BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER TERMINATING A
T-10625, Wasco County)	TEMPORARY TRANSFER
)	RECORDED IN SPECIAL ORDER
)	VOLUME 75 PAGES 171-174

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion or appropriation authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

Paul and Dixie Schanno 82163 Dufur Valley Road Dufur, Oregon 97021-3142

Findings of Fact

- 1. On May 8, 2008, Paul and Dixie Schanno filed an application to temporarily change the place of use and point of diversion under Certificates 48907 and 48992 for a period of three years. The Department assigned the application number T-10625.
- 2. A final order approving T-10625 was issued June 23, 2008, as evidenced by Special Order Volume 75, Pages 171-174. The final order contains a condition reverting the water right to the authorized place of use at the end of the 2010 irrigation season.
- 3. On March 5, 2010, the applicant of the lands to which the water right is appurtenant as listed on the certificates, requested that the temporary transfer be terminated.
- 4. Termination of Temporary Transfer Application T-10625 in advance of the 2010 irrigation season is consistent with OAR 690-380-8002(3).

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 either 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.

Conclusions of Law

Termination of the transfer in advance of the 2010 irrigation season is consistent with OAR 690-380-8002(3).

Now, therefore, it is ORDERED:

- 1. Temporary Transfer Application T-10625, in the name of Paul and Dixie Schanno, is terminated and no longer in effect.
- 2. The place of use and point of diversion shall revert to the authorized locations.

Dated at Salem, Oregon this 13 the day of April, 2010.

Phillip C. Ward, Director

Mailing date: _____ APR 1 5 2010