

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

KLAMATH BASIN GENERAL STREAM ADJUDICATION

In the Matter of the Claim of)	PARTIAL ORDER OF
BRENT OWEN)	DETERMINATION
)	
_____)	Water Right Claim 6

The GENERAL FINDINGS OF FACT of the FINAL ORDER OF DETERMINATION is incorporated as if set forth fully herein.

A. FINDINGS OF FACT

1. On January 28, 1991, BRENT OWEN (Claimant) (PO BOX 9992483, REDDING, CA, 96099) timely submitted a Statement and Proof of Claim (Claim 6) to the Oregon Water Resources Department (OWRD) pursuant to ORS Chapter 539 in the Klamath Basin Adjudication based upon use of water beginning prior to February 24, 1909 (pre-1909 claim).
2. Claim 6 was submitted for “wildlife and habitat and preservation of natural state” for “all uninterrupted [sic] natural water” from springs and an unnamed creek, tributary to the Williamson River, with an unspecified season of use. The claimed priority date is “Prior to 1909.”
3. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was denied.
4. On May 8, 2000, the following parties, hereinafter collectively referred to as the “Klamath Project Water Users,” filed Contest 3381: Klamath Irrigation District, Klamath Drainage District, Tulelake Irrigation District, Klamath Basin Improvement District, Ady District Improvement Company, Enterprise Irrigation District, Klamath Hills District Improvement Co.¹, Malin Irrigation District, Midland District Improvement Company, Pine Grove Irrigation District, Pioneer District Improvement Company, Poe Valley Improvement District, Shasta View Irrigation District, Sunnyside Irrigation District, Don Johnston & Son, Bradley S. Luscombe, Berlva Pritchard, Don Vincent, Randy Walthall,

¹ Klamath Hills District Improvement Company voluntarily withdrew from Contest 3381 on January 16, 2004. See VOLUNTARY WITHDRAWAL OF CONTEST BY KLAMATH HILLS DISTRICT IMPROVEMENT COMPANY

Inter-County Title Co., Winema Hunting Lodge, Inc., Reames Golf and Country Club, Van Brimmer Ditch Co., Plevna District Improvement Co., and Collins Products, LLC.

5. On May 8, 2000, the United States of America timely filed Contest 3712 to the Claim and/or Preliminary Evaluation of Claim 6.
6. On May 8, 2000, the Klamath Tribes timely filed Contest 4068 to the Claim and/or Preliminary Evaluation of Claim 6.
7. These matters were referred to the Office of Administrative Hearings for a contested case hearing which were designated as Case 102.
8. On June 20, 2002, the Claimant withdrew Claim 6 which thereby rendered all contests moot. *See* NOTICE OF WITHDRAWAL OF CLAIM (June 20, 2002).
9. On June 25, 2002, the Adjudicator withdrew Case 102 from the Office of Administrative Hearings.

B. DETERMINATION

Based upon the file and record herein, including the withdrawal of Claim 6 by the Claimant, IT IS ORDERED that Claim 6 is denied and is of no force or effect.

Dated at Salem, Oregon on March 7, 2013


Dwight French, Adjudicator
Klamath Basin General Stream Adjudication