# Oregon Department of Water Resources

In the Matter of a Request for )	1	
Reconsideration of Certificate of )		Final Order in Other than a
Water Right Number 94884	)	Contested Case

On February 14, 2020, the Water Resources Department issued a Final Order in other than a Contested Case described as Certificate of Water Right Number 94884. The Certificate described the extent of use of water, to the satisfaction of the Department, perfected under the terms of Permit G-12146.

The Department is reconsidering the issuance of the above referenced certificate on its own initiative because the water user has made it clear by providing information that the static water reference level for Well #2 should be 66.20 feet below land surface.

#### FINDING OF FACT

- Water Right Certificate 94884 was dated, issued, and mailed on February 14, 2020. Water Right Certificate 94884 is a Final Order in Other than a Contested Case.
- 2. The water right holder submitted a request for reconsideration on April 13, 2020. The requested that the static water reference level for Well #2 be revised from 34.73 feet below land surface to 66.20 feet below land surface. The request included information describing why the reference level should be modified.
- 3. Within 60 calendar days after the date of the order, the agency may, on its own initiative, reconsider the final order.

### ULTIMATE FINDINGS OF FACT

Water Right Certificate Number 94884 is a Final Order in Other than a Contested Case. Within 60 calendar days after the date of the order, the agency may, on its own initiative, reconsider the final order.

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 and OAR 690-01-005 you may either petition for judicial review petition the Director for reconsideration of this order.

G-13261-or-94884.gc

Special Order Volume 110, Page 846.

### **CONCLUSIONS OF LAW**

Oregon Administrative Rule 137-004-0080 allows the Department to file Requests for Reconsideration of Final Orders in Other than Contested Case and to grant reconsideration of the Final Order.

# **ORDER**

The Department hereby reconsiders and withdraws Final Order Water Right Certificate Number 94884. Final Order Certificate Number 94884 is of no force or effect.

Dated this \_\_\_JUN 0 9 2020

Dwight French

Water Right Services Division Administrator, for

Thomas M. Byler, Director

Oregon Water Resources Department