

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

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

O R D E R

On May 29, 1968, Lee Stewart submitted an affidavit that he is the owner of the land and the water right appurtenant thereto; that he has abandoned any and all interest in and to said water right and requests the same to be canceled.

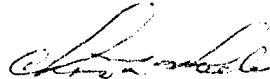
The water right in question was established by Decree of the Circuit Court for Wasco County, entered May 17, 1924, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Mill Creek and its tributaries, in the name of John H. Stegman, for the use of not to exceed one-sixtieth of a cubic foot per second per acre during the irrigation season from April 1st to October 1st; one-fortieth of a cubic foot per second for each one thousand head of stock, and a reasonable amount for domestic purposes of the waters of a spring in the NW¹/₄ SW¹/₄, Section 22, for domestic and stock use in SW¹/₄ SW¹/₄, Section 22, Township 1 North, Range 12 East, W.M., with a date of priority of 1886 (Tract No. 2), and is evidenced by certificate of water right recorded at page 5719, Volume 6, State Record of Water Right Certificates.

That part of said water right for the use of not to exceed one-sixtieth of a cubic foot per second per acre during the irrigation season from April 1st to October 1st, of the waters of Mill Creek North Fork, for irrigation of 8.0 acres in SW¹/₄ SW¹/₄, Section 22, Township 1 North, Range 12 East, W.M., with a date of priority of 1864 (Tract No. 1), and is evidenced by certificate of water right recorded at page 5719, Volume 6, State Record of Water Right Certificates, is not in question in this proceeding.

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 to the use of not to exceed one-fortieth of a cubic foot per second for each one thousand head of stock, and a reasonable amount for domestic purposes of the waters of a spring located in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, for domestic and stock use in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 1 North, Range 12 East, W.M., with a date of priority of 1886, as evidenced by certificate of water right recorded at page 5719, Volume 6, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 4th day of June, 1968.



CHRIS L. WHEELER
State Engineer