

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

IN THE MATTER OF A CANCELLATION OF A)
PORTION OF THE PERFECTED AND DEVELOPED) FINAL ORDER
WATER RIGHT EVIDENCED BY THE 1926)
SILVIES RIVER DECREE IN THE NAME OF
PACIFIC LIVE STOCK COMPANY, GRANT
COUNTY

Authority

Oregon Revised Statute 540.621 and Oregon Administrative Rules 690-17-0100 direct 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. The Silvies River Decree of the Circuit Court of the State of Oregon for Harney County, dated February 23, 1926, is a decree of record at Salem, OR, in the Order Record of the Water Resources Director in Volume 9, Pages 79-210 (Silvies River Decree).
2. On December 22, 2017, the Department received an AFFIDAVIT FOR THE VOLUNTARY PARTIAL CANCELLATION OF A WATER RIGHT CERTIFICATE (Affidavit) from Scott Campbell, Manager, SILVIES VALLEY RANCH LLC, 888 SW FIFTH AVE, PORTLAND OR 97204 [mailing address c/o Scott Campbell, 40000 East Cowboy Lane, Seneca, 97873], stating Silvies Valley Ranch LLC is the owner of the land and the appurtenant water right evidenced by the Silvies Rivers Decree in the name of Pacific Live Stock Company in Vol 9, Page 82 (no certificate issued).
3. Pursuant to OAR 690-017-0100(2)(a), the Department has determined Silvies Valley Ranch LLC is the recorded owner, as established by county deed records, of the land and water right evidenced by the Silvies Rivers Decree in the name of Pacific Live Stock Company in Vol 9, Page 82.
4. The decree authorizes, in part, the use of water from the Silvies River, conveyed through the Eyers East & West side ditches, with an 1888 date of priority, for irrigation of 1951.0 acres.
5. The affidavit requests cancellation of the use of 1.65 cfs of water from the Silvies River conveyed through the Eyers East & West side ditches with an 1888 date of priority for irrigation of 132.0 acres at the location identified in the table below.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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 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.

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	31 E	WM	36	NE NW	40.0
18 S	31 E	WM	36	SE NW	40.0
18 S	31 E	WM	36	NE SW	40.0
18 S	31 E	WM	36	SE SW	12.0
Total					132.0

Conclusions of Law

The Director of the Water Resources Department concludes the portion of the right evidenced by the Silvies Rivers Decree in the name of Pacific Live Stock Company in Vol 9, Page 82, has been abandoned in accordance with the provisions of ORS 540.621 and shall be cancelled.

Now, therefore, it is ORDERED:

The portion of the Silvies Rivers Decree in the name of Pacific Live Stock Company in Vol 9, Page 82, as described in Findings of Fact 5 is hereby cancelled.

Dated at Salem, Oregon on **MAY 0 4 2018**



 Dwight French, Water Right Services Administrator, for
 Thomas M. Byler, Director

Mailing date: **MAY 0 4 2018**