

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
YAMHILL COUNTY

IN THE MATTER OF CANCELLATION OF A)
PORTION OF A WATER RIGHT IN THE) O R D E R
NAME OF W. J. and LORRAINE B. JONES)

The Water Resources Department (Department) received an affidavit from the owner of lands stating that they have abandoned the water right appurtenant to their land and requesting the cancellation of the certificate. Whenever the owner of a perfected and developed water right abandons the right, an order canceling the right shall be entered. The Water Resources Director has reviewed the affidavit and makes the following disposition of the request:

STATEMENT OF FACTS

The Department received an affidavit from Rex W. and Zella G. Ziegler. The affidavit states they are the owner of lands and the water right appurtenant as evidenced by a portion of Certificate 24795, State Record of Water Right Certificates. The affidavit further states that the right appurtenant to their property has been abandoned and requests that the certificate be canceled.

Certificate 24795 allows for the use of an unnamed stream, tributary of the Willamette River, for irrigation of 7.0 acres within Sections 27 and 28, Township 4 South, Range 3 West, Willamette Meridian.

The portion of Certificate 24795 which has been abandoned is for the use of 0.06 cubic foot per second (cfs) of water from an unnamed stream, a tributary of the Willamette River, under a priority date of December 19, 1950, for irrigation of 4.5 acres within Lot 1 (NW¼ NE¼) of Section 28, Township 4 South, Range 3 West, W.M.

CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the Commission shall enter an order canceling the water right (ORS 540.621).

ORDER

IT IS ORDERED that the right described by Certificate 24795, State Record of Water Right Certificates, allowing for the use of 0.06 cfs of water an unnamed stream, a tributary of the Willamette River, under a priority date of December 19, 1950, for irrigation of 4.5 acres within Lot 1 (NW¼ NE¼) of Section 28, Township 4 South, Range 3 West, W.M. is canceled and a new certificate of water right describing that portion of the water right not canceled by the provisions of this order be issued.

Dated 12/2/98.



Martha O. Pagel, Director

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Special Order Volume 52, Page 1056.