

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17086

Final Order

Hearing and Appeal Rights

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the modifications to the Proposed Final Order may be addressed.

ORS 536.075 allows for additional appeal rights for other than contested case. This is a Final Order in other than contested case. This order is subject to judicial review under 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 ORS 536.075 and OAR 137-004-0080 you may either 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.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the Final Order is not subject to judicial review.

Application History

On July 21, 2008, Phillip and Lorissa Singhose submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on July 7, 2009. The protest period closed August 21, 2009, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe the place of use. On March 19, 2009, the applicants requested that Well 3 (HARN 755) be removed from the application. On September 11, 2009, the applicants also requested that the acreage in Section 11, Township 24 South, Range 27 East, W.M. be removed from the application. As a result of the reduction in acreage (from 598.0 acres to 561.9 acres), the allowed rate will be reduced to 7.02 cubic feet per second (CFS), based on the standard rate of one-eightieth of one cubic foot per second for each acre irrigated during the irrigation season of each year.

The Proposed Final Order described the following place of use:

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 28.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.0 ACRES

SECTION 34

TOWNSHIP 23 SOUTH, RANGE 27 EAST, W.M.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 25.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 36.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30.0 ACRES

SECTION 35

TOWNSHIP 23 SOUTH, RANGE 27 EAST, W.M.

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.4 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.8 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11.9 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 ACRES

SECTION 11

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.2 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.6 ACRES

SECTION 12

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.5 ACRES

SECTION 13

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 31.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 31.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 34.3 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 28.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 17.2 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 32.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 24.0 ACRES

SECTION 24

TOWNSHIP 24 SOUTH, RANGE 27 EAST, W.M.

The place of use as modified in the attached permit is:

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.0 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 28.0 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.0 ACRES

SECTION 34

TOWNSHIP 23 SOUTH, RANGE 27 EAST, W.M.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 25.5 ACRES

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 36.0 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.0 ACRES

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30.0 ACRES

SECTION 35

TOWNSHIP 23 SOUTH, RANGE 27 EAST, W.M.

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.2 ACRE

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.6 ACRES

SECTION 12

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.5 ACRES

SECTION 13

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 31.3 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 31.3 ACRES

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.0 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 34.3 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 ACRES

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 28.0 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 17.2 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 32.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.0 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 24.0 ACRES

SECTION 24

TOWNSHIP 24 SOUTH, RANGE 27 EAST, W.M.

The Proposed Final Order described the following rate:

MAXIMUM RATE: 7.48 CUBIC FEET PER SECOND

The rate as modified in the attached permit is:

MAXIMUM RATE: 7.02 CUBIC FEET PER SECOND

Order

Application G-17086 therefore is approved with the above modifications to the Proposed Final Order, and Permit G-16583 is issued as limited by the conditions set forth therein.

DATED October 9, 2009

E. Timothy Ward

for Phillip C. Ward, Director
Water Resources Department

This document was prepared by Kerry Kavanagh. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0816.

If you have questions about how to file a protest or a request for standing, please refer to the section in this Final Order entitled "Hearing and Appeal Rights". If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.