

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

POLK COUNTY

IN THE MATTER OF DIMINUTION OF A)
PERFECTED WATER RIGHT EVIDENCED) FINAL ORDER
BY CERTIFICATE 13461 IN THE NAME OF)
GILBERT GROSHONG)
)

Authority

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.

Findings of Fact

1. On February 4, 2024, the Department received an affidavit from Groshong Farm, LLC, c/o Linda Davis (agent), 38155 Conser Road NE, Albany, OR 97321 asserting Groshong Farm, LLC is the owner of lands and the appurtenant water right as evidenced by water right Certificate 13461. The affiant further asserts they are pursuing a different source of water for the primary irrigation of these lands and requests that the entire water right be diminished from a right for primary irrigation to a right for supplemental irrigation of the lands.
2. Water Right Certificate 13461 allows the use of 0.30 cubic foot per second (cfs), from Wilson Lake for irrigation of 23.6 acres. The priority date is July 13, 1935.
3. The affiant requests the use of 0.30 cfs of water for the irrigation of the lands described below, as currently authorized under Certificate 13461, be diminished to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	4 W	WM	24	SE NE	40	23.6

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. 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:

1. Certificate 13461 is cancelled.
2. The water right for the use of 0.30 cfs for irrigation on 23.6 acres, as described by Certificate 13461 is diminished from a right for primary irrigation to a right for supplemental irrigation.
3. The Department will issue water right Certificate 97683, a new and superseding certificate, to describe diminution of the entire right.

Dated in Salem, Oregon on MAY 17 2024



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

Mailing date: MAY 17 2024

Tap	Rate	Sec	D-C	D-E	Acres
102	1.00	12	12	12	23.6