

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

Water Right Application G-18463 in the name of)
DARRELL SILKENSEN) FINAL ORDER
)

Summary: Order approving Application G-18463, as amended, and issuing Permit G-18814.

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 Rogue Basin Program (OAR 690-515). 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 February 23, 2017, Darrell Silkensen submitted an application to the Department for a water use permit.
2. On August 27, 2019, the Department issued a Proposed Final Order recommending approval of the application. The protest period closed October 11, 2019 and no protest was filed.
3. The findings of fact in the Proposed Final Order are incorporated herein with the following modification:
 - a. On August 18, 2021, the application was assigned to Lisa A. Silkensen.

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.

HEARING RIGHTS

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the modifications to the Proposed Final Order may be addressed. Only the applicant or protestant may appeal this order. (ORS 537.170(7)(b)).

- b. The Proposed Final Order indicated that land use approval was being pursued; however, the application materials submitted included a receipt from Jackson County and no other information under OAR 690-310-0040(1)(a)(L) has been received. Therefore, pursuant to OAR 690-310-0090(5), the Department presumes that the land use is compatible with the comprehensive land use plans and land use regulations of Jackson County.

CONCLUSIONS OF LAW

1. The conclusions of law in the Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, will 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.

ORDER

Application G-18463, as amended, is approved and Permit G-18814 is issued.

DATED OCT 28 2022



Katherine Ratcliffe
Water Rights Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Lisa Graham at Elisabeth.A.Graham@water.oregon.gov or 503-979-3130.
 - 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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