

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

Hydroelectric Reauthorization
Project HE 249

Final Order

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

Application History:

On October 1, 1979, Clarence D. Billette was granted hydroelectric license, HE 249, conferring the right to appropriate not to exceed 0.50 cubic feet per second of water from an unnamed stream, tributary to Chehalem Creek utilizing a gross head of 150 feet to develop up to 8.5 theoretical horsepower. The original license, issued in 1979, was for a period of 20 years terminating December 31, 1998. Under the provision of ORS 543A.150 the expiration date of the project was extended until the project was relicensed January 2, 2001 for another 20 year license, which is set to expire December 31, 2020.

On May 29, 2018, Clarence D. Billette submitted an application to the Department for reauthorization of hydroelectric Project HE 249. The Department issued a Proposed Final Order on August 27, 2019. The protest period closed October 11, 2019 and no protest was filed.

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).

Upon receipt of the remaining application reauthorization fees, Hydroelectric Reauthorization Application HE 249 shall be approved consistent with the Proposed Final Order and as provided on the attached draft certificate.

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.

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 249.

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

DATED DEC 10 2019



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 Ron.c.kohanek@oregon.gov

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