

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

Water Right Application G-18886 in the name of )  
PALMER FAMILY TRUST ) FINAL ORDER  
)

**Summary:** Order approving Application G-18886, as amended, and issuing Permit G-18666.

**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 December 9, 2019, Palmer Family Trust submitted an application to the Department for a water use permit.
2. On April 13, 2021, the Department issued a Proposed Final Order recommending approval of the application. The protest period closed May 28, 2021 and no protest was filed.
3. The findings of fact in the Proposed Final Order are incorporated herein. with the following modification:
  - a. The applicant amended the application to use water when the proposed use of groundwater will not measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and

**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.

**HEARING RIGHTS**

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the modifications to the Proposed Final Order may be addressed. Only the applicant or protestant may appeal this order. (ORS 537.170(7)(b)).

wildlife, being December through June and October; however, the month of October was erroneously omitted from the draft permit. The period of use in the attached permit has been corrected to December 1 through June 30 and October 1 through October 31 of each year.

**CONCLUSIONS OF LAW**


1. The conclusions of law in the Proposed Final Order are incorporated herein.
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**

Application G-18886, as amended, is approved and Permit G-18666 is issued.

DATED JUL 23 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 Kim French at [Kim.R.French@oregon.gov](mailto: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.
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