

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF PARTIAL PERFECTION OF)
WATER RIGHT PERMIT G-17583 IN THE NAME) **ORDER**
OF THE CITY OF NEWBERG)

STATEMENT

On April 5, 2019, the Water Resources Department received a request from the City of Newberg (City) to partially perfect the use of water under water right permit G-17583.

FINDINGS OF FACT

Permit G-17583 allows for the use of 20.0 cubic feet per second (CFS) from six wells for municipal use.

The City has requested the first increment for partial perfection of permit G-17583 and issuance of a water right certificate for 13.4 CFS. The request was accompanied by the survey required under ORS 537.230(4). The survey shows, to the satisfaction of the Director, that the appropriation has been partially perfected in accordance with the provision of the Water Rights Act.

ORS 537.260 allows, without loss of priority or cancellation to the permit, the incremental perfection of the water right permit in an amount of not less than 25 percent, pursuant to ORS 537.260 and OAR 690-320-0040.

The Department finds that the City has perfected 13.4 CFS. The quantity of water is equal or greater than the 25 percent of the original quantity of water allowed under permit G-17583.

OAR 690-320-0040(5) allows municipal suppliers that incrementally perfect less than the full quantity of water to request further extension of time to complete construction and apply water to beneficial use for the remaining, unperfected quantity of water.

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.482 and ORS 536.075. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

As of the date of this order, the City has an approved extension of time (to October 1, 2055) for this municipal water use permit to completely apply water to beneficial use under Permit G-17583.

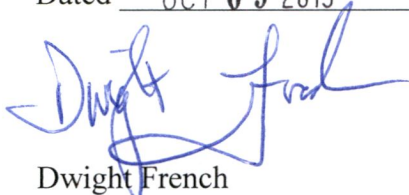
ULTIMATE FINDING OF FACT

The City is now entitled to a certificate in the amount of 13.4 CFS. The Director has determined the permittee has complied with the requirements to partially perfect permit G-17583 pursuant to ORS 537.250 and 537.260.

ORDER

The Department finds that there is 6.6 CFS remaining to be perfected under permit G-17583 and that a certificate in the amount of 13.4 CFS shall be issued to the City of Newberg.

Dated OCT 09 2019



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