

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF THE )  
PARTIAL CANCELATION OF )  
A WATER RIGHT IN THE )  
NAME OF J. A. BRADLEY )

O R D E R

On April 22, 1963 George H. White submitted a sworn statement that he is the legal 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 the said water right and requests the same to be canceled.

The water right in question is a part of that evidenced by the certificate recorded at Volume 2, page 957, State Record of Water Rights Certificates, and is for the appropriation of not to exceed 0.063 cubic foot per second of water from a spring branch, tributary of Walla Walla River, with a date of priority of July 16, 1909, for irrigation of 5 acres in the north half of Lot 11, Grandview Orchard Tracts, Section 13, Township 6 North, Range 35 East, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 2.607 cubic feet per second of water from a spring branch, tributary of Walla Walla River, with a date of priority of July 16, 1909, for domestic use and irrigation of the following lands:

26.5 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
26.5 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
40.0 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
40.0 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
35.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 13,  
Township 6 North, Range 35 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 cancellation thereof, the State Engineer shall enter an order canceling the water right."

By order dated June 24, 1963 and recorded at Volume 12, page 496D, Special Order Record of the State Engineer, the right evidenced by the certificate recorded at Volume 2, page 957, State Record of Water Rights Certificates, was canceled.

It appears that said order should be rescinded and an order entered canceling only that part of the water right authorized and requested in the affidavit of George H. White.

NOW, THEREFORE, it hereby is ORDERED that the order of the State Engineer entered at Volume 12, page 496D, Special Order Record of the State Engineer, is rescinded.

It is FURTHER ORDERED that the right for the use of not to exceed 0.063 cubic foot per second of water from a spring branch, tributary of Walla Walla River, with a date of priority of July 16, 1909, for irrigation of 5 acres in the north half of Lot 11, Grandview Orchard Tracts, Section 13, Township 6 North, Range 35 East, W.M., is canceled.

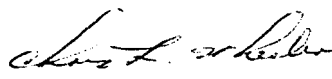
It is FURTHER ORDERED that the certificate recorded at Volume 2, page 957, State Record of Water Rights Certificates, is canceled and in lieu thereof a new certificate be issued in the name of J. A. Bradley covering that part of the water right not in question which is for the appropriation of not to exceed 2.607 cubic feet per second of water from a spring branch, tributary of Walla Walla River, with a date of priority of July 16, 1909, for domestic use and irrigation of the following lands:

26.5 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
26.5 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
40.0 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
40.0 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
35.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 13,  
Township 6 North, Range 35 East, W.M.

Dated at Salem, Oregon this 23rd day of August 1963.

*Noted on records*

App. # 189  
Ord. # 957

  
CHRIS L. WHEELER  
State Engineer

Supervised by  
Ord. No. 21235