

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

Order of Certification in the Matter of)
Partial Cancellation of Transfer T-7567)

FINAL ORDER

Findings of Fact

1. Transfer Application 7567 (T-7567), in the name of Iverson Brothers Bulb Farm, Inc., was received May 24, 1996, and was approved by Special Order Volume 61, Page 514, on September 30, 2004. T-7567 was subsequently assigned to Iverson Family Farms, Inc.
2. T-7567 approved a change in place of use for Certificates 34541 and 60849. The date for the complete application of water (C-Date) was set for October 1, 2005. The C-Date was subsequently extended to October 1, 2007 by Special Order Volume 70, Page 599.
3. The Department received a Claim of Beneficial Use (Claim) on November 24, 2008.
4. The Claim indicated that the portion of the transfer for Certificate 60849 is not claimed.

Conclusions of Law

Satisfactory proof of beneficial use was not received. The portion of the use allowed by T-7567 for Certificate 60849 is lost.

Under the provisions of OAR 690-380-6010(2), a part of a transferred water use that is not applied to beneficial use under the terms of the transfer order for change in use or place of use, or within any extension of time allowed for extension, is lost.


NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may either petition for judicial review and may 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:

The portion of Transfer T-7567 for Certificate 60849 is cancelled and is of no further force or effect.

Issued AUG 03 2016 .



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department