

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

O R D E R

On March 20, 1970, Norbert H. Gilles submitted affidavit that he is the owner of Lots 4 and 5 of Division of John Miller Estate land and the water right appurtenant thereto, that he has abandoned any and all interest in and to said water right and request the same be canceled.

The water right in question is for the use of not to exceed 0.275 cubic foot per second of the waters of a well for irrigation of 7.2 acres in the $SE\frac{1}{4}$ $SE\frac{1}{4}$, Section 19, 14.0 acres in the $NE\frac{1}{4}$ $NE\frac{1}{4}$, and 0.8 acre in the $NW\frac{1}{4}$ $NE\frac{1}{4}$, Section 30, Township 4 South, Range 1 West, W.M., with a date of priority of September 25, 1957, and is evidenced by certificate of water right issued in the name of Norbert H. Gilles and recorded at page 27568, Volume 19, State Record of Water Right Certificates.

That part of the above described water right for the use of not to exceed 0.225 cubic feet per second of the waters of a well for irrigation of:

17.2 acres in $SE\frac{1}{4}$ $SE\frac{1}{4}$
Section 19

0.8 acre in $SW\frac{1}{4}$ $SW\frac{1}{4}$
Section 20
Township 4 South, Range 1 West, W.M.,

with a date of priority of September 25, 1957, as evidenced by certificate of water right recorded at page 27568, Volume 19, State Record of Water Right Certificates, 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 for the use of not to exceed 0.275 cubic foot per second of the waters of a well, tributary of Senecal Creek, for irrigation of 7.2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, 14.0 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 0.8 acre in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30 Township 4 South, Range 1 West, W.M., with a date of priority of September 25, 1957, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 27568, Volume 19, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Norbert H. Gilles, Route 1, Box 477, Hubbard, Oregon 97032, covering that part of the water right not in question which is for the use of not to exceed 0.225 cubic feet per second of the waters of a well for irrigation of:

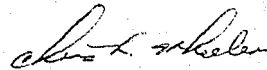
17.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19

0.8 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 20

Township 4 South, Range 1 West, W.M.,

with a date of priority of September 25, 1957.

Dated at Salem, Oregon, this 23rd day of March, 1970.



CHRIS L. WHEELER
State Engineer