

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

Hydroelectric Reauthorization  
Project HE 260

**Final Order**

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

On June 11, 1980, Loyd F. Fery was granted a hydroelectric license conferring the right to appropriate not to exceed 70.0 cubic feet per second of water from the North Santiam River and a license for the development of 67.7 theoretical horsepower. The license was issued for the period which was effective as of the date of issuance and terminates on December 31, 2001. The original license, issued in 1981, was for a period of 20 years terminating December 31, 2001. The project was relicensed February 20, 2001, for another 20-year license, which was to expire December 31, 2021. This date was extended due to the COVID epidemic and the HART's inability to conduct site visits.

On February 11, 2022, applied for reauthorization of the project.

On April 19, 2022, the Department provided public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about obtaining future notices and a copy of the application.

On August 16, 2022, the Department provided public notice of a draft proposed final order in its weekly public notice. Written comments were requested by October 14, 2022.

On November 8, 2022, the Department provided public notice of a proposed final order in its weekly public notice. Written comments, protests or requests for standing were requested by December 23, 2022. No protest or requests for standing were requested.

**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.

The Department concludes that the use will not impair or be detrimental to the public interest under ORS 543A.025 (1). In addition, the Project as conditioned in the draft water right certificate attached herein, satisfies the minimum requirements set forth in ORS543A.025 (2).

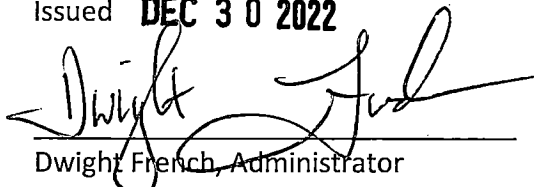
OWRD will coordinate a HART site visit to the project every 10 years to review the project and its operation.

*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 260 is reauthorized and the attached water right certificate is issued.

Issued **DEC 30 2022**

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

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