

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 ROSS B. HAMMOND )

The Water Resources Department (Department) received an affidavit from the owner of land 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 affidavit from Judith G. Tolonen Trustee, Tolonen Living Trust. The affidavit stated they are the owners of land and the water right as evidenced by a portion of Certificate 12305. The affidavits further state, the right appurtenant to 3.9 acres within the S 1/2 NE 1/4, Section 4, Township 15 South, Range 10 East, WM has been abandoned and requests that portion of the certificate be canceled.

State Record of Water Rights Certificate number 12305 allows for the use of 3.66 cubic feet per second (cfs) of water for irrigation of 183.0 acres of land within Sections 4 and 8, Township 15 South, Range 10 East, WM, with priority dates from 1885 and 1906 .

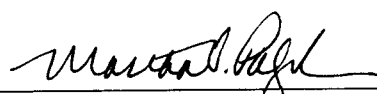
CONCLUSIONS OF LAW

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 12305 allowing for the use of 0.078 cfs of water from Squaw Creek with a priority of 1906 for the irrigation of 3.9 acres within the S 1/2 NE 1/4, Section 4, Township 15 South, Range 10 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 275.