

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
CLACKAMAS COUNTY

IN THE MATTER OF DIMINUTION OF A )  
 PORTION OF A PERFECTED WATER RIGHT ) FINAL ORDER  
 EVIDENCED BY CERTIFICATE 54234 IN THE )  
 NAME OF RICHARD KOCH )

**Findings of Fact**

1. On August 31, 2017, the Department received an affidavit from Schmidt Limited Partnership, PO Box 189, Boring, OR 97009, the owner of lands and the water right appurtenant as evidenced by water right Certificate 54234.
2. Water Right Certificate 54234 allows the use of 0.07 cubic foot per second (cfs) for irrigation of 5.6 acres. The priority date is October 29, 1981.
3. The affiant requests a portion of the water right Certificate 54234 be diminished from a right for irrigation to a right for supplemental irrigation.
4. The affidavit requests the use of 0.06 cfs for the irrigation of the following lands be diminished to supplemental irrigation:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 E	WM	18	SE SE	37	4.8

**Now, therefore, it is ORDERED**

1. Certificate 54234 is cancelled.
2. The portion of the water right for the use of 0.06 cfs for irrigation on 4.8 acres, as described by Certificate 54234, is diminished from a right for irrigation to a right for supplemental irrigation.
3. The Department shall issue water right Certificate 93609, a new and superseding certificate, to describe the partial diminution of the right.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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.

Issued FEB 9 2018



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

*Mailing date:* FEB 9 2018