

8. An assessment of water availability at 50% exceedance for the proposed use was completed using the Department's Water Availability Reporting System. A copy of this assessment is in the application file. This review is done consistent with OAR 690-410-0070(2)(a). The assessment established that water is available September 1 through through May 31 of each year for the proposed use.
9. The Department relies on the Oregon Department of Fish and Wildlife's (ODFW) review and recommendations in determining whether a proposed use would pose a significant detrimental impact to existing fishery resources. ODFW recommends limiting the season of use to November 1 through May 31 of each year. The Department has determined that, as conditioned, the proposed use will not pose a significant detrimental impact to existing fishery resources.
10. On February 12, 2020, the Department issued a Final Order approving Application R-88738 and issuing Permit R-15423. Subsequently, the Department discovered the February 12, 2020 Final Order erroneously omitted a portion of the storage season allowed under the permit. The storage season should include October 2 through October 31, as in the attached permit.

CONCLUSIONS OF LAW

1. Water is available for the proposed use.
2. The proposed use will not injure existing water rights.
3. The proposed use will not pose a significant detrimental impact to existing fishery resources.
4. Application R-88738 is consistent with the requirements of ORS 537.409.

ORDER

This Final Order and Permit supersede the February 12, 2020 Final Order and Permit R-15423, which are of no further force or effect.

Application R-88738 is approved and Permit R-15432 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on MAR 17 2020



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

If you have 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.