

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

Water Right Application S-88737 in the name )  
of HALE BROS INC. ) FINAL ORDER  
)

**Summary:** Order approving Application S-88737, as amended, and issuing Permit S-55339.

**Authority**

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.153 through 537.175, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 33, 300, 310, 400, 410, and the Columbia River Basin Program (OAR 690-519). These statutes and rules can be viewed on 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 537.170(6) to (9) and OAR 690-310-0170 to 0190.

**FINDINGS OF FACT**

1. On September 4, 2019, Hale Bros Inc. submitted an application to the Department for a water use permit.
2. On August 31, 2021, the Department issued a Proposed Final Order recommending approval of the application. The protest period closed October 15, 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 acreage totals at the bottom of the table on Page 2 of the draft permit were incorrect and have been corrected in the attached permit.

**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)).

**CONCLUSIONS OF LAW**

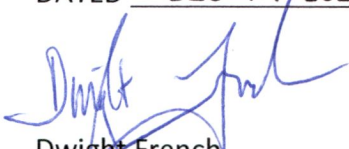
1. The conclusions of law in the Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, would not impair or be detrimental to the public interest.

NOTE: When issuing permits, ORS 537.170(6) authorizes the Department to include provisions or restrictions concerning the use, control and management of the water to be appropriated for the project.

**ORDER**

Application S-88737, as amended, is approved and Permit S-55339 is issued.

DATED DEC 17 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 503-979-3168.
  - 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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