

BEFORE THE STATE ENGINEER OF OREGON

Linn County

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

ORDER

On February 16, 1973, David E. and Darlene M. Chambers 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 said water right and request the same to be canceled.

The water right in question is for the use of not to exceed 0.15 cubic foot per second of water from Weber's Well located 19.5 chains South and 16.0 chains West from the North quarter corner of Section 18, Township 10 South, Range 3 West, W.M., for the irrigation of:

7.5 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$
1.6 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$
as projected within McClane DLC 70
Section 18
Township 10 South, Range 3 West, W.M.

1.2 acres in Lot 4 ($NE\frac{1}{4}$ $NE\frac{1}{4}$)
2.0 acres in Lot 5 ($SE\frac{1}{4}$ $NE\frac{1}{4}$)
Section 13
Township 10 South, Range 4 West, W.M.

with a date of priority of September 28, 1955, and is evidenced by certificate of water right recorded at page 28582, Volume 20, State Record of Water Right Certificates.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.20 cubic foot per second of water from Weber's Well for the irrigation of:

5.6 acres in $NE\frac{1}{4}$ $NW\frac{1}{4}$
5.4 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$
1.0 acre in $SW\frac{1}{4}$ $NW\frac{1}{4}$
3.6 acres in $SE\frac{1}{4}$ $NW\frac{1}{4}$
as projected within McClane DLC 70
Section 18
Township 10 South, Range 3 West, W.M.

with a date of priority of September 28, 1955, 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 cancellation 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 0.15 cubic foot per second of water from Weber's Well located 19.5 chains South and 16.0 chains West from the North quarter corner of Section 18, Township 10 South, Range 3 West, W.M., for the irrigation of:

7.5 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$
1.6 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$
as projected within McClane DLC 70
Section 18
Township 10 South, Range 3 West, W.M.


1.2 acres in Lot 4 ($NE\frac{1}{4}$ $NE\frac{1}{4}$)
2.0 acres in Lot 5 ($SE\frac{1}{4}$ $NE\frac{1}{4}$)
Section 13
Township 10 South, Range 4 West, W.M.

with a date of priority of September 28, 1955, is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at page 28582, Volume 20, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to David E. and Darlene M. Chambers covering that part of the water right not in question which is for the appropriation of 0.20 cubic foot per second of water from Weber's Well, with a date of priority of September 28, 1955, for the irrigation of:

5.6 acres in $NE\frac{1}{4}$ $NW\frac{1}{4}$
5.4 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$
1.0 acre in $SW\frac{1}{4}$ $NW\frac{1}{4}$
3.6 acres in $SE\frac{1}{4}$ $NW\frac{1}{4}$
as projected within McClane DLC 70
Section 18
Township 10 South, Range 3 West, W.M.

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


CHRIS L. WHEELER
State Engineer