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WATER RESOURCES DEPT  
SALEM, OREGON

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

In the Matter of the Determination )	
of the Relative Rights of the )	
Various Claimants to the Waters )	
of the Umatilla River and its )	No. CV 10-0929
Tributaries, a Tributary of the )	
Columbia River, in Umatilla )	GENERAL JUDGMENT
County, Oregon, )	
STEPHEN DRAPER and RAMONA DRAPER, )	
Movants. )	

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THIS MATTER having come on before the court upon the motion of Stephen Draper and Ramona Draper, the court noting that all issues to be decided by the court have been fully resolved and decided with the entry of the Order on Motion for Amendment of Decree, and the court noting that it is therefore appropriate for final judgment to be entered,

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IT IS HEREBY ADJUDGED AND DECREED AS FOLLOWS:

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(1) The Final Decree 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, entered in the matter on the 9<sup>th</sup> day of September, 1916, shall be amended as follows:

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A. The reference in the above-referenced Decree to that portion of the water rights adjudicated to Carl A. Johnson stated as "1 acre in NE $\frac{1}{4}$  SE $\frac{1}{4}$ " of Section 4, Township 2 South, Range 32, E.W.M., in Umatilla County, Oregon, is changed to "1 acre in SE $\frac{1}{4}$  SE $\frac{1}{4}$ " of said township and range.

1 B. The reference in the above-referenced Decree to that  
2 portion of the water rights adjudicated to Perry Knotts as "3 acres  
3 in NW $\frac{1}{4}$  NW $\frac{1}{4}$ " of Section 10, Township 2 South, Range 32, E.W.M., in  
4 Umatilla County, Oregon, is changed to "3 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ " of said  
5 township and range.

6 C. For clarity's sake, attached hereto as Exhibit A is a  
7 photocopy of said 1916 Decree showing the locations in the Decree  
8 which are being amended hereby.

9 D. In all other respects, said 1916 Decree shall remain  
10 unchanged by this Judgment.

11 DATED this 26th day of August, 2010.

12 /s/ Christopher R. Brauer  
13 Circuit Court Judge

14 Form prepared and submitted by:

15 Douglas E. Hojem, OSB No. 804253  
16 Corey, Byler, Rew, Lorenzen & Hojem  
17 222 Southeast Dorion Avenue  
18 P. O. Box 218  
19 Pendleton, Oregon 97801  
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NAME AND POSITION OF APPROPRIATOR	PRIORITY	CLASS. FOR SECOND	ACRES	CLASS.	CLASS.	CLASS.	DESCRIPTION
<p>53264 Johns, Jas (Transferred to J. B. Stanton) Pendleton, Ore.</p> <p>(Finding #9 Contest 125)</p>	1895	.20	40 1/2	Irrigation Domestic	Reith	Bir	1 acre in NE 1/4 NW 1/4 33 1/2 acres in NW 1/4 NW 1/4 14 acres in SW 1/4 NW 1/4 14 acres in SE 1/4 NW 1/4 Sec. 19 26 acres in SW 1/4 SW 1/4 Sec. 18 T. 2 N.R. 32 E.W.M. 3 acres in NE 1/4 NE 1/4 Sec. 24 9 acres in SE 1/4 SE 1/4 Sec. 13 T. 2 N. R. 31 E.W.M.
<p>2667w Johnson, Carl A. Pilot Rock, Ore.</p>	1883	.08	.6	Irrigation	Various	E. Birch & tribu- taries thereof. Spring Hollow & Calif. Gulch	1 acre in NE 1/4 SE 1/4 Sec. 4 1 1/2 acres in SE 1/4 NE 1/4 Sec. 21 1 1/2 acres in SW 1/4 NW 1/4 Sec. 22 5 acres in NW 1/4 Sec. 17 T. 2 S. R. 32 E.W.M. 5 acres in NE 1/4 NE 1/4 5 acres in SE 1/4 NE 1/4 6 acres in NE 1/4 SW 1/4 Sec. 32 T. 1 S.R. 32 E.W.M.
<p>2568 Jones, Geo. W. Pendleton, Ore.</p> <p>(Finding #9 Contest 191)</p>	1904	.15	12	Irrigation & Sub-irrig.		McKay	5 acres in NW 1/4 SE 1/4 2 acres in NW 1/4 SE 1/4 4 acres in SW 1/4 SE 1/4 1 acre in SE 1/4 SE 1/4 Sec. 34 T. 2 N. R. 32 E.W.M.
<p>2569 Jordan, Frank L. Pilot Rock, Ore.</p> <p>(Finding #9 Contest 124)</p>	Apr. 1895	.05	4	Irrigation		East Birch	2 acres in SE 1/4 SW 1/4 Sec. 7 2 acres in NE 1/4 NW 1/4 Sec. 18 T. 2 S.R. 33 E.W.M.
<p>2570 Kalyton, Pete Mayuse #248; To-let heir of Umatilla Indian Agency, Pendleton Oregon.</p> <p>(Finding #9 Contest 299)</p>	1895	.01	1	Irrigation		Rigby Main	1 acre in NE 1/4 NW 1/4 Sec. 12 T. 2 N.R. 33 E.W.M.
<p>2571 Lane, Joa. Pendleton, Ore.</p> <p>(Finding #9 Contest 160)</p>	June 16 1891	.54	43	Irrigation		Isabelle & Horton McKay	20 acres in NE 1/4 NE 1/4 5 acres in NW 1/4 NE 1/4 3 acres in SW 1/4 NE 1/4 15 acres in SE 1/4 NE 1/4 Sec. 35 T. 1 N.R. 32 E.W.M.

79 ac. WAGLELLER Sp. U. V. 33 171  
T-3122 4 POD & POD 211  
Spdr V33, P484

T-6254 Δ POD  
0 5 Ac SWSW 5 7  
1 5 SE SW 5 7  
2 5 NW NW 5 18

NOTE: This right when used by an Indian is paramount to all other rights; when used by any other person is regulated by priority date.



Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Acre	Number Acres	Use	Name of Ditch	Stream	Place of Use
1572 Kemler, Daniel Pendleton, Ore.  (Findings 16, 9 Contest 163)	1893	.41	33	Irrigation Stock	Eastman Beagle & Coldwell Bros.	McKay	1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 26 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28 T. 2 N. R. 32 E.W.M.  (Vol. 1, p. 252)
55408 Kemler, Rebecca Pendleton, Ore.  (Findings #11, 9 Contest 162) *T. 3833	1894  Vol. 1, p. 189	.16	13	Irrigation	French	McKay	10 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ + 2 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21 T. 2 N. R. 32 E.W.M.
42863 Kennison, L. T. Stanfield, Ore.  (Finding #9 Contest 87)  T-3943 A P.D. O.S.E.T.	1903	.27	22	Irrigation	Pump	Main	17 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31 T. 4 N.R. 29 E.W.M.
37154 Knotts, Isaac, Estate of, by Alonso Knotts, Att. Pilot Rock, Ore.  (Finding #9 Contest 164)	1875  1892	.37  .51	30  41	Irrigation	Knotts	East Birch	15 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10 2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4 T. 2 S.R. 32 E.W.M. 4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22 T. 2 S. R. 33 E.W.M.
Knotts, Perry Pilot Rock, Ore.  (Finding #9 Contest 80)	1882  1898	.05  .10	4  8	Irrigation		California Gulch	9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T. 2 S.R. 32 E.W.M.
Knotts, J. H. Babo, Ore.	1903	.05	4	Irrigation	Pump	Main	4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16 T. 3 N.R. 29 E.W.M.
LaDow, Louis McA, 148 So. Calif. St., Stockton, Calif.  (Finding #9 Contest 166)	1891	.75	60	Irrigation Domestic Stock	La Dow	McKay	6 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 21 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3 T. 1 N.R. 32 E.W.M.

Cancelled - sp. or Rec. Vol. 34 P. 167

Modified by Decree, Vol. 18 Page 392  
Modified by Decree, Vol. 18 Page 393  
Ch. Pt. of Div. 5<sup>th</sup> ac. @  
Sp. D. Vol. 13 p. 553