

# The Deschutes Echo.

VOL. III.

DESCHUTES, CROOK COUNTY, OREGON, JUNE 25, 1904.

NO. 5.

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## Concerning Water Rights.

In answer to a correspondent in the Oregonian, the D. I. & P. Co. give the following succinct statement in regard to heirs and water rights:

In regard to the questions submitted to you by A. Kershaw, of Columbia Falls, Mont., in a communication dated June 16, 1904, we beg to say that the Deschutes Irrigation & Power Company has a lien upon all lands in its segregation covering the cost in placing water through its canals on each 40-acre tract and amounting to an average of \$10 per acre. For instance, the Pilot Butte Development Company's segregation, now owned by this company, consists of 84,700 acres, for which they are to receive from settlers \$847,000. The state land board then apporportions the total amount of said lien on each 40-acre tract according to its value from an agricultural standpoint. This is the cost as estimated by state engineer and the engineers for the irrigation company.

A schedule showing the apportionment follows:

Number irrigable acres in 40-a. tract	Price for 40-a. tract	Number irrigable acres in 40-a. tract	Price for 40-a. tract
38	\$380.00	38	\$380.00
35	\$350.00	35	\$350.00
30	\$300.00	30	\$300.00
25	\$250.00	25	\$250.00

When the amount of this lien is paid the purchaser secures a perpetual water right and the release of the lien held by this company on his particular tract of land.

The state land board will, upon presentation of the release of lien, issue a deed direct to the purchaser.

In addition to the lien already mentioned there is a perpetual lien of \$1 per year per acre on irrigable land. By this I mean that if a certain 40-acre tract contains 40 acres of irrigable land, a lien of \$40 per year attaches, and if a 40-acre tract contains 25 irrigable acres a lien of \$25 per year attaches. The lien is for the purpose of maintaining the canals, flumes, ditches and laterals, and also to regulate the distribution of water and to maintain its purity for the benefit of the settlers under the ditch. This is the minimum charged by any irrigation company so far as I know.

The company has no control whatever over the land after its original lien is paid, and the manner of distributing water through its canals and laterals is subject to the control of the state land board, this company simply carrying out its instructions.

Trusting that this will make clear the points mentioned by your correspondent, we are, very respectfully yours,

DESCHUTES IRRIGATION & POWER COMPANY.  
By R. F. Guerin,  
Secretary and Treasurer.

## Special Excursion to the World's Fair.

The Denver & Rio Grande, in connection with the Missouri Pacific, will run a series of Personally Conducted Excursions to the World's Fair during June. These excursions will run through to St. Louis without change of cars,

making short stops at principal points enroute. The first of these excursions will leave Portland June 7th, and the second June 17th. The rate from Deschutes will be \$62.50 to St. Louis and return. Excursionists going via the Denver & Rio Grande have the privilege of returning via a different route. This is the most pleasant way, as well as the most delightful route, to cross the continent. The stops arranged give an opportunity of visiting the various points of interest in and about Salt Lake City, Denver and Kansas City. If you wish to accompany one of these excursions write at once to W. C. McBride, 124 Third street, Portland, for sleeping car reservations.

## School Election.

The annual school election was held at the schoolhouse on June 21st. The meeting was a large one, crowding the schoolhouse. Chas. Stanborough was elected clerk and A. L. Goodwillie was elected director. A vote was taken on the question of whether the schoolhouse might be used for political and religious purposes and such use was favored by the meeting. Director Wiest announced to the meeting that a deed of the school property had been made and delivered to the district. As we have said on several different occasions this schoolhouse stands on land having an involved title—two-fifths being owned by infant heirs. In Oregon the real property of infant heirs cannot be sold except on a showing to the court that no personal property exists for the support of the minors. In this case there was plenty of money on hand for the immediate use of the minor heirs, nevertheless, a sale was made. At a later time an action was brought to bar the title of such heirs and a decree was granted so barring them. For all that the law does not permit anything to be done by indirection which is directly prohibited by statute. In consequence the minor heirs yet maintain the right when coming of age to rescind the sale and return the amount received therefrom and claim their share. They may not do this but may affirm the sale. It rests, however, entirely with them and the title is questionable until they have reached their majority and confirmed the sale. This is a title that very few school districts care to accept. Improvements made on the land of other persons usually accrue to the benefit of the owner of the land except that in some states a special statute provides that a person making improvements on land held under color of title may counterclaim for the improvements in a suit for possession. Even in such states the improvements must be made by the claimant without knowledge that his title was defective. In this case the defects of title are too well known for such recovery.

## Edge is Off Timber Market.

In keeping with the general trend of trade, the demand for timber land is light. A few transfers

## STAATS

Will give you bargains on groceries at his store. All business done on a cash basis.

A complete stock on hand, and more on the way from Shaniko.

W. H. STAATS, Prop.,  
Deschutes, - - Oregon.

## The Hotel Prineville.

Mrs. C. E. McDowell, Prop.

On your way to Deschutes and Silver Lake you will want to stop at a good hotel while in Prineville.

The PRINEVILLE has the reputation of being the best; ask your friends if it isn't.

Fine Rooms and Beds. Cuisine Unexcelled.

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Fresh Eastern OYSTERS In Every Style.

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## LOW'S CASH STORE,

LYTLE, OREGON.

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Lytle, Oregon.

## Champ Smith's Reception

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One of the Best Appointed Buffets at the County Seat.

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are made, but the edge is off the market.

The hard times of the last decade came on gradually, but the tightening up of the past few months has been rapid. It was recently that the Weyerhaeuser Timber Company decided to build a large sawmill at some point on the Columbia river, now that it is abandoned. The company even contemplate a heavy reduction in their log output from the burned over area north of the Columbia. Frederick Weyerhaeuser recently stated that it would be better to allow the burnt timber to stand and deteriorate than to throw the logs on the present market. When as strong a company as this halts it is time for small craft to seek still waters.—Tacoma Lumberman.

## Advertised Letter List.

The following letters remained uncalled for at the Deschutes post-office:

J. S. Mahr, Miss Grace Merrill, N. B. Reynolds, C. W. Richardson, John Raglin, Charles J. Wilson, Stephen Waite, John B. Gustafson, Earl Griggs, Wm. Clendening, Mrs. M. O. Clingan, C. W. Eman, Albert I. Frye, C. C. Carr.

Parties calling for any of the above letters will please mention the fact that they are on the advertised list.

W. H. STAATS, Postmaster.

C. E. Lytle, general passenger agent of the Columbia Southern, was a visitor here last Saturday and looked over the improvements that are being made in this vicinity. He was accompanied by A. C. Sanford, of Shaniko.