

BEFORE THE STATE ENGINEER OF OREGON

Yamhill County

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

On January 26, 1973, Dan Tompkins 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 said water right and request the same to be canceled.

The water right in question is for the use of not to exceed 0.13 cubic foot per second of water from the Willamette River for irrigation of 10.2 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, Township 5 South, Range 3 West, W.M., with a date of priority of November 10, 1961, and is evidenced by certificate of water right recorded at page 33227, Volume 25, State Record of Water Right Certificates.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.12 cubic foot per second of water from the Willamette River for the irrigation of 9.7 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 5 South, Range 3 West, W.M., with a date of priority of November 10, 1961, is not in question.

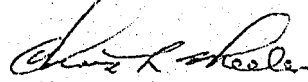
ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the right for the use of not to exceed 0.13 cubic foot per second of water from the Willamette River for the irrigation of 10.2 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, Township 5 South, Range 3 West, W.M., with a date of priority of November 10, 1961, is canceled.

It is FURTHER ORDERED that the certificate of water right recorded

at page 33227, Volume 25, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to the Estate of U. S. Alderman covering that part of the water right not in question which is for the appropriation of not to exceed 0.12 cubic foot per second of water from the Willamette River, with a date of priority of November 10, 1961, for the irrigation of 9.7 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 5 South, Range 3 West, W.M.

Dated at Salem, Oregon, this 21st day of March, 1973.



CHRIS L. WHEELER  
State Engineer