

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Clackamas County

IN THE MATTER OF CANCELLATION)
OF WATER RIGHTS IN THE NAMES)
OF H. H. HEMPHILL AND HERBERT)
H. HEMPHILL - - - - -)

O R D E R

On November 4, 1977, Donald Shawe submitted affidavits that he is the owner of certain water rights and lands to which the water rights are appurtenant; that he has abandoned any and all interest in and to said water rights and request the same be canceled.

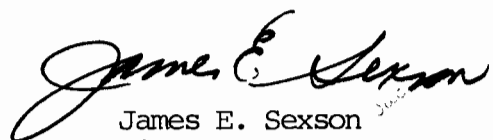
The water rights in question are: (a) the right described by the certificate recorded at Page 29321, Volume 21, State Record of Water Right Certificates, in the name of H. H. Hemphill, for the storage of 0.6 acre foot of water from an unnamed stream in a reservoir in NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Fisher D.L.C. No. 44 in Section 33, Township 2 South, Range 2 East, W. M., with a date of priority of April 29, 1957 for irrigation, and (b) a portion of the right described by the certificate recorded at Page 29322, Volume 21, State Record of Water Right Certificates, in the name of Herbert H. Hemphill, for the use of not to exceed 0.03 cubic foot per second of water from an unnamed stream and reservoir, with a date of priority of March 19, 1957, for the irrigation of 2.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Fisher D.L.C. No. 44 in Section 33, Township 2 South, Range 2 East, W. M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being described by the certificate recorded at Page 29321, Volume 21, State Record of Water Right Certificates and that the said water right being a portion of the right described by the certificate recorded at Page 29322, Volume 21, State Record of Water Right Certificates, are canceled.

It is FURTHER ORDERED that the said certificates of water right are canceled, and in lieu thereof a new certificate be issued to describe the balance of the water rights NOT involved in this proceeding.

Dated at Salem, Oregon, this 16th day of January, 1978.


James E. Sexson
Director