

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

O R D E R

On June 17, 1968, Irma L. Calkins submitted an affidavit that she is the owner of the lands and the water right appurtenant thereto; that she has abandoned any and all interest in and to said water right and requests the same to be canceled.

The water right in question is for the use of not to exceed 0.37 cubic foot per second of the waters of an unnamed stream and reservoir, tributary of Willamette River, for irrigation of 0.2 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 6.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and supplemental irrigation of 18.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 3.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, all as projected within P. Minard D.L.C. 74, Township 4 South, Range 2 West, W.M., with a date of priority of December 28, 1950, and is evidenced by certificate of water right issued in the name of John L. and Catherine Ann Marxer and recorded at page 22416, Volume 16, State Record of Water Right Certificates.

That part of said water right for the use of not to exceed 2.29 cubic feet per second of the waters of Willamette River for irrigation of:

14.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
17.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 6
30.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
43.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
37.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
18.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
0.1 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
3.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 7

Township 4 South, Range 2 W., W.M.
all as projected within J. Daguire DLC 37

1.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1
15.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12

Township 4 South, Range 3 West, W.M.
all as projected within J. Daguire DLC 70

and for the use of not to exceed 0.44 cubic foot per second of the waters of an unnamed stream and reservoir for irrigation of:

7.2 acres in Lot 5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
0.2 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.8 acres in Lot 4 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
11.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
8.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
0.3 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 6

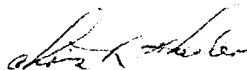
Township 4 South, Range 2 West, W.M.
as projected within P. Minard DLC 74

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 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 0.37 cubic foot per second of the waters of an unnamed stream and reservoir, tributary of Willamette River, for irrigation of 0.2 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 6.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and supplemental irrigation of 18.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 3.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, all as projected within P. Minard D.L.C. 74, Township 4 South, Range 2 West, W.M., with a date of priority of December 28, 1950, as evidenced by certificate of water right recorded at page 22416, Volume 16, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 22nd day of July, 1968.



CHRIS L. WHEELER
State engineer