

BEFORE THE STATE ENGINEER OF OREGON

Union County

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

An order entered May 29, 1928, approving the application of Myron Lyons for a change in point of diversion of water from Catherine Creek, as amended by an amending order entered May 11, 1962, provided in part as follows:

"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 downstream 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."

From an examination of maps on file in this office, it appears that the original point of diversion (into the Miller Ditch) was actually located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 15, Township 4 South, Range 39 East, W.M. Also, from a survey made September 30, 1963, by Mr. Carl Baker, a representative of the State Engineer in connection with taking proof of completion of the authorized change in point of diversion it appears that the lands are being irrigated by a portable pumping plant operated between two points located as follows:

1320 feet south and 200 feet east from the N $\frac{1}{4}$  corner of Section 10, Township 4 South, Range 39 East, W.M., and being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 10, and

450 feet north and 325 feet east from the S $\frac{1}{4}$  corner of Section 3, Township 4 South, Range 39 East, W.M., and being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 3.

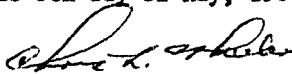
It appears, therefore, that the State Engineer's Order, entered May 29, 1928, should be further amended to correctly describe the location of the original point of diversion and the limits of travel of the new portable pumping plant as described in paragraph three hereof.

NOW, THEREFORE, it hereby is ORDERED that that part of the order above set forth be deleted therefrom and insert in lieu thereof the following, to-wit:

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 15, Township 4 South, Range 39 East, W.M. It is now proposed to divert said water directly from Catherine Creek by pumping with a portable pump between a point located 1320 feet south and 200 feet east from the N $\frac{1}{4}$  corner of Section 10, and being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 10, Township 4 South, Range 39 East, W.M., and a point located 450 feet north and 325 feet east from the S $\frac{1}{4}$  corner of Section 3, and being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 3, Township 4 South, Range 39 East, W.M.

Dated at Salem, Oregon, this 8th day of May, 1964.

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

  
CHRIS L. WHEELER  
State Engineer

*This Order amends Order:  
Sp. Cr. Vol. 1 p 417  
" "  
Sp. Cr. Vol. 12 p 14*