

BEFORE THE STATE ENGINEER OF OREGON

Lake County

IN THE MATTER OF THE)
CANCELATION OF A WATER)
RIGHT IN THE NAME OF)
CLYDE W. FENIMORE)

O R D E R

On May 2, 1963, Mr. Clyde W. Fenimore submitted a sworn statement that he is the legal owner of a portion of a certain water right and of the following described lands to which the right is appurtenant: 27.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, bounded on the Northeast and Southeast by a slough, as shown on the map submitted with Application number G-2594, Section 20, Township 40 South, Range 19 East, Willamette Meridian; that he has abandoned any and all interest in and to that portion of the said water right appurtenant to the above described property and requests that the same be canceled.

The water right in question is a part of that evidenced by the certificate recorded at page 26902, Volume 19, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.34 cubic foot per second of water from Fenimore Well No. 2, with a date of priority of July 13, 1955, for the irrigation of 27.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 40 South, Range 19 East, Willamette Meridian.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 2.80 cubic feet per second of water from Fenimore Well No. 2, with a priority date of July 13, 1955, for the irrigation of 223.9 acres, as follows:

5.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
39.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
39.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
39.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19

0.5 acre SW $\frac{1}{4}$ NW $\frac{1}{4}$
32.3 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
12.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 20

Township 40 South, Range 19 East, W. M.

is not in question.

ORS 540.261 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 water right for the use of 0.34 cubic foot per second of water from Fenimore Well No. 2, with a priority date of July 13, 1955, for the irrigation of 27.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 40 South, Range 19 East, Willamette Meridian, is canceled.

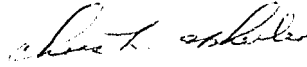
It is further ORDERED that the certificate recorded at page 26902, Volume 19, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to Clyde W. Fenimore, confirming that part of the right not in question, which is for the appropriation of not to exceed 2.80 cubic feet per second of water from Fenimore Well No. 2, with a priority date of July 13, 1955, for the irrigation of 223.9 acres, as follows:

5.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
39.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
39.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
39.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19

00.5 acre SW $\frac{1}{4}$ NW $\frac{1}{4}$
32.3 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
12.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 20

Township 40 South, Range 19 East, W. M.

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



CHRIS L. WHEELER
State Engineer

Notes - records

App. # U-865

Co. # 26702

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