

BEFORE THE STATE ENGINEER OF OREGON

Lane County

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

On July 22, 1971, Clarence A. Chase, Lloyd Hendrickson, Perry Holloman and William B. Chase submitted an affidavit that Chase Gardens, a partnership, is the owner of a water right and the lands to which the right is appurtenant; that Chase Gardens has abandoned any and all interest in and to the said water right and request the same to be canceled.

The water right in question is part of that evidenced by the certificate recorded at Volume 21, Page 28871, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.09 cubic foot per second of water from Well No. 2 and 0.06 cubic foot per second of water from Well No. 4, with a priority date of December 18, 1959, for irrigation of:

- 0.1 acre Lot 3 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ )
- 6.2 acres Lot 3 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )
- 14.8 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Harlow DLC 57
- Commercial 21.8 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Harlow DLC 57
- Section 28
- Township 17 South, Range 3 West, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.40 cubic foot per second of water from Well No. 5, with a priority date of December 18, 1959, for irrigation of:

- 0.1 acre Lot 3 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ )
- 6.2 acres Lot 3 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )
- 14.8 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Harlow DLC 57
- Commercial 21.8 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Harlow DLC 57
- Section 28
- Township 17 South, Range 3 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 water right for the use of 0.09 cubic foot per second of water from Well No. 2 and 0.06 cubic foot per second of water from Well No. 4, with a priority date of December 18, 1959, for irrigation of:

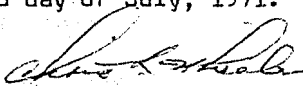
0.1 acre Lot 3 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
6.2 acres Lot 3 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )  
14.8 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Harlow DLC 57  
Commercial 21.8 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Harlow DLC 57  
Section 28  
Township 17 South, Range 3 West, W.M.

is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Volume 21, Page 28871, is canceled and in lieu thereof a new certificate be issued to Chase Gardens (a partnership) covering that part of the water right not in question which is for the appropriation of not to exceed 0.40 cubic foot per second of water from Well No. 5, with a priority date of December 18, 1959, for irrigation of:

0.1 acre Lot 3 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
6.2 acres Lot 3 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )  
14.8 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Harlow DLC 57  
Commercial 21.8 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Harlow DLC 57  
Section 28  
Township 17 South, Range 3 West, W.M.

Dated at Salem, Oregon, this 23rd day of July, 1971.

  
CHRIS L. WHEELER  
State Engineer