

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

In the Matter of Water Rights Application, )  
 G-17871, in the name of Lake Creek Lodge )  
 and Gordon C Jones, Jefferson County )

SUPERSEDING FINAL ORDER

**Appeal Rights**

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.

**Findings of Fact**

1. On June 4, 2014, Lake Creek Lodge and Gordon C. Jones submitted an application to the Department for a water use permit.
2. The Department issued a Proposed Final Order on August 8, 2017. The protest period closed September 22, 2017, and no protest was filed.
3. On October 25, 2017, the Department issued a Final Order approving Application G-17871 and a draft permit. Subsequently, the Department discovered the October 25, 2017 Final Order incorrectly described the place of use for storage and pond maintenance. The permit should describe the place of use for storage and pond maintenance as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres for IR	CM	PM	ST
13 S	9 E	WM	15	NW NW	5.82	X	X	X
13 S	9 E	WM	15	SW NW	0.38	X		

4. Accordingly, pursuant to OAR 137-004-0080(5), a superseding Final Order and Permit shall be issued.
5. As required by OAR 690-505-0615, the applicant must submit mitigation that meets the requirements of OAR 690-505-0610(2)-(5). Pursuant to OAR 690-505-0620, a permit shall not be issued until the applicant provides documentary evidence that mitigation water, in an amount satisfying the mitigation obligation, is legally protected instream.
6. The mitigation obligation for the proposed use is 16.23 acre-feet, which must be provided in the Metolius River Zone of Impact, located anywhere in the Metolius River Basin above river mile 28.
7. The applicant has submitted documentary evidence that satisfactory mitigation has been obtained.

## Conclusions of Law

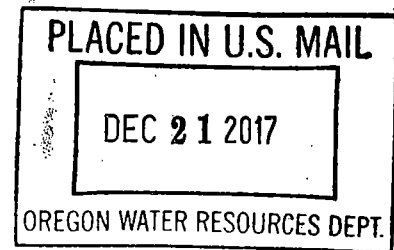
1. The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

## Order

Application G-17871 is therefore approved and Permit G-17924 is issued as limited by the conditions set forth therein.

DATED *Dec. 19, 2017*

*Dwight French*  
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Dwight French, Water Right Services Division Administrator  
for Thomas M. Byler, Director



*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@oregon.gov.*

*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.*