

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT IN) ORDER
THE NAME OF F. W. LEVERENZ)

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 the 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 Tiana L. Van Landuyt and Agnes J. Van Landuyt. The affidavit stated they are the owners of the land and the water right as evidenced by a portion of Certificate 857. The affidavit further states, the right appurtenant to 3.2 acres within SW 1/4 NW 1/4, Section 8, Township 16 South, Range 11 East, WM has been abandoned and requests that portion of the certificate be canceled.

State Record of Water Rights Certificate number 857 allows for the use of 0.92 cubic foot per second (cfs) of water for irrigation of 46.0 acres of land within Sections 7 and 8, Township 16 South, Range 11 East, WM, with a date of priority from 1901 .

The portion of Water Right Certificate number 857 appurtenant to the 3.2 acres allows for the use of 0.064 cfs of water from Squaw Creek with a priority date of 1901.

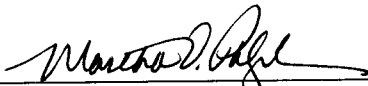
CONCLUSIONS OF LAW

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 857 allowing for the use of 0.064 cfs of water from Squaw Creek with a priority of 1901 for the irrigation of 3.2 acres within SW 1/4 NW 1/4, Section 8, Township 16 South, Range 11 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