

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

In the Matter of Ground Water)	WITHDRAWAL OF A FINAL ORDER
Registration Modification Application)	APPROVING RECOGNITION OF
T-11388, Polk County)	MODIFICATION OF A POINT OF
)	APPROPRIATION AND ADDITIONAL
)	POINTS OF APPROPRIATION

Authority

ORS 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a ground water certificate of registration.

OAR Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating ground water registration modification applications.

Applicants

ECHO RIDGE FARMS, INC.
4494 RAYBELL RD NE
SAINT PAUL, OR 97137

WESTWOOD FARMS, INC.
PO BOX 82
SAINT PAUL, OR 97137

ARROWHEAD FARMS, INC.
PO BOX 127
SAINT PAUL, OR 97137

Findings of Fact


1. The Department issued an order recognizing modification of a point of appropriation and additional points of appropriation under Transfer Application T-11388 on August 25, 2014. The order is entered at Special Order volume 93, Pages 291-294. The Final Order was mailed September 3, 2014.
2. On September 4, 2014, the Department discovered that the Order was issued instead of the Preliminary Determination. The Department recognizes that issuance of the order was not consistent with OAR 690-380-4020 and OAR 690-380-5000 and is withdrawing its order.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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:

1. The order approving Transfer Application T-11388 and entered at Special Order volume 93, Pages 291-294 is withdrawn and of no further force or effect.
2. A Preliminary Determination will be issued for Transfer Application T-11388.

Dated at Salem, Oregon this 5 day of September, 2014.



Dwight French
Water Right Services Administrator, for
Director
Oregon Water Resources Department

Mailing Date: SEP 09 2014