

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE PARTIAL )  
CANCELATION OF A WATER RIGHT )  
IN THE NAME OF DONALD K. SMITH )  
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O R D E R

On November 28, 1975, Donald K. and Helen F. Smith 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 38853, Volume 30, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.1 cubic foot per second of water from a well, with a priority date of October 10, 1966, for the supplemental irrigation of 8.1 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 6 North, Range 36 East, W.M.

On November 28, 1975, Martin H. and Janet A. Buchanan 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 38853, Volume 30, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.11 cubic foot per second of water from a well, with a priority date of October 10, 1966, for the supplemental irrigation of 6.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 2.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 6 North, Range 36 East, W.M.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.13 cubic foot per second of water from a well for the primary irrigation of 10.1 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 20, Township 6

North, Range 36 East, 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 0.21 cubic foot per second of water from a well, with a priority date of October 10, 1966, for the supplemental irrigation of 6.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 10.9 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 6 North, Range 36 East, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 38853, Volume 30, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to Martin H. and Janet A. Buchanan covering that part of the water right not in question for the appropriation of not to exceed 0.13 cubic foot per second of water from a well, with a priority date of October 10, 1966, for the primary irrigation of 10.1 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 20, Township 6 North, Range 36 East, W.M.

Dated at Salem, Oregon, this 17th day of May, 1976.



JAMES E. SEXSON  
Director