

BEFORE THE STATE ENGINEER OF OREGON

County of Jackson

IN THE MATTER OF)
THE CANCELTATION)
OF A WATER RIGHT)

O R D E R

On May 25, 1967, Earl Manley Brown and Kareen H. Brown submitted an affidavit that they are the legal owners of the following described lands:

Beginning at a point 165.0 feet south of the center point of the northeast quarter, said point being 165.0 feet south of the northeast corner of the southwest quarter of the northeast quarter of Section 18, Township 39 South, Range 2 West, W.M., in Jackson County, Oregon; thence north 165.0 feet to the northeast corner of said southwest quarter of the northeast quarter; thence west 1320.0 feet along the north line thereof, to the northwest corner thereof; thence south 1610.0 feet to the center line of the county road; thence northeasterly along said road line, to the point of beginning,

and the water right appurtenant thereto; that they have abandoned any and all interest in and to said water right and request the same to be canceled.

The water right in question is for the use of not to exceed 0.09 cubic foot per second of the waters of Little Applegate River, a tributary of Applegate River, for the irrigation of 6.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.0 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 39 South, Range 2 West, W.M., with a date of priority of February 28, 1921, and is evidenced by certificate of water right issued in the name of Ansil and Emma Gilson and recorded at page 6117, Volume 6, State Record of Water Right Certificates.

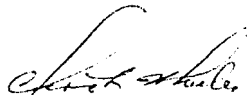
That part of said water right for the use of not to exceed 0.17 cubic foot per second of the waters of Little Applegate River, a tributary of Applegate River, for the irrigation of 14.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 39 South, Range 3 West, W.M., with a date of priority of February 28, 1921, evidenced by certificate of water right recorded at page 6117, Volume 6, State Record of Water Right Certificates, 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 cancelation thereof, the State Engineer shall enter and order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right to the use of not to exceed 0.09 cubic foot per second of the waters of Little Applegate River, a tributary of Applegate River, for the irrigation of 6.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.0 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 39 South, Range 2 West, W.M., with a date of priority of February 28, 1921, as evidenced by certificate of water right recorded at page 6117, Volume 6, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 6117, Volume 6, State Record of Water Right Certificates, is canceled and in lieu thereof a certificate will be issued to Lillian F. Haskill, Route 2, Box 20, Jacksonville, Oregon, covering that part of the water right not in question which is for the use of not to exceed 0.17 cubic foot per second of the waters of Little Applegate River, a tributary of Applegate River, for the irrigation of 14.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 39 South, Range 3 West, W.M., with a date of priority of February 28, 1921.

Dated at Salem, Oregon, this 26th day of June, 1967.



CHRIS L. WHEELER
State Engineer

*see also
page 16, B. 414
which pertains to
page 6117*