

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF PARTIAL PERFECTION)
OF WATER RIGHT PERMIT S-54337 IN THE) **ORDER**
NAME OF THE CITY OF ASHLAND)

STATEMENT

On September 21, 2021, the Water Resources Department received a request from the City of Ashland (City) to partially perfect the use of 550.6 acre feet (AF) of water under Permit S-54337. This is a request for the first increment.

FINDINGS OF FACT

Permit S-54337 allowed for the use of 1000.0 AF from Lost Creek Reservoir, constructed under permits R-8141 and R-8142, a tributary of Rogue River, for municipal use.

The City has requested partial perfection of Permit S-54337 and issuance of a water right certificate. The request was accompanied by the survey required under ORS 537.230(5). 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 550.6 AF. The quantity of water is equal or greater than the 25 percent of the original quantity of water allowed under Permit S-54337.

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.

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.

As of the date of this order, the City has applied for an extension of time for this municipal water use permit to completely apply water to beneficial use under Permit S-54337.

The Department finds that the City has perfected the first increment of 550.6 AF.

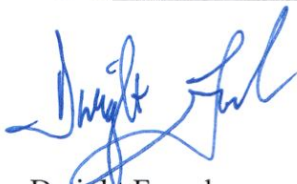
ULTIMATE FINDINGS OF FACT

The City is now entitled to a certificate in the amount of 550.6 AF. The Director has determined the permittee has complied with the requirements to partially perfect Permit S-54337 pursuant to ORS 537.250 and 537.260.

ORDER

The Department finds that there is 449.4 AF remaining to be perfected under Permit S-54337 and that a certificate in the amount of 550.6 AF shall be issued to the City of Ashland.

Dated APR 12 2022



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