

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

KLAMATH COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT IN) ORDER
THE NAME OF DAN CARL RAJNUS)

The Water Resources Department (Department) received an affidavit from owners of land stating they have abandoned a portion of 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 Donald and Sharon Rajnus. The affidavit states they are the owners of land and the water right as evidenced by a portion of Certificate 67725, State Record of Water Right Certificates. The affidavit further states, the right appurtenant to 6.3 acres has been abandoned and requests that portion of the certificate be canceled. The abandoned water right is the right to use 0.079 cubic foot per second from Well 5, in the Klamath Basin for irrigation of 6.3 acres with a priority date of January 27, 1982.

A description of the place of use of the abandoned right is as follows:

NW¼ NE¼ 4.3 Acres
SW¼ NE¼ 2.0 Acres
Section 25
Township 40 South, Range 11 East, W.M.


CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under an 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 67725 allowing for the use of 0.079 cfs of water from Well 5 with a priority of January 27, 1982 for the irrigation of 6.3 acres, State Record of Water Right Certificates, 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 NOV 26 1997.



Martha O. Pagel, Director
Special Order Volume 51, Page 299