

Marion County

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

ORDER

On June 7, 1967, Creighton B. Jones submitted an affidavit that he is the legal owner of the lands and the water right appurtenant thereto; 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 0.67 cubic foot per second of the waters of Jones and Finney Lake for the irrigation of 3.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 28.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 12.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within S. Jones DLC 61, Section 1; 3.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 6.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within S. Jones DLC 61, Section 12, all in Township 6 South, Range 3 West, W.M., with a date of priority of April 8, 1953, and is evidenced by certificate of water right issued in the name of Creighton B. Jones and recorded at page 28716, Volume 20, State Record of Water Right Certificates.

That part of said water right for the use of not to exceed 1.63 cubic foot per second of the waters of Deep Lake, tributary of Willamette River, for the irrigation of 19.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.8 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 27.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 2; 0.4 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 11; and for supplemental irrigation of 4.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 1; 9.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 9.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 23.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 25.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 2; and 2.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 11; and for the use of not to exceed 0.92 cubic foot per second of the waters of Jones and Finney Lake for the

irrigation of 4.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within S. Jones DLC 61; 1.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within A. Beers DLC 38; 5.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within S. Jones DLC 61; Section 1; 6.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 12.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 17.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 11; 16.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.6 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within S. Jones DLC 61, Section 12, all in Township 6 South, Range 3 West, W.M., with a date of priority of April 8, 1953, as evidenced by certificate of water right recorded at page 28716, Volume 20, is not in question.

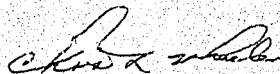
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right to the use of not to exceed 0.67 cubic foot of the waters of Jones and Finney Lake, tributary of Willamette River, for the irrigation of 3.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 28.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 12.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within S. Jones DLC 61, Section 1; 3.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 6.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within S. Jones DLC 61, Section 12, all in Township 6 South, Range 3 West, W.M., with a date of priority of April 8, 1953, as evidenced by certificate of water right recorded at page 28716, Volume 20, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 28716, Volume 20, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Creighton B. Jones covering that part of the water right not in question which is for the use of not to exceed 1.63 cubic feet per second of the waters of Deep Lake, tributary of Willamette River, for the irrigation of 19.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.8 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$,

27.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within in A. Beers DLC 38, Section 2; 0.4 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 11; and for supplemental irrigation of 4.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 1; 9.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 9.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 23.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 25.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 2; and 2.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 11; and for the use of not to exceed 0.92 cubic foot per second of the waters of Jones and Finney Lake, tributary of Willamette River, for the irrigation of 4.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within S. Jones DLC 61; 1.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within A. Beers DLC 38; 5.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within S. Jones DLC 61, Section 1; 6.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 12.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within A. Beers DLC 38, Section 11; 16.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.6 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within S. Jones DLC 61, Section 12, all in Township 6 South, Range 3 West, W.M., with a date of priority of April 8, 1953.

Dated at Salem, Oregon, this 15th day of August, 1967.



CHRIS L. WHEELER
State Engineer