

Oregon Water Resources Department
Water Rights Division

Instream Water Right Application
Number IS73368

Final Order

Application History

On 5/ 5/1993, the Department of Fish and Wildlife submitted an application to the Department for an instream water right. The Department issued a Proposed Final Order on April 30, 1996. The protest period closed June 14, 1996, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modifications.

Condition number one has been changed to read:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st%	100.0	100.0	100.0	100.0	100.0	60.0	40.0	40.0	63.4	58.7	86	100.0
2nd%	100.0	100.0	100.0	100.0	60.0	60.0	40.0	77.6	63.4	58.7	86	100.0

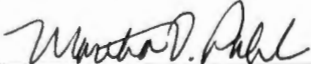
Condition number three has been changed to read as follows:

For purposes of water distribution, this instream right shall not have priority over human or livestock consumption.

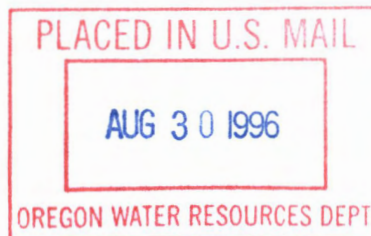
Order

IT IS HEREBY ORDERED that Application IS73368 be approved with above modifications to the Proposed Final Order, as provided in the attached certificate.

DATED August 30, 1996



Martha O. Page
Director



Hearing and Appeal Rights

Under the provisions of ORS 537.170, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 527.153(6) to the Department within 14 days after this order is issued. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

Under the provisions of ORS 183.484, the applicant or any person having standing may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.