

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
UMATILLA COUNTY

IN THE MATTER OF CANCELLATION OF A )  
 PORTION OF A PERFECTED AND DEVELOPED ) FINAL O R D E R  
 WATER RIGHT IN THE NAME OF CHESTER )  
 PRIOR, EAGLE RANCH – CERTIFICATE 81599 )

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 January 23, 2006, the Department received an affidavit from Chester Prior, 32327 Oregon Trail Road, Echo, Oregon, stating he is the owner of lands and the water right appurtenant as evidenced by Certificate 81599, 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 canceled.
2. Pursuant to OAR 690-017-002(a), the Department has determined that Chester Prior, doing business as Eagle Ranch, is the record owner, as established by county deed records, of property to which a portion of the water right evidenced by Certificate 81599 is appurtenant.
3. Certificate 81599 allows for the use of 72.18 cubic feet per second (cfs) from the Umatilla River, a tributary of the Columbia River; for irrigation of 72.60 acres and supplemental irrigation of 2814.70 acres. The date of priority is August 3, 1981.
4. The portion of Certificate 81599 which has been abandoned is for the irrigation of 0.20 acre located as follows:
- 5.

CERTIFICATE 81599 – SUPPLEMENTAL IRRIGATION							
TWP	RNG	MER	SEC	1/4 1/4	DLC	LOT	ACRES
3 N	28 E	WM	29	NW NE			0.20

This is a final order in other than 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.

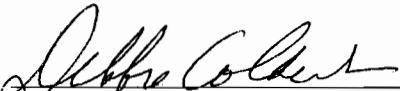
**Conclusions of Law**

The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 81599 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

**Now, therefore, it is ORDERED:**

1. Certificate 81599 is canceled.
2. The Department shall issue Certificate 81815, a new and 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 10<sup>th</sup> day of February, 2006.

*FOR*   
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Phillip C. Ward, Director

Mailing Date FEB 16 2006