

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

IN THE MATTER OF THE PROPOSED)
PARTIAL CANCELLATION OF THE WATER)
RIGHT EVIDENCED BY CERTIFICATE 9451)
FOR USE OF WATER FROM HONEY CREEK)
FOR TRACT NO. 1, DEGARMO CREEK FOR)
TRACT NO. 2, NORTON CREEK FOR TRACT)
NO. 3 AND HART LAKE FOR TRACT NO. 4,)
FOR IRRIGATION OF 5,595.5 ACRES AND)
STOCK WATER, LAKE COUNTY, OREGON)

FINAL ORDER

OAH Ref, No: WR-10-001

AND)

IN THE MATTER OF THE PROPOSED)
PARTIAL CANCELLATION OF THE WATER)
RIGHT EVIDENCED BY CERTIFICATE)
22209 FOR USE OF WATER FROM HART)
LAKE, TRIBUTARY OF WARNER LAKES &)
STREAMS FOR SUPPLEMENTAL)
IRRIGATION OF 4,276.54 ACRES LAKE)
COUNTY, OREGON)

AND)

IN THE MATTER OF THE PROPOSED)
PARTIAL CANCELLATION OF THE WATER)
RIGHT EVIDENCED BY CERTIFICATE)
45409 FOR USE OF WATER FROM HART)
LAKE RESERVOIR, TRIBUTARY OF)
WARNER LAKE BASIN, FOR SUPPLEMENTAL)
IRRIGATION OF 6,475.25 ACRES LAKE)
COUNTY, OREGON)

UNITED STATES BUREAU OF LAND)
MANAGEMENT, DEPARTMENT OF THE)
INTERIOR,)

Protestant)

WARREN C. LAIRD AND JESSE LAIRD,)

Protestants:)

Pursuant to OAR 137-003-0655, and after having considered exceptions and responses to exceptions filed by the Proponents and the Protestant, the Oregon Water Resources

Commission adopts and incorporates by reference the attached Amended Corrected Proposed Order in the above captioned proceeding. The Amended Corrected Proposed Order incorporates portions and modifies portions of the Corrected Proposed Order.

ORDER

The Oregon Water Resources Commission proposes to issue the following order:

1. The United States Bureau of Land Management has not failed to beneficially use water on the contested acres for a period of five or more successive years during the period in issue.
2. No portion of the water rights evidenced in Certificates 9451, 22209, and 45409 has been forfeited due to non-use during the period in issue.

Dated this _____ day of _____, 2012

John Jackson, Chair
Water Resources Commission

Appeal Rights: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the date of service of this order. If this order was personally delivered to you, the date of service is the day you received the order. If this order was mailed to you, the date of service is the day it was mailed. Judicial review pursuant to the provisions of ORS 536.075 and ORS 183.482 is to the Oregon Court of Appeals. If you do not file a petition for judicial review within the 60 day time period, you will lose your right to appeal.