

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

In the Matter of Transfer Application) FINAL ORDER TERMINATING A
T-9921, Wallowa County, Oregon) TEMPORARY TRANSFER

Findings of Fact

1. On April 29, 2005, Richard Makens, 69622 Sherrod Road, Wallowa, Oregon 97885, submitted an application proposing to temporarily transfer the place of use under Certificates 81223 and 81224 for a period of five years. The application was assigned number T-9921.
2. A final order approving T-9921 was issued approved June 22, 2005, as evidenced by Special Order Volume 65, pages 142-145. The final order contains a condition reverting the water right to the authorized place of use at the end of the 2009 irrigation season.
3. On February 24, 2006, Kirby Fiegel, P.O. Box 173, Lostine, OR 97857, the owner of the lands to which the water right is appurtenant as listed on the certificates, requested that the temporary transfer be terminated. As the owner of the lands, Kirby Fiegel is authorized to seek termination of the temporary transfer.

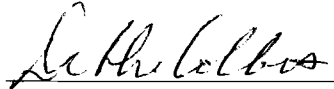
Conclusions of Law

Termination of the transfer in advance of the 2006 irrigation season is consistent with OAR 690-380.

Now, therefore, it is ORDERED:

Temporary Transfer 9921 is terminated and no longer in effect. The use shall revert to the authorized place of use.

Dated at Salem, Oregon this 5th day of March, 2006.

For 
Phillip C. Ward, Director

Mailing date: MAR 03 2006

This is a final order in other than 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 either 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.