

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

Order of Certification in the Matter of)
Cancellation of Certificate 6211 under)
Transfer Application T-8156) **FINAL ORDER**

Findings of Fact

1. Transfer Application T-8156, in the name of Ronald Puckett and Cherry Crest Farms, was received August 30, 1999. A Transfer Final Order was issued November 28, 2005, approving a change in place of use for a portion of Certificate 6211.
2. The Transfer Final Order allowed for the change in place of use for a portion of Certificate 6211 being 2.4 acres in SW1/4 NW1/4, T 3 S, R 40 E, Section 14, WM.
3. The approved changes shall be completed, and full beneficial use of water shall be made on or before October 1, 2007.
4. The Department received a Claim of Beneficial Use (Claim) on October 25, 2021.
5. In reviewing the Claim, the Certified Water Right Examiner reported that the change in place of use for the portion of Certificate 6211 was not done.
6. Satisfactory proof of beneficial use was not received for the authorized place of use change authorized by Transfer Final Order T-8156 for the 2.4 acres in SW1/4 NW1/4, T 3 S, R 40 E, Section 14, WM under Certificate 6211.
7. Under the provisions of ORS 537.250, after the Water Resources Department has received a request for issuance of a water right certificate accompanied by the survey required under ORS 537.230(5) that shows, to the satisfaction of the Department, that an appropriation has been perfected in accordance with the provisions of the Water Rights Act, the Department shall issue to the applicant a certificate of the same character as that described in ORS 539.140.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Conclusions of Law

The transfer holder demonstrated to the satisfaction of the Department that no beneficial use was accomplished under the transfer final order for the portion of the order related to Certificate 6211. The portion of Certificate 6211 under Transfer Application T-8156 is lost.

Now, therefore, it is ORDERED:

The portion of Certificate 6211, authorized to be modified under Transfer Application T-8156, is cancelled and is of no further force or effect.

Issued SEP 08 2023.



Dwight French
Water Right Services Division Administrator, for
Doug E. Woodcock, Acting Director
Oregon Water Resources Department