

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF)
THE CANCELTATION)
OF A WATER RIGHT)

O R D E R

On December 13, 1974, Earl E. and Mary J. Samson, and on February 26, 1975, William M. and Medora B. Nankervis submitted affidavits 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 said water right and request the same to be canceled.

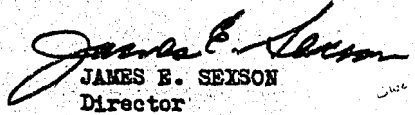
The water right in question is for the use of not to exceed 0.113 cubic foot per second of water from Evans Creek, a tributary of Rogue River, for the irrigation of 9.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 35 South, Range 3 West, W.M., with a date of priority of December 1, 1923, and is evidenced by certificate of water right issued in the name of R. E. and E. M. Richman and recorded at Page 7488, Volume 7, State Record of Water Right Certificates.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.387 cubic foot per second of the waters of Evans Creek for the irrigation of 20.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 11.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Township 35 South, Range 3 West, W.M., with a date of priority of December 1, 1923, is not in question in this proceedings.

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 right for the use of not to exceed 0.113 cubic foot per second of the waters of Evans Creek for the irrigation of 9.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 35 South, Range 3 West, W.M., as evidenced by the certificate recorded at Page 7488, Volume 7, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 19th day of July, 1976.


JAMES E. SEISON
Director