

**BEFORE THE WATER RESOURCES DIRECTOR
OF THE
STATE OF OREGON**

JOSEPHINE COUNTY

In the Matter of Cancellation of a Portion)
of a Perfected and Developed Water Right)
In the Name of Bureau of Land) **FINAL ORDER**
Management District Office – Certificate)
81637)

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On June 26, 2006, the Department received an affidavit from Timothy Reuwsaat, BLM Medford District Manager, 3040 Biddle Road, Medford, Oregon, stating the U.S. Bureau of Land Management is the owner of lands and the water right appurtenant as evidenced by Certificate 81637, State Record of Water Right Certificates. The affidavit further states a portion of the water right appurtenant to the property has been abandoned and requests the certificate be canceled.
2. Pursuant to OAR 690-017-002(a), the Department has determined that the U.S. Bureau of Land Management is the record owner, as established by county deed records, of property to which a portion of the water right evidenced by Certificate 81637 is appurtenant.
3. Certificate 81637 allows for the use of 0.25 cubic feet per second (cfs) from two wells; being 0.24 cfs from Well #1 and 0.01 cfs from Well #2, for supplemental irrigation of 24.0 acres. The date of priority is January 15, 1969. The wells are located within the Jump-Off-Joe Creek Basin.
4. The portion of Certificate 81637 which has been abandoned is for the use of 0.01 cfs from Well #2 for supplemental irrigation of 0.2 acres located as follows:

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

SUPPLEMENTAL IRRIGATION – CERTIFICATE 81637								
USE	TWP	RNG	MER	SEC	1/4-1/4	DLC	LOT	ACRES
IS	35 S	6 W	W.M.	9	NW SE			0.2

Conclusions of Law

The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 81637 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

Now, therefore, it is ORDERED:

1. Certificate 81637 is canceled.
2. The Department shall issue Certificate 82244, a new and superseding certificate, to describe the remaining portion of the perfected and developed water right NOT canceled by the provisions of this order.

Dated at Salem, Oregon this 24th day of July, 2006.

Phillip C. Ward
 P.C.W. Phillip C. Ward, Director

Mailing Date ~~_____~~ AUG 01 2006 _____