

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

In the Matter of Transfer Application)	FINAL ORDER WITHDRAWING AN
T-12444, Lane County)	APPLICATION FOR AN ADDITIONAL POINT OF
)	DIVERSION TO REFLECT HISTORIC USE

Authority

ORS 540.532 establishes the process in which a water right holder may submit a request for a change in point of diversion to reflect historical use under an existing water right. OAR Chapter 690-380-2120 implements the statute and provides the Department's procedures and criteria for evaluating historic point of diversion/appropriation transfer applications.

Applicant

JON V. JAQUA
MCKENZIE OAKS RANCH
PO BOX 703
SPRINGFIELD, OR 97477

Findings of Fact

1. On July 26, 2016, JON V. JAQUA, MCKENZIE OAKS RANCH filed a transfer application for authorization of an additional historic point of diversion under Certificate 29738. The Department assigned the application number T-12444.
2. Notice of the application for transfer was published on August 9, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 10, 2022, The Department identified that the lands appurtenant to the transfer application are owned by McKenzie Oaks Property, LLC and not an individual. OAR 690-380-2120(7) defines an individual as:

(7) As used in this rule, "individual" means a natural person and does not include a government body, organization, business enterprise, or other such entity.
4. On March 23, 2022, the Department received written correspondence by email from the agent for the applicant requesting to withdraw Historic Transfer Application T-12444.

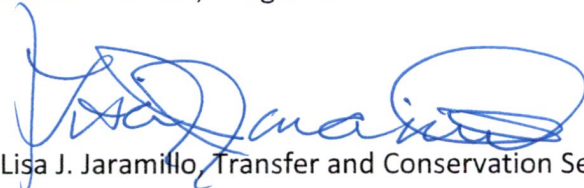
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review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

Historic Transfer Application T-12444 in the name of JON V. JAQUA, is withdrawn and of no further force or effect.

Dated at Salem, Oregon on

APR 27 2022



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing date: **APR 28 2022**