

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
UMATILLA COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT) ORDER
IN THE NAME OF MILTON NURSERY)
CO., INC.)

On November 27, 1985, J. Frank Smith, Jr., Vice President of Milton Nursery Co., Inc., submitted an affidavit that Milton Nursery Co., Inc. is the owner of a certain water right and the lands to which the water right is appurtenant; that Milton Nursery Co., Inc., has abandoned any and all interest in and to the said water right and requests the same be canceled.

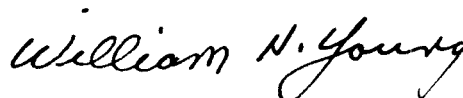
The water right in question is a portion of the right described by the certificate recorded at page 9102, Volume 8, State Record of Water Right Certificates, in the name of Milton Nursery Company, as modified by water right Transfer 4412, and is for the use of not to exceed 0.07 cubic foot per second of water from a well, with a date of priority of December 3, 1927, for irrigation of 4.3 acres in NE 1/4 SW 1/4 and 1.5 acres in SW 1/4 SW 1/4, Section 31, Township 6 North, Range 36 East, WM.

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 said water right, being a portion of the right described by the certificate recorded at page 9102, Volume 8, State Record of Water Right Certificates, as modified by Transfer 4412, is canceled.

It is FURTHER ORDERED that a new certificate be issued to confirm the balance of water right NOT involved in this proceeding, as described by the Proof of Appropriation of Water for Transfer 4412.

Dated at Salem, Oregon, this 13th day of December, 1985.


WILLIAM H. YOUNG
Director

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