

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT IN ) ORDER  
THE NAME OF G. W. BURNET )

The Water Resources Department (Department) received an affidavit from the owner of lands stating they have abandoned a portion of the water right appurtenant to their land and requests the cancellation of the certificate. Whenever the owner of a perfected and developed water right abandons the right, an order canceling the right shall be entered. The Water Resources Director has reviewed the affidavit and makes the following disposition of the request:

STATEMENT OF FACTS

The Department received an affidavit from Prineville Mens Wear. The affidavit stated they are the owners of the land and the water right as evidenced by a portion of Certificate 22835. The affidavit further states, the right appurtenant to their property within the NW 1/4 NE 1/4, Section 5, Township 15 South, Range 16 East, WM has been abandoned and requests that portion of the certificate be canceled.

State Record of Water Rights Certificate number 22835 allows for the use of 0.05 cubic foot per second (cfs) of water for irrigation of 3.8 acres of land within Section 5, Township 15 South, Range 16 East, WM, with a date of priority of May 28, 1945.

The portion of Water Right Certificate number 22835 appurtenant to the Prineville Mens Wear's land allows for the use of 0.0105 (cfs) of water from A Well for the irrigation of 0.79 acre.

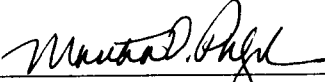
CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under an 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 (ORS 540.621).

ORDER

IT IS ORDERED that the right described by Certificate 22835 allowing for the use of 0.0105 cfs of water from a Well with a priority of May 28, 1945 for the irrigation of 0.79 acre within the NW 1/4 NE 1/4, Section 5, Township 15 South, Range 16 East, WM, State Record of Water Right Certificates is canceled and a new certificate of water right describing that portion of the water right not canceled by the provisions of this order be issued.

Dated May 24, 1996.

  
\_\_\_\_\_  
Martha O. Pagel, Director  
Special Order Volume 50, Page 272.