

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

Water Rights Application
Number G-17218

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 May 13, 2009, H L Wagner and Sons Inc. submitted an application to the Department for a water use permit.

The Department issued a Proposed Final Order on February 2, 2010. The protest period closed March 19, 2010, and no protest was filed.

On May 5, 2011, the applicant's agent, Greg Blackman, submitted a revised map indicating the correct coordinates for the well.

The Findings of Fact and Conclusions of Law in the Department's February 2, 2010 Proposed Final Order will not change as a result of the May 5, 2011 map.

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 correctly describe the coordinates for the well.

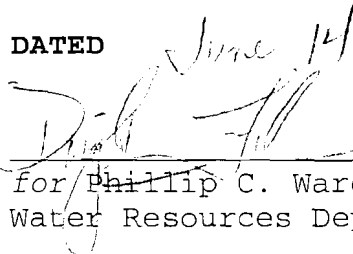
The Proposed Final Order described the coordinates for the well as "4 FEET SOUTH AND 750 FEET WEST FROM NE CORNER, SECTION 25". The coordinates for the well as modified in the attached permit are "7 FEET SOUTH AND 1216 FEET WEST FROM NE CORNER, SECTION 25".

Order

Application G-17218 therefore is approved with the above modifications to the Proposed Final Order, and Permit G-16921 is issued as limited by the conditions set forth therein.

DATED

June 14, 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.