

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

Water Right Application S-88914 in the)
name of SARBANAND ENTERPRISES LLC)
)

FINAL ORDER
APPROVING THE USE OF
STORED WATER

Authority

Oregon Revised Statute (ORS) 537.147 establishes the process by which an application to use stored water exclusively may be submitted. Oregon Administrative Rule (OAR) Chapter 690, Divisions 310 and 340 implement the statute, and provide the Department's procedures and criteria for evaluating applications to use stored water exclusively.

FINDINGS OF FACT

1. On February 1, 2021, Sarbanand Enterprises LLC submitted an application for a water-use permit pursuant to ORS 537.147:
 - Source:** SOUTH AIRPORT POND #2, CONSTRUCTED UNDER PERMIT R-88418, TRIBUTARY TO SOUTH YAMHILL RIVER
 - Use:** IRRIGATION OF 17.5 ACRES
 - Volume:** 2.75 ACRE-FEET (AF)
 - Period of Use:** APRIL 1 THROUGH SEPTEMBER 30
 - County:** YAMHILL COUNTY
 - Place of Use:** SECTION 36, TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M.
2. The required examination fees were paid and minimum application requirements were met.
3. The Department has determined that the proposed use is an authorized use under the water right permit, certificate, or decree that allows the storage of water.
4. On February 9, 2021, the Department provided public notice of the application in the Department's weekly public notice. A 30-day comment period followed.
5. The Department has not received public comments related to the possible issuance of the attached permit. Therefore, the Department has determined that no public interest issues as identified in ORS 537.170(8) have been raised.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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 by ORS 183.484(2). Pursuant to OAR 137-004-0080, you may petition for judicial review or 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.

- a. Although the water stored in South Airport Pond #2 is fully allocated under Permit S-55163, the Department understands it is your intention to cancel the use of 2.75 AF of water under Permit S-55163 to allow the use of water from South Airport Pond #2 under the attached permit.

CONCLUSIONS OF LAW

1. Application S-88914 is consistent with the requirements of ORS 537.147 and OAR Chapter 690.

ORDER

Application S-88914 is approved and Permit S-55332 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on JUL 22 2022



Katherine Ratcliffe
Water Right Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

If you have questions about statements contained in this document, please contact Lisa Graham at Elisabeth.A.Graham@oregon.gov or 503-979-3130.

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.