

BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE)
PARTIAL CANCELATION OF)
A WATER RIGHT IN THE)
NAME OF THE PEOPLES)
IRRIGATION COMPANY)

O R D E R

Earl Forest submitted an affidavit that he is the legal owner of a water right and the lands to which the right is appurtenant; that he has abandoned any and all interest in and to said water right and requests the same to be canceled.

The water right in question is a part of that evidenced by the certificate recorded at Volume 1, page 638, State Record of Water Rights Certificates, and is for the appropriation of not to exceed 2.63 cubic feet per second of water from the Crooked River, with dates of priority of 1904 and 1910, for irrigation of the following lands:

- 40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
- 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
- 15 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
- 15 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
- 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
- 40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
- 10 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 10 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 27, Township 14 South, Range 14 East, W.M.,

That part of the water right evidenced by said certificate for the appropriation of not to exceed 25.04 cubic feet per second of water from the Crooked River for domestic, stock and irrigation of the following lands:

Date of priority: 1893

- 40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 37 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
- 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
- 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
- 3 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 36, Township 14 South, Range 15 East, W.M.,

Date of priority: 1900

- 12 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20, Township 14 South, Range 15 East, W.M.,

Date of priority: 1895

- 20 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
- 20 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
- 20 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
- 10 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26, Township 14 South, Range 15 East, W.M.,

Date of priority: 1900

5 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
30 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
5 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 27, Township 14 South, Range 15 East, W.M.,

Dates of priority: 1904 and 1910

30 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
30 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
30 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
30 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23

40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
30 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
30 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
30 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
30 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 21, Township 14 South, Range 14 East, W.M.,

Date of priority: 1803

35 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
30 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
25 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 20, Township 14 South, Range 15 East, W.M.,

Date of priority: 1892

10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 30

5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
38 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
3 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
8 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 29

21 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 20, Township 14 South, Range 14 East, W.M.,

Date of priority: 1893

23 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
35 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

17 acres in the $SE\frac{1}{4}$ $SW\frac{1}{4}$
24 acres in the $NW\frac{1}{4}$ $SE\frac{1}{4}$
33 acres in the $SW\frac{1}{4}$ $SE\frac{1}{4}$
8 acres in the $SE\frac{1}{4}$ $SE\frac{1}{4}$
Section 6, Township 15 South, Range 16 East, W.M.,

Date of priority: 1893

5 acres in the $SW\frac{1}{4}$ $NE\frac{1}{4}$
10 acres in the $SE\frac{1}{4}$ $SW\frac{1}{4}$
40 acres in the $NW\frac{1}{4}$ $SE\frac{1}{4}$
20 acres in the $SW\frac{1}{4}$ $SE\frac{1}{4}$
Section 36, Township 14 South, Range 15 East, W.M.,

Date of priority: 1898

40 acres in the $NE\frac{1}{4}$ $NE\frac{1}{4}$
30 acres in the $NW\frac{1}{4}$ $NE\frac{1}{4}$
Section 29, Township 14 South, Range 14 East, W.M.,

Date of priority: 1897

1 acre in the $NE\frac{1}{4}$ $NE\frac{1}{4}$
15 acres in the $NW\frac{1}{4}$ $NE\frac{1}{4}$
30 acres in the $NE\frac{1}{4}$ $NW\frac{1}{4}$
30 acres in the $NW\frac{1}{4}$ $NW\frac{1}{4}$
Section 26, Township 14 South, Range 14 East, W.M.,

Date of priority: 1906

30 acres in the $SW\frac{1}{4}$ $NE\frac{1}{4}$
30 acres in the $SE\frac{1}{4}$ $NE\frac{1}{4}$
30 acres in the $SW\frac{1}{4}$ $NW\frac{1}{4}$
30 acres in the $SE\frac{1}{4}$ $NW\frac{1}{4}$
5 acres in the $NE\frac{1}{4}$ $SW\frac{1}{4}$
15 acres in the $NW\frac{1}{4}$ $SW\frac{1}{4}$
15 acres in the $NE\frac{1}{4}$ $SE\frac{1}{4}$
5 acres in the $NW\frac{1}{4}$ $SE\frac{1}{4}$
Section 19, Township 14 South, Range 15 East, W.M.,

Date of priority: 1904

20 acres in the $SW\frac{1}{4}$ $SW\frac{1}{4}$
Section 24, Township 14 South, Range 14 East, W.M.,

Date of priority: 1910

8 acres in the $NE\frac{1}{4}$ $SE\frac{1}{4}$
32 acres in the $SE\frac{1}{4}$ $SE\frac{1}{4}$
Section 36, Township 14 South, Range 15 East, W.M.,

Date of priority: 1890

36 acres in the $NE\frac{1}{4}$ $SW\frac{1}{4}$
15 acres in the $NE\frac{1}{4}$ $SE\frac{1}{4}$
29 acres in the $NW\frac{1}{4}$ $SE\frac{1}{4}$
Section 20, Township 14 South, Range 15 East, W.M.,

Date of priority: 1898

$3\frac{1}{2}$ acres in the $NE\frac{1}{4}$ $NE\frac{1}{4}$
Section 28, Township 14 South, Range 14 East, W.M.,

Date of priority: 1904

20 acres in the $NE\frac{1}{4}$ $NE\frac{1}{4}$
12 acres in the $NW\frac{1}{4}$ $NE\frac{1}{4}$
Section 28, Township 14 South, Range 15 East, W.M.,
all in the county of Crook,

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".

NOW, THEREFORE, it hereby is ORDERED that the right for the use of not to exceed 2.63 cubic feet per second of water from the Crooked River, with dates of priority of 1904 and 1910, for irrigation of the following lands:

40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
15 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
15 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
10 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
10 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 27, Township 14 South, Range 14 East, W.M.,

is canceled.

Dated at Salem, Oregon this 28th day of September, 1964.

Noted on Decree
Vol. 1 p. 332
Cont. # 638


CHRIS L. WHEELER
State Engineer