

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

IN THE MATTER OF A CANCELLATION OF THE )  
ENTIRETY OF WATER RIGHT CERTIFICATE 90384, ) FINAL ORDER  
IN THE NAME OF THE CITY OF GLADSTONE AND )  
ROBINWOOD RIVIERE PROPERTY OWNERS' )  
ASSOCIATION, CLACKAMAS COUNTY )

**Authority**

Oregon Revised Statute 540.621 and Oregon Administrative Rules 690-17-0100 direct the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

**Findings of Fact**

1. The Department received AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF AN ENTIRE WATER RIGHT CERTIFICATE (Affidavit) from Jacque Betz, City Administrator, as an authorized agent of the City of Gladstone (City), 525 Portland Avenue, Gladstone, OR 97027, stating the City is the owner of land and the water right appurtenant to the water right evidenced by Certificate 90384.
2. Pursuant to OAR 690-017-0100(2)(a), the Department has determined the City is the recorded owner, as established by county deed records, of the land and water right evidenced by Certificate 90384.
3. Certificate 90384 allows for the use of 4.3 acre-feet of stored water from an unnamed stream, tributary of the Willamette River, for wetland enhancement. The date of priority is December 20, 1996.
4. According to the City the reservoir associated with the dam has been removed and the creek remeandered to provide aquatic habitat along the Willamette River.
5. The affidavit requests cancellation of the entirety of the certificate.

**Conclusions of Law**


The Director of the Water Resources Department concludes the right evidenced by Certificate 90384 has been abandoned in accordance with the provisions of ORS 540.621 and should be cancelled.

This is a final 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.

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

1. Certificate 90384 is cancelled.

Dated at Salem, Oregon JAN 31 2018



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Dwight French, Water Right Services Administrator for  
THOMAS M. BYLER, DIRECTOR

Mailing Date: JAN 31 2018