

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

O R D E R

On March 21, 1967, Glenn M. and Lavelle L. Walton submitted an affidavit that they are the legal owners of the North $10\frac{1}{2}$ chains of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ and the $NW\frac{1}{4}$ $SE\frac{1}{4}$, Section 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 to be canceled.

The water right in question is for the use of not to exceed 0.385 cubic foot per second of the waters of an Unnamed Lake, tributary of Willamette River, for irrigation of 21.0 acres in the $NW\frac{1}{4}$ $SE\frac{1}{4}$ and the easterly 10.0 acres in the $NE\frac{1}{4}$ $SW\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., with a date of priority of July 9, 1945, and is evidenced by certificate of water right issued in the name of Don H. Wall and recorded at page 22983, Volume 16, State Record of Water Right Certificates.

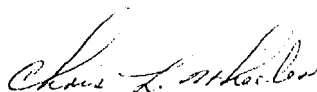
That part of the above described water right for the use of not to exceed 0.065 cubic foot per second of the waters of an Unnamed Lake, tributary of Willamette River, for the irrigation of 5.2 acres in the $NE\frac{1}{4}$ $SW\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., with a date of priority of July 9, 1945, as evidenced by certificate of water right recorded at page 22983, Volume 16, State Record of Water Right Certificates, 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 is hereby ordered that the right to the use of not to exceed 0.385 cubic foot per second of the waters of an Unnamed Lake, tributary of Willamette River, for the irrigation of 21.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the easterly 10.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., with a date of priority of July 9, 1945, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 22983, Volume 16, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Glenn M. and Lavelle L. Walton covering that part of the water right not in question which is for the use of not to exceed 0.065 cubic foot per second of the waters of an Unnamed Lake, tributary of Willamette River, for the irrigation of 5.2 acres in the NE $\frac{1}{2}$ SW $\frac{1}{4}$, Section 10, Township 6 South, Range 3 West, W.M., with a date of priority of July 9, 1945.

Dated at Salem, Oregon, this 23rd day of March, 1967.



CHRIS L. WHEELER
State Engineer