

BEFORE THE STATE ENGINEER OF OREGON

Jefferson County

IN THE MATTER OF THE)
MODIFICATION OF PERMIT)
NO. 32742 IN THE NAME)
OF BILLY J. TOWERY)

O R D E R

On December 13, 1967, Billy J. Towery filed an application for permit to appropriate 20.0 cubic feet per second of water from Dry Canyon Creek for irrigation of 780 acres of land lying in the east half of Section 7 and Section 8, Township 11 South, Range 13 East, W.M.

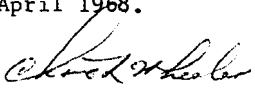
The application was returned to Mr. Towery on December 15, 1967 for completion. He resubmitted the application to the State Engineer on February 16, 1968, together with an accompanying statement from the North Unit Irrigation District setting forth a restriction on use or demand for any flow outside of Mr. Towery's property lines. The limitation in the North Unit Irrigation District's statement was a part of the approved application and through inadvertence was not set forth in the permit.

It appears that for clarity said permit should be modified to include this limitation.

NOW, THEREFORE, it is hereby ORDERED that permit No. 32742 in the name of Billy J. Towery for the use of not to exceed 9.0 cubic feet per second of water from Dry Canyon Creek for irrigation of 540 acres of land is modified by addition of the following:

"provided further that this right is limited to the amount of water available at the south line of the NW $\frac{1}{4}$, Section 9, Township 11 South, Range 13 East, W.M., and shall not carry with it the right to compel the continuance of any waste water from lands irrigated above, or restrict the North Unit Irrigation District in any way from recovering and reusing waste water from district lands".

Dated at Salem, Oregon this 8th day of April 1968.


CHRIS L. WHEELER
State Engineer