

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF AMENDING THE)
ORDER OF CANCELLATION OF CERTAIN)
PERMITS TO APPROPRIATE WATER UNDER)
THE PROVISIONS OF ORS 537.260)

O R D E R

On June 18, 1987 the Special Order entered at volume 41, page 311 canceled certain permits because the time within which the appropriations should have been perfected expired. The owners of such permits failed or refused within the period of three months thereafter to submit proof of the completion of such appropriations as required by ORS 537.260. Notices were addressed to each of the owners of said permits by certified mail in accordance with the provisions of ORS 537.260 and ORS 174.160. The owners of such permits failed or refused to submit proof of the completion of the appropriations under the terms and conditions of their respective permits, although the sixty-day time limit allowed in such notices has elapsed.

On June 26, 1987 each party having a permit being canceled by the above referenced Special Order was notified by postal card that their respective permits were canceled.

An order of the Director is final after 60 days has passed from the date the order was entered. If the Director is petitioned within said 60 day period, all or a portion of said order may be reconsidered. The order may be amended if a request to reconsider is timely filed.

On July 8, 1987, a phone call request to reconsider was received from Cape Ferrelo Adventist School, successor in interest to the owner of Permit 46196. A written request was received August 25, 1987. The request is considered timely and showed cause why the permit should not have been canceled. The permit allowed the use of water for irrigation, domestic use, and school use. The school has submitted information that indicates the uses were completed within the terms of the permit.

On July 17, 1987 a request to reconsider was received from The Estate of Ermin and Dora Jensen the owners of Permit 44143. The request was timely and showed cause why the permit should not have been canceled. The permit allowed the use of water for irrigation. Ms. Hilliard has submitted information that indicates that the use as proposed was completed within the terms of the permit.

The Special Order entered June 18, 1987 at volume 41, page 311 should be amended to delete the following permits from said order:

NAME	APPLICATION NO.	PERMIT NO.
Brookings Seventh Day Adventist Church School	60887	46196
Ermin and Dora Jensen	58089	44143

NOW, THEREFORE, it hereby is ORDERED that said order be amended to delete reference to said permits. The said permits shall be considered as being restored to the status they enjoyed immediately prior to entry of the order on June 18, 1987.

Date at Salem Oregon this *31st* day of March, 1988

William H. Young
WILLIAM H. YOUNG
Director