

BEFORE THE STATE ENGINEER OF OREGON

Clackamas County

IN THE MATTER OF THE PARTIAL
CANCELATION OF A WATER RIGHT
IN THE NAME OF ELMER H. SCHNEIDER

O R D E R

On May 29, 1975, Robert E. Johnson submitted an affidavit that he is the owner of a water right and the lands to which the right is appurtenant; that he has 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 certificate recorded at Page 38415, Volume 30, State Record of Water Right Certificates, and is for the appropriation of not to exceed 5.3 acre feet of stored waters of Schneider Reservoir constructed under permit No. R-5016, with a priority date of June 1, 1967, for, among other lands, the supplemental irrigation of 4.1 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 5 South, Range 1 East, W.M.

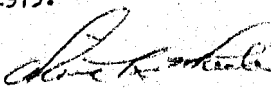
That part of the water right evidenced by said certificate for the appropriation of not to exceed 7.0 acre feet of water from Schneider Reservoir for fish culture and supplemental irrigation of 8.7 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 2.5 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, Township 5 South, Range 1 East, W.M., 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 hereby is ORDERED that the water right for the use of water from Schneider Reservoir, with a priority date of June 1, 1967, for the supplemental irrigation of 4.1 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, Township 5 South, Range 1 East, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 38415, Volume 30, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to Elmer H. Schneider covering that part of the water right not in question for the appropriation of not to exceed 7.0 acre feet of water from Schneider Reservoir, with a priority date of June 1, 1967, for fish culture and supplemental irrigation of 8.7 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 2.5 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, Township 5 South, Range 1 West, W.M.

Dated at Salem, Oregon, this 30th day of June, 1975.



CHRIS L. WHEELER
State Engineer