

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

Water Right Application S-69623 in the)
name of TUALATIN VALLEY)
IRRIGATION DISTRICT)

FINAL ORDER
ON RECONSIDERATION

Summary: Order approving Application S-69623, as amended and issuing Permit S-55199.

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 Department's website: <https://www.oregon.gov/OWRD/programs/policylawandrules/Pages/default.aspx>

The Department's main page is <https://www.oregon.gov/owrd>.

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

FINDINGS OF FACT

1. On May 24, 1988, Tualatin Valley Irrigation District submitted an application to the Department for a water use permit.
2. The Department issued a Proposed Final Order on September 10, 1996.
3. The protest period closed October 25, 1996, and no protest was filed.
4. On April 27, 2018, the Department issued a Final Order and Permit S-55119.
5. On June 26, 2018, the Department gave notice of Reconsideration of Final Order on Water Right Application S-69623 and Permit S-55119. The April 27, 2018 Final Order and Permit S-55119 remained in effect during reconsideration.
6. On June 28, 2018, the applicant clarified the uses proposed under this application as agriculture use on 34,258.78 acres and irrigation of 17,179.98 acres, with no more than 17,000 acres irrigated during any one season. The applicant also clarified that the place of use for agricultural use (only) of 17,078.8 acres is consistent with the place of use authorized under Certificate 88122 for primary and supplemental irrigation.
7. The findings of fact in the Proposed Final Order are incorporated herein, with the following modifications:
 - a. Corrections were made to the number of acres authorized for irrigation and the descriptions of the direct points of diversion on the Tualatin River. References to "P/A/S" were removed from the "Location of Place of Use" table. The authorized uses were revised to include (1)

Agricultural Use or (2) Agricultural Use + Irrigation and other corrections were made to the authorized place of use, based upon clarifications made in Finding of Fact #6.

8. The proposed use would not impair or be detrimental to the public interest.

CONCLUSIONS OF LAW

The conclusions of law in the Proposed Final Order issued September 10, 1996 are incorporated herein, with the above modifications.

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-69623 is approved with Permit S-55199.

DATED AUG 08 2019



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 Kim French at Kim.R.French@oregon.gov or 503-986-0816.
 - 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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