

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON

IN THE MATTER OF THE CANCELLATION OF )  
CERTAIN PERMIT(S) TO APPROPRIATE WATER ) ORDER  
UNDER THE PROVISIONS OF ORS 537.260 )

**Findings of Fact**

1. The time within which the appropriations under the following water right permit(s) must have been perfected has expired. The owners of such permit(s) have failed or refused within the period of three months thereafter to submit proof of the completion of such appropriations as required by ORS 537.260. Consequently, notices have been addressed to each of the owners of said permit(s) by certified mail in accordance with the provisions of ORS 537.260 and ORS 174.160. The sixty-day time limit allowed in those notices has elapsed, and the owners of such permit(s) have failed or refused to submit proof of the completion of the appropriations under the terms and conditions of their respective permit(s).

PERMIT(S) TO USE GROUNDWATER:

<u>Name</u>	<u>Basin Number</u>	<u>Watermaster District</u>	<u>Application Number</u>	<u>Permit Number</u>
DAVID BERNERT	2	16	G-16511	G-16099

**Conclusions of Law**

1. Proof of appropriation of water under the terms and conditions of the permit(s) listed has not been made to the satisfaction of the Water Resources Director as required under ORS 537.260.

**Order**

1. NOW, THEREFORE, it is hereby ORDERED that the permit(s) are canceled in accordance with the provisions of ORS 537.260.

Dated at Salem, Oregon on SEP 23 2021



Dwight French, Water Right Services Administrator  
for Tom Byler, Director

PLACED IN U.S. MAIL SEP 23 2021  
BY OREGON WATER RESOURCES DEPARTMENT

**This is a final order in other than 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.