

In the Matter of the Determination)
)
 of)
)
 the Relative Rights of the Various)
 Claimants to the Waters of the Umatilla)
 River and its Tributaries, a)
 Tributary of the Columbia River, in)
 Umatilla County, Oregon)

NUNC PRO TUNC ORDER

THIS MATTER coming on now to be heard upon the motion of William H. Condra, appearing by his attorneys, Raley, Raley & Warner, John F. Kilkenny and Alfred F. Cunha, for an order nunc pro tunc making certain corrections in the findings of fact filed in this cause in the above entitled court on the 9th day of September, 1916, and the decree entered in the above entitled court and cause on the 9th day of September, 1916, and also in Volume A of the Water Right Certificate Book at page 277 on file herein, and

It duly appearing to the court that the land description set forth in the claim and statement and proof of claimant of H. H. Gilbert filed and on record with the Clerk of the Court and described as Section 4, Township 1 South of Range 32, E.W.M. is a true description and Range of said lands, and

It further appearing to the court that the Range as given in the description of the lands listed under the name of H. H. Gilbert, appropriator, at page 57 of the Findings of Fact and at page _____ of the decree in this matter, and at page 277 of Folume A of Water Right Certificate Book as "North" of Range 32" is incorrect, and

It further appearing to the court that the mistake is evident on the fact of the record, and

The court being now fully advised in the premises,

It is therefore hereby ORDERED that the true and correct description of the lands listed under the name of H. H. Gilbert, appropriator at page 57 of the Findings of Fact, which Findings of Fact were filed in this matter with the Clerk of this court on the 9th day of September, 1916, and also at page _____ of the decree entered herein on September 9, 1916, and also at page 277 of Volume A of the Water Right Certificate Book filed herein, is "south of Range 32, and that the full, true and correct Section, Township and Range of the said lands is Section 4, Township 1, South of Range 32, E.W.M.

It is further ORDERED that the Clerk of the Court forthwith correct said findings of fact, decree and Water Right Certificate Book filed herein, so that the true and correct description shall appear in each of said instruments in accordance with this order.

This Nunc Pro Tunc Order ENTERED this 23rd day of February, 1933.

STATE OF OREGON)
) ss
County of Umatilla)

I, Jessie M. Bell, County Clerk in and for the said County and State, and ex-officio Clerk of the Circuit Court of the State of Oregon for Umatilla County, do hereby certify that the foregoing copy of instrument has been by me compared with the record, and that it is a correct transcript therefrom, and of the whole of such record as the same appears of record and on file at my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 6th day of Feb. 1956.

(SGD) Jessie M. Bell
Clerk

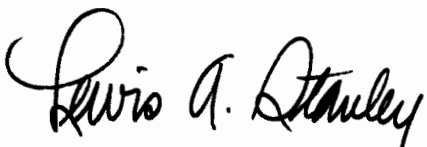
(SGD) Rosemary Belts
Deputy

(S E A L)

STATE OF OREGON)
) ss.
County of Marion)

I, LEWIS A. STANLEY, State Engineer of Oregon, do hereby certify that the foregoing certified copy of NUNC PRO TUNC ORDER of the Circuit Court dated February 23, 1933, in the matter of the determination of the relative rights of the various claimants to the waters of the Umatilla River and its tributaries, a tributary of the Columbia River, was received in this office and entered of record herein on this 7th day of February, 1956.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of February, 1956.


LEWIS A. STANLEY, State Engineer