

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

In the Matter of Transfer Application	)	ORDER REVERTING WATER
T-11014, Multnomah County, Oregon	)	RIGHTS CHANGES APPROVED BY
	)	TRANSFER T-11014

**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**

PORTLAND STATE UNIVERSITY  
ATTN: RICHARD KOONTZ  
P.O. BOX 751  
PORTLAND, OR 97207

**Findings of Fact**

1. On February 1, 2010, Portland State University (PSU) filed an application to add and change points of appropriation and associated places of use under Certificates 35590 and 44645. The Department assigned the application number T-11014.
2. On June 23, 2010, the Water Resources Department issued an order approving the proposed changes. The order was recorded in Special Order Volume 81, Page 255.
3. On July 19, 2011, Ted Ressler, of GSI Water Solutions, Inc., authorized agent for the applicant, notified the Department that the changes authorized under T-11014 would not be completed, because the target aquifer (Troutdale Gravel Aquifer) was found to be of diminished thickness and capacity and was therefore not suitable for hosting the two proposed wells that had been approved. Without constructing the new wells, the other associated changes in place of use could not feasibly be completed.
4. PSU made a good faith attempt to complete the changes proposed and approved under T-11014 but was unable to complete the changes due to the hydrogeological conditions at the project site.

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.

5. Given the circumstances, PSU requested that the rights revert back to the original terms and conditions of the certificates prior to approval of T-11014.

**Now, therefore, it is ORDERED:**

The changes authorized under Application T-11014 are reverted to all terms and conditions authorized under the water rights prior to the transfer. Superseding certificates for the rights affected by the transfer shall be issued.

Dated at Salem, Oregon this 8 day of August, 2011

  
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Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR

Mailing date: AUG 09 2011