

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

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

O R D E R

On June 18, 1968, Ronald Baker, Manager of the C. & B. Livestock Company, Inc. submitted an affidavit that C. & B. Livestock Company, Inc., is the owner of the lands and the water right appurtenant thereto; that they have abandoned any and all interest in and to said water right and request the same to be canceled.

The water right in question is for the use of not to exceed 1.09 cubic feet per second of the waters of Well No. 2 for irrigation of 7.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 39.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 4 North, Range 28 East, W.M., with a date of priority of September 7, 1965, and is evidenced by certificate of water right recorded at page 34387, Volume 26, State Record of Water Right Certificates.

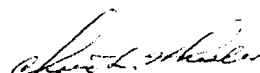
That part of said water right for the use of not to exceed 0.45 cubic foot per second of the waters of Well No. 2 for irrigation of 3.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21 and 32.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22; and for the use of not to exceed 0.90 cubic foot per second of the waters of Well No. 2 for dust control in NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 4 North, Range 28 East, W.M., with a date of priority of September 7, 1965, as evidenced by certificate of water right recorded at page 34387, Volume 26, 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 cancellation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right to the use of not to exceed 1.09 cubic feet per second of the waters of Well No. 2 for irrigation of 7.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 39.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 4 North, Range 28 East, W.M., with a date of priority of September 7, 1965, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 34387, Volume 26, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to C. & B. Livestock Company, Inc., covering that part of the water right not in question which is for the use of not to exceed 0.45 cubic foot per second of the waters of Well No. 2 for irrigation of 3.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21 and 32.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22; and for the use of not to exceed 0.90 cubic foot per second of the waters of Well No. 2 for dust control within NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 4 North, Range 28 East, W.M., with a date of priority of September 7, 1965.

Dated at Salem, Oregon, this 21st day of June, 1968.



CHRIS L. WHEELER
State Engineer