

BEFORE THE STATE ENGINEER OF OREGON

Linn County

IN THE MATTER OF)
THE CANCELATION)
OF A WATER RIGHT)

O R D E R

On February 14, 1972, Wallace C. Calkins submitted an affidavit that he is the 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 request the same to be canceled.

The water right in question is for the use of not to exceed 0.075 cubic foot per second of the waters from Hamilton Creek for the irrigation of 1.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.3 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.4 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 4.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Township 12 South, Range 1 West, W.M., with a date of priority of September 14, 1951, and is evidenced by certificate of water right recorded at page 27555, Volume 19, State Record of Water Right Certificates.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.185 cubic foot per second of the waters of Hamilton Creek for irrigation of 6.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 8.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, Township 12 South, Range 1 West, W.M., with a date of priority of September 14, 1951, is not in question.

ORS 540.621 provides: "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 0.075 cubic foot per second of the waters of Hamilton Creek for the irrigation of 1.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.3 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$,

0.4 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 4.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Township 12 South, Range 1 West, W.M., with a date of priority of September 14, 1951, is canceled.

Dated at Salem, Oregon, this 30th day of March, 1972.



CHRIS L. WHEELER
State Engineer