

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

IN THE MATTER OF THE DETERMINATION)
OF THE RELATIVE RIGHTS TO THE USE)
OF THE WATERS OF PINE CREEK, AND)
ITS TRIBUTARIES, A TRIBUTARY OF)
SNAKE RIVER)

ORDER CORRECTING ERRORS.

Now on this 29th day of January, 1932, the above entitled matter coming on for consideration of the court upon the application of the State Engineer of Oregon for an order correcting certain clerical errors appearing in the decree of the above entitled court duly had, made and entered in the above entitled cause on the 28th day of February, 1930, which said decree fixes and determines the relative rights to the use of the waters of Pine Creek and its tributaries, a tributary of Snake River, as therein more fully appears, and the court having examined the records and files in said cause and being desirous of correcting the clerical errors so that said decree shall conform to the actual decision rendered, and being fully advised in the premises, therefore

IT IS HEREBY ORDERED that the following corrections to the said decree of the 28th day of February, 1930 be, and hereby are made 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
Amstel Mortgage Co., Spokane, Wash. (Proof No. 81.) Page 52. <i>10.2.70</i>	1890		18	Irrigation, domestic and stock	McCarthy or Ludiker	Pine Creek	1.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, 7.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, T. 7 S., R. 48 E., W. M.
Ayre, Orra Baker, Oregon (Proof No. 4-A) Page 44. <i>10.2.72</i>	1885		10	Irrigation, domestic and stock	Hunsaker	Clear Creek	10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 8 S., R. 46 E., W. M.
Ballard, J. A. (Proof No. 5-B) Page 45.							(NOTE: This claim is covered by Permit No. E-69, Certificate No. 853. See paragraph 65, Page 88.)
Carlson, A. E. Halfway, Oregon (Proof No. 37) Page 48. <i>10.2.38</i>	1886		3	Irrigation, domestic and stock	ME Kinzy	McMullen Slough, trib. of Pine Creek	2.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T. 8 S., R. 46 E., W. M.
Hudson, A. L. (Proof No. 162-D) Page 61 <i>10.3.34</i>	1883		15	Irrigation	Brown Ritter, or Brown Young	Waste waters from Clear Creek	15.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T. 7 S., R. 46 E., W. M.
							(NOTE: Clear Creek rights for 125 acres with priority of 1883 under Proofs 162-A and D, are limited to 1.75 second feet. -- See Findings in Contest No. 5, Page 13.)
Kinsey, Annie E., on behalf and as guardian of Elmer L. and Minnie L. Kinsey, minors, and as agent for Viola Kinsey Martin, Hattie Kinsey Johnson, Leon Kinsey, Mabel Kinsey Farber, Edw. F. Kinsey, and Rhoda Kinsey Coundaux, Payette, Idaho. (Proof No. 197-D) Pages 64 and 65. <i>10.3.58</i>	1874		2	Irrigation domestic and stock	McMullen Slough	Pine Creek	2.0 acres described as being within lots 5, 6 and 7, Bloc 3 of Claud Officer's First Add. to Town of Halfway and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Com- mencing at a point E. of NW corner of NE $\frac{1}{4}$ of Section 17 thence S. 110 ft.; thence E 50 ft.; thence N. 110 ft.; thence W. 50 ft. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, all being in T. 8 S., R. 46 E.W.M. ALSO: Commencing at a point 627 f E. of NW corner of NE $\frac{1}{4}$ of Section 17; thence S. 90 ft thence W. 140 ft.; thence S. 220 ft.; thence E. 140 f thence N. 200 ft.; thence E. 100 ft.; thence N.20 ft. thence W. 50 ft.; thence N. 90 ft.; thence W. 50 ft. to place of beginning and being in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T. 8 S., R. 46 W. M.
(Proof No. 197-A)	1883		79	Irrigation, domestic and stock	Gravel Flat	Pine Creek	39.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T. 8 S., R. 46 E., W. M.
(Proof No. 197-B)							(NOTE: This claim has been eliminated as the right under this proof is included in the appropriation described under Proof No. 322, in the name of Pine Lakes Ditch (and Reservoir Company.)

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
Lee, Mrs. Viola ^{10,367} Halfway, Oregon. (Proof No. 210) Page 66.	1898		4	Irrigation, domestic and stock	Five Point	East Pine Creek	4.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, T. 8 S., R. 46 E., W. M.
Lindsay, S. A. ^{10,371} Baker, Oregon (Proof No. 215) Page 67.	1883		60	Irrigation, domestic and stock	Fee	East Pine Creek	35.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 25.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, T. 8 S., R. 46 E., W. M.
Martin, Chas. W., Baker, Oregon. (Proof No. 243-A) Page 69.	(NOTE: This claim is eliminated, as it is covered by Permit No. E-31, Sag Ditch Company. - See Paragraph 65, Page 88.)						
Mack, J. C. Estate, By Emily M. Mack, Multnomah, Ore., and Meade L. Boyd, Dallas, Ore., Executors. ^{10,377} (Proof No. 221) Page 67.	1889		41	Irrigation domestic and stock	Curry	Pine Creek	4.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 37.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T. 7 S., R. 45 E., W. M.
	(NOTE: See Findings in Contest No. 21.)						
Madden, Sophia N. ^{10,378} Halfway, Oregon. (Proof No. 223) Page 67	1905		30	Irrigation domestic and stock	Five Point	East Pine Creek	3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 27.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 8 S., R. 46 E., W. M.
Motley, Fannie B. (Proof No. 287) Page 74	(NOTE: This claim is included in Claim No. 328 under the name of T. F. Quinn et al, and is therefore eliminated.)						
Steele, Inez M. Halfway, Oregon. ^{10,442} (Proof No. 379-A) Page 83.	1876		28.3	Irrigation domestic and stock	Thad Leep	Pine Creek	28.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, T. 8 S., R. 46 E., W. M.
(Proof No. 379-B) ^{10,443} Page 83.	1886		21.2	do	Private	Spring Creek Branch, trib. of Clear Cr.	21.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, T. 8 S., R. 46 E., W. M.
	(NOTE: See Findings in Contest No. 9, page 23)						

ATTEST: A true copy.

A. B. COMBS, Jr.,
County Clerk.

(SEAL)

STATE OF OREGON)
) ss
County of Marion)

I, CHAS. E. STRICKLIN, State Engineer of the State of Oregon, do hereby certify that the foregoing copy of ORDER CORRECTING ERRORS, dated January 29, 1932, in the Matter of the Determination of the Relative Rights to the Use of the Waters of PINE CREEK and its Tributaries, a tributary of Snake River, is a true and correct copy of such Order as received in this office and entered of record herein on February 5, 1932.

IN WITNESS WHEREOF I have hereunto set my hand this 5th day of February, 1932.

CHAS. E. STRICKLIN
State Engineer