

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Clackamas County

IN THE MATTER OF THE PARTIAL
CANCELATION OF A WATER RIGHT
IN THE NAME OF JOSEPH N.
HERSHBERGER

O R D E R

On April 21, 1975, David E. Peterson submitted an affidavit that he is the owner of a water right and the lands to which the right is appurtenant; that he has abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is part of that evidenced by certificate recorded at Page 34965, Volume 27, State Record of Water Right Certificates, and is for the appropriation of not to exceed 0.015 cubic foot per second of water from a well, with a priority date of April 4, 1961, for the irrigation of 1.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 4 South, Range 1 East, W.M.

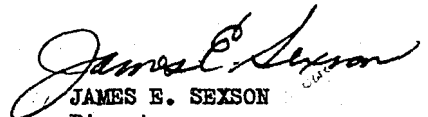
That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.165 cubic foot per second of water from the well for the irrigation of 8.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 4.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 4 South, Range 1 East, W.M., is not in question in this proceeding.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the water right for the use of 0.015 cubic foot per second of water from the well, with a priority date of April 4, 1961, for the irrigation of 1.2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 4 South, Range 1 East, W.M., is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at Page 34965, Volume 27, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to Joseph N. Hershberger covering that part of the water right not in question for the appropriation of not to exceed 0.165 cubic foot per second of water from the well, with a priority date of April 4, 1961, for the irrigation of 8.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 4.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 4 South, Range 1 East, W.M.

Dated at Salem, Oregon, this 10th day of July, 1975.


JAMES E. SEXSON
Director