

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

In the Matter of Transfer Application    )  
T-9811, Clackamas County                )

**ORDER REVERTING ADDITIONAL  
POINTS OF APPROPRIATION**

**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**

COLUMBIA FRUIT LLC  
2526 DIKE ROAD  
WOODLAND, WA 98674

**Findings of Fact**

1. On November 4, 2011, Leo Gentry Wholesale Nursery, Inc., filed an application for additional points of appropriation under Certificates 44142, 44143, and 51883. The Department assigned the application number T-9811.
2. On December 20, 2006, the Water Resources Department issued an order approving the proposed additional points of appropriation. The order was recorded in Special Order Volume 70, Pages 762-766.
3. On February 24, 2010, an extension of time to complete Transfer Application T-9811 was approved. The extended completion date is October 1, 2015.
4. On March 14, 2016, the application was assigned to Columbia Fruit LLC, 2526 Dike Road, Woodland, Washington, 98674.
5. On June 9, 2016, the agent for Columbia Fruit LLC, Doann Hamilton, Pacific Hydro-Geology Inc., notified the Department that the change authorized under T-9811 would not be completed and requested that the additional points of appropriation revert back to the original points of appropriation.

<p>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.</p>
---

## Conclusion of Law

The reversion of the additional points of appropriation authorized under Transfer Application T-9811 to the points of appropriation authorized under the water rights prior to Transfer Application T-9811, is consistent with OAR 690-380-6010(6). Superseding certificates for the rights affected by the transfer shall be issued.

### Now, therefore, it is ORDERED:

1. The additional points of appropriation authorized under Transfer Application T-9811 for the rights described by Certificates 44142, 44143, and 51883 are reverted to the points of appropriation authorized under these water rights prior to the transfer.
2. Superseding certificates for those portions of Certificates 44142, 44143, and 51883 approved for additional points of appropriation by Transfer Application T-9811 shall be issued to confirm those portions of the rights.

Dated at Salem, Oregon this 14 day of June, 2016.



\_\_\_\_\_  
Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

JUN 20 2016

Mailing date: \_\_\_\_\_