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that the allegations of such petition filed herein are true and correct and that Petitioners are entitled to the relief herein, and cause appearing and the court being fully advised, THEREFORE, judgment is entered herein as follows:

**FILED**

JUL 18 1994  
11:06 P.M.  
TRIAL COURT CLERK  
BY M. Sauer

The original North Powder River Decree

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

In the Matter of the Determination of the Relative Rights to the Waters of North Powder River, a Tributary of the Snake River, and its Tributaries,	)	Case No. 94-04-36112
WILLIAM DYKE and LORENE DYKE,	)	ORDER MODIFYING AND
Petitioners,	)	CORRECTING NORTH POWDER
	)	RIVER DECREE

THIS MATTER having come on regularly to be heard upon the petition of William Dyke and Lorene Dyke filed herein and the court finding that appropriate service of process has been made by personal service upon the State of Oregon, Water Resources Department and to Dick Marr and Judy Marr by their acceptance of service and to all other interested persons by published summons, duly published in the Observer and the Record-Courier, both newspapers of general circulation in Baker and Union Counties, Oregon, once a week for four (4) successive weeks, which service of process required all parties who are interested in or who would be effected in this matter to file objections to such petition, if

1 any there be, but no objections have been made; and it further appearing  
2 that the allegations of such petition filed herein are true and correct  
3 and that Petitioners are entitled to the relief prayed for therein, good  
4 cause appearing and the court being fully advised, NOW, THEREFORE,  
5 judgment is entered herein as follows:

6 1.

7 The original North Powder River Decree previously entered dated May  
8 1, 1916 and any certificates of water right issued by the state engineer  
9 or his successor, the Oregon Water Resources Department, are corrected  
10 to provide as follows:

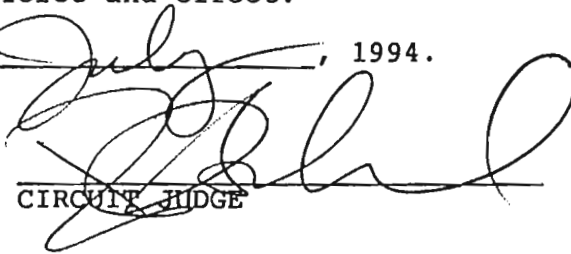
11 (a) The water right for irrigation of 24.5 acres within  
12 the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 11, Township 7 South, Range 38 E., W.M.  
13 with a relative date of priority of 1879 irrigated through the  
Blume-Zilkey Ditch is deleted.

14 *Cent*  
15 *13/1997*  
(b) A water right for 40.0 acres of irrigation within  
the SW $\frac{1}{4}$ SE $\frac{1}{4}$  in Section 11, Township 7 South, Range 38 E., W.M.  
with a relative date of priority of 1879 through the Bulger  
Ditch is hereby provided and granted in lieu thereof.

16 2.

17 Except as hereinabove or otherwise expressly amended and corrected,  
18 the original Decree entered May 1, 1916 known as the North Powder River  
19 Adjudication shall remain in full force and effect.

20 DATED this 18<sup>th</sup> day of July, 1994.

21  
22   
23 CIRCUIT JUDGE

24 Submitted by:  
25 Floyd C. Vaughan, OSB #78416  
26 Of Attorneys for Petitioners