

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

In the Matter of a Partial Cancellation of Water)
Right Certificate 13022, in the name of Elwood) **FINAL ORDER**
E. Piper, Umatilla 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 October 24, 2013, the Department received an affidavit from David Bradshaw, Public Works Superintendent for the City of Milton-Freewater, PO Box 6, Milton-Freewater, OR 97862, stating the City of Milton-Freewater is the owner of land and the water right appurtenant as evidenced by Certificate 13022.
2. Pursuant to OAR 690-017-0100(2)(a), the Department has determined the City of Milton-Freewater, is the recorded owner, as established by county deed records, of the water right evidenced by Certificate 13022.
3. Certificate 13022 allows for the use of not more than one and one-half miner's inches per acre measured at the point of diversion, or its equivalent in case of rotation, from the Walla Walla River, for irrigation of 0.31 acre of land. The date of priority is 1885.
4. The affidavit requests cancellation of the use 0.31 acre of irrigation as identified in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	35 E	WM	2	NW SE	0.31

Conclusions of Law

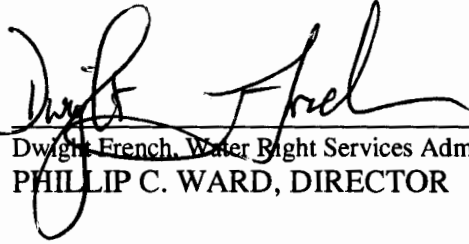
The Director of the Water Resources Department concludes the right evidenced by Certificate 13022 has been abandoned in accordance with the provisions of ORS 540.621 and shall be cancelled.

This is a final 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 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.

Now, therefore, it is ORDERED:

1. Certificate 13022 is canceled.
2. The Department shall issue a new and superseding certificate to describe the remaining portion of the water right NOT cancelled by the provisions of this order.

Dated at Salem, Oregon this 27 day of January, 2014.



Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing date: JAN 29 2014