

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

Water Right Application G-18472 in the name of)
EZRA STORM POTTS) SUPERSEDING FINAL ORDER
)

Summary: Order approving Application G-18472, as amended, and issuing a Permit G-18553

Authority

The application was processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410 and the Rogue Basin Program (OAR 690-515). These statutes and rules can be viewed on the following website: <https://www.oregon.gov/OWRD/programs/policylawandrules/Pages.default.aspx>.

The Department's main page is <https://www.oregon.gov/OWRD>.

This Final Order is issued pursuant to ORS 537.625 and OAR 690-310-0200.

FINDINGS OF FACT

1. On March 2, 2017, Ezra Storm Potts submitted an application to the Department for a water use permit.
2. On March 17, 2020, the Department issued a Proposed Final Order recommending approval of the application. The protest period closed May 1, 2020 and no protest was filed.
3. The findings of fact in the Proposed Final Order are incorporated herein.
4. On June 3, 2020, the Department issued a Final Order approving Application G-18472 (Permit G-18446). The Department discovered a typographical error in the Static Water Level Condition described in the permit. An October static water level measurement requirement was omitted, although it was included in the Proposed Final Order. The attached permit, G-18553, has been corrected to reflect that the static water level shall be measured during the months of March and October.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a Final Order in other than 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 by ORS 183.484(2). Pursuant to OAR 137-004-0080 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 was filed, the petition shall be deemed denied.

CONCLUSIONS OF LAW

1. The conclusions of law in the Proposed Final Order issued, March 3, 2020 are incorporated herein, with the above modification.
2. The proposed use, as conditioned, will ensure the preservation of the public welfare, safety and health.

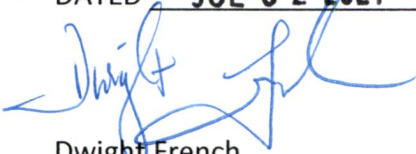
NOTE: When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety and health.

ORDER

This Final Order and Permit supersede the June 3, 2020 Final Order and Permit G-18446, which are of no further force or effect.

Application G-18472 is approved and Permit G-18553 is issued.

DATED JUL 02 2021



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

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- If you have any questions about statements contained in this document, please contact Lisa Graham at Elisabeth.A.Graham@oregon.gov or 503-986-0808.
 - 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.
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