

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

Water Right Application S-89106 in the	)	FINAL ORDER
name of CROWE FARMS, LLC	)	APPROVING THE USE OF
	)	STORED WATER

**Summary:** Order approving Application S-89106 and issuing Permit S-55521.

**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. These statutes and rules can be viewed on the following website: [www.oregon.gov/OWRD/programs/policylawandrules](http://www.oregon.gov/OWRD/programs/policylawandrules)

The Department’s main page is: [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

**FINDINGS OF FACT**

1. On May 10, 2021, Crowe Farms, LLC submitted an application for a water-use permit pursuant to ORS 537.147:

Sources: CROWE RESERVOIR NO. 1, CONSTRUCTED UNDER PERMIT R-3954, TRIBUTARY TO AN UNNAMED STREAM, AND CROWE RESERVOIR NO. 2, CONSTRUCTED UNDER PERMITS R-4528 AND R-5536, TRIBUTARY TO AN UNNAMED STREAM

Uses: PRIMARY IRRIGATION OF 192.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 15.4 ACRES

Volume: 25.5 ACRE-FEET (AF); BEING 5.0 AF FROM CROWE RESERVOIR NO. 1 AND 20.5 AF FROM CROWE RESERVOIR NO. 2

Period of Use: APRIL 1 THROUGH SEPTEMBER 30

County: POLK COUNTY

Places of Use: SECTIONS 11 AND 14, TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.

2. The required examination fees were paid, and the minimum application requirements were met.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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 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.

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 May 25, 2021, the Department provided public notice of the application in the Department's weekly public notice. A 30-day comment period followed.
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. On September 13, 2023, and April 30, 2024, the Department received affidavits for voluntary cancellation of the entirety of Certificate 47644. Certificate 47644 allows for the use of 12.0 acre-feet of stored water from Crowe Reservoir No. 2 constructed under Permit R-5536. Cancellation of Certificate 47644 will result in this 12.0 acre-feet of water being eligible for allocation under Application S-89106. The Department will issue a separate order cancelling Certificate 47644 concurrently with issuance of this final order and permit.
7. The Department is issuing this final order concurrently with approval of Transfer Application T-13711. Transfer Application T-13711 changes the place of use of 13.7 acres of irrigation for lands perfected under Permit S-30185, and results in all 15.4 acres of land proposed for supplemental irrigation in Application S-89106 having underlying primary irrigation rights.

#### **CONCLUSIONS OF LAW**

1. Application S-89106 is consistent with the requirements of ORS 537.147 and OAR Chapter 690.

#### **ORDER**

Application S-89106 is approved and Permit S-55521 is issued as limited by the conditions contained therein.

DATED JUNE 7, 2024



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 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
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