

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

IN THE MATTER OF THE PROPOSED	)	PC 95-1
CANCELLATION OF THE WATER RIGHT	)	
EVIDENCED BY CERTIFICATE 13842 IN THE	)	
NAME OF M.D.L. CROOKS FOR IRRIGATION,	)	ORDER OF DISMISSAL
STOCK AND DOMESTIC USE FROM WEST FORK	)	
CROOKS CREEK, JOSEPHINE COUNTY, OREGON	)	

This matter came on for hearing in Grants Pass, Oregon on September 15, 1995, before Administrative Law Judge Weisha Mize.

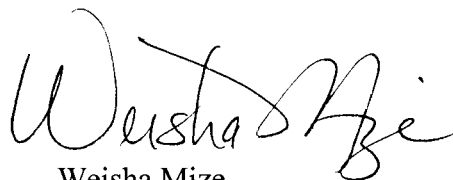
Protestants Carlos and Randalyn Gutierrez appeared with their witnesses.

Proponents Alan Leonetti, Christina Drewrey and Fawn Fayson did not appear. Proponents Robert "Ed" Bauman and Peggy Lowry appeared and stated on the record that they were mistaken in the facts as asserted in the affidavits and that they withdrew their allegations of nonuse and did not wish to proceed with the proposed cancellation of the right in question.

The affidavits of Peggy Lowry and Robert Bauman having been withdrawn, there being no testimony given as to the facts alleged in the affidavits on which this proposed cancellation was initiated, there being therefore no basis on which to proceed and the proponents having failed to meet their burden, the proposed cancellation of the water right evidenced by Certificate 13842 was and is hereby

DISMISSED.

Issued this 19th day of September, 1995.



Weisha Mize  
Administrative Law Judge

NOTICE: You are entitled to judicial review of this Order. Judicial review may be initiated by filing a petition for review with the Oregon Court of Appeals in Salem within 60 days from the date of service (date of mailing) of this Order. Judicial review is pursuant to the provisions of ORS 537.075.