

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

POLK COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT )  
IN THE NAME OF STATE OF OREGON, )  
OREGON STATE HOSPITAL )  
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ORDER

On June 3, 1981, Joost Van DerHave, Managing Director, Green Villa Farms, submitted an affidavit that Green Villa Farms is the owner of a certain water right and the lands to which the water right is appurtenant; that Green Villa Farms 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 21050, Volume 15, State Record of Water Right Certificates, in the name of State of Oregon, Oregon State Hospital, and is for the use of not to exceed 0.96 cubic foot per second of water from Rickreall Creek, with a date of priority of April 6, 1942, for irrigation of a certain 0.1 acre in NE 1/4 SW 1/4, 0.7 acre in NW 1/4 SW 1/4, 12.2 acres in SW 1/4 SW 1/4, 12.6 acres in SE 1/4 SW 1/4, Section 25; 1.4 acres in SW 1/4 SE 1/4, 13.4 acres in SE 1/4 SE 1/4, Section 26; 28.2 acres in NE 1/4 NE 1/4, 6.8 acres in NW 1/4 NE 1/4, Section 35; and 1.6 acres in NW 1/4 NW 1/4, Section 36, Township 7 South, Range 4 West, WM.

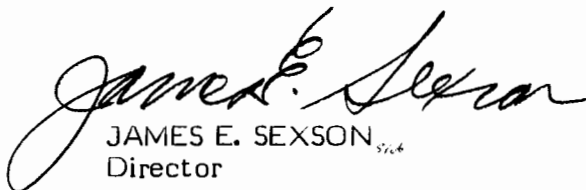
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 21050, Volume 15, State Record of Water Right Certificates, is canceled.

Said certificate was in error in allowing 4.14 cfs for the irrigation of 296.3 acres, being 1.13 cfs from Rickreall Creek, 1.13 cfs from Hayden Slough, and 1.88 cfs from Willamette River. The correct amount should have been 3.71 cfs, being 1.14 cfs from Rickreall Creek, 0.81 cfs from Hayden Slough, and 1.76 cfs from Willamette River for irrigation of said 296.3 acres.

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 and correcting the amount of water allowed from each source.

Dated at Salem, Oregon, this 12th day of June, 1981.

  
JAMES E. SEXSON, Dir.  
Director