

Oregon Water Resources Department
Water Right Services Division

Water Right Application G-18480 in the name)
of GRAHAM LANDSCAPE AND DESIGN)
CO. and CANTRELL FARMS LLC/GRAHAM)
FAMILY TRUST

FINAL ORDER
TO DENY

Summary: Order denying Application G-18480.

Authority

The application was processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410 and the Willamette Basin Program (OAR 690-502). These statutes and rules can be viewed on the following website: <https://www.oregon.gov/OWRD/programs/policylawandrules/Pages.default.aspx>.

The Department's main page is <https://www.oregon.gov/OWRD>.

This Final Order is issued pursuant to ORS 537.625 and OAR 690-310-0200.

FINDINGS OF FACT

1. On March 9, 2017, Graham Landscape and Design Co. and Cantrell Farms LLC/Graham Family Trust submitted an application to the Department for a water use permit.
2. On February 4, 2020, the Department issued a Proposed Final Order recommending denial of the application because the well (LANE 17834) does not comply with minimum construction standards, pursuant to OAR 690-210. The protest period closed March 20, 2020 and no protest was filed.
3. The findings of fact in the Proposed Final Order are incorporated herein.

CONCLUSIONS OF LAW

1. The conclusions of law in the Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, will not ensure the preservation of the public welfare, safety and health.

NOTE: When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety and health.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a Final Order in other than contested case. This order is subject to judicial review under ORS 536.075 and 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 OAR 137-004-0080 you may 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.

ORDER

Application G-18480 is therefore denied.

DATED **MAY 12 2020** _____



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Kim French at Kim.R.French@oregon.gov or 503-986-0816.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
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