

**Oregon Water Resources Department
Water Right Services Division**

Water Rights Application
Number G-17637

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.

Findings of Fact

On March 15, 2013, Marcus W de Lint submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on November 18, 2014. The protest period closed January 2, 2015, and no protest was filed.

On February 27, 2015, the Department issued a Final Order approving Application G-17637 and Permit G-17352. Subsequently the Department discovered the February 27, 2015 Final Order erroneously omitted a condition from the groundwater review and permit. The permit should be conditioned so that groundwater production shall be only be from a single aquifer in the Columbia River Basalt Group groundwater reservoir, as indicated in the attached permit.

Accordingly, pursuant to OAR 137-004-0050 (5), a superseding Final Order and Permit will be issued.

Conclusions of Law

The proposed use would not impair or be detrimental to the public health, safety and welfare pursuant to ORS 537.621(2).

Order

The February 27, 2015 Final Order is superseded by this document and is of no further force or effect.

Application G-17637 therefore is approved with the above modifications, and Permit G-17361 is issued as limited by the conditions set forth therein.

DATED March 3, 2015

E. Timothy Wallin

E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director

This document was prepared by Kim French. 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.