

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

Water Rights Application
Number S-87663

Superseding 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 November 3, 2010, Byron and Susan Nofrey submitted an application to the Department for a water use permit.

The Department issued a Proposed Final Order on February 15, 2011. The protest period closed April 1, 2011, and no protest was filed.

On June 29, 2011, the application was assigned to Larry W Null or Dorothea M Null.

On July 21, 2011, the Department issued a Final Order which incorrectly identified the point of diversion and the place of use.

On September 22, 2011, the Department issued Permit S-54728 which also incorrectly identified the point of diversion and the place of use.


The Department finds that the July 21, 2011 Final Order and the September 22, 2011 Permit S-54728 require modification to correct the scrivener's error.

Order

This document supersedes the July 21, 2011 Final Order and the September 22, 2011 Permit S-54728 for Application S-87663. The July 21, 2011 Final Order and the September 22, 2011 Permit S-54728 are of no further force or effect.

Application S-87663 is therefore approved, and Permit S-54733 is issued as limited by the conditions set forth therein.

DATED October 21, 2011



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 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.