

**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.

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

Order of Certification for Transfer 5702

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FINAL ORDER

**Findings of Fact**

1. Transfer Application 5702 was received September 11, 1985.
2. The right to be transferred was perfected, to the satisfaction of the Water Resources Director, under the terms of Permit 42856, for the use of not to exceed 1.50 cubic feet per second of water from the Columbia River, for irrigation of 68.2 acres, with a priority date of January 11, 1978.
3. Transfer Application 5702 requested a change in place of use of 68.2 acres from Section 29, T 5 N, R 28 E, WM to Sections 32 and 33, T 5 N, R 28 E, WM.
4. Transfer Application 5702 was approved by an order of the Water Resources Director, entered November 5, 1985, at Special Order Volume 39, Page 411. The date for the complete application of water was set at October 1, 1987.
5. The Department conducted a field inspection on April 29, 1998. At that time, Mr Wadekamper, the current owner, said the former owner, the late Melvin Leonard, did not complete the change.
6. The land is currently being irrigated, by Mr. Wadekamper, under the terms of Permit 46567 with water from an unnamed stream, with any deficiency made up from waste water from the Westland Irrigation District.

**Conclusions of Law**

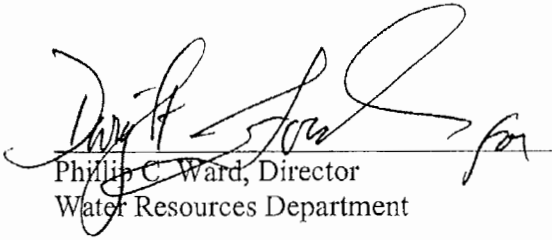
OAR 690-380-6010(2) provides: Any part of a transferred water use that is not applied to beneficial use under the terms of the transfer order for change in use or place of use, or within any extension of time allowed for completion, is lost.

Now, therefore, it is **ORDERED**:

The water right described herein is LOST, and of no further force or effect.

WITNESS the signature of the Water Resources Director, affixed

JAN 25 2008



Phillip C. Ward, Director  
Water Resources Department