

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

Water Right Application S-89128 in the)	FINAL ORDER
name of U.S. BUREAU OF RECLAMATION)	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 June 25, 2021, the U.S. Bureau of Reclamation submitted an application for a water-use permit pursuant to ORS 537.147:

Source: PRINEVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-2223, TRIBUTARY TO CROOKED RIVER

Use: FISH LIFE AND WILDLIFE USE, AND SUPPLEMENTAL IRRIGATION OF 58,886.8 ACRES

Volume: 78,887.0 ACRE-FEET (AF), BEING 68,887.0 AF FOR FISH LIFE AND WILDLIFE USE, AND 10,000.0 AF FOR SUPPLEMENTAL IRRIGATION AND FISH LIFE AND WILDLIFE USE

Period of Use: JANUARY 1 THROUGH DECEMBER 31

County: CROOK COUNTY, DESCHUTES COUNTY AND JEFFERSON COUNTY

Place of Use: SECTIONS 14-16, 20-29, AND 32-36, TOWNSHIP 9 SOUTH, RANGE 13 EAST, W.M.; SECTIONS 18-21, AND 27-34, TOWNSHIP 9 SOUTH, RANGE 14 EAST, W.M.; SECTION 1, TOWNSHIP 10 SOUTH, RANGE 12 EAST, W.M.; SECTIONS 1-5, 8-24, 26-29, AND 33-36, TOWNSHIP 10 SOUTH, RANGE 13 EAST, W.M.; SECTIONS 4-9, 16-21, AND 27-33, TOWNSHIP 10 SOUTH, RANGE 14 EAST, W.M.; SECTIONS 22, 23, 27, 35 AND 36, TOWNSHIP 11 SOUTH, RANGE 12 EAST, W.M.; SECTIONS 1-5, 8-17, AND 20-36, TOWNSHIP 11 SOUTH, RANGE 13 EAST, W.M.; SECTIONS 4-7, 18, AND 28-33, TOWNSHIP 11 SOUTH, RANGE 14 EAST, W.M.; SECTIONS 1, 2, 11-14, 23-27, AND 34-36, TOWNSHIP 12 SOUTH, RANGE 12 EAST, W.M.; SECTIONS 2-12, 14-23, AND 27-31, TOWNSHIP 12 SOUTH, RANGE 13 EAST, W.M.; SECTIONS 1-3, AND 10-14,

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.

TOWNSHIP 13 SOUTH, RANGE 12 EAST, W.M.; SECTIONS 7, 8, 16-18, 20-23,
27-29, 32, AND 33, TOWNSHIP 13 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 uses are authorized uses under the water right permit, certificate, or decree that allows the storage of water.
4. On July 13, 2021, the Department provided public notice of the application in the Department's weekly public notice. A 30-day comment period followed.
5. On June 21, 2022, and July 5, 2022, the Department provided a public re-notice of the application to correct the Use/Quantity for Fish and Wildlife use. A 30-day comment period followed each notice.
6. The Department received 34 public comments related to the possible issuance of the attached permit. The comments have been considered; however, the Department has determined that no public interest issues as identified in ORS 537.170(8) have been raised.

CONCLUSIONS OF LAW

1. Application S-89128 is consistent with the requirements of ORS 537.147 and OAR Chapter 690.

ORDER

Application S-89128 is approved and Permit S-55394 is issued as limited by the conditions contained therein.

DATED 9/15/2023



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 Adam Frederick at Adam.M.Frederick@water.oregon.gov or 971-707-8400.

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.