

BEFORE THE STATE ENGINEER OF OREGON

Clackamas County

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

O R D E R

On March 31, 1967, Willis Yoder submitted an affidavit that he is the legal owner of the lands and the water right appurtenant thereto; that he has abandoned any and all interest in and to said water right and request the same to be canceled.

The water right in question is for the use of not to exceed 0.05 cubic foot per second of the waters of a well, a tributary of Pudding River, for the irrigation of 3.9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 4 South, Range 1 East, W.M., with a date of priority of May 21, 1958 and is evidenced by certificate of water right issued in the name of Victor J. Hanuska and recorded at page 32048, Volume 24, State Record of Water Right Certificates.

That part of said water right for the use of not to exceed 0.15 cubic foot per second of the waters of a well, tributary of Pudding River, for the irrigation of 11.9 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 4 South, Range 1 East, W.M., with a date of priority of May 21, 1958, as evidenced by certificate of water right issued in the name of Victor J. Hanuska and recorded at page 32048, Volume 24, State Record of Water Right Certificates, is not in question.

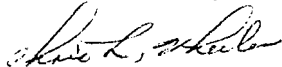
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right to the use of not to exceed 0.05 cubic foot per second of the waters of a well, tributary of Pudding River, for the irrigation of 3.9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 4 South, Range 1 East, W.M., with a date of priority of May 21, 1958, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at

page 32046, Volume 24, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Victor J. Hanuska covering that part of the water right not in question which is for the use of not to exceed 0.15 cubic foot per second of the waters of a well, tributary of Pudding River, for the irrigation of 11.9 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 4 South, Range 1 East, W. M., with a date of priority of May 21, 1958.

Dated at Salem, Oregon this 4th day of April, 1967.



/s/ CHRIS L. WHEELER
State Engineer