

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) ORDER REVERTING A POINT OF
T-6455, Clackamas County) APPROPRIATION

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

James R. Bushue
9880 Revenue Road
Boring, OR 97009

Findings of Fact

1. On December 18, 1990, James R. Bushue filed an application to change the point of appropriation under Certificate 45138. The Department assigned the application number T-6455.
2. On April 30, 1991, the Water Resources Department issued an Order approving Transfer T-6455. This order was recorded in the Department's Special Order Volume 45, Pages 233-234.
3. On September 27, 1993, a Claim of Beneficial Use was filed for Transfer T-6455.
4. On June 30, 2010, a Request for Assignment was submitted assigning interest in Transfer Application T-6455 to Barry Bushue.
5. On June 30, 2010, Barry Bushue submitted a letter to the Department withdrawing the Claim of Beneficial use and requesting to revert to the last authorized point of appropriation.

This final order is in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed with in 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:

Because the point of appropriation change will not be completed, the point of appropriation authorized Transfer Application T-6455 is reverted to the last point of appropriation prior to the transfer. Special Order Volume 45, Pages 233-234, is of no further force or effect. A superseding certificate for the right affected by the transfer shall be issued in the name of Barry Bushue.

Dated at Salem, Oregon this 13th day of July, 2010


for Phillip C. Ward, Director

Mailing date: JUL 14 2010