

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF CANCELLATION OF)
A WATER RIGHT IN THE NAME OF ED)
WOODCOCK FOR USE OF WATERS OF)
ELDER CREEK)

PC 80-16

ORDER CANCELING
WATER RIGHT

On December 9, 1980, pursuant to ORS 540.631, notice was given to Ray and Constance Reynolds, Spiers E. Wilson, Murril L. and Ida Marvin, and to Wayne C. Filloon and owners of record, contract purchasers and/or occupants of certain real property located within the SE $\frac{1}{4}$ of Section 23, Township 40 South, Range 8 West, WM, Josephine County, Oregon, of the proposed cancellation of a certain water right appurtenant to said property.

The water right in question is for the appropriation of not to exceed 0.25 cubic foot per second of water from Elder Creek, under a priority date of May 26, 1933, for irrigation of a certain 1.0 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 17.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 2.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 40 South, Range 8 West, WM, being a portion of the water right described by the certificate issued to Ed Woodcock and recorded at page 11158, Volume 10, State Record of Water Right Certificates. (The land involved lies between Elder Creek and Little Elder Creek, to the east of the county road.)

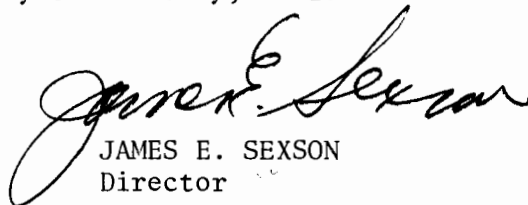
ORS 540.641(1) provides: "If the legal owner or the occupant receiving notice as provided in ORS 540.631 fails to protest the proposed cancellation of the water right within the 60-day period prescribed in the notice, the Water Resources Director may enter an order canceling the water right."

No protest has been filed against the proposed cancellation of the water right in question.

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate, recorded at page 11158, Volume 10, State Record of Water Right Certificates, is canceled.

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

Dated at Salem, Oregon this 20th day of February, 1981.


JAMES E. SEXSON
Director