

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

Water Rights Application
Number S-87341

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 18, 2008, Todd Kuether submitted an application to the Department for a water use permit.

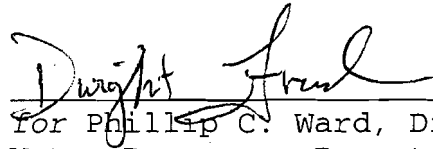
The Department issued a Proposed Final Order (PFO) on May 5, 2009. The protest period closed June 19, 2009, and no protest was filed. The PFO recommended approval of Application S-87341 and determined that water was available for the proposed use under Application S-87341 if Transfer Application T-10726 was approved to change the character of use of the stored water under Permit R-5245 from recreation to multiple purpose. On March 26, 2010, the Department issued Special Order Volume 80, Page 523, approving a change in character of use for Transfer Application T-10726.

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

Order

Application S-87341 therefore is approved as proposed by the Proposed Final Order, and Permit S-54758 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED May 31 , 2012



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.