Oregon Water Resources Department
Water Right Services Division

In the Matter of the Application for an Extension of Time for Permit G-12121, Water Right Application G-12570, in the name of the City of Junction City	)))	**FINAL ORDER**

Permit Information

Application File G-12570/ Permit G-12121

Basin 2B – Middle Willamette Basin / Watermaster District 2

Date of Priority: June 13, 1991

Authorized Use of Water

Source of Water:	a well in Ingram Slough Basin within the Willamette River Basin
Purpose or Use:	Municipal
Maximum Rate:	2.23 Cubic Feet 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

Permit G-12121 was issued by the Department on August 29, 1995. The permit called for completion of construction by October 1, 1997, and complete application of water to beneficial use by October 1, 1998. On March 22, 2019, the City of Junction City submitted an application for an extension of time for Permit G-12121. In accordance with OAR 690-315-0050(2), on August 20, 2019, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2049, and to extend the time to fully apply water to beneficial use to October 1, 2049. The protest period closed October 4, 2019, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 20, 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

1. **Development Limitations**

A maximum appropriation of 0.77 cfs of water is currently allowed under Permit G-12121. Any appropriation of water beyond 0.77 cfs (not to exceed the maximum amount authorized under the permit, being 2.23 cfs) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 that authorizes 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. The amount of water used under Permit G-12121 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-12121 that has been established under a prior WMCP or Extension final order issued by the Department.

The deadline established in this 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 final order may also meet the WMCP submittal requirements of other Department orders.

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).

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ORDER

The extension of time for Application G-12570, Permit G-12121, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1997, to October 1, 2049. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1998, to October 1, 2049.

DATED: November 1, 2019

Dwight French
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 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.