

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON**

In the Matter of Water Rights Application        )  
S-87894, Polk County                                )

FINAL ORDER  
APPROVING THE USE OF  
STORED WATER

**Authority**

ORS 537.147 establishes the process by which an application to use stored water exclusively may be submitted. 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 April 30, 2013, Olsen Agriculture Enterprises submitted an application for a water-use permit pursuant to ORS 537.147. The Department provided public notice of the application in the Department's weekly public notice on May 21, 2013. A 30-day comment period followed.
2. The Department has evaluated the application and any comments received, and finds that no public interest in ORS 537.170(8) would be affected adversely by the proposed use.
3. According to Department records, Certificate 84185 authorizes the use of waters from the Luckiamute River for primary irrigation of these same lands during the period March 1 through July 31. Because there is no underlying primary right for the period August 1 through October 31, the attached permit describes primary irrigation for August 1 through October 31 and supplemental irrigation March 1 through July 31.

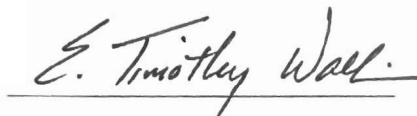
**Conclusions of Law**

Application S-87894 is consistent with the requirements of ORS 537.147, and OAR Chapter 690.

**Now Therefore, it is Ordered:**

Application S-87894 is approved, and Permit Number S-54819 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on August 28 2013.



E. Timothy Wallin, Water Rights Program Manager  
for Phillip C. Ward, Director

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

This is an order in other than a 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 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 order was produced by Kerry Kavanagh. If you have any questions about any of the statements contained in this document, I am probably the best person to answer your questions. You may reach me at 503-986-0816 or [Kerry.L.Kavanagh@wrд.state.or.us](mailto:Kerry.L.Kavanagh@wrд.state.or.us).

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, Suite A, Salem OR 97301-1266, Fax: 503-986-0901.