

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF HARNEY

IN THE MATTER OF THE DETERMINATION OF THE
RELATIVE RIGHTS TO THE WATERS OF SILVIES
RIVER AND ITS TRIBUTARIES, A TRIBUTARY OF
MALHEUR LAKE, IN GRANT AND HARNEY COUNTIES,
STATE OF OREGON.

Order Correcting
Decree.

Now on this 19th day of April, 1932, the above entitled matter coming on to be heard on motion of Martha Baker and Zelma Baker, successors in interest to E. D. Baker, for the entry of an order herein correcting certain clerical errors and omissions in the decree entered by this Court in the above entitled matter, and

It appearing to the Court that the State Water Board of Oregon, in its consideration of the above entitled matter, awarded the late E. D. Baker a relative priority of 1889 for 5.14 cubic feet per second from Sage Hen Creek and West Fork of Silvies River through a ditch without name for the irrigation of 410.81 acres of land described as:

40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
35 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 24, Township 24 South, Range 30 E.W.M.	
40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$	38.81 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3)
Section 19, Township 24 South, Range 31 E.W.M.	

And it further appearing to the Court that such award by the State Water Board to the late E. D. Baker was not appealed or disturbed in any way and that the foregoing data should be in the decree of this Court in the same identical form as it is above set out, and

It further appearing to the Court that in the preparation of the decree of this Court in said matter, certain clerical errors and omissions resulted in E. D. Baker being awarded a date of relative priority of 1889 for 5.14 cubic feet per second from Sage Hen Creek and West Fork of Silvies River through a ditch without name for the irrigation of 410.81 acres of land, and that in the description of the various subdivisions to which such right was appurtenant, but 332 acres of land were described and that the descriptions given in the Said decree covered lands in Section 19, Township 24 South, Range 31 E. W. M. which were not and are not now owned by the late E. D. Baker, or Martha Baker and Zelma Baker, his successors in interest, when the descriptions should have been shown as being within Section 24, Township 24 South, Range 30 E.W.M., and that the lands owned by the late E. D. Baker, and his successors in interest, in Section 19, Township 24 South, Range 31 E. W. M. described as 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 38.81 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3) were entirely omitted from the detailed description although included in the total acreage to which the right was awarded, and

It further appearing to the Court that these discrepancies have resulted very obviously from clerical errors and omissions and that corrections of appropriate character should be made, now therefore

IT IS CONSIDERED, ORDERED AND DECREED That the decree of this Court in the above entitled matter be corrected to show that E. D. Baker, and his successors in interest, has a date of relative priority of 1889 for 5.14 cubic feet per second from Sage Hen Creek and West Fork of Silvies River through a ditch without name for the irrigation of 410.81 acres of land described as follows:

40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
35 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$	25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$	10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24, Township 24 South, Range 30 E.W.M.

40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
38.81 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3)
Section 19, Township 24 South, Range 31 E.W.M.

And it is further CONSIDERED, ORDERED AND DECREED That the clerk of this Court be and he is hereby authorized and directed to make the corrections ordered herein upon the records of this Court in his possession and custody.

Done and dated at Ontario, Oregon the day and year first above written.

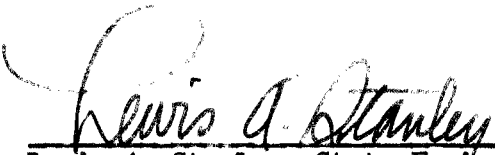
W. W. Wood
Circuit Judge

Filed: April 21, 1932.
Wm. M. Carroll, Clerk.

STATE OF OREGON)
County of Marion) ss.

I, LEWIS A. STANLEY, State Engineer of Oregon, do hereby certify that the foregoing copy of Order Correcting Decree In The Matter of the Determination of the Relative Rights to the waters of Silvies River and its Tributaries, a tributary of Malheur Lake, in Grant and Harney Counties, State of Oregon, is a true and correct copy of a photostat of said DECREE, as received in this office, March 27, 1958, and entered of record herein this 22nd day of October 1958.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of
October 1958.


Lewis A. Stanley, State Engineer