

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE
CANCELATION OF A WATER
RIGHT IN THE NAME OF
VIOLA B. MATHESON - - - }

O R D E R

On October 9, 1964, Chet I. Nelson and Dorathy S. Nelson submitted an affidavit that they are the owners of certain 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 part of that evidenced by the certificate recorded at Volume 7, page 6675, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.04 cubic foot per second of water from Thistledeew Spring, with a priority date of September 18, 1922, for irrigation of 1.3 acres in Lot 13 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and 1.5 acres in Lot 14 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 8, Township 8 South, (erroneously described as Township 3 South) Range 3 West, W.M.

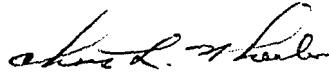
That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.04 cubic foot per second of water from Thistledeew Spring, with a priority date of September 18, 1922, for irrigation of 2.7 acres in Lot 13 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and 0.5 acre in Lot 14 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 8, Township 8 South, (erroneously described as Township 3 South) Range 3 West, 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 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 not to exceed 0.04 cubic foot per second of water from Thistle-dew Spring, with a priority date of September 18, 1922, for irrigation of 1.3 acres in Lot 13 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and 1.5 acres in Lot 14 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 8, Township 8 South, (erroneously described as Township 3 South) Range 3 West, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Volume 7, page 6675, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued in the name of Chet I. and Dorathy S. Nelson covering that part of the water right not in question, which is for the appropriation of not to exceed 0.04 cubic foot per second of water from Thistle-dew Spring, with a priority date of September 18, 1922, for irrigation of 2.7 acres in Lot 13 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and 0.5 acre in Lot 14 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 8, Township 8 South, Range 3 West, W.M.

Dated at Salem, Oregon this 14th day of December 1964.



CHRIS L. WHEELER
State Engineer