

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the matter of reinstatement of Water            ) DETERMINATION and  
Right Permit No. 47963                                ) FINAL ORDER  
                                                                  )

The Water Resources Department was contacted by George Forrest regarding the cancellation of water right permit number 47963. Water right permit 47963 was canceled December 31, 1987, for failure to respond to a letter requesting information.

NOW THEREFORE, after considering the facts of the matter, the Director enters the following Final Order.

FINDINGS OF FACT

1. Water right application number 65482 in the name of Randolph E. Forrest was filed with the Water Resources Department on August 1, 1983. After review of the application, water right permit number 47963 was issued allowing the diversion and use of water from the North Umpqua River for the irrigation of 7.85 acres.
2. The water right application completed by the Randolph E. Forrest stated that construction work to divert and use water from the North Umpqua River was to begin before permit number 47963 was issued.

**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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.**

3. A letter dated August 24, 1987, was sent to Randolph E. Forrest asking for submission of information regarding completion of construction and beneficial use of water under water right permit number 47963. No response was received from Randolph E. Forrest.
4. The Water Resources Director issued Special Order vol. 41, p. 653 - 656 canceling, among other water right permits, water right permit 47963 in the name of Randolph E. Forrest on December 31, 1987.
5. Water was diverted from the North Umpqua River and used for irrigation on the lands identified in water right permit 47963 within the terms and limitations of the permit. Water use continues on the lands in question.

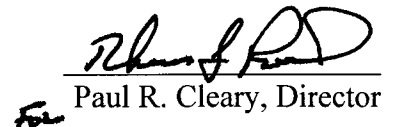
#### CONCLUSION OF LAW

Water was and continues to be diverted and used for irrigation purposes under the terms and conditions of water right permit 47963. Permit 47963 should be reinstated to allow the land owners the opportunity to hire a Certified Water Right Examiner to survey and report on the extent water was used under the terms and conditions of water right permit 47963.

#### ORDER

It is hereby ordered that water right permit number 47963 is reinstated. The permit holder has until October 1, 2003, to submit a survey conducted by a Certified Water Right Examiner as required under ORS 537.799 (1).

Dated at Salem, Oregon this 24<sup>th</sup> day of June, 2003.

  
Paul R. Cleary, Director