

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Clackamas County

IN THE MATTER OF THE PARTIAL)
CANCELATION OF A WATER RIGHT)
IN THE NAME OF GEORGE E. AND)
MARY H. FELL)
-----)

O R D E R

On March 11, 1977, Paul and Nanette Weber submitted an affidavit that they are the owners of a water right and the lands to which the right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is part of that evidenced by certificate recorded at Page 27623, Volume 19, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.23 cubic foot per second of water from Willamette River, with a priority date of June 25, 1952 for the irrigation of 3.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.4 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 4.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 16.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 3 South, Range 1 East, W.M.

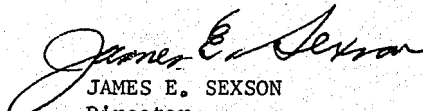
That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.57 cubic foot per second of water from Willamette river for the irrigation of 10.4 acres in Lot 3 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 21, 22.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 26.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, Township 3 South, Range 1 East, W.M., is not in question in this proceeding.

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 water right for the use of 0.23 cubic foot per second of water from Willamette River, with a priority date of June 25, 1952, for the irrigation of 3.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.4 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 4.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 16.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 3 South, Range 1 East, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 27623, Volume 19, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to George E. and Mary H. Fell covering that part of the water right not in question herein.

Dated at Salem, Oregon, this 13th day of September, 1977.


JAMES E. SEXSON
Director