

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF A PARTIAL
CANCELATION OF A WATER RIGHT
IN THE NAME OF CARLTON J. MCLEOD

O R D E R

On January 14, 1974, Don M. Foster 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 22485, Volume 16, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.24 cubic foot per second of water from Little Pudding River, with a priority date of February 15, 1950, for the irrigation of 5.2 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.8 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 5.7 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 6 South, Range 1 West, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.08 cubic foot per second of water from Little Pudding River, for irrigation of 6.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.5 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 6 South, Range 1 West, 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 0.24 cubic foot per second of water from Little Pudding River, with a priority date of February 15, 1950, for the irrigation of 5.2 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.8 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and

5.7 acres within the SE¹₄ NW¹₄, Section 7, Township 6 South, Range 1 West,
W.M., is canceled.

Dated at Salem, Oregon, this 29th day of May, 1974.


CHRIS L. WHEELER
State Engineer