

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Clackamas County

IN THE MATTER OF THE PARTIAL )  
CANCELLATION OF A WATER RIGHT )  
IN THE NAME OF FREDERICK W. )  
WAGNER )

O R D E R

On February 24, 1960, Robert Hedges, acting for Willamette Factors, Inc., submitted an affidavit that they are the owners of a water right and the lands to which the right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is part of that evidenced by certificate recorded at Page 26739, Volume 19, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.53 cubic foot per second of water from Willamette River with a priority date of February 17, 1953, for the irrigation of 6.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 0.3 acre in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 29.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 31.6 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 24, 23.6 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 36.7 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 9.2 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 11.8 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, 1.3 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 0.3 acre in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, all as projected within G. Curry D.L.C. #43, Township 3 South, Range 1 West, W. M.

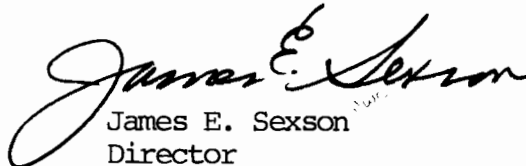
That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.09 cubic foot per second of water from Willamette River for the irrigation of 2.3 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 6.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 24, 14.1 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 6.9 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, all as projected within G. Curry D.L.C. #43, Township 3 South, Range 1 West, W. M., is not in question in this proceeding.

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 hereby is ORDERED that the water right for the use of 0.53 cubic foot per second of water from Willamette River, with a priority date of February 17, 1953, for the irrigation of 6.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 0.3 acre in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 29.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 31.6 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 24, 23.6 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 36.7 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 9.2 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 11.8 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, 1.3 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 0.3 acre in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, all as projected within G. Curry D.L.C. #43, Township 3 South, Range 1 West, W. M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 26739, Volume 19, State Record of Water Right Certificates is canceled, and in lieu thereof a new certificate by issued to Frederick W. Wagner covering that part of the water right not in question herein.

Dated at Salem, Oregon, this 5th day of December, 1977.

  
James E. Sexson  
Director