

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. On February 15, 1996, Permit G-12063 was issued authorizing the use of 0.96 cubic foot per second water from a well in Willow Creek Basin for irrigation of 76.7 acres. The permit required that complete application of water was to be made on or before October 1, 1998.
2. On April 21, 1998, a Claim of Beneficial Use Site Report and Map was submitted to the Department detailing the extent to which Permit G-12063 has been developed.
3. On April 24, 2009, a Final Order was issued extending the date for complete application of water from October 1, 1998, to October 1, 2012.
4. On June 30, 2009, a Final Order Approving additional points of appropriation and a change in point of appropriation under Permit G-12063, as amended by Permit Amendment T-8350 and T-8636. A Claim of Beneficial Use Site Report and Map detailing the extent to which Permit G-12063, as amended by Permit Amendment T-8350 and T-8636, has been developed, was to be submitted on or before October 1, 2013.
5. 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 TO USE GROUNDWATER:

<u>Name</u>	<u>Basin Number</u>	<u>Watermaster District</u>	<u>Application Number</u>	<u>Permit Number</u>
Brian S. and Susan S. Thompson; and 55805 HWY 74 Heppner, OR 97836	7-Umatilla	21	G-13626	G-12063

Jason A. Stewart and Sybil J. Stewart
55700 HWY 74
Heppner, OR 97836

Conclusions of Law

1. Proof of appropriation of water under the terms and conditions of the permit 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 is canceled in accordance with the provisions of ORS 537.260.

Dated at Salem, Oregon on December 12th, 2019



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

DEC 13 2018

PLACED IN U.S. MAIL
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.