

BEFORE THE STATE ENGINEER OF OREGON

Clackamas County

IN THE MATTER OF THE  
CANCELATION AND PARTIAL  
CANCELATION OF WATER  
RIGHTS IN THE NAME OF  
ELMER Y. GLICK - - - - - }

O R D E R

Elmer Y. Glick submitted sworn statements that he is the owner of certain water rights and the real property to which the water rights are apurtenant; that he has abandoned any and all interest in and to said water rights and requests the same to be canceled.

The water rights in question are parts of those evidenced by the certificates recorded at Volume 20, pages 27758 and 27757, State Record of Water Rights Certificates, and are for the storage of 9.0 acre feet of water from Murray Creek in a reservoir located in the NW¼ SW¼ and the SW¼ SW¼, Section 7, Township 5 South, Range 1 East and the SE¼ SE¼ as projected within J. Killins DLC No. 72, Section 12, Township 5 South, Range 1 West, W.M., and for the appropriation of water stored in the reservoir for irrigation and supplemental irrigation of 4.6 acres in the NW¼ SW¼ and 16.8 acres in the SW¼ SW¼, Section 7, Township 5 South, Range 1 East, W.M., with the priority date of May 11, 1954.

That part of the water right evidenced by the certificate recorded at Volume 20, page 27757, State Record of Water Rights Certificates, for the appropriation of not to exceed 0.17 cubic foot per second of water from Murray Creek, with a date of priority of May 11, 1954, at a point of diversion located in the NW¼ SW¼, Section 7, Township 5 South, Range 1 East, W.M., for irrigation of 1.1 acres in the NW¼ SW¼ and 12.8 acres in the SW¼ SW¼, Section 7, Township 5 South, Range 1 East, W.M., is not in question.

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 cancellation thereof, the State Engineer shall enter an order canceling the water right."

By order dated May 6, 1963 and recorded at Volume 12, page 422, Special Order Record of the State Engineer, the rights evidenced by the certificates recorded at Volume 20, pages 27758 and 27757, State Record of Water Rights Certificates, were canceled.

It appears that said order should be rescinded and an order entered canceling only those parts of the water rights authorized and requested in the affidavit of Elmer Y. Glick.

NOW, THEREFORE, it hereby is ORDERED that the order of the State Engineer entered at Volume 12, page 422, Special Order Record of the State Engineer, is rescinded.

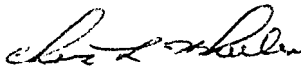
It is FURTHER ORDERED that the rights for the storage of 9.0 acre feet of water from Murray Creek in a reservoir located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  and the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 7, Township 5 South, Range 1 East and the SE $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within J. Killins DLC No. 72, Section 12, Township 5 South, Range 1 West, W.M., and for the appropriation of water stored in the reservoir for irrigation and supplemental irrigation of 4.6 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  and 16.8 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 7, Township 5 South, Range 1 East, W.M., with the priority date of May 11, 1954, are canceled.

It is FURTHER ORDERED that the certificates recorded at Volume 20, pages 27758 and 27757, State Record of Water Rights Certificates, are canceled and in lieu thereof a new certificate be issued in the name of Elmer Y. Glick covering that part of the water right not in question which is for the appropriation of not to exceed 0.17 cubic foot per second of water from Murray Creek, with a date of priority of May 11, 1954, at a point of diversion located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 7, Township 5 South, Range 1 East, W.M., for irrigation of 1.1 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  and 12.8 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 7, Township 5 South, Range 1 East, W.M.

Dated at Salem, Oregon this 14<sup>th</sup> day of October 1963.

Notation records  
App. # R-29161 & 29162  
Cert. # 27758 & 27757

Substituted by  
51234

  
CHRIS L. WHEELER  
State Engineer