

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

Water Right Application S-89288 in the)	FINAL ORDER
name of BELL A LAND AND CATTLE CO.)	APPROVING THE USE OF
)	STORED WATER

Authority

Oregon Revised Statute (ORS) 537.147 establishes the process by which an application to use stored water exclusively may be submitted. Oregon Administrative Rule (OAR) Chapter 690, Divisions 310 and 340 implement the statute, and provide the Department's procedures and criteria for evaluating applications to use stored water exclusively.

FINDINGS OF FACT

1. On October 21, 2022, Bell A Land and Cattle Co. submitted an application for a water-use permit pursuant to ORS 537.147:

Source: UNNAMED RESERVOIR, CONSTRUCTED UNDER PERMIT R-13665, TRIBUTARY TO BRIDGE CREEK

Use: PRIMARY IRRIGATION OF 7.9 ACRES AND SUPPLEMENTAL IRRIGATION OF 27.0 ACRES

Volume: 8.98 ACRE-FEET (AF)

Period of Use: IRRIGATION SEASON

County: LAKE COUNTY

Place of Use: SECTION 35, TOWNSHIP 28 SOUTH, RANGE 13 EAST, W.M.
SECTIONS 2 & 3, TOWNSHIP 29 SOUTH, RANGE 13 EAST, W.M.

2. The required examination fees were paid, and the minimum application requirements were met.
3. The Department has determined that the proposed use is an authorized use under the water right permit, certificate, or decree that allows the storage of water.
4. On November 1, 2022, the Department provided public notice of the application in the Department's weekly public notice. A 30-day comment period followed.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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 by ORS 183.484(2). Pursuant to OAR 137-004-0080, you may 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.

5. The Department has not received public comments related to the possible issuance of the attached permit. Therefore, the Department has determined that no public interest issues as identified in ORS 537.170(8) have been raised.
6. The place of use for supplemental irrigation is currently irrigated by primary irrigation rights under certificates C-37618 and C-44494. Certificate C-37618 is a right decreed under the Bridge Creek Decree.
7. Application S-89288 proposes primary and supplemental irrigation during the irrigation season of each year. The Bridge Creek Decree allows the use of water for irrigation from April 1 through September 30; therefore, the permitted period of use has been limited to April 1 through September 30.

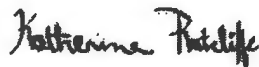
CONCLUSIONS OF LAW

1. Application S-89288 is consistent with the requirements of ORS 537.147 and OAR Chapter 690.

ORDER

Application S-89288 is approved and Permit S-55426 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on APR 14 2023



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

If you have questions about statements contained in this document, please contact Dianna Brainard at dianna.j.brainard@water.oregon.gov or 971-375-1602.

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.