



C. The standard conditions described in the Draft Permit have been modified to no longer include the following conditions:

- a. *If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.*
- b. *The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.*

### **CONCLUSIONS OF LAW**

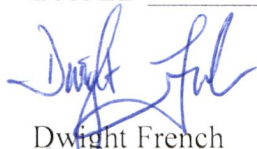
1. The conclusions of law in the Proposed Final Order are incorporated herein with the above modifications.
2. The proposed use, as conditioned, would not impair or be detrimental to the public interest.

NOTE: 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.

### **ORDER**

Application S-88296 is approved and Permit S-55221 is issued.

DATED     JUL 25 2019    



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

- 
- If you have any questions about statements contained in this document, please contact Lisa Graham at [Elisabeth.A.Graham@oregon.gov](mailto:Elisabeth.A.Graham@oregon.gov) or 503-986-0808.
  - 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.
-