

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAMES OF E. A. AND J. O. HAYES)

O R D E R

On July 26, 1972; July 27, 1972; January 7, 1974; May 20, 1975 and May 21, 1975, Fred, Anna, and Clarence Schmidt; Robert C. and Eva J. Meye; Peter Sproed and Jim Pfau, Feyes Boies, and Joseph Pfau submitted affidavits that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

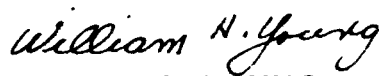
The water right in question is a portion of the right described by the certificate recorded at page 10139, Volume 9, State Record of Water Right Certificates, in the names of E. A. and J. O. Hayes, and is for the use of not to exceed 0.95 cubic foot per second of water from Carnes Ditch, a tributary of Little Pudding River, with a date of priority of February 1, 1927, for irrigation of 20.0 acres in NE 1/4 SW 1/4, 3.5 acres in SW 1/4 SW 1/4, and 5.0 acres in SE 1/4 SW 1/4, Section 12, Township 6 South, Range 2 West, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under 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."

NOW, THEREFORE, it hereby is ORDERED that the said water right being a portion of the right described by the certificate recorded at page 10139, Volume 9, 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 water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 8th day of May, 1987.


WILLIAM H. YOUNG,⁵¹⁶
Director