



Agenda Item B

Final Order in the Matter of Proposed Partial Cancellation of WR Cert 24625

Dwight French & Jesse Ratcliffe



Oxbow Fish Hatchery Water Right Basic Facts

Affidavits filed by Julia DeGraw and Alex Brown asserting non-use of a water right held by ODFW.

The right is for operation of a salmon hatchery in Hood River County.

Source: Little Herman Creek

Quantity proposed for cancellation: 5.76



Oxbow Fish Hatchery Water Right Timeline

- 6/18/12** Affidavit Asserting Non-Use of water right filed.
- 8/23/12** OWRD issues Notice of Proposed Partial Cancellation of WR Cert 24625
- 10/18/12** ODFW files protest to the Notice
- 11/5/12** OWRD refers matter to OAH
- 6/26/13** Site visit with ALJ and parties



Oxbow Fish Hatchery Water Right Timeline continued

10/15/2013

Hearing held in Tualatin

11/12/2013

Record closes

12/10/13

**Proposed Order concluding no
portion of right forfeited**

Within 30 days

**Exceptions filed by DeGraw and
Brown**



Oxbow Fish Hatchery Water Right Timeline continued

5/30/14

**Amended Proposed Order w/no
change to determination but with
other modifications**

**Within 30 days Exceptions filed by DeGraw and
Brown**



Draft Final Order

Please turn to the Final Order in
your packet



Oxbow Fish Hatchery Water Right Alternatives (Abbreviated)

1. Issue Final order that is consistent with the Department's Amended Proposed Order and declares that no portion of the water right evidenced in Certificate 24625 has been forfeited due to non-use during the period in issue.
2. Request staff gather additional information and report back at next meeting
3. Request staff modify the FO as requested by the Commission.



Oxbow Fish Hatchery Water Right Alternatives (Abbreviated)

1. **Issue Final order (Attachment 5)**
2. Request staff gather additional information and report back at next meeting
3. Request staff modify the FO as requested by WRC