

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF)
THE CANCELATION)
OF A WATER RIGHT)

O R D E R

On July 28, 1969, Thomas A. and Gwynn V. Schroeder submitted an affidavit that they are the owners of the following described land:

Commencing at the southeast corner of Block 10, in the town of Freewater, now City of Milton-Freewater; thence East 70 feet; thence North 100 feet to the Northwest corner of that tract of land conveyed to Robert E. Giger, et ux, by Deed recorded in Book 239, Page 276 of the Deed Records of Umatilla County, Oregon and the true point of beginning for this description; thence East along the North line of said Giger Tract and said line extended 270.5 feet; thence North 20 feet; thence East to the West bank of the Tum-a-Lum River; thence Northerly along the said West bank to the East-West center line of Section 1, Township 5 North, Range 35; thence West along said center line to the Northeast corner of land conveyed to the City of Milton-Freewater by Deed recorded in Book 254, Page 326 of the said Deed Records; thence South along the East line of said City tract and said line extended 130 feet, more or less, to the Southeast corner of land conveyed to Albert E. St. Louis, et ux, by Deed recorded in Book 253, Page 628, of the said Deed Records; thence East along the Easterly extension of the South line of said St. Louis tract, 10 feet; thence South 100 feet to the point of beginning;

and the water right appurtenant thereto, that they have abandoned any and all interest in and to said water right and request the same be canceled.

The water right in question is for the use of not to exceed one and one-half miner's inches per acre measured at the point of diversion of the waters of Walla Walla River for irrigation of 1.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 5 North, Range 35 East, W.M., with a date of priority of 1887, and is evidenced by certificate of water right issued in the name of Ella Douglas and recorded at page 12643, Volume 11, State Record of Water Right Certificates.

That part of the above water right for the use of not to exceed one and one-half miner's inches per acre measured at the point of diversion of the waters of Walla Walla River for irrigation of 1.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 5 North, Range 35 East, W.M., with a date of priority of 1887, and evidenced by certificate of water right recorded at page 12643, Volume 11, State Record of Water Right Certificates, is not in question in this proceeding.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right for the use of not to exceed one and one-half miner's inches per acre measured at the point of diversion of the waters of Walla Walla River, through the Stillman Ditch, for irrigation of 1.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 5 North, Range 35 East, W.M., with a date of priority of 1887, as evidenced by certificate of water right recorded at page 12643, Volume 11, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 8th day of September, 1969.


CHRIS L. WHEELER
State Engineer