

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Jackson County

IN THE MATTER OF THE CANCELTATION }  
OF A WATER RIGHT IN THE NAME OF }  
ALBERT C. ALLEN, JR. }  
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O R D E R

On June 11, 1976, William J. Bray and Lucille P. Bray submitted an affidavit 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 0.21 cubic foot per second of the waters from Rogue River for the irrigation of 7.8 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 12.1 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 31, Township 35 South, Range 1 West, W.M., with a date of priority of March 29, 1930, and is evidenced by certificate of water right recorded at Page 35274, Volume 27, State Record of Water Right Certificates.

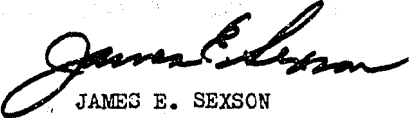
That part of the water right evidenced by said certificate for the appropriation of not to exceed 1.14 cubic foot per second of the waters of Rogue River for irrigation of 32.2 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 21.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 30.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 23.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 31, Township 35 South, Range 1 West, W.M., with a date of priority of March 29, 1930, is not in question in this proceeding.

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 0.21 cubic foot per second of the waters of Rogue River for the irrigation of 7.8 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 12.1 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 31, Township 35 South, Range 1 West, W.M., with a date of priority of March 29, 1939, is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 35274, Volume 27, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to Albert C. Allen, Jr., covering that part of the water right not in question which is for the appropriation of not to exceed 1.14 cubic foot per second of the waters of Rogue River, with a date of priority of March 29, 1930, for irrigation of 32.2 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 21.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 30.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and 23.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 31, Township 35 South, Range 1 West, W.M.

Dated at Salem, Oregon, this 20th day of September, 1976.

  
JAMES E. SEXSON  
Director