

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Cancellation of a Portion of)
 Perfected and Developed Water Right Certificate) FINAL ORDER
 55298, in the name of Eva M. Harris, Grant)
 County)

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On August 26, 2011, the Department received an affidavit from Eva M. Harris, 25919 Highway 395 South, Canyon City, Oregon, 97820, stating she is the owner of land and the water right appurtenant as evidenced by Certificate 55298. The affidavit requests a portion of the certificate be cancelled.
2. Pursuant to OAR 690-017-0100(2)(a), the Department has determined Eva M. Harris is the recorded owner, as established by county deed records, of the water right evidenced by Certificate 55298.
3. Certificate 55298 allows for the use of not more than 0.03 cubic feet per second (cfs), from a well, a tributary of Canyon Creek, for irrigation of 5.0 acres. The date of priority is August 7, 1979.
4. The portion of Certificate 55298 which has been abandoned is for the use of 0.02 cfs of water for irrigation of 3.93 acres located as follows:

TWP	RNG	MER	SEC	Q-Q	G LOT	ACRES
14 S	31 E	W.M.	1	SW NE	6	2.17
14 S	31 E	W.M.	1	SE NE	5	1.76
TOTAL:						3.93

Conclusions of Law

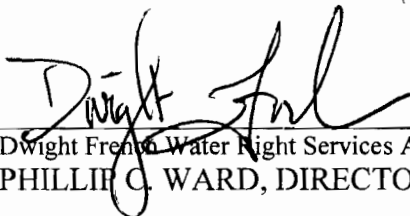
The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 55298 has been abandoned in accordance with the provisions of ORS 540.621 and shall be cancelled.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Now, therefore, it is ORDERED:

1. Certificate 55298 is canceled.
2. The Department shall issue Certificate 87231, a new a superseding certificate, to describe the remaining portion of the perfected and developed water right NOT canceled by the provisions of this order.

Dated at Salem, Oregon this 14 day of September, 2011.


Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing date: SEP 15 2011