

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

In the Matter of Transfer Application	)	FINAL ORDER FOR A PARTIAL
T-12190, Tillamook County	)	REVERSION OF A CHANGE IN POINTS OF
	)	APPROPRIATION AND AMENDING
	)	SPECIAL ORDER VOLUME 105, PAGES
	)	639-645, APPROVING T-12190

**Authority**

OAR 690-380-6010(6) provides that a point of diversion or appropriation shall revert to the last authorized point of diversion or appropriation if the changes authorized under a transfer are not completed.

**Applicant**

FAIRVIEW WATER DISTRICT  
403 MAROLF LOOP ROAD  
TILLAMOOK, OR 97141

**Findings of Fact**

1. On October 27, 2015, FAIRVIEW WATER DISTRICT filed an application to change the points of appropriation under Certificate 30205. The Department assigned the application number T-12190.
2. On August 18, 2017, the Water Resources Department issued an order approving the proposed change in points of appropriation. The order was recorded in Special Order Volume 105, Page 639-645.
3. On September 22, 2022, David Pace, Superintendent of Fairview Water District sent a letter to the Department requesting to partially revert 0.88 cubic foot per second (cfs) approved under T-12190 from the proposed well back to the original point of appropriation (Well 2).

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.

**Conclusion of Law:**

The partial reversion of 0.88 cfs from the point of appropriation authorized under Transfer Application T-12190 to the point of appropriation (Well 2) authorized under the water right prior to Transfer Application T-12190 is consistent with OAR 690-380-6010(6). A superseding certificate for the reverted portion of the right affected by the transfer shall be issued.

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

1. The point of appropriation for 0.88 cfs of the right affected under Transfer Application T-12190 for the right described by Certificate 30205 is reverted to the point of appropriation (Well 2) authorized under the water right prior to the transfer.
2. A superseding certificate for the 0.88 cfs portion of Certificate 30205 approved for a change in point of appropriation by Transfer Application T-12190 shall be issued to describe that portion of the right.
3. All other terms and conditions of Special Order Vol. 105, pages 639-645 remain unchanged.

Dated in Salem, Oregon on **MAR 15 2023**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

*Mailing date:* **MAR 16 2023**