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Voluntary Cancellations and Diminishments for Water Right Certificates

(Do not use for Groundwater or Surface Water Registrations)

- **Voluntary Cancellation ORS 540.621 and OAR 690-017-0100**

A deeded owner of a certificate of water right may voluntarily cancel the entirety or a portion of their water right certificate. A landowner wishing to voluntarily cancel a water right issued in the name of a district or federal entity must receive consent from the district or government agency.

Process:

An affidavit for the voluntary cancellation of an entire or portion of water right certificate is submitted to the Department along with a (1) a deed which lists the landowners and includes a legal description of affected lands, (2) a copy of an adjudication map, water right final proof map, or a tax lot map with the abandoned right clearly drawn and identified, and (3) if acting as an authorized agent, a copy of the power of attorney or other documents granting authority to act on behalf of legal owners.

- (1) Upon review, if the Department determines the certificate is properly subject to cancellation by the affiant(s), the agency will issue a final order cancelling the entire water right certificate, or for a partial cancellation, will issue both a final order cancelling a portion of the water right and a remaining certificate of water right.

FORMS: (2) AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF AN ENTIRE WATER RIGHT CERTIFICATE
AFFIDAVIT FOR THE VOLUNTARY PARTIAL CANCELLATION OF A WATER RIGHT CERTIFICATE

- **Voluntary Diminishment ORS 540.650 and OAR 690-330-0040 (2)**

Oregon Administrative Rule 690-330-0040 (2) allows for a primary right, at the request of the owner of the right, be diminished to a supplemental status to allow for a new primary right from a more dependable source of water. Pursuant to Oregon Revised Statute 540.650 a new water right as modified shall be reaffirmed by a new water right certificate. A landowner wishing to voluntarily diminish a water right issued in the name of a district or federal entity must receive consent from the district or government agency.

Process:

- (1) An affidavit for the voluntary diminishment of an entire or portion of water right certificate is submitted to the Department along with a (1) a deed which lists the landowners and includes a legal description of affected lands, (2) a copy of an adjudication map, water right final proof map, or a tax lot map with the diminished portion and remaining portion clearly identified, and (3) if acting as an authorized agent, a copy of the power of attorney or other documents granting authority to act on behalf of legal owners.
- (2) Upon review, if the Department determines the certificate is properly subject to diminishment by the affiant(s), the agency will issue both a final order diminishing the entire or portion of the water right certificate, and new certificate of water right as diminished.

FORMS: (2) AFFIDAVIT TO VOLUNTARILY DIMINISH AN ENTIRE WATER RIGHT CERTIFICATE
AFFIDAVIT TO VOLUNTARILY DIMINISH PART OF A WATER RIGHT CERTIFICATE