

Oregon Department of Water Resources

In the Matter of a Request for)
Reconsideration of Certificate of) Final Order in Other than a
Water Right Number 84740) Contested Case

On October 3, 2008, the Water Resources Department issued a Final Order in other than a Contested Case described as Certificate of Water Right Number 84740. The Certificate described the extent of use of water, to the satisfaction of the Department, perfected under the terms of Permit 53045.

The Department is reconsidering the issuance of the above referenced certificate because of a letter received by the permit holder requesting reconsideration to correct an error.

FINDINGS OF FACT

1. Water Right Certificate 84740 was issued to the U. S. Bureau of Land Management on October 3, 2008. Water Right Certificate 84740 is a Final Order in Other than a Contested Case.
2. Within 60 calendar days after the date of the order, a person entitled to judicial review may request reconsideration of a final order in other than a contested case with the agency.
3. On November 14, 2008, the U. S. Bureau of Land Management submitted a request for reconsideration of Water Right Certificate 84740 because they disagreed with the location of the sources included in the certificate.
4. The petition may be granted or denied by the Department.

ULTIMATE FINDING OF FACT

Water Right Certificate Number 84740 is a Final Order in Other than a Contested Case. Within 60 calendar days after the date of the order, a person entitled to judicial review may request reconsideration of a final order in other than a contested case with the agency.

The Department can withdraw a certificate to consider a request for reconsideration.

CONCLUSIONS OF LAW

Oregon Administrative Rule 137-004-0080 allows the Department to receive Requests for Reconsideration of Final Orders in Other than Contested Case and to grant reconsideration of the Final Order.

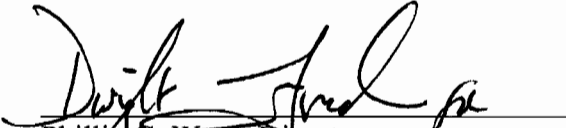
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005 you may either petition for judicial review petition the Director for reconsideration of this order.

ORDER

The Department hereby reconsiders and withdraws Final Order Water Right Certificate Number 84740 in the name of U. S. Bureau of Land Management and that Final Order Certificate Number 84740 is of no force or effect.

Issued JAN 02 2009


Phillip C. Ward, Director
Water Resources Department