

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF CANCELLATION	)	
OF A PORTION OF A WATER RIGHT	)	<u>ORDER</u>
IN THE NAME OF KINGMAN COLONY	)	
IRRIGATION COMPANY	)	

On August 3, 1960, Virgil W. Viers; on May 7, 1962, D.J. Nelson; on March 16, 1967, Earl R. Kygar; on Feb. 28, 1969, Willis Conant; and on March 29, 1984, Daniel Cutler 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 4852, Volume 5, State Record of Water Right Certificates, in the name of Kingman Colony Irrigation Company, and is for the use of not to exceed 1.85 cubic feet per second of water from Snake River, with a date of priority of February 17, 1912, for domestic and irrigation of 20.0 acres, NW 1/4 SE 1/4 Sec 36, T20S, R46E, WM (Viers); 32.5 acres lot 4 (NW 1/4 SW 1/4) Sec 6, T 21S, R 47E, WM (Nelson); 16.0 acres lot 4 (NW 1/4 SW 1/4) Sec 30 T20S, R47E, WM (Kygor); 18.8 acres NE 1/4 NE 1/4, 13.3 acres NW 1/4 NE 1/4, 2.6 acres SW 1/4 NE 1/4, 11.9 acres SE 1/4 NE 1/4, Sec 36, T20S, R46E, WM, 5.0 acres lot 2 (SE 1/4 NW 1/4), 32.0 acres lot 3 (SW 1/4 NW 1/4) Sec 31, T20S, R47E, WM (Conant); and 4.0 acres SE 1/4 NW 1/4, Sec 12, T21W, R46E, WM (Cutler).

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 4852, Volume 5, 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 18th day of May, 1988.

*William H. Young*  
WILLIAM H. YOUNG  
Director