

BEFORE THE STATE ENGINEER OF OREGON

Polk County

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

ORDER

On July 29, 1970, and October 23, 1970, notice was given by certified mail in accordance with the provisions of ORS 540.631 to 540.650 to Glenn L. Allen, Jr., 61 Crest Avenue, Walnut Creek, California as owner and Mr. and Mrs. Ronald Roth, Route 1, Box 754-L, Salem, Oregon as tenants of the lands to which a water right is appurtenant, of the State Engineer's intention to cancel said right.

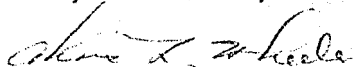
That part of the water right in question is for the use of not to exceed 0.005 cubic foot per second of the waters of a spring for stock use in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 6 South, Range 4 West, W.M., with a date of priority of July 31, 1956, evidenced by certificate of water right issued in the name of Mrs. Grace Shepard and recorded at page 24461, Volume 17, State Record of Water Right Certificates.

The certificate recorded at page 24461, Volume 17, State Record of Water Right Certificates, included the right to the use of 0.015 cubic foot per second of the waters of a spring for domestic purposes. Harold M. Washburn, Sr. and Marjorie S. Washburn submitted an application for change in place of use of water for one family domestic use and claimed that no right exists for use of water for stock for Glenn L. Allen, Jr. property as the contract of sale under which Glenn Allen, Jr. purchased the property specifically provided for removal of a part of the pipeline to Glenn Allen, Jr. property and no use of water for stock could have been made since September, 1964.

NOW, THEREFORE, it is hereby ORDERED that the right to the use of not to exceed 0.005 cubic foot per second of the waters of a

spring for stock use in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 6 South, Range 4 West, W.M., with a date of priority of July 31, 1956, as evidenced by certificate of water right recorded at page 24461, Volume 17, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 28th day of December, 1970.



CHRIS L. WHEELER
State Engineer 4