

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

In the Matter of Water Rights Application    )  
S-88171, Curry 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 January 27, 2016, BUSSMANN CRANBERRIES LLC submitted an application for a water-use permit pursuant to ORS 537.147.
2. The Department provided public notice of the application in the Department's weekly public notice on March 8, 2016. A 30-day comment period followed.
3. 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.
4. Water is not available from Bussmann Reservoir 1, constructed under Permit R-15113, for the proposed use as it is fully appropriated under water right Permit S-53423; therefore, only 100.0 acre-feet of water is available from Bussmann Reservoir 2 for the proposed use under this application.


**Conclusions of Law**

Application S-88171 is consistent with the requirements of ORS 537.147, and OAR Chapter 690.

**Now Therefore, it is Ordered:**

Application S-88171 is approved, and Permit S-54999 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on     JUNE 24     2016

  
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E. Timothy Wallin, Water Rights Program Manager  
for Thomas M. Byler, 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 Kim French. If you have any questions about any of the statements contained in this document, I can be reached at 503-986-0816 or [Kim.R.French@wrд.state.or.us](mailto:Kim.R.French@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.