

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-16937

**Final Order**

*Appeal Rights*

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 October 1, 2007, Fred and Laurie McAdams submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 28, 2008. The protest period closed December 12, 2008, and no protest was filed.

On March 11, 2009, Fred and Laurie McAdams submitted affidavits to the Department that stated that they are the owners of lands and the water right appurtenant as evidenced by certificates 4364 and 80460. The affidavits further stated that a portion of the water rights appurtenant to the property has been abandoned and requested that the certificates be cancelled.

On May 8, 2009, the applicant amended the application by removing Well 1 (BAKE 945).

Special Order Volume 77, Pages 398 and 399 cancelled Certificate 4364, and Certificate 85441 was issued confirming the portion of the right that was not abandoned.

Special Order Volume 77, Pages 726 to 727 cancelled a portion of Certificate 80460. A certificate may be issued in the future to confirm the portion of the right that was not abandoned through this cancellation.

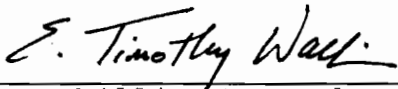
The Department determined the conflict was resolved by a diminishment of the underlying rights.

The proposed use would not impair or be detrimental to the public interest.

**Order**

Application G-16937 therefore is approved as proposed by the Proposed Final Order, and Permit G-16469 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED June 8, 2009



for Phillip C. Ward, Director  
Water Resources Department

*This document was prepared by Kerry Kavanagh. 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 503-986-0816.*

*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.*