

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

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

O R D E R

On July 5, 1962, notice was given by certified mail pursuant to the provisions of ORS 540.631 to 540.650 to the United States Department of Interior, Bureau of Land Management, 710 N. W. Holliday Street, Portland 12, Oregon and to the State Land Board, State Capitol Building, Salem, Oregon, owners of the land to which a water right hereinafter described is appurtenant, of the State Engineer's intention to cancel said right. There is no occupant on the land in question.

The water right in question is a part of the right established by decree of the Circuit Court for Crook County, now Deschutes County, entered May 1, 1911 in the Matter of the Determination of the Relative Rights to the Use of the Waters of Tumalo Creek, tributary of Deschutes River, and confirmed by certificate issued to John B. Wimer and recorded at page 100, Volume 1, State Record of Water Right Certificates.

Said right in question is for the use of the waters of Tumalo Creek through the Wimer Ditch for domestic use and the irrigation of 18.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 16 South, Range 11 East, W.M. with a date of priority of August 5, 1900.

That part of the water right confirmed by the above certificate for the irrigation of 0.5 acre in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 7.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 16 South, Range 11 East, W.M. was transferred to other lands by Order of the State Engineer recorded in Special Order Record, Volume 4 at page 277 and is not in question.

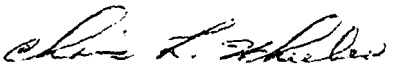
No protest having been filed against the proposed cancelation of water right within the sixty-day period immediately following the notice, the water right should be canceled.

NOW, THEREFORE, it is ORDERED that the water right evidenced by certificate of water right heretofore issued to John B. Wimer and recorded

at page '100, Volume 1, State Record of Water Right Certificates, be and the same hereby is canceled.

Dated at Salem, Oregon this 8th day of January 1963.

Noted as Correct
Vol. 1, page
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CHRIS L. WHEELER
State Engineer

WC ✓