

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

IN THE MATTER OF A CANCELLATION OF THE ENTIRETY)
OF WATER RIGHT CERTIFICATE 23954, IN THE NAME OF) FINAL ORDER
ATLAS LUMBER COMPANY, POLK COUNTY)

Authority

Oregon Revised Statute 540.621 and Oregon Administrative Rules 690-17-0100 direct the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On December 15, 2022, the Department received AFFIDAVIT FOR THE VOLUNTARY CANCELLATION OF AN ENTIRE WATER RIGHT CERTIFICATE signed by Andrew F. Bryand, manager, on behalf of Lewis DLC Farm, LLC, 4934 Bell Road, St. Paul, Oregon, 97137, PO Box 516, St. Paul, Oregon, 97137 (affiant), asserting they are the owner of the land and the appurtenant water right evidenced by Certificate 23954.
2. Pursuant to OAR 690-017-0100(2)(a), the Department has determined Lewis DLC Farm, LLC is the recorded owner, as established by county deed records, of the land and entire water right evidenced by Certificate 23954.
3. Certificate 23954 allows for the use of 0.01 cubic foot per second (cfs) of water for stock use from an unnamed stream and Lewis Farm Pond #1 [constructed under Permit R-1515], a tributary of the Luckiamute River. The date of priority is March 30, 1953.
4. The affiant requests cancellation of the entirety of the certificate.

Conclusions of Law

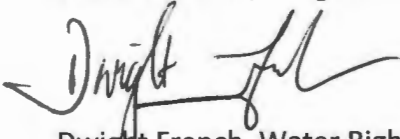
The Director of the Water Resources Department concludes the right evidenced by Certificate 23954 has been abandoned in accordance with the provisions of ORS 540.621 and should be cancelled.

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.

Now, therefore, it is ORDERED:

1. Certificate 23954 is cancelled.

Dated in Salem, Oregon on AUG 1 1 2023



Dwight French, Water Right Services Administrator for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Mailing Date: AUG 1 1 2023