

BEFORE THE STATE ENGINEER OF OREGON

Lane County

IN THE MATTER OF)
THE CANCELATION OF)
PERMIT NO. 3640)
- - - - -

O R D E R

Permit No. 3640 was issued to the McKenzie Irrigation Association for the appropriation of not to exceed 225 cubic feet per second of the waters of McKenzie River for the irrigation of 18,000 acres. The diversions for the irrigation of these lands were to be in the NW¼ NW¼, Section 32, Township 17 South, Range 1 West for the upper canal and the NW¼ NW¼, Section 32, Township 17 South, Range 2 West for the lower canal. Proof of completion of the appropriation through the lower canal was submitted and the certificate recorded at page 32661, Volume 24, was issued defining the right to the extent completed.

A document defining the extent of use of water through the upper canal, as mapped by the State Engineer in 1961 with a diversion in Section 32, Township 17 South, Range 1 West, W.M., was mailed to the McKenzie Irrigation Association on September 22, 1965 to assist them in submitting proof of appropriation of water.

The use of water through the upper canal has since been abandoned.

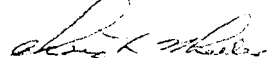
The time limit within which the appropriation under Permit No. 3640 should have been perfected has expired and the McKenzie Irrigation Association, owner of the permit, has failed within the period of three months thereafter to submit proof of the appropriation as required by ORS 537.260 and that notice has been addressed to the owner of the permit by certified mail in accordance with the provisions of ORS 537.260 and 174.150 and the owner of the permit has

failed or refused to submit proof of the appropriation under the permit, although the sixty-day time limit allowed in the notice has elapsed.

It appears that, with the exception of that part of Permit No. 3640 for which the certificate recorded at page 32661, Volume 24, State Record of Water Right Certificates, was issued, the permit should be canceled.

NOW, THEREFORE, it hereby is ORDERED that Permit No. 3640, except that part for which certificate recorded at page 32661, Volume 24, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 20th day of September, 1968.



CHRIS L. WHEELER
State Engineer