

BEFORE THE STATE ENGINEER OF OREGON

Baker County

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

On August 3, 1971, Wistar M. Adair, Jr. and Charlotte M. Adair submitted an affidavit that they are the owners of a water right and the lands to which the right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same to be canceled.

The water right in question is part of that evidenced by the certificate recorded at Volume 29, Page 37356, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.08 cubic foot per second of water from a well (Gravel Pit No. 3), with a priority date of April 14, 1965, for irrigation of:

5.6 acres in SW¼ NW¼  
2.4 acres in NW¼ SW¼  
Section 29

Township 8 South, Range 39 East, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 1.47 cubic feet per second of water from Gravel Pit No. 1, 0.72 cubic foot per second of water from Gravel Pit No. 2, and 0.28 cubic foot per second of water from Gravel Pit No. 3, with a priority date of April 14, 1965, for:

GRAVEL PIT NO. 1

Primary Supplemental

10.8 acres NE¼ SW¼  
12.0 acres SE¼ SW¼  
14.6 acres NE¼ SE¼  
33.2 acres NW¼ SE¼  
2.8 acres SW¼ SE¼

Section 19

6.9 acres NE¼ SW¼  
37.0 acres NW¼ SW¼

Section 20  
Township 8 South, Range 39 East, W.M.

GRAVEL PIT NO. 2

Primary	Supplemental	
	32.0 acres	NE¼ NW¼
	25.2 acres	NW¼ NW¼

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GRAVEL PIT NO. 3

Primary	Supplemental	
6.5 acres	19.5 acres	NW¼ SW¼

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Township 8 South, Range 39 East, W.M.

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 an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the water right for the use of 0.08 cubic foot per second of water from a well (Gravel Pit No. 3), with a date of priority of April 14, 1965, for irrigation of:

5.6 acres in SW¼ NW¼  
2.4 acres in NW¼ SW¼  
Section 29  
Township 8 South, Range 39 East, W.M.

is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Volume 29, Page 37356, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued to Norman Butler covering that part of the water right not in question which is for the appropriation of not to exceed 1.47 cubic feet per

second of water from Gravel Pit No. 1, 0.72 cubic foot per second of water from Gravel Pit No. 2, and 0.28 cubic foot per second of water from Gravel Pit No. 3, with a priority date of April 14, 1965, for:

GRAVEL PIT NO. 1

Primary	Supplemental	
10.8 acres		NE¼ SW¼
12.0 acres		SE¼ SW¼
14.6 acres		NE¼ SE¼
33.2 acres		NW¼ SE¼
2.8 acres		SW¼ SE¼
Section 19		
	6.9 acres	NE¼ SW¼
	37.0 acres	NW¼ SW¼
Section 20		
Township 8 South, Range 39 East, W.M.		

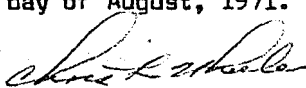
GRAVEL PIT NO. 2

Primary	Supplemental	
	32.0 acres	NE¼ NW¼
	25.2 acres	NW¼ NW¼
Section 29		
Township 8 South, Range 39 East, W.M.		

GRAVEL PIT NO. 3

Primary	Supplemental	
6.5 acres	19.5 acres	NW¼ SW¼
Section 29		
Township 8 South, Range 39 East, W.M.		

Dated at Salem, Oregon, this 9th day of August, 1971.

  
CHRIS L. WHEELER  
State Engineer