

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

Water Rights Application  
Number S-88288

**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. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the Final Order is not subject to judicial review.

*Findings of Fact*

1. On September 12, 2016, Port of Morrow submitted an application to the Department for a water use permit.
2. The Department issued a Proposed Final Order on January 16, 2018.
3. On May 3, 2018, the Department approved instream lease number IL-1661 which leases 39.3 CFS of water from Certificate 93670 into the Columbia River, 23.0 CFS of which serves as the initial mitigation required for permit issuance.
4. The Proposed Final Order required documentation to confirm that permit conditions 1A, 5, and 11 have been satisfied prior to permit issuance. Documentation has been provided for conditions 5 (fish screens) and 11 (mitigation), and a portion of condition 11A (flow meter with telemetry). Condition 1A of permit requires a totalizing flow meter with telemetry must be installed and approved by the Watermaster prior to water use.

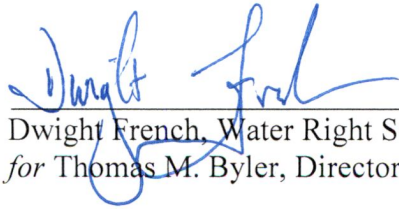
*Conclusions of Law*

1. As conditioned, the proposed use would not impair or be detrimental to the public interest pursuant to ORS 537.153(2).

**Order**

Application S-88288 therefore is approved as described in the Proposed Final Order, and Permit S-55190 is issued as limited by the conditions therein.

**DATED January 8, 2019**



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

*This document was prepared by Dwight French. If you have any questions about any of the statements contained in this document I can be reached at 503-986-0819.*

*If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.*

*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.*