

Tillamook County

IN THE MATTER OF THE)
CANCELATION OF A RIGHT)
TO THE USE OF WATER FOR)
THE DEVELOPMENT OF POWER)
- - - - -

ORDER

Certificate of water right issued to Marion Darby and recorded at page 5440, Volume 6, State Record of Water Right Certificates, confirms a right under Permit No. 4959 for the use of 0.25 cubic foot per second of the water of an unnamed creek, tributary of Kilches River for the development of power and domestic supply within the SE¼ SE¼, Section 31, Township 1 North, Range 9 West, W. M., with a date of priority of February 24, 1921.

The right to the use of water for power is limited to a period of 40 years from the date of priority of the right, or February 24, 1921; such right to the use of water for power purposes expired February 24, 1961.

Mr. Ralph H. Jackson, a representative of this office, inspected the premises involved in this certificate of water right on June 26, 1961, and found that the system was still in use and the water being used for domestic purposes only.

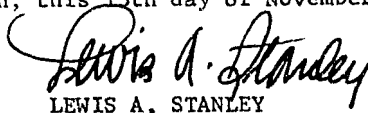
The right to the use of water for the development of power having expired, it appears that certificate of water right issued to Marion Darby on September 1, 1925, and recorded at page 5440, Volume 6, State Record of Water Right Certificates, should be canceled, and a new certificate issued to Marion Darby confirming the right to the use of 0.01 cubic foot per second of the waters of an unnamed creek, tributary of Kilches River, for domestic purposes.

NOW, THEREFORE, it hereby is ORDERED that certificate of water right heretofore issued to Marion Darby and recorded at page 5440, Volume 6, State Record of Water Right Certificates, be and the same is canceled and that a new certificate of water right shall be issued to Marion Darby

covering the use of 0.01 cubic foot per second of water for domestic purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 1 North, Range 9 West, W. M., with a date of priority of February 24, 1921.

Dated at Salem, Oregon, this 13th day of November, 1961.

Noted on records
App. # 7763
Cert. # 5440



LEWIS A. STANLEY
State Engineer

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