

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF CANCELLATION OF A)
PORTION OF A WATER RIGHT IN THE NAME) ORDER
OF MILES LEE AND E. A. VAN SICKLIN)

The Water Resources Department (Department) received an affidavit from the owner of lands stating that they have abandoned the portion of the water right appurtenant to their land and requesting 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 Randy and Janet Alanko on February 25, 1998. The affidavit states they are the owner of lands and the water right as evidenced by a portion of Certificate 29158, State Record of Water Right Certificates. The affidavit further states that the portion of the right appurtenant to their property has been abandoned and requests that portion of the certificate be canceled.

Certificate 29158 allows for the use of 11.48 cubic feet per second (cfs) of water from Pine Creek, a tributary of the Powder River, for irrigation of 910 acres and domestic use, with a date of priority of August 22, 1910.

The portion of Certificate 29158 appurtenant to land owned by Randy and Janet Alanko which has been abandoned is for the use of 0.13 cfs of water from Pine Creek, a tributary of the Powder River, for the irrigation of 10.47 acres within the NE¼ NE¼ of Section 19, Township 8 South, Range 39 East, WM.

CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under 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 29158, State Record of Water Right Certificates, allowing for the use of 0.13 cfs of water from Pine Creek, a tributary of the Powder River, for the irrigation of 10.47 acres within the NE¼ NE¼ of Section 19, Township 8 South, Range 39 East, W.M. with a date of priority of August 22, 1910, 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 4/1/98.


Martha O. Pagel, Director