ NE¼; Sec. 28; 1 acre in SW¼ SE¼; Sec. 21; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
0928 James A. Pilcher, North Powder, Oregon.	1870 1884	1.00 1.54	40 61½	Irr., Dom. & stock.	Pilcher- Dryborough		20 acres in NW¼ NE¼; 28 acres in SW¼ NE¼; 20 acres in SE¼ NE¼; 17 acres in NE¼ NW¼; 12½ acres in SE¼ NW¼; Sec. 28; 4 acres in SW¼ NW¼; Sec. 27; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
T-4938 Δ POD							
537 Thomas H. Parker, North Powder, Oregon	1905	0.35	7	Irrigation	Pilcher-Evans Filkins		4 acres in SE¼ SW¼; Sec. 17; 3 acres in NE¼ NW¼; Sec. 20; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
	1871	0.35	6½	Irrigation	Anthony		6½ acres in NE¼ NW¼; Sec. 20; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
2012 added by 3/4/28 John Shaw, North Powder, Ore.	1898	7.50	641½	Irrigation	Carnes Co.		80 acres in S¼ SW¼; 160 acres in SE¼; Sec. 29; 24½ acres in SE¼ SE¼; Sec. 50; 9½ acres in NE¼ NE¼; Sec. 31; 27½ acres in NE¼ NE¼; 40 acres in NW¼ NE¼; 15½ acres in SW¼ NE¼; 40 acres in NE¼ NW¼;
Δ POD, T-6219 v. 43/534							

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
John Shaw, North Powder, Ore. (continued)							<p>23½ acres in NW¼ NW¼; 5 acres in SW¼ NW¼; 52 acres in SE¼ NW¼; Sec. 32; — 80 acres in E¼ SW¼; — 14½ acres in NW¼ SW¼; — 52 acres in SW¼ SW¼; Sec. 33; Tp. 5 S. R. 39 E. W. M., in Union County, Oregon.</p>
<p>1599 Elmer Shipp, North Powder, Oregon. ADP's POP v.43/504 T-6219 A POP v.43/504</p>	1908	1.00	38	Irr., Dom. & stock	Tucker Flat 1/10 int.		<p>10 acres in SW¼ NW¼; 4 acres in SE¼ NW¼; 20 acres in NE¼ SW¼; 4 acres in NW¼ SW¼; Sec. 22; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.</p>
<p>540 Juliette E. TenBroeck, North Powder, Oregon.</p>	1890 1904	1.75 0.43	70 17	Irrigation, Domestic & Stock	Pilcher-Evans Filkins		<p>18 acres in NE¼ SE¼; 22 acres in NW¼ SE¼; 15½ acres in SE¼ SE¼; Sec. 21; 35½ acres in SW¼ SW¼; Sec. 22; Tp. 6 S. R. 38 E. W. M. in Union County, Oregon.</p>
<p>41 J. J. Welch, Haines, Oregon. T-6219 A POP v.43/504</p>	1898 1906	1.64 3.64	120 267	Irr., Dom. & stock	Carnes Co.		<p>40 acres in NE¼ SW¼; 40 acres in NW¼ SE¼; 55 acres in SW¼ SE¼; 52 acres in SE¼ SE¼; Sec. 24; 160 acres in NE¼; Sec. 25; Tp. 6 S. R. 38 E. W. M., — 80 acres in W¼ NE¼; Sec. 30; Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.</p>
<p>1542 Clara M. Welch, Haines, Oregon. T-6219 A POP v.43/504</p>	1905	2.23	155	Irr., Dom. & stock	Carnes Co.		<p>40 acres in SE¼ SW¼; Sec. 24; 55 acres in NE¼ NW¼; 80 acres in S¼ NW¼; Sec. 25; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.</p>
PILCHER CREEK ( A tributary)							
<p>1543 J. O. Pilcher, North Powder, Oregon.</p>	1870	.85	17	Irr., Dom. & stock	Pilcher		<p>17 acres in NE¼ SE¼; Sec. 27; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.</p>
Elmer Shipp, North Powder, Oregon.	1885			Irr., Dom. & stock	Pilcher		<p>A right to supplement the appropriation of this claim- ant of the waters of Anthony Creek, for the irrigation of the lands hereinbefore des- cribed, and for stock and domestic purposes.</p>

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
1544 Alvin O. Smith, North Powder, Ore.	1905	.6	12	Irrigation, Dom., and Stock.  V.	Smith		2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Section  Tp. 7 S. R. 38 E. in Baker County,
<p>ANTOINE CREEK ( A tributary)</p> <p>That S. L. Baer, Sallie Baer, Louis Levinger, Lyle Levinger, F. S. Heard, Lamonda Heard, Byron Vandecarr, and Rose A. Vandecarr are tenants in common in their water rights through the Mansfield Ditches, and have jointly a right of appropriation through said Mansfield Ditches as of the year 1907, to the extent of five hundred and twenty-five (525) inches, or thirteen and one-eighth second feet, of the waters of the South Fork of said North Powder River, as appears from Finding 26 hereof; provided that such water shall have been hereafter applied to beneficial use as herein provided. That said claimants have proceeded with reasonable diligence to construct necessary ditches and laterals and to clear their lands, but that not all of said lands have been irrigated; that said claimants should have and are entitled to a reasonable time to make/full application of said quantity of water, and that said water should be completely applied during the irrigation season of 1915; and it is therefore determined that said claimants jointly are entitled to complete an appropriation of said stream through said ditches as of the year 1907, to the extent of five hundred and twenty-five (525) inches, or thirteen and one-eighth second feet, provided that said water shall have been applied to the land hereinafter described by the end of the irrigation season of the year 1915 and the Superintendent of Water Division No. 2 shall take proof as to the completion of said appropriation after January 1st, 1914, and water right certificates shall be issued to said claimants to the extent that said water shall have been applied to said lands, as appears from said proofs. The following is a statement and description of the lands irrigated and to be irrigated, and said water right is and shall hereafter remain appurtenant to said land, to-wit:</p>							
NAME & P.O. ADD. of CLAIMANT	NO. AC. ACTUALLY IRRIGATED			NO AC. TO BE IRRIGATED			DESCRIPTION OF LANDS
S. L. Baer, Baker. Ore.	160			40			<p>Lands actually irrigated: 80 ac. W<math>\frac{1}{2}</math> SW<math>\frac{1}{4}</math>; Sec. 14; 80 ac. N<math>\frac{1}{2}</math> NW<math>\frac{1}{4}</math>, Sec. 25;</p> <p>Lands to be irrigated: 40 ac. SW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math>; Sec. 14; All in Tp. 7 S. R. 38 E. W.M. Baker County.</p>
Sallie Baer, Baker, Ore.	none			62			<p>Lands to be irrigated: 27 ac. SW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math>; 55 AC. SE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math>; Sec. 25; All in Tp. 7 S. R. 38 E. W. M., Baker County.</p>
F. S. Heard, Haines, Ore.	136			106			<p>Lands actually irrigated: 24 ac. NE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; 40 ac. SW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; 35 ac. SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Sec. 13 37 ac. NW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math>; Sec. 24</p> <p>Lands to be irrigated: 16 ac. NE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Sec. 13 30 ac. SE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math>;</p>

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Name and Postoffice Address of Applicant or Claimant	Date of Relative Priority	Amount Owed Per Acre	Number Acres	Fee	Name of Disch.	Signature	Description of Land as of Date
	No. of Ac. Actually Irrigated			No. Ac. to be Irrigated			Description of land
F. S. Heard (continued)							30 ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 24; all in Tp. 7 S. R. 39 E.; W. M., Baker County.
Lamonda Heard, Haines, Ore.	none			160			Lands to be irrigated: 160 ac. in SW $\frac{1}{4}$ ; Sec. 19; Tp. 7 S. R. 40 E. W. M., Baker County.
F. S. Heard, Louis Levinger, and S. L. Baer, Baker, Oregon.	90			50			Lands actually irrigated: 25 ac. NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 27 ac. NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 7 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 31 ac. SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 22;  Lands to be irrigated: 50 ac. NE $\frac{1}{4}$ ; Sec. 22; Tp. 7 S. R. 39 E. W. M., Baker County.
Lyle Levinger, Baker, Oregon.	129			42			Land actually irrigated: 24 ac. SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14; 40 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 25 ac. " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 23; all in tp. 7 S. R. 39 E., W. M.  Lands to be irrigated: 42 ac. SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14; NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 23; In tp. 7 S. R. 39 E. W. M., Baker County.
Louis Levinger, Baker, Oregon.	140			none			Lands actually irrigated: 40 ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14; 40 ac. NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 23; 20 ac. NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 15; all in Tp. 7 S. R. 39 E. W. M., Baker County. 413
Byron Vandecarr, Haines, Oregon	47			none			Lands actually irrigated: 40 ac. SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 15; 7 ac. SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14; Tp. 7 S. R. 39 E. W. M., Baker County.
Rose Vandecarr Haines, Oregon.	161			39			Lands actually irrigated: 13 ac. SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 28 ac. NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 80 ac. N $\frac{1}{2}$ SE $\frac{1}{4}$ ; Sec. 14; 40 ac. NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 14; Lands to be irrigated: 39 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 14; Tp. 7 S. R. 39 E. W. M., Baker County. 863 419 13624 40
TOTAL	863			499			3405 cfs

VI.

That L. S. Kelsey has initiated a right of appropriation as of the year 1905, of the waters of North Powder River, which is uncompleted, and which he is entitled to complete, for the irrigation of seven hundred and twenty (720) acres of his land, hereinafter described, through the Ellis Ditch, and Sunnyside extensions thereof; that said Kelsey should have until the irrigation season of 1914 to <sup>complete</sup> make/application of said appropriation to said lands, and that said time is a reasonable time within which to make complete application of the water appropriated. That said claimant has been proceeding with due and reasonable diligence to complete his right of appropriation as aforesaid, and is entitled to complete the same. That after January 1st, 1915, the Superintendent of Water Division No. 2, of Oregon, shall take proofs as to the completion of said appropriation, the extent thereof, and the area of acres actually irrigated in each forty (40) acre tract of the hereinafter described lands, and a water right certificate shall issue to said Kelsey as of the priority date of 1905, for the quantity of water actually applied to said lands within said time, according to said proofs. That the quantity of water required for said lands does not exceed the rate of one inch per acre irrigated until July 1st, of each year, and thereafter one-half inch per acre, and said claimant is entitled to such quantity of water, at said rate, as he shall have applied to the said lands within said time, according to the number of acres actually and beneficially irrigated within said time. A description of the lands to which said appropriation is and shall hereafter remain appurtenant is as follows, to-wit; a total of seven hundred and twenty (720) acres, situated in the W $\frac{1}{2}$  of Sec. 10, NW $\frac{1}{4}$  of Sec. 15; NW $\frac{1}{4}$  of Sec. 14; and in Sec. 11; Tp. 6 S. R. 39 E. W. M.

The said right of said Kelsey shall be and remain appurtenant to the acreage actually <sup>tract</sup> irrigated in each forty (40) acre / of the above land, not exceeding a total of seven Hundred and twenty (720) acres thereof, within the time limited herein.

VII.

Respectfully reserving to the Court the consideration and determination of the questions of law arising in the matter of the rights claimed by the North Powder Milling and Mercantile Company, and P. L. Smith, J. D. McPhee, and James Dalton, to the use of the waters appropriated in the year 1870 by the predecessors of said North Powder M. and M. Co., during the months of July and August of each year, the Board affirms its former decision as to such appropriation and rights of use during said Months, as follows, to-wit:

That James Dalton, P. L. Smith and J. D. McPhee are entitled to divert and use the water of said North Powder River and its tributaries, above the heads of their respective ditches, for the irrigation of their lands hereinbefore described, through the ditches herein-

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before named, opposite their respective names, as of the priority date of 1870, to the extent of ten (10) second feet of said stream, proportioned as follows: James Dalton five (5) second feet; P. L. Smith, three and thirty two one-hundredths (3.32) second feet; J. D. McPhee, one and sixty-eight one-hundredths (1.68) second feet; that the right of said claimants to divert the waters of said stream to said extent and as of said date is confined to the months of August and July of each year, and the right to divert the amount of the proportional part thereof, of each of said claimants through said ditches, is in subordination to the prior rights to the use of said ditches by the owners thereof, other than these claimants; that the quantity to which the appropriation of the North Powder Milling and Mercantile Company is entitled during said months of July and August, shall not exceed fifteen (15) second feet; and the rights to the use of <sup>water by said</sup> said claimants Dalton, McPhee and Smith, is appurtenant to the lands of said claimants hereinbefore described, and for the purpose of supplementing their respective appropriations as hereinbefore set forth. The quantity of water to which each of said last named claimants is entitled for the irrigation of their lands, shall not exceed at any time during the months of July and August, the rate of one second foot for each eighty (80) acres thereof, measured at the head gates of their respective ditches. 413

#### VIII.

That the rights claimed by S. W. Holmes for the irrigation of his land through the North Powder Milling and Mercantile Company's Mill Race, depends upon the use of the waste waters flowing in said Mill Race, after use thereof by the North Powder Milling and Mercantile Company, in accordance with their right set forth in the Order of Determination, and that said claimant, S. W. Holmes, is limited as to such right to the use of such waste waters, and the right decreed said claimant confers no right of use or diversion of the waters of North Powder River except as the same are diverted into said Mill Race and may come down to his place of use; and the use of said waste waters is subject to the prior rights of use methods of use and diversion thereof of said Company; that the provisions of this Finding shall be substantially incorporated in the certificate of water right issued to said Holmes for the lands described as so irrigated.

#### IX.

Sallie Baer

The Board determines that S. L. Baer, Louis and Lyle Levinger, F. S. and Lamonda Heard, Byron and Rose A. Vandecarr, claimants herein and contestees in the contest brought against the rights claimed by them, by Wm. Anthony and others, are entitled to no earlier rights in said stream and its tributaries through the Mansfield Ditches than their rights of appropriation initiated in the year 1907, as hereinbefore and in the Findings set forth;

that said contestees have failed to establish the rights of appropriation claimed by them in their various statements and proofs of claim filed at the original hearing herein, as of the date 1866, or any other or different date, than the year 1907, that there has been no change in the character of the use of the waters diverted through the Mansfield ditches for mining, to the use for irrigation, or of place of use from the lands of the predecessors of these contestees to their said lands; and the Board concludes, as a matter of law, that such change, in either character of place or use, if made, would be to the detriment and injury of those having rights to the waters of said stream, initiated subsequent to the construction of said Mansfield Ditches and the first appropriation of water through the same; and that the use of said water for mining purposes has been, by non user thereof for more than ten years, abandoned; that the rights and use of the waters of said stream by the owners of said ditches, other than these contestees, depend upon separate appropriations, dating from the time of first diversion and use, for the irrigation of their lands, of the waters diverted through said Mansfield Ditches, by said claimants,

That the rights of said contestees in said contest to the use of the waters of said stream depend upon appropriations by them initiated as tenants in common, in the year 1907, by the purchase of an interest in said ditches and the prosecution of the work of enlarging said ditches and extending the same down to their lands with due diligence, and the application of the waters diverted through the same to their lands in the year 1908.

That the contestants, William Anthony et al., in the contest of Wm. Anthony et al. against the rights claimed by S. L. Baer et. al., as set forth in the Findings herein, shall be deemed to have prevailed in said contest.

X.

That the contestee, Andrew O. Lun, in the contest of C. E. Davis, et al. against the rights claimed by said Lun, shall be deemed to have prevailed in said contest as set forth in the Findings herein.

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XI.

That all rights to the use of the waters of said stream for irrigation purposes, as herein confirmed, are limited as to period of use to a period of time each year, commencing about the 15th day of April and ending the 1st day of September, and said period is hereby declared to be the irrigation season during which water may be diverted and used for the irrigation of the land hereinbefore described; and the rights of appropriation herein confirmed confer no right to the diversion and use of waters which have been lawfully impounded in reservoirs and other storage works which have been, or may hereafter be, constructed in accordance with law, when the same are discharged into the natural channel of said stream, or any tributary thereof, in a lawful manner by those having a lawful right to do so, but

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.

XII.

That none of the claimants hereinbefore named shall be entitled to divert a quantity of water in excess of the quantity hereinbefore determined to be appurtenant to their particular tracts of land, as herein described, nor any quantity in excess of the quantity actually required by them for the beneficial irrigation of their said lands as herein described. Said claimants may divert such quantities as the same is set forth in the tabulated statement herein, as appurtenant to their particular and respective tracts of land, from the beginning of the irrigation season until July 1st of each year; and after July 1st of each year the quantity of water which each of said claimants shall be entitled to divert shall not exceed the rate of one-half inch per acre, or one second foot to each eighty (80) acres of the lands actually irrigated by each claimant, and to which an appurtenant water right is herein confirmed, as those lands are herein described in forty (40) acre tracts, in the tabulated statement hereinbefore set forth. The total quantity which any claimant shall be entitled to divert and use during an irrigation season shall not exceed in the aggregate in each case, two and one-half acre feet per acre actually irrigated of said lands, from the 15th of April to September 1st of each year; that is to say, no claimants shall be entitled to water in excess of a quantity which will supply each acre of his land actually irrigated, and for which a water right has been herein confirmed, to two and one-half acre feet of water during an irrigation season, or to a continuous flow of water in excess of the rate herein limited at any time; and the water right certificate when issued, shall express the limitation hereinset forth as to quantity of water, both in terms of acre feet during the entire irrigation season, and a continuous flow of cubic feet per second to time, to which each of such claimants is entitled, from April 15th to July 1st, and from July 1st to September 1st of each irrigation season. The quantity of water to which each claimant is entitled is to be measured, both as to acre feet, and second feet, at the head of the ditch through which water is diverted from the stream, or within a reasonable distance therefrom. After July 1st of each year the Water Master shall limit the said claimants and each thereof, to the rate of one-half inch per acre, for each acre actually irrigated, and shall regulate the various headgates in accordance with this limitation, according to the priority of the various rights. The division and distribution of water among the various claimants shall be made at all times throughout the irrigation season, in accordance with the dates of relative priority of their respective rights as hereinbefore and in the tabulated statement herein set forth.

XIII.

That the right 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 house hold and stock use; and for stock use, the amount so diverted and used shall not exceed the rate of one-fortieth ( $1/40$ ) cubic foot per second for each five hundred (500) head of stock, or the equivalent of such quantity if accumulated and taken at intervals of time. 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 such stock and domestic purposes, and the right to divert and use the waters of said stream and its tributaries for stock and domestic purposes continuous throughout the year. During the irrigation season, the amount of water confirmed herein to each claimant for irrigation, includes the entire and total amount to which such claimant is entitled for irrigation, stock and domestic purposes, during the irrigation season.

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XIV.

5/11 valid sec  
13 Q 94-97 That the rights of appropriation hereby confirmed are appurtenant to the lands herein described, and for irrigation purposes, the rights of use to 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 hereinbefore set forth, and the priorities herein confirmed confer no right of use of the waters of said stream and its tributaries, on other lands than those specified tracts to which such rights of appropriation are herein set forth as appurtenant.

XV.

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 said water, shall be and is according to the dates of the relative priorities of the rights as herein set forth and determined, and the first in order of time according to the date of relative priority shall be and is the first in order of right; and so on down to the date of the latest priority; and those having prior rights are entitled to divert and use the waters of said stream, and its tributaries, when necessary for beneficial use in connection with the irrigation of their respective lands, or other <sup>useful and</sup> beneficial purpose for which they are decreed a right of use, at all times, as against those having subsequent rights without let or hinderance; but the priorities herein determined and the priorities of the rights of appropriation hereby confirmed, confer 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 the 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 for the beneficial irrigation of his premises, or other beneficial use, he must and shall permit it to flow down in the natural channel of the stream as it was wont to flow in its natural course, without hinderance or diversion thereof, and those having subsequent rights are entitled to the use of such water and to divert the same to the extent of their rights of appropriation, according to the order of their priority rights, and at all times the water 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 having a valid right can beneficially use for the irrigation of his premises or for other purposes to which water is to be put, and in no event shall the quantity diverted exceed the quantity herein confirmed and set forth as the quantity to which such appropriator is entitled, as the same is necessary for the necessary and proper irrigation of his land and has been actually put to beneficial use. Whenever the waters appropriated by those having prior rights are not required by them for irrigation or other beneficial purposes, said water shall be at the disposal and subject to the use of those having later and subsequent rights, in the order of their respective priorities.

#### XVI.

After the first of July of each year, those appropriators of small amounts of water, not exceeding one second foot, shall be required, whenever practicable, to rotate in the use of their water. That in the absence of an agreement between such appropriators arranging for rotation and the manner in which water shall be rotated, the Water Master shall arrange the appropriators in groups or systems of rotation, giving first the appropriator who is first in priority a quantity of water equal to the combined appropriation of all the appropriators in said group or system, for a length of time bearing the same ratio for 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 appropriations of said appropriators; and shall serve the next appropriator in priority with a like quantity of water for his proportion of time, and so on, until all appropriators in said group or system are served; then the distribution of water shall be repeated in the same manner through out the remainder of the irrigation season; in case two or more appropriators in said group or system have equal 416 priorities, then the 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 next lower down, and so on; or in case two or more appropriators have equal priorities and divert water through the same ditch, the 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 the next lower down, on said ditch, next, and so on;

two  
and when/or more appropriators agree as between themselves, as to a 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 agreement into groups or systems of  
distribution under such agreement shall not interfere with the prior rights of any  
appropriator not a member of such group or system.

XVII

That none of the parties prevailing in the contests hereinbefore mentioned  
shall recover costs or disbursements.

By Order of the Board of Control of the State of Oregon, made and entered at  
an adjourned regular meeting of said Board, commenced on the 24th day of April, 1918,  
at the office of said Board, in the State House, at Salem, Oregon.

BOARD OF CONTROL OF THE STATE OF OREGON

By   sgd. John H. Lewis  
          John H. Lewis,  
          State Engineer, President.

sgd. James T. Chinnoek,  
      James T. Chinnoek,  
      Superintendent of Water Division  
      No. 1

sgd. Geo. T. Cochran,  
      Superintendent of Water Division  
      No. 2.

Attest:

sgd. M. F. Mers  
      M. F. Mers  
      Secretary.

# TOWNSHIP INDEX

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33	5 S	39 E	25

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## Township 6 South

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21	6 S	38 E	99, 100, 101
22	6 S	38 E	101
23	6 S	38 E	90
24	6 S	38 E	101
25	6 S	38 E	99, 101
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27	6 S	38 E	93, 95, 100
			101
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SECTION	TOWNSHIP	RANGE	TABULATION PAGE NO.
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Township 6 South

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8	6 S	39 E	98
9	6 S	39 E	98
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20	6 S	39 E	99
21	6 S	39 E	87, 89, 99
22	6 S	39 E	87, 92, 93, 94, 97, 99
23	6 S	39 E	90, 96
24	6 S	39 E	90
26	6 S	39 E	90
27	6 S	39 E	90, 92, 93, 97
28	6 S	39 E	87, 92, 93, 94, 95, 96
29	6 S	39 E	94, 97
30	6 S	39 E	97, 99, 101
31	6 S	39 E	89, 89a, 91, 97
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
W. R. Moore, Haines, Ore. (continued)							40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 25; Tp. 7 S. R. 38 E. W. M., in Baker County, Ore.
<sup>1493</sup> Frank McAllister, North Powder, Ore.	1893	4.75	190	Irrigation	Jacobson 1/6 int. Harlan-Sanders		160 acres in SW $\frac{1}{4}$ ; Sec. 27; 30 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28; Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
<sup>1494</sup> J. D. McPhee, North Powder, Ore.	1888 1890	3.75 6.41	150 256 $\frac{1}{2}$	Irr., Dom. & stock	Smith-McPhee & Tanner McPhee		160 acres in NW $\frac{1}{4}$ ; Sec. 35; 80 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; 58 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 19 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 38 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 25 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 11 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 34; Tp. 6 S. R. 39 E. W. M., in Baker County, Ore.
<sup>1495</sup> F. McCullough, North Powder, Ore.	1877 1892	1.44 1.44	80 80	Irr. & Stock	Bulger 1/6 int.		80 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ ; 80 acres in E $\frac{1}{2}$ NW $\frac{1}{4}$ ; Sec. 15; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>1496</sup> W. L. Miller, Dec'd. Estate of Novella E. Miller Novaona A. Miller, Myrtle M. Miller, Vada V. Miller, Wagman C. Miller, Evalina A. Miller, Clayton K. Miller, Belva M. Miller, Nannie M. Miller, Heirs at law 2350 Carter St., Baker, Oregon. T7289 Add. Poo T7288 Add. Poo	1865 1871 1875 1869 1890	1.25 .63 .90 .95 3.70	50 25 35 38 148	Irr., Dom. & Stock	Gardner Mill Race Bamberger, Powers Co. Ditches 1/7 int.		8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 50 " " SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 9 $\frac{1}{2}$ " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 27; 10 " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 22 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 24 $\frac{1}{2}$ " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 25 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 " " NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 28; 35 " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 80 " " W $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 34; Tp. 6 S. R. 38 E. W. M., in Baker County, Ore.
<sup>1497</sup> North Powder Milling & Mercantile Company, a corporation, North Powder, Ore.	1870	25 except during July and Aug. 15.	none	Power	Company Mill Race		North Powder Milling and Mercantile Co. flour mill, situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22, Tp. 6 S. R. 39 E. W. M., in Union County, Ore. Right limited to the develop- ment of 109 theoretical horsepower. Subject to Paragraph VII of this order. The right to use for power purposes continues through- out the year, but this appro- priation is limited to a quantity not exceeding 15 sec. ft. during July and August of each year.

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
498 G. W. Neill, Haines, Ore.	1901	4.80	192	Irr. & Stock	Kelsey-Wilson		20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 32 " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 " " SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 10; 40 " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 " " NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 15; Tp. 7 S. R. 59 E. W. M., in Baker County, Oregon.
44 58944 & 62314 W. C. Nicholson, Dec'd. Estate of N. J. Hoberg, M. J. Gilbaugh, Verlie T. Berber, Opal Toney, Heirs at Law, C/o N. J. Hoberg, Haines, Ore.	1874 1886	1.50 3.01	60 120 $\frac{1}{2}$	Irr. Dom. & stock	Mansfield 1/4 int. Hartung- Nicholson 1/2 int.		15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 20 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16; 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 12 " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; * 39 " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; * 11 " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21; 5 $\frac{1}{2}$ " " NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 58 " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 22; Tp. 7 S. R. 58 E. W. M., in Baker County, Oregon.
Additional POD T-6003							
500 North Powder, City of North Powder, Ore.	1904	2.00	80	Irrigation	Pearson Town		80 acres within the corporate limits of the town of North Powder, in Union County, Oregon, con- sisting of lots, being in NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22, Tp. 6 S. R. 59 E. W. M., all in Union County, Ore.
51836 Armand W. Perkins, Haines, Oregon.	1884	1.06	42 $\frac{1}{2}$	Irrigation, Dom. & Stock	Gardner-Mill Race & Power Company		7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 25 " " NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 1 $\frac{1}{2}$ " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 52; Tp. 6 S. R. 58 E. W. M., in Baker County, Oregon.
501 Armand W. Perkins, Haines, Oregon.	1894 1894	2.00 0.50	80 20	Irr., Dom. & Stock	Savage 1/8 int. Mansfield 1/16 int.		20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 1/16 Sec. 14; * 80 Acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ ; Savage Sec. 25; Tp. 7 S. R. 58 E. W. M., in Baker County, Ore.
T-5034 & POD							
502 L. W. Perkins, Haines, Oregon.	1877 1895	0.82 0.21	40 10	Irr. & Dom.	Bugler 1/18 int.		40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5; 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 10; Tp. 7 S. R. 58 E. W. M., in Baker County, Ore.
505 64219 Chris Peterson, North Powder, Ore.	1889 1898 1904	.75 7.53 2.51	30 293 92 $\frac{1}{2}$	Irr.	Davis-Kelsey Ellis		-20 -20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; -124 124 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; -102 19 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; -22 22 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 29; 14 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 59 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 59 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 160 acres in SE $\frac{1}{4}$ ; Sec. 29; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;
88-13 cancelled 1/4 acres of 1904			25				

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
J. O. Pilcher, North Powder, Ore.	1869	1.85	74	Irr., Dom. & Stock	Daley		12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 24 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 58 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Section 27. Tp. 6 S. R. 38 E. W. M. in Union County, Ore.
E. H. Pratt, Haines, Ore.	1887 1890	2.60 6.10	104 244	Irrigation, Dom. & Stock	Mansfield John Williams		20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 13 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 acres in E $\frac{1}{2}$ NW $\frac{1}{4}$ ; 38 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 58 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 38 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Section 18; 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 51 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Section 7; Tp. 7 S. R. 39 E. W. M. in Baker County, Oregon
E. H. Pratt, Haines, Oregon.	1904	.15	6	Irrigation, Dom. & Stock	Dutch Flat Creek		6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Section 17; Tp. 7 S. R. 38 E. W. M. Baker County, Oregon. 400
John Powers, Colfax, Wash.	1869	2.06	82 $\frac{1}{2}$	Irr., Dom., & Stock	Daley		5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Section 26; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Section 35; Tp. 6 S. R. 38 E. W. M. in Union County, Oregon.
George W. Pratt, Haines, Oregon	1893 1904	3.93 .25	157 10	Irr., Dom. & Stock	Savage 1/4 int.		*27 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; *27 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; *80 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ ; Section 18; *3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; *20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Section 17; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
Henry Pearson, North Powder, Oregon.	1893 1900	1.00 2.50	35 180	Irrigation Irrigation	Pearson Pearson Town or N. Powder City Ditch		37 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 80 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ ; 36 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 28 T. 6 S. R. 39 E. W. M. in Union County, Ore.
Peter Roethler, Dec'd Estate of, Althema J. Roether, Anna M. Morris, Amos M. Roethler, Cora M. Roether, Peter C. Roethler, Earnest L. Roethler, Hazel J. Neill, Alma C. Roethler, Heirs at Law, Althema J. Roethler, Haines, Oregon.	1897	4.38	312 $\frac{1}{2}$	Irrigation, Dom. & Stock	Mansfield 1/24 int.		40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Section 15; 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 32 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 22 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Section 18; 25 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Section 21; T. 7 S. R. 39 E. W. M., in Baker County, Oregon..

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 Piece of Use
MICHAEL J. RELLING, Dec'd., Estate of Francis H. Relling, Agatha C. Relling, Angela R. Conway, Blanche C. Wilkins, Eughprosnye Bowen, Geo. N. Relling, Mrs. E. C. Relling Heirs at law, By Mrs. E. C. Relling, Haines, Oregon.	1881 1893	2.50 2.50	100 100	Irrigation, Dom. & Stock	Blume-Zilkey 1/4 int. John Williams Ditch		80 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 80 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ ; Sec. 14; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
P. L. Smith, North Powder, Ore.	1888 1889 1890	2.00 7.75 3.95	80 310 158	Irr., Dom. & Stock	Kelsey-Wilson Smith-McPhee & Tanner. McPhee		58 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28; 80 " in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; 80 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ ; 39 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 31 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 25; 160 acres in NW $\frac{1}{4}$ ; Sec. 34; Tp. 6 S. R. 39 E. W. M. in Baker County, Oregon 80 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; Sec. 4; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
L. Savage, Haines, Oregon.	1876 1889	3.43 .70	137 28	Irr. Dom. & stock	Mansfield Ditches. Joe Savage Ditch.		5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 22; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 25; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
G. J. Savage, Haines, Oregon.	1893	.35	14	Irr.	Bugler		14 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 9; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
Fred V. Spence, Haines, Oregon	1907	1.00	31	Irr.	Warfield- Burnside		31 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 13; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
O. D. Thomlinson North Powder, Ore.	1890	4.00	160	Irr., Dom. & Stock	Harlan-Sanders		160 acres in SW $\frac{1}{4}$ ; Sec. 25; Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
H. C. Travillion, North Powder, Ore.	1893	1.00	34	Irrigation	McPhee		25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 35; Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
Byron Vandecarr, Haines, Ore.	1901	2.80	112	Irr.	Smith-McPhee & Tanner.		40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 33 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14; 39 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 15; Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.

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
<sup>1517</sup> M. F. Wilcox, Haines, Oregon. T-5783 A P.O. 1012 NWNE	1881 1887	1.35 2.60	54 104	Irr., Dom. & stock	Harlan-Sanders		30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22; 80 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 27; Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
<sup>1518</sup> W. J. Welch, Haines, Oregon.	1879 1890	.75 3.00	90 365 $\frac{1}{2}$	Irr., Dom. & Stock	Blume-Zilkey 1/4 int.		24 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11; 80 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ ; 36 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 32 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 12; 160 acres in NW $\frac{1}{4}$ ; Sec. 15; 80 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ ; Sec. 14; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>1519</sup> James R. Warfield, Haines, Oregon.	1900	1.00	23 $\frac{1}{2}$	Irrigation	Warfield-Burnside. 1/5 int.		8 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 28; Tp. 7 S. R. 38 E. W. M., in Baker County, Ore.
<sup>20</sup> Elmer Warfield, Haines, Oregon.	1900	1.00	15	Irrigation	Warfield-Burnside. 1/4 int.		15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>1521</sup> Arthur Warfield, Haines, Ore.	1900	1.00	10	Irrigation			10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>522</sup> Edward W. Warfield, Haines, Oregon	1894 1906	0.25 0.40	10 16	Irrigation	Mansfield (by permission)		11 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21; Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>1523</sup> Harry C. Williams, Haines, Oregon.	1880 1896	.97 .34	70 23 $\frac{1}{2}$	Irr. Dom. & Stock	Bugler 1/18 Int.		30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 23 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10. Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>524</sup> James B. Wilson, North Powder, Ore.	1889	9.75	390	Irr., Dom. stock	Davis-Kelsey		160 acres in NW $\frac{1}{4}$ ; 80 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$ ; 51 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 29; 19 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 30; 13 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 31; 14 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 32; Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.

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
515 James T. York, North Powder, Ore.	1892 1902	3.55 1.28	142 51	Irr., Dom. & Stock.	Smith-McPhee & Tanner		16 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2; 19 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 26 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 56 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 5; Tp. 7 S. R. 59 E. W. M., in Baker County, Oregon.
525 James T. York, and Charles Dustin, North Powder, Ore.	1892	5.00	200	Irr., Dom. & Stock	Smith-McPhee & Tanner		40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 160 acres in SW $\frac{1}{4}$ ; Sec. 35; Tp. 6 S. R. 59 E. W. M., in Baker County, Oregon.
A N T H O N Y C R E E K (A tributary)							
526 William Anthony, North Powder, Ore.	1871	1.00	10	Irr., Dom., & Stock	Anthony		1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
527 SARAH ANTHONY, Dec'd Estate of C. H. Anthony, Annie Bozarth, Orel Winchester, Francis Young, Lettie Williams, Dora Riggs, Heirs at law, By Milliard Anthony, 2340 Auburn, Ave., Baker, Oregon.	1871	1.00	31	Irr., Dom. & Stock	Anthony		27 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20; Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
528 John Brant, North Powder, Ore.  T-6219 $\Delta$ P.O. J 43/504	1898	7.50	499 $\frac{1}{2}$	Irrigation	Carnes Co.		51 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 19 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 56 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 7; 22 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 34 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 55 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 53 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 8; 17 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 58 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 9; Tp. 6 S. R. 59 E. W. M., in Union County, Oregon.

T O W N S H I P I N D E X (continued)  
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Township 7 South

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3	7 S	38 E	8, 9, 11, 18
5	7 S	38 E	27
9	7 S	38 E	20
10	7 S	38 E	8, 9, 12, 18, 22
11	7 S	38 E	6, 10, 12, 21
12	7 S	38 E	6, 9, 21
13	7 S	38 E	11, 21
14	7 S	38 E	5, 11, 13, 18, 20, 21
15	7 S	38 E	12, 13, 15, 17
16	7 S	38 E	13, 18
17	7 S	38 E	19
21	7 S	38 E	5, 18, 22
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23	7 S	38 E	5, 16, 18, 20
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2	7 S	38 E	84, 88, 89
3	7 S	38 E	87, 88, 89, 94
5	7 S	38 E	102
9	7 S	38 E	96
10	7 S	38 E	87, 89a, 94, 97
11	7 S	38 E	85, 88, 89a, 97
12	7 S	38 E	85, 88, 97
13	7 S	38 E	89, 96, 97
14	7 S	38 E	84, 89, 90, 94, 96, 97
15	7 S	38 E	89a, 92, 93
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17	7 S	38 E	95
21	7 S	38 E	84, 94, 97
22	7 S	38 E	89a, 92, 94, 96
23	7 S	38 E	84, 93, 94, 96
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5	7 S	39 E	5
6	7 S	39 E	7, 10
7	7 S	39 E	6, 9, 10, 19
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9	7 S	39 E	7
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SECTION	TOWNSHIP	RANGE	TABULATION PAGE NO.
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Township 7 South

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15	7 S	39 E	17, 20
16	7 S	39 E	15, 20
17	7 S	39 E	7, 19
18	7 S	39 E	6, 19
20	7 S	39 E	15
21	7 S	39 E	15, 20

MODIFIED FINDINGS - APRIL 24, 1913 - pp. 84-102

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3	7 S	39 E	86, 98
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5	7 S	39 E	84, 91
6	7 S	39 E	86, 89, 91
7	7 S	39 E	85, 88, 89, 95
8	7 S	39 E	85
9	7 S	39 E	86
10	7 S	39 E	86, 87, 90, 94
11	7 S	39 E	90, 91
13	7 S	39 E	96
14	7 S	39 E	91, 96
15	7 S	39 E	94, 95
16	7 S	39 E	92, 95
17	7 S	39 E	85, 95
18	7 S	39 E	85, 95
20	7 S	39 E	92
21	7 S	39 E	92, 95

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22	7 S	39 E	2
23	7 S	39 E	2
24	7 S	39 E	2



La Grande, Oregon, July 29, 1914

Mr. W. M. Gardner,

North Powder, Oregon;

My Dear Gardner:-

Yours of the 26th instant received. As requested by you, I herewith inclose a copy of my decree in the matter of the determination of the relative rights of water in North Powder River. I understand that there was some misunderstanding about the effect of the decree, some claiming that those taking water from the Mansfield ditches had a right to a priority of one hundred inches of 1868, and could use the same upon their land about seven miles from the place of diversion. Such, as you will observe, is not the decree of the court, for while the decree allows the contestants to appropriate one hundred inches of water with a priority of 1868, yet the decree expressly provides that the water shall be returned to Little Muddy Creek immediately below the lands of A. J. and Lucinda Hartung. If there is any further information you desire, please write me.

Yours very truly,

(Sgd.) J. W. Knowles

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

BE IT REMEMBERED, That at a regular term of the Circuit Court of the State of Oregon for the County of Union, begun and held at the Court House in the city of La Grande, in said County and State, on Monday, the 2 day of February, A. D., 1914, the same being the first Monday of said month, and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. W. KNOWLES, Judge Presiding

F. S. IVANHOE, District Attorney

ED. WRIGHT, Clerk

AUGUST HUG, Sheriff.

WHEN, on Monday, the 6<sup>th</sup> day of April, A. D., 1914, or the 52<sup>nd</sup> Judicial Day of said term, among others the following proceedings were had, to-wit:

IN THE MATTER OF THE DETERMINATION  
OF THE RELATIVE RIGHTS TO THE WATERS  
OF NORTH POWDER RIVER AND ITS TRIB-  
UTARIES, A TRIBUTARY OF POWDER RIVER  
IN UNION AND BAKER COUNTIES, OREGON  
-----

Now at this time this cause came for further hearing upon the Exceptions of C. E. Davis and others, Water Users of the North Powder River and its tributaries, to the modified Findings and order of determination of the Board of Control, made and filed herein on the 18th day of June, 1913, in the above entitled matter, upon the contest of William Anthony and others against S. L. Baer and others, upon their claim to waters of North Powder River and its tributaries diverted in and by means of the Mansfield Ditches, and the order of determination of the Board of Control thereon, and upon the confirmation of said order of determination of the Board of Control, the Board of Control appearing by Hon. Geo. T. Cochran of the Board, C. E. Davis and others appearing by Crawford & Eakin of counsel; James Hutchinson and others appearing by C. H. Finn, of counsel; the North Powder Mercantile & Milling Company, and J. D. McPhee, James Dalton and P. L. Smith appearing by C. E. Cochran, of counsel; and the claimants S. L. Baer and others appearing by Claude McCulloch, of counsel; and the court having heretofore heard the argument of counsel, and having taken the said cause under advisement until this time, and being now fully advised in the premises both as to the facts and the law applicable thereto, the Court finds as follows:

(1) That in so far as said modified order of determination of the Board of Control, in Paragraphs XIV and XV attempts to limit and confine the waters diverted and used to the lands of the respective parties therein described and upon which said waters have been heretofore used, and prohibits their use upon any other lands, the said order of determination should be and is set aside and held for naught.

(2) That in so far as said modified order of determination relative to the rights of the contestees S. L. Baer and others, found in Paragraphs V and IX of said order of determination, limits said contestees to five hundred and twenty-five miners inches of water, with priority as of 1907, the same should be and is set aside, and the said contestees are hereby awarded one hundred inches of the waters of North Powder River with a priority of 1888, the same to be diverted through the Mansfield ditches and returned to Little Muddy Creek immediately below the lands of A. J. and

fifteen second feet, with a priority of 1907.

(3) That in so far as said modified order of determination of the Board of Control attempts to limit the rights of the claimants to divert and use water from said stream for irrigating purposes to commence April 15th and end September 1st of each year, the same should be and is set aside and held for naught; and the said claimants to said waters for irrigation purposes are hereby allowed to divert, according to their priority, one inch per acre from the 1st of March to the 1st of July of each year, and one-half inch per acre from the 1st of July to the 1st of October of each year.

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(4) That in all other respects the exceptions and objections herein filed should be and the same are overruled and denied.

It is, therefore, ORDERED, ADJUDGED AND DECREED, That said modified Findings of Facts of the Board of Control in the above entitled matter, as herein modified, be and they are hereby adopted as the Findings of this Court herein; and that said modified order of determination of the Board of Control be and the same is here now modified in the manner and respects above set forth, and that the said order of determination, so modified is here now in all things affirmed, and adopted as the decree of this court.

It is further ORDERED, ADJUDGED AND DECREED, That each of the parties to the proceeding and to any contest herein, pay his and their own costs and disbursements herein, and that no one is entitled to recover costs off the other.

J. W. KNOWLES  
Circuit Judge.

STATE OF OREGON     )  
                          ) ss.  
County of Union     )

I, Ed Wright, County Clerk and Ex-officio Clerk of the Circuit Court of Union County, State of Oregon, do hereby certify that the foregoing copy of Order in the matter of the determination of the relative rights to the waters of North Powder River and its tributaries, a tributary of Powder River in Union and Baker Counties has been compared by me with the original, and it is a correct transcript therefrom and of the whole of such original order, as the same appears of record in my office and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this court this 7th day of May, A. D. 1914.

(Seal of the Circuit Court for Union County)

Ed Wright, County Clerk  
By Anna Alexander, Deputy.

STATE OF OREGON     )  
                          ) ss.  
County of Marion    )

I, W. F. Mers, Secretary of the State Water Board of the State of Oregon, do hereby certify that the foregoing copy of transcript of Journal Entry was received in the office of the State Water Board, on the 8th day of May, 1914, and entered of record herein on this 8th day of May, 1914.

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

( SEAL OF THE STATE WATER BOARD OF OREGON )

W. F. Mers  
Secretary of the  
State Water Board of Oregon

BE IT REMEMBERED, That at a regular term of the Circuit Court of the State of Oregon, for the county of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Monday, the 7 day of Feby. A. D., 1916, the same being the first Monday of said month, and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable, J. W. KNOWLES, JUDGE PRESIDING

COLON R. EBERHARD, DISTRICT ATTORNEY

ED WRIGHT, CLERK

AUGUST HUG, SHERIFF.

When on Monday the 1 day of May, A. D., 1916, or the 66<sup>th</sup> Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the determination )  
of the relative rights to the waters )  
of North Powder River, and its tri- )  
butaries, a tributary of Powder River. )  
-----

Now at this time this cause came on for decree upon the findings and order of determination of the Board of Control as modified by Circuit Court of Union County, Oregon, and as modified and approved by the Supreme Court on appeal in accordance with the Mandate of said Supreme Court herein set out as follows:

"BE IT REMEMBERED, that at a regular term of the Supreme Court of the State of Oregon, begun and held at the court room in the city of Salem, on the first Monday the 5th day of October, 1914.

WHEREUPON on this Tuesday the 10th day of November, 1914, the same being the seventeenth judicial day of said term, there were present:

Thomas A. McBride, Chief Justice  
Frank A. Moore, Associate Justice  
Henry J. Bean, Associate Justice  
George H. Burnett, Associate Justice  
Robert Eakin, Associate Justice  
William M. Ramsey, Associate Justice  
Charles L. McNary, Associate Justice  
J. C. Moreland, Clerk.

when the following proceedings were had:

In the Matter of the Determination )  
of )  
the Relative Rights to the Waters )  
of North Powder River and its )  
tributaries, a Tributary of Powder )  
River, in Union and Baker Counties, )  
Oregon. )  
DEPARTMENT TWO  
APPEAL FROM UNION.

This cause having on the 29th day of June, 1914, been duly tried, argued and submitted to the court upon and concerning all the questions arising upon the transcript, record and evidence, and then reserved for further consideration. And the court having duly considered all the said questions, as well as the suggestions made by counsel in their argument and briefs finds that there is partial error as alleged. It is therefore ordered, adjudged and decreed by the court that the decree of the Court below in this cause rendered and entered be and the same is modified as set forth in the opinion of the court filed herein.

And it is further ordered that neither party recover costs in this court or in the court below.

And it is further ordered that this cause be remanded to the court below from which this appeal was taken, with directions to enter a decree in accordance herewith and to modify the decree of the court below in this cause rendered and entered as set forth and determined in the opinion of the court rendered herein, and when so modified said decree of the court below shall be affirmed and stand as the decree of this court in this cause."

The Board of Control appearing by James T. Chinnock, and Geo. T. Cochran, of the Board; water users, C. E. Davis, et als, appearing by Crawford & Eakin of counsel; water users James H. Hutchinson et als, appearing by C. H. Finn of counsel; the North Powder Mercantile & Milling Co., J. D. McPhee, James Dalton and P. L. Smith, appearing by C. E. Cochran of counsel, and the claimants, S. L. Baer, et als, appearing by Claude McCulloch of counsel; and the court being now fully advised in the premises, and in pursuance of the said <sup>said</sup> Mandate of our Supreme Court herein filed and entered in this court.

It is therefore ordered, adjudged and decreed, that the modified findings and order of determination of the said Board of Control filed in this court on June 13th, 1913, are here now modified in the following particulars, to-wit:

1. That in so far as said findings and modified determination of the said Board of Control attempts to limit and confine the waters diverted and used to the lands of the respective parties therein described and upon which said waters have been heretofore used, and prohibits their use upon any other lands, the said findings and Order of Determination should be and the same is here now set aside and held for naught.

*This is directly contradictory to the Mandate of Supreme Court. It must therefore be disregarded except as there is no prohibition to filing app for transfer of place of use.*

2. That in so far as said findings and modified Order and Determination fixes and determines the rights of the contestees, S. L. Baer, et als, and limits said contestees to five hundred and twenty-five miner's inches of water with priority as of 1907, the same should be and is here now set aside, and the said contestees are here now awarded One Hundred miner's inches of the waters of said

North Powder River with priority as of 1868, the same to be diverted through the Mansfield Ditches and returned to Little Muddy Creek immediately below the lands of A. J. <sup>and</sup> Lucinda Hartung; and said contestees are further awarded six hundred miner's inches, or fifteen second feet of the waters of the North Powder River with priority as of 1907 to be diverted through said Mansfield Ditches.

*Irrig Season*

3. That in so far as said findings and modified Order and Determination of said Board of Control attempts to limit the rights of said claimants and water users to divert and use the waters of said stream for irrigation purposes to commence April 15th, and end September 1st, of each year, the same should be and is here now set aside and held for naught; and the said claimants and water users are hereby decreed to be entitled to divert and use for irrigation purposes, according to their respective priorities, one miner's inch of water per acre from the 1st day of March to the 1st day of July, and one half inch per acre from the 1st of July to the 1st of October of each year.

4. That in so far as said findings and modified Order and Determination of said Board of Control, finds and awards to the North Powder Mercantile & Milling Company, one thousand miner's of the waters of the North Powder River for power purposes in the operation of its flouring mill at North Powder, Oregon, with priority as of 1870, during the months and seasons of each year, the same is here now set aside and held for naught; and it is here now found, ordered, adjudged and decreed, that said North Powder Mercantile & Milling Company have no rights to either divert or use any of the waters of the North Powder River for power or other purposes during the months of July or August of each and every year, and that the claimants and water users here in on said stream above said Milling plant have acquired by adverse user for more than ten years prior to the commencement of this proceeding the right to divert and use for irrigation purposes upon their respective lands all of the waters of the said North Powder River and its tributaries during the said months of July and August of each and every year.

5. That in so far as said findings and modified Order of Determination of said Board of Control finds and awards to J. D. McPhee, James Dalton, and P. L. Smith four hundred miner's inches of the waters of said stream for irrigation purposes during the months of July and August of each year with priority as of 1870 by purchase from the North Powder Mercantile & Milling Company, the same is here now set aside and held for naught, and it is further ordered, adjudged and decreed that neither said J. D. McPhee, James Dalton or P. L. Smith or either of them, have, hold, possessor own or hold any right whatever by purchase from the North Powder Mercantile & Milling Company to any of the waters of said stream for irrigation or other pur-

poses during the months of July and August of each year.

That said findings and modified Order and Determination of the said Board of Control as herein above modified is here now in all things approved and confirmed and is here now made the findings, and Order of Determination of the relative rights of all claimants of, in and to the waters of North Powder River and its tributaries. And for the purpose of definitely fixing and settling the amount of water to which each of said water users are entitled with the date of priority, including the ditch through which the same is diverted and the lands upon which the same have been used, the tabulated statement made by the said Board of Control, and filed and submitted to the court as part of their Order of Determination, and as modified by this court, and the said Supreme Court is here now adopted and approved and is made a part of this decree as follows.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & interest	Stream	Description of Land or Place of Use
<u>NORTH POWDER RIVER</u>							
50 John Ashworth Haines, Oregon	1880 1898	0.45 2.55	18 102	Irr.	Hearing & Angel 1/2 int.		38 ac. in NW1NE1; 37 ac. in NE1NW1; 18 ac. in NW1NW1; 27 ac. in SE1SW1; Sec. 21 Tp. 7 S. R. 38 E. W. M. In Baker County, Oregon.
John Brant, North Powder, Ore.	1899	3.90	155 1/2	Irr.	Smith- McPhee & Tanner		39 ac. in NE1SW1; 27 ac. in NW1SW1; 8 ac. in SW1SW1; 40 ac. in SE1SW1; Sec. 35 Tp. 6 S., R. 39 E.W.M. 28 ac. in NE1NW1; 13 1/2 ac. in SE1NW1; Sec. 2; Tp. 7 S.R.39 E.W.M. All in Baker County, Oregon.
<del>S.2 &amp; CANCELED Spec. Or. V.3 p.23</del>							
52 J. E. Burnside Haines, Ore.	1900	1.00	14	Irr.	Warfield- Burnside 1/4 int.		14 ac. in SE1SW1; Sec. 21 Tp. 7 S. R. 38 E.W.M., in Baker County, Oregon.
53 Sam & W. A. Carnes North Powder, Ore.	1886	2.97	119	Irr.	Kelsey- Wilson		40 ac. in SW1SW1; Sec. 32 Tp. 6 S.R.39 E.W.M. 10 ac. in NW1NE1; 39 ac. in NE1NW1; 30 ac. in NW1NW1; Sec. 5 Tp. 7 S. R. 39 E.W.M. All in Baker County, Oregon.
Clayton Coleman Baker, Ore.	1893 1906	1.73 .75	69 30	Irr.	Mansfield 1/8 int.	30 A. 20 R. - S. 20 R. - V. 1, 2, 3, 4, 5	10 ac. in SE1SE1; 30 ac. in NE1SE1; Sec. 14; 40 ac. in NE1NE1; 19 ac. in NW1NE1; Sec. 23 T. 7 S., R. 38 E.W.M. All in Baker County, Oregon.



Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cable-Post Fee-Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<sup>1485</sup> C. E. & A. B. Davis North Powder, Ore.	1878 1888 1906	580.11. 1.75 12.40 .38	70 496 15	Irrigation Domestic & Stock	Powers Co. 1/7 int.		28½ ac. in SW¼ SW¼; 19½ ac. in SE¼ SW¼; 15½ ac. in SW¼ SE¼; 12½ ac. in SE¼ SE¼; Sec. 36 1½ ac. in NE¼ SE¼; 58½ ac. in SE¼ SE¼; Sec. 35 Tp. 6 S. R. 38 E. W. M 160 ac. in NE¼; 80 ac. in E¼ NW¼; 40 ac. in NW¼ NW¼; 37 ac. in SW¼ NW¼; 80 ac. in N¼ SE¼; Sec. 1 40 ac. in NE¼ NE¼; 58 ac. in SE¼ NE¼; Sec. 2 Tp. 7 S. R. 38 E. W.M. in Baker.
<sup>1455</sup> C. E. & A. B. Davis North Powder, Oregon	1877 1903	1.73 3.75	69 150½	Irrigation Dom. & Stock	Bulger 1/3 int.		26 ac. in NE¼ NE¼; 1½ ac. in NW¼ NE¼; 56½ ac. in SE¼ NE¼; Sec. 11 80 ac. in N¼ NW¼; 59 ac. in SW¼ NW¼; 58 ac. in SE¼ NW¼; Sec. 12 Tp. 7 S. R. 38 E. W.M. in Baker County, Orega
<sup>1456</sup> J. S. Davis, North Powder, Oregon	1874	2.1	84	Irrigation & Domestic	Davis- Dalton 1/3 int.		21½ ac. in NW¼ SW¼; 11½ ac. in SW¼ SW¼; Sec. 36 17½ ac. in SE¼ NE¼; 53½ ac. in NE¼ SE¼; Sec. 35 Tp. 6 S. R. 38 E. W.M. in Baker County, Ore.
<sup>1456</sup> J. S. Davis North Powder, Ore.	1887	5.58	223	Irrigation & Dom.	Davis Kelsey 1/4 int.		1½ ac. in NE¼ NE¼; 7½ ac. in NW¼ NE¼; 80 ac. in S¼ NE¼; 16½ ac. in NE¼ NW¼; 25 ac. in NW¼ NW¼; 18 ac. in SW¼ NW¼; 32 ac. in SE¼ NW¼; Sec. 36 34½ ac. in NE¼ NE¼; 8 ac. in SE¼ NE¼; Sec. 35 Tp. 6 S.R. 38 E. W.M., in Union County, Orega
<sup>5562</sup> <sup>1457</sup> W. S. Dougherty North Powder, Oregon  T-5227 AP0D 111	1904	7.3	292	Irrigation	Warfield Burnside 1/8 int.		40 ac. in NE¼ SE¼; 33 ac. in SE¼ SE¼; Sec. 7 21 ac. in NE¼ NE¼; 2 ac. in SE¼ NE¼; Sec. 16 12½ ac. in NW¼ SW¼; 25 ac. in SW¼ SW¼; Sec. 8

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount <del>Per Section</del> Per Section	Number Acres	Use	Name of Ditch & interest	Streams	Description of Land or Place of Use
<sup>1457</sup> W. S. Dougherty (continued) T-522-4		Sec. 17					36 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 26 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 17 Tp. 7 S. R. 39 E.W.M. in Baker County.Ore.
<sup>1458</sup> Laura A. Dodson Baker, Ore.	1865 1873 1886	1.33 3.50 .53	53 140 21	Irrigation & Domestic	Old Powers Power Co. & J. L. Dodson, Ditches		30 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 16 Baker; 14 Union 30 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 23 " 7 Union 37 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Baker Co 40 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; ✓ 40 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; ✓ 37 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; ✓ Sec. 35 Tp. 6 S. R. 38 E.W.M. All in Baker & Union Counties, Oregon.
<sup>1459</sup> J. L. Dodson Baker, Oregon	1884 1906	2.50 .75	100 30	Irrigation & Domestic	Daley, Powers Co. & Gardner Mill, Race Ditches.		29 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 34 Tp. 6 S. R. 38 E.W.M. in Union County, Oregon 25 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 34 Tp. 6 S. R. 38 E. W.M., in Baker County, Oregon.
<sup>1460</sup> James Dalton North Powder, Oregon.	1888	4.31	172 $\frac{1}{2}$	Irrigation Dom. & Stock	Kelssy- Wilson		40 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 34 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 18 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 10 40 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 2 Tp. 7 S. R. 39 E. W. M., in Baker County. Oregon.
<sup>1460</sup> James Dalton North Powder, Oregon T-6345 & POW	1888	5.20	208	Irrigation Dom. & Stock	Davis- Dalton		38 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 38 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 6 3 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 9 17 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 21 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 16 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 4 Tp. 7 S. R. 39 E. W.M., in Baker County. Oregon
<sup>1460</sup> James Dalton, North Powder, Ore.	1893	8.40	336	Irrigation Domestic & Stock	Smith- McPhee & Tanner		40 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec.10 17 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 39 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 160 ac. in SW $\frac{1}{4}$ ; Sec. 3 Tp. 7 S.R. 39 E. W. M., in Baker County, Ore.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<sup>1461</sup> S. A. Daughtery North Powder, Oregon	1881 1874	4.55 .18	182 7	Irrigation Dom. & Stock	Powers Co. Gardner Mill Race		80 ac. in S $\frac{1}{2}$ NE $\frac{1}{4}$ 59 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 33 15 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28 Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>1462</sup> B. P. Doherty Pendleton, Oregon T-6649 $\Delta$ P00	1903	1.00	38 $\frac{1}{2}$	Irrigation & Domestic	Kelsey- Wilson		58 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 32 Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
<sup>1462</sup> B. P. Doherty Pendleton, Oregon T-6651 $\Delta$ P00	1893	2.8	112	Irrigation & Stock	Smith, McPhee & Tanner		57 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Baker Co. 59 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 35 Baker, & Union 58 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Baker Sec. 32 Tp. 6 S. R. 39 E. W. M., all in Baker and Union Counties, Oregon.
<sup>1463</sup> L. M. Dougherty North Powder, Oregon	1898	3.13	125	Irrigation Domestic & Stock	Smith, McPhee & Tanner		80 ac. in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10 Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
<sup>1464</sup> Allie Dalton North Powder, Oregon	1904	1.00	36	Irrigation	Ellis <del>Canceled Sp. Or. Rec. Vol. 43 P. 169</del>		16 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28 Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
<sup>1465</sup> Grant Dalton North Powder, Oregon	1887 1897 1904	2.00 2.00 1.00	80 CANCELED 80 CANCELED 35 $\frac{1}{2}$	Irrigation	<del>Canceled Sp. Or. Rec. Vol. 43 P. 175</del> Davis Kelsey & Ellis		160 ac. in SE $\frac{1}{4}$ ; CANCELED Sec. 21 16 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 16 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 3 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22 Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
<sup>1466</sup> Ben Fisher Haines, Oregon.  Suppl. to Cert. 4149- Powder River Adj.	1880	.5		Suppl. Irrigation	Bulger		A right to supplement the flow of certain springs for the irrigation of; 58 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 3 28 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 10 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Ceded Feet Sec. ft.	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<sup>1435</sup> H. K. Fisher Haines, Oregon	1877 1905	1.37 .13	80 9½	Irrigation & Dom.	Bulger 1/8 int.		54 ac. in SW¼ NE¼; 18½ ac. in NE¼ SE¼; 39 ac. in NW¼ SE¼; Sec. 10 Tp. 7 S. R. 58 E. W. M., in Baker County, Oregon.
<sup>1467</sup> W. L. Goff North Powder, Oregon Canceled Sp.Or.Rec.Vol. 43 p. 358	1897 1893 1904	1.00 1.00 1.00	32 38 35½	Irrigation	Davis- Kelsey Pearson Ellis		18 ac. in NE¼ NE¼ CANCELED 20 ac. in NW¼ NE¼; 31 ac. in SE¼ NE¼; 20 ac. in NE¼ NW¼; 12 ac. in NW¼ NW¼; Sec. 28 Tp. 6 S. R. 59 E. W. M., in Union County, Oregon.
<sup>1468</sup> William N. Gardner North Powder, Oregon	1862 1870	2.18	None 87	Domestic & Stock Irrigation	Gardner Mill Race		40 ac. in NE¼ SW¼; 40 ac. in NW¼ SW¼; 7 ac. in SE¼ SW¼; Sec. 35 Tp. 6 S. R. 58 E. W. M., in Baker County.
<sup>1468</sup> William N. Gardner North Powder, Oregon	1871 1875 1895	.75 .95 .50	30 37 20	Irrigation Domestic & Stock	Hunsaker Powers Company		17 ac. in NE¼ NE¼; 21 ac. in NW¼ NE¼; 21 ac. in SW¼ NW¼; 28 ac. in SE¼ NW¼; Sec. 35 Tp. 6 S. R. 58 E. W. M. in Baker County.
<sup>1469</sup> J. H. Hutchinson Union, Oregon	1873 1895 1903	3.45 5.68 2.94	190 313 162	Irrigation Dom. & Stock	Side Hill		10 ac. in NE¼ NE¼; 40 ac. in NW¼ NE¼; 38½ ac. in SW¼ NE¼; 40 ac. in SE¼ NE¼; 40 ac. in NE¼ SW¼; 9 ac. in SE¼ SW¼; 38 ac. in NW¼ SW¼; 17½ ac. in SW¼ SW¼; 40 ac. in NW¼ SE¼; Sec. 7 Tp. 7 S. R. 59 E. W. M., 5 ac. in SW¼ NE¼; 39 ac. in SE¼ NE¼; 80 ac. in N¼ SE¼; Sec. 5 30 ac. in NE¼ NE¼; 80 ac. in S¼ NE¼; 160 ac. in SE¼; Sec. 12 Tp. 7 S. R. 58 E. W. M., in Baker County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Quota Paid Per Acre Sec. ft.	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<sup>1469</sup> J. H. Hutchinson Union, Oregon	1871 1882	8.64 2.50	345½ 100	Irrigation Dom. & Stock	Gardner Mill Race		80 ac. in N½ SE¼; 28 ac. in SE¼ SE¼; Sec. 33 80 ac. in N½ SW¼; 36 ac. in SW¼ SW¼; 40 ac. in SE¼ SW¼; 160 ac. in SE¼; Sec. 34 21½ ac. in SW¼ NW¼; Sec. 35 Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>1469</sup> J. H. Hutchinson Union, Oregon	MODIFIED see Decree 1879	4.18	367½	Irrigation	Blume- Zilkey		51 ac. in SW¼ NE¼; 37 ac. in NE¼ NW¼; 55 ac. in NW¼ NW¼; 80 ac. in S½ NW¼; 80 ac. in N½ SW¼; 40 ac. in SE¼ SW¼; 40 ac. in NW¼ SE¼; <del>10 ac. in SW¼ SE¼</del> <del>24½ ac. in NE¼ SE¼</del> Sec. 11 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
<sup>1469</sup> J. H. Hutchinson Union, Oregon	1872	1.41	56½	Irrigation	Daley		28½ ac. in SW¼ SW¼; 18 ac. in SE¼ SW¼; Sec. 26 10 ac. in NW¼ NW¼; Sec. 35 Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
<sup>1470</sup> W. R. Hutchinson Union, Oregon.	1873 1888 1903	2.18 3.99 3.42	120 220 188½	Irrigation Domestic & Stock	Side Hill		21½ ac. in NE¼ SW¼; 34 ac. in NW¼ SW¼; 40 ac. in SW¼ SW¼; 57 ac. in SE¼ SW¼; 28½ ac. in NW¼ SE¼; 31 ac. in SW¼ SE¼; Sec. 2 80 ac. in N½ SW¼; 40 ac. in SE¼ SW¼; 25 ac. in SW¼ SE¼; 7½ ac. in SE¼ SE¼; Sec. 1 Tp. 7 S. R. 38 E. W. M. 10½ ac. in SW¼ SW¼; 19½ ac. in SE¼ SW¼; Sec. 6 80 ac. in E½ NW¼; 36 ac. in NW¼ NW¼; 38 ac. in SW¼ NW¼; Sec. 7 Tp. 7 S. R. 39 E. W. M. in Baker County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount <del>in Acres</del> Sec. ft.	Number Acres	Use	Name of Ditch & interest	Stream	Description of Land or Place of Use
119 W. R. Hutchinson Union, Oregon.	1871 1883 1899	4.00 1.24 1.00	160 50 1/2 40	Irrigation Domestic & Stock	Gardner Mill Race		32 ac. in NE 1/4 NE 1/4; Sec. 5 40 ac. in NW 1/4 NE 1/4; 35 ac. in SW 1/4 NE 1/4; 40 ac. in NE 1/4 NW 1/4; 40 ac. in NW 1/4 NW 1/4; 36 1/2 ac. in SW 1/4 NW 1/4; 27 ac. in SE 1/4 NW 1/4; Sec. 2 Tp. 7 S. R. 38 E. W. M. in Baker County, Oregon.
117 W. R. Hutchinson Union, Oregon	1879	1.68	95	Irrigation	Blume- Zilkey		19 ac. in NW 1/4 NE 1/4; 40 ac. in SW 1/4 NE 1/4; 36 ac. in NW 1/4 NW 1/4; Sec. 14 Tp. 7 S. R. 38 E. W. M., in Baker County.
119 W. R. Hutchinson Union, Oregon.	1879	2.64	105 1/2	Irrigation	Ellis		37 ac. in NE 1/4 SE 1/4; 29 ac. in NW 1/4 SE 1/4; 4 1/2 ac. in NE 1/4 SW 1/4; Sec. 36 Tp. 6 S. R. 38 E. 35 ac. in NW 1/4 SW 1/4; Sec. 31 Tp. 6 S. R. 39 E. W. M. in Union, Oregon.
117 Chas. E. Hutchinson North Powder.	1902	2.26	90 1/2	Irrigation	Side Hill & Gardner Mill Race		25 1/2 ac. in NE 1/4 SE 1/4; 30 1/2 ac. in SE 1/4 SE 1/4; Sec. 2 36 1/2 ac. in SW 1/4 SW 1/4; Sec. 1 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1172 Dora B. Hutchinson Union, Oregon	1903	1.68	198	Irrigation	Blume- Zilkey		160 ac. in NE 1/4; 20 ac. in NE 1/4 SE 1/4; 18 ac. in NW 1/4 SE 1/4; Sec. 15 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1173 Mary F. Hutchinson Union, Oregon	1871	2.00	80	Irrigation & Stock	Gardner Mill Race		80 ac. in E 1/2 SW 1/4; Sec. 35 Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.
1174 Will F. Hutchinson North Powder, Oregon.	1896	3.56	142 1/2	Irrigation	Davis- Kelsey		80 ac. in E 1/2 SW 1/4; 36 1/2 ac. in NW 1/4 SW 1/4; 26 ac. in SW 1/4 SW 1/4; Sec. 21 T. 6 S. R. 39 E. W. M., in Union County, Oregon.

Pt. of diversion changed.  
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Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount - Cubic Feet per Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
N. J. Hoberg	See	W. C. Nicholson, deceased, estate of					
1475 Albert Hutchinson North Powder, Ore.	1879 1896	3.50 1.04	140 41½	Irrigation	Ellis		39 ac. in NE¼ SE¼; Sec. 31 35 ac. in SE¼ NW¼; 40 ac. in SW¼ NW¼; 19 ac. in NE¼ SW¼; 38 ac. in NW¼ SW¼; Sec. 32 T. 6 S. R. 39 E. W. M., in Union County, Oregon.
1475 Albert Hutchinson North Powder, Oregon	1896	1.45	58	Irrigation	Kelsey- Wilson no. int.		18 ac. in NE¼ SW¼; 40 ac. in SE¼ SW¼; Sec. 32 Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
1476 Seth Hart Haines, Oregon	1887 1903	2.18 .70	100 32	Irrigation & Dom.	Bugler		23 ac. in SE¼ SW¼; <i>Part of claim made 3 Nov. shown 24 Oct. 1887. Sec. 10</i> 29 ac. in SW¼ SE¼; 40 ac. in SE¼ SE¼; 40 ac. in SW¼ SW¼; Sec. 11 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1476 Seth Hart Haines, Oregon	1904	.64	25½	Irrigation	Dutch Flat		5½ ac. in NW¼ SW¼; 20 ac. in SW¼ SW¼; Sec. 10 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1477 M. Ella Haskin Haines, Oregon.	1875 1889	1.88 .55	75 22	Irrigation	John Williams		22 acres in SE¼ SW¼; 35 ac. in SW¼ SE¼; 40 ac. in SE¼ SE¼; Sec. 15 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1478 A. J. Hartung Haines, Oregon.	1878	1.66	66½	Irrigation	Nicholson & Hartung		26½ ac. in SW¼ SW¼; Sec. 15 40 ac. in NW¼ NW¼; Sec. 22 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
45-456 449 Lucinda Hartung Haines, Oregon.	1886 1898	1.00 .25	40 10	Irrigation	Mansfield 1/4 int. Nicholson Hartung		10 ac. in NW¼ SW¼ 1886 Sec. 15 40 ac. in NE¼ NW¼ 30-1886 10-1898 Sec. 22 7-3857 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount <del>Cubic Feet</del> Per Second	Number Acres	Use	Name of Ditch and interest	Stream	Description of Land or Place of Use
<sup>1480</sup> Samuel Hearing Dec'd Estate of: Susan J. Hearing Fidelia A. Harpham James A. Hearing Harvey F. Hearing Hattie C. Hearing Neillie M. Hearing Earnie W. Hearing Earl F. Hearing Samuel L. Hearing Heirs at Law.	1884	2.00	80	Irrigation & Stock	Bulgler 1/6 int.	*	40 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 15 Tp. 7 S. R. 38 E. W.M. in Baker County, Oregon.
	1877	2.33	93	Irrigation & Stock	John Williams 1/3 int.		40 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 13 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 15 55 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 12 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16 Tp. 7 S. R. 38 E., W.M. in Baker County, Oregon.
	1898	1.18	47			*	
						*	
<sup>1481</sup> W. M. Hearing Haines, Oregon	1895	.50	20	Irrigation	Hearing & Angel		40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 ac. in N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 32 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14 T. 7 S. R. 38 E. W. M., in Baker County, Oregon.
	1897	1.80	72				
<sup>1482</sup> James Hearing Haines, Oregon.	1889	.05	1	Irrigation	John Williams		3 6 Ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 16 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
	1898	.90	35		Hearing & Angel		
<sup>1483</sup> S. W. Holmes Ostrander, Wash.	1887	6.50	259 $\frac{1}{2}$	Irrigation & Stock	Harlan- Sanders }	FROM NORTH POWDER RIV.	21 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 35 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 30 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 23 57 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 24 23 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 34 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 26 Tp. 6 S. R. 39 E. W.M., in Baker County, Oregon.
				Point of div. changed for lands in Sect's. 24 and 26, See Sp. Or. Vol. 5, p. 410			
<sup>1483</sup> S. W. Holmes Ostrander, Wash	1888	2.70	107 $\frac{1}{2}$	Irrigation Domestic & Stock	N. P. N. Co. Mill race	WASTE WATER FROM See page 56 of Mod. Findings (See File T-4465	32 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 30 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 14 32 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 13 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 23 Tp. 6 S. R. 38 E. W. M. in Union County, Ore.
<sup>1484</sup> Chris Johnson North Powder, Oregon.	1893	1.5	60	Irrigation	Harlan		80 ac. in N $\frac{1}{2}$ SE $\frac{1}{4}$ ; 39 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 27 Tp. 6 S. R. 39 E. W.M., in Baker County, Oregon.
	1895	2.5	100	& Stock	Sanders Jacobson Ditches		



Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet per Second Sec. ft.	Number Acres	Use	Name of Ditch & interest	Stream	Description of Land or Place of Use
<sup>1895</sup> C. E. Jacobson North Powder, Oregon.	1890 1893	3.50 5.91	140 236 $\frac{1}{2}$	Irrigation & Stock	Jacobson		40 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 ac. in S $\frac{1}{2}$ NW $\frac{1}{4}$ ; 37 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 59 ac. in 80 ac. in W $\frac{1}{2}$ SE $\frac{1}{4}$ ; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 12 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in 6 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26 Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
<sup>1894</sup> Oscar Jacobson North Powder, Oregon.	1893 1899	1.01 5.94	40 $\frac{1}{2}$ 237 $\frac{1}{2}$	Irrigation	Smith McPhee & Tanner		20 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 8 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10 5 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 13 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 52 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 10 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 54 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 50 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 6 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 4 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11 17 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 4 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14 Tp. 7 S. R. 39 E. W. M. in Baker County, Ore.
<del>17<math>\frac{1}{2}</math> CANCELED Spec. Or. V. 36 p. 34</del> <del>42 CANCELED Spec. Or. V. 36 p. 34</del>							
<sup>1890</sup> L. S. Kelsey North Powder, Ore.  (see also P. 327 part of Cert 1790)	1887 1902	2.00 1.05	80 42	Irrigation & Stock	Davis Kelsey		22 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 51 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 2 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 6 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 51 Tp. 6 S. R. 39 E. W. M. in Union County, Ore.
<sup>1890</sup> L. S. Kelsey, North Powder, Ore.	1886	12.60	504	Irrigation & Stock	Kelsey- Wilson		40 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 20 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 1 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 35 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 8 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 5 40 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 ac. in W $\frac{1}{2}$ NE $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 ac. in E $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 31 Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount <del>Per Second</del> sec. ft.	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<sup>1790</sup> L. S. Kelsey, North Powder, Oregon	1883	2.11	64 $\frac{1}{2}$	Irrigation & Stock	Beaty		8 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 22 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 24 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; <i>Tract 3</i> 50 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 51 T. 6 S. R. 59 E. W. M., in Baker County, Oregon.
<sup>1790</sup> L. S. Kelsey North Powder, Oregon	1886	2.95	118	Irrigation & Stock	Kelsey		40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; <i>Tract 4</i> 10 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 51 Tp. 6 S. R. 59 E. W. M., in Union County, Oregon.
<sup>1790</sup> L. S. Kelsey, North Powder, Ore.	1880	1.56	62 $\frac{1}{2}$	Irrigation & Stock	Ellis		12 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 27 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; <i>Tract 5</i> 25 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 51 Tp. 6 S. R. 59 E. W. M., in Union County, Oregon.
<sup>187</sup> C. L. Kent Haines, Ore.	1897	3.75	150	Irrigation	Mansfield		34 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 21 40 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 36 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16 Tp. 7 S. R. 59 E. W. M., in Baker County, Oregon.
<sup>1888</sup> J. R. Long Haines, Oregon.	1885 1885	.30 .25	12 10	Irrigation	Bulger Blume- Zilkey, No int. in ditches		22 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 15 Tp. 7 S. R. 58 E. W. M., in Baker County, Oregon.
<sup>1889</sup> A. Long Haines, Oregon.	1897	.75	30	Irrigation	Mansfield		15 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 20 Tp. 7 S. R. 59 E. W. M., in Baker County, Oregon.
<i>But. Camp.</i> <i>V4 &amp; P173</i> Andrew O. Lun North Powder, Ore.	1884	1.00	37	Irrigation & Stock	Harlan- Sanders		<i>31.6 remains</i> 31 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27 T. 6 S. R. 59 E. W. M., in Baker County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<i>52546</i> <i>Part. Cane. V48 P173</i> <i>runtime 8-20-94</i> Andrew O. Lun North Powder	Sec. 14.	1886	2.50	None	Ice making Oct. 15 to Mar. 1st	Small ditches	Ice ponds consisting of about 20 ac. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22; and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27; Tp. 6 S. R. 59 E., W. M., in Union County, Oregon.
<i>1490</i> <i>Part Cane.</i> <i>V48 P173</i> Andrew O. Lun North Powder, Ore. <i>T-5483, APOD 8<sup>6</sup> ac SW SE, Sec. 22</i>		1870	5.09	205 $\frac{1}{2}$	Irrigation Domestic & Stock	Lun ditches and sloughs <i>Remains</i>	37 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 27 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 30 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 16 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 22 35 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 83 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27 1 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28 Tp. 6 S. R. 59 E. W.M., in Union County, Oregon.
<i>1491</i> J. B. Luster, <i>1059</i> North Powder, Ore.		1901	1.00	30 $\frac{1}{2}$	Irrigation	Smith- McPhee and Tanner	15 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 15 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 4 Tp. 7 S. R. 59 E.W.M., in Baker County, Oregon.
<i>1492</i> J. B. Luster North Powder, Ore. <i>receded</i> <i>1053</i> <i>Modified by Court Decree</i> <i>Vol. 7, p441</i>		1902	1.00	37 +22 $\frac{1}{2}$	Irrigation	Kelsey Wilson	24 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 1 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 11 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 4 Tp. 7 S. R. 59 E. W. M., in Baker County, Oregon.
<i>55564</i> <i>5843</i> W. R. Moore Haines, Oregon <i>T-5169 APOD</i> <i>See V1, p405 done</i> <i>These lands are sup. right from Powder River (C-4365)</i> <i>Part canceled Sp. Dec. V37, p318 &amp; p541</i>		1876 1889	2.49 2.51	116 117	Irrigation Domestic & Stock	Joe Savage	80 ac. in E $\frac{1}{2}$ NE $\frac{1}{4}$ ; 53 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 38 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 17 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22 40 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 25 Tp. 7 S. R. 58 E. W.M., in Baker County, Oregon.
<i>1493</i> Frank McAllister North Powder, Oregon		1895	4.75	190	Irrigation	Jacobson 1/8 int. Harlan- Sanders	160 ac. in SW $\frac{1}{4}$ ; Sec. 27 50 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28 Tp. 6 S. R. 59 E. W. M., in Baker County, Oregon.

Amq and Postoffice Address of Appropriator	Date of Relative Priority	Amount Sec. 171 Sec. 172	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<sup>1494</sup> J. D. McPhee North Powder, Ore.	1888	3.75	150	Irrigation & Domestic & Stock	Smith- McPhee & Tanner		160 ac. in NW $\frac{1}{4}$ ; Sec. 55 80 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 58 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 50 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 19 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 58 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 25 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 5 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 11 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 54 Tp. 6 S. R. 59 E.W.M., in Baker County, Oregon.
<sup>1495</sup> F. McCullough North Powder, Ore.	1877 1892	1.44 1.44	80 80	Irrigation & Stock	Bulger 1/6 int.		80 ac. in W $\frac{1}{2}$ NE $\frac{1}{4}$ ; 80 ac. in E $\frac{1}{2}$ NW $\frac{1}{4}$ ; Sec. 15 Tp. 7 S. R. 58 E. W. M., in Baker County, Oregon.
<sup>1496</sup> W. L. Miller, Dec'd Estate of Novella E. Miller Novona M. Miller Myrtle M. Miller Vada V. Miller Wagman C. Miller Evalina A. Miller Clayton M. Miller Belva A. Miller Nannie M. Miller Heirs at Law 2350 Carter St., Baker, Oregon.	1865 1871 1875 1869 1890	1.25 .63 .90 .95 3.70	50 25 35 38 148	Irrigation Dom. & Stock	Gardner Mill Race " " Bamberger Powers Co. Ditches 1/7 int.		8 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 80 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 9 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 27 10 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 22 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 24 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 25 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 2 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 28 55 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 80 ac. in W $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 54 Tp. 6 S. R. 58 E.W.M., in Baker County, Oregon.
<sup>1497</sup> <del>CANCELED</del> Spec. Or. V. 21 p. 71 North Powder Milling & Mercantile Company, a cor- poration, North Powder, Oregon.	1870	25 except during July & Aug.	None	Power	Company Mill Race		North Powder Milling & Mercantile Co. flour mill, situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22 Tp. 6 S., R. 59 E. W. M., in Union County, Oregon. Right limited to the development of 109 theoretical horse power
<sup>1498</sup> G. W. Neill Haines, Oregon	1901	4.80	192	Irrigation & Stock	Kelsey- Wilson		20 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 32 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 10 40 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 15 Tp. 7 S. R. 59 E. W. M., in Baker County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
944 W. C. Nicholson, Dec'd Estate of,  N. J. Hoberg M. J. Gilbaugh Verlie T. Berber Opal Toney Heirs at Law; C/o N. J. Hoberg, Haines, Ore.	1874  1886	1.50  3.01	60  120 1/2	Irrigation Domestic & Stock	Mansfield 1/4 int.  Hartung- Nicholson 1/2 int.		15 ac. in SW 1/4 SE 1/4; 20 ac. in SE 1/4 SE 1/4; Sec. 16 40 ac. in NE 1/4 NE 1/4; 12 ac. in SW 1/4 NE 1/4; 39 ac. in SE 1/4 NE 1/4; 11 ac. in NE 1/4 SE 1/4; Sec. 21 5 1/2 ac. in NW 1/4 SW 1/4; 38 ac. in SW 1/4 NW 1/4; Sec. 22 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
500 North Powder, City of North, Oregon.	1904	2.00	80	Irrigation	Pearson Town Ditch		80 acres within the corporate limits of the town of North Powder, in Union County, Oregon, Consisting of lots, being in NE 1/4 and SE 1/4 NW 1/4; NE 1/4 SW 1/4; and NW 1/4 SE 1/4; Sec. 22, Tp. 6 S. R. 39 E. W. M., all in Union County, Oregon.
501 Armand W. Perkins Haines, Oreg.	1884	1.06	42 1/2	Irrigation Domestic Stock	Gardner Mill Race & Power Company		7 ac. in NE 1/4 NE 1/4; 4 ac. in SW 1/4 NE 1/4; 4 ac. in NW 1/4 SE 1/4; 23 ac. in NE 1/4 SE 1/4; 1 1/2 ac. in SW 1/4 SE 1/4; 3 ac. in SE 1/4 SE 1/4; Sec. 32 Tp. 6 S. R. 38 E. W. M., in Baker County, Oregon.
555 Armand W. Perkins Haines, Oregon.	1894 1894	2.00 .50	80 20	Irrigation Domestic & Stock	Savage 1/6 int. Mansfield 1/16 int.		20 ac. in SE 1/4 SW 1/4; Sec. 14 80 ac. in NE 1/4 NW 1/4; Sec. 25 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
T-5034 A ROD 80 22 N 1/2 NW 1/4, SEC 23							
502 L. W. Perkins Haines, Oregon	1877 1895	.82 .21	40 10	Irrigation & Domestic	Bulger 1/16 int.		40 ac. in SE 1/4 SE 1/4; Sec. 5 10 ac. in NE 1/4 NE 1/4; Sec. 10 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
503 Chris Peterson North Powder, Ore.	1889 1898 1904	.75 7.33 2.51	30 295 92 1/2	Irrigation	Davis- Kelsey Ellis		20 ac. in NE 1/4 NW 1/4; CANCELED 12 1/2 ac. in NW 1/4 NW 1/4; CANCELED 22 ac. in SE 1/4 NW 1/4; CANCELED Sec. 28 29 ac. in SW 1/4 NW 1/4; 14 ac. in NE 1/4 NE 1/4; 39 ac. in NW 1/4 NE 1/4; 40 ac. in SW 1/4 NE 1/4; 39 ac. in SE 1/4 NE 1/4; 160 ac. in SE 1/4; Sec. 29 40 ac. in NW 1/4 NE 1/4; Sec. 32 Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & interest	Stream	Description of Land or Place of Use
J. O. Pilcher North Powder, Oregon	1869	1.85	74	Irrigation Domestic & Stock	Daley		12 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 24 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 38 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 27 Tp. 6 S. R. 58 E. W. M. in Union County, Oregon.
<sup>1505</sup> E. H. Pratt Haines, Ore. T-6635 $\Delta$ POU	1887	2.60	104	Irrigation Dom. & Stock	Mansfield 1/8 int.		20 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 9 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 ac. in E $\frac{1}{2}$ NW $\frac{1}{4}$ ; 38 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 38 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 38 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 18 3 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 31 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 4 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 7 Tp. 7 S. R. 59 E. W. M. in Baker County, Oregon.
<sup>1505</sup> E. H. Pratt Haines, Oregon T-6403 $\Delta$ addn POD T-6635 $\Delta$ POU	1904	.15	6	Irrigation Domestic & Stock	Dutch Flat Creek		6 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 17 Tp. 7 S. R. 58 E. W. M., in Baker County, Oregon.
<sup>1506</sup> John Powers Colflax, Wash.	1869	2.06	82 $\frac{1}{2}$	Irrigation Dom. & Stock	Daley		5 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28 40 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 37 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 35 Tp. 6 S. R. 58 E. W. M., in Union County, Oregon.
<sup>55559+55560</sup> George W. Pratt Haines, Oregon * T-5130 $\Delta$ POD T-5223 $\Delta$ POD 5 ESW 10 <sup>2</sup> 4	1893	3.93	157	Irrigation Domestic & Stock	Savage 1/4 int.		* 27 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; * 27 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; * 80 ac. in N $\frac{1}{2}$ SE $\frac{1}{4}$ ; Sec. 18 * 3 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; * 20 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 17 Tp. 7 S. R. 59 E. W. M., in Baker County, Oregon.
<sup>1508</sup> Henry Pearson North Powder, Oregon T-6650 POD $\Delta$	1893	1.00	35	Irrigation	Pearson		37 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; CANCELED 40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 80 ac. in W $\frac{1}{2}$ SW $\frac{1}{4}$ ; 38 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 28 Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
	1900	2.50	160	Irrigation	Pearson Town of N. P. City Ditch	16 ac. CANCELED	

partial  
Canceled Sp. Or. Rec. Vol. 43 p. 365

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount <small>Under P.L. 86-1</small> Per Section	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
		sec. ft.					
<sup>09</sup> Peter Roethler, Dec'd. ESTATE OF Althena J. Roethler Anna M. Morris Amos M. Roethler Cora M. Roethler Peter C. Roethler Ernest I. Roethler Hazel J. Neill Alma C. Roethler Heirs at Law by Althena J. Roethler Haines, Oregon.	1897	4.38	312 $\frac{1}{2}$	Irrigation Domestic & Stock	Mansfield 1/24 int.		40 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 24 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 20 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 15 2 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 32 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 22 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 16 25 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 37 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 21 Tp. 7 S. R. 59 E.W.M. in Baker County, Ore.
<sup>510</sup> Michael J. Relling Dec'd. Estate of: Francis H. Relling Agatha C. Relling Angela R. Conway Blanche C. Wilkins Eughprosye Bowen Geo. N. Relling Mrs. E. C. Relling Heirs at Law by Mrs. E. C. Relling, Haines, Oregon.	1881	2.50	100	Irrigation Domestic & Stock	Blume- Zilkey 1/4 int.		80 ac. in W $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 80 ac. in W $\frac{1}{2}$ SW $\frac{1}{4}$ ; Sec. 14 Tp. 7 S. R. 58 E.W.M. in Baker County, Ore.
<sup>11</sup> P. L. Smith North Powder, Oregon	1888	2.00	80	Irrigation Domestic & Stock	Kelsey- Wilson		58 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 28 80 ac. in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; 80 ac. in N $\frac{1}{2}$ SE $\frac{1}{4}$ ; 39 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 31 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. (25) <small>Cent. shows Sec. 33 &amp; map agrees</small> 160 ac. in NW $\frac{1}{4}$ ; Sec. 54 Tp. 6 S. R. 59 E. W. M. 80 ac. in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; Sec. 4 Tp. 7 S. R. 59 E. W.M., in Baker County, Oregon.
	1889	7.75	310		Smith- McPhee & Tanner		
	1890	3.95	158		McPhee		
<sup>558</sup> <sup>1372</sup> J. L. Savage # T-5102 A PoD	1876	3.45	137	Irrigation Dom. & Stock	Mansfield Ditches		5 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 22 40 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 80 ac. in S $\frac{1}{2}$ NW $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 25 Tp. 7 S. R. 58 E. W. M., in Baker County, Oregon.
	1889	.70	28		Joe Savage Ditch		
<sup>13</sup> J. L. Savage, Haines, Oregon.	1893	.35	14	Irrigation	Bugler		14 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 9 Tp. 7 S. R. 58 E. W.M., in Baker County, Ore.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Subsidy Fee Per Acre	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
479 Fred V. Spence Haines, Oregon. T-5281 APO 211	1907	1.00	31	Irrigation	Warfield Burnside		51 ac. in Sec. 1 SW $\frac{1}{4}$ ; Sec. 13 Tp. 7 S. R. 38 E. W.M., in Baker County, Oregon.
515 O. D. Thomlinson North Powder, Ore.	1890	4.00	160	Irrigation Domestic & Stock	Harlan- Sanders		160 ac. in SW $\frac{1}{4}$ ; Sec. 25 Tp. 6 S. R. 39 E. W.M., in Baker County, Oregon.
516 H. C. Travillion North Powder, Oregon	1893	1.00	34	Irrigation	McPhee		25 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 9 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 35 Tp. 6 S. R. 39 E. W.M., in Baker County, Oregon.
517 Byron Vandecarr Haines, Ore.	1901	2.80	112	Irrigation	Smith- McPhee & Tannor		40 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 33 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 14 39 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 13 Tp. 7 S. R. 39 E. W. M., in Baker County, Oregon.
515 M. F. Wilcox Haines, Oregon. -5483 APO (Add'l P.O.) 4222 N.W.M.E	1881	1.35	54	Irrigation Domestic & Stock	Harlan- Sanders		30 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 22 80 ac. in N $\frac{1}{2}$ NE $\frac{1}{4}$ ; 40 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 27 Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.
518 W. J. Welch, Haines, Oregon.	1879	.75	90	Irrigation Domestic & Stock	Blume- Zilkey- 1/4 int.		24 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 11 80 ac. in E $\frac{1}{2}$ SW $\frac{1}{4}$ ; 36 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 32 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 12 160 ac. in NW $\frac{1}{4}$ ; Sec. 15 80 ac. in E $\frac{1}{2}$ NE $\frac{1}{4}$ ; Sec. 14 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
519 James R. Warfield, Haines, Oregon.	1900	1.00	23 $\frac{1}{2}$	Irrigation	Warfield- Burnside 1/5 int.		8 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 23 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.



Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
		sec. ft.					
1520 Elmer Warfield	1900	1.00	15	Irrigation	Warfield Burnside 1/4 int.		15 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1521 Arthur Warfield	1900	1.00	10	Irrigation	"		10 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1522 Edward W. Warfield Haines, Oregon	1894	.25	10	Irrigation	Mansfield (by permission)		11 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1523 Harry C. Williams Haines, Oregon	1880	.97	70	Irrigation Domestic & Stock	Bugler 1/18 Int.		50 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 25 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 10 Tp. 7 S. R. 38 E. W. M., in Baker County, Oregon.
1524 James B. Wilson North Powder, Ore.	1889	9.75	390	Irrigation Domestic & Stock	Davis-Kelsey		160 ac. in NE $\frac{1}{4}$ ; 80 ac. in N $\frac{1}{2}$ SW $\frac{1}{4}$ ; 51 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 29 19 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 8 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 5 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 30 15 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 31 14 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 21 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 32 Tp. 6 S. R. 39 E. W. M. in Union County, Oregon.
1525 James T. York North Powder, Ore.	1892	3.55	142	Irrigation Domestic & Stock	Smith-McPhee & Tanner		16 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 15 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 2 19 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 28 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 56 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 40 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 3 Tp. 7 S. R. 39 E. W. M. in Baker County, Oregon.
1525 James T. York, and Charles Dustin, North Powder, Ore.	1892	5.00	200	Irrigation Domestic & Stock	Smith-McPhee & Tanner		40 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 160 ac. in SW $\frac{1}{4}$ ; Sec. 33 Tp. 6 S. R. 39 E. W. M., in Baker County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount - cubic feet per second Sec. ft.	Number Acres	Use	Name of Ditch & Interest	Streams	Description of Land or Place of Use
<u>ANTHONY CREEK (A tributary)</u>							
1526 William Anthony, North Powder, Oregon	1871 <i>0926 1/2 NW 1/4 - July 1 13 1/2 E. 1/4 NW 1/4</i>	1.00	10	Irrigation Domestic & Stock	Anthony		1 ac. in SE 1/4 NW 1/4; 9 ac. in NW 1/4 NE 1/4; Sec. 20 Tp. 6 S. R. 38 E. W.M. in Union County, Oregon
1527 SARAH ANTHONY, Dec'd Estate of C. H. Anthony, Annie Bozarth, Oral Winchester, Francis Young, Lettie Williams, Dora Riggs, Heirs at Law By Milliard Anthony, 2340 Auburn Ave., Baker, Oregon.	1871 <i>1 1/2 E. 1/4 NW 1/4 25 1/2 E. 1/4 NW 1/4</i>	1.00	31	Irrigation Domestic & Stock	Anthony		27 ac. in SW 1/4 NW 1/4; 4 ac. in SE 1/4 NE 1/4; Sec. 20 Tp. 6 S. R. 38 E. W. M. in Union County, Ore.
1528 John Brant North Powder, Ore.	1898 <i>7 1/2 E. 1/4 NW 1/4 6 27 1/2 E. 1/4 NW 1/4</i>	7.50	499 1/2	Irrigation	Carnes Co.		51 ac. in NE 1/4 NE 1/4; 19 ac. in NW 1/4 NE 1/4; 36 ac. in SW 1/4 NE 1/4; 40 ac. in SE 1/4 NE 1/4; Sec. 7 22 1/2 ac. in NE 1/4 NE 1/4; 38 1/2 ac. in NW 1/4 NE 1/4; 40 ac. in SW 1/4 NE 1/4; 34 1/2 ac. in SE 1/4 NE 1/4; 35 ac. in NE 1/4 NW 1/4; 33 ac. in NW 1/4 NW 1/4; Sec. 8 17 1/2 ac. in NE 1/4 NW 1/4; 10 ac. in NW 1/4 NW 1/4; 40 ac. in SW 1/4 NW 1/4; 24 1/2 ac. in SE 1/4 NW 1/4; 38 ac. in NE 1/4 SW 1/4; 40 ac. in NW 1/4 SW 1/4; Sec. 9 Tp. 6 S. R. 39 E. W.M. in Union County, Oregon
1529 William A. Coughanour Payette, Idaho	1880 1900 <i>Total 179.00 cfs to 1900 14 23 cfs 1900 11 1/2 ac</i>	12.54 5.40	800 348	Irrigation Domestic & Stock	Coughanour		40 ac. in NE 1/4 NE 1/4; 28 1/2 ac. in NW 1/4 NE 1/4; 40 ac. in SW 1/4 NE 1/4; 37 ac. in SE 1/4 NE 1/4; 16 ac. in NE 1/4 NW 1/4; 7 ac. in SW 1/4 NW 1/4; 39 ac. in SE 1/4 NW 1/4; 17 1/2 ac. in NE 1/4 SW 1/4; 39 ac. in NE 1/4 SE 1/4; 21 ac. in NW 1/4 SE 1/4; 5 ac. in SE 1/4 SE 1/4; Sec. 19 60 ac. in E 1/4 NE 1/4; 35 ac. in NW 1/4 NE 1/4; 40 ac. in SW 1/4 NE 1/4; 29 1/2 ac. in NE 1/4 NW 1/4; 40 ac. in NW 1/4 NW 1/4; 80 ac. in E 1/4 NW 1/4; 29 ac. in NE 1/4 SW 1/4; 7 1/2 ac. in NW 1/4 SW 1/4; 80 ac. in N 1/4 SE 1/4; 1 ac. in SW 1/4 SE 1/4; 15 ac. in SE 1/4 SE 1/4;

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cable-Test For Success	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
1524 William A. Coughanour (Continued)		580. ft.		ANTHONY CREEK - continued.			
1530 Geo. M. Carnes North Powder, Oregon	1898	4.00	199½	Irrigation Domestic & Stock	Carnes Co. 1/8 int.		160 ac. in NE¼; 80 ac. in NE¼ NW¼; 27 ac. in SW¼ NW¼; 40 ac. in SE¼ NW¼; Sec. 21 80 ac. in W¼ NW¼; 40 ac. in NW¼ SW¼; Sec. 22 Tp. 6 S. R. 39 E. W.M. in Union County, Ore.
1531 Edward A. Carnes North Powder, Ore.	1898	3.50	144	Irrigation Domestic & Stock	Carnes Co. 1/8 int.		57 ac. in NE¼ SE¼; 29 ac. in NW¼ SE¼; 29 ac. in SW¼ SE¼; 39 ac. in SE¼ SE¼; Sec. 25 Tp. 6 S. R. 38 E. W.M., 40 ac. in NW¼ SE¼; 25 ac. in SW¼ SE¼; Sec. 30 Tp. 6 S. R. 39 E. W.M., in Union County, Oregon
1532 A. K. Dryborough North Powder, Ore.	1872	1.48	58½	Irrigation Domestic Stock	Pilcher- Dryborough		40 ac. in NE¼ SW¼; 55 ac. in NW¼ SW¼; 55 ac. in SW¼ SW¼; 54 ac. in SE¼ SW¼; Sec. 30 Tp. 6 S. R. 39 E. W. M., in Union County, Oregon.
1533 C. C. Garwood North Powder, Oregon.	1890	1.00	34	Irrigation	Pilcher- Evans- Filkins		3 ac. in SE¼ SE¼; Sec. 20 55 ac. in SW¼ SW¼; 9½ ac. in SE¼ SW¼; Sec. 21 11 ac. in NE¼ NW¼; 2 ac. in NW¼ NW¼; Sec. 28 Tp. 6 S. R. 38 E. W.M., in Union County, Oregon.
1569 J. H. Hutchinson, Union, Oregon.	1885	2.43	97	Irrigation Domestic Stock	Tucker Flat 9/10 int.		16½ ac. in SW¼ NE¼; 10 ac. in SE¼ NE¼; 7½ ac. in SE¼ NW¼; Sec. 21 Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount <del>Per Second</del> Per Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
		Sec. ft.		ANTHONY CREEK - a tributary	(cont'd.)		
<sup>1534</sup> Lewis Klinefelter North Powder, Ore.	1883	1.08	43	Irrigation	Anthony		51 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 5 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 20 9 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 21 Tp. 6 S. R. 38 E. W.M., in Union County, Oregon.
<sup>1536</sup> James A. Pilcher North Powder, Oregon	1890	1.00	35	Irrigation	Pilcher Evans- Filkins		14 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27 10 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 1 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 2 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 28 1 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 21 Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
<sup>1536</sup> James A. Pilcher North Powder, Ore.	1870	1.00	40	Irrigation	Pilcher		20 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 28 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 20 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 17 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 12 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 28 4 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 27 Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
	1884	1.54	61 $\frac{1}{2}$	Domestic & Stock	Dryborough		
					Chg. in pt. of div.- Sp. Or. Vol. 7, p. 110		
<sup>1537</sup> Thomas H. Parker North Powder, Oreg.	1905	.35	7	Irrigation	Pilcher Evans Filkins		4 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 17 3 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 20 Tp. 6 S. R. 38 E. W. M., in Union County, Ore.
	1871	.35	6 $\frac{1}{2}$	Irrigation	Anthony		6 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 20 Tp. 6 S. R. 38 E. W. M., in Union County, Oregon.
<del>Superseded by 31428</del> John Shaw North Powder, Oregon.	1898	7.50	641 $\frac{1}{2}$	Irrigation	Carnes Co.		80 ac. in S $\frac{1}{2}$ SW $\frac{1}{4}$ ; 160 ac. in SE $\frac{1}{4}$ ; Sec. 29 24 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Sec. 30 9 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; Sec. 31 27 $\frac{1}{2}$ ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 15 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; 40 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 25 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 5 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 32 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 32 80 ac. in E $\frac{1}{2}$ SW $\frac{1}{4}$ ; 14 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 32 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 33 Tp. 5 S. R. 39 E. W. M..
					Place of use changed for 126.5 acres - Sp. Or. Vol. 5, p. 582		

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & Interest	Stream	Description of Land or Place of Use
<u>ANTHONY CREEK</u> - a tributary - cont'd.							
140 Elmer Shipp North Powder, Ore.	1908	1.00	38	Irrigation Domestic & Stock	Tucker- Flatt 1/10 int.		10 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 Tp. 6 S. R. 58 E.W.M., in Union County, Ore.
	1904	.43	17	Irrigation Domestic & Stock	Pilcher- Evans Filkins		18 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 22 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21 55 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 Tp. 6 S. R. 58 E.W.M., in Union County, Ore.
140 Juliette E. Tenbroeck North Powder, Ore.	1890	1.75	70	Irrigation Domestic & Stock	Pilcher- Evans Filkins		18 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 22 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21 55 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 Tp. 6 S. R. 58 E.W.M., in Union County, Ore.
	1904	.43	17	Irrigation Domestic & Stock	Pilcher- Evans Filkins		18 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 22 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 $\frac{1}{2}$ ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21 55 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 Tp. 6 S. R. 58 E.W.M., in Union County, Ore.
	1898	1.64	120	Irrigation Domestic & Stock	Carnes Co.		40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 55 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 52 ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 160 ac. in NE $\frac{1}{4}$ Sec. 25 Tp. 6 S., R. 58 E.W.M. 80 ac. in W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 50 Tp. 6 S.R. 58 E.W.M., in Union County, Ore.
141 W. J. Welch Haines, Ore.	1906	3.64	267	Irrigation Domestic & Stock	Carnes Co.		40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24 55 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 80 ac. in S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 25 Tp. 6 S.R. 58 E.W.M., in Union County, Ore.
	1905	2.23	155	Irr. Dom. & Stock	Carnes Co.		40 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24 55 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 80 ac. in S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 25 Tp. 6 S.R. 58 E.W.M., in Union County, Ore.
<u>PILCHER CREEK</u> (A tributary)							
143 J. O. Pilcher North Powder, Ore.	1870	.85	17	Irr. Dom. & Stock	Pilcher		17 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 Tp. 6 S., R. 58 E.W.M., in Union County, Ore.
139 Elmer Shipp North Powder, Ore.	1885			Irr. Dom. & Stock	Pilcher		A right to supplement the appropriation of this claimant of the waters of Anthony Creek, for the irrigation of the lands hereinbefore described, and for stock and domestic purposes.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch & interest	Stream	Description of Land or Place of Use
Alvin O. Smith, North Powder, Ore.	1905	.8	12	Irrigation Domestic & Stock	Smith		2 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 10 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 5 Tp. 7 S. R. 58 E. W.M., in Baker County, Oregon