

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

O R D E R

On August 26, 1968, Kenneth R. and Betty Jeane Johnson submitted an affidavit that they are the owners of the following described lands:

All that portion of Lots 43, 46, & 48 of Thomas Cross' lands lying easterly of the easterly line of that 25.0 foot strip of land measured at right angles 12.5 feet on both sides of the following described center line: Beginning in the center of the County Road at a point 439.56 feet east and 1749.0 feet S. $0^{\circ} 30' W.$ and S. $89^{\circ} 17' E.$ 12.5 feet from the corner to Sections 9, 10, 15 & 16, Township 6 South, Range 3 West, W.M.; thence N. $0^{\circ} 30' W.$ 2910.60 feet to a point from which an iron pipe bears W. 12.50 feet; thence N. $0^{\circ} 16' E.$ 468.42 feet; thence N. $13^{\circ} 45' W.$ 592.87 feet; thence N. $32^{\circ} 55' W.$ 515.43 feet to the quarter section corner between Sections 9 & 10, Township 6 South, Range 3 West, W.M.,

and the water right appurtenant thereto; that they have abandoned any and all interest in and to said water right and request the same 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 Goose Lake, tributary of Willamette River, for irrigation of 0.4 acre in $W\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$ and 3.6 acres in $N\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., with a date of priority of November 17, 1948, and is evidenced by certificate of water right issued in the name of Orey Hop Ranch and recorded at page 21206, Volume 15, State Record of Water Right Certificates.

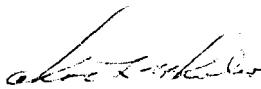
That part of said water right for the use of not to exceed 0.57 cubic foot per second of the waters of Goose Lake, tributary of Willamette River, for irrigation of 33.2 acres in Lot 3 ($NE\frac{1}{4} SE\frac{1}{4}$), 3.8 acres in Lot 4 ($SE\frac{1}{4} SE\frac{1}{4}$), Section 9; and 7.6 acres in $W\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$, 1.2 acres in $N\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., evidenced by certificate of water right recorded at page 21206, Volume 15, 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 for the use of not to exceed 0.05 cubic foot per second of the waters of Goose Lake, tributary of Willamette River, for irrigation of 0.4 acre in $W\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$ and 3.6 acres in $N\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., with a date of priority of November 17, 1948, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 21206, Volume 15, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Orey Hop Ranch covering that part of the water right not in question which is for the use of not to exceed 0.57 cubic foot per second of the waters of Goose Lake, tributary of Willamette River, for irrigation of 33.2 acres in Lot 3 ($NE\frac{1}{4} SE\frac{1}{4}$), 3.8 acres in Lot 4 ($SE\frac{1}{4} SE\frac{1}{4}$), Section 9, and 7.6 acres in $W\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$, 1.2 acres in $N\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., with a date of priority of November 17, 1948.

Dated at Salem, Oregon this 8th day of October, 1968.



CHRIS L. WHEELER
State Engineer