



February 17, 2025

Ms. Ann Reece  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

**Subject:** Affidavit of Voluntary Cancellation of a Portion of Water Right Certificate 21586

Dear Ms. Reece:

On behalf of the water right holder, Aspen Way West LLC, find enclosed with this letter an Affidavit of voluntary Cancellation of a Portion of Water Right Certificate 21586. Supporting documentation regarding the signatory for the landowner requesting the cancellation is also attached for your use.

Please do not hesitate to contact me with questions.

Respectfully submitted,

Theodore Ressler, RG, CWRE  
Summit Water Resources, LLC

Enclosures:

Affidavit of Voluntary Cancellation of a Portion of Water Right Certificate 21586  
Oregon Secretary of State Business Registry for Aspen Way West, LLC

Cc: Brain Naffin – Austin Industries LLC

**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

*minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)].*

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here: Township 3 South, Range 2 West, Section 8, NESW tax lots 5300 and 5500, 5600.

2. I/We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

☐ voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # \_\_\_\_.

☒ voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # **21586**.

☐ voluntary diminution of the ENTIRE water right Certificate # \_\_\_\_.

☐ voluntary diminution of a PORTION of water right Certificate # \_\_\_\_.

3. The appurtenant water right ☐ is **or** ☒ is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: \_\_\_\_.

a. The water right, or portion thereof, being ☐ cancelled **or** ☐ diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

\_\_\_\_\_  
Signature of district manager

\_\_\_\_\_  
Printed Name

Date \_\_\_\_

4. Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.

I/We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

☒ A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) Irrigation
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled 4.1
- In the amount of 0.054 cubic foot per second
- From the water source (s) Unnamed stream and reservoir constructed under App No. R-25198, Per. No. R-1298
- At the following location(s) (attach a larger table if needed):

ABANDONED PORTION TO BE CANCELLED									
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Tax Lot #
3	S	2	W	WM	8	47	--	NESW	4.1 5300, 5500

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

Signatures and Notary:



Signature of legal owner as listed on deed, or authorized agent

Printed Name Brian Naffin, Manager of Austin Industries LLC, an Oregon limited liability company,  
Manager of Aspen Way West, LLC, an Oregon limited liability company

Date 1/30/25

Signature of legal co-owner as listed on deed (if applicable)

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

Subscribed and Sworn to Before Me this 30th day of Jan, 20 25.



Signature of Notary Public for Oregon

My Commission Expires Dec. 8, 2026

**REQUIRED ATTACHMENTS (LEGIBLE COPIES):**

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
  - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
  - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.
- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

**MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.**

STATE OF OREGON  
COUNTY OF YAMHILL  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That P. R. BARON**

of Route #2, Box 44, Newberg, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed stream and reservoir constructed under App. No. R-25198, Per. No. R-1298 a tributary of Allen Creek for the purpose of irrigation under Permit No. 20962 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 14, 1951

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.07 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  As projected within W. T. Wallace DDC #47, Section 8, Township 3 South, Range 2 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1298.

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

5.3 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  As projected within W. T. Wallace DDC #47  
Section 8  
Township 3 South, Range 2 West, W.M.

Land on which water is to be used is part of the property described as follows:

Beginning at a point 46.831/3 chains East, and 25 chains North of the South-west Corner of the William T. Wallace DDC #47, thence North 15 chains, thence West 7 chains thence South 15 chains, thence East 7 chains, to the point of beginning, all in Section 8, Township 3 South, Range 2 West, W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 21st day of September, 1956.

LEWIS A. STANLEY

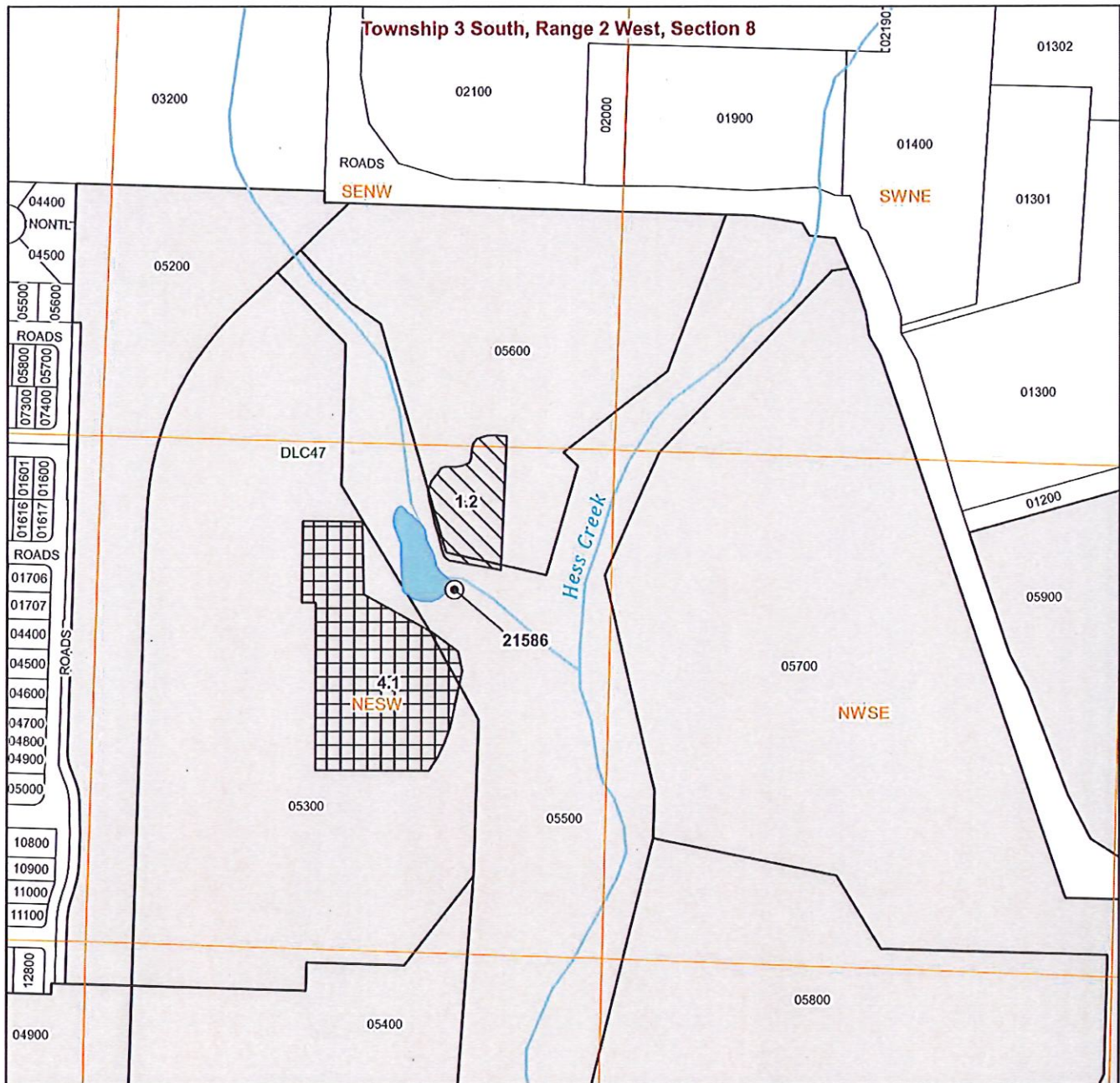
State Engineer

Recorded in State Record of Water Right Certificates, Volume 15, page 21586



# Voluntary Partial Cancellation Certificate 21586

A Water Right held by Aspen Way West LLC  
Yamhill County



## LEGEND

- Tax Lots
- Aspen Way West LLC Tax Lots

- Hydrology
- Point of Diversion (POD)

### Place of Use (POU)

- Portion to be cancelled (4.1 ac)
- Portion to be retained (1.2 ac)



Scale  
0 200 400 ft  
1-inch = 400 feet

Date: 5/24/2024  
Data Sources: BLM, OWRD, USGS, Yamhill County.  
Disclaimer: This map is not intended to provide legal dimensions  
or property ownership lines.

