

BEFORE THE STATE ENGINEER OF OREGON

Union County

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

O R D E R

On October 16, 1967, Robert Withycombe, James W. Withycombe, Isabel Boyd and Carolyn Carothers submitted affidavits that they are the owners of SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 31, Township 3 South, Range 40 East, W.M., 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.

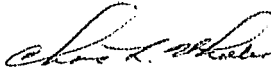
The water right in question is for the use of not to exceed 0.15 cubic foot per second of the waters of Catherine Creek, a tributary of Grande Ronde River, for the irrigation of 10.58 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 1.34 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 31, Township 3 South, Range 40 East, W.M., with a date of priority of April 26, 1911, and is confirmed by certificate of water right issued in the name of State Ditch Company and recorded at page 3485, Volume 4, State Record of Water Right Certificates.

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 0.15 cubic foot per second of the waters of Catherine Creek, a tributary of Grande Ronde River, for irrigation of 10.58 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 1.34 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 31, Township 3 South, Range 40 East, W.M., with a date of priority of April 26, 1911, as evidenced by certificate of water right recorded at page 3485, Volume 4, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 18th day of October, 1967.

*Amended; see Order dated  
Nov. 3, 1967 (Vol. 16, p. 344)*

  
CHARLES L. WHEELER  
State Engineer