

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

Order of Certification for Permits 50121,)
R-11367, and 51211)
)
)

FINAL ORDER

Findings of Fact

1. Application 69263 was filed September 1, 1987, in the name of Kirpal Light Satsang. Permit 50121 was issued approving the application.
2. Permit 50121 allows use of the waters of an Unnamed Stream and Rock Creek for irrigation and maintenance of a fire protection system. The date of priority is September 1, 1987. The date for complete application of water was set for October 1, 1995.
3. Applications R-69571 and 69572, in the name of Kirpal Light Satsang, Inc., were filed March 28, 1988. Permits R-11367 and 51211 were issued approving the applications.
4. Permit R-11367 allows storage of the waters of Unnamed Springs in five reservoirs for irrigation, supplemental irrigation, and domestic use for two families. The priority date is March 28, 1988. The date for the complete application of water was set for October 1, 1995.
5. Permit 51211 allows use of the waters of three drainage ways, an unnamed stream, seven unnamed swales, five reservoirs constructed under Permit R-11367, and the Umpqua River for irrigation, supplemental irrigation, and domestic use for two families. The priority date is March 28, 1988. The date for the complete application of water was set for October 1, 1995.
6. A single Claim of Beneficial Use for all three permits was received October 7, 1996.
7. The claim was not sufficient to determine the extent of water use within the terms of the permits.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW


This is an 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 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.

8. The Department sent a letter, dated December 24, 2003, requesting additional information necessary to determine the extent of beneficial use. The Department did not receive a response to this letter.
9. The Department sent a letter, dated July 22, 2008, again requesting additional information necessary to determine the extent of beneficial use. This letter requested a response, including a schedule of when the additional information would be provided, within 30 days. The Department did not receive a response to this letter.
10. The applicant has failed to provide a satisfactory Claim of Beneficial Use sufficient to determine the extent of beneficial use within the terms of Permits 50121, R-11367, and 51211. The permits should be cancelled.

Now, therefore, it is ORDERED:

1. Permit 50121, in the name of Kirpal Light Satsang, is cancelled and of no further force or effect.
2. Permit R-11367, in the name of Kirpal Light Satsang, Inc., is cancelled and of no further force or effect.
3. Permit 51211, in the name of Kirpal Light Satsang, Inc., is cancelled and of no further force or effect.

Issued SEP 03 2008.


Phillip C. Ward, Director
Water Resources Department