BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) ORDER WITHDRAWING A TRANSFER
T-7038, Marion County, Oregon) APPLICATION

ORS 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant
Blue Heron Farm – Peter Dinsdale
P.O. Box 357
Independence, OR 97351

Findings of Fact

1. On September 16, 1993 Miller Forests, Inc. submitted Transfer Application 7038 and on April 28, 2005 assigned the application to Blue Heron Farm – Peter Dinsdale.

2. On June 14, 2005 the Department issued a Preliminary Determination indicating that based on the information available, the Department intended to approve application T-7038.

3. On September 6, 2005, Blue Heron Farm requested, in writing, that Transfer Application 7038 be withdrawn.

Now, therefore, it is ORDERED:

Transfer 7038, in the name of Blue Heron Farm – Peter Dinsdale, is withdrawn and of no further force or effect. Any unearned fees will be refunded Miller Forests, Inc.

Dated at Salem, Oregon this _13th_ day of _September_, 2005.

for Phillip C. Ward
Director

Mailing date: **SEP 2 8 2005**

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW
This is an order 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 137-004-080 and OAR 690-01-005, 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.