

Josephine County

IN THE MATTER OF THE CANCELTION)
 OF A WATER RIGHT IN THE NAME OF)
 THE ESTATE OF J. W. SEAT.)

O R D E R

Notice was given by certified mail pursuant to the provisions of
 ORS 540.631 to 540.650 to:

Glen A. and Verna Prottzman, 632 West Bonnie Brae,
 Ontario, California
 Martin Jarvis, Route 1, Cave Junction, Oregon
 Bessie E. Bickel, Route 1, Cave Junction, Oregon
 Thomas H. and Melba A. Decker, Route 1, Cave Junction, Oregon
 Luther E. and Bonnie R. Tibbs, Route 1, Cave Junction, Oregon
 Sybil N. S. Bryant and O. C. Bryant, Route 1, Cave Junction,
 Oregon
 R. D. and Virginia M. Cherry, Route 1, Cave Junction, Oregon
 Clarence B. and Virginia L. Gilliam, Route 1, Cave Junction,
 Oregon
 Henry Schliemann, Cave Junction, Oregon

on April 15, 1963; and to:

Vern Mismar, Route 1, Box 769, Cave Junction, Oregon
 Ken Franklin, Route 1, Box 769, Cave Junction, Oregon
 Jack M. Smith, Route 1, Box 769, Cave Junction, Oregon
 Frank Ward and Virginia Ward, 1925 Hellar Lane, Redding,
 California
 Bonnie Miller, 1925 Hellar Lane, Redding, California

on February 13, 1964, all being owners and/or occupants of the real property
 to which a water right hereinafter described is appurtenant, of the State
 Engineer's intention to cancel a part of said water right.

The water right in question is a part of the right established in
 the name of the Estate of J. W. Seat by decree of the Circuit Court for
 Josephine County, entered September 26, 1939, in the Matter of the
 Determination of the Relative Rights to the Use of the Waters of Illinois
 River, a Tributary of Rogue River.

Said right in question is for the appropriation of the waters of
 Rough and Ready Creek through the Woodcock Ditch for the irrigation of 3.3
 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 20.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 36.4 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
 and 8.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 39 South, Range 8 West,
 W.M.; 26.4 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.2 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.0 acres in
 Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Section 5; 10.8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 17.6 acres in the
 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 40 South, Range 8 West, W.M., with a date of
 priority of 1902, and is evidenced by a certificate of water right issued

to the Estate of J. W. Seat and recorded in Volume 12 at page 13919,
State Record of Water Right Certificates.

That part of the right in the name of the Estate of J. W. Seat as confirmed in the above entitled proceedings, appurtenant to 26.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 25.6 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 27.6 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 40 South, Range 8 West, W.M., is not in question in this proceeding.

No protest against the proposed cancelation of said water right having been filed within the sixty day periods immediately following said notices, it appears that said water right should be canceled.

NOW, THEREFORE, it hereby is ORDERED that that portion of the water right established in the name of the Estate of J. W. Seat for the irrigation of 3.3 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 20.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 36.4 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 8.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 39 South, Range 8 West, W.M., 26.4 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.2 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.0 acres in Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Section 5; 10.8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 17.6 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 40 South, Range 8 West, W.M., as evidenced by certificate recorded at page 13919, Volume 12, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 31st day of August, 1964

Noted on Decree
Vol. 13 p. 119
Cert. # 13919


CHRIS L. WHEELER
State Engineer

See also Sp. D. r. Vol. 13, p. 254

Cancellation # 91
126 2 Ac. cancelled by this Order