

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF WATER RIGHT IN) ORDER
NAME OF T. B. PRICE)

The Water Resources Department (Department) received an affidavit from the owner of lands stating they have abandoned the water right appurtenant to their land and requests 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

On August 6, 1996, Hugh L. Moore, Secretary/Manager, Ochoco Irrigation District, submitted an affidavit stating the District is the owner of certain land and a water right. The affidavit further states the water right has been abandoned and authorizes the cancellation of the portion of certificate appurtenant to their land.

The abandoned water right is a portion of Certificate 646. The abandoned water right is for the use of a reasonable amount for domestic and stock use, and 1.42 cubic feet per second (cfs) from Ochoco and Mill Creeks, tributaries to the Crooked River for irrigation of 113.0 acres within the SW 1/4, Section 34, Township 14 South, Range 17 East, WM. The date of priority is the year 1894 and 1885.


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 portion of the right described by State Record of Water Right Certificates Number 646, allowing for the use of 1.42 cfs of water from Ochoco and Mill Creeks for the irrigation of 113.0 acres, domestic and stock use within the SW 1/4, Section 34, Township 14 South, Range 17 East, WM 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 in Salem, this 28th day of February, 1997.



Martha O. Pagel, Director
Water Resources Department
Special Order Volume 51, Page 63.