

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

Hydroelectric Reauthorization
Project HE 242

Final Order

NOTE: This is a Final Order issued pursuant to Oregon Revised Statutes (ORS) 543A.130.

Application History:

HE 242: On March 23, 1978, Guy E. Leabo was granted a right and license to appropriate not to exceed 1.05 cubic feet per second of water from Crystal Reservoir for the development of 7.5 theoretical horsepower. The license was assigned to James L. Potterf.

HE 248: On October 1, 1979, Guy E. Leabo was granted a right and license to appropriate not to exceed 2.50 cubic feet per second of water from Crystal Creek for the development of 85.0 theoretical horsepower. The license was reassigned to James L. Potterf.

On February 20, 2001 certificate 76782 was issued, combining hydroelectric project licenses HE 242 and HE 248 into one project; HE 242. HE 248 was identified in 76782 as no longer in effect or force.

On April 5, 2018, James L. and Teresa K. Potterf submitted an application to the Department for reauthorization of the hydroelectric project: HE 242

On August 27, 2019, the Department provided public notice of a proposed final order in its weekly public notice to reauthorize the Project for a 30 year license term. Protests or requests for standing were requested by October 11, 2019. No protests or requests for standing were received.

The Department concludes that the use will not impair or be detrimental to the public interest under ORS 543A.025 (1). In addition, the Project as conditioned in the draft water right certificate attached herein, satisfies the minimum requirements set forth in ORS 543A.025(2).

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a Final Order in other than a 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 in ORS 183.484(2). Pursuant to OAR 137-004-080 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 is filed, the petition shall be deemed denied.

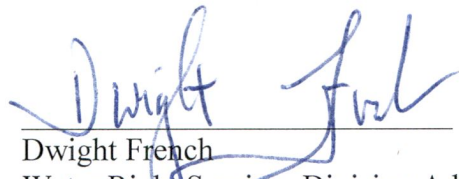
Upon receipt of the remaining application reauthorization fees, Hydroelectric Reauthorization Application HE 242 shall be approved consistent with the Proposed Final Order and as provided on the attached draft certificate. Application reauthorization fees are required in the amount of \$150.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required fee within 60 days from the date of this Final Order may result in the proposed rejection of Hydroelectric Reauthorization Application HE 242.

If additional time is needed to submit the required fees, a written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

Order

HE 242 is reauthorized and the attached Water Right Certificate shall be issued upon payment of fees.

DATED DEC 10 2019

A handwritten signature in blue ink, appearing to read "Dwight French", is written over a horizontal line.

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

This document was prepared by Craig Kohanek. If you have any questions about any of the statements contained in this document please contact me at 503-986-0823 or
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