

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

In the Matter of a Diminution of a Portion of a)
Perfected Water Right Certificate 16423, in the) ORDER
name of A.W. Guthrie, Jackson County)

Findings of Fact

1. On January 25, 2016, the Department received an affidavit from Eric Walport and Amy Walport, 470 Slagle Creek Rd., Grants Pass, OR 97527, the owner of lands and the water right appurtenant as evidenced by water right Certificate 16423.
2. Water Right Certificate 16423 allows the use of 0.16 cubic foot per second (CFS) for Tract 1, 0.10 CFS for Tract 2, and 0.05 CFS for Tracts 3 & 4, from Slagle Creek, for irrigation of 16.0 acres. The priority date is 1877.
3. The affiant requests a portion of the water right Certificate 16423 be diminished from a right for primary irrigation to supplemental irrigation.
3. The affidavit requests the following lands be diminished from primary irrigation to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	Acres
37 S	4 W	WM	31	SE SE	4.0
38S	4W	WM	6	NE NE	3.6

Conclusions of Law

The Director of the Water Resources Department concludes the portion of the right evidenced by Certificate 16423 has been diminished in accordance with the provisions of ORS 540.621 and shall be cancelled.

Now, therefore, it is ORDERED

1. Certificate 16423 is cancelled.
2. A portion of the water right for the use of 0.16 CFS for Tract 1, 0.10 CFS for Tract 2, and 0.05 CFS for Tracts 3 & 4, for primary irrigation of 16.0 acres, as described by Certificate 16423, is diminished from a right for primary irrigation to a right for supplemental irrigation.
3. The Department shall issue water right Certificate 93091, a new and superseding certificate, to describe the remainder of the irrigation water right and the diminution of the portions to supplemental irrigation.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A 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.

Dated at Salem, Oregon this 29th day of JUNE, 2017.

E. Timothy Wallin

E. Timothy Wallin, Water Right Program Manager
for Thomas M. Byler, Director

Mailing Date: _____

