

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

Water Right Application G-18822 in the name of)
BERRY DRIVE, LLC and AGWEST FARM CREDIT,)
PCA)

FINAL ORDER

Summary: Order approving Application G-18822 and issuing Permit G-18852.

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 Willamette Basin Program (OAR 690-502). These statutes and rules can be viewed on the following website: www.oregon.gov/OWRD/programs/policylawandrules

The Department's main page is: www.oregon.gov/OWRD

This Final Order is issued pursuant to ORS 537.625 and OAR 690-310-0200.

FINDINGS OF FACT

1. On May 13, 2019, Berry Drive, LLC submitted an application to the Department for a water use permit.
2. On January 17, 2023, the Department issued a Proposed Final Order recommending approval of the application. The protest period closed March 3, 2023 and no protest was filed.
3. On June 6, 2023, the Department received a request, signed by all permittees of record, to voluntarily cancel Permit G-18103 to resolve a conflict of place of use with Application G-18822. The Department will process the voluntary cancellation of Permit G-18103 concurrently with issuance of this final order and permit.
4. On June 15, 2023, the Department received a request for assignment, and on June 27, 2023, the assignment was completed, changing the application holders of record to Berry Drive, LLC and AgWest Farm Credit, PCA.
5. The findings of fact in the Proposed Final Order are incorporated herein.

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.

CONCLUSIONS OF LAW

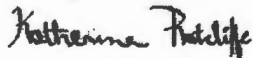
1. The conclusions of law in the Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, will ensure the preservation of the public welfare, safety and health.

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-18822 is approved, and Permit G-18852 is issued.

DATED **JUL 21 2023**



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 Amanda Mather at Amanda.L.Mather@water.oregon.gov or 971-718-7937.
 - 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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