

Affidavit of Voluntary Abandonment or Diminution (Entire or Partial) of a Groundwater Registration Statement



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A GROUNDWATER REGISTRATION STATEMENT (GR) is a claim filed and recognized by the Department for the right to appropriate groundwater under ORS 537.585 or 537.595 for groundwater uses made prior to August 3, 1955. [A groundwater registration statement is not subject to “cancellation” procedures per se. Registrations are for uses that haven’t yet been adjudicated (determined by a court), so will not have been confirmed with issuance of a water right certificate. Only confirmed water rights are subject to cancellation.] [*Generally, Oregon Revised Statutes (ORS) 537.585-.537.695*]

VOLUNTARY ABANDONMENT or DIMINUTION of a GR – FULL OR PARTIAL

A request to give up all or a portion of, or to diminish all or a portion of a Groundwater Registration Statement needs to be submitted on an affidavit to abandon or diminish a groundwater registration statement.

WHO CAN FILE AN AFFIDAVIT FOR VOLUNTARY ABANDONMENT or DIMINUTION of a GR?

- The person named on the registration statement or to whom the registration statement has been assigned; or
- The owner of the land to which the registration statement is appurtenant provided that the affidavit is accompanied by a request for [assignment](#) under OAR 690-320-0060; or
- Any other person or entity who can demonstrate that they are authorized to request recognition of an abandonment or diminution.

Required Attachments (Legible Copies) –

Missing attachments will result in the affidavit being returned.

- ☐ A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of abandonment or diminution.
- ☐ The groundwater registration map, or a tax lot map that clearly shows:
 - a. Location and acreages within each township, range, section, and quarter-quarter of the lands described on the registration statement being abandoned or diminished, and
 - b. The remaining locations and acreages within each township, range, section, and quarter-quarter of the lands described on the remaining registration statement right NOT being abandoned or diminished, if any.
- ☐ A list of names and addresses of other property owners with lands upon which portions of the registration statement are appurtenant that are not legally owned by the person(s) signing the affidavit, if any.
- ☐ 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.

Groundwater Registration Statement Information:

Registration Statement Number: GR-	Certificate of Registration Number: GR-
Issued for use within the State of Oregon, County of:	
Issued in the name of:	
Name GR is currently assigned to:	
Date GR was assigned:	(☐ Check here if not applicable.)
Date on registration statement that construction work began:	
Rate or Volume on entire GR: in ☐ gallons per minute (gpm) or ☐ cubic feet per second (cfs) or ☐ acre-feet (af).	
Source(s) of water identified on GR:	
Use(s) (purposes) of water listed on GR:	
If for irrigation (IR), total number of acres on GR for primary IR _____, supplemental IR _____	

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

Statement of Oath

I/We (Or Authorized Agent)

Residing At

City

State

Zip

With A Mailing Address of (If Different)

City

State

Zip

With A Telephone Number of

With An Email Address of

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 groundwater statement of registration 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 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:

2. I/We are requesting a

[check one box - the affidavit will be returned if more than one box is checked]:

- ☐ Voluntary abandonment of any and all interest in the ENTIRE Groundwater Registration Statement Number: GR- _____ & Certificate of Registration Number: GR-_____.
- ☐ Voluntary abandonment of any and all interest in a PORTION of Groundwater Registration Statement Number: GR- _____ & Certificate of Registration Number: GR-_____.
- ☐ Voluntary diminution of primary irrigation to supplemental irrigation of any and all interest in the ENTIRE Groundwater Registration Statement Number: GR- _____ & Certificate of Registration Number: GR-_____.
- ☐ Voluntary diminution of primary irrigation to supplemental irrigation of any and all interest a PORTION of Groundwater Registration Statement Number: GR- _____ & Certificate of Registration Number: GR-_____.

3. The appurtenant GR ☐ 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. If the GR is located within a district or reclamation project, name it here: _____

- b.** The the GR 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.

District Manager Signature (if applicable)	Printed Name	Date

Complete this item (#4 below) only if this is an ABANDONMENT for a PORTION of the GR. Use the original GR to fill in all the needed information indicated below:

4. I/We have abandoned any and all interest in the following PORTION(S) of the GR identified in the *Groundwater Registration Statement Information* section, above. The PORTION of the GR to be abandoned is as follows:

☐ A place of use, or type of use.

- For the use of (specify irrigation, domestic, etc.) _____
- IF FOR IRRIGATION OR NURSERY USE Total number of acres to be abandoned _____
- In the amount of: _____ ☐ gpm or ☐ cfs and/or _____ af per year

[rate to be abandoned = (total rate on GR/total acres on GR) x number of acres being abandoned]

- From the water source (s) _____
- At the following location(s) (attach a larger table if needed):

ABANDONED PORTION OF GR											
Township	N or S	Range	E or W	Mer	Section	DLC	G-LOT	¼	¼	Acres	Tax Lot
				WM							
				WM							
				WM							
				WM							
				WM							
				WM							
				WM							
				WM							

- Locations of the place of use or acres being abandoned are clearly identified on a copy of the groundwater registration map or an alternate map is being submitted with information sufficient to determine the lands on which the GR is to be abandoned)
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the groundwater registration map or an alternate map is being submitted with information sufficient to determine the lands on which the GR is NOT to be abandoned.

AND/OR

☐ One or more of the authorized points of appropriation authorized under the Groundwater Registration Statement.

- For the use of (specify irrigation, domestic, etc.) _____
- From the water source (s) _____
- Location Description (if included on the groundwater registration):

LOCATION OF ABANDONED POINT(S) OF APPROPRIATION											
Township	N or S	Range	E or W	Mer	Section	DLC	G-LOT	¼	¼	Acres	Tax Lot
				WM							
				WM							
				WM							
				WM							
				WM							
				WM							

Complete this section (#6 below) only for a DIMINUTION of a PORTION of the GR.

5. I/We being the legal owners of the property described below are requesting a partial diminution of the GR identified in the *Groundwater Registration Statement Information* section, above, in the amount of ____ ☐ gpm or ☐ cfs and/or ____ af per year, from _____ (sources) from primary irrigation of ____ acres to supplemental irrigation at the following location(s) as listed on the GR (*attach a larger table if needed*):

PORTION OF GR TO BE DIMINISHED											
Township	N or S	Range	E or W	Mer	Section	DLC	G-LOT	¼	¼	Acres	Tax Lot
				WM							
				WM							
				WM							
				WM							
				WM							
				WM							

- Locations of the place of use and acres being diminished from primary to supplemental irrigation are clearly identified on a copy of the groundwater registration map or an alternate map is being submitted with information sufficient to determine the lands on which the GR is to be diminished).

Signatures and Notary:

Signature of legal owner as listed on deed or authorized agent Printed Name Date

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

Subscribed and Sworn to Before Me this ____ day of ____, 20 ____.

Notary Public for Oregon

My Commission Expires: _____

NOTE: A copy of the affidavit and all supporting documentation will be filed with the original request for Groundwater Registration Statement and made available at the time of adjudication under ORS 537.670 to 537.695.