

**Oregon Water Resources Department  
Water Rights/Adjudications Division**

Water Rights Application  
Number S-86391

**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 August 3, 2005, KNG Inc. submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on July 13, 2010, proposing to deny the application because the proposed use does not comply with Oregon Administrative Rules (OAR) 690-310-0040(2) and 690-310-0040(1)(a)(Q). The protest period closed August 27, 2010, and no protest was filed.

The proposed use does not comply with rules adopted by the Water Resources Commission or would otherwise impair or be detrimental to the public interest.

**Order**

The application therefore is denied.

**DATED September 9, 2010**



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.*