

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

In the Matter of Transfer Application        )     ORDER WITHDRAWING A  
T-9585, Umatilla County                    )     TRANSFER APPLICATION

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, 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**


EARL BROWN & SONS, INC.  
c/o RONALD E. BROWN  
P.O. BOX 249  
MILTON-FREEWATER, OR 97862

Transfer Application T-9585, in the name of the Earl Brown & Sons, Inc., was filed September 30, 2003. On February 17, 2009, Ronald E. Brown, CEO of Earl Brown & Sons, Inc., requested that Transfer Application T-9585 be withdrawn.

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

Transfer Application T-9585, in the name of the Earl Brown & Sons, Inc., is withdrawn and of no further force or effect. Any unearned fees will be refunded.

Dated at Salem, Oregon this 24<sup>th</sup> day of February, 2009.

*for*   
Phillip C. Ward  
Director

Mailing date:                     MAR 23 2009                    

**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.