

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Cancellation of a Portion of)
 Perfected and Developed Water Right Certificate) **FINAL ORDER**
 89603, in the name of Willamette Valley Land,)
 LLC, International Paper Company, FMWMP,)
 LLC, Linn County

Authority

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On May 3, 2016, the Department received an affidavit from Paul Kuehne, on behalf of Willamette Valley Land, LLC, PO Box 99, Lafayette, Oregon, 97127, stating they are the owner of part of the land and the water right appurtenant as evidenced by Certificate 89603. The affidavit requests a portion of the certificate be cancelled.
2. Pursuant to OAR 690-017-0100(2)(a), the Department has determined Willamette Valley Land, LLC is the recorded owner, as established by county deed records, of part of the water right evidenced by Certificate 89603.
3. Certificate 89603 allows for the use of not more than 3.18 cubic feet per second (cfs), from waste water for irrigation of 254.6 acres. The date of priority is June 7, 2001.
4. The portion of Certificate 89603 which has been abandoned is for the use of 2.10 cfs of waste water for irrigation of 168.3 acres located as follows:

TWP	RNG	MER	SEC	Q-Q	DLC	ACRES
10 S	3 W	WM	19	NE SE	55	2.6
10 S	3 W	WM	19	SE SE	55	4.9
10 S	3 W	WM	20	NE SW	55	1.6
10 S	3 W	WM	20	NW SW	55	10.4
10 S	3 W	WM	20	SW SW	55	39.8
10 S	3 W	WM	20	SE SW	55	39.0
10 S	3 W	WM	20	SE SW	58	0.1
10 S	3 W	WM	20	SW SE	58	4.0
10 S	3 W	WM	20	SW SE	46	4.7
10 S	3 W	WM	20	SW SE	55	9.2

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

TWP	RNG	MER	SEC	Q-Q	DLC	ACRES
10 S	3 W	WM	29	NW NW	55	25.7
10 S	3 W	WM	29	NE NW	55	19.8
10 S	3 W	WM	29	NW NE	55	6.5
TOTAL:						168.3


Conclusions of Law

The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 89603 has been abandoned in accordance with the provisions of ORS 540.621 and shall be cancelled.

Now, therefore, it is ORDERED:

1. Certificate 89603 is canceled.
2. The Department shall issue Certificate 91492, a superseding certificate, to describe the remaining portion of the perfected and developed water right NOT canceled by the provisions of this order.

Dated at Salem, Oregon this 24 day of May, 2016.


 Dwight French, Water Right Services Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department

JUN 17 2016

Mailing date: _____