

**Oregon Water Resources Department
Water Right Services Division**

Water Right Application S-86982 in the)
name of CALA FARMS)
)

FINAL ORDER

Summary: Order approving Application S-86982 as amended, and issuing Permit S-55130.

Authority

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.153 through 537.175, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 33, 300, 310, 400, 410, and Willamette Basin Program OAR 690-502. These statutes and rules can be viewed on the Oregon Water Resources website:

<http://www.oregon.gov/owrd/pages/law/index.aspx>

The Department's main page is <http://www.oregon.gov/OWRD/pages/index.aspx>

This Final Order is issued pursuant to ORS 537.170(6) to (9) and OAR 690-310-0170 to 0190

FINDINGS OF FACT

The findings of fact in the Proposed Final Order issued July 15, 2008 and the subsequent Settlement Agreement issued December 16, 2010 are incorporated herein with the following additions;

1. On September 18, 2007, Cala Farms submitted an application to the Department for a water use permit.
2. The Department issued a Proposed Final Order on July 15, 2008, recommending the application be denied.
3. The protest period closed August 29, 2008, and a timely protest was filed by the agent to the applicant.
4. On April 8, 2009, the applicant amended the application to divert 4.4 cubic feet per second (CFS) of water from Calapooia River to irrigate 2726.86 acres for the month of May, and to remove point of diversion "G".
5. On August 20, 2010, the Department received updated maps from the applicant, as required.

Appeal Rights

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

6. The protest was withdrawn by the applicant on December 16, 2010.
7. On January 7, 2018, the applicant further amended the application to irrigate 2988.70 acres for the month of May and to remove points of diversion "F" and "H".

CONCLUSIONS OF LAW

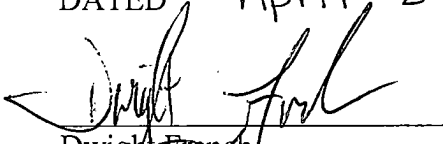
The proposed use would not impair or be detrimental to the public interest. The Protestant and the Department have agreed to permit conditions set forth in the permit.

When issuing permits, ORS 537.170(6) authorizes the Department to include provisions or restrictions concerning the use, control and management of the water to be appropriated for the project. Permit S-55130 is conditioned accordingly.

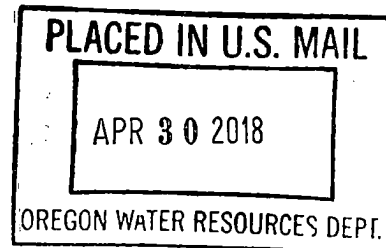
ORDER

Application S-86982, as amended, is approved with Permit S-55130.

DATED April 27, 2018



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



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- If you have any questions about statements contained in this document, please contact Barbara Poage at Barbara.J.Poage@oregon.gov
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
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