

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

O R D E R

On November 14, 1967, Robert T. Coleman, President of Coleman Ranch, Inc. submitted an affidavit that Coleman Ranch, Inc. is the owner of the lands and the water right appurtenant thereto; that they have 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 0.40 cubic foot per second of the waters of Mission Creek, tributary of Willamette River, for the irrigation of 5.72 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 5.61 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 21.06 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, Township 5 South, Range 2 West, W.M., with a date of priority of April 1, 1926, and is evidenced by certificate of water right issued in the name of M. W. Mahoney and recorded at page 7694, Volume 7, State Record of Water Right Certificates.

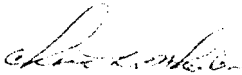
That part of said water right for the use of not to exceed 0.42 cubic foot per second of the waters of Mission Creek, tributary of Willamette River, for the irrigation of 9.25 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 4.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 18; and 4.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 17; and 5.61 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 11.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8, Township 5 South, Range 2 West, W.M., with a date of priority of April 1, 1926, as evidenced by certificate of water right issued in the name of M. W. Mahoney and recorded at page 7694, Volume 7, State Record of Water Right Certificates, 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 is hereby ORDERED that the right to the use of not to exceed 0.40 cubic foot per second of the waters of Mission Creek, tributary of Willamette River, for the irrigation of 5.72 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 5.61 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 21.06 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, Township 5 South, Range 2 West, W.M., with a date of priority of April 1, 1926, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 7694, Volume 7, State Record of Water Right Certificates, is canceled and in lieu thereof a certificate be issued to M. W. Mahoney covering that part of the water right not in question which is for the use of not to exceed 0.42 cubic foot per second of the waters of Mission Creek, tributary of Willamette River, for the irrigation of 9.25 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 4.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 18; and 4.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 17; and 5.61 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 11.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8, Township 5 South, Range 2 West, W.M., with a date of priority of April 1, 1926.

Dated at Salem, Oregon, this 29th day of November, 1967.

  
CHRIS L. WHEELER  
State Engineer