

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF )  
THE CANCELATION )  
OF A WATER RIGHT )  
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O R D E R

On October 21, 1964, the State Engineer entered an order dismissing an application from C. F. Grossmiller for change in point of diversion. This matter, which was protested by the Wilson Irrigation Company, was settled by stipulation signed by all parties concerned. Provision No. 4 of the stipulation provided: "In the event said Wilson Irrigation Company shall fail to make application within a period of one year from and after the date hereof, as above described, for change of place of use of the water right above described, said water right shall be considered abandoned, and of no further force or effect."

The water right in question is for the appropriation of 0.15 cubic foot per second of the waters of Umatilla River through the Wilson Canal, with a date of priority of December 15, 1904, for irrigation of 12.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 16, Township 3 North, Range 29 East, W.M., as established by Decree of the Circuit Court for Umatilla County entered September 9, 1916 in the name of Joel Halstead.

The records of the Water Resources Department have been examined and no such application has been filed by Wilson Irrigation Co.

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 cancelation thereof, the Water Resources Director shall enter an order canceling the water right." The stipulation entered into under open hearing constitutes a voluntary authorization to cancel the right in question.

NOW, THEREFORE, it is hereby ORDERED that the right for the use of 0.15 cubic foot per second of the waters of Umatilla River through the Wilson Canal, with a date of priority of December 15, 1904, for irrigation of 12.0 acres in the NW¼ SE¼, Section 16, Township 3 North, Range 29 East, W.M., as established by Decree of the Circuit Court for Umatilla County entered September 9, 1916, in the name of Joel Halstead, is canceled.

Dated at Salem, Oregon this 30th day of August, 1976.

/s/ JAMES E. SEXSON  
Water Resources Director

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