

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

Water Rights Application
Number R-87832

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 August 9, 2012, Kelly or Barbara Bruun submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on March 19, 2013. The protest period closed May 3, 2013, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest. The Proposed Final Order requires modification to correctly describe the dam conditions.

On October 31, 2013, the Department issued a Final Order approving Application R-87832 and Permit R-15041.

Subsequently, the applicant's agent notified the Department that the dam location listed in the permit was incorrect.

This Order and Permit R-15048 supersede the October 31, 2013 Final Order for Application R-87832 and Permit R-15041, which are of no further force or effect.

Order

This Order and Permit R-15048 supersede the October 31, 2013 Final Order for Application R-87832 and Permit R-15041, which are of no further force or effect.

Application R-87832 therefore is approved with the above modifications to the Proposed Final Order, and Permit R-15048 is issued as limited by the conditions set forth therein.

DATED December 27, 2013



E. Timothy Wallin, Water Rights Program Manager
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 503-986-0927.

If you have questions about how to file a protest or a request for standing, please refer to the section in this Final Order entitled "Hearing and Appeal Rights". 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.