

**Oregon Water Resources Department
Water Rights Division**

Hydroelectric Reauthorization Application
Number HE 332

Final Order

NOTE: NOTE: This is a Final Order issued pursuant to Oregon Revised Statutes (ORS) 543A.130.

Application History

On December 18, 1981, Doris Q. Curtiss, was granted a hydroelectric license conferring the right to appropriate not to exceed 10.0 cubic feet per second (CFS) of water from Denny Creek and a license for the development of 80 theoretical horsepower (THP). The license was amended on May 16, 1983, to appropriate an additional 2.0 CFS for a total development of 95.5 THP. The license was issued for the period as of the date of issuance and terminated December 31, 2001. On April 9, 1982, HE 332 was assigned to Cameron A. Curtiss. On February 11, 2004, HE 332 was reauthorized by the Water Resources Department (Department) and set to terminate December 31, 2023. On March 18, 2019, the Department received Cameron A. Curtiss's application to reauthorize HE 332.

- ◆ Amount of Water: 12 Cubic Feet Per Second (CFS) From Denny Creek
- ◆ Use of Water: Power Development of 95.5 THP for sale to a public utility.
- ◆ Source of Water: Denny Creek, Tributary of Upper Klamath Lake
- ◆ Area of Proposed Use: Klamath County within SECTION 9, TOWNSHIP 37 SOUTH, RANGE 7 EAST, W.M.
- ◆ Water Delivery System: Water is diverted from the stream by an earth filled dam 6-foot high and 200-foot long, and conveyed by a 24-inch steel pipe, 1690 feet long to the turbine. After passing through the generation facilities the water utilized is returned to Denny Creek.

The Department reviews hydroelectric reauthorization applications according to the procedures in ORS 543A.005 through 543A.805.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a Final Order in other than a 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 in ORS 183.484(2). Pursuant to OAR 137-004-080 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 is filed, the petition shall be deemed denied.

On March 23, 2021, the Department provided public notice of the reauthorization application in its weekly notice. The public notice included a request for written comments, and information for interested persons about obtaining future notices and a copy of the application. No comments were received.

On May 10, 2022, the Department provided public notice of the Draft Proposed Final Order in its weekly notice. The public notice included a request for written comments within 60 days of the publication of the notice. No comments were received.

On July 12, 2022, the Department provided public notice of the Proposed Final Order in its weekly notice.

No written comments were received within the 45-day comment period.

OWRD will coordinate a HART site visit to the project every 10 years to review the project and its operation.

If additional time is needed to submit the required fees, a written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

Order

HE 332 is reauthorized and the attached water right certificate is issued.

Issued **OCT 07 2022**



Dwight French, Administrator
Water Right Services Division, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

This document was prepared by R. Craig Kohanek. If you have questions about any of the statements contained in this document please contact me at 503-979-3185 or ron.c.kohanek@water.oregon.gov

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