

BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

IN THE MATTER OF THE PARTIAL CANCELLATION) PC 92-1
OF THE WATER RIGHT EVIDENCED BY THE ORDER)
APPROVING TRANSFER M-202 FOR LEISURE) FINAL ORDER CANCELING
DEVELOPMENT COMPANY FOR CHANGES IN POINT) PORTION OF WATER RIGHT
OF DIVERSION AND USE OF WATER FROM CROOKED)
RIVER, TRIBUTARY TO DESCHUTES RIVER,)
DESCHUTES COUNTY)

On January 28, 1992, pursuant to ORS 540.631, notice was given to the following persons as the owners of record of certain real property in Deschutes County, Oregon, of the proposed partial cancellation of a certain water right evidenced by the Order approving Transfer Application M-202 and appurtenant to said property located in Township 16 South, Range 16 East, WM.:

Wells Fargo Realty Service, Inc.

917 Pacific Avenue #417

Tacoma WA 98402

Tax Lots 100-1000, 2000 and 4000, Section 17 and

Tax Lots 100-1500, 1700-5500, 5601, 5800-10500, 10800-11000, 11200-11300, 11500-11900 and 12100-15700, Section 20

Greater Tacoma Community Foundation

917 Pacific Avenue #417

Tacoma WA 98402

Tax Lots 1100-1900, Section 17 and

Tax Lots 5600 and 5700, Section 20

Steven K. Chappell

905 Crest Drive

Prineville OR 97754

Tax Lot 1600, Section 20

Leisure Valley Development Co.

c/o Hal and Judy Carlson

917 Pacific Avenue # 417

Tacoma WA 98402

Tax Lot 10600, Section 20

Eldon Powers

866 N. Belknap

Prineville OR 97754

Tax Lot 10700, Section 20

Jack Rhoden

PO Box 1188

Prineville OR 97754

Tax Lot 11100, Section 20

Dick Tooley

580 North Elm

Prineville OR 97754

Tax Lot 11400, Section 20

Farrell Chancellor

617659 Rimrock Acres Road

Prineville OR 97754

Tax Lot 12000 in Section 20

The water right in question is a portion of the right evidenced by the order approving Transfer M-202 issued to Leisure Development Company for approval of changes in point of diversion and for use of water from Crooked River, tributary to the Deschutes River.

Only that portion of the right evidenced by the order approving Transfer M-202 for irrigation of 4.8 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 20.2 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 17 and 10.8 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 21.6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 20 with a date of priority of April 24, 1909 was proposed for cancellation in this proceeding.

The balance of the right evidenced by said order for irrigation of lands in Section 18, Township 16 South, Range 16 East, WM, was not proposed for cancellation and was not in question in this proceeding.

ORS 540.641(1) provides: "If the legal owner or occupant receiving notice as provided in ORS 540.631 fails to protest the proposed cancellation of the water right within the 60-day period prescribed in the notice, the Water Resources Commission may enter an order canceling the water right." The Water Resources Commission has delegated to the Hearings Referee the authority to initiate a proceeding under ORS 540.610 to 540.650 and to issue a final order if no protest is filed.


No protest has been filed against the proposed partial cancellation of the water right in question by any of the above-named owners of record.

NOW, THEREFORE, it is ORDERED that the portion of the water right in question described by the order approving transfer application M-202 in the name of Leisure Development Company for irrigation of 4.8 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 20.2 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 17 and 10.8 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 21.6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 20 be and the same is hereby canceled.

It is FURTHER ORDERED that the portion of the Order approving Transfer Application M-202 as above-described is canceled.

It is FURTHER ORDERED that a certificate confirming the remainder of the water right evidenced by the Order approving Transfer Application M-202, to the extent proof of completion was submitted to the satisfaction of the Water Resources Director, be issued.

DATED at Salem, Oregon this 2nd day of April, 1992.


WEISHA MIZE
Hearings Referee

NOTICE: You are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition for review within 60 days from the service (date of mailing) of this Order. Judicial review is pursuant to the provisions of ORS 536.075.