

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF CANCELLATION)  
OF A PORTION OF A WATER RIGHT)  
IN THE NAME OF SMITH BROTHERS)  
FOR WATERS OF PINE CREEK \_ \_ )

O R D E R

Richard Ray and Margaret Ray have submitted an affidavit that as of May 5, 1978, they were the owners of a certain water right and the lands to which the water right is appurtenant; that they then abandoned any and all interest in and to the said water right; that subsequent purchasers of portions of said lands recognized of record that said lands were conveyed without water right; and that affiants request said water rights be canceled.

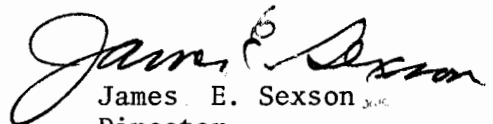
The water right in question is a portion of the right described by the certificate recorded at page 25822, Volume 17, State Record of Water Right Certificates, in the name of Smith Brothers, and is for the use of waters of Pine Creek under a priority date of 1908 for irrigation of a certain 0.5 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, 5.6 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 9.2 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 5.2 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 0.7 acre in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 6.9 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 6.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 11.6 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 23, Township 13 South, Range 32 East, W. M., Grant County, Oregon.

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 25822, Volume 17, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 31st day of October, 1979.

  
James E. Sexson, Jr.  
Director