

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

In the Matter of Temporary Transfer      )  
T-12900, Polk County, Oregon            )

ORDER TERMINATING A  
TEMPORARY TRANSFER

**Authority**

OAR 690-380-8002(3) and 690-380-8004(7) provide that the uses authorized under a temporary transfer revert to the terms and conditions of the originating water right on the written request of the applicant.

**Applicant**

DAVE KAUER  
KAUER FAMILY FARMS  
7325 SE AMITY-DAYTON HWY  
AMITY, OR 97101

**Findings of Fact**

1. On August 23, 2018, the Water Resources Department issued an order approving the temporary changes proposed in Application T-12900. The order was recorded in Special Order Volume 109, Page 154.
2. Under the order, the water right would revert to the authorized place of use at the end of the 2022 irrigation season.
3. The most recent use of water at the place of use authorized under the temporary transfer was during the 2018 irrigation season.
4. Dave Kauer of Kauer Family Farms, the applicant, submitted a written request that the temporary transfer be voluntarily terminated.

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, you may petition for judicial review or 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.

**Now, therefore, it is ORDERED:**

Temporary Transfer T-12900 is terminated. The use shall revert to the place of use authorized under Certificate 36427. Water may not be used at the authorized place of use during the same season in which water was used under the Temporary Transfer.

Dated in Salem, Oregon on **AUG 29 2019**

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

*Mailing date:*

**AUG 30 2019**