BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING REVERSION
T-9232, Umatilla County, Oregon)	OF AN ADDITIONAL 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.

Applicants

E. MARGARET SKILLMAN (LE) ETAL-38106 RIETH RD ECHO, OR 97826-9636

Findings of Fact

- On August 30, 2002, E. MARGARET SKILLMAN filed an application for an additional point of appropriation under Certificate 45218. The Department assigned the application number T-9232.
- 2. On July 17, 2003, the Department issued a Final Order, (Special Order Volume 57, Page 1067), approving an additional point of appropriation. The order required the applicant to complete development of the change to the water right by October 1, 2004. A claim of beneficial use was due by October 1, 2005.
- 3. On August 5, 2021, the Department received a Umatilla County Assessor's Summary Report, which identified E. Margaret Skillman (LE) etal, 38106 Rieth Rd., Echo, QR 97826-9636, as the current property owner of the lands appurtenant to the water right involved in T-9232.
- 4. On August 11, 2021, the Department contacted the applicant by certified mail, notifying them of an incomplete transfer, and that the right involved with the transfer could be reverted if a Claim of Beneficial Use or an Application for Extension of Time on a Transfer is not received. The Department requested a response by September 10, 2021.

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.

- 5. On September 10, 2021, the certified mailing was returned to the Department as "Return to sender, unclaimed, unable to forward."
- 6. As of September 11, 2021, the Department had not received any further response to the incomplete transfer.
- 7. As of September 29, 2021, a Claim of Beneficial Use showing beneficial use of the inchoate water, or an Application for Extension of Time on a Transfer has not been filed with the Department.
- 8. Pursuant to OAR 690-380-6010(6), the additional point of appropriation shall revert to the last authorized point of appropriation for the transfer not completed.

Conclusion of Law

The reversion of the additional point of appropriation back to the authorized point of appropriation under Certificate 45218 is consistent with the requirements of OAR 690-380-6010(6).

Now, therefore, it is ORDERED:

Dated at Salem Oregon this

- 1. The additional point of appropriation authorized under Transfer Application T-9232 for the right described by Certificate 45218 is reverted to the point of appropriation authorized under the water right prior to the transfer.
- 2. A superseding certificate, in the name of ELSIE PORTER and ROSS JOHNSON, shall be issued to describe the water right reverted.

NOV 0 3 2021

batea at Salemy Gregori and
Janas a
Lisab. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department
NOV 0 4 2021