

Jackson County

IN THE MATTER OF THE PARTIAL)
CANCELATION OF A WATER RIGHT)
IN THE NAME OF THOMAS J.)
JOHNSON)

O R D E R

On October 15 and December 13, 1962, respectively, Robert S. Holman and Walter E. and Mary E. Moore submitted sworn statements that they are the legal owners of a certain water right and the real property to which the right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is a part of that evidenced by certificate recorded at page 10540, Volume 10, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.03 cubic foot per second of water from Rogue River with a date of priority of July 5, 1928, for the irrigation of 1.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 34 South, Range 1 West, W. M., owned by Robert S. Holman, being more particularly described as follows:

Beginning at a 2 inch iron pin at the northeast corner of Broughton Subdivision, which is 1430 feet South and 260 feet West of the northeast corner of Section 21, Township 34 South, Range 1 West, W. M., thence South 16° 10' West 205 feet, thence South 88° 21' West 730 feet to the true point of beginning; thence South 235 feet, thence West 290 feet, thence North 1° 39' East 235 feet, thence North 88° 21' East 290 feet to the point of beginning,

and for the irrigation of 0.6 acre in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 21, owned by Walter E. and Mary E. Moore, being more particularly described as follows:

Beginning at a point that is South 624.95 feet, West 691.2 feet and South 100.0 feet from the section corner common to Sections 15, 16, 21 and 22, in Township 34 South, Range 1 West, W. M.; said beginning point being on the west line of property described in Volume 400, Page 394, Deed Records of Jackson County, Oregon, and 70.0 feet South of the northwest corner thereof, thence South along the west line of said property 120 feet to the southwest corner of said property;

thence East along the south line of said property, 165.0 feet to the southeast corner thereof; thence South 30.0 feet, thence West 800.0 feet, more or less, to the center channel of Rogue River; thence Northerly 150.0 feet more or less to a point west of the point of beginning; thence East along the south line of property described in Volume 455, Page 101, of Deed Records of Jackson County, Oregon, to the point of beginning.



That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.21 cubic foot per second of water from Rogue River, with a date of priority of July 15, 1928, for irrigation of 3.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 7.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.0 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, Township 34 South, Range 1 West, 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 cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the right for the use of not to exceed 0.03 cubic foot per second of water from Rogue River, with a date of priority of July 15, 1928, for the irrigation of 0.6 acre in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 34 South, Range 1 West, W. M., is canceled.

Dated at Salem, Oregon, this 14th day of October, 1963.

Noted on records
App #12171
Cert. #10540


CHRIS L. WHEELER
State Engineer 

Superseded by **31233**
Cert. No. ~~.....~~