

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-11422, Water Right Application G-12669,) FINAL
in the name of the Salmon Valley Water Company) ORDER

Permit Information

Application File G-12669 / Permit G-11422

Basin 2C – Lower Willamette Basin / Watermaster District 20

Date of Priority: October 3, 1991

Authorized Use of Water

Source of Water: two wells in Salmon River Basin within the two wells in
Salmon River Basinq Basin
Purpose or Use: Quasi-Municipal
Maximum Rate: 0.05 cubic foot per Second (cfs)

**This Extension of Time request is being processed in accordance with
Oregon Revised Statute 537.630 and 539.010(5), and
Oregon Administrative Rule Chapter 690, Division 315.**

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

Application History

On February 10, 1992, Permit G-11422 was issued by the Department. The permit called for completion of construction by October 1, 1994, and complete application of water to beneficial use by October 1, 1995. On June 19, 2018, Salmon Valley Water Company submitted an application for an extension of time for Permit G-11422. On January 14, 2019, the permit holder submitted an updated application for extension of time. In accordance with OAR 690-315-0050(2), on April 16, 2019, the Department issued a Proposed Final Order proposing to extend

the time to complete construction to October 1, 2037, and to extend the time to apply water to full beneficial use to October 1, 2037. The protest period closed May 31, 2019, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

Except as expressly stated herein, The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated April 16, 2019.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS AND LIMITATIONS

1. Development Limitations

A maximum appropriation of 0.49 cfs of water is currently allowed under Permit G-11422. Any appropriation of water beyond 0.49 cfs (not to exceed the maximum amount authorized under the permit, being 0.5 cfs) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan(s) (WMCP) under OAR Chapter 690, Division 86 that grants access to a greater rate of appropriation of water under the permit consistent with OAR 690-086-0130(7). The required WMCP shall be submitted to the Department within 3 years of this Final Order. Use of water under Permit G-11422 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department.

The Development Limitation established in the above paragraph supersedes any prior limitation of the appropriation of water under Permit G-11422 that has been established under a prior WMCP or Extension final order issued by the Department.

The deadline established in the Extension Final Order for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders.

2. Metering and Reporting Condition

- A. The permittee shall install a totalizing flow meter at each point of appropriation, **which must be approved in writing by the watermaster**, no later than October 1, 2019. The permittee shall maintain the device in good working order.

No water may be used under this permit after June 30, 2019, without approval of the totalizing flow meters by the watermaster.

- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water appropriated each month, and shall submit a report which includes water-use measurements to the Department each month, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

ORDER

The extension of time for Application G-12669, Permit G-11422, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1994, to October 1, 2037. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1995, to October 1, 2037.

DATED: June 7, 2019



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

If you have any questions about statements contained in this document, please contact Jeffrey D. Pierceall at (503) 986-0802.

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.
