

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON**

In the Matter of Water Rights Application )	SUPERSEDING FINAL ORDER
S-88454 in the name of Palmer Creek )	APPROVING THE USE OF
Water District Improvement Co., Yamhill	STORED WATER
County	
<b>Authority</b>	

ORS 537.147 establishes the process by which an application to use stored water exclusively may be submitted. OAR Chapter 690, Divisions 310 and 340 implement the statute, and provide the Department's procedures and criteria for evaluating applications to use stored water.

**Findings of Fact**

1. On August 31, 2017, Palmer Creek Water District Improvement Co. submitted an application for a water-use permit pursuant to ORS 537.147.
2. The Department provided public notice of the application in the Department's weekly public notice on September 12, 2017. A 30-day comment period followed.
3. On November 7, 2017, the Department issued a Final Order approving application S-88454.
4. On May 22, 2019 the Department issued Permit S-55201.
5. On June 11, 2019 the applicant requested a superseding permit to more accurately describe the name and location of the point of diversion. The attached Permit has been modified accordingly.
6. Accordingly, pursuant to OAR 137-004-0080 (5), a superseding Final Order and Permit will be issued.

**CONCLUSIONS OF LAW**

Application S-88454 is consistent with the requirements of ORS 537.147 and OAR Chapter 690.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a 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 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.

**ORDER**

This Final Order and Permit supersede the October 13, 2017 Final Order and Permit S-55201, which are of no further force or effect.

Application S-88454 is approved and Permit S-55251 is issued.

Dated at Salem, Oregon on DEC 31 2019



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

This order was produced by Lisa Graham. If you have any questions about any of the statements contained in this document, I can be reached at 503-986-0808 or [Elisabeth.A.Graham@oregon.gov](mailto:Elisabeth.A.Graham@oregon.gov).

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, Suite A, Salem OR 97301-1266, Fax: 503-986-0901