

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

In the Matter of Transfer Application)
T-10285, MARION County) **FINAL ORDER REVERTING POINT
OF APPROPRIATION**

Authority

OAR 690-380-6010(6) provides that a point of diversion or appropriation shall revert to the last authorized point of diversion or appropriation if the changes authorized under a transfer are not completed.

Applicant

BASIL MICHAEL ELIAS
3400 PORTLAND ROAD NE
SALEM, OR 97301

Findings of Fact

1. On December 20, 2006, BASIL MICHAEL ELIAS filed an application to change the point of appropriation under Certificate 49470. The Department assigned the application number T-10285.
2. On November 5, 2010, the Water Resources Department issued an order approving the proposed change in point of appropriation. The order was recorded in Special Order Volume 83, Page 30.
3. On March 13, 2012, the Water Resources Department issued a superseding and correcting order approving the proposed change in point of appropriation. The order was recorded in Special Order Volume 87, Page 184.
4. On September 12, 2016, Basil Michael Elias notified the Department that the changes authorized under T-10285 would not be completed and requested that the authorized point of appropriation revert back to the original points of appropriation.

Conclusion of Law

The reversion of the point of appropriation authorized under Transfer Application T-10285 to the points of appropriation authorized under the water right prior to Transfer Application T-10285 is

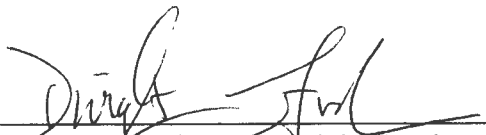
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review 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.

consistent with OAR 690-380-6010(6). A superseding certificate for the right affected by the transfer shall be issued.

Now, therefore, it is ORDERED:

1. The point of appropriation authorized under Transfer Application T-10285 for the right described by Certificate 49470 is reverted to the point of appropriation authorized under the water right prior to the transfer.
2. A superseding certificate for that portion of Certificate 49470 approved for a change in point of appropriation by Transfer Application T-10285 shall be issued to confirm that portion of the right.

Dated at Salem, Oregon this 16 day of September, 2016.



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

Mailing date: 9-30-2016