

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

In the Matter of Transfer Application)	RECONSIDERATION OF A FINAL
T-11590, Marion County)	ORDER RECORDED IN SPEICAL
)	ORDER VOLUME 91 PAGE 743 AND
)	ISSUING A SUPERSEDING FINAL
)	ORDER TO TERMINATE A
)	TEMPORARY CHANGE IN PLACE OF
)	USE

Authority

ORS 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

DICKMAN FARMS INC.
15829 MOUNT ANGEL SCOTTS MILLS ROAD NE
SILVERTON, OR 97381

Findings of Fact

1. On May 3, 2013, DICKMAN FARMS INC. filed an application to temporarily change the place of use under Certificate 84269 for a period of five years. The Department assigned the application number T-11590.
2. On June 13, 2013, the Water Resources Department issued an order approving T-11590. The order was recorded at Special Order Volume 89, Page 957.
3. The order approving Temporary Transfer T-11590 authorized reversion of the temporary place of use back to the authorized place of use at the end of the 2017 irrigation season.
4. On January 9, 2014, Mark Dickman, of Dickman Farms, Inc., submitted a letter requesting to revert the temporary place of use of T-11590 back to the authorized place of use at the end of the 2014 irrigation season.
5. On January 22, 2014, the Department issued an order, recorded at Volume 91, page 743, to terminate Temporary Transfer T-11590 approved by Special Order Volume 89, Page 957, at the end of the 2014 irrigation season.

This is a final 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 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.

6. On January 29, 2014, Malia Kupillas, Pacific Hydro-Geology, Inc., agent for the applicant, requested reconsideration of the final order recorded at Volume 91, Page 743. The Department recognizes that it misread the letter submitted January 9, 2014 and issued an order in error terminating Temporary Transfer T-11590 at the end of the 2014 irrigation season.

Now, therefore, it is ORDERED:

1. The special order recorded in Volume 91 at Page 743 terminating Temporary Transfer Application T-11590 at the end of the 2014 irrigation season is of no further force or effect
2. Temporary Transfer Application T-11560, in the name of Dickman Farms, is terminated and is of no further force or effect. The water right should immediately revert back to the original place of use.

Dated at Salem, Oregon this 31 day of January, 2014.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing Date: FEB 05 2014