

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Lane County

IN THE MATTER OF THE PARTIAL
CANCELATION OF A WATER RIGHT
IN THE NAME OF JOHN V. AND MOLLY
CHASE NORTHAM

O R D E R

On November 5, 1976, Marcus H. Brink submitted an affidavit that he is the owner of a water right and the lands to which the right is appurtenant; that he has abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is part of that evidenced by certificate recorded at Page 28088, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.03 cubic foot per second of water from Bear Creek when available and any deficiency in Bear Creek to be made up by diversion from Coast Fork of Willamette River, with a priority date of July 27, 1955, for the irrigation of 4.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.97 cubic foot per second of water from Bear Creek when available and any deficiency in Bear Creek to be made up by diversion from Coast Fork of Willamette River, with a priority date of July 27, 1955, for the irrigation of:

- 2.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 15.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 24.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 3.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 10.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 21.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 1.2 acres Lot 4 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
 - 5.8 acres Lot 7 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
 - 23.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 5.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within James Thompson DLC 80
 - 12.7 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within James Thompson DLC 80
- Section 31
Township 18 South, Range 2 West, W.M.,

is not in question in this proceeding.

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 cancelation thereof, the Water Resources Director shall enter an order canceling the water right."

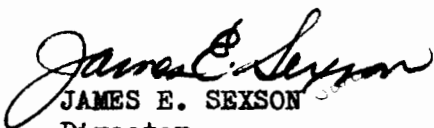
NOW, THEREFORE, it hereby is ORDERED that the water right for the use of 0.03 cubic foot per second of water from Bear Creek when available, and any deficiency in Bear Creek to be made up by diversion from Coast Fork of Willamette River with a priority date of July 27, 1955, for the irrigation of 4.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 28088, Volume 20, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to John V. and Molly Chase Northam covering that part of the water right not in question for the appropriation of not to exceed 0.97 cubic foot per second of water from Bear Creek when available and any deficiency in Bear Creek to be made up by diversion from Coast Fork of Willamette River with a priority date of July 27, 1955, for the irrigation of:

2.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
15.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
24.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
3.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within James Thompson DLC 80
10.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within James Thompson DLC 80
21.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within James Thompson DLC 80
1.2 acres Lot 4 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
5.8 acres Lot 7 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
23.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within James Thompson DLC 80
5.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within James Thompson DLC 80
12.7 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within James Thompson DLC 80

Section 31
Township 18 South, Range 2 West, W.M.

Dated at Salem, Oregon, this 6th day of December, 1976.


JAMES E. SEXSON
Director