

BEFORE THE STATE ENGINEER OF OREGON

Polk County

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

O R D E R

On January 31, 1974, David E. Kennedy, acting for Green Villa Farms, submitted an affidavit that Green Villa Farms is the owner of lands to which the water right is appurtenant; that they have 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 that evidenced by the certificate recorded at Page 16842, Volume 14, State Record of Water Right Certificates, and is for the appropriation of 4.64 cubic feet of water per second from Humbug Lake for the irrigation of:

- 4.0 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 8.3 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 37.2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 0.8 acre in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
Asa Burbank DLC 41
- 2.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
Asa Burbank DLC 41
- Section 9
- 4.3 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 35.9 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 2.4 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected in
Asa Burbank DLC 41
- 16.8 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 2.3 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 0.2 acre in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 2.5 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- 27.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected in
T. Burbank DLC 40
- Section 10

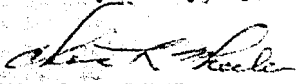
7.9 acres in Lot 8 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
 10.1 acres in Lot 9 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
 3.9 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected in
 T. Burbank DLC 40
 23.5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected in
 T. Burbank DLC 40
 19.5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected in
 T. Burbank DLC 40
 29.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected in
 T. Burbank DLC 40
 1.1 acre in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected in
 T. Burbank DLC 40
 37.3 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected in
 Asa Burbank DLC 41
 6.9 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected in
 Asa Burbank DLC 41
 0.8 acre in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected in
 T. Burbank DLC 40
 25.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected in
 T. Burbank DLC 40
 0.8 acre in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected in
 Asa Burbank DLC 41
 Section 15
 40.0 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected in
 Asa Burbank DLC 41
 20.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected in
 Asa Burbank DLC 41
 Section 16
 Township 8 South, Range 4 West, W.M.

under a priority date of July 19, 1928.

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 cancellation
 thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the water right evidenced
 by certificate recorded at Page 16842, Volume 14, State Record of Water
 Right Certificates, is canceled.

Dated at Salem, Oregon, this 7th day of May, 1974.


 CHRIS L. WHEELER
 State Engineer