

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR JACKSON COUNTY

IN THE MATTER OF THE DETERMINATION)
OF THE RELATIVE RIGHTS TO THE WATER)
OF ROGUE RIVER AND ITS TRIBUTARIES)

1203-E
ORDER CORRECTING DECREE

This matter came on to be heard upon the motion of Leslie G. Schneider and Thelma I. Schneider, husband and wife, for an order correcting the decree entered in this matter April 26, 1919 insofar as the same pertains to the adjudication of water rights to Wilbur W. Cameron which adjudication appears in said decree and on page 22 columns 1 and 2 of the printed form of said decree, by deleting from said decree and said printed form thereof the following provisions, to-wit:

WILBUR W. CAMERON, Jacksonville, Ore., (Proof 649, Vol. 10); Priority 1876; 3.28 second feet; for Irrigation of 131 acres, and Domestic and Stock Use; Comstock ditch; Description of place of use: 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 29 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 23 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 17-acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 23 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec 15; 1 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 22; Tp. 39 S.R. 3 W. W. M., Jackson County, Oregon,

and inserting in lieu thereof the following provisions, to-wit:

WILBUR W. CAMERON, Jacksonville, Ore., (Proof 649, Vol 10); Priority 1876; 3.28 second feet; for Irrigation of 131 acres, and Domestic and Stock use; Comstock ditch; description of place of use: 6.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 31.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 22.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 17.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 21.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 6.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 4.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 16.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec 15; 1 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 22; Tp 39 S.R. 3 W.W.M., Jackson County, Oregon.

said motion supported by affidavit of the moving parties and the affidavit of David C. Hendrix, Watermaster of Jackson County, Oregon.

And it appearing to the court from said affidavits and the proofs and statements filed in connection with the above entitled proceedings, that:

1. Leslie G. Schneider and Thelma I. Schneider, husband and wife, the moving parties herein, are the record owners and fee simple owners of a certain 126 acre parcel within the W $\frac{1}{2}$ of Section 15, Township 39 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon.

2. The aforesaid 126 acres within the said West $\frac{1}{2}$ of said Section 15 is entitled to irrigation water from the Applegate River pursuant to a decree entered herein on April 26, 1919, page 22, Columns 2 and 3.

3. The place of the use for the irrigation water as provided for in said decree is inconsistent with the actual use thereof as illustrated in the following schedule, to-wit:

Location in Sec. 15 Tp. 39 S.R. 3 W.W.M.	Decreed	Actual Use
NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 acres	6.2 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	29.0	31.3
SW $\frac{1}{4}$ NW $\frac{1}{4}$	23.0	22.1
SE $\frac{1}{4}$ NW $\frac{1}{4}$	17.0	17.9
NE $\frac{1}{4}$ SW $\frac{1}{4}$	23.0	21.2
NW $\frac{1}{4}$ SW $\frac{1}{4}$	5.0	6.3
SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.0	4.5
SE $\frac{1}{4}$ SW $\frac{1}{4}$	<u>21.0</u>	<u>16.5</u>
Total acreage	126.0	126.0

4. That the aforesaid actual use has been the continuous and actual use ever since and prior to the time of the aforesaid decree.

5. That the aforesaid decree should be corrected to reflect and conform the decreed use with the actual use of the water as the same existed at, prior to and ever since the time of said decree,

And the court now being fully advised in the premises and good cause appearing, it is hereby

ORDERED, ADJUDGED AND DECREED:

1) That the decree in the above entitled matter dated April 26, 1919 be and the same hereby is corrected and amended by deleting the following provisions appearing in said decree and in said printed form on page 22, Columns 1 and 2 thereof, to-wit:

WILBUR W. CAMERON, Jacksonville, Ore., (Proof 649, Vol. 10); Priority 1876; 3.28 second feet; for irrigation of 131 acres, and Domestic and Stock use; Comstock ditch; description of place of use: 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 29 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 23 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 17 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 23 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 21 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 15; 1 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 22; Tp. 39 S.R. 3 W.W.M., Jackson County, Oregon,

and inserting in lieu of the foregoing the following provisions, to-wit:

WILBUR W. CAMERON, Jacksonville, Ore., (Proof 649, Vol. 10); Priority 1876; 3.28 second feet; for Irrigation of 131 acres, and Domestic and Stock use; Comstock ditch; description of place of use: 6.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 31.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 22.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 17.9 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 21.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 6.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 4.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 16.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 15; 1 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 22; Tp. 39 S.R. 3 W. W. M., Jackson County, Oregon.

DATED this 20 day of September, 1972.

/s/ James M. Main
CIRCUIT JUDGE

STATE OF OREGON
County of Jackson

I, Harry Chipman, County Clerk of the above named County and State and Clerk of the Circuit Court of the County of Jackson and State of Oregon do hereby certify that the foregoing copy has been by me compared with the original, and that it is a transcript therefrom, and of the whole of such original as the same appears on file or of record in my office and in my care and custody.

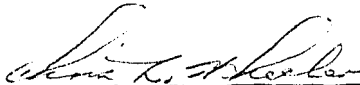
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 26 day of Sept A.D. 1972.

Harry Chipman, Jackson County Clerk
By /s/ Helen Betz Deputy

STATE OF OREGON)
County of Marion) ss

I, CHRIS L. WHEELER, State Engineer of the State of Oregon, do hereby certify that the foregoing copy of Order Correcting Decree of the Circuit Court in the Matter of the Determination of the Relative Rights to the Water of Rogue River and its Tributaries is a full and correct copy of such order as the same was received in this office and entered herein this 2nd day of October, 1972.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of October, 1972.



CHRIS L. WHEELER, State Engineer