

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING REVERSION
T-8503, Clackamas County, Oregon	)	OF A CHANGE IN POINT OF
	)	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**

ROBERT E. JOHNSON  
6358 SOUTH SCHNEIDER ROAD  
WOODBURN, OR 97071

**Landowners**

TIMOTHY LEE AND EUNIKE P GUTTRIDGE  
6358 S SCHNEIDER RD  
WOODBURN, OR 97071

**Findings of Fact**

1. On April 7, 2000, ROBERT E. JOHNSON filed an application to change the point of appropriation and cancel a portion of acres under Certificate 45134. The Department assigned the application number T-8503.
2. On August 25, 2000, Transfer Application T-8503 was approved and the order is recorded in Special Order Volume 54, Page 614. Certificate 45134 was cancelled and the right is considered inchoate.
3. The final order set a date of OCTOBER 1, 2001, for the changes to be completed. The claim of beneficial use was due OCTOBER 1, 2002.

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.

4. On October 13, 2021, the Department contacted the current landowners as verified by the Clackamas County Assessor's office, by certified mail. The Department notified them of an incomplete transfer, and the rights involved with the transfer could be reverted back to the original location prior to approval of Transfer T-8503, if a Claim of Beneficial Use or an Application for Extension of Time on Transfer T-8503 is not received. The Department requested a response by November 15, 2021.
5. On October 27, 2021, the Department received the signed certified mailing card, but the Department did not receive any further response to the incomplete transfer.
6. As of January 28, 2022, no Claim of Beneficial Use showing beneficial use of the inchoate water, or an Application for Extension of Time on Transfer T-8503 has been filed with the Department.
7. Pursuant to OAR 690-380-6010(6), the change in point of appropriation shall revert to the last authorized point of appropriation for the transfer not completed.

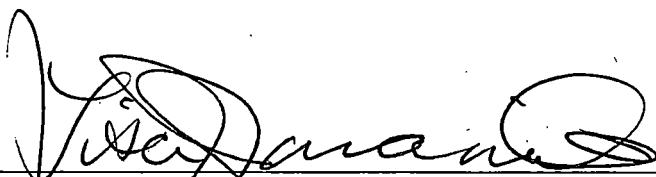
#### **Conclusion of Law**

The reversion of the change in point of appropriation back to the authorized point of appropriation under Certificate 45134 is consistent with the requirements of OAR 690-380-6010(6).

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

1. The change in point of appropriation authorized under Transfer Application T-8503 for the right described by Certificate 45134 is reverted to the point of appropriation authorized under the water right prior to the transfer.
2. A superseding certificate, in the name of ROBERT E. JOHNSON, shall be issued to describe the water right reverted.

Dated at Salem, Oregon this MAR 16 2022.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing date: MAR 17 2022