

**Oregon Water Resources Department  
Water Rights Services Division**

Water Rights Application  
Number G-17486

**Final Order**

*Hearing and Appeal Rights*

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the modifications to the Proposed Final Order may be addressed.

ORS 536.075 allows for additional appeal rights for other than contested case. This is a Final Order in other than 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 either 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.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the Final Order is not subject to judicial review.

*Application History*

On August 29, 2011, Paul A Harcombe submitted an application to the Department for a water use permit. The application materials indicated that in the event a permit is issued for Application G-17486, the applicant would voluntarily cancel the underlying surface-water right evidenced by Transfer T-9111, approved by Special Order Volume 57, Page 200, to act as mitigation for Application G-17486.

The Department issued a Proposed Final Order on April 24, 2012, recommending approval of the application contingent upon the submission of evidence demonstrating compliance with well construction standards for Well 1 (LINN 8433), and permit recording fees in the amount of \$400.00. The protest period closed June 8, 2012, and no protest was filed.

On June 15, 2012, the Department reviewed the Water Supply Well Report for the repaired well (assigned LINN 60183), and determined the well meets construction standards.

On June 15, 2012, the Department received \$400 for permit recording fees.

On June 25, 2012, the Department received a request from the applicant to withdraw the Claim of Beneficial Use for Transfer T-9111, and voluntarily cancel Transfer T-9111.

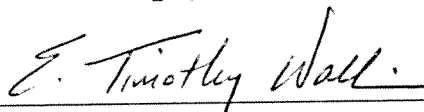
The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to include the assigned well log number, being LINN 60183, and to more accurately describe the basin, being Horseshoe Lake (T11S, R4W) Basin.

#### Order

The Claim of Beneficial Use for Transfer T-9111 is withdrawn and Transfer T-9111 is cancelled.

Application G-17486 therefore is approved with the above modifications to the Proposed Final Order, and Permit G-16944 is issued as limited by the conditions set forth therein.

DATED July 5, 2012



E. Timothy Wallin, Water Rights Program Manager  
for Phillip C. Ward, Director  
Water Resources Department

*This document was prepared by Jeana Eastman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0859.*

*If you have questions about how to file a protest or a request for standing, please refer to the section in this Final Order entitled "Hearing and Appeal Rights". If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.*

*If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.*

*Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.*