

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
WASHINGTON COUNTY

IN THE MATTER OF CANCELLATION OF A)
PORTION OF A WATER RIGHT IN THE) ORDER
NAME OF RALPH A. WITHYCOMB)

The Water Resources Department (Department) received an affidavit from the owner of lands stating that they have abandoned the water right appurtenant to their land and requesting 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 Mario A. & Bonnie L. Pedroza. The affidavit states they are the owner of lands and the water right appurtenant. The affidavit further states that the right appurtenant to their property has been abandoned and requests that the certificate be canceled. A portion of water right evidenced by Certificate 31925 is appurtenant to their property.

The right evidenced by Certificate 31925 allows for the use of water from an unnamed stream, tributary of the Tualatin River, for irrigation of 16.8 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 19, Township 1 South, Range 2 West, Willamette Meridian.

The portion of Certificate 31925 which has been abandoned is for the use of 0.025 cubic foot per second (cfs) of water from an unnamed stream, a tributary of the Tualatin River, under a priority date of February 15, 1962, for irrigation of 2.0 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within DLC 63, of Section 19, Township 1 South, Range 2 West, W.M.

CONCLUSIONS OF LAW

Whenever the owner of a perfected and developed water right certifies under 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 31925, State Record of Water Right Certificates, allowing for the use of 0.025 cfs of water from an unnamed stream, a tributary of the Tualatin River, for irrigation of 2.0 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within DLC 63, of Section 19, Township 1 South, Range 2 West, W.M. 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 March 22, 1999.



Martha O. Pagel, Director