

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

IN THE MATTER OF A CANCELLATION OF THE ENTIRETY)
OF WATER RIGHT CERTIFICATE 83072, IN THE NAME OF) FINAL ORDER
MARK OLSON, POLK COUNTY)

Authority

Oregon Revised Statute 540.621 and Oregon Administrative Rules 690-17-0100 direct the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. The Department received AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF AN ENTIRE WATER RIGHT CERTIFICATE (Affidavit) signed by Mark W. Olson, 8750 North Oak Grove Road, Rickreall, OR 97371, and Philip R. Olson, 23725 SE Old Bethel Road, Amity, OR, 97101, on behalf of HVR, INC., stating it is the owner of land and the water right appurtenant to the water right evidenced by Certificate 83072.
2. Pursuant to OAR 690-017-0100(2)(a), the Department has determined HVR, INC. is the recorded owner, as established by county deed records, of the land and water right evidenced by Certificate 83072.
3. Certificate 83072 allows for the use of 0.446 cubic foot per second (cfs) from an unnamed stream, and Mark Olson Reservoir (Permit R-10812), tributaries to Ash Swale, for the irrigation of 49.1 acres. The date of priority is October 1, 1986.
4. The affidavit requests cancellation of the entirety of the certificate.

Conclusions of Law

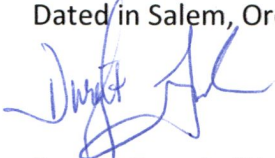
The Director of the Water Resources Department concludes the right evidenced by Certificate 83072 has been abandoned in accordance with the provisions of ORS 540.621 and should be cancelled.

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.

Now, therefore, it is ORDERED:

Certificate 83072 is cancelled.

Dated in Salem, Oregon on MAR 10 2020



Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: MAR 10 2020