

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT) ORDER
IN THE NAME OF SMITH BROTHERS)

On March 22, 1985, Richard G. Ray of 106 SW 4th Street, John Day, OR 97845, submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; that he has abandoned any and all interest in and to the said water right and request(s) the same be canceled.

The water right in question was established by Decree of the Circuit Court for Grant County, entered November 16, 1956, in the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River, tabulated in the name of Smith Brothers, at page 602, Volume 10, Order Record of the Water Resources Director, and is a portion of the right described by the certificate recorded at page 49028, Volume 42, State Record of Water Right Certificates, in the name of Smith Brothers, and is for the use of not to exceed 0.245 cubic foot per second of water from Pine Creek, with a date of priority of 1908, for irrigation of 2.4 acres in the SE 1/4 SW 1/4 and 7.2 acres in the SW 1/4 SE 1/4, Section 14, Township 13 South, Range 32 East, WM.

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

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 49028, Volume 42, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 5th day of April, 1985.

William H. Young
WILLIAM H. YOUNG
Director

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