

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

In the Matter of Transfer Application) WITHDRAWAL OF
T-13996, Grant County) PRELIMINARY DETERMINATION

APR 28 2024

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TODD N. AND MISTY D. MCKINLEY
59862 HWY. 26
JOHN DAY, OR 97845

THOMAS WRIGHT
PO BOX 201
CANYON CITY, OR 97820

ROBERT W. GRIFFITH AND
BECKY JO (DENT) GRIFFITH
PO BOX 585
MT. VERNON, OR 97865

WADE E. WADDEL
27392 BRAGGA WAY
JOHN DAY, OR 97845

KIRK AND JOANN HUMPHREY
PO BOX 354
MT. VERNON, OR 97865

JAMES AND MARY T. WEAVER
PO BOX 572
JOHN DAY, OR 97845

Findings of Fact

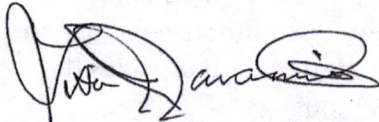
1. On April 27, 2022, Todd N. and Misty D. McKinley, Robert W. Griffith and Becky Jo (Dent) Griffith, Kirk and Joann Humphrey, Thomas Wright, Wade E. Waddel, and James and Mary T. Weaver filed an application to change the points of diversion under Certificates 25079, 27792, and 52029 and add additional points of diversion under Certificate 52029. The Department assigned the application number T-13996.
2. On July 11, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13996.
3. On August 8, 2024, the Department identified that Finding of Fact #10 of the July 11, 2024, Preliminary Determination erroneously described the proposed point of diversion (POD 2) for Certificate 25079 as being a downstream POD change. The finding should have instead described POD 2 as being an upstream movement from the authorized point of diversion (POD 3).

4. The Department will issue a Revised Draft Preliminary Determination with a corrected finding of fact consistent with Finding of Fact #3 above.

Department's Action

The Preliminary Determination dated July 11, 2024, for Transfer T-13996 is withdrawn.

Dated in Salem, Oregon on **SEP 30 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

August ~~30~~, 2024

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Reference: Transfer Application T-13996

Please find enclosed the enclosed copy of the withdrawal of the Preliminary Determination for T-13996. On July 11, 2024, the Department issued a preliminary determination for Transfer Application T-13996. Upon issuance, an error was found in the preliminary determination; in order to correct the error the Department is withdrawing the Preliminary Determination.

The Department will then issue a revised Draft Preliminary Determination, correcting the error.

The Preliminary Determination dated July 11, 2024 for Transfer Application T-13996 is no further force or effect.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 should you have questions.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13996
Eric W. Julsrud, District 4 Watermaster (*via e-mail*)
Becky Jo Griffith, Agent for the applicant (*via e-mail*)
Tracy Wyllie, ODFW (*via e-mail*)

Enclosure