

BEFORE THE STATE ENGINEER OF OREGON

Union County

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

ORDER AMENDING ORDER  
DATED OCTOBER 18, 1967  
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On October 18, 1967, the State Engineer entered an order canceling a certain water right. It appears that this order is not clear as to the location of the lands to be canceled.

NOW, THEREFORE, it is hereby ORDERED that the order of the State Engineer dated October 18, 1967, is rescinded and in lieu thereof the following is entered.

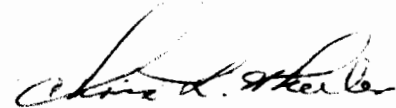
On October 16, 1967, Robert Withycombe, James W. Withycombe, Isabel Boyd and Carolyn Carothers submitted affidavits that they are each owners of one-fourth of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 31, Township 3 South, Range 40 East, W.M., and the water right appurtenant thereto, that they have abandoned any and all interest in and to the following described portion of the 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 the land lying East of State Highway No. 237, being 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 certificates 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 the irrigation of the land lying East of State Highway No. 237, being 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 3rd day of November, 1967.



CHRIS L. WHEELER  
State Engineer