

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

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

O R D E R

On September 14, 1966, Fredcrick H. Mow submitted an affidavit that he is the legal owner of the Northerly 170 feet of the Northwest Quarter of the Northeast Quarter of Section 24, Township 6 North, Range 35 East, W.M., and the water rights appurtenant thereto; that he has abandoned any and all interest in and to said water rights and requests the same to be canceled.

The water rights in question are:

(a) for the use of not to exceed 0.03 cubic foot per second of the waters of an unnamed spring creek, a tributary of Walla Walla River, for the irrigation of 2.8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of January 25, 1947 and is evidenced by certificate of water right issued in the name of R. K. and G. K. Waller and recorded at page 21064, Volume 15, State Record of Water Right Certificates;

(b) for the use of not to exceed 0.08 cubic foot per second of the waters of Walla Walla River, a tributary of Columbia River, for the irrigation of 1.04 acres and for the supplemental irrigation of 2.8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of April 25, 1960, as evidenced by certificate of water right issued in the name of Robert A. Still and recorded at page 31212, Volume 23, State Record of Water Right Certificates.

That part of the water right described in paragraph (a) above for the use of not to exceed 0.22 cubic foot per second of the waters of an unnamed spring creek, a tributary of Walla Walla River, for the irrigation

of 21.06 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of January 25, 1947, as recorded at page 21064, Volume 15, State Record of Water Right Certificates, is not in question;

Also, that part of the water right described in paragraph (b) above for the use of not to exceed 1.01 cubic feet per second of the waters of Walla Walla River for the supplemental irrigation of 34.06 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and supplemental irrigation of 12.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of April 25, 1960, as evidenced by certificate recorded at page 31212, Volume 23, State Record of Water Right Certificates, is not in question.

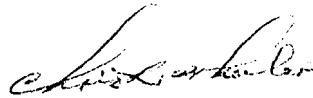
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right to the use of not to exceed 0.03 cubic foot per second of the waters of an unnamed spring creek, a tributary of Walla Walla River, for the irrigation of 2.8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of January 25, 1947, as recorded at page 21064, Volume 15, State Record of Water Right Certificates, is canceled; also the right to the use of not to exceed 0.08 cubic foot per second of the waters of Walla Walla River for the irrigation of 1.04 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and for the supplemental irrigation of 2.8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of April 25, 1960, as recorded at page 31212, Volume 23, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 21064, Volume 15, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Robert A. and Lorraine Still

and Earl E. and Ruth O. Royse, covering that part of the water right not in question which is for the use of not to exceed 0.22 cubic foot per second of the waters of an unnamed spring creek for the irrigation of 21.06 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of January 25, 1947; also certificate of water right recorded at page 31212, Volume 23, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Robert A. Still covering that part of the water right not in question which is for the use of not to exceed 1.01 cubic feet per second of the waters of Walla Walla River, a tributary of Columbia River, for the supplemental irrigation of 34.06 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and supplemental irrigation of 12.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of April 25, 1960.

Dated at Salem, Oregon, this 4th day of October, 1966.



CHRIS L. WHEELER
State Engineer