

Oregon Department of Water Resources

In the Matter of a Request for) Reconsideration of Certificate of) Water Right Number 92165)	Final Order in Other than a Contested Case
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On April 6, 2017, the Water Resources Department issued a Final Order in other than a Contested Case described as Certificate of Water Right Number 92165. The Certificate described the extent of use of water, to the satisfaction of the Department, perfected under the terms of Permit S-46786.

The Department is reconsidering the issuance of the above referenced certificate based upon a request for reconsideration by the water right holder.

FINDING OF FACT

1. On April 6, 2017, Water Right Certificate 92165 was issued and mailed.
2. Water Right Certificate 92165 is a Final Order in Other than a Contested Case.
3. Within 60 calendar days after the date of the order, a person entitled to judicial review under ORS 183.484 of a final order in other than a contested case may file a petition for reconsideration of a final order in other than a contested case.
4. On May 30, 2017, the Department received a request for reconsideration of Certificate 92165.
5. The Lookingglass Olalla Water Control District informed the Department that three affected landowners were excluded from the Claim Beneficial Use report. On December 11, 2017, Lookingglass Olalla Water Control District submitted a revised Claim.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

CONCLUSIONS OF LAW

Oregon Administrative Rule (OAR) 137-004-0080 allows a person entitled to judicial review under Oregon Revised Statutes (ORS) 183.484 of a final order in other than a contested case to file a petition for reconsideration of a final order in other than a contested case.

ORDER

The Department hereby reconsiders and withdraws Final Order Water Right Certificate Number 92165.

Final Order Certificate Number 92165 is of no further force or effect.

Issued APR 20 2018.

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

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