

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

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

O R D E R

On December 8, 1969, James F. and Glenna H. Corson, Route 2, Box 361, Jacksonville, Oregon submitted an affidavit that they are the owners of the following described land:

The E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28, and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 33, lying westerly of the Applegate River, in Township 39 South, Range 3 West, W.M.,

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

The water right in question is for the use of not to exceed 6.67 cubic feet per second of the waters of Applegate River, through the Comstock Ditch, for placer mining in E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28, and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 West, W.M., (Tract No. 2), as established by Decree of the Circuit Court for Jackson County, in the name of Z. Cameron, with a date of priority of 1876, and is evidenced by certificate of water right recorded at page 36461, Volume 28, State Record of Water Right Certificates.

That part of said water right for the use of not to exceed 1.53 cubic feet per second of the waters of Applegate River, tributary of Rogue River, for domestic, stock use and irrigation (Tract No. 1) of the following:

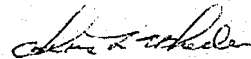
6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
22.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 28,
25.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
7.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 33,
Township 39 South, Range 3 West, W.M.,

with a date of priority of 1876, is not in question in this proceedings.

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."

NOW, THEREFORE, it is hereby ORDERED that the right for the use of not to exceed 6.67 cubic feet per second of the waters of Applegate River, through the Comstock Ditch, for placer mining in E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28, and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 West, W.M., with a date of priority of 1876, as evidenced by certificate recorded at page 36461, Volume 28, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 9th day of December, 1969.



CHRIS L. WHEELER
State Engineer

Noted on Decree
Vol. 4, p. 27
cert. 36461
succeeding
certificate
28778