

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF DIMINUTION OF A)
PORTION OF A PERFECTED WATER RIGHT) FINAL ORDER
EVIDENCED BY CERTIFICATE 95470 IN THE)
NAME OF SISKIYOU FIELD INSTITUTE)

Authority

Oregon Administrative Rule 690-330-0040 (2) allows for a primary right, at the request of the owner of the right, be diminished to a supplemental status to allow for a new primary right from a more dependable source of water. Pursuant to Oregon Revised Statute 540.650, a new water right, as modified, shall be reaffirmed by a new water right certificate.

Findings of Fact

1. On January 19, 2023, the Department received an affidavit signed by Steve Soesbe, Executive Director, on behalf of Siskiyou Field Institute, 1241 Illinois River Road, Selma, Oregon 97538, stating they are the owner of lands and the appurtenant water right as evidenced by water right Certificate 95470. The affidavit further states he is pursuing a different source of water for a portion of the primary irrigation of these lands and requests that this portion of the water right be diminished from a right for primary irrigation to a right for supplemental irrigation of the lands.
2. Water Right Certificate 95470 allows the use of 3.35 cubic foot per second (cfs), from Deer Creek, a tributary of Illinois River, for irrigation of 20.0 acres and supplemental irrigation of 147.3 acres. The priority date is August 15, 1947.
3. The affiant requests a portion of the water right Certificate 95470 be diminished from a right for primary irrigation to a right for supplemental irrigation.
4. The affidavit requests the following lands be diminished to from primary irrigation to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	8 W	WM	10	NE SE	2.3
38 S	8 W	WM	10	NW SE	3.1

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

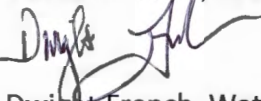
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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. Certificate 95470 is cancelled.
2. The water right for the use water for irrigation on 5.4 acres, as described by Certificate 95470, is diminished from a right for primary irrigation to a right for supplemental irrigation.
3. The Department shall issue water right Certificate 96911, a new and superseding certificate, to describe the partial diminution of the right.

FEB 24 2023

Dated in Salem, Oregon on _____



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

Mailing date: **FEB 24 2023**