

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT IN ) ORDER  
THE NAME OF E. M. BOIES )

The Water Resources Department (Department) received an affidavit from the owner of lands 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 an affidavit from Ditchen Land Company Partnership. The affidavit stated they are the owners of the land and the water right as evidenced by a portion of Certificate 42420. The affidavit further states, the right appurtenant to 20.6 acres within the NW 1/4 NW 1/4 and SW 1/4 NW 1/4, Section 23, Township 6 South, Range 2 West, WM has been abandoned and requests that portion of the certificate be canceled.

State Record of Water Rights Certificate number 42420 allows for the use of 0.59 cubic foot per second (cfs) of water for supplemental irrigation of 47.0 acres of land within Section 23, Township 6 South, Range 2 West, WM, with a date of priority of August 28, 1968.

The portion of Water Right Certificate number 42420 appurtenant to the 20.8 acres allows for the use of 0.26 cfs from a well.

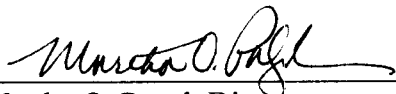
CONCLUSIONS OF LAW

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 42420 allowing for the use of 0.26 cfs of water from a well with a priority of August 28, 1968, for the irrigation of 20.6 acres within the W 1/2 NW 1/4, Section 23, Township 6 South, Range 2 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 19, 1996.

  
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Martha O. Pagel, Director  
Special Order Volume 50, Page 347.