

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

O R D E R

On February 22, 1972, Byron H. and Eva M. LaFollette submitted an affidavit that they are the owners of a water right and the lands to which the right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is part of that evidenced by the certificate recorded at Volume 20, Page 27871, State Record of Water Right Certificates, and is for the appropriation of not to exceed 1.88 cubic feet of water per second from Mission Lake, with a priority date of March 1, 1955, for the irrigation of:

3.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
 0.4 acre Lot 12 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
 1.5 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
 0.3 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
 35.2 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
 35.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
 Section 34
 T. 5 S., R. 3 W., W.M.
 15.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
 37.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
 2.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
 16.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
 1.7 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
 Section 3
 T. 6 S., R. 3 W., W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.16 cubic foot per second of water from Mission Lake, with a priority date of March 1, 1955, for the irrigation of:

11.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
 2.1 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
 Section 3
 T. 6 S., R. 3 W., W.M.,

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 cancellation

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

NOW, THEREFORE, it hereby is ORDERED that the water right for the use of 1.88 cubic feet of water per second from Mission Lake with a date of priority of March 1, 1955, for the irrigation of:

3.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
0.4 acre Lot 12 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
1.5 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
0.3 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
35.2 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76
35.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Wm. Matheney DLC 76

Section 34

T. 5 S., R. 3 W., W.M.

15.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
37.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
2.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
16.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
1.7 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Wm. Matheney DLC 67

Section 3

T. 6 S., R. 3 W., W.M.,

is canceled.

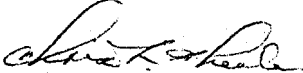
It is FURTHER ORDERED that the certificate of water right recorded at Volume 20, Page 27871 is canceled and in lieu thereof a new certificate be issued to Francis Lee LaFollette covering that part of the water right not in question which is for the appropriation of not to exceed 0.16 cubic foot per second of water from Mission Lake, with a priority date of March 1, 1955, for the irrigation of:

11.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Wm. Matheney DLC 67
2.1 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Wm. Matheney DLC 67

Section 3

T. 6 S., R. 3 W., W.M.

Dated at Salem, Oregon, this 9th day of March, 1972.


CHRIS L. WHFELE
State Engineer