

BEFORE THE DIRECTOR OF THE
OREGON WATER RESOURCES DEPARTMENT

In the Matter of the Cancellation of a Portion
of a Water Right in the Name of the Grants
Pass Irrigation District
Evidenced by Certificate 50650

FINAL ORDER DISMISSING CONTESTED
CASE PROCEEDING

LYNN and JOAN FOLEY, *Proponents*.

TO: LYNN and JOAN FOLEY

The Water Resources Department (Department) received an affidavit from Lynn and Joan Foley (proponents), the owners of lands identified in water right Certificate 50650, stating that the water right appurtenant to their lands had been abandoned and requesting voluntary cancellation of the water rights.

The Department notified proponents that a hearing would be held on their proposed cancellation. The contested case hearing on this matter has been held in abeyance pending settlement in a related circuit court matter involving the proponents and the Grants Pass Irrigation District. Pursuant to a stipulated settlement agreement signed by the parties to the circuit court matter and entered in the circuit court in April 2001, the proponents withdrew their voluntary cancellation affidavits.

Consistent with the withdrawal of the affidavits, the Department concludes that cancellation of a portion of the water right evidenced by water right Certificate 50650, as identified in proponents' cancellation affidavit, is not warranted and no hearing is required.

ORDER

It is therefore ordered that this contested case proceeding on the cancellation of a portion water right Certificate 50650 is dismissed.

Dated this 9 day of July, 2001.



Paul Cleary, Director
Oregon Water Resources Department

NOTICE: You have the right to petition for judicial review of this Order to the Oregon Court of Appeals pursuant to ORS 536.075(2). You must file a petition for review with the Oregon Court of Appeals within 60 days from the day this Order was served on you. If this Order was personally delivered to you, the date of service is the day you received the Order. If this Order was mailed to you, the date of service is the date it was *mailed*, not the day you received it. If you do not file a petition for judicial review within the 60-day time period, you will lose your right to appeal.