

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

In the Matter of Transfer Application) ORDER REVERTING A CHANGE IN
T-9638, Marion County, Oregon) POINTS OF APPROPRIATION

Applicant

SPRING LAKE FARMS, LLC
C/O PAUL KUEHNE
PO BOX 99
LAFAYETTE OR 97127

Findings of Fact

1. On February 3, 2004, Julian Ruiz filed an application requesting to change the point of appropriation under Certificate 85375. The Department assigned the application number T-9638.
2. On October 4, 2010, the Water Resources Department issued an order approving T-9638. The order was recorded at Special Order Volume 82, Page 5.
3. On January 11, 2018, the transfer application was assigned to Spring Lake Farms LLC, c/o Paul Kuehne, PO Box 99, Lafayette, OR 97127.
4. On February 6, 2018, Eric Urstadt, agent for Paul Kuehne, notified the Department via e-mail that the change authorized under Transfer Application T-9638 would not be completed and requested that the authorized point of appropriation revert back to the original point of appropriation.

Conclusion of Law

The reversion of the change in point of appropriation authorized under Transfer Application T-9638 to the point of appropriation authorized under the water right prior to T-9638, is consistent with OAR 690-380-6010(6). A superseding certificate for the right affected by the transfer shall be issued.

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.

Now, therefore, it is ORDERED:

1. The change in point of appropriation authorized under Transfer Application T-9638 for the right described by Certificates 85375 is reverted to the point of appropriation authorized under the water right prior to the transfer.
2. A superseding certificate for Certificate 85375 shall be issued to confirm the reversion of the point of appropriation.

Dated at Salem, Oregon this 14th day of February, 2018.



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

Mailing date: FEB 15 2018