

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

ORDER

On August 21, 1966, Gordon S. Aman submitted an affidavit that he is the owner of the following described lands, to wit:

Beginning at the most Southerly Southeast corner of the Rudolph C. Gibson Donation Land Claim No. 54 in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence S. 88° 52' W. 813.12 feet along the center of the County Road; thence S. 89° 58' W. along said center line 464.0 feet; thence N. 2° 30' W. 2083.49 feet; thence N. 87° 29' W. 1542.76 feet to a point on the East line of a tract of land conveyed to Henry Humpert by deed recorded in Vol. 163, page 456, Deed Records for said County and State; thence N. 0° 04' W. along the East line of said Humpert tract 744.0 feet to a point on the North line of a tract of land conveyed to Frank Aman, by deed recorded in Vol. 180, page 430, Deed Records for said County and State; thence S. 87° 20' E. along the North line of said Frank Aman tract 3105.96 feet to the Northwest corner of a tract of land conveyed to Joe Hamel by deed recorded in Vol. 254, page 49, Deed Records for said County and State; thence S. 4° 30' W. along the West line of said Hamel tract 1023.95 feet to the Southwest corner thereof; thence S. 73° 45' E. 19.60 feet to the Northwest corner of the Samuel Allen Donation Land Claim; thence S. 4° 30' W. 1710.96 feet to the place of beginning.

and the water right appurtenant to said lands; 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 is for the use of not to exceed 0.34 cubic foot per second of the waters of a well, tributary of Pudding River, for the irrigation of 3.6 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 2.6 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 21.6 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.6 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 11.8 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.4 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 8.6 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 14, Township 6 South, Range 1 West, W.M., with a date of priority of May 14, 1956, and is evidenced by certificate of water right issued in the name of

Estate of Frank X. Aman and recorded at page 26378, Volume 18, State Record of Water Right Certificates.

That part of said water right for the use of not to exceed 0.33 cubic foot per second for the irrigation of 14.2 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 14.7 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 18.0 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 16.2 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , all as projected within R. Gibson D.L.C. No. 54, Section 14, Township 6 South, Range 1 West, W.M., is not in question.

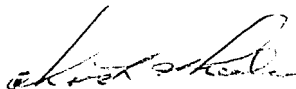
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right to the use of not to exceed 0.34 cubic foot per second of the waters from a well, tributary of Pudding River, for the irrigation of 3.6 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 2.8 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 21.8 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.6 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 11.6 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.4 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 8.6 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , all as projected within R. Gibson D.L.C. No. 54, Section 14, Township 6 South, Range 1 West, W.M., with a date of priority of May 14, 1956, evidenced by certificate of water right issued in the name of Estate of Frank X. Aman, and recorded at page 26378, Volume 18, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 26378, Volume 18, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Estate of Frank X. Aman, covering that part of the water right not in question which is for the use of not to exceed 0.33 cubic foot per second of the waters of a well, tributary of Pudding River, for the irrigation of 14.2 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 14.7 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 18.0 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 16.2 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , all

as projected within R. Gibson D.L.C. No. 54, Section 14, Township 6 South,  
Range 1 West, W.M., with a date of priority of May 14, 1956.

Dated at Salem, Oregon, this 30th day of August, 1966.



CHRIS L. WHEELER  
State Engineer