

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JEFFERSON COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT) ORDER
IN THE NAME OF JOHN BRUNS)

The Water Resources Department (Department) received affidavits from the owners 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 affidavits and makes the following disposition of the request:

STATEMENT OF FACTS

The Department received affidavits from Casey Blann, Jerry Blann, Dave C. Blann, Clifford L. Blann, and Sherry P. Morris. The affidavits state they are the owners of lands and the water right appurtenant, which is evidenced by a portion of Certificate 13605, State Record of Water Right Certificates. The affidavit further states that the right has been abandoned and requests that the certificate be canceled.

The right evidenced by Certificate 13605 allows for the use of Lake Creek for irrigation of 110 acres, domestic, and stock use within the NE $\frac{1}{4}$ of Section 16, Township 13 South, Range 9 East, Willamette Meridian, under a priority date of 1888.

The portion of Certificate 13605 which has been abandoned is for the use of water from Lake Creek under a priority date of 1888 for irrigation of 2.84 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, Township 13 South, Range 9 East, 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 13605, State Record of Water Right Certificates, allowing for the use water from Lake Creek for the irrigation of 2.84 acres as described above 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 3/22/99.



Martha O. Pagel, Director