

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

ORDER

On March 31, 1969, Phillip E. & Mary Ellen Wolf, Carl & Clara Kirsch and Frank J. & Magdaline Kirsch submitted affidavits that they are the owners of the lands and the water right appurtenant thereto, that they have abandoned any and all interest in and to said water right and request the same be canceled.

The water right in question is for the use of not to exceed 0.286 cubic foot per second of the waters of Mission Creek, tributary of Willamette River, for irrigation of 11.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 5.61 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8; and 4.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 17, and 2.40 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 18, Township 5 South, Range 2 West, W.M., with a date of priority of April 1, 1926, and is evidenced by certificate of water right issued in the name of M.W. Mahoney and recorded at page 7694, Volume 7, State Record of Water Right Certificates.

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 is hereby ORDERED that the right for the use of not to exceed 0.286 cubic foot per second of the waters of Mission Creek, tributary of Willamette River, for irrigation of:

11.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$   
5.61 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 8

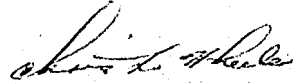
4.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 17

2.40 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 18

Township 5 South, Range 2 West, W.M.,

with a date of priority of April 1, 1926, as evidenced by certificate of water right recorded at page 7694, Volume 7, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 3rd day of April, 1969.



CHRIS L. WHEELER  
State Engineer