

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE PARTIAL)
CANCELATION OF A WATER RIGHT)
IN THE NAME OF P. K. AND)
MURIEL RICHARDSON)

O R D E R

On September 12, 1974, P. K. and Muriel Richardson submitted an affidavit that they are the owners of a water right and the lands to which the right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is part of that evidenced by certificate recorded at Page 32100, Volume 24, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.04 cubic foot per second of water from Applegate River, with a priority date of August 15, 1962, for the irrigation of 1.5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 38 South, Range 3 West, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.11 cubic foot per second of water from Applegate River, for the irrigation of 4.5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 38 South, Range 3 West, W.M., 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 hereby is ORDERED that the water right for the use of 0.04 cubic foot per second of water from Applegate River, with a priority date of August 15, 1962, for the irrigation of 1.5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 38 South, Range 3 West, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 32100, Volume 24, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to Marion Dunlap covering that part of the water right not in question for the appropriation of not to exceed 0.11 cubic foot per second of water from Applegate River, with a priority date of August 15, 1962, for the irrigation of 4.5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 38 South, Range 3 West, W.M.

Dated at Salem, Oregon, this 9th day of December, 1974.


CHRIS L. WHEELER
State Engineer