

Name Sherman E. Hawkins

4144

By \_\_\_\_\_

Address Route 2, Box 2660  
La Grande, OR 97850Change in PODDate filed Jan 25, 1979Date of hearing May 10, 1979Place of hearing La GrandeDate of order 1-28-80 Vol. 32, page 671Date for application of water 10-1-81

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued 2/25/81 Vol. 42, page 79084Surveyed 7/9/84  
FEB 24 1989

60397

to survey 2100

## DESCRIPTION OF WATER RIGHT

Name of stream Catherine CreekTrib. of \_\_\_\_\_ County of Union

Use \_\_\_\_\_

Quantity of water \_\_\_\_\_ No. of acres 18.64Name of ditch Wright-Hemp-HutchinsonDate of priority 1891In name of Mac Wood & R.A. WilkersonGrande Ronde Riv Adjudication, Vol. 8, page 106MApp. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 6644

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>1-25-79</u>	<u>35 -</u>	<u>8752</u>
<u>2-15-79</u>	<u>50 -</u>	<u>9140</u>
	<u>&lt; 2.00 &gt;</u>	
TOTAL . . .		
<u>4-13-79</u>	<u>\$2 Cert. Fee</u>	<u>Tammy 8752</u>
<u>The Observer 33.20 pd 4/30/79 ch # 3320</u>		

## FEES REFUNDED

Date	Amount	Check No.
<u>4-30-79</u>	<u>14.80</u>	<u>3322</u>

EX 20 -  
POD 15 -  
PON 33.20  
CERT 2 -  
10.30

## REMARKS

W.R.I.S.

Assembled 7-18-85 by SAH

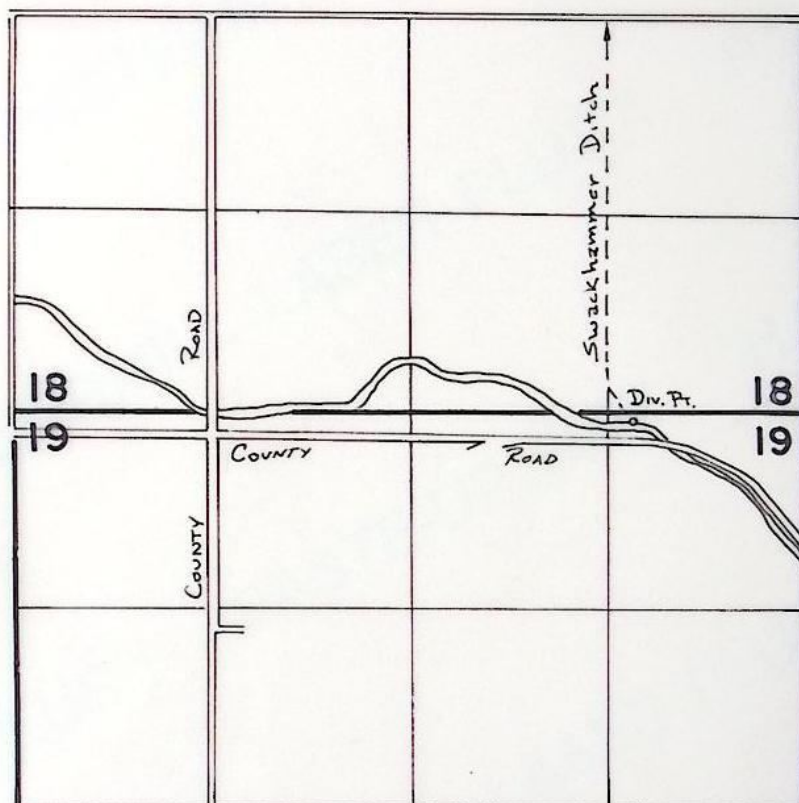
Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>SAH</u>
<input checked="" type="checkbox"/>	Stream	<u>SAH</u>
<input checked="" type="checkbox"/>	Pt. of Div.	<u>SAH</u>
<input checked="" type="checkbox"/>	Calendar	<u>SAH</u>
CHECKED TO RECORDS		
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>SAH</u>
<input checked="" type="checkbox"/>	Decree-vault	<u>WJD</u>
<input checked="" type="checkbox"/>	Decree-safe	<u>SAH</u>
<input checked="" type="checkbox"/>	Cert. of W/R	<u>SAH</u>
<input checked="" type="checkbox"/>	Per. Folder	<u>SAH</u>
<input checked="" type="checkbox"/>	Chaindex	<u>SAH</u>
<input checked="" type="checkbox"/>	Cross Ref.	<u>SAH</u>
<input checked="" type="checkbox"/>	Power Claim	<u>SAH</u>
<input checked="" type="checkbox"/>	Abstracts	<u>SAH</u>

CCB

T. 4S., R. 40E., W. M.



Div. Pt. LOCATED 60'S & 1150' W. FROM NE COR. SEC. 19

SCALE: 1"=1320'

# FINAL PROOF SURVEY UNDER

TRANSFER 4144  
Application No. .... Permit No. ....  
IN NAME OF

.....SHERMAN E. HAWKINS.....

Surveyed ..7..9..... 1984, by V.L. CHURCH.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT )  
IN THE NAME OF MAC WOOD AND )  
R. A. WILKERSON )  
-----

O R D E R

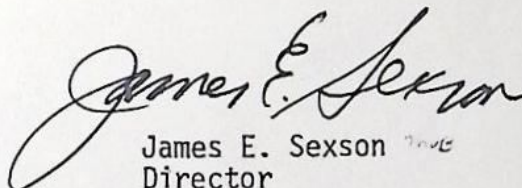
On April 19, 1979, Carl G. Helm, Jr. and Carl G. Helm, III submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question was established by Decree of Circuit Court for Union County, entered August 8, 1925, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Grande Ronde River, tabulated at Page 106, Volume 8, Order Record of the Water Resources Director in the name of Mac Wood and R. A. Wilkerson, and is a portion of the right described by the certificate recorded at Page 6644, Volume 7, State Record of Water Right Certificates, in the name of Mac Wood and R. A. Wilkerson, and is for the use of not to exceed 1/40 cubic foot per second per acre of water from Little Creek, with a date of priority of 1891, and from Catherine Creek, with a date of priority of 1905, for irrigation of 0.45 acres in W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.9 acre in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 4 South, Range 39 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at Page 6644, Volume 7, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 16th day of January, 1980.

  
James E. Sexson  
Director

T-4145

RECEIVED

APR 19 1979

A F F I D A V I T

WATER RESOURCES DEPT.  
SALEM, OREGON

We, Carl G. Helm, Jr., and Carl G. Helm, III, being first duly sworn, depose and say that we are the owners of the  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4}$  and  $W\frac{1}{2} NE\frac{1}{4}$  of Section 12, Township 4 South, Range 39 East, W.M. and that part of the water right appurtenant thereto within the county roads now existing, which is for the appropriation of water from Little Creek, with a date of priority of 1891, and from Catherine Creek, with a date of priority of 1905, for irrigation of 0.45 acres in  $W\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$  and 0.9 acre in  $NW\frac{1}{4} NE\frac{1}{4}$  of said Section 12, as evidenced by the certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates; that we have abandoned any and all interest in and to said water right and request the same be canceled.

IN WITNESS WHEREOF, we have hereunto set our hands this 16<sup>th</sup> day of April, 1979.

Carl G. Helm Jr.

Carl G. Helm III

Subscribed and sworn to before me this 16<sup>th</sup> day of April, 1979.

Dorothy Ambrose  
Notary Public for Oregon

My Commission expires: 2/23/81



STATE OF OREGON

COUNTY OF UNION

RECEIVED

JAN 25 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

CERTIFICATE OF WATER RIGHT

This is to Certify, That MAC WOOD and R. A. WILKERSON

of La Grande, State of Oregon has a right to the use of  
the waters of Little Creek  
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Union County, and the said decree entered of record at Salem, in the Order  
Record of the STATE ENGINEER, in Volume 8, at page 1; that the priority  
of the right thereby confirmed dates from 1891

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an  
amount actually beneficially used for said purposes, and shall not exceed Three acre feet per  
acre in any irrigation season, diverted at a rate of not to exceed one-fortieth  
of a cubic foot per second per acre;

A description of the lands irrigated under such right, and to which the water is appurtenant  
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

~~Forty (40) acres in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4),~~  
~~Forty (40) acres in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4),~~  
~~Forty (40) acres in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4),~~  
Section Twelve (12), Township 4 South, Range 39 East of the Willamette Meridian,  
being a total of 120 acres.

(NOTE: The above land is also irrigated through Hempe-Wright-Hutchinson ditch  
from Catherine Creek under date of March, 1905.)

This certificate describes that portion of the water right confirmed by the prior  
certificate recorded at page 6644, Volume 7, State Record of Water Right  
Certificates, NOT modified by the provisions of an order of the Water Resources  
Director entered on \_\_\_\_\_, 19\_\_\_\_, approving transfer application No. 4144 & 4145.

The issuance of this superseding certificate does not confirm the status of the  
water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations  
contained in said decree.  
The right to the use of the water for irrigation purposes is restricted to the lands or place  
of use herein described.

WITNESS the signature of the State Engineer,

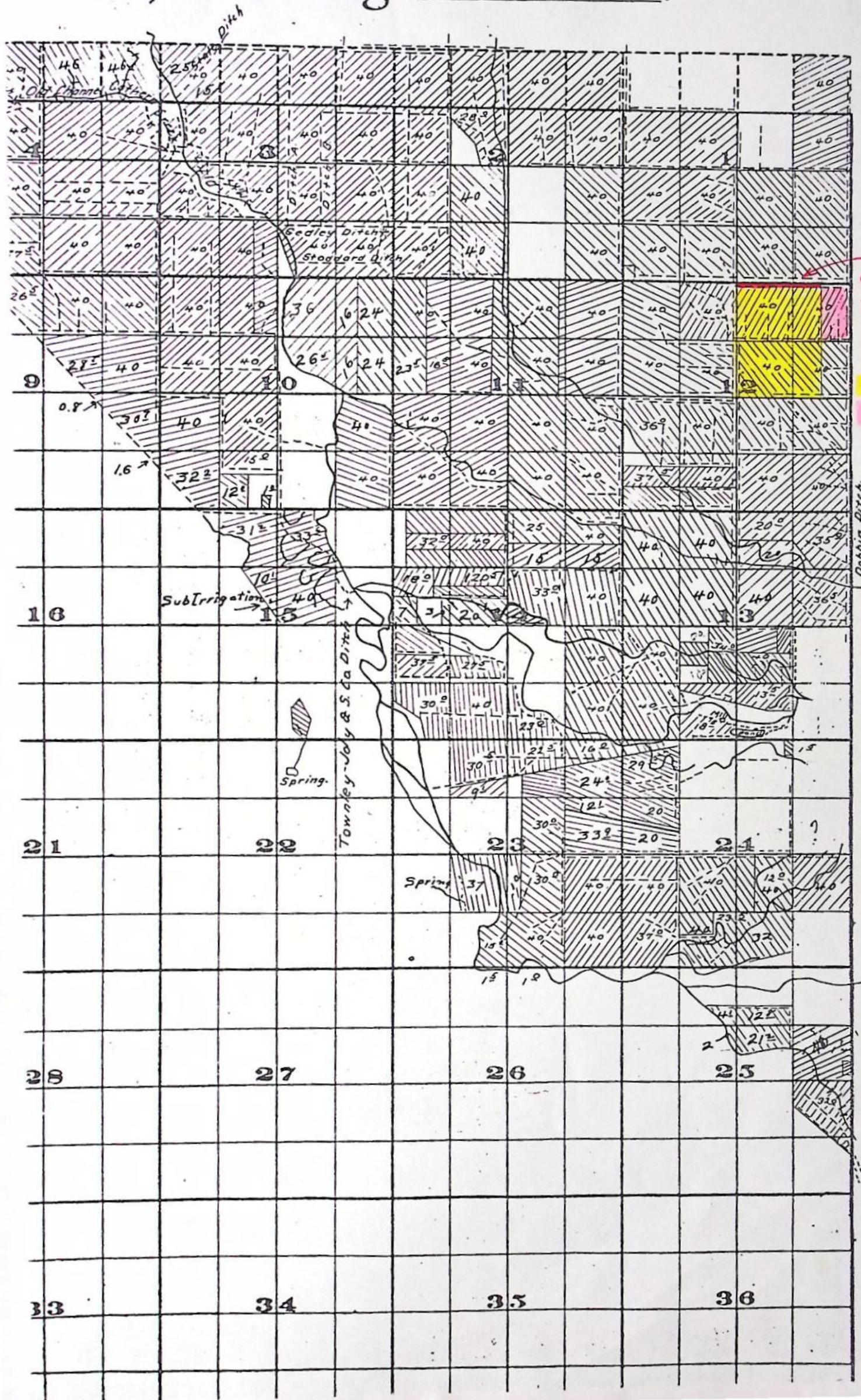
affixed this 1st day  
of November, 1978.

RHEA LUPER  
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 6644

S

# Range 39 E.W.M.



\* See map 1

Part  
Canceled  
in roadway

T-4145

T-4144

See Map  
E-25

1912

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres		Name of Ditch	Stream	Description of Land or Place at Use
6643 Winters, Ben W. Union, Oregon.	1864		.50	Irrigation	Lewis	Catherine Creek	W <sup>1</sup> / <sub>2</sub> Block 20 Swackhamer's Second Addition to Union, Oregon. (Being a portion of the NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Sec. 18, T. 4 S.R. 40 E.W.M.)
6644 * Wood, Mac and Wilkerson, R.A. La Grande, Oregon.  T-5144 A POD (a) 1864 NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> T-5145 A POD (b) 1905 NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 352 NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	1891		120	Irrigation	Dobbin	Little Creek	(b) (a) 40 acres in NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 4141 54145 40 acres in NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> 1855-1955 40 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 3912 Section 12, T. 4 S.R. 39 E.W.M.  (The above land is also irrigated through Hempe-Wright-Hutchinson ditch from Catherine Creek under date of March, 1905)
Wood, N.R.	(See under La Grande Irrigation Company)						
6645 Woods, Edgar Summerville, Oregon.	1905		2	Irrigation	Woods	Branch of Willow Creek	2 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 33, T. 1 N.R. 38 E.W.M.
6646 Woods, Emily J. Elgin, Oregon.	1903		2	Irrigation	Woods	Spring Creek	2 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 15, T. 1 N.R. 39 E.W.M.
6647 Woodell, Simon L. Summerville, Oregon.	1880		4	Irrigation	Woodell	Branch of Willow Creek	4 acres in SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 34, T. 1 N.R. 38 E.W.M.
6648 * Woollever, C.W. Union, Oregon.	1894		8	Irrigation	Dobbs	Catherine Creek	8 acres in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 13, T. 4 S.R. 39 E.W.M.
6649 Worsham, Effie Union, Oregon.	1871		1	Irrigation	Warren and Blakeslee	Catherine Creek	1 acre in SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 13, T. 4 S.R. 39 E.W.M.
6650 Wright, Irwin D. Union, Oregon.	1864		4	Irrigation	Lewis and Nodine ditches	Catherine Creek	Beginning at a point on the west side of Front Street in the Town of Union, Oregon at a point 100' south of the SE corner Block 1, of the Town of North Union, running thence due west 200'; thence N, 100'; thence west 275' to corner on the land known as the Mitchell tract.

E-25-7

106

GRANDE RONDE RIVER  
Consolidated - 104.

INDEX

Section, Tp. & Rge.

5, Decree -- Dec. 18, 1935

Recorded -- Vol. 12, p. 375

Decree (non protunc) Nov 9 1953

Recorded -- Vol. 11, p. 373

Decree May 10, 1966

Recorded -- Vol. 14, p. 530

TOWNSHIP 45 RANGE 39 E W. M. Card #1 SECTION 12

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
40	40			40												Decree, Vol. 8 Page 1		6644
		20	40									40	30			Decree, Vol. 8 Page 1		6641
		10														Decree, Vol. 8 Page 1		6241
		10														Decree, Vol. 8 Page 1		6406
				40	40	39	2									3064	1694	1124
								40	38	59	75	10				Decree, Vol. 8 Page 1		6621
								40	38	59	75	10				Suppl. 10315	6848	8423
								15	15							Decree, Vol. 8 Page 1		6208
												10				Decree, Vol. 8 Page 1		6640
												40	40			Decree, Vol. 8 Page 1		6236
												2	5			Supplemental 16511	12308	12036
												27	16	714	12500	Supplemental 37032	28795	13497
		40	20															31644

1891 - Dobbin  
Little Creek  
1894 - Dobbin  
Little Creek  
1901 - Dobbin  
Little Creek  
1901 - Dobbin  
Little Creek

TOWNSHIP 45 RANGE 39 E W. M. #2 SECTION 12

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
																G-3308	G-3308	
																Supplemental G-6428	G-6037	CANCELED
								40	38	59	75	10				T-3256	28221	45106
																Suppl. G-8580	G-7976	7
																T-4144		
																T-4145		
																T-4145		
																Canc		
																Canc		

1867  
1953  
39-1  
40-20-20  
13-1  
073 090

18905 California Ch - Range 39 E - W. M.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
UNION COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT )  
IN THE NAME OF MAC WOOD AND )  
R. A. WILKERSON )  
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O R D E R

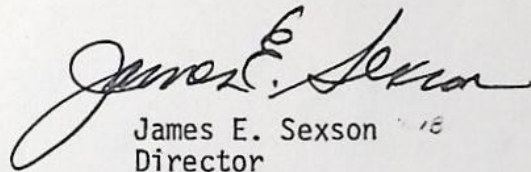
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The water right in question was established by Decree of Circuit Court for Union County, entered August 8, 1925, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Grande Ronde River, tabulated at Page 106, Volume 8, Order Record of the Water Resources Director in the name of Mac Wood and R.A. Wilkerson, and is a portion of the right described by the certificate recorded at Page 6644, Volume 7, State Record of Water Right Certificates, in the name of Mac Wood and R.A. Wilkerson, and is for the use of not to exceed 1/40 cubic foot per second per acre of water from Little Creek, with a date of priority of 1891, and from Catherine Creek with a date of priority of 1905, for irrigation of 1.36 acres in the E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 4 South, Range 39 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

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James E. Sexson  
Director

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UNION COUNTY

IN THE MATTER OF CANCELLATION )  
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IN THE NAME OF MAC WOOD AND )  
R. A. WILKERSON )  
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O R D E R

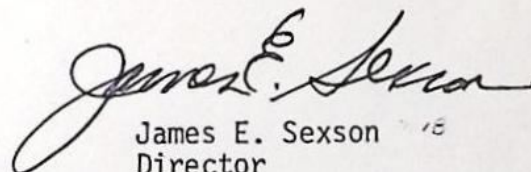
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Director

RECEIVED

APR 19 1979

A F F I D A V I T

WATER RESOURCES DEPT.  
SALEM, OREGON

We, Sherman E. and M. Hazel Hawkins, being first duly sworn, depose and say that we are the owners of the  $E\frac{1}{2} E\frac{1}{2} NE\frac{1}{4}$  of Section 12, Township 4 South, Range 39 East, W.M. and that part of the water right appurtenant thereto within the county roads now existing, which is for the appropriation of water from Little Creek with a date of priority of 1891, and from Catherine Creek with a date of priority of 1905, for irrigation of 1.36 acres in the  $E\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$  of said Section 12, as evidenced by the certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates; that we have abandoned any and all interest in and to said water right and request the same be canceled.

IN WITNESS WHEREOF, we have hereunto set our hands this 28<sup>th</sup> day of March 1979.

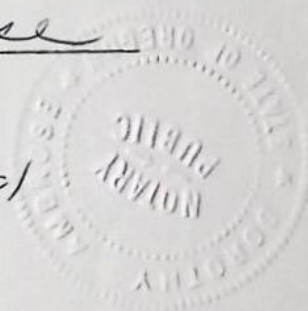
Sherman E. Hawkins

M. Hazel Hawkins

Subscribed and sworn to before me this 28<sup>th</sup> day of March 1979.

Dorothy Ambrose  
Notary Public for Oregon

My Commission expires: 2/23/81



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION )  
OF SHERMAN E. HAWKINS FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM CATHERINE CREEK )  
- - - - -

ORDER APPROVING  
TRANSFER NO. 4144

On January 25, 1979, an application was filed in the office of the Water Resources Director by Sherman E. Hawkins for approval of a change in point of diversion of water from Catherine Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates, in the names of Mac Wood and R.A. Wilkerson, describes a right for irrigation of a certain 18.64 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 4 South, Range 39 East, W.M. from Little Creek with a date of priority of 1891 and from Catherine Creek with a date of priority of 1905.

Water for the said right is diverted, through the Wright-Hempe-Hutchinson Ditch, from a point located 770 feet North and 470 feet West from the Southeast Corner of Section 13, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 13, Township 4 South, Range 39 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located South 86 degrees 30 minutes West, 1060 feet from the Northeast Corner of Section 19, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, Township 4 South, Range 40 East, W.M. (Swackhammer Ditch).

Notice of the application, pursuant to ORS 540.520(2), was published in The Observer, a newspaper printed and having general circulation in Union County, Oregon, for a period of three weeks in the issues of March 6, 23 and 30, 1979.

Mr. H. Boyd Hadden, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

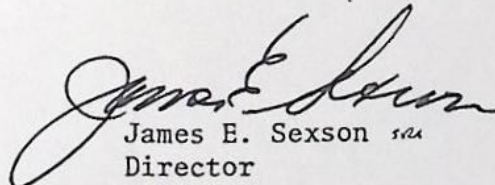
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made and that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding and NOT canceled by the Special Orders entered January 16, 1980, at pages 624 and 625, Volume 32, Special Order Record of the Water Resources Department; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 28th day of January, 1980.

  
James E. Sexson <sup>1924</sup>  
Director

right is appurtenant, is as follows:

NE 1/4 NE 1/4 18.64 ACRES  
SECTION 12  
TOWNSHIP 4 SOUTH, RANGE 39 EAST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 28, 1980, and together with certificate 49084 AND \_\_\_\_\_, supersedes certificate 6644, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,  
affixed this date .

-----  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered

T-4144. TES

STATE OF OREGON  
COUNTY OF UNION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHERMAN E. HAWKINS  
ROUTE 2, BOX 2660  
LAGRANDE, OREGON 97850

confirms the right to use the waters of LITTLE CREEK AND CATHERINE CREEK, tributaries of THE GRANDE RONDE RIVER, for the purpose of THE PRIMARY AND SUPPLEMENTAL IRRIGATION OF 18.64 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for UNION County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at page 1. The date of priority is 1891 FROM LITTLE CREEK FOR PRIMARY IRRIGATION AND 1905 FROM CATHERINE CREEK FOR SUPPLEMENTAL IRRIGATION.

The right is limited to not more than THREE ACRE FEET PER ACRE IN ANY IRRIGATION SEASON, DIVERTED AT A RATE OF NOT TO EXCEED ONE-FORTIETH OF A CUBIC FOOT PER SECOND PER ACRE, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION; HEMPE-WRIGHT-HUTCHINSON DITCH.

The point of diversion is located as follows:

SE 1/4 NE 1/4, NE 1/4 NE 1/4, SECTION 13, T 4 S, R 39 E, W.M.; LITTLE CREEK-DOBBIN DITCH, CATHERINE CREEK-SWACKHAMMER DITCH, 60 FEET SOUTH AND 1150 FEET WEST FROM NE CORNER SECTION 19.

A description of the place of use under the right, and to which such

REPORT ON INSPECTION UNDER TRANSFER  
OF WATER RIGHT FOR CHANGE IN: PO

: POD  
POU  
USE  
Add'1 POD

Transfer NO. 4144

County Union

Old Certificate NO. 6644

1. Name Sherman E. Hawkins

Address RT 2, Box 2660, La Grande, OR 97850

2. Source of Supply Catherine Cr., Trib of \_\_\_\_\_

3. Use irrigation

4. Amount of Water \_\_\_\_\_ Priority Date 1905

5. Proposed Point of Diversion ~~S 86° 30' W~~ <sup>0° 60' S E 1150' W.</sup> ~~1060'~~ from NE Cor, Sec 19, w/in NE 1/4 NE 1/4, Sec 19, T4S, R40E, WM  
(Swackhammer Pitch)

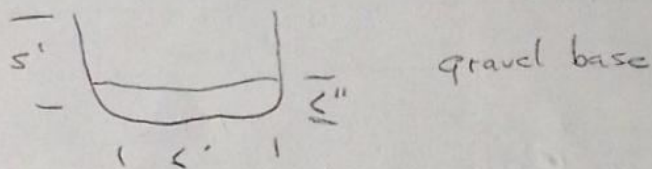
6. Completion Date 10-1-81

7. Place of Use:

[illegible]

flux

S. Hawkins Rt 2 Box 2660 LaGrande Or. Mr Hawkins claims  
he floods from the Swackhammer ditch. It has to 2-4' screw gates.

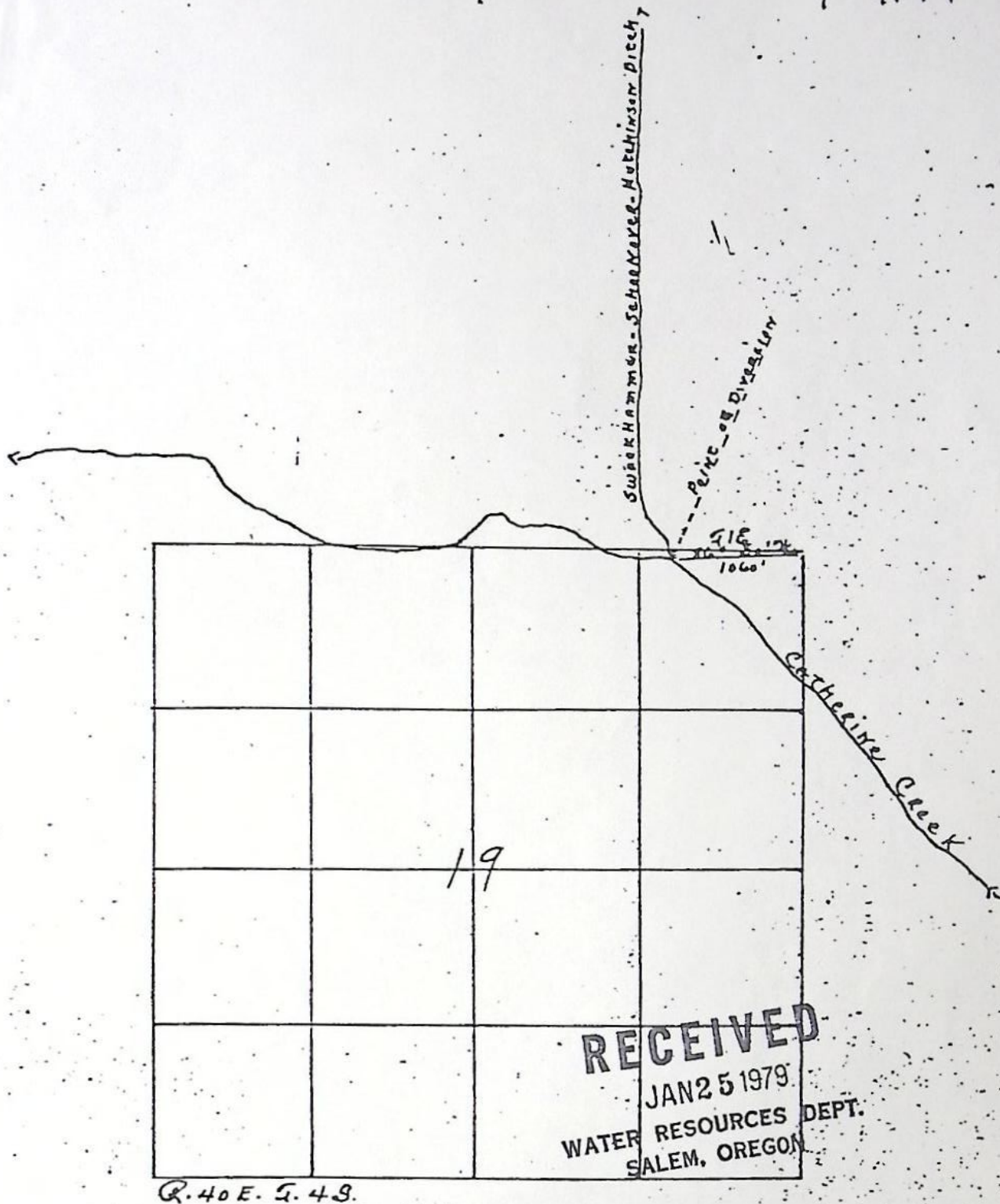


TIE: APHEIM-46

JULY 9, 1984

Vernon L Church  
W.R.E.

T-4144



CATHERINE CR

IIR T-0982-C1

\*\*\* OREGON WATER RESOURCES DEPARTMENT \*\*\*  
 \*\*\* WATER RIGHTS DIVISION \*\*\*  
 \*\*\* WATER RIGHT DATA INPUT FORM \*\*\*

 PAGE 1  
 RUN ON: 3/20/81 AT: 9:08

 WATER RIGHT NO. T000091441 PERMIT NO. 008106 CERTIF. NO.  
 ORIG. NO. C000066441 PREV. NO. C000066441 SUPER. NO.
NAME: SHERMAN E. HAWKINSADDRESS: RT 2, BOX 2660CITY/STATE/ZIP/COUNTY: LA GRANDE, OR 97850STREAM-ID 081760 1050

RIV. MI.

WM. DIST. 06 W.R. TYPE SC STATUS ✓

CANCEL YEAR----&gt;

CONSTR. COMPLT--> 02 05 1980 YR. LAST USED----->

NEXT ACTION DUE--&gt;

PRIORITY-----> 03 31 1905PUT TO USE-----> 02 05 1980 LAST TRANS. DATE-->

LAST TRANS. TYPE--&gt;

APPLICATION--> 01 25 1979SURVEYED-----> 07 09 1984 EXAM. FEE----->20.00

RECORDING FEE-----&gt;

15.00PERMIT ISSUE--> 01 28 1980

CONCURRENCE-----&gt;

CYCLE STATUS-----&gt;

REPORTED FLAG-----&gt;

CONSTR. STRT.--> 01 28 1980

CERTIFIED-----&gt;

CORRES. INIT.-----&gt;

CORRES. DATE-----&gt;

 POINT-OF-DIVERSION DATA;  
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

 \*\* REMARKS; ----->  
 \*\* DATED-->
040S 400E 19 A A 081760 10500.466VD
 \*\* POD SWACKHAMMER DITCH, 586'  
 \*\* 30' W, 1060' FM NE COR S 19.  
 \*\* CHANGES POD PART OF C-6644.

 \*\* RR1-99084. ALSO HAS RIGHT

 \*\* FM LITTLE CR. W/PRIORITY OF 1891.

 \*\* PART OF C-6644 CANCEL BY SP OR

 \*\* V32, P 624 & 625. BALANCE XFER
BY T-4145.

49084

PLACE-OF-USE DATA:

TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

040S 390E 12 A A 31 1R 100 19.64VP

W.R.I.S.

Assembled 7-18-85 by SM

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

LITTLE CR → CATHERINE CR

WRT-0982-C1

\*\*\* OREGON WATER RESOURCES DEPARTMENT \*\*\*  
 \*\*\* WATER RIGHTS DIVISION \*\*\*  
 \*\*\* WATER RIGHT DATA INPUT FORM \*\*\*

PAGE 1  
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. 0002066441 PERMIT NO. 008106 CERTIF. NO. 0049084 NAME: MAC WOOD & R. A. WILKERSON  
 ORIG. NO. 0002066441 PREV. NO. 0002066441 SUPER. NO. T002041441 ADDRESS: \*\*\*

CITY/STATE/ZIP/COUNTY: LA GRANDE, OR 97850 31

STREAM-ID 08 1760 1050 0050 RIV. MI. WM. DIST. 06 W.R. TYPE SC STATUS C

CANCEL YEAR--->	CONSTR. COMPLT--> 08 08 1925	YR. LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> 12 31 1891	PUT TO USE-----> 08 08 1925	LAST TRANS. DATE-->	---	LAST TRANS. TYPE-->	---
APPLICATION---> 08 08 1925	SURVEYED-----> 08 08 1925	EXAM. FEE----->	---	RECORDING FEE----->	---
PERMIT ISSUE--> 08 08 1925	CONCURRENCE-----> 08 08 1925	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR. STRT.--> 08 08 1925	CERTIFIED-----> 11 01 1926	CORRES. INIT.----->	---	CORRES. DATE----->	---

POINT-OF-DIVERSION DATA;  
 TWNSP RNGE SECT QTR/QTR STREAM-ID RIV. MI. RATE STATUS S OR P

0405 390E 13 D D 08 1760 1050 0050 3.000 V P

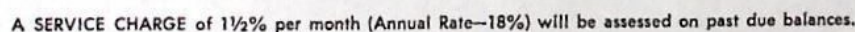
PLACE-OF-USE DATA:  
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

040	390E	12	A	A	31	1R	100	40.00	V	P
			A	B				40.00		
			B	A				40.00		

\*\* REMARKS; - - - - -  
 \*\* DATED-->  
 \*\* GRANDE RONDE RIVER DECREE.  
 \*\* 1891 FM LITTLE CR, MARCH 1905  
 \*\* FM CATHERINE CR. CATHERINE CR  
 \*\* POO CHANGED BY T-4144 & F-4145.  
 \*\* PART CANCELED BY SP OR V 32, P  
 \*\* 624 & 625.  
 \*\* - - - - -

W.R.I.S.

Assembled \_\_\_\_\_ by \_\_\_\_\_  
 Entered \_\_\_\_\_ by \_\_\_\_\_  
 Verified \_\_\_\_\_ by \_\_\_\_\_





*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

February 25, 1980

Sherman E. Hawkins  
Route 2, Box 2660  
La Grande, Oregon 97850

RE: File No. T-4144

Dear Mr. Hawkins:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 4144, for a change in point of diversion of water from Catherine Creek, was received and, in line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj

cc: H. Boyd Hadden, Watermaster

COPY

RECEIVED  
FEB 5 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN  
point of diversion from Catherine Creek

PURSUANT TO TRANSFER APPLICATION NO. 4144

I, Sherman E. Hawkins, hereby certify that completion  
of works and use of water to the extent intended within the provisions  
of the order of the Water Resources Director approving said water  
right transfer application was accomplished by June 1, 1979.

January 30, 1980  
Date

Sherman E. Hawkins  
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

OK  
Qc



## *Water Resources Department*

### MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 29, 1980

Sherman E. Hawkins  
Route 2, Box 2660  
La Grande, Oregon 97850

RE: File No. T-4144

Dear Mr. Hawkins:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4144 for a change in point of diversion of water from Catherine Creek.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires October 1, 1981. A form for reporting such completion of works and use of water is enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed order. The water right for any portion of an authorized change in use therefore made or change in place of use NOT carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

Sincerely,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj  
cc: H. Boyd Hadden, Watermaster

COPY

T-4144  
**RECEIVED**

JAN 25 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

## Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Sherman E. Hawkins

(Name of applicant)

of Route 2, Box 2660

(Mailing address)

La Grande

(City)

State of Oregon

97850

(Zip Code)

562-5596

(Phone number)

, do hereby make application for change  
in point of diversion.

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? Mac Wood and R. A. Wilkerson

(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings

(Yes or No)

(See cert. Vol 7, page 6644)

number of certificate

3. Was your water right acquired by Water Right Permit? no If so, give number

(Yes or No)

of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Catherine Creek

5. What is the date of priority of your water right? March, 1905

6. The authorized point of diversion is located 770 ft. N and 470 ft. W from the S.E.

Sec. 13, T. 4 S,

(N. or S.)

(E. or W.)

corner of R 39 E.W.M. being within the SE 1/4 SE 1/4 of Section 13 Tp. 4S R. 39 E. W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Union The name of the ditch used is Wright-Hempe-Hutchinson

NOTE: Answer question if the application is for change in point of diversion.

S 86°30' W. 1060 feet

7. The proposed point of diversion is located / ft. and / ft. from the N.E.

Sec. 19, T 4S,

(N. or S.)

(E. or W.)

corner of R 40 E.W.M. being within the NE 1/4 NE 1/4 of Section 19 Tp. 4S R. 40 E. W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Union The name of the ditch to be used is Swackhammer

8. The use to which the water is applied is irrigation  
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
4 S	39 E	12	NE $\frac{1}{4}$ NE $\frac{1}{4}$	18.64

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes  
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? no  
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? no  
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are ease of application of water

15. Construction work will be completed on or before none

16. The water will be completely applied to the proposed use on or before July 1, 1979

Remarks \_\_\_\_\_

**NOTE:** THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

#### AFFIDAVIT OF APPLICANT

I, Sherman E. Hawkins, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 22 day of January, 19 79

Sherman E. Hawkins  
(Name of applicant)

Subscribed and sworn to before me this 22<sup>nd</sup> day of January, 19 79

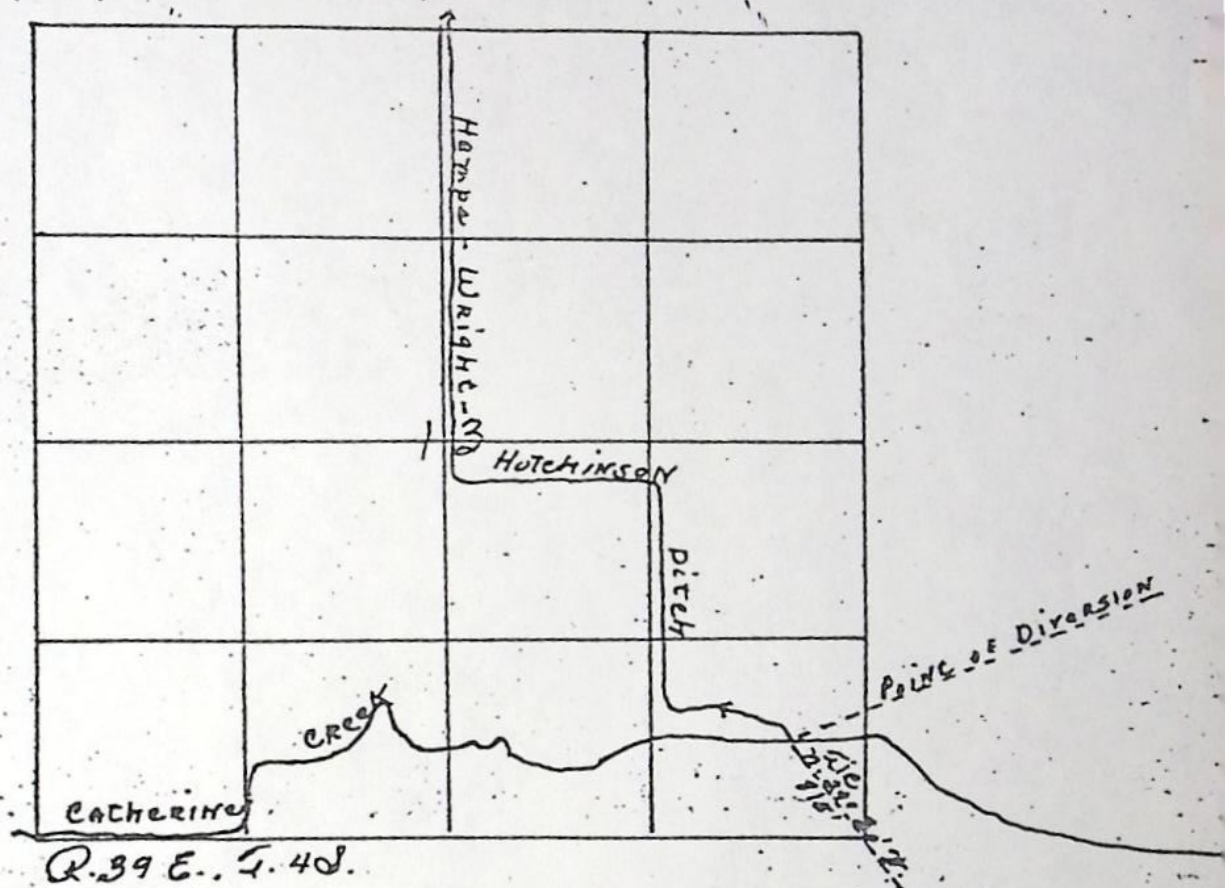
[Notarial Seal]

Paul G. Helms  
NOTARY PUBLIC FOR OREGON

My commission expires 2-22-82



T-4144



RECEIVED

JAN 25 1979

WATER RESOURCES DEPT.  
SALEM, OREGON



## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Feb. 6, 1979.FROM: \*\* H. Boyd Hadden, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4144IN THE NAME OF Sherman E. Hawkins

In my opinion the proposed change in point of diversion from Catherine Creek  
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~ to an existing water right.

Headgate notices HAVE ~~HAVE NOT~~ been issued for diversion from the sources which  
serves this right.

If for change in point of diversion, is there any intervening point of diversion  
between the authorized and the proposed points of diversion? yes  
(yes or no)

In my opinion, the order approving the subject transfer application should include  
the following in regard to the appropriator installing suitable measuring devices  
in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .  
  X   (2) When in the judgment of the watermaster it becomes necessary . . .

\* The approval of this transfer application would result in injury to other water  
rights because \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RECEIVED**

FEB 8 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

\*\* H. Boyd Hadden  
Watermaster's signature or initials

# Affidavit of Publication

STATE OF OREGON, }  
COUNTY OF UNION, } ss.

I, Berneva Brazeau, being first duly sworn, depose and say that I am the principal clerk of **THE OBSERVER**, a newspaper of general circulation as defined by ORS 193.010 and 193.020; printed and published at LaGrande, in the aforesaid county and state; that the .... Notice of Water Right Transfer

.....  
.....  
.....  
a printed copy of which is hereto annexed was published in the entire issue of said newspaper for ....<sup>3</sup>... successive and consecutive weeks in the following issues: ... March 16, 23, 30, 1979.....<sup>dk</sup>

.....  
.....  
Subscribed and sworn to before me this 30 day of March 19 79

My commission expires ..... August 28, 1981.....

**RECEIVED**  
**APR 4 1979**  
**WATER RESOURCES DEPT.**  
**SALEM, OREGON**



**NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4144**  
Notice is given hereby that an application has been filed in the office of the Water Resources Director by Sherman E. Hawkins for approval of a change in point of diversion from Catherine Creek, pursuant to the provisions of ORS 540.510 to 540.530.  
The certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates, in the names of Mac Wood & R.A. Wilkerson, describes a right which includes the use of water from Catherine Cr for irrigation of 18.64 ac in NE 1/4 NE 1/4 of Sec 12, T 4S, R 39E, WM, with a date of priority of March, 1905.  
Water for the said right is diverted, through the Wright-Hempe-Hutchinson Ditch, from a point located within the SE 1/4 SE 1/4 of Sec 13, T 4S, R 39E, WM.  
The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located S 86° 30' W, 1060 ft from the NE Corner of Sec 19, T 4S, R 40E, (Swackhammer Ditch).  
All persons interested are notified hereby that a hearing will be held at the county courthouse at La Grande, Oregon on May 10, 1979, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing: One copy to be served on Sherman E. Hawkins, Rt 2, Box 2660, La Grande, OR 97850; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Dept. upon request.  
Dated at Salem, Oregon this 9th day of March, 1979.  
James E. Sexson  
Director  
Publish: March 16, 23, 30, 1979  
Legal No. 98

70  
lines

May 2, 1979

Sherman E. Hawkins  
Route 2, Box 2660  
La Grande, Oregon 97850

RE: File No. T-4144

Dear Mr. Hawkins:

The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4144, amount to a total of \$70.20. The total of payments received in connection with the application exceeded this amount by \$14.80.

Our refund check No. 3322 is enclosed.

Sincerely,

James W. Carver, Jr.  
Engineer

JWC:lcj

378-3066

May 2, 1979

The Observer  
P.O. Box 1500  
La Grande, Oregon 97850

RE: File No. T-4144

Gentlemen:

Enclosed is our check No. 3320 in the amount of  
\$33.20 in payment of your statement.

Please receipt the enclosed statement and return  
it to this office. Thank you.

Sincerely,

James W. Carver, Jr.  
Engineer

JWC:lcj



*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

March 9, 1979

The Observer  
P.O. Box S  
LaGrande, Oregon 97850

RE: File No. T-4144

Gentlemen:

Enclosed is a notice for publication in the March 16, 23 and 30, 1979 issues of your newspaper.

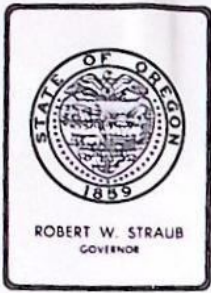
If, for any reason, the notice cannot be published on the three dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication and statement for this service to this office.

Sincerely,

Wayne J. Overcash  
Water Rights Engineer

WJO:lcj  
cc: Sherman E. Hawkins  
cc: H. Boyd Hadden, Watermaster



*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

March 9, 1979

Carl G. Helm  
P.O. Box 967  
LaGrande, Oregon 97850

RE: Files Nos. T-4144, T-4145

Dear Mr. Helm:

Pursuant to our recent telephone discussion in regard to the right involved in transfers Nos. 4144 and 4145, I am enclosing two affidavits which, when properly completed by you, Carl G. Helm, III, and Sherman & Hazel Hawkins before a notary and returned to this office, will provide for clearing our records of that part of the right within the N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 12, Township 4 South, Range 39 East, W.M., not involved in the transfers.

Sincerely,

Wayne J. Overcash  
Water Rights Engineer

WJO:lcj

CARL G. HELM, BR. 1881-1948  
CARL G. HELM  
ROBERT A. PETERSEN

HELM & PETERSEN  
LAWYERS

1215 WASHINGTON AVE.  
LA GRANDE, OREGON 97850

February 12, 1979

POST OFFICE BOX 967  
TELEPHONE:  
AREA CODE 503  
963-3104

**RECEIVED**

**FEB 15 1979**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

Mr. Wayne J. Overcash  
Water Rights Engineer  
Water Resources Department  
555 13th Street N.E.  
Salem, OR 97310

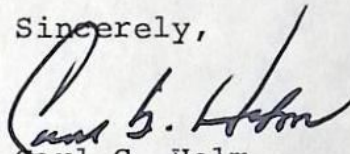
Your Reference: File No. T-4144  
Our File: Sherman E. Hawkins

Dear Mr. Overcash:

Attached is a photographic copy of the deed conveying the property concerned in the referenced application, together with our check to your order in the amount of \$50.00, being the deposit required.

Thank you for your courtesy.

Sincerely,

  
Carl G. Helm

CGH/ncc  
Enclosures



## *Water Resources Department*

### MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 31, 1979

Carl G. Helm  
P.O. Box 967  
La Grande, Oregon 97850

RE: File No. T-4144

Dear Mr. Helm:

The water right transfer application in the name of Sherman E. Hawkins for approval of a change in point of diversion of water from Catherine Creek, together with supporting data and payment of fees in the amount of \$35, was received on January 25, 1979. Our receipt No. 8752 is enclosed.

By copy of this letter, we are asking the watermaster for his usual report regarding the proposed change.

We will need a copy of the deed of Mr. Hawkins' property containing the legal description of the acreage involved.

The proposed change in point of diversion will move the diversion point more than one-fourth mile along the stream, therefore, it is necessary that notice of the proposed change be published at least once each week for three consecutive weeks in a newspaper that is printed and has general circulation in the county where the water right is located. Please submit a deposit of \$50 for this purpose and tell us which newspaper you prefer that we use. Any difference between the deposit and the actual cost will be settled with you upon completion of publication of the notice.

Please refer any correspondence to file No. T-4144.

Sincerely,

Wayne J. Overcash  
Water Rights Engineer

WJO:lcj  
cc: H. Boyd Hadden, Watermaster

HELM & PETERSEN  
LAWYERS

CARL G. HELM, SR. 1881-1948  
CARL G. HELM  
ROBERT A. PETERSEN

1215 WASHINGTON AVE.  
LA GRANDE, OREGON 97850  
January 23, 1979

POST OFFICE BOX 967  
TELEPHONE:  
AREA CODE 503  
963-3104

**RECEIVED**  
JAN 25 1979  
WATER RESOURCES DEPT.  
SALEM, OREGON

Water Resources Department  
Salem, OR 97310

Re: Change in point of diversion -- Helm  
Change in point of diversion -- Hawkins  
Application for water right -- Hawkins

Gentlemen:

Attached you will find:

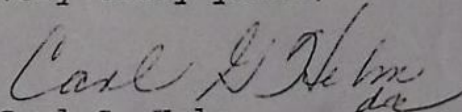
- 58266
- T-4144
- T-4145
- (1) An application for permit to appropriate surface water by Sherman E. Hawkins;
  - (2) An application for change in point of diversion by Sherman E. Hawkins; and
  - (3) An application for change in point of diversion by Carl G. Helm and Gil Helm.

Please file the applications and advise of any further information which is necessary or further action on the part of the applicant in connection with any application.

Enclosed is our check in the amount of \$100.00 to cover your fees.

Thank you for your cooperation.

Very truly yours,

  
Carl G. Helm

CGH/ncc  
Enclosures



*Water Resources Department*  
**MILL CREEK OFFICE PARK**

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8453

T-4144 ←

January 24, 1980

Sherman E. & M. Hazel Hawkins  
Route 2, Box 2660  
La Grande, OREGON 97850

Dear Sir and Madam,

Enclosed is a copy of the Water Resources Director's order entered January 16, 1980, canceling a part of the water right as evidenced by Decree of Circuit Court for Union County, entered August 8, 1925, in the Matter of the Determination of the Relative Rights of the Use of the Waters of Grande Ronde River, tabulated at Page 106, Volume 3, Order Record of the Water Resources Director, as authorized by your affidavit submitted on April 19, 1979.

Our records have been changed and that part of the water right will be of no force or effect.

Sincerely,

Myron V. Bish, Supervisor  
Adjudication Section

MVB:as

Enclosure

cc: Mr. H. Boyd Hadden, Watermaster District #6  
(with copy of order)

COPY

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
UNION COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT )  
IN THE NAME OF MAC WOOD AND )  
R. A. WILKERSON )  
-----

O R D E R

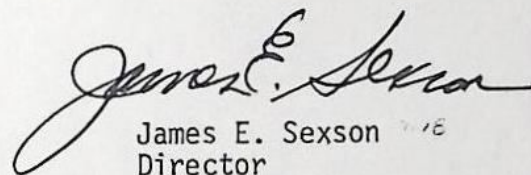
On April 19, 1979, Sherman E. and M. Hazel Hawkins submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question was established by Decree of Circuit Court for Union County, entered August 8, 1925, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Grande Ronde River, tabulated at Page 106, Volume 8, Order Record of the Water Resources Director in the name of Mac Wood and R.A. Wilkerson, and is a portion of the right described by the certificate recorded at Page 6644, Volume 7, State Record of Water Right Certificates, in the name of Mac Wood and R.A. Wilkerson, and is for the use of not to exceed 1/40 cubic foot per second per acre of water from Little Creek, with a date of priority of 1891, and from Catherine Creek with a date of priority of 1905, for irrigation of 1.36 acres in the E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 4 South, Range 39 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at Page 6644, Volume 7, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 16th day of January, 1980.

  
James E. Sexson  
Director