

BEFORE THE STATE ENGINEER OF OREGON

Marion County

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

O R D E R

On April 16, 1971, Marlin W. Schaad 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 requests the same to be canceled.

The water right in question is part of that evidenced by the certificate recorded at Volume 24, Page 32222, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.375 cubic foot per second of water from a well, with a priority date of June 4, 1962, for irrigation of 30.0 acres in the NW¼ NW¼, Section 24, Township 6 South, Range 3 West, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.335 cubic foot per second of water from a well, with a priority date of June 4, 1962, for irrigation of 10.5 acres in the NE¼ NE¼, 3.5 acres in the NW¼ NE¼, 1.5 acres in the SW¼ NE¼, and 11.5 acres in the SE¼ NE¼, Section 23, Township 6 South, Range 3 West, W.M., is not in question.

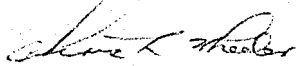
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancelation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the water right for the use of 0.375 cubic foot per second of water from a well with a date of priority of June 4, 1962, for irrigation of 30.0 acres in

the NW¼ NW¼, Section 24, Township 6 South, Range 3 West, W.M. is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Volume 24, Page 32222, is canceled and in lieu thereof a new certificate be issued to Marlin W. Schaad covering that part of the water right not in question which is for the appropriation of not to exceed 0.335 cubic foot per second of water from a well, with a priority date of June 4, 1962, for irrigation of 10.5 acres in the NE¼ NE¼, 3.5 acres in the NW¼ NE¼, 1.5 acres in the SW¼ NE¼, and 11.5 acres in the SE¼ NE¼, Section 23, Township 6 South, Range 3 West, W.M.

Dated at Salem, Oregon, this 28th day of May, 1971.


CHRIS L. WHEELER
State Engineer