

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

KLAMATH COUNTY

IN THE MATTER OF CANCELLATION OF A)
 PORTION OF A PERFECTED AND DEVELOPED) FINAL ORDER
 WATER RIGHT EVIDENCED BY)
 CERTIFICATE 34771 IN THE NAME OF)
 RONALD T. WILLIAMS)

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

Background

1. On November 21, 2007, the Department received an affidavit from Robert M. and Christine D. Connelly, 5765 Burgdorf Road, Bonanza, OR 97623, stating they are the owners of lands and the water right appurtenant as evidenced by Certificate 34771, State Record of Water Right Certificates. The affidavit further states a portion of the water right appurtenant to the property has been abandoned and requests the certificate be cancelled.
2. Pursuant to OAR 690-017-0100, the Department has determined that Robert M. and Christine D. Connelly, are the recorded owners, as established by county deed records, of property to which the water right evidenced by Certificate 34771 is appurtenant.
4. Certificate 34771 allows for the use of 1.45 cubic feet per second (cfs), being 0.02 cfs for stock and 1.43 cfs for irrigation of 57.1 acres from an unnamed stream and two reservoirs (constructed under Permit R-2286), tributaries to the Lost River. The date of priority is August 19, 1959.
5. The portion of Certificate 34771 which has been abandoned is for the use of 0.76 cfs of water for irrigation of 30.1 acres located as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	11 E	WM	29	SW NE	4.3
39 S	11 E	WM	29	NE SW	8.0
39 S	11 E	WM	29	NW SE	17.8

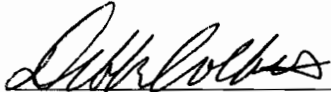
Conclusions of Law

The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 34771 has been abandoned in accordance with the provisions of ORS 540.621 and shall be cancelled.

Now, therefore, it is ORDERED:

1. Certificate 34771 is cancelled.
2. The Department shall issue Certificate 83670, a new and superseding certificate, to describe the remaining portion of the perfected and developed right NOT cancelled by the provisions of this order.

Dated at Salem, Oregon this 13 day of December 2007.



PCW Phillip C. Ward, Director

Mailing Date: DEC 17 2007