

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
CLACKAMAS COUNTY

IN THE MATTER OF DIMINUTION OF A)
 PORTION OF A PERFECTED WATER RIGHT) FINAL ORDER
 EVIDENCED BY CERTIFICATE 84739 IN THE)
 NAME OF GEORGE AKIYAMA)

Findings of Fact

1. On July 31, 2019, the Department received an affidavit from Dick and Joyce Kobayashi, 5591 Binns Hill Drive, Hood River, OR 97031, stating they are the owners of a portion of the lands and the appurtenant water right as evidenced by water right Certificate 84739. The affidavit further states they are pursuing a different source of water for a portion of the primary irrigation of these lands and requests that a 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 84739 allows the use of ONE-EIGHTIETH of one cubic foot per second (cfs) for each acre irrigated from an UNNAMED TRIBUTARY OF INDIAN CREEK, for irrigation of 10.9 acres. The priority date is 1900.
3. The affiant requests a portion of the water right Certificate 84739 be diminished from a right for irrigation to a right for supplemental irrigation.
4. The affidavit requests the use of 0.064 cfs for the irrigation of the following lands be diminished to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 N	10 E	WM	19	NE NE	5.15	300

Now, therefore, it is ORDERED

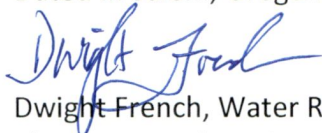
1. Certificate 84739 is cancelled.
2. The water right for the use of 0.064 cfs for irrigation on 5.15 acres, as described by Certificate 84739, is diminished from a right for primary irrigation to a right for supplemental irrigation.

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.

3. The Department shall issue water right Certificate 94504, a new and superseding certificate, to describe the partial diminution of the right.

Dated in Salem, Oregon on AUG 08 2019



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

Mailing date: AUG 09 2019