

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF RAY J. CUNNINGHAM FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM SQUAW CREEK.)

O R D E R

AMENDING ORDER OF AUGUST 19, 1959

On August 19, 1959, the State Engineer entered an order approving an application of Ray J. Cunningham for a change in place of use of water from Squaw Creek, wherein the water rights appurtenant to 4 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 14 South, Range 12 East, W. M., with a date of priority of November 11, 1895, and 30 acres in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), 11.5 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), and 34.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, said township and range, with a date of priority of 1895, were transferred to 20 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 15 South, Range 10 East, W. M., and 10 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) and 30 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, Township 15 South, Range 11 East, W. M.

It appears that the 80 acres from which the water was transferred has two different dates of priority but the order did not segregate the 4 acres to have the date of priority of 1895 from the 76 acres to have the November 11, 1895 priority.

No injury would result to existing rights by amending paragraph six of page 2 of the above described order, so as to set out the lands to which the various priorities are appurtenant.

NOW, THEREFORE, it hereby is ORDERED that paragraph six of page 2 of the State Engineer's order entered August 19, 1959, approving application of Ray J. Cunningham for a change in place of use of water from Squaw Creek, be deleted from said order and that the following paragraph be substituted therefor, to-wit:

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water from Squaw Creek be and the same is approved and that the water right hereinbefore described as appurtenant to 4 acres in the

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 14 South, Range 12 East, W. M., with a date of priority of November 11, 1895, and 30 acres in Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), 11.5 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), and 34.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, said township and range, with a date of pricity of 1895, be severed therefrom and simultaneously and without loss of priority transferred to 4 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 15 South, range 10 East, W. M., with a date of priority of November 11, 1895, and 16 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 15 South, Range 10 East, W. M., and 10 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) and 30 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, Township 15 South, Range 11 East, W. M., with a date of priority of 1895.

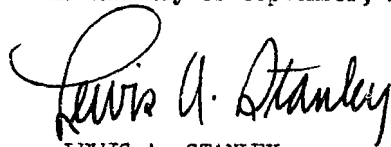
Dated at Salem, Oregon this 2nd day of September, 1959.

Noted on Decree

Vol. 1 p 125, 476

Cert. # 302, 850

Tranf # C-130



LEWIS A. STANLEY
State Engineer