

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

Water Right Application G-19536 in the name of)
WB AGRICULTURAL, LLC, and JOSEPH C) FINAL ORDER
ARTERBURN)

Summary: Order approving Application G-19536 and issuing Permit G-19048.

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

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

FINDINGS OF FACT

1. On June 12, 2026, WB Agricultural, LLC, and Joseph C Arterburn submitted an application to the Department for an emergency-use permit, requesting 0.05 cubic foot per second from permit issuance, through July 1, 2026, and 0.03 cubic foot per second from July 2, 2026, through October 31, 2026, further limited to 18.0 acre-feet, of groundwater for supplemental irrigation of 4.0 acres from Well 1 (JACK 62253).
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 April 21, 2026, Executive Order 26-07.
6. Drought conditions have created an inability on the part of the applicant to obtain water under existing Water Right Transfer T-14116 (previously Certificate 51520).
7. The application proposed supplemental irrigation of 4.2 acres; however, the underlying Water Right Transfer T-14116 (previously Certificate 51520) only authorizes primary irrigation of 4.0 acres.

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.

Therefore, supplemental irrigation has been limited to 4.0 acres, as described on the attached permit.

8. 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 Rogue Basin Program (OAR 690-515-0040(1)(a));
 - b. Groundwater is available in the amount requested for this emergency, temporary use; due to insufficient data, the Department has determined that groundwater levels do not meet the definition of Reasonably Stable Groundwater Levels;
 - c. The proposed use will not injure other water rights; and
 - d. The proposed use does not comply with other rules of the Commission; groundwater use has measurably reduced the surface flows necessary for the Rogue Scenic Waterway, and the proposed use would further reduce surface water flow to this scenic waterway.
9. The Department has considered the need for water because of the drought emergency and the short-term nature of the proposed emergency use and determined that the use would not impair or be detrimental to the public interest.

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-19536 is approved, and Permit G-19048 is issued as limited by the conditions contained therein.

DATED JULY 7, 2026



Raymond Eliot Crafton
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 Nick Reece at Nick.A.Reece@water.oregon.gov or 971-719-1058.
 - 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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