

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF A PARTIAL)
CANCELANATION IN THE NAME OF)
HORSESHOE IRRIGATION COMPANY)
- - - - -

O R D E R

On March 26, 1964, Sidney J. Gallaway submitted a sworn statement that he is the owner of a certain water right and the real property to which the water right is appurtenant; that he has abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is a part of that established in the name of Horseshoe Irrigation Company by Decree of the Circuit Court for Umatilla County, entered September 9, 1916, In the Matter of the Determination of the Relative Rights of the Various Claimants to the Waters of the Umatilla River and its Tributaries, and is for the use of not to exceed 0.56 cubic foot per second of the waters of Umatilla River, with a date of priority of December 26, 1904, for the irrigation of 12.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 15.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 2 North, Range 30 East, W.M., tabulated in the name of Edw. Dupuis. This right is confirmed by certificate recorded at page 2552, Volume 3, State Record of Water Right Certificates.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 1.26 cubic feet per second of the waters of Umatilla River, with a date of priority of December 26, 1904, for domestic and stock use and the irrigation of 12.1 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 23.9 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2 and 3.5 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10.4 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, and 15.0 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 and 2.6 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 15.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 2 North, Range 30 East, W.M., 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 hereby is ORDERED that the right for the use of not to exceed 0.56 cubic foot per second of the waters of Umatilla River, with a date of priority of December 26, 1904, for the irrigation of 12.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 15.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 2 North, Range 30 East, W.M., is canceled.

Dated at Salem, Oregon, this 4th day of June, 1964.

*Noted on record
Vol. 3 p. 207
Cert. # 2552*



CHRIS L. WHEELER
State Engineer