



Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

VOLUNTARY CANCELLATION is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statute (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

VOLUNTARY DIMINUTION is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

Describe in your own words what you want to accomplish with this affidavit:

The landowner seeks to cancel a portion of certificate 66475 to update the water rights record to reflect the fact that solar panels were installed and irrigation has ceased on a portion of the certificated place of use

Certificate of Water Right Information:

Certificate Number: 66475

Issued for use within the State of Oregon, County of Malheur.

Issued in the name of: Jack D. Pressley.

Date of priority: 9/22/1983

Rate or Volume on entire certificate: 0.3 (cubic foot per second **or** gallons per minute **or** acre-feet).

Source(s) of water on certificate: A well in the Malheur River Basin (MALH 1768).

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 24.0, supplemental IR 0.0.

Statements of Oath:

I/We (or authorized agent), Ronald J. Pressley & Kristine M. Pressley

residing at 2463 Hwy 20 Vale OR 97918

with a mailing address of (if different) Same

and a telephone number of 541-473-3629 Kris
541-212-6933, being **first duly sworn depose and say:**

1. I/We are the legal owners of property appurtenant to all ☒ **or** ☐ a portion (**check one box**) of the water right described above. My/Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [must include at a

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entity name(s). The property is located within the following legal description [*must include at a 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:

Taxlot 3900:

Land in Malheur County, Oregon, as follows:

In Township 19 South, Range 43 East, Willamette Meridian:

In Section 12: That portion of the SE¼NE¼ and the NE¼SE¼ more particularly described as follows:

BEGINNING at the southeast corner of said SE¼NE¼, being monumented with an iron pipe; thence along the east line of the NE¼ of said Section 12, N. 00°53' E. 557.7 feet, more or less, to the south bank of the Purvis Drain; thence along said drain, N. 85°41' W. 172 feet, more or less, to a point lying 171.80 feet, measured normally, west of said east line; thence running parallel with 171.80 feet west of said east line, S. 00°53' W. 772.1 feet, more or less, to the northwesterly right-of-way of U.S. Highway 20; thence along said northwesterly right-of-way line, N. 56°59' E. 206.4 feet, more or less, to the east line of the SE¼ of said Section 12; thence N. 00°53' E. 89.8 feet, more or less, to the **POINT OF BEGINNING**.

TOGETHER WITH THE FOLLOWING:

Land in Malheur County, Oregon, as follows:

In Township 19 South, Range 44 East, Willamette Meridian:

In Section 7:

Lots 1, 2 and the E½NW¼, EXCEPTING therefrom right-of-way for Central Oregon Highway No. 20.

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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 # **66475**.

☐ 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: **Warm Springs Irrigation District**.

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

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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 17.1
- In the amount of 0.21 cubic foot per second
- From the water source (s) A well in the Malheur River Basin (MALH 1768).
- 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	Acres	Tax Lot #
<u>19</u>	<u>S</u>	<u>44</u>	<u>E</u>	WM	<u>7</u>	_____	<u>2</u>	<u>SWNW</u>	<u>17.1</u>	<u>3900</u>
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

- Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled)
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled.

AND/OR (less common) (N/A)

☐ One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.

- For the use of (specify irrigation, domestic, etc.) _____
- From the water source (s) _____
- Located within the _____¹/₄, Section _____, Township _____ (N ☐ or S ☐)
Range _____ (E ☐ or W ☐, W.M.
- Location Description (if given on the certificate) _____

5. Complete this section (Item #5a-c) for a DIMINUTION of ALL or a PORTION of the water right. (N/A)

- a. I/We have found a more dependable source of primary water, and therefore request the water right certificate ☐ in its entirety, **or** ☐ as described in Item #6, below, (check one box) be diminished from a right for primary use to a right for supplemental use.

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- b. I/We agree that if this change is approved, it is permanent and the right to the use of water from _____ (source) cannot be changed back to the primary use unless otherwise provided by law.
- c. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from _____ (source of water) for primary use on these lands.

6. Complete this item (#6) for a DIMINUTION of a PORTION of the water right. (N/A)

I/We, being the legal owners of the property described below are requesting a partial diminution of the water right certificate (identified in Item #2 above in the amount of _____ (cfs) from _____ (sources) for irrigation (if applicable) of _____ acres at the following location(s) as listed on the certificate (*attach a larger table if needed*):

PORTION TO BE DIMINISHED FROM PRIMARY TO SUPPLEMENTAL IRRIGATION											
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #	
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____	

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Signatures and Notary:

Ronald J Pressley

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

Printed Name Ronald J Pressley

Date 3/11/2025

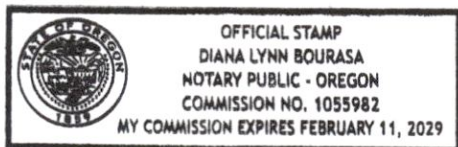
Kristine M. Pressley

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

Printed Name Kristine M. Pressley

Date 3-11-25

Subscribed and Sworn to Before Me this 11th day of 3, 2025.



Diana Bourasa

Signature of Notary Public for Oregon

My Commission Expires Feb 11, 2029

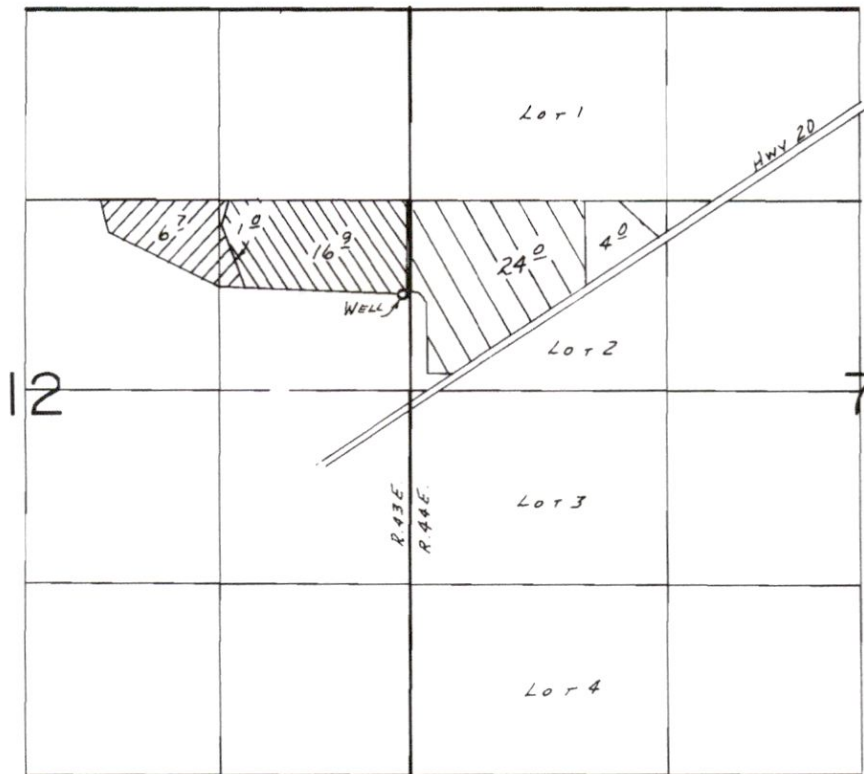
REQUIRED ATTACHMENTS (LEGIBLE COPIES):

- 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.

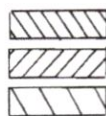
MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.

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T.19S., R.43&44E., W.M.



WELL LOC.: 1960'S. $\frac{1}{4}$ 50' W. FROM NE COR. SEC. 12.



G-8736 Primary

G-8736 Supplemental

G-11090

SCALE: 1"=1320'

FINAL PROOF SURVEY UNDER

Application No. G-8736 G-8403
G-11090 Permit No. G-10302...
IN NAME OF

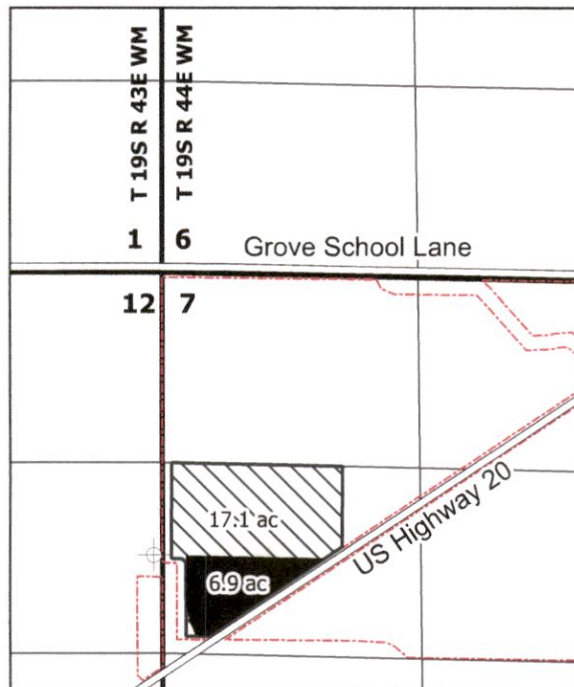
JACK D. PRESSLEY

Surveyed Apr. 30... 19.86, by L.M.TOLL

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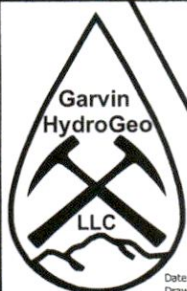
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3/9/87 BWS
41045-478-87R



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Notes:
This map is not intended to provide legal dimensions or locations of property ownership lines.



**Map to Accompany Affidavit of
Voluntary Cancellation of
Water Right Certificate 66475
Malheur, OR**

Prepared on Behalf of Ron and Kristine Pressley

1 inch = 1,320 feet



LEGEND

- Remaining acreage
- Cancelled Acreage
- Point of Appropriation
- Malheur County Taxlot 3900

After recording return to:
Charles S. Oakes
PO Box 1047
Ontario, Oregon 97914
Until a change is requested, all
tax statements shall be sent to:
Ron and Kristine Pressley
2463 Hwy. 20
Vale, OR 97918

MALHEUR COUNTY, OR 2021-5080
DB&S DEED 10/12/2021 01:25 PM
Cnt=1 Pgs=2 Total:\$97.00
00072576202100050800020022

I, Gayle V. Trotter, County Clerk for Malheur County,
Oregon certify that the instrument identified herein was
recorded in the Clerk records.
Gayle V. Trotter - County Clerk

BARGAIN AND SALE DEED

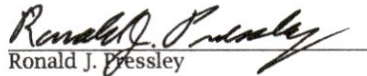
RONALD J. PRESSLEY and KRISTINE M. PRESSLEY, husband and wife, Grantors, grant,
bargain, sell, and convey to RONALD JACK PRESSLEY and KRISTINE MARIE PRESSLEY, Trustees
of the Ronald and Kristine Pressley Trust, U.A.D. 06/16/07, Grantee, all of Grantors' right, title and
interest in the following described real property, situated in Malheur County, Oregon, to-wit:

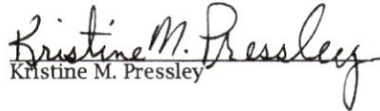
SEE ATTACHED EXHIBIT A

The true consideration for this conveyance is disbursement from trust.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE
SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, ORS 195.300, 195.301 AND 195.305 TO
195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17,
CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS
INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING
THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH
THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF
LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS
92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY
LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND
TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS
195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS
2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7,
CHAPTER 8, OREGON LAWS 2010.

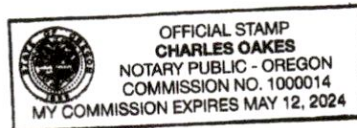
DATED: October 7, 2021.


Ronald J. Pressley


Kristine M. Pressley

STATE OF OREGON)
County of Malheur) ss.

On October 7, 2021, personally appeared the above-named Ronald J. Pressley, and
acknowledged the foregoing instrument to be his voluntary act and deed.



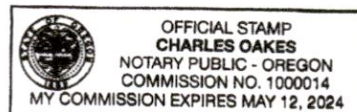

Notary Public for Oregon
My commission expires: May 12, 2024

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STATE OF OREGON)
County of Malheur) ss.

On October 7, 2021, personally appeared the above-named Kristine M. Pressley, and
acknowledged the foregoing instrument to be her voluntary act and deed.




Notary Public for Oregon
My commission expires: May 12, 2024

EXHIBIT A

Land in Malheur County, Oregon, as follows:

In Township 19 South, Range 43 East, Willamette Meridian:

In Section 12: That portion of the SE¼NE¼ and the NE¼SE¼ more particularly described as follows:

BEGINNING at the southeast corner of said SE¼NE¼, being monumented with an iron pipe;
thence along the east line of the NE¼ of said Section 12, N. 00°53' E. 557.7 feet, more or less,
to the south bank of the Purvis Drain;
thence along said drain, N. 85°41' W. 172 feet, more or less, to a point lying 171.80 feet,
measured normally, west of said east line;
thence running parallel with 171.80 feet west of said east line, S. 00°53' W. 772.1 feet, more
or less, to the northwesterly right-of-way of U.S. Highway 20;
thence along said northwesterly right-of-way line, N. 56°59' E. 206.4 feet, more or less, to the
east line of the SE¼ of said Section 12;
thence N. 00°53' E. 89.8 feet, more or less, to the POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING:

Land in Malheur County, Oregon, as follows:

In Township 19 South, Range 44 East, Willamette Meridian:

In Section 7:

Lots 1, 2 and the E½NW¼, EXCEPTING therefrom right-of-way for Central Oregon Highway
No. 20.

Except easements, reservations, encumbrances, and restrictions of record and any fact which could
be ascertained by a physical inspection or correct survey of the above described real property.

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