

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON AND JOSEPHINE COUNTIES

IN THE MATTER OF CANCELLATION OF A)	FINAL ORDER
PORTION OF A WATER RIGHT IN THE NAME)	WITHDRAWING
OF THE GRANTS PASS IRRIGATION DISTRICT)	PROPOSED
EVIDENCED BY CERTIFICATE 50650 - GUILLOTTE)	FINAL ORDER

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Water Resources Department (Department) received an affidavit from Leon Guillotte. The affidavit states he and Lorne Alice Lundgren are the owners of lands and the water right appurtenant as evidenced by a portion of Certificate 50650, State Record of Water Right Certificates. By Durable Power of Attorney dated March 10, 1997, Mr Guillotte is authorized to act as agent and attorney in fact with power and authority to manage, administer, and control all real personal property of Lorne Alice Lundgren. The affidavit further states that the portion of the right appurtenant to their property has been abandoned and requests that portion of the right be canceled.

In response to that affidavit, the Water Resources Director issued a Proposed Final Order on April 13, 1999, recorded at Volume 53, Page 512, Special Order Record of the Water Resources Director, which proposed that the portion of the right evidenced by Certificate 50650 appurtenant to the Guillotte / Lundgren property be canceled.

On June 11, 1999, the Department received a letter from Mr. Guillotte withdrawing the request to cancel the portion of the right evidenced by Certificate 50650 appurtenant to the Guillotte / Lundgren property and the affidavit asserting non-use of the same water right.

ORDER

IT IS ORDERED that the Proposed Final Order issued on April 13, 1999, and recorded at Volume 53, Page 512, Special Order Record of the Water Resources Director, is hereby WITHDRAWN and is of no further force or effect. The issuance of this order does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

Dated 6/17/99.



Martha O. Pagel, Director

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NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a final order in other than a contested case. Under the provisions of OAR 137-004-0080, a person entitled to judicial review of this order may petition for reconsideration of the order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date of the order.

Pursuant to ORS 536.075(1), any party affected by this order may appeal the order to the Circuit Court of Marion County or to the circuit court of the county in which all or part of the property affected by the order is situated. Review shall be as provided in ORS 536.075. A petition for judicial review shall be filed within 60 days from the date the order is served, or if a petition for reconsideration has been filed, then within 60 days following the date the order denying such petition is served. The petition shall state the facts showing how the petitioner is adversely affected by the order and the ground or grounds upon which the petitioner contends the order should be reversed or remanded.