

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF A. J. STURTEVANT)

O R D E R

On October 6, 1975, Thomas J. Muilenburg and on January 8, 1979, Raymond J. and Mary L. Slabik submitted affidavits that they are the owners of certain water rights and the lands to which the water rights are appurtenant; that they have abandoned any and all interest in and to the said water rights and request the same be canceled.

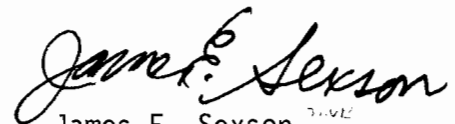
The water rights in question were established by Decree of Circuit Court for Umatilla County, entered September 9, 1916, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Umatilla River, tabulated at Page 220, Volume 3, Order record of the Water Resources Director, in the name of A. J. Sturtevant, and are a portion of the rights described by the original certificate recorded at Page 2627, Volume 3, State Record of Water Right Certificates, later superceded by the certificate recorded at Page 42284, Volume 34, State Record of Water Right Certificates, in the name of A. J. Sturtevant, and are for the use of not to exceed 0.21 cubic foot per second of water from East Birch Creek, with a date of priority of 1895, for irrigation of 13.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 3.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and domestic and stock in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 1 South, Range 32 East, W. M.

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 rights, being a portion of the rights described by the certificate recorded at Page 42284, Volume 34, State Record of Water Right Certificates, are 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 rights NOT involved in this proceeding.

Dated at Salem, Oregon, this 16th day of January, 1979.


James E. Sexson
Director