

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

Hydroelectric Reauthorization
Project HE 266

Final Order

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

Application History

On August 12, 1980, Paul M. Sanders was granted a hydroelectric license conferring the right to appropriate not to exceed 2.3 cubic feet per second of water from Minikahda Creek and a license for the development of 71 theoretical horsepower. The license was amended on August 20, 1981, for an additional 0.92 cubic feet per second of water from Minikahda Creek to increase the development of theoretical horsepower to 98.8. License Certificate 81399 was issued for the period which was effective as of the date of issuance and terminates December 31, 2021.

On March 6, 2019, Steven Sanders, submitted an application to the Water Resources Department (Department) for reauthorization of the hydroelectric project:

On December 17, 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 January 31, 2020. 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).

The Oregon Water Resources Department (Department) will coordinate a HART site visit to the project every 10 years to review the project and its operation.

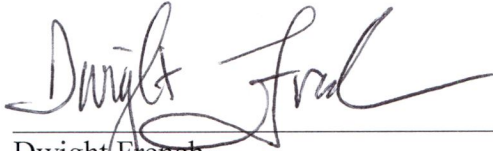
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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.

Order

HE 266 is reauthorized and the attached Water Right Certificate.

DATED FEB 28 2020



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

This document was prepared by R. 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

Address correspondence to:

Oregon Water Resources Department, 725 Summer Street NE, Suite A Salem, OR 97301-1271

Fax: (503) 986-0901