

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT IN) ORDER
THE NAME OF LLOYD G. DUYCK)

The Water Resources Department (Department) received an affidavit from the owner of land stating they have abandoned a portion of the water right appurtenant to their land and requests 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 affidavit from Winifred Beu, President of the Homestead Community Inc. The affidavit stated they are the owner of land and the water right as evidenced by a portion of Certificate 43942. The affidavit further states, the right appurtenant to 5.2 acres within the SW 1/4 NW 1/4, 16.4 acres within the NW 1/4 SW 1/4, Section 4 and 2.6 acres within SE 1/4 NE 1/4, 7.8 acres within the NE 1/4 SE 1/4, Section 5, Township 1 South, Range 3 West, WM, has been abandoned and requests that portion of the certificate be canceled.

State Record of Water Rights Certificate number 43942 allows for the use of 1.0 cubic foot per second of water from the Tualatin River and reservoir constructed under Application No. R-44526, Permit No. R-5273 for irrigation of 82.8 acres and supplemental irrigation of 151.1 acres of land within Sections 4, 5 and 9, Township 1 South, Range 3 West, WM, with a date of priority from February 29, 1968.

CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under an 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 43942 allowing for the use of water from the Tualatin River and reservoir, with a priority of February 29, 1968, for the irrigation of 32.0 acres within Sections 4 and 5, Township 1 South, Range 3 West, WM, State Record of Water Right Certificates 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 July 12, 1996.



Martha O. Pagel, Director