

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF CANCELLATION OF AN)
ENTIRE PERFECTED AND DEVELOPED) FINAL O R D E R
WATER RIGHT IN THE NAME OF)
OREGON DIVISION OF STATE LANDS)

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

FINDINGS OF FACTS

1. On January 21, 2004, the Department received an affidavit from Ann Hanus, Director of the Oregon Department of State Lands, 775 Summer St. NE, Salem Oregon, stating the State of Oregon is the owner of lands and the water right appurtenant as evidenced by Certificate 67586, State Record of Water Right Certificates. The affidavit further states the entire water right appurtenant to the property has been abandoned and requests the certificate be canceled.
2. Pursuant to OAR 690-017-002(a), the Department has determined that the State of Oregon is the record owner, as established by county deed records, of property to which the water right evidenced by Certificate 67586 is appurtenant.
3. Certificate 67586 allows for the use of 0.67 cubic foot per second (cfs) of water from a well in the Willamette Basin; for irrigation of 53.2 acres. The date of priority is February 28, 1990.

CONCLUSIONS OF LAW

The Director of the Water Resources Department concludes the entire right evidenced by Water Right Certificate 67586 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

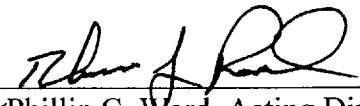
Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

ORDER

IT IS ORDERED:

1. Certificate 67586 is canceled.

Dated June 10, 2004.



For Phillip C. Ward, Acting Director