

BEFORE THE STATE ENGINEER OF OREGON

Union County

Re Amended SP 5764, p. 339

IN THE MATTER OF THE APPLICATION)
OF MYRON LYONS FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM CATHERINE CREEK)
- - - - -

AMENDED ORDER

On May 29, 1928, the State Engineer entered an order approving an application of Myron Lyons for a change in point of diversion of water from Catherine Creek, a copy of said order reading as follows, to-wit:

"Now, at this time, this matter coming on for consideration by the State Engineer on the application of Myron Lyons of Hot Lake, Oregon, and it appearing:

That in the decree of the Circuit Court of the State of Oregon for Union County, entered in the matter of the determination of rights to the waters of Grande Ronde River and its tributaries, dated August 8, 1925, a water right was allowed in the name of John F. Dobbin, as follows:

Nov.	40.01	Irri-	Sugar	Catherine	17.73 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
1903		gation	Beet	Creek	2.75 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
			Irri.		Section 10,
			Co.		15.93 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
			Ditch		3.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
					Section 3,
					T. 4 S., R. 29 E., W.M.

The water used under said right has heretofore been diverted through the Miller Ditch, having its head in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T. 4 S., R. 39 E., W.M. It is now proposed to divert said water directly from Catherine Creek by pumping, at a point about one mile down stream from the old diversion point, the new point being situated near the NE $\frac{1}{4}$ corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T. 4 S., R. 39 E., W.M.

Notice of the filing of said application has been given by the State Engineer by publication in a newspaper printed and having general circulation in the county in which such water rights are located, as provided by Section 5764, Oregon Laws, as amended by Chapter 219, Laws of 1927, and no objections to such application have been filed.

It further appearing, that the proposed change may be made without injury to existing rights.

NOW, THEREFORE, IT IS HEREBY ORDERED that said change be and the same is hereby approved without loss of priority of the water rights as heretofore established."

From an examination of the water right involved and the original application for the change in point of diversion of water filed by Myron Lyons on April 14, 1928, it appears that the lands involved were in Sections 3 and 10, Township 4 South, Range 39 East, W. M.

It further appears that a typographical error was made in entering the order approving such application, wherein the lands were described as being within Sections 3 and 10, Township 4 South, Range 29 East, W. M.

NOW, THEREFORE, it is hereby ORDERED that line 14 of the order of the State Engineer entered May 29, 1928, is amended to read "Range 39 East, W. M.

Dated at Salem, Oregon, this 11th day of May, 1962.

*Noted on Decree
Vol. 8 p. 31
Cert. # 6238*

Max F. Rogers
MAX F. ROGERS
Acting State Engineer

Amended by Sp. Pr. Vol. 13 p 339