

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

In the Matter of Water Rights Application        )  
S-87972, Wallowa County                            )

SUPERSEDING 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.

**Findings of Fact**

1. On April 17, 2014, KARL AND KAREN PATTON 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 April 29, 2014. 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. On December 16, 2014, the Department issued a Final Order and draft permit. Subsequently, the Department has determined that an error was made in the draft permit describing the duty, being 2.0 acre-feet per acre for each acre irrigated.

**Conclusions of Law**


Application S-87972 is consistent with the requirements of ORS 537.147 and OAR Chapter 690.

**Now Therefore, it is Ordered:**

This Final Order and Permit S-54918 supersede the December 16, 2014 Final Order and draft permit for application S-87972, which are of no further force or effect.

Application S-87972 is approved pursuant to ORS 537.147 and Permit S-54918 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on           MAY 14          , 2015.

  
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E. Timothy Wallin, Water Rights Program Manager  
for Thomas M. Byler, Director

This order was produced by Barbara Park. 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 503-986-0859 or [Barbara.J.Park@wrd.state.or.us](mailto:Barbara.J.Park@wrd.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.

**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.