

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

Water Right Application G-19444 in the name of )  
TREVOR DERSTINE and REGINA DERSTINE ) FINAL ORDER  
)

**Summary:** Order approving Application G-19444 and issuing Permit G-18913.

**Authority**

Oregon Revised Statutes (ORS) 536.700 – 536.780 and Oregon Administrative Rules (OAR) 690-019 establish the process by which the Department can allow temporary emergency-use permits. These statutes and rules can be viewed at: [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 July 17, 2024, Trevor Derstine and Regina Derstine submitted an application to the Department for an emergency-use permit, requesting 1.25 cubic foot per second, further limited to 300.0 acre-feet of groundwater for supplemental irrigation of 387.0 acres from well (JEFF 51601) for use April 1, 2024, through October 15, 2024.
2. The required examination and recording fees were paid.
3. The Department has not received adverse comments related to the possible issuance of the attached permit.
4. The Department completed a review of the application in accordance with OAR 690-019-0040.
5. The use is proposed in a designated drought area according to the Governor’s June 25, 2024, Executive Order 24-08.
6. Drought conditions have created an inability on the part of the applicant to obtain water under existing Water Right Certificates 72279 and 95488.
7. The Department considered the factors described in OAR 690-310-0130 and finds that:
  - a. The proposed use requested in this application is allowed in the Deschutes Basin Program (OAR 690-505-0400);

**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.

- b. Groundwater is available in the amount requested for this emergency, temporary use;
  - c. The proposed use will not injure other water rights; and
  - d. The proposed use complies with other rules of the Commission.
8. The Department has considered the need for water because of the drought emergency and the short-term nature of the proposed emergency use.

**CONCLUSION OF LAW**

The application will not cause injury to existing water rights and will not impair or be detrimental to the public interest (OAR 690-019-0040(3)).

**ORDER**

Application G-19444 is approved and Permit G-18913 is issued as limited by the conditions contained therein.

DATED     JULY 29, 2024    



Katherine Ratcliffe  
Water Rights Section Manager, for  
Ivan Gall, Director  
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Lucinda Vranizan at [Lucinda.R.Vranizan@water.oregon.gov](mailto:Lucinda.R.Vranizan@water.oregon.gov) or 971-375-2256.
  - 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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