

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF CANCELLATION )  
OF A PORTION OF A WATER RIGHT )  
IN THE NAME OF S. E. LOVETT )

ORDER

The Water Resources Department (Department) received an affidavit from the owner of land stating they have abandoned a portion of a water right appurtenant to their land and requesting 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

The Department received an affidavit from William A. Monahan, City Manager for the City of Tigard, 13125 SW Hall Blvd, Tigard, OR 97223. The affidavit states that the City is the owner of land and the water right as evidenced by a portion of Certificate 19910. The affidavit further states that the right appurtenant to their property within Section 12, Township 2 South, Range 1 West, WM, has been abandoned and requests that portion of the certificate be canceled.

Certificate 19910, State Record of Water Right Certificates, allows for the use of 0.013 cubic foot per second of water from Fanno Creek, a tributary of the Tualatin River, for the irrigation of 1.00 acre in Section 12, Township 2 South, Range 1 West, WM, with a date of priority of May 2, 1950. The abandoned water right, is the right to use .003 cubic foot per second of water from Fanno Creek for the irrigation of 0.20 acres within the SW¼ NE¼ of Section 12, Township 2 South, Range 1 West, WM.

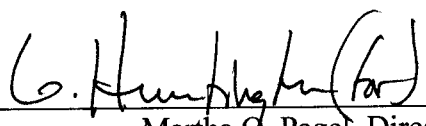
CONCLUSIONS OF LAW

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 19910 allowing for the use of 0.003 cfs of water from Fanno Creek, tributary of the Tualatin River, with a priority date of May 2, 1950, for the irrigation of 0.20 acres in the SW¼ NE¼ of Section 12, Township 2 South, Range 1 West, WM, State Record of Water Right Certificates is canceled and a new certificate of water right describing that portion of the water right not canceled by the provisions of this order be issued.

Dated FEB 09 1998.

  
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Martha O. Pagel, Director