

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF WATER RIGHT IN)
NAME OF N. K. WEST)

ORDER

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 January 27, 1997, Deolinda G. Jones, Right of Way Manager, State of Oregon Department of Transportation, submitted an affidavit stating the State of Oregon 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 6630, State Record of Water Right Certificates, not transferred by order approving Water Right Transfer Application Number T-7470 recorded in Volume 50, Page 813, Special Order Records of the Water Resources Director.

The abandoned water right is for the use of three acre feet per acre in any irrigation season, diverted at a rate of not to exceed one-fortieth of a cubic foot per second per acre from Whiskey Creek, tributary Grande Ronde River for irrigation of 1.8 acres within the NW 1/4 NE 1/4 and 1.8 acres within the NE 1/4 NW 1/4, Section 12, Township 3 South, Range 36 East, WM. The date of priority is the year 1904.

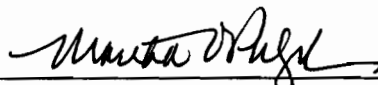
CONCLUSIONS OF LAW

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 right described by Certificate 6630, not transferred by order approving Water Right Transfer Application Number T-7470 recorded in Volume 50, Page 813, Special Order Records of the Water Resources Director allowing for the use of one-fortieth of a cubic foot per second of water from Whiskey Creek with a priority of 1904, for the irrigation of 3.6 acres is canceled.

Dated in Salem, this 28th day of February, 1997.



Martha O. Pagel, Director
Water Resources Department
Special Order Volume 51, Page 82.