

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

IN THE MATTER OF A PARTIAL CANCELLATION OF)
WATER RIGHT CERTIFICATE 87399, IN THE NAMES OF) FINAL ORDER
CLAIR H. PICKARD AND PATRICIA A PACKARD, BAKER)
COUNTY)

Authority

Oregon Revised Statute 540.621 and Oregon Administrative Rules 690-17-0100 direct 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 Fact

1. On May 9, 2024, the Department received an AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF A PORTION OF A WATER RIGHT CERTIFICATE signed by Clair H. Pickard and Patricia A. Packard (affiants), on behalf of CP Land & Cattle LLC, 46435 Lower Power Road, Baker City, Oregon, 97814, asserting CP Land & Cattle, LLC is the owner of the land and the appurtenant water right evidenced by Certificate 87399.
2. Pursuant to OAR 690-017-0100(2)(a), the Department has determined CP Land & Cattle LLC is the recorded owner, as established by county deed records, of the land and water right referenced in the Affidavit.
3. Certificate 87399 allows for the use of 2.38 cubic foot per second (cfs) of water from a sump in the Power River Basin for irrigation of 142.7 acres and supplemental irrigation of 47.5 acres. The date of priority is January 2, 1992.
4. The affiants request cancellation of 0.47 cfs of water from a sump for 38.2 acres of irrigation at the location identified in the table below:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
8 S	40 E	WM	35	NE NE	100	19.1
8 S	40 E	WM	35	NE NE	101	19.1
TOTAL						38.2

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 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

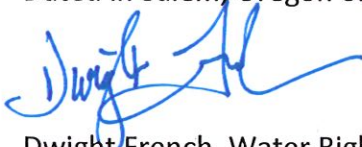
Conclusions of Law

The Director of the Water Resources Department concludes the portion of the right evidenced by Certificate 87399 has been abandoned in accordance with the provisions of ORS 540.621 and shall be cancelled.

Now, therefore, it is ORDERED:

1. Certificate 87399 is cancelled.
2. The Department shall issue new and superseding Certificate 97776 to describe the remaining portion of the water right NOT cancelled by the provisions of this order.

Dated in Salem, Oregon on JUN 07 2024



Dwight French, Water Right Services Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Mailing date: JUN 07 2024