

Name CITY OF SILVERTON
By _____
Address 306 South Water Street
Silverton, OR 97381

Date filed March 20, 1973

Priority March 20, 1973

Action suspended until 038
"0004410"

Return to applicant _____

Date of approval May 18, 1973

CONSTRUCTION

Date for beginning May 18, 1974

Date for completion October 1, 1975

Extended to 10-1-81 10-1-82 10-1-91
10-1-96, 10-1-2001, 10-1-38

Date for application of water October 1, 1976

Extended to 10-1-81 10-1-82 10-1-91
10-1-96, 10-1-2001, 10-1-38

PROSECUTION OF WORK

Form "A" filed 3-6-78 see letter of 3-3-78

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued _____

Application No. 50185

Permit No. 36714

Certificate No. _____

Stream Index, Page No. 2-38320

See file No. R-50184 (res comp)

FEES PAID

Date	Amount	Receipt No.
<u>3-20-73</u>	<u>51.00</u>	<u>32957</u>
<u>3-8-97</u>	<u>100.00</u>	<u>10629</u>
<u>2/20/03</u>	<u>100.00</u>	<u>58382</u>

\$1 Cert. Fee _____

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

1300.0 af stored water only from Silver Creek Reservoir to be constructed
under application No. R-50184, permit No. R-5948 for municipal use

JUN 3 1974 CARD FOR A

Card for BC NOV 3 0 1976

Form 100 FEB 23 1978

CARD FOR BC APR 21 1983

Card for BC NOV 4 1986

CARD FOR C OCT 28 1991

FORM 100 JAN 21 1992

BC ext. to 10-1-2001 on 3/20/97 V51 P304

APR 14 1992 Extension
V46 P177



Oregon

Kate Brown, Governor

S-50185

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

February 9, 2016

City of Silverton

Attn: Paul Eckley, Public Work Director

306 S. Water Street

Silverton, OR 97381

Subject: Water Management and Conservation Plan

Dear Mr. Eckley:

Enclosed, please find the final order approving your Water Management and Conservation Plan (WMCP) and specifying that:

- The diversion of water under Permit S-3226 remains authorized at no more than 7.0 cfs (out of the total permitted 10.0 cfs); and
- The appropriation of stored water under Permit S-36714 remains authorized at no more than 200.0 acre-feet (out of the total permitted 1,300 acre-feet).

The attached final order specifies that the City of Silverton's WMCP shall remain in effect until **February 8, 2026**. The City of Silverton is required to submit a progress report to the Department by **February 8, 2021**, detailing progress made toward the implementation of conservation benchmarks scheduled in the WMCP. The City of Silverton must submit an updated WMCP to the Department by **September 8, 2025**.

***NOTE:** The deadline established in the attached final order for submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Silverton from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.*

We appreciate your cooperation in this effort. Please do not hesitate to contact me at 503-986-0880 or Lisa.J.Jaramillo@ wrd.state.or.us if you have any questions.

Sincerely,

Lisa J. Jaramillo

Water Management and Conservation Analyst

Water Right Services Division

Enclosure

cc: WMCP File
Application # S-4924 (Permit # S-3226)
Application # S-50185 (Permit # S-36714)
Joel Plahn, District #16 Watermaster
Oregon Assoc. of Water Utilities, Attn: Tim Tice, 935 N. Main Street, Independence, OR 97351



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of the Proposed Water	)	FINAL ORDER APPROVING A
Management and Conservation Plan for the	)	WATER MANAGEMENT AND
City of Silverton, Marion County	)	CONSERVATION PLAN

Authority

OAR Chapter 690, Division 086, establishes the process and criteria for approving water management and conservation plans required under the conditions of permits, permit extensions and other orders of the Department.

Findings of Fact

1. The City of Silverton submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on June 30, 2015. The plan was required by a condition set forth in the two final orders issued on September 4, 2003, approving Extensions of Time for Permits S-36714 and S-3226.
2. The Department published notice of receipt of the plan on July 7, 2015, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the City on September 2, 2015. In response, the City submitted a revised plan on February 4, 2016.
4. The Department reviewed the revised plan and finds that the revised plan is consistent with the relevant requirements under OAR Chapter 690, Division 086.

Conclusion of Law

The Water Management and Conservation Plan submitted by the City of Silverton is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The City of Silverton's Water Management and Conservation Plan is approved and shall remain in effect until **February 8, 2026**, unless this approval is rescinded pursuant to OAR 690-086-0920.

This is a final order in other than a contested case. This order is subject to judicial review under 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 ORS 536.075 and 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.

Development Limitation(s):

2. **Permit S-3226:** The limitation of the diversion of water established in the Final Order approving an Extension of Time for Permit S-3226 (*issued on September 4, 2003*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the City of Silverton remains authorized to only divert up to 7.0 cfs (*out of the total permitted 10.0 cfs*) of water under Permit S-3226.
3. **Permit S-36714:** The limitation of the appropriation of stored water established in the Final Order approving an Extension of Time for Permit S-36714 (*issued on September 4, 2003*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the City of Silverton remains authorized to only divert up to 200.0 acre-feet of water (*out of the total permitted 1,300.0 acre-feet*) under Permit S-36714.

Plan Update Schedule:

4. The City of Silverton shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within 10 years and no later than **September 8, 2025**.

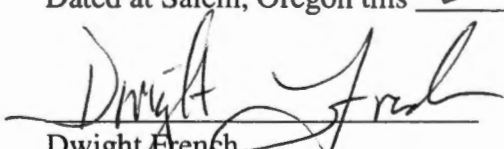
Progress Report Schedule:

5. The City of Silverton shall submit a progress report containing the information required under OAR 690-086-0120(4) by **February 8, 2021**.

Other Requirements for Plan Submittal:

6. The deadline established herein for the submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Silverton from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.

Dated at Salem, Oregon this 8 day of February, 2016.


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

Mailing date: FEB 16 2016

NOTE: *Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.*

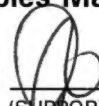
Mailing List for Extension FO Copies

Application #S-50185
Permit #S-36714

FO Date: September 4, 2003

Original mailed to:

Applicant: City of Silverton
Attn: Rich Barstad
306 South Water Street
Silverton, OR 97381

Copies Mailed
By: 
(SUPPORT STAFF)
on: 9/12/03
(DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #S-50185 / Permit #S-36714
2. WRD - Watermaster District: #16 - Bill Ferber, Salem
3. WRD - Regional Manager: NWR - Dave Jarrett, Salem
4. WRD - Doug Parrow, Salem
5. ODFW - Biologist District: #3 - Dick Caldwell, Clackamas
6. DEQ - Regional Office: West Region - John Blanchard, Medford
7. WRD - Jonnine Fuss, Salem...*Permit record update*

Other interested parties:

8. NONE

CASEWORKER: LJJ

Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers
Select	▷ CITY OF SILVERTON SILVERTON, OR 97381				GR367		
Select	OWNER: ▷ CITY OF SILVERTON 306 SOUTH WATER ST SILVERTON, OR 97381	R50184	R5948				
Select	OWNER: ▷ CITY OF SILVERTON 306 SOUTH WATER STREET SILVERTON, OR 97381	S4924	S3226				
Select	OWNER: ▷ CITY OF SILVERTON 306 SOUTH WATER ST SILVERTON, OR 97381	S50185	S36714				
Select	OWNER: ▷ CITY OF SILVERTON SILVERTON, OR 97381	S1297	S622	2400			▷ <u>S148</u> (Changes this right)

[Help understanding and working with the Water Rights Information System](#)

Download: [Point of diversion data](#), [Place of use data](#), [Stakeholder data](#)

[Return to WRIS Query](#)

RECEIVED

FEB 3 1937
STATE ENGINEER
SALEM, OREGON

Registration Statement

REGISTRATION NO. 98-367
CERTIFICATE NO. 353

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1935.)

TO THE STATE ENGINEER OF OREGON:

I, NE. the City of Silverton
of Silverton County of Marion

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is Pump Well
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 928' North and 270' West from the Northeast corner of the City of Silverton Boundary
(Approximate distance and direction from nearest city or town)
and is more particularly described as follows:

(a) 2552' N. 68° 12' E. from S.W. Cor. Sec. 26, T 6 S R 1 W of W.M.
(Give distance and bearing to corner of section or other legal subdivision)

being within SE 1/4 of the SW 1/4 of Sec. 26 Twp. 6 South Rge. 1 East
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city:

in Lot _____ Block _____ of _____
(Name of plot or addition)
County of _____
(If within city or town, give name)

3. Construction Work was begun on Feb. 10, 1935; was completed on May 22, 1935
(Date) (Date)
and the ground water claimed was first used for the purposes set out below on Installation
(Date)
since which time the water has been used Intermittently
(Continuously or intermittently)

from July, 1935 to Present date
(Date) (Date)

4. Quantity of water claimed and used is 500 gallons per minute; _____ acre feet per year.

5. Purpose or Purposes for which water is used Municipal
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth 183 feet. Type Drilled
(Dug or drilled)
diameter 12 inches. Elevation of ground at well site 400 feet, mean sea level.
(As near as known)
Depth to water table 15.5 feet.

7. Capacity of Well: 165 g.p.m. with 11.5 feet drawdown.
265 g.p.m. with 14.5 feet drawdown.
365 g.p.m. with 18.5 feet drawdown.

Date of test May 22, 1935

If Flowing Well: Measured discharge _____ g.p.m. on _____
(Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
(Date)

Water is controlled by _____
(Cap, valve, etc.)

8. Casing: (Give diameter, commercial specifications and depth below ground surface of each casing size.)

12 inch diameter 45-Pound Std. Weight Pipe from 0 to 183 feet
 inch diameter from to feet
 inch diameter from to feet
 inch diameter from to feet

Describe and show depth of shoe, plug, adapter, liner or other details:

Our Records do not show any details.

9. Perforated Casings or Screens:

No. information available on casing perforations.
 (Number per foot and size of perforations, or describe screen)

from to
 from to
 from to
 from to

10. Log of Well: (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Overburden	38	38
Broken Rock	12	50
Hard Rock	8	58
Porous Rock	4	62
Hard Rock	6	68
Black Basalt	11	79
Blue Shale	15	94
Soab Rock	30	124
Harder Rock	7	131
Green Rock (More water)	12	143
-- -- (Crevice)	2	145
** ---- (Hard & Soft Streaks)	10	155
Loose Formation (Caving)	10	165
Black Basalt	18	183

If log of well is not available, give name and address of driller. R.J. Strasser Drilling Co.

8110 S.E. Sunset
Portland, Oregon.

11. Infiltration Trench: Covered or open

Dimensions: Length _____ ft. Minimum depth _____ ft. Maximum depth _____ ft.

Bottom width _____ ft. Discharge _____ g.p.m. Date of test _____

12. Tunnel: Type of lining

Dimensions: _____
(Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel

Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

13. Pumping Equipment:

(a) Pump Sterling Turbine 10" x 10" 6 Stage Capacity 500 g.p.m.
(Make, type and size)

(b) Motor General Electric 60 hp.
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

Township North or South	Range E. or W. of Williams Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated	Date of Reclamation
T6S	R1W	34	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	municipal	1935
"	"	"	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	"	"
"	"	"	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	"	"
"	"	"	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	"	"
"	"	34	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	"
"	"	"	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	"
"	"	"	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	"
"	"	"	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	"
T6S	R1W	35	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	"
"	"	"	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	"
"	"	"	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	"
"	"	"	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	"
"	"	35	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	"
"	"	"	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	"
"	"	"	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	"
"	"	"	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	"

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

Application No. 1921, Permit No. 3226

Scale: 2" = 1 Mile

County of Marion

R. E. Portland
(Signature of Registrant)

My commission expires October 27, 1957.

(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

County of Marion

Construction shall be completed by x-x-x-x-x-x-x-x-x-xth x-x-x and the water completely stopped x-x-x.

~~CONFIDENTIAL~~ E-47X-X-X-X-X-X-X-X-X-10X-X-X

Witness my hand this 30th day of April 1957

19 57
Lewis G. Stanley
(State Engineer)

By

Depositor

GR 353 C

Scale: 2" = 1 Mile

County of Marion

R. E. Dooland
(Signature of Magistrate)

My commission expires October 27, 1957.

(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

County of Marion

~~Generation completed by x-x-x-x-x-x-x-x-10x-x-x-1-x-x-x-completed-x-p-13-x-x~~

~~beneficial by x-x-x-x-x-x-x-x-10x-x-x~~

Witness my hand this 30th day of April 1957

(State Engineer

By

(Deputy

GR 353 C

STATE ENGINEER
Salem, Oregon

3405
MARION

Well Record

STATE WELL NO. 6/LW-26 P(1)
COUNTY Marion
APPLICATION NO. GR-367

OWNER: City of Silverton

MAILING

ADDRESS:

CITY AND

STATE: Silverton, Oregon

LOCATION OF WELL: Owner's No.

SE 1/4 SW 1/4 Sec. 26 T. 6 N. S. R. 1 E. W., W.M.

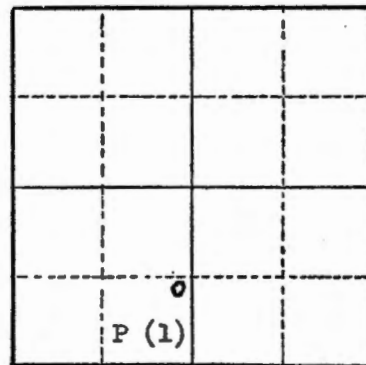
Bearing and distance from section or subdivision

corner 928' N. & 270' W. from NE Cor. of City of
Silverton Boundary (SW Cor. Sec. 26)

Altitude at well 248

TYPE OF WELL: Drilled Date Constructed May 22, 1935

Depth drilled 183 Depth cased



Section 26

CASING RECORD:

12"

FINISH:

AQUIFERS:

WATER LEVEL:

15.5

PUMPING EQUIPMENT: Type Sterling Turbine 10" 10" H.P. 60
Capacity 500 G.P.M.

WELL TESTS:

Drawdown ft. after hours G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Municipal Temp. °F. 19

SOURCE OF INFORMATION Ground Water Registration Record

DRILLER or DIGGER R. J. Strasser Drilling Co., Portland, Oregon

ADDITIONAL DATA:

Log X Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

State Well No. 6/1 W-26P(1)

County Marion

Application No. GR-367

Well Log

Owner: City of Silverton Owner's No. _____

Driller: R. J. Strasser Drilling Co. Date Drilled May 22, 1935

[illegible]

**Application for a Permit to Construct a Reservoir and to
Store for Beneficial Use the Unappropriated
Waters of the State of Oregon**

I, City of Silverton
(Name of Applicant)
of 306 South Water Street Silverton
(Mailing address) (City)
State of Oregon 97381
(Zip Code), do hereby make application for a permit to construct the
following described reservoir and to store the unappropriated waters of the State of Oregon, subject to
existing rights.

If the applicant is a corporation, give date and place of incorporation
1891 Silverton, Oregon

1. The name of the proposed reservoir is Silver Creek Reservoir.

2. The name of the stream from which the reservoir is to be filled and the appropriation made is
Silver Creek
tributary of Pudding River

3. The amount of water to be stored is 1300 acre feet.

4. The use to be made of the impounded water is Municipal Supply
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. S12 T7S, RIW and S. 7&18, T7S, R1E
(Give sections or townships to be submerged)
Tp. R, W.M., in the county of Marion

(a) State whether situated in channel of running stream and give character of material at outlet
Situated in channel of Silver Creek, a running stream. Outlet will be
in rock.

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give
name and dimensions

6. The dam will be located in N.E. 1/4 of N.E. 1/4, Sec. 12
(Smallest legal subdivision)
Tp. 7 S, R. 1 W, W.M. The maximum height will be 65 feet above stream bed or ground
surface on center line of dam. The length on top will be about 500 feet; length on
bottom about 300 feet; width on top 20 feet; slope on front
or water side 3 : 1; slope on back 2 : 1; height of dam above water line
(Foot horizontal to 1 vertical) 16
when full 16 feet.

* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured
without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

11 2018

R 5948

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: Zoned earthfill comprised of a fine grain soil core section with rocky shell sections. Coarser basalt rock from the spillway excavation or cobbles from the gravel borrow areas will be placed on the upstream slope.

8. The location of wasteway with dimensions are as follows: Chute Spillway around the dam, 120 ft. wide at crest, narrowing gradually to 60 feet wide at 180 feet downstream of crest.
(State whether over or around the dam)

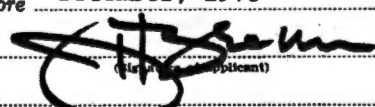
9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: At base of dam, 42 inch, cast in place reinforced concrete outlet pipe.
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

10. The area submerged by the proposed reservoir, when full, will be 65 acres, with a maximum depth of water of 50 feet; and approximate mean depth of water 20 feet.

11. The estimated cost of the proposed work is \$500,000.

12. Construction work will begin on or before May, 1973.

13. Construction work will be completed on or before December, 1973


(Signature of Applicant)

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before _____, 19____

WITNESS my hand this _____ day of _____, 19____

STATE ENGINEER

By H 2348

ASSISTANT

Remarks: The spillway design flood was computed to be 14,200 cfs according to procedure set forth by the U.S. Weather Bureau Hydro-meteorological Report No. 43 for computation of maximum probable precipitation. An additional 4 feet of freeboard was allowed above computed maximum flood level in the reservoir.

Sudden failure of the dam would cause serious flooding in Silverton and downstream with resulting heavy property damage and probable loss of life.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of Silver Creek Reservoir and storage of water from Silver Creek to be appropriated under application No. 30185, permit No. 36714 for municipal use.

The right hereunder shall be limited to the storage of 1300.0 acre feet.

The priority date of this permit is March 20, 1973.

Actual construction work shall begin on or before May 18, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1973.

WITNESS my hand this 18th day of May, 1973.

[Signature]

STATE ENGINEER

OK.
[Signature]

Application No. R-20194

Reservoir Permit No. R 5948

PERMIT

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 20th day of March, 1973, at 8:00 o'clock A.M.

Returned to applicant:

Approved:

May 18, 1973

Recorded in Book No. _____ of
Reservoirs, on Page R 5948

CHRIS L. WHEELER

State Engineer

Drainage Basin No. 2 page 38520

* Permit No. 3226

APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, City of Silverton
(Name of Applicant)
of Silverton, County of Marion
(Postoffice)
State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Abiqua Creek, tributary of Pudding River
(Name of stream)
2. The amount of water which the applicant intends to apply to beneficial use is 10 cubic feet per second.
3. The use to which the water is to be applied is Municipal Supply
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
4. The point of diversion is located near the center of Sec. 24
(Give distance and bearing to section corner)

being within the NE of NW $\frac{1}{4}$ of Sec. 34, Tp. 6 S
(Give smallest legal subdivision) (No. N. or S.)
R. 1 East, W. M., in the county of Marion
(No. E. or W.)

5. The pipe line to be 6 $\frac{1}{2}$ (33,561 feet) miles in length, terminating in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 35, Tp. 6, R. 1 W
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is

Abiqua Pipe Line

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 16 $\frac{1}{2}$ feet, length on top 70 feet, length at bottom 37 feet; material to be used and character of construction Material is wood
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Timber, wood, 18 inch pipe
(Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured, without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per one thousand feet.

(b) At.....miles from headgate. Width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of.....acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate)

(If more space is required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed.....theoretical horsepower.

(b) Total fall to be utilized.....feet.

(Head)

(c) The nature of the works by means of which the power is to be developed.....

(d) Such works to be located in.....of Sec.....

(Legal subdivision)

Tp....., R....., W. M.

(No. N. or S.)

(No. E. or W.)

(e) Is water to be returned to any stream?

(Yes or No)

(f) If so, name stream and locate point of return.....

Sec.....

Tp.....

(No. N. or S.)

R.....

(No. E. or W.)

W. M.

(g) The use to which power is to be applied is.....

(h) The nature of the mines to be served.....

MUNICIPAL SUPPLY—

11. To supply the city of Silverton
Marion County, having a present population of 2500, and an
 (Name of)
 estimated population of 5000 in 1920

(Answer questions 12, 13, 14, and 15 in all cases)

12. Estimated cost of proposed works, \$ 35,000.00

19. Construction work will begin on or before One year

14. Construction work will be completed on or before..... Two years

15. The water will be completely applied to the proposed use on or before
Five years

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

City of Silverton

.....
(Name of applicant)

P W Potter.

Mark Paulson

Signed in the presence of us as witnesses:

(1) G H Rydell

(Name)

(Address of witness)

(a) (Name)
L F Evenson

(Name)

(Address of witness)

Remarks:

STATE OF OREGON.

County of Marion

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:.....

For completion, fees & map

For correction Question #4. & maps

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before

Jan	13	1917
Feb	6	1917

WITNESS my hand this

..day of.

Dec.

191 6

John H Lewis

State Engineer

Application No. 4924
Permit No. 3226

PERMIT

TO APPROPRIATE
THE PUBLIC WATERS OF
THE STATE OF OREGON

Division No. 1 District No.

This instrument was first received
in the office of the State Engineer at
Salem, Oregon, on the 24
day of May, 1916,
at 8:30 o'clock a.m.

Returned to applicant for correction
Dec. 14, 1916 Jan. 7, 1917

Corrected application received
January 3, 1917; Jan. 16, '17

Approved:
Jan 25 1917

Recorded in Book No. 12 of
Permits, on Page 3226
John H Lewis
1 map State Engineer.
RS \$8.00

STATE OF OREGON,

County of Marion } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper State officer.

The use of the water under this permit shall be limited to water for a municipal supply

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 10.0 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is May 24, 1916

Actual construction work shall begin on or before January 25, 1918

and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Extended to Oct. 1, 1920
Extended to Oct. 1, 1925

Extended to Oct. 1, 1927 Extended to October 1, 1940

June 1, 1919

10-1-35

Extended to Oct. 1, 1931

Complete application of the water to the proposed use shall be made on or before 10/1/40 10-1-45 and to Oct. 1, 1950

Extended to Oct. 1, 1935

Extended to October 1, 1950

October 1, 1930

Extended to Oct. 1, 1950

Extended to Oct. 1, 1941

Extended to Oct. 1, 1945

January, 1917

Extended to Oct. 1, 1955

WITNESS my hand this 25th day of

John H Lewis

10-1-35
State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Sec. 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 318, Laws of 1915.

Extended to 10-1-45

RECEIVED

MAR 20 1973

STATE ENGINEER
SALEM, OREGONPermit No. **30414**

636714

APPLICATION FOR PERMIT*To Appropriate the Public Waters of the State of Oregon**

I, City of Silverton
(Name of applicant)
 of 306 South Water Street, Silverton
(Mailing address) (City)
 State of Oregon, 97381, do hereby make application for a permit to appropriate the
(Zip Code)
 following described public waters of the State of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation
1891 Silverton, Oregon

1. The source of the proposed appropriation is Silver Creek Reservoir
(Name of stream)
on Silver Creek, a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is
cubic feet per second 1300 Acre Feet per Year at Rate Up to 14 cfs.
(If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is Municipal Supply
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

The dam outlet headworks is
 4. The point of diversion is located 570 ft. S and 550 ft. W from the NE
(N. or S.) (E. or W.)
 corner of S12 T7S. R1W. W.M.
(Section or subdivision)

The city pump station point of diversion is 820 ft. N. and 760 ft. East of
the S.W. corner of S35 T 6S R1W.WM.

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the N.E. 1/4 of N.E. 1/4 of Sec. 12, Tp. 7 S
(Give smallest legal subdivision) (N. or S.)

R. 1 W, W. M., in the county of Marion
(E. or W.)

5. The Raw Water Pipeline from the Pump to be 0.5 miles
(Main ditch, canal or pipe line) (Miles or feet)
Station Intake on Silver Creek to the City Water Treatment Plant
in length, terminating in the NW 1/4 of SE 1/4 of Sec. 35, Tp. 6 S
(Section or subdivision) (N. or S.)

R. 1 W, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS**Diversion Works—**

6. (a) Height of dam 65 feet, length on top 500 feet, length at bottom
300 feet; material to be used and character of construction Zoned earthfill dam
(Loose rock, concrete, masonry)
with wasteway around dam.
rock and brush, timber crib, etc., wasteway over or around dam.)

(b) Description of headgate One 18" slidegate and one 42" slidegate with
(Timber, concrete, etc., number and size of openings)
steel pipe and cast in place reinforced concrete 42" diameter outlet
under dam. Gate structures are reinforced concrete.

(c) If water is to be pumped give general description Downstream from the dam the
(Size and type of pump)
water will be pumped to the City Water Treatment Plant. The pump station
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
is now two 25 hp vertical turbine pumps rated at 500 GPM each pumping
into a 12-inch pipeline. The pump station and pipeline will be modified

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.
 as the demand for greater capacity develops.

80311

~~Canal System or Pipe Line~~ From Silver Creek Pump Station to Water Treatment Plant

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, 2,500 ft.; size at intake, 12 in.; size at ft. from intake in.; size at place of use 12 in.; difference in elevation between intake and place of use, about 170 ft. Is grade uniform? No Estimated capacity, 5 sec. ft.

City of Silverton Water Service Area
8. Location of area to be irrigated, or place of use Including Areas of Possible Expansion

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
----------------------------	---	---------	------------------	------------------------------

8. Location of place of use - City of Silverton Water Service Area Including Areas of Possible Expansion

Township North or South	Range W. or W. of Willamette Meridian	Section	Forty-Acre Tract	Number of Acres to be Irrigated
6 S	1 W	23	E $\frac{1}{2}$ SW $\frac{1}{2}$	- - - - -
			S $\frac{1}{2}$ NE $\frac{1}{2}$	
		26	SE $\frac{1}{2}$	
			SW $\frac{1}{2}$	
			S $\frac{1}{2}$ NW $\frac{1}{2}$	
			NE $\frac{1}{2}$ NW $\frac{1}{2}$	
		27	S $\frac{1}{2}$ NE $\frac{1}{2}$	
			SE $\frac{1}{2}$	
		33	NE $\frac{1}{2}$ NE $\frac{1}{2}$	
7 S	1 W	34	NE $\frac{1}{2}$	
			SE $\frac{1}{2}$	
			NE $\frac{1}{2}$ SW $\frac{1}{2}$	
			E $\frac{1}{2}$ NW $\frac{1}{2}$	
		35	NW $\frac{1}{2}$ NW $\frac{1}{2}$	
		1	NE $\frac{1}{2}$	
			N $\frac{1}{2}$ SE $\frac{1}{2}$	
			SW $\frac{1}{2}$	
			NW $\frac{1}{2}$	
		2	NW $\frac{1}{2}$ NE $\frac{1}{2}$	
			S $\frac{1}{2}$ NE $\frac{1}{2}$	
			N $\frac{1}{2}$ SE $\frac{1}{2}$	
			SE $\frac{1}{2}$ SE $\frac{1}{2}$	
			SE $\frac{1}{2}$ NW $\frac{1}{2}$	
			N $\frac{1}{2}$ NW $\frac{1}{2}$	
		3	N $\frac{1}{2}$ NE $\frac{1}{2}$	

10. (a) To supply the city of Silverton
Marion County, having a present population of 4,300
(Name of)
 and an estimated population of 7,900 in 1990.

(b) If for domestic use state number of families to be supplied _____

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 500,000
12. Construction work will begin on or before May, 1973
13. Construction work will be completed on or before November, 1973
14. The water will be completely applied to the proposed use on or before The storage will
 be used initially during the summer of 1974.


(Signature of)

Remarks: Water will be stored during winter months for release during
summer and fall. The water released from storage will flow down Silver
Creek to the existing pump station where it will enter the City System.

STATE OF OREGON, }
 County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion.

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before June 4, 1973.

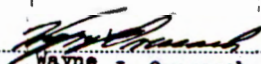
RECEIVED
 APR 17 1973
 STATE ENGINEER
 SALEM, OREGON

WITNESS my hand this 4th day of June, 1973.

CHRIS L. WHEELER

STATE ENGINEER

By


 Wayne J. Overcash

ASSISTANT

PERMIT

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 1300.0 acre feet stored water only ~~and shall not exceed~~ measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Silver Creek Reservoir to be constructed under application No. R-50184, permit No. R-5948

The use to which this water is to be applied is municipal

If for irrigation, this appropriation shall be limited to _____ of one cubic foot per second or its equivalent for each acre irrigated _____

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is March 20, 1973

Actual construction work shall begin on or before May 18, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975.
Extended to October 1, 1991 Extended to Oct. 1, 1985 Extended to Oct. 1, 1981
Extended to October 1, 1991 Extended to Oct. 1, 1988 Extended to Oct. 1, 1981

Complete application of the water to the proposed use shall be made on or before October 1, 1976

WITNESS my hand this 18th day of May, 1973

BC 10-1-96, EXT. DCO1

STATE ENGINEER

Application No. 50185
Permit No. 36714

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 20th day of March
1973, at 8:00 o'clock PM M.

Returned to applicant:

Approved:

May 18, 1973

Recorded in book No. _____ of
36714
Permits on page _____

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 1820
Fees 51.00

STATE OF OREGON

WATER DIVISION NO. 1

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That the CITY OF SILVERTON

of Silverton, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Silver Creek, a tributary of East Fork of Pudding River, for the purpose of Municipal, domestic supply

under Permit No. 622 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 329, on the 28th day of July, 1919; that the priority of the right hereby confirmed dates from March 16, 1911; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 5.00 cubic feet per second.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: The City of Silverton, in Marion County, Oregon.

Ch. Pt. of Div.
Sp. Or. Vol. 12, p. 167

~~The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.~~

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE

WATER BOARD affixed this 1st day

of August, 1919.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By PERCY A. CUPPER
State Engineer, President

Attest: R. W. Potter
Secretary

Recorded in State Record of Water Right Certificates, Volume 3, Page 2400

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION)
OF THE CITY OF SILVERTON FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SILVER)
CREEK)

O R D E R

APPROVING APPLICATION

On May 28, 1962, the City of Silverton filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Silver Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to the City of Silverton and recorded at page 2400, Volume 3, State Record of Water Right Certificates, confirms a right to the use of 5.0 cubic feet per second of the waters of Silver Creek for municipal and domestic water supply within the corporate limits of the City of Silverton, with a date of priority of March 16, 1911. The water is now being diverted from Silver Creek at a point located 800 feet South and 1900 feet West from the E $\frac{1}{4}$ corner of Section 18, and being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 18, Township 7 South, Range 1 East, W. M.

The applicant herein proposes to change the point of diversion downstream to a point to be located 988 feet North and 690 feet East from the southwest corner of Section 35, and being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 35, Township 6 South, Range 1 West, W. M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse at Salem, Oregon, on August 29, 1962, at 9:30 o'clock a.m. The notice was published in the Silverton Appeal-Tribune, a newspaper printed and having general circulation in Marion County, Oregon, for a period of three weeks in the issues of July 5, 12 and 19, 1962. The date set for hearing

in said notice was not less than thirty days after the last publication of the notice.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Silver Creek, to-wit:

From a point located 800 feet South and 1900 feet West from the E $\frac{1}{2}$ corner of Section 18, and being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 18, Township 7 South, Range 1 East, W.M.

To a point to be located 988 feet North and 690 feet East from the southwest corner of Section 35, and being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 35, Township 6 South, Range 1 West, W.M.

for municipal and domestic water supply on the following described lands, with a date of priority of March 16, 1911, be and the same is hereby approved:

N $\frac{1}{2}$
Section 30,
T. 6 S., R. 1 E., W.M.
E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 23,
NE $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25,
All of Section 26,
SE $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$

E $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
Section 27,
SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28,
N $\frac{1}{2}$ NE $\frac{1}{4}$
Section 33,
E $\frac{1}{2}$
NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 34,
N $\frac{1}{2}$
SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 35,
T. 6 S., R. 1 W., W.M.

W $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 1,
W $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
N $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2,
N $\frac{1}{2}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 3,
T. 7 S., R. 1 W., W.M.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1963, or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices.

That the pumping plant and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

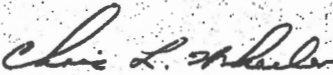
That the plans of the weir or other suitable device be approved by the watermaster of Marion County, Oregon, before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

Dated at Salem, Oregon, this 8th day of October, 1962.

Noted on records

App. #1297

Cert. #2400


CHRIS L. WHEELER
State Engineer

**Application for a Permit to Construct a Reservoir and to
Store for Beneficial Use the Unappropriated
Waters of the State of Oregon**

I, City of Silverton
(Name of Applicant)
of 306 South Water Street Silverton
(Mailing address) (City)

State of Oregon, 97381
(Zip Code), do hereby make application for a permit to construct the
following described reservoir and to store the unappropriated waters of the State of Oregon, subject to
existing rights.

If the applicant is a corporation, give date and place of incorporation
1891 Silverton, Oregon

1. The name of the proposed reservoir is Silver Creek Reservoir.

2. The name of the stream from which the reservoir is to be filled and the appropriation made is
Silver Creek
tributary of Pudding River

3. The amount of water to be stored is 1300 acre feet.

4. The use to be made of the impounded water is Municipal Supply
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. S12 T7S, R1W and S. 7&18, T7S, R1E
(Give sections or townships to be submerged)
Tp. R, W.M., in the county of Marion

(a) State whether situated in channel of running stream and give character of material at outlet
Situated in channel of Silver Creek, a running stream. Outlet will be
in rock.

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give
name and dimensions

6. The dam will be located in N.E. 1/4 of N.E. 1/4, Sec. 12
(Smallest legal subdivision)
Tp. 7 S, R. 1 W, W.M. The maximum height will be 65 feet above stream bed or ground
surface on center line of dam. The length on top will be about 500 feet; length on
bottom about 300 feet; width on top 20 feet; slope on front
or water side 3 : 1; slope on back 2 : 1; height of dam above water line
(Foot horizontal to 1 vertical) (Foot horizontal to 1 vertical)
when full 16 feet.

* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured
without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97301.

11 2012

R 5948

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: Zoned earthfill comprised of a fine grain soil core section with rocky shell sections. Coarser basalt rock from the spillway excavation or cobbles from the gravel borrow areas will be placed on the upstream slope.

8. The location of wasteway with dimensions are as follows: Chute Spillway around the dam, 120 ft. wide at crest, narrowing gradually to 60 feet wide at 180 feet downstream of crest.
(State whether over or around the dam)

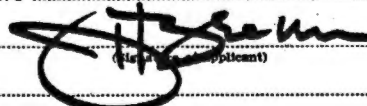
9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: At base of dam, 42 inch, cast in place reinforced concrete outlet pipe.
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

10. The area submerged by the proposed reservoir, when full, will be 65 acres, with a maximum depth of water of 50 feet; and approximate mean depth of water 20 feet.

11. The estimated cost of the proposed work is \$500,000.

12. Construction work will begin on or before May, 1973

13. Construction work will be completed on or before December, 1973


(Signature of applicant)

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 19.....

WITNESS my hand this day of, 19.....

STATE ENGINEER

By H-2048

ASSISTANT

Remarks: The spillway design flood was computed to be 14,200 cfs according to procedure set forth by the U.S. Weather Bureau Hydro-meteorological Report No. 43 for computation of maximum probable precipitation. An additional 4 feet of freeboard was allowed above computed maximum flood level in the reservoir.

Sudden failure of the dam would cause serious flooding in Silverton and downstream with resulting heavy property damage and probable loss of life.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of Silver Creek Reservoir and storage of water from Silver Creek to be appropriated under application No. 30183, permit No. 36714 for municipal use.

The right hereunder shall be limited to the storage of 1300.0 acre feet.

The priority date of this permit is March 20, 1973

Actual construction work shall begin on or before May 18, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1973.

WITNESS my hand this 18th day of May, 1973.

[Signature]

STATE ENGINEER

OK.
[Signature]

Application No. R-50194

Reservoir Permit No. R 5948

PERMIT

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 20th day of March, 1973, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

May 18, 1973

Recorded in Book No. _____ of
Reservoirs, on Page R 5948

CHRIS L. WHEELER

State Engineer

Drainage Basin No. 2 page 38220

File
X

RECEIVED

MAR 20 1973

STATE ENGINEER
SALEM, OREGON

Permit No. 36714

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, City of Silverton

(Name of applicant)

of 306 South Water Street

(Mailing address)

Silverton

(City)

State of Oregon

97381

(Zip Code)

, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1891 Silverton, Oregon

1. The source of the proposed appropriation is Silver Creek Reservoir

(Name of stream)

on Silver Creek, a tributary of Pudding River

2. The amount of water which the applicant intends to apply to beneficial use is

~~cubic feet per second~~ 1300 Acre Feet per Year at Rate Up to 14 cfs.

(If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is Municipal Supply

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

The dam outlet headworks is

4. The point of diversion is located 570 ft. S and 550 ft. W from the NE

(N. or S.)

(E. or W.)

corner of S12 T7S, R1W, W.M.

(Section or subdivision)

The city pump station point of diversion is 820 ft. N. and 760 ft. East of

the S.W. corner of S35 T 6S R1W.WM.

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the N.E. 1/4 of N.E. 1/4 of Sec. 12, Tp. 7 S

(Give smallest legal subdivision)

(N. or S.)

R. 1 W, W. M., in the county of Marion

(E. or W.)

5. The Raw Water Pipeline from the Pump to be 0.5 miles

(Main ditch, canal or pipe line)

(Miles or feet)

Station Intake on Silver Creek to the City Water Treatment Plant

in length, terminating in the NW 1/4 of SE 1/4 of Sec. 35, Tp. 6 S

(Smallest legal subdivision)

(N. or S.)

existing
R. 1 W, W. M., the proposed location being shown throughout on the accompanying map.

(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 65 feet, length on top 500 feet, length at bottom

300 feet; material to be used and character of construction Zoned earthfill dam

(Loose rock, concrete, masonry,

with wasteway around dam.

rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate One 18" slidegate and one 42" slidegate with

(Timber, concrete, etc., number and size of openings)

steel pipe and cast in place reinforced concrete 42" diameter outlet
under dam. Gate structures are reinforced concrete.

(c) If water is to be pumped give general description Downstream from the dam the

(Size and type of pump)

water will be pumped to the City Water Treatment Plant. The pump station

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

is now two 25 hp vertical turbine pumps rated at 500 GPM each pumping
into a 12-inch pipeline. The pump station and pipeline will be modified

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

as the demand for greater capacity develops.

36714

~~Canal System or Pipe Line~~ From Silver Creek Pump Station to Water Treatment Plant

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, 2,500 ft.; size at intake, 12 in.; size at ft. from intake in.; size at place of use 12 in.; difference in elevation between intake and place of use, about 170 ft. Is grade uniform? No Estimated capacity,

5 sec. ft.

8. Location of ~~area to be irrigated~~, or place of use City of Silverton Water Service Area Including Areas of Possible Expansion

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
----------------------------	---	---------	------------------	------------------------------

8. Location of place of use - City of Silverton Water Service Area Including Areas of Possible Expansion

Township North or South	Range W. or W. of Willamette Meridian	Section	Forty-Acre Tract	Number of Acres to be Irrigated
6 S	1 W	23	E $\frac{1}{2}$ SW $\frac{1}{4}$	- - - - -
		26	S $\frac{1}{2}$ NE $\frac{1}{4}$	
			SE $\frac{1}{4}$ SW $\frac{1}{4}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	
		27	S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	
		33	NE $\frac{1}{4}$ NE $\frac{1}{4}$	
		34	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	
		35	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	
7 S	1 W	1	S $\frac{1}{2}$ SW $\frac{1}{4}$	
		2	NW $\frac{1}{4}$ NE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ NW $\frac{1}{4}$	
		3	N $\frac{1}{2}$ NE $\frac{1}{4}$	

10. (a) To supply the city of SilvertonMarion

(Name of)

County, having a present population of 4,300and an estimated population of 7,900 in 1990.

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 500,00012. Construction work will begin on or before May, 197313. Construction work will be completed on or before November, 197314. The water will be completely applied to the proposed use on or before The storage will be used initially during the summer of 1974.

(Signature of applicant)

Remarks: Water will be stored during winter months for release during summer and fall. The water released from storage will flow down Silver Creek to the existing pump station where it will enter the City System.

STATE OF OREGON,

County of Marion,

ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before June 4, 1973

WITNESS my hand this 4th day of June, 1973.

CHRIS L. WHEELER

STATE ENGINEER

By

Wayne J. Overcash

ASSISTANT

RECEIVED
APR 17 1973
STATE ENGINEER
SALEM, OREGON

PERMIT

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 1300.0 ~~cubic feet per second~~ acre feet stored water only measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Silver Creek Reservoir to be constructed under application No. R-50184, permit No. R-5948

The use to which this water is to be applied is municipal

If for irrigation, this appropriation shall be limited to _____ of one cubic foot per second or its equivalent for each acre irrigated

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is March 20, 1973

Actual construction work shall begin on or before May 18, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975.
Extended to October 1, 1991 Extended to Oct. 1, 1986 Extended to Oct. 1, 1981

Complete application of the water to the proposed use shall be made on or before October 1, 1976

WITNESS my hand this 18th day of May, 19 73.

BC 10-1-96, EXT. BCO1

[Signature]

STATE ENGINEER

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,

on the 20th day of March,
1973, at 8:00 A. o'clock PM M.

Returned to applicant:

Approved:

May 18, 1973

Recorded in book No. _____ of

36714

Permits on page _____

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 38330

Fees 51.00

Application No. 50185

Permit No. 36714

✓
9-2-03

Div 315

Extension "Final Order" Checklist

Application # S-50185 / Permit # S-36714

Permit Holder's Name City of Silverton; Attn: Rich Barstad
306 S. Water St, Silverton OR 97381

- ✓ 1. Date Extension Request submitted: 2-20-03
- ✓ 2. Date permit was issued: 5-18-73
- ✓ 3. Original "B" Date from permit: 10-1-75
(Date for completion of construction)
- ✓ 4. Original "C" Date from permit: 10-1-76
(Date for complete application of water)
- ✓ 5. Extension PFO Date: 7-1-03
- ✓ 6. WRD recommends extending "B" Date to: 10-1-2038
and extending the "C" Date to: 10-1-2038
- ✓ 7. Protest Deadline Date from PFO: 8-15-03
- ✓ 8. Any written Protests or written Comments received within the Protest period? Yes / No
- ✓ 9. Conditions from Extension PFO? Yes → Development Limitations

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application	)	
for an Extension of Time for	)	
Permit #S-36714, Water Right	)	PROPOSED FINAL ORDER
Application #S-50185	)	
(City of Silverton)	)	

Permit Information

Application File #S-50185 / Permit #S-36714

Basin: #2 - Willamette Basin / Watermaster District: #16

Date of Priority: March 20, 1973

Authorized Use of Water

Source of Water:	Silver Creek Reservoir, constructed under Permit #R-5948, in the Silver Creek Basin
Purpose or Use:	Municipal Use
Maximum Rate:	1,300.0 acre-feet (AF) of stored water only

**This Extension of Time request is being processed in accordance
with Oregon Administrative Rule Chapter 690, Division 315.**

***Please read this Proposed Final Order in its entirety as it contains
additional conditions not included in the original permit.***

This Proposed Final Order applies only to Permit #S-36714, water right Application #S-50185. A copy of Permit #S-36714 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 2001, to October 1, 2038;
- grant the extension for complete application of water from October 1, 2001, to October 1, 2038; and
- make the extensions subject to certain conditions as set forth below.

FINDINGS OF FACT

Background

1. Permit #S-36714 was granted by the Water Resources Department on May 18, 1973. The permit authorizes the use of up to 1,300.0 AF of stored water only from Silver Creek Reservoir (constructed under Permit #R-5948) in the Silver Creek Basin for municipal purposes. It specified that construction of the water development project should be completed by October 1, 1975, and that complete application of water was to be made on or before October 1, 1976.
2. Five prior extensions have been granted for Permit #S-36714. The most recent extension request resulted in the construction and completion dates being extended to October 1, 2001.
3. Due to ongoing permit extension rulemaking, the Department placed all pending municipal and quasi-municipal permit extension of time requests on hold and did not require municipal and quasi-municipal water use permit holders whose authorized completion dates had passed to submit an extension application until the new rules were adopted.
4. Municipal and quasi-municipal water use permit extension rules were adopted by the Water Resources Commission and became effective on November 1, 2002 (OAR 690-315-0070 through 690-315-0100).

5. On January 13, 2003, the Department requested the permit holder to submit an extension of time application consistent with the newly adopted municipal and quasi-municipal water use permit extension rules under OAR Chapter 690, Division 315.
6. The permit holder submitted an "Application for Extension of Time" to the Department on February 20, 2003, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #S-36174 be extended from October 1, 2001, to October 1, 2006.
7. Notification of the City of Silverton's extension of time request for Permit #S-36714 was published on the Department's Public Notice dated February 25, 2003. No public comment on the extension application was received.
8. On May 14, 2003, the City of Silverton amended their extension of time request for Permit #S-36714. The permit holder requested that both the time in which to complete construction of the water system and to accomplish beneficial use of water to the full extent under the terms of Permit #S-3226 be extended to October 1, 2038.
9. The City provided further information to the Department on May 15, 2003, in which they identified the maximum amount of stored water appropriated to date from Silver Creek Reservoir under Permit #S-36714 for municipal purposes.

Development Overview

10. Construction of the Silver Creek dam, authorized under Permit #R-5948, was completed in November 1973. Since then, the City of Silverton completed construction of a new 3,500,000 gallon per day water treatment facility, completed construction of a 2,000,000 gallon storage reservoir, increased the capacity of the water supply system, upgraded the filter capacity at the old water treatment plant; upgraded the water treatment plant's chemical disinfection process and periodically continued to complete installation and/or replacement of water distribution pipelines.
11. Since the issuance of Permit #S-36714 on May 18, 1973, the permit holder has appropriated a maximum annual quantity of approximately 200.0 AF of stored water only from Silver Creek Reservoir (constructed under Permit #R-5948) for municipal purposes.

Review Criteria for Municipal and Quasi-Municipal Water Use Permits [OAR 690-315-0080(1)]

12. The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0080(1). Each of the requirements are discussed below.

Complete Extension of Time Application [OAR 690-315-0080(1)(a)]

13. The Department received a completed extension of time application and the statutory fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0080(1)(b)]

14. Permits held by municipal corporations for municipal uses or purposes are exempt from the requirement to begin actual construction work within one year from the date of approval of the application.¹

Duration of Extension [OAR 690-315-0080(1)(c)(d)]

15. Under OAR 690-315-0080(1)(c)(d), the Department shall find that the time requested is reasonable and the applicant can complete the project within the time requested.
16. The remaining work to be completed under Permit #S-36714 consists of complete construction of the system and complete application of water to beneficial use.
17. On May 14, 2003, the City of Silverton requested that the period for completing construction of the system and applying water to the full extent allowed under Permit #S-36714 be extended from October 1, 2001 to October 1, 2038.
18. Since the issuance of Permit #S-36714, the population of Silverton has grown from approximately 4,300 in 1973 to 7,420 in 2002. Based upon their historical growth rate, the City of Silverton projects a population increase, on average, of 1.3 percent per year over the next thirty-five years.

¹ ORS 537.230(1)

19. As of February 20, 2003, the permit holder has appropriated 200.0 AF of the 1,300.0 AF of stored water only allowed under Permit #S-36714 for municipal purposes.
20. In addition to Permit #S-36714 which allows the use of 1,300.0 AF of stored water only from Silver Creek Reservoir (constructed under Permit #R-5948), the City of Silverton also holds Certificate #2400 for 5.0 cfs of water from Silver Creek and Permit #S-3226 for 10.0 cfs of water from Abiqua Creek. Silverton has not yet made beneficial use of 1,100.0 AF of stored water under Permit #S-36714 and 3.0 cfs of water under Permit #S-3226.
21. The City relies mainly on Certificate #2400 and Permit #S-3226 to supply its demands for water, and maintains Permit #S-36714 as an emergency back-up source. Typically, surface water flows are limited during the late-fall season and the City must utilize Permit #S-36714 to appropriate stored water from Silver Creek Reservoir in order to make up the deficiencies. Because Permit #S-36714 is used only during periods when the City's water demands cannot be met by their other water sources, a longer amount of time is necessary to fully develop the permit.
22. Given the amount of development left to occur, the projected annual growth rate provided by the City, the City's past peak day water demands, and the fact that Permit #S-36714 is used as a back-up emergency water source, the Department has determined that the permittee's request to have until October 1, 2038, to complete construction of the water system and to complete the application of water to beneficial use under the terms of Permit #S-3226 is reasonable.

Good Cause *[OAR 690-315-0080(1)(e)]*

23. The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(2). Each of the requirements are discussed below.

Reasonable Diligence and Good Faith of the Appropriator *[OAR 690-315-0080(2)(a)(c)]*

24. Reasonable diligence and good faith of the appropriator during the permit period constitutes a continuing test of whether and under what conditions to grant an extension. In determining the reasonable diligence and good faith of

a municipal or quasi-municipal water use permit holder, the Department shall consider activities associated with the development of the right including, but not limited to, the items set forth under OAR 690-315-0080(3).

25. Prior to October 1, 2001, the following had occurred: the City of Silverton had completed construction of the Silver Creek dam (authorized under Permit #R-5948); completed construction of a new 3,500,000 water treatment plant; completed construction of a 2,000,000 gallon storage reservoir; completed periodic installation and upgrades of water distribution pipelines; increased the capacity of the water supply system; and continued to add new service connections to the water system.
26. Since October 1, 2001, the following work was accomplished: the City of Silverton had upgraded the water treatment plant filter capacity; installed a 1,500,000 gallon low level reservoir; increased storage at the water treatment plant; upgraded the water treatment plant's disinfection process; continued to install and upgrade water distribution pipelines; and continued to increase the capacity of the water supply system.
27. As of February 20, 2003, the permit holder has invested 20 percent of the total projected cost for complete development of this project, being an approximate total of \$5,079,826. An additional \$20,000,000 investment is anticipated for the completion of this project.
28. Since the issuance of Permit #S-36714 on May 20, 1973, approximately 200.0 AF of stored water only has been appropriated from Silver Creek Reservoir (constructed under Permit #R-5948) for municipal purposes under the terms of the permit.

Financial Investment [OAR 690-315-0080(2)(b)]

29. As of February 20, 2003, the permit holder has invested an approximate total of \$5,079,826 into the project, consisting of construction of the Silver Creek dam (authorized under Permit #R-5948); construction of a new 3,500,000 gallon per day water treatment facility, construction of a 2,000,000 gallon storage reservoir, increased capacity of the water supply system, upgrades to the filter capacity at the old water treatment plant; upgrades to the water treatment plant's chemical disinfection process and the continuation of periodic installation and/or replacement of water distribution pipelines. An additional \$20,000,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0080(2)(d)]

30. Since the issuance of Permit #S-36714, Silverton's population has grown from approximately 4,300 in 1973 to 7,420 in 2002. Based upon their historical rate of growth, the City projects a population increase, on average, of 1.3 percent per year over the next thirty-five years.
31. In addition to Silverton's domestic water users, there are also industrial water users located within an industrial park to which the City is obligated to supply water. The industrial park is not yet filled to capacity, which creates the potential for increased water demands to be placed upon the City as the industrial area grows. If needed, the City's water system is capable of supplying up to 300,000 gallons per day to the industrial park.
32. The City of Silverton holds Certificate #2400 for 5.0 cfs of water from Silver Creek, Permit #R-5948 for the storage of 1,300.0 acre-feet (AF) of water from Silver Creek and Permit #S-36714 for the use of 1,300.0 AF of stored water under Permit #R-5948. The City also holds Permit #S-3226 for 10.0 cfs of water from Abiqua Creek. Silverton has not yet made beneficial use of 1,100.0 AF of stored water under Permit #S-36714 and 3.0 cfs of water under Permit #S-3226.
33. The City relies mainly on Certificate #2400 and Permit #S-3226 to supply its demands for water, and maintains Permit #S-36714 as an emergency back-up source. Typically, surface water flows are limited during the late-fall season and the City must utilize Permit #S-36714 to appropriate stored water from Silver Creek Reservoir in order to make up the deficiencies.
34. Given Silverton's current water supply situation, their future outlook and their expected demands, there is presently a demand and market for the use of water under Permit #S-36714.

Fair Return Upon Investment [OAR 690-315-0080(2)(e)]

35. Reasonable returns against the investment in the project will be gained. The City of Silverton periodically reviews and revises their water service rates to ensure they are equivalent to the costs of providing water.

Other Governmental Requirements [OAR 690-315-0080(2)(f)]

36. Delay in the development of this project was not caused by any other governmental requirements.

Events which Delayed Development under the Permit [OAR 690-315-0080(2)(g)]

37. Delay of development under Permit #S-36714 was due, in part, to the size and scope of the municipal water system, which was designed to be phased in over a period of years. Full beneficial use of water under the permit is dependant upon the continued growth of the City and the associated increased demands for water. Additionally, because Permit #S-36714 is maintained as an emergency back-up water source, the City's other water right and permit will most likely be fully utilized before full beneficial use of this permit is realized.

Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0080(1)(a).
3. Pursuant to ORS 537.230(1), the permit holder is not required to demonstrate that actual construction of the project began within one year of the date of issuance of the permit, as required by OAR 690-315-0080(1)(b).
4. The time requested to complete construction and apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).
5. Completion of construction and full application of water to beneficial use can be completed by October 1, 2038², [OAR 690-315-0080(1)(d)].

² For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources

6. The Department has considered the reasonable diligence and good faith of the appropriator, the financial investment made, the market and present demands for water, the fair return upon the investment, the requirements of other governmental agencies and uncontrollable events which delayed development under the permit, and has determined that the applicant has shown good cause for an extension to complete construction and complete application of water to full beneficial use pursuant to OAR 690-315-0080(1)(e).
7. In accordance with OAR 690-315-0090(3), the Department has established, as specified under Item #1 of the "Conditions" section of this Proposed Final Order for an Extension of Time, that the diversion of stored water from Silver Creek Reservoir (constructed under Permit #R-5948) beyond 200.0 AF under Permit #S-36714 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within 3 years from the date this extension is final.

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #S-36714 from October 1, 2001, to October 1, 2038; and

Extend the time for complete application of water to beneficial use under Permit #S-36714 from October 1, 2001, to October 1, 2038.

Subject to the following conditions:

Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625.

CONDITIONS

1. Development Limitations

Diversion of stored water from Silver Creek Reservoir (constructed under Permit #R-5948) beyond 200.0 AF under Permit #S-36714 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within 3 years from the date this extension is final.

DATED: July 1, 2003


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, August 15, 2003**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;

- f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050.
- 3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - A. Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - B. The applicant submitted a timely request for a contested case hearing.

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503) 387-8455, extension 201. Address all other correspondence to:

**Water Rights Section
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97301-4172
Fax #: (503) 378-2496**

This document was prepared by Lisa J. Juul. If you have any questions about any of the statements contained in this document, I am most likely the best person to answer your questions. You may contact me by telephone at (503) 378-8455, extension 272.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulon. Her extension number is 239.

If you have other questions about the Department or any of its programs, please contact our Water Rights Information Group at extension 201.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-50185

Final Order¹
Extension of Time for Permit Number S-36714

Application History

On FEBRUARY 20, 2003, the CITY OF SILVERTON submitted an application to the Department for an extension of time for permit number S-36714. The Department issued permit number S-36714 on MAY 18, 1973. The permit called for completion of construction of the water development project by OCTOBER 1, 1975, and complete application of water to the full beneficial use by OCTOBER 1, 1976. In accordance with OAR 690-315-0050(2), on JULY 1, 2003, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project and the time to fully apply water to beneficial use to OCTOBER 1, 2038. The protest period closed AUGUST 15, 2003, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

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

Development Limitations

Diversion of stored water from Silver Creek Reservoir (constructed under Permit #R-5948) beyond 200.0 AF under Permit #S-36714 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within 3 years from the date this extension is final.

¹

Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

Order

The extension of time for Application Number S-50185, Permit Number S-36714, therefore, is approved. The deadline for completing construction is extended to OCTOBER 1, 2038. The deadline for applying water to full beneficial use is extended to OCTOBER 1, 2038.

DATED: September 4, 2003


Paul R. Cleary, Director

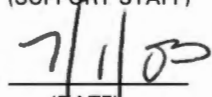
Mailing List for Extension PFO Copies

Application #S-50185
Permit #S-36714

PFO Date: July 1, 2003

Original mailed to:

Applicant: City of Silverton
Attn: Rich Barstad
306 South Water Street
Silverton, OR 97381

Copies Mailed	
By:	 (SUPPORT STAFF)
on:	 (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #S-50185 / Permit #S-36714
2. WRD - Watermaster District: #16 - Bill Ferber, Salem
3. WRD - Regional Manager: NWR - Dave Jarrett, Salem
4. WRD - Doug Parrow, Salem
5. ODFW - Dist #3 - Dick Caldwell, Clackamas
6. DEQ - West Region - John Blanchard, 201 W. Main St, Medford, OR 97501

Other interested parties:

7.

CASEWORKER: LJJ

S:\groups\wr\extensions\P F O\Work_315 rules\s50185.wpd

Application # S-50185 / Permit # S-36714

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

♦ **WRIG...**

Money Received: \$100.00 on 2-20-03

♦ **Lisa Juul...**

Extension Completeness:

(If NOT complete, send certified letter requesting add'l information.)

OK 2-27-03

If Extension Appl complete and \$100 fee submitted, route to...

♦ **Jonnine Fuss...**

Initial 30-day Public Notice: 2/25 J

Update Extension Database: 2/25 J

Files back to filing cabinets: back to Lisa

At the close of the Initial 30-day Comment Period...

♦ **Lisa Juul...**

Pull files for Ext PFO review: _____

Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

♦ **Jonnine Fuss...**

Prepare Ext PFO for mailing to applicant: _____

Mail to those who commented and paid copy fee: _____

Include Ext PFO on weekly Public Notice: _____

Within 60 days after the close of the 45-day PFO Protest Period...
(PFO Protest Period ends 45 days from PFO sign date)...

♦ **Lisa Juul...**

Issue an Extension FO: _____

Municipal or Quasi-Municipal EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: S-50185 / Permit #: S-36714

Permittee's Name: City of Silverton

Permittee's Mailing Address: 306 S. Water St., Silverton, OR 97381

POD Location: Township 7-S Range 1-W Section 12 $\frac{1}{4}$ $\frac{1}{4}$ NENE

Stream Basin: _____ County: Marion

- ✓ 1. Has the applicant completely filled out the updated Extension Application form? Yes / No \$100.⁰⁰ - Yes
***If "No"..... has certified request for the new extension form been sent? Yes / No
- ✓ 2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No
*****(NOTE:** Any missing Extension information that is needed before an Extension PFO can be completed???)
- ✓ 3. Date Permit was issued: 5-18-73 (Priority = 3-20-73)
- ✓ 4. Source: Silver Creek Reservoir (to be constructed under Appl R-50184/Permit R-5948), in the Silver Cr. Basin
- ✓ 5. Use: Municipal
- ✓ 6. "Q": 1300.⁰⁰ AF stored water only
- ✓ 7. Original "B" Date: 10-1-75 Original "C" Date: 10-1-76
- ✓ 8. Conditions of Permit: Original "A" Date: 5-18-74
- "A", "B" & "C" Dates
- ✓ 9. Extension request received: 2-20-03 Request Number (...1st 2nd, 3rd): 6th
- ✓ 10. Last Authorized "B" Date: 10-1-2001 Last Authorized "C" Date: 10-1-2001
- ✓ 11. Proposed "B" Date: _____ Proposed C Date: 10-1-2006

✓ 12. Amount Invested to date: \$5,079,826.⁰⁰ Estimated Total Cost: \$25,079,826.⁰⁰
(***Estimated Remaining Cost: \$20,000,000.⁰⁰)

✓ 13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes / No ***If "No"..... What permit terms and/or conditions have not been met?

- A Date met = Silver Creek dam compl. in Nov. 1973.
- This permit has been continuously extended.

✓ 14. Work on the water development project completed to date includes: _____

- See attached listing of "Work Accomplished."
- Have used a max of 200 AF to date - See Memo dated 5-15-03.

✓ 15. The work remaining to be completed consists of: _____

- Completion of Construction of distrib sys.
- Full beneficial use of Stored Water.

✓ 16. Progress in perfecting the permit is being held up by: _____

- Size & Scope of the project → continued growth of the City presents a need for water in the future. Population growth is need to fully utilize the permit.

✓ 17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes / No

- Have invested approx. 20% of total estimated cost of project.
- Have continued to develop & improve water system
- Have met Conditions
- Have used approx 18% of total permitted quantity of water - as back-up source.

✓ 18. Determination of the market and the present demand for water or power to be supplied: _____

- 1973 pop. = 4,300
- 2002 pop. = 7,420
- Expect 2% growth based on past growth rates
- potential for growth & increased water demands in the industrial park.

✓ 19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. → Approval of Extension Request

No ... "Good Cause" cannot be found. → Denial of Extension Request

✓ 20. Conditions to be included on Extension PFO: Develop. Limitations (200 AF)

& submit Div 86 in 3 years.

Extension "PFO" Dates

7-1-03

Checklist Last Revised: 1/31/2003

Mailing / Issuance Date:

5-8-03

Reviewer's Name:

[Signature]

Protest Deadline Date:

8-15-03

Date:

5-8-03

City of Silverton
Appl # S-50185 / Permit # S-36714

5-12-03
L. Juul

page 1

Work Accomplished

- Original "B" Date = 10-1-75
- Original "C" Date = 10-1-76

1st Ext. - submitted on 6-16-78

- Extended "B" & "C" to: 10-1-81

→ Construction of Silver Creek dam (under permit R-5948) completed in Nov. 1973.

Total engineering & construction cost was estimated at \$650,000.

2nd Ext. - submitted on 7-22-83

- Extended "B" & "C" to: 10-1-86

- Completed a new 3.5 mgd water treatment facility.
- Completed a 2.0^o (million gallon) mgd storage reservoir
- Completed over 2 miles of distribution line replacements
- Current treatment capacity = 6.8 mgd

3rd Ext. - submitted on 12-1-86

- Extended "B" & "C" to: 10-1-91

→ Added 2 single family dwellings & 14 new mobile homes placed in newly expanded mobile home court.
— All added to City's water system.

4th Ext. - submitted on 2-13-92

- Extended "B" & "C" to: 10-1-96

→ Some use of stored water used in very dry summer periods (1990) when Silver Creek pumps below dam were used to supplement the City water supply normally taken from Abiqua Creek.

5th Ext. - submitted on 3-10-97.

- Extended "B" & "C" to: 10-1-2001

→ Reservoir Storage used to augment flows nearly every summer. This consumes approx. 60.0 AF of ^{stored} water

20-14-97 Memo → Total use for City is 200.0 AF under this permit ^{each year}

6th Ext. - submitted on 2-20-2003

— Pending Extension request —

→ ~~the~~ - increased system capacity by accomplishing the following:

- ^{periodically} under sized lines replaced on several streets
- added a 1.25 ^{installed a 1.5 mg low level reservoir} mg storage @ the WTP (replacing the 250,000 gallon storage)
- Upgraded filter capacity @ old plant
- treatment plant - chemical improvements
... upgrades with new disinfection system.
- Continued to install & upgrade water distribution lines.

City of Silverton
App #S-50185 / Permit #S-36714

5-13-03
L. Juul

$$1973 \rightarrow f(0) = 4,300$$

$$2002 \rightarrow f(29) = 7,420$$

population
a = starting value
b = growth factor
t = time in years
P = proj. population

$$\frac{(2002) \rightarrow f(29)}{(1973) \rightarrow f(0)} = \frac{7,420}{4,300} = \boxed{\text{Ratio } 1.725581395}$$

$$\frac{f(29)}{f(0)} = \frac{ab^t}{ab^0} = \frac{ab^{29}}{ab^0} = \frac{b^{29}}{b^0} = \frac{b^{29}}{1} = b^{29}$$

$$b^{29} = 1.725581395$$

$$b^{29(1/29)} = 1.725581395^{(1/29)}$$

$$b = 1.018990624$$

$$\rightarrow 1.8990624\%$$

1973 - 2002
*Growth Rate Factor
 $\approx 1.9\%$

~~$$P(t) = ab^t$$~~

~~$$P(29) = 4,300(7,420)^{29}$$~~

~~$$P =$$~~

$$P(t) = ab^t$$

$$P(29) = 4,300(1.018990624)^{29}$$

$$P = 4,300(1.725581401)$$

$$P = 7,420.000024 \rightarrow$$

2002 Population
= 7,420

Water Rights Information Query Results

5-12-03
L. Juul

Name	Application	Permit	Certificate	Decree	Claim	Transfer	Status
CITY OF SILVERTON SILVERTON OR 97381 (details)	Claim is for a well	for for Municipal	500 gpm for Municipal	from Use	GR367		NC
CITY OF SILVERTON 306 SOUTH WATER ST SILVERTON OR 97381 (details)	R50184	R5948	1300.0 AF - for	Silver Creek Municipal Use			NC
CITY OF SILVERTON SILVERTON OR 97381 (details)	S1297	S622	2400	5.0 cfs - Silver Creek Municipal-Domestic Supply			NC
CITY OF SILVERTON 306 SOUTH WATER STREET SILVERTON OR 97381 (details)	S4924	S3226	10.0 cfs - Abigona Creek - Municipal Use				NC
CITY OF SILVERTON 306 SOUTH WATER ST SILVERTON OR 97381 (details)	S50185	S36714	Use of permit for Municipal Use	1300.0 AF R-5948 for	under		NC

Page:1

[Download Place of Use Data](#), [Point of Diversion Data](#), or [Owner Data](#)

[Return to the Water Right Information search screen](#)

Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496



Water Use Reporting Database

5-12-03
L. Juul

RICHARD J BARSTAD, DIR. PUBLIC WORKS
CITY OF SILVERTON
306 SOUTH WATER ST
SILVERTON, OR 97381-2199

jump to:

- [home](#)
- [commission](#)
- [water law](#)
- [water rights](#)
- [surface water](#)
- [ground water](#)
- [maps](#)
- [programs](#)
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- [oregon online](#)
- [comments](#)

Pod Id	Permit	Cert	Priority	Twnshtp	Range	Sctn	Use	Rate	P/A/S	Source	Tributary To
12191	S 622	2400	3/16/1911	7S	1E	18	MU	5 C	P	SILVER CR	PUDDING R

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1988	MU	M	0	0	0	0	0	0	0	0	0	2.17	0	0
1989	MU	M	0	0	0	0	0	0	0	0	0	5.22	0	0
1990	MU	G	0	6000	0	0	0	0	0	0	6000	0	6000	0
1991	MU	M	0	0	3.53	0	0	0	0	0	0	0	0	2.18
1992	MU	M	null	1.59	0	0	0	0	0	0	3.78	0	0.52	0
1993	MU	G	0	4910000	0	0	0	0	0	0	0	0	0	0
1994	MU	G	0	0	4190000	1420000	4280000	1480000	0	0	0	1102000	0	0
1995	MU	M	4.93	1.02	0	0	0	0	0	0	0	0	1.55	7.96
1996	MU	G	1090000	33543000	27923000	0	7942000	0	0	0	0	0	0	0
1997	MU	M	0	2.7	5	0	0	0	0	0	0	0	0	0
1998	MU	M	1.03	2.52	0	0	0	0	0	0	0	0	0	0
1999	MU	M	0	0	0	0	0	0	0	0	0	0	0	0
2000	MU	M	0	0	0	0	0	0	0	0	0	0	0	0
2001	MU	null	0	0	0	0	0	0	0	0	0	31	28.12	31.05

Pod Id	Permit	Cert	Priority	Twnshtp	Range	Sctn	Use	Rate	P/A/S	Source	Tributary To
12192	S 3226	0	5/24/1916	6S	1E	34	MU	10 C	P	ABIQUA CR	PUDDING R

[Handwritten signature]

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1988	MU	M	43.37	48.63	37.86	37.8	30.92	35.04	34.69	32.8	34.94	49.94	58.85	43.31
1989	MU	M	30.37	30.27	33.11	29.81	34.12	32.28	30.08	35.19	42.64	38.76	41.14	38.34
1990	MU	M	29	32.8	31.2	29.6	26.6	31.4	28.8	31.5	37.4	46.1	45.7	29.2

1991	MU	M	35	33.76	29.04	38.08	24.63	32.85	32.36	34.56	30.7	47.6	49.05	34.37
1992	MU	M	35.9	30.2	25.8	29.1	26.6	32.2	28.9	41.6	45	49.5	46.2	34.2
1993	MU	G	32400000	23400000	28400000	29700000	26700000	29500000	28400000	31200000	32600000	36100000	43300000	40800000
1994	MU	M	35.8	34.2	31.2	33.2	26.5	32.8	32.9	42.9	40.6	58	49.8	39.9
1995	MU	M	32.84	27.01	34.64	30.45	28.65	28.23	34.92	33.95	38.37	46.02	40.57	30.01
1996	MU	G	38790000	18570000	8470000	32300000	22058000	28200000	27700000	27600000	36400000	49200000	46700000	36000000
1997	MU	M	33	29.2	28.8	31.9	24.2	29.6	31.5	36.6	37.5	45.4	48.5	39.9
1998	MU	M	34.1	30.6	43	38.3	31.4	33.9	29.1	32.3	34	50.9	59	49.9
1999	MU	M	45.9	37.4	36.4	26.9	26.2	30	30.8	31.4	34	54.3	53	64.2
2000	MU	M	50.6	46.4	43.1	41.3	34.7	32	30.5	29.1	45.8	58.2	57	46.4
2001	MU	M	69.87	50	49.97	46.5	45.6	72.7	66	63.8	83.7	52.43	52.22	42.25

Pod Id	Permit	Cert	Priority	Twtnshp	Range	Sctn	Use	Rate	P/A/S	Source	Tributary To
12193	GR 353	0	2/10/1935	6S	1W	26	MU	500 G	P	A WELL	ABIQUA CR

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1993	MU	1	0	0	0	0	0	0	0	0	0	0	0	0
1994	MU	null	0	0	0	0	0	0	0	0	0	0	0	0
1995	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1996	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1997	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1998	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1999	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
2000	MU	M	0	0	0	0	0	0	0	0	0	0	0	0

Pod Id	Permit	Cert	Priority	Twtnshp	Range	Sctn	Use	Rate	P/A/S	Source	Tributary To
12194	R 5948	0	3/20/1973	7S	1W	12	MU	1300 A	P	SILVER CR	PUDDING R

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1989	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1990	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300

1991	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1992	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1993	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1994	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1995	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1996	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1997	MU	A	1300	1291.7	1284.7	1300	1300	1300	1300	1300	1300	1300	1300	1300
1998	MU	A	1297	1292	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1999	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
2000	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300

Pod Id	Permit	Cert	Priority	Twncshp	Range	Sctn	Use	Rate	P/A/S	Source	Tributary To
12195	S 36714	0	3/20/1973	7S	1W	12	MU	1300 A	P	SILVER CR RES	SILVER CR

Subject Permit

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1989	MU	null	0	0	0	0	0	0	0	0	0	0	0	0
1990	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1991	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1993	MU	I	0	0	0	0	0	0	0	0	0	0	0	0
1994	MU	A	0	0	0	0	0	0	0	0	0	0	0	0
1995	MU	A	0	0	0	0	0	0	0	0	0	0	0	0
1996	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1997	MU	A	0	8.3	15.3	0	0	0	0	0	0	0	0	0
1998	MU	A	3.16	7.74	0	0	0	0	0	0	0	0	0	0
1999	MU	A	0	0	0	0	0	0	0	0	0	0	0	0
2000	MU	M	0	0	0	0	0	0	0	0	0	0	0	0

Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

City of Silverton

Appl # S-4924 | Permit # S-3226

Appl # S-50185 | Permit # S-36714

L. Juhl

6-23-03

PAGE 1

* Info found in Silverton's "Water Supply Analysis - May 2001"

Year 2000 = 7,414 population

Year 2038 = ? population

* Assume a

1.3% Growth Rate

Solve for Year 2038 population

P = projected population

$$P(38) = 7,414 (1.013)^{38}$$

$$P = 7,414 (1.633649649)$$

$$P = 12,111.8785 \longrightarrow$$

Projected Population = 12,112
in 2038

NOTE:

• Peak-Day Use occurred in August 2001
with 3,770,000 gallons.

• Population in Aug. 2001 was approx. 7,420

• $3,770,000 \text{ gpd} (\div) 7,420 = 508.1 \text{ gpcd}$

• Plus max capacity of 300,000 gpd for Industrial Park
(300,000 gpd = approx 0.5 cfs)

Silverton's - main water supply = **15.0 cfs**
(being 5.0 cfs - Cert # 2400 & 10.0 cfs - Permit # S-3226)

- back-up emergency supply = **1300.0 AF**
(being permit S-36714 - appropriation of 1300.0 AF
stored water only)

* permit # R-59148 allows storage of up
to 1200.0 AF at Silverton

City of Silverton

Appl #S-4924 / Permit #S-3226

Appl #S-50185 / Permit #S-36714

L. Juul

6-23-03

PAGE 2

★ Per Lisa Juul's Memo dated 6-23-03

- On a peak day, Silverton pumps water approx. 12 to 16 hours to meet peak demands

(→ an average day, they pump water between 8 to 12 hours to meet demands.)

- @ 1.3% Growth Rate... population in 2038 = 12,112
- Peak Day per capita demand = 508.1 gpcd

@ 16 hrs.
pumping

$$\begin{aligned} 12,112 \text{ population (x)} 508.1 \text{ gpcd} &= 6,154,107.2 \text{ gpd} \\ 6,154,107.2 \text{ gpd (}\div\text{) } 16 \text{ hrs} &= 384,631.7 \text{ gph} \\ 384,631.7 \text{ gph (}\div\text{) } 60 \text{ min} &= 6,410.5 \text{ gpm} \\ 6,410.5 \text{ gpm (}\div\text{) } 448.83 &= \boxed{14.3 \text{ cfs}} \end{aligned}$$

@ 14 hrs.
pumping

$$\begin{aligned} 12,112 \text{ (x)} 508.1 \text{ gpcd} &= 6,154,107.2 \text{ gpd} \\ 6,154,107.2 \text{ gpd (}\div\text{) } 14 \text{ hrs} &= 439,579.1 \text{ gph} \\ 439,579.1 \text{ gph (}\div\text{) } 60 \text{ min} &= 7,326.3 \text{ gpm} \\ 7,326.3 \text{ gpm (}\div\text{) } 448.83 &= \boxed{16.3 \text{ cfs}} \end{aligned}$$

MEMORANDUM

Date: June 23, 2003

To: Appl #S-4924 (Permit #S-3226)
and Appl #S-50185 (Permit #S-36714)

From: Lisa Juul, Permit Extension Review

Subject: Silverton's Average and Peak "Pumping" Hours

Today, I spoke with Mr. Rich Barstad regarding Silverton's water system. He provided the following answers to my questions:

Question #1: What is the number of hours per day that Silverton diverts water to satisfy their municipal needs on an average day?

Answer: Silverton pumps water approximately 8 to 12 hours per day to meet demands on an average day.

Question #2: What is the peak number of hours that Silverton diverts water to satisfy their municipal needs on a peak day?

Answer: On a peak day, Silverton pumps water approximately 12 to 16 hours per day.

MEMORANDUM

Date: June 18, 2003
To: Appl #S-4924 (Permit #S-3226) and Appl #S-50185 (Permit #S-36714)
From: Lisa Juul, Permit Extension Review
Subject: Projected Growth Rate and Peak Day Water Use

Today, I had a telephone conversation with Mr. Rich Barstad (Public Works Director for the City of Silverton) concerning the City's extension requests for Permit #S-3226 and Permit #S-36714. Mr. Barstad provided the following answers to my questions:

Question #1: The extension application indicates a projected growth rate of 2.0 percent per year, while the "Water Supply Analysis-May 2001" indicates a projected growth rate of 1.3 percent per year. Which projection is correct?

Answer: Mr. Barstad indicated that the "Water Supply Analysis-May 2001" growth rate projection of 1.3 percent per year should be used. This information is apparently more refined than that provided in the extension application.

Question #2: What is the City's peak day water use?

Answer: The City's peak day water use occurred in August 2001 with a total of 3,770,000 gallons of water being used for municipal purposes. (NOTE: The average daily use in August 2001 was 2,600,000 gallons)

MEMORANDUM

Date: May 15, 2003

To: Appl #S-4924 (Permit #S-3226) and Appl #S-50185 (Permit #S-36714)

From: Lisa Juul, Permit Extension Review 

Subject: Additional Information for Extension of Time Requests

Today, I spoke with Mr. Rich Barstad (Public Works Director for the City of Silverton) concerning the two permits referenced above. He provided the following information to further explain the City's water use and demands for water:

1. In addition to domestic water users, the City of Silverton also supplies water to an industrial park contained within the boundaries of the City. The industrial park is not filled up to capacity yet. This creates a potential of increased industrial water demands to be placed upon the City as the industrial park grows. The City has the capacity to supply up to 300,000 gallons per day for this area, if needed. The industrial park water demands have not yet reached this capacity.
2. The maximum amount of stored water appropriated under Permit #S-36714 for municipal uses to date is 200.0 acre-feet.

Permit #S-36714 is used only as an emergency back-up source to Permit #S-3226 (10.0 cfs from Abiqua Creek) and Certificate #2400 (5.0 cfs from Silver Creek) when those live flows are not available. This usually only occurs during the late fall season, which is why usage of Permit #S-36714 is so low.

From: "Doug Parrow" <Douglas.M.PARROW@state.or.us>
To: "Lisa J Juul" <Lisa.J.JUUL@wrд.state.or.us>
Subject: RE: Permit Extensions for the City of Silverton
Date: Mon, 12 May 2003 11:30:06 -0700
X-Security: MIME headers sanitized on funnel
See <http://www.impsec.org/email-tools/sanitizer-intro.html>
for details. \$Revision: 1.133 \$Date: 2002-01-05 17:09:21-08
X-Mailer: Microsoft Outlook IMO, Build 9.0.6604 (9.0.2911.0)
Importance: Normal

Lias,

Silverton does not appear to have a plan, nor are they currently required to have one based on permit conditions.

I don't see a need to include any special conditions on their extensions--unless one of the permits being extended has a conservation plan requirement (that I'm not aware of). If they are supposed to already have a plan, let's discuss.

Doug

P.S. It's Appl S-50185 (Permit S-36714)

-----Original Message-----

From: Lisa J Juul [mailto:Lisa.J.JUUL@wrд.state.or.us]
Sent: Friday, May 09, 2003 9:47 AM
To: Douglas.M.PARROW@wrд.state.or.us
Cc: Lisa.J.JUUL@wrд.state.or.us
Subject: Permit Extensions for the City of Silverton

Hi Doug,

I am beginning to work on extension PFO's for two City of Silverton permits: Permit #S-3226 (Appl #S-4924) and Permit #~~S-50185~~ (Appl #~~S-36714~~).
S-36714 S-50185.

Does Silverton have an approved Div 86 WMCP already in place?

Are there any other conditions (other than development limitations and submittal/update of a Div 86 plan within 3 years) that you feel should be included in the Ext PFO?

Thank you,
Lisa

Lisa J. Juul
Water Rights Specialist
Water Rights & Adjudications Division
Oregon Water Resources Department
158 - 12th Street NE
Salem, Oregon 97301-4172

Phone # (503) 378-8455, extension 272
FAX # (503) 378-6203
Homepage/Website Address - <http://www.wrд.state.or.us>



TRANSMITTAL LETTER

City of Silverton

306 S Water Street

Silverton, OR 97381

(503) 873-8679 FAX (503) 873-3210

RECEIVED

MAY 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Date: May 14, 2003

To: Lisa J. Juul, Water Rights Specialist

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

From: Rich Barstad, Public Works Director

X	For Your Approval		For Your Information		For Your Signature
	Per Your Request		Please Respond		

Please Find Enclosed:

Quantity Description

1 Page Time Extension Application for Permit No. S3226

1 Page Time Extension Application for Permit No. S36714

Comments:

Per our recent conversation on the time extension applications we submitted recently, I have revised the front pages of each to correct our extension time period for construction and to accomplish the beneficial use. On behalf of the City of Silverton, please accept these revisions. Call me if you have any questions at 503-873-8679.

Rich Barstad
Public Works Director

MAY 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton Rich Barstad
NAME OF ENTITY NAME OF CONTACT

306 S. Water St. Silverton OR 97381 503-873-8679
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. S4924, Permit No. S3226,
do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of
the equipment necessary to the use of water, which time now expires on October 1, 2001,
be extended to October 1, 2038,

and/or the time in which to:

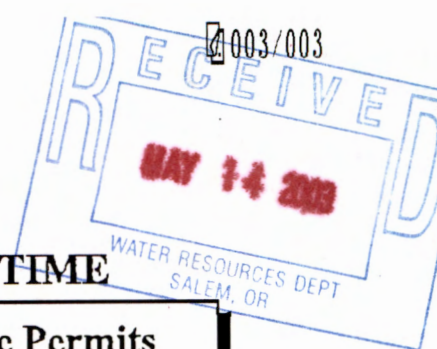
accomplish beneficial use of water to the full extent under the terms of the permit, which time
now expires on October 1, 2001, be extended to October 1, 2038.

NOTE:

Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at:
"www.wrd.state.or.us/law/oar1999.shtml"

Attached are instructions to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules require this information to be considered by the Water Resources Department when reviewing a Quasi-Municipal or Municipal water use permit extension application. For each permit, a separate extension application must be submitted. All items must be addressed or the application may be returned. Please feel free to provide the Department with any additional information or evidence that will aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.



APPLICATION FOR EXTENSION OF TIME

for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton Rich Barstad
NAME OF ENTITY NAME OF CONTACT

306 S. Water St. Silverton OR 97381 503-873-8679
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. S50185 , Permit No. S36714 ,
do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of
the equipment necessary to the use of water, which time now expires on October 1, 2001 ,
be extended to October 1, 2038 ,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time
now expires on October 1, 2001 , be extended to October 1, 2038 .

NOTE:

Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at: "www.wrd.state.or.us/law/oar1999.shtml"

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After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.



TRANSMITTAL LETTER

City of Silverton
 306 S Water Street
 Silverton, OR 97381
 (503) 873-8679 FAX (503) 873-3210



Date: May 14, 2003

To: Lisa J. Juul, Water Rights Specialist

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

From: Rich Barstad, Public Works Director

☒	For Your Approval	☐	For Your Information	☐	For Your Signature
☐	Per Your Request	☐	Please Respond	☐	

Please Find Enclosed:

Quantity	Description
1 Page	Time Extension Application for Permit No. S3226
1 Page	Time Extension Application for Permit No. S36714

Comments:

Per our recent conversation on the time extension applications we submitted recently, I have revised the front pages of each to correct our extension time period for construction and to accomplish the beneficial use. On behalf of the City of Silverton, please accept these revisions. Call me if you have any questions at 503-873-8679.

Public Works Director

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **58382**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: City of Silverton Oregon

BY: _____

APPLICATION	<u>below</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 13250 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

PUBLICATIONS / MAPS

OTHER: (IDENTIFY) _____

OTHER: (IDENTIFY) _____

50185 - +100.00
4924 - 9100.00

\$
\$
\$
\$

REDUCTION OF EXPENSE

CASH ACCT.

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY) _____

(new) TC162 DEPOSIT LIAB. (IDENTIFY) _____

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) Ext. of time

EXAM FEE

\$

\$

\$

EXAM FEE

\$

0202

0204

0206

0219

0220

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

\$200.00

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) _____

\$

\$

CARD #

CARD #

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

HRDRO APPLICATION

\$

\$

\$

RECEIPT # **58382**

DATED: 2/20/03

BY: Connie Umana

APPLICATION FOR EXTENSION OF TIME

for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton Rich Barstad
NAME OF ENTITY NAME OF CONTACT

306 S. Water St. Silverton OR 97381 503-873-8679
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. S50185, Permit No. S36714,
do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of
the equipment necessary to the use of water, which time now expires on October 1, _____,
be extended to October 1, _____,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time
now expires on October 1, 2001, be extended to October 1, 2006.

NOTE:

Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at:
"www.wrd.state.or.us/law/oar1999.shtml"

Attached are instructions to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules require this information to be considered by the Water Resources Department when reviewing a Quasi-Municipal or Municipal water use permit extension application. For each permit, a separate extension application must be submitted. All items must be addressed or the application may be returned. Please feel free to provide the Department with any additional information or evidence that will aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

In order for the Department to evaluate your extension of time request for a Quasi-Municipal or Municipal water use permit, please provide the following:

1. The appropriate fee, as specified under ORS 536.050.

 For Quasi-Municipal water use permits, evidence of the actions taken to begin actual construction on the project, if required under the applicable statute.

3. Evidence of actions taken to develop the right within the permitted time period and/or time period of the previous extension.
4. Evidence of compliance with conditions contained in the permit and any previous extension(s). If any of the conditions have not been satisfied, please explain the reason(s) why.
5. Evidence of the maximum rate of water diverted to date, if any, for Quasi-Municipal or Municipal purposes.
6. An estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.
7. A description of the financial expenditures made toward completion of the water development.
8. An estimate of the cost necessary to complete the water development.
9. A summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relating to the project that have significantly delayed completion of construction or perfection of the right.
10. An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights and contracts held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.

Extension requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.

11. A summary of the plan and schedule to complete construction and/or perfect the water right.
12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.
13. Any other information you wish the Department to consider while evaluating the extension of time application.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.


Signature

2-10-03
Date

MAIL COMPLETED APPLICATION and STATUTORY FEE (under ORS 536.050) TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
158 - 12th STREET NE
SALEM, OREGON 97301-4172

WATER RIGHTS TIME EXTENSION INFORMATION
FOR
SILVER CREEK
(Permit No. S36714)

February 4, 2003

The following information is provided as part of this time extension and uses numbering corresponding to the time extension application form:

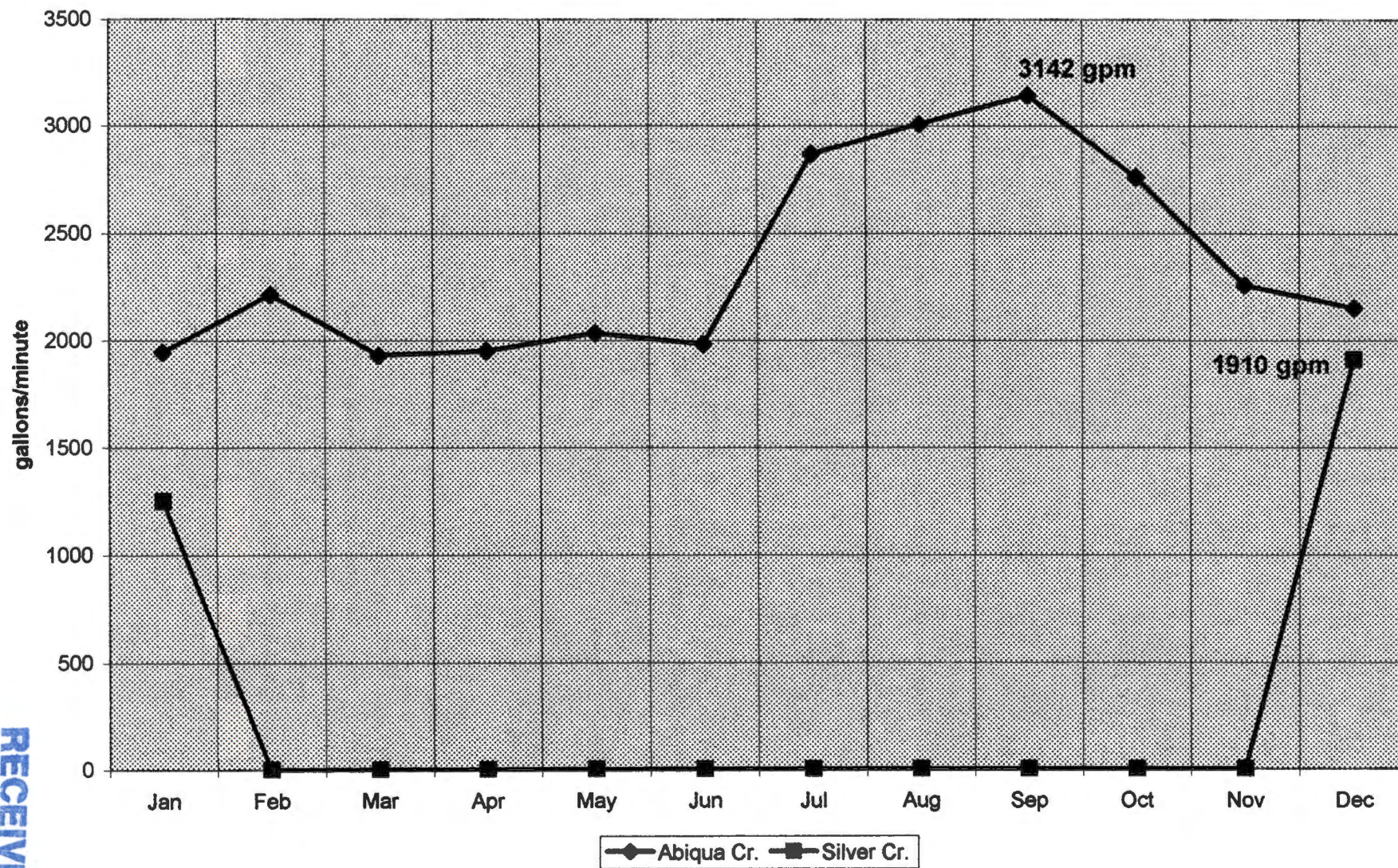
3. The City has built almost \$2 million in water system improvements that are capacity related. A copy of the page in the City's capital improvement plan (CIP) is attached to show the past projects that have been built to increase capacity of the system.
4. Am not aware of any conditions in the previous permit time extension.
5. Attached is a copy of the peak flow rates to the water plant from source supply in the past year. This information is taken from flow meter data at the water treatment plant.
6. A copy of the current population estimate for Silverton is attached. The City supplies approximately 100% of the residents in the City.
7. The page attached from the City's capital improvement plan describes each project's impact on water use development.
8. A copy of the City's future CIP is attached. This is a 20 year plan that will provide capacity for a population of approximately 9,950. The cost of these improvements is estimated at \$7,757,095. The full development of the City's system is estimated to cost approximately \$20 million.
9. Basically, completion of the water development use will require growth in the customer rate base well beyond the current level. Continued growth of the City is predictable and certain, making it necessary for continued reliance on development of the City's water rights.
10. Theoretically, we expect to fully develop our water rights to both sources, Abiqua Creek (10cfs) and Silver Creek (5cfs), at a population of approximately 15,000. Based on past growth rates of approximately 2% per year, full beneficial use would be developed in approximately 35 years or the year 2038.
11. The City only has a plan for the next 20 years of construction development at this time. This plan is contained in the CIP, attached.
12. The City is justified in requesting that this time extension be granted based on a clear history of continued water use development of this permit. In addition, City's are clearly the most efficient users of water for the overall public good.

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FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Maximum flow rate to WTP by month, 2002



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FEB 20 2003
WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

John A. Kitzhaber, M.D., Governor

Department of Administrative Services

Office of Business Administration

155 Cottage St NE U90

Salem, OR 97301-3972

(503)378-2350 ext 329

FAX (503)373-1273

Kevin.Herburger@state.or.us

April 15, 2002

CITY OF SILVERTON
CITY TREASURER
306 S WATER ST
SILVERTON OR 97381

*Rick -
Does this look
reasonable?
Fred*

TREASURER

ANNUAL POPULATION UPDATE

Effective with the January 2002 revenue we will be using the following new population figure:

Current population	Increase/(Decrease)	New population
7,470	(50)	7,420

The population figure will be used starting with the January 2002 disbursements. The January 2002 revenue disbursement will start the week of April 22, 2002.

If you have any questions, you may contact me at the Office of Business Administration, Monday through Friday between 7:45 AM - 4:15 PM at (503) 378-2350 ext 329.

Sincerely,

Kevin R Herbunger

Kevin Herbunger
Disbursement Accountant
Office of Business Administration

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FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

**COMPLETED WATER SYSTEM CAPITAL
IMPROVEMENT PROJECTS**

CAPACITY INCREASING PROJECTS

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

PROJECT	GROWTH ACCOMMODATED	CONSTR. CAPITAL TIMING OUTLAY	PROVIDER	FUNDING SOURCE BREAKDOWN								'COMMENTS	Page 3
				(1)	(2)	(3)	(4)						
				Improv. SDC %	Improv. SDC	reimburs. SDC	reimburs. SDC	grants %	grants amt.	or assessed	or assessed		
EXISTING CITY PROJECTS ELIGIBLE FOR REIMBURSEMENT FROM FUTURE DEVELOPMENT													
1998 DISTRIBUTION LINES IMPROVEMENT		'98	\$290,000	CITY	20%	\$58,000	30%	\$87,000	0%	\$0	50%	\$145,000	UNDERSIZED LINES REPLACED ON SEVERAL STREETS COMPLETED: '99
1.5 MG LOW LEVEL RESERVOIR	1500 RESIDENCES	'02	\$1,850,000	CITY	15%	\$247,500	50%	\$825,000	0%	\$0	35%	\$577,500	ADDS 1.25 MG STORAGE REPLACING 250K GAL. @ WTP (REMAINING CAP. 2.3 MGD) YR 2001
ABIQUA SUPPLY LINE	4.8 MGD CAP.	'95	\$1,900,000	CITY	10%	\$190,000	55%	\$1,045,000	0%	\$0	35%	\$665,000	ADDITIONAL 2.8 MGD CAPACITY COMPLETED '95 AVAILABLE, 4.8 MGD TOTAL CAP. 18,800 LF OF 20" & 24". (REMAINING CAP. 2.8 MGD) YR 2001
IKE MOONEY TRANSMISSION 1200 RESIDENCES LINE (2MG RESERVOIR TO IKE MOONEY RD.)		'95	\$169,000	CITY	10%	\$16,900	80%	\$135,200	0%	\$0	10%	\$16,900	1520 FT OF 12" TRANSMISSION COMPLETED '95 MAIN & PRESSURE REGULATOR (REMAINING CAP. 2.7 MGD) YR 2001
ABIQUA INTAKE SCREENING (4.2 MGD)		'01	\$181,250	CITY	25%	\$45,313	33%	\$59,813	0%	\$0	42%	\$76,125	UPGRADES CAPACITY OF DECOMPLETED '01 REMOVAL. RECEIVED A \$75,000 GRANT. (REMAINING CAP. 4.2 MGD) (ADDED CAP. 1.3 MGD)
OLD PLANT FILTER UPGRADE (2.3 MGD)		'99	\$220,000	CITY	20%	\$44,000	50%	\$110,000	0%	\$0	30%	\$66,000	UPGRADED THE CAPACITY OF UNDER CONSTR. FILTERS BY ATLEAST 20%. (REMAINING CAP. 2.3 MGD)
TREATMENT PLANT (CHEMICAL IMPROVEMENTS)	(4.6 MGD)	'01	\$258,000	CITY	5%	\$12,800	58%	\$143,380	0%	\$0	39%	\$99,840	UPGRADES /W NEW DISINFECTION UNDER CONSTR. SYSTEM & ALUM/CAUSTIC REPAIRS (REMAINING CAP. 4.6 MGD)
001 DISTRIBUTION LINES IMPROVEMENTS		'01	\$305,000	CITY	20%	\$61,000	30%	\$91,500	0%	\$0	50%	\$152,500	UNDERSIZED LINES REPLACED UNDER CONSTR. W/ 8" LINES ON SEVERAL STREETS (REMAINING CAP. 0.56 MGD/EA. LINE)
EXISTING CITY PROJECTS) GRAND TOTAL			\$4,971,250			\$675,513		\$2,496,873		\$0		\$1,798,865	

EXISTING PROJECTS w/ SDC CREDITS AND/OR REIMBURSEMENT TO DEVELOPERS**

WANT STREET REPLACE	INCREASED FIRE FLOWS	'98	\$104,800	SCHOOL								100 LF OF 10" LINE REPLACED FROM PINE TO FLORIDA COMPLETED '98
IGHARD ST RE EXTENSION	LINE EXT	'00	\$3,976	GENEOSTER								200 LF OF 8" LINE REPLACED FROM PINE TO FLORIDA COMPLETED '00

LISTED FOR PURPOSE TO CREDIT DEVELOPER'S SDC'S

\$108,576.00

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 FEB 20 2003
 WATER RESOURCES DEPT.
 SALEM, OREGON

**FUTURE WATER SYSTEM CAPITAL
IMPROVEMENT PROJECTS**

CAPACITY INCREASING PROJECTS

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

WATER SYSTEM CAPITAL PROJECTS - 20 YEAR SCHEDULE
FY 2002-2022

ADOPTED: 8-5-02

APPENDIX "A"

Page 1
CIPWAT_01A.WB2

PROJECT	GROWTH ACCOMMODATED	CONSTR. TIMING	CAPITAL OUTLAY	PROVIDER	FUNDING SOURCE BREAKDOWN								'COMMENTS
					(1) Improv. SDC	%	(2) %improv. SDC	reimburs. SDC	(3) reimburs. SDC	grants %	or assessed	or assessed	
(FUTURE) UPGRADE - CAPACITY INCREASING WATER LINE REPLACEMENTS													
CHADWICK (N.CHURCH - NORWAY)	Fire Flow	'03	\$42,000	CITY	25%	\$10,500	0%	\$0	0%	\$0	75%	\$31,500	600 LF
CHESTER (2ND - MILL)	Fire Flow	'03	\$86,000	CITY	25%	\$16,500	0%	\$0	0%	\$0	75%	\$49,500	1100 LF
N.CHURCH (ROBINSON - CHADWICK)	Fire Flow	'03	\$12,600	CITY	25%	\$3,150	0%	\$0	0%	\$0	75%	\$9,450	160 LF
N.CHURCH (CHADWICK - OAK)	Fire Flow	'03	\$42,000	CITY	25%	\$10,500	0%	\$0	0%	\$0	75%	\$31,500	600 LF
WASHINGTON (N.2ND - MILL)	Fire Flow	'03	\$60,000	CITY	25%	\$15,000	0%	\$0	0%	\$0	75%	\$45,000	1000 LF
APPLE/JEROME (COOLIDGE - CHARLES)	Fire Flow	'03	\$36,500	CITY	25%	\$9,625	0%	\$0	0%	\$0	75%	\$26,875	780 LF
OAK (WATER - 2ND)	Fire Flow	'05	\$42,000	CITY	25%	\$10,500	0%	\$0	0%	\$0	75%	\$31,500	600 LF
OAK (5TH - STEELHAMMER)	Fire Flow	'05	\$140,000	CITY	25%	\$35,000	0%	\$0	0%	\$0	75%	\$105,000	2000 LF
FIFTH (OAK - MAIN)	Fire Flow	'05	\$67,800	CITY	25%	\$16,950	0%	\$0	0%	\$0	75%	\$50,850	1130 LF
ROCK (RESERVE - KENT)	Fire Flow	'05	\$44,400	CITY	25%	\$11,100	0%	\$0	0%	\$0	75%	\$33,300	740 LF
BARGER (CENTRAL - JOHNSON)	Fire Flow	'07	\$12,120	CITY	25%	\$3,030	0%	\$0	0%	\$0	75%	\$9,090	200 LF
BARGER (JOHNSON - COWING)	Fire Flow	'07	\$18,000	CITY	25%	\$4,500	0%	\$0	0%	\$0	75%	\$13,500	300 LF
COWING (S.WATER - MADISON)	Fire Flow	'07	\$22,600	CITY	25%	\$5,700	0%	\$0	0%	\$0	75%	\$17,100	380 LF
COOLIDGE (CHARLES - END OF 2 INCH)	Fire Flow	'07	\$5,400	CITY	25%	\$1,350	0%	\$0	0%	\$0	75%	\$4,050	90 LF
ISKE (W MAIN - CHARLES)	Fire Flow	'07	\$53,400	CITY	25%	\$13,350	0%	\$0	0%	\$0	75%	\$40,050	890 LF
JOHNSON (BARGER-END)	Fire Flow	'07	\$9,120	CITY	25%	\$2,280	0%	\$0	0%	\$0	75%	\$6,840	152 LF
MADISON (CENTRAL - SMITH)	Fire Flow	'07	\$33,900	CITY	25%	\$8,475	0%	\$0	0%	\$0	75%	\$25,425	585 LF
MUSEN (WATER - END)	Fire Flow	'07	\$21,000	CITY	25%	\$5,250	0%	\$0	0%	\$0	75%	\$15,750	350 LF
M. WATER (IKE MOONEY - UGB)	Fire Flow Line Ext.	'07	\$126,000	CITY	25%	\$31,500	0%	\$0	0%	\$0	75%	\$94,500	1800 LF
EDGEWOOD (WEIBY - ROSS)	Fire Flow	'09	\$30,900	CITY	25%	\$7,725	0%	\$0	0%	\$0	75%	\$23,175	515 LF
UREKA (KEENE - END)	Fire Flow	'09	\$93,500	CITY	25%	\$23,375	0%	\$0	0%	\$0	75%	\$70,125	1100 LF
AZEL (ROSS - KEENE)	Fire Flow	'09	\$24,900	CITY	25%	\$6,225	0%	\$0	0%	\$0	75%	\$18,675	415 LF
WEIBY (ANDERSON - EDGEWOOD)	Fire Flow	'09	\$39,900	CITY	25%	\$9,975	0%	\$0	0%	\$0	75%	\$29,925	665 LF
ESTFIELD (W.MAIN - END)	Fire Flow	'09	\$85,050	CITY	25%	\$21,263	0%	\$0	0%	\$0	75%	\$63,786	1215 LF
SHOLM (SHORT - MCCLAIN)	Fire Flow	'11	\$40,200	CITY	25%	\$10,050	0%	\$0	0%	\$0	75%	\$30,150	670 LF
RANT (S. OF WESTERN - END)	Fire Flow	'11	\$26,600	CITY	25%	\$7,200	0%	\$0	0%	\$0	75%	\$21,600	480 LF
BART (N 2ND - WEST END)	Fire Flow	'11	\$26,000	CITY	25%	\$7,000	0%	\$0	0%	\$0	75%	\$21,000	400 LF
BART (N. 2ND - LANHAM)	Fire Flow	'11	\$236,000	CITY	25%	\$59,500	0%	\$0	0%	\$0	75%	\$178,500	3400 LF
2ND (BART - CITY LIMITS)	Fire Flow	'11	\$38,500	CITY	25%	\$9,625	0%	\$0	0%	\$0	75%	\$28,875	550 LF

RECEIVED
FEB 20 2003
WATER RESOURCES DEPT.
SALEM, OREGON

PROJECT	GROWTH ACCOMMODATED	CONSTR. CAPITAL TIMING	OUTLAY	PROVIDER	FUNDING SOURCE BREAKDOWN								'COMMENTS	Page 2
					(1) Improv. SDC %	(2) Improv. SDC	(2) reimburs. SDC	(3) reimburs. SDC	(3) grants %	(3) grants amt.	(4) rates %	(4) rates amt.		
(WATER LINE REPLACEMENTS - CONTINUED)														
FILBERT (WALNUT - END)	Fire Flow	'13	\$8,900	CITY	25%	\$1,725	0%	\$0	0%	\$0	75%	\$5,175	115 LF	
WATER ST. (A STREET - PEACH)	Fire Flow	'13	\$451,875	CITY	25%	\$112,969	0%	\$0	0%	\$0	75%	\$338,906	6025 LF	
EUREKA (KEENE - W. MAIN)	Fire Flow	'15	\$95,200	CITY	25%	\$23,800	0%	\$0	0%	\$0	75%	\$71,400	1120 LF	
QUARRY RD. (HOBART - END)	Fire Flow	'15	\$252,700	CITY	25%	\$63,175	0%	\$0	0%	\$0	75%	\$189,525	3610 LF	
SETNESS (HOBART - END)	Fire Flow	'15	\$105,630	CITY	25%	\$26,408	0%	\$0	0%	\$0	75%	\$79,223	740 LF	
MISC. DEVELOPER OFF-SITE LINE REPLACEMENTS		'01-'21	\$300,000	DEVELOPER	25%	\$75,000	0%	\$0	75%	\$225,000	0%	\$0	11428 LF	PAID THROUGH CREDITS TO EACH DEVELOPER
TOTAL			\$2,717,095			\$679,274		\$0		\$225,000		\$1,812,821	34457 LF	
FUTURE - UPGRADE & CAPACITY INCREASING SUPPLY, TREATMENT OR STORAGE REPLACEMENTS														
SILVER CREEK PUMP STATION SUPPLY LINE	1.2 MGD(3.3 TOTAL; +2,900 POPULATION		\$700,000	CITY	50%	\$350,000	0%	\$0	0%	\$0	50%	\$350,000	3400 LF 14 INCH SUPPLY 3.3 MGD PUMP STA.	
1 MGD SOLIDS CONTACT CLARIFIER	ADDS 1 MGD TO EXISTING WTP.	'12	\$600,000	CITY	25%	\$150,000	0%	\$0	0%	\$0	75%	\$450,000	3.5 MGD CAPACITY	
TOTAL			\$1,300,000			\$500,000		\$0		\$0		\$800,000		
FUTURE - NEW CAPACITY INCREASING WATER SYSTEM IMPROVEMENTS														
IONSON RD. FEEDER CREEK XING SCHEMME LN. TO RAIL WAY)	25 ACRES OF RESIDENTIAL DEVELOPMENT & 1 NEW BUSINESS	'07	\$340,000	CITY	50%	\$170,000	0%	\$0	25%	\$85,000	25%	\$85,000	2800 FT. OF 10" DEVELOPER USER FEES	
ILTER BACKWASH SEDIMENTATION BASIN	NEW STORM WATER REG'S	'08	\$300,000	CITY	50%	\$150,000	0%	\$0	0%	\$0	50%	\$150,000	100' x 150' LOT 50' x 90' BASIN	
5 MILLION GAL. RESERVOIR VICTOR POINT RD.	1500 NEW RESID.	'10	\$1,600,000	CITY	75%	\$1,200,000	0%	\$0	0%	\$0	25%	\$400,000	ABOVE GROUND TANK w/ pressurize 2nd tank.	
HIGH LEVEL FEEDER NE (WATER TO VICTOR PT. RES.) RESERVOIR TO KEENE)	1500 NEW RESID.	'10	\$600,000	CITY	50%	\$300,000	0%	\$0	25%	\$150,000	25%	\$150,000	5700 LF OF 10 INCH USER FEES ASSESSMENTS	
FUTURE WATER LINES ON CREDIT REIMBURSEMENT	CAPACITY	'02-'22	\$300,000	CITY	100%	\$300,000	0%	\$0	0%	\$0	0%	\$0	OFF-SITE WATER LINE EXTENSIONS & OVERSIZING	
TOTAL			\$3,140,000			\$2,120,000		\$0		\$235,000		\$785,000		
FUTURE WATER LINES														
VICTOR POINT RD. & IONSON & WOODLAND DR.	NEW ANNEXED AREA	'02	\$600,000	CITY	0%	\$0	0%	\$0	100%	\$600,000	0%	\$0	LID TO PROVIDE WATER TO EXISTING HOME S	
TOTAL			\$600,000			\$0		\$0		\$600,000		\$0		
FUTURE PROJECTS) GRAND TOTAL - ALL CATEGORIES			\$7,757,095			\$3,299,274		\$0		\$1,060,000		\$3,397,821		

WATER RESOURCES DEPT
SALEM, OREGON

FEB 20 2003

RECEIVED
 FEB 20 2003
 WATER RESOURCES DEPT.
 SALEM, OREGON

MEMORANDUM

Date: May 12, 2003
To: Appl #S-50185 (Permit #S-36714)
From: Lisa Juul, Permit Extension Review
Subject: Fair Return upon Investment

Today, I spoke with Mr. Rich Barstad of the City of Silverton's Public Works Department concerning whether or not the City will gain a fair return upon the investment they have made to date.

He stated that the City of Silverton periodically reviews and revises their water service rates to ensure they are equivalent to the costs of providing water. Because of this practice, reasonable returns against the investment in the project will be gained.

Municipal/Quasi-Municipal Permit Extension Application



Published on the Department's Public Notice, dated: _____

2/25/03 *Jo*

After published on the Public Notice, please.....

☐ Enter/Update the date published on the public notice in the "PNotice Date" field in the "cdatewext.DB" database

☐ Verify the "Ext Filed" field in the "cdatewext.DB" database is accurate.

The "filed" date for this extension should be: _____

2-20-03

☐ Return File to Lisa

[Signature]

PUBLIC NOTICE INFORMATION

Permit Holder: _____

Mailing Address: _____

County: _____

Quantity of Water: _____

Source of Water: _____

Application #: _____ Permit #: _____

Permitted Use: _____

Proposed Date for Extension: _____

Abstract of Permit No. 36714

Application No. 50185

Certificate No.

Name City of Silverton
Address 306 South Water Street
Silverton, Oregon 97381

Source of water supply Silver Creek Reservoir to be constructed under Appl. No. R-50184, Permit No. R-5948
Use Municipal

Point of diversion #1-dam outlet headworks- 570' S. & 550' W. from NE corner of Sec.12, T.7 S., R.1 W.; #2- city pump station- 820' N. & 760' E. of SW corner of Sec.35, T.6 S., R.1 W., being within the NE 1/4 NE 1/4 of Sec.12, T.7 S., R.1 W., W.M., in the county of Marion

Number of acres

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
6S	1W	23									X			X				
		26			X	X	X		X	X	X	X	X	X	X	X	X	X
		27			X	X									X	X	X	X
		33	X															
		34	X	X	X	X	X	X		X	X				X	X	X	X
		35	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
7S	1W	1											X	X				
		2		X	X	X	X	X		X					X	X		X
		3	X	X														

Priority date March 20, 1973

Amount of water 1300.0 acre feet stored water only

Time limit to begin construction May 18, 1974

Time limit to complete construction 10-1-75 extended to extended to

Time limit to completely apply water 10-1-76 extended to extended to

Remarks:

BC ext. 10-1-2007

jr

Basin 2, Vol. 1



TRANSMITTAL LETTER

City of Silverton

306 S Water Street
Silverton, OR 97381
(503) 873-8679 FAX (503) 873-3210

Date: February 10, 2003

To: Lisa J. Juul, Water Rights Specialist

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

From: Rich Barstad, Public Works Director

X	For Your Approval		For Your Information		For Your Signature
	Per Your Request	X	Please Respond		

Please Find Enclosed:

Quantity Description

1 Set Time Extension Application for Permit No. S3226

1 Set Time Extension Application for Permit No. S36714

1 check Application Fee's for both permits

Comments:

Please accept these applications for time extension. Call me if you have any questions at 503-873-8679.

RECEIVED
FEB 20 2003
WATER RESOURCES DEPT.
SALEM, OREGON

13250

VENDOR: 14172 OR WATER RESOURCES DEPARTMENT 2/14/2003

13250

<u>DATE</u>	<u>INVOICE #</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1/13/2003	S3226	Application for water rights time extension	100.00
1/13/2003	S36714	Application for water rights time extension	100.00

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGONCITY OF SILVERTON
SILVERTON, OREGON

Total Amount:

\$200.00



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 13, 2003

CITY OF SILVERTON
306 SOUTH WATER ST
SILVERTON OR 97381

REFERENCE: Permit #S36714 (App File #S50185) and the Adoption of New Administrative Rules for Municipal and Quasi-Municipal Water Use Permit Extensions

Dear Municipal and/or Quasi-Municipal Water Use Permit Holder:

The Water Resources Commission has adopted new administrative rules that govern the processing of Municipal and Quasi-Municipal permit extension requests. The new rules are contained in the Oregon Administrative Rules Chapter 690, Division 315 (OAR 690-315-0070 through 690-315-0100). If you wish to view a copy of the new Chapter 690, Division 315 Extension Rules, you may access the document from the Department's web page at:

http://www.wrd.state.or.us/cgi-bin/notices.pl?new_oars

The new rules implement many changes to the extension process for municipal and quasi-municipal permit holders. One of the most significant changes is that an extension is linked to the requirement to develop a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

In preparation for implementing the new extension rules, the Department has reviewed its records and determined that the authorized date for completion of development for your water use permit has passed and that neither a permit extension of time application, nor a claim of beneficial use and final proof survey map, have been received.

As a result of this review, your water use permit falls into one of the three following categories:

1. Development is Not Complete

If development of your water use permit is not finished, you must submit an application for extension of time to complete construction of the water system and/or complete beneficial use of water to the full extent of the permit. You may access the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" on the Department's website at:

<http://www.wrd.state.or.us/publication/forms/index.shtml>

January 13, 2003
page two

2. Development is Complete and Final Proof Must be Submitted

If your water use permit was issued *after* July 9, 1987, and development of the permit is complete, you are required by law (ORS 537.230 and/or 537.630) to hire a certified water rights examiner to prepare and submit a claim of beneficial use and final proof survey map.

3. Development is Complete and Waiting for WRD to Conduct Final Proof Survey

If you applied for or received a permit *on or before July 9, 1987*, and development of the permit is complete, you must notify the Department that the work has been completed and choose to either: (a) hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; *or* (b) continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and the commission issues a water right certificate under ORS 537.250 or 537.625.

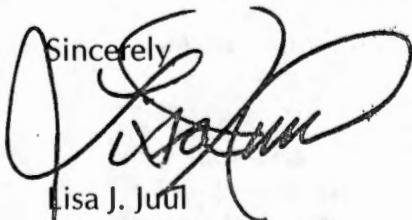
4. Permit is Not Needed and Wish to Authorize Cancellation

If you have determined that this permit is no longer needed and/or you have chosen not to pursue development of the permit, you may choose to authorize its cancellation. If you are interested in this option, please contact Jerry Sauter of our Department at extension 274 for the appropriate cancellation form.

Once you have determined which development category applies to your water use permit, please complete the enclosed "Quasi-Municipal/Municipal Water Use Permit Development Questionnaire" form and return it to my attention at the Water Resources Department by April 13, 2003.

If you would like the new rules or extension application forms sent to you by mail, or if have any questions, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely



Lisa J. Juul
Water Rights Specialist
Water Rights Section

enclosure

cc: App File #S50185 (Permit #S36714)

Oregon Water Resources Department
Quasi-Municipal/Municipal Water Use Permit Development Questionnaire

Permit Holder: CITY OF SILVERTON

Permit #S36714

Application File #S50185

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and...

- ☐ a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

- ☐ the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and...

- ☐ the permit holder will submit a permit extension of time application to **WRD no later than 90 days from the date of this letter (April 13, 2003).**

3. The Permit is Not Needed and Wish to Authorize Cancellation...

- ☐ the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.

Signature of Authorized Personnel

Date

Please return completed form by April 13, 2003 to:
Water Resources Department
Attention: Lisa Juul
158 - 12th Street NE
Salem OR 97301-4172

Application for a Permit to Construct a Reservoir and to
Store for Beneficial Use the Unappropriated
Waters of the State of Oregon

I, City of Silverton
(Name of Applicant)
of 306 South Water Street Silverton
(Mailing address) (City)

State of Oregon 97381, do hereby make application for a permit to construct the
(Zip Code)
following described reservoir and to store the unappropriated waters of the State of Oregon, subject to
existing rights.

If the applicant is a corporation, give date and place of incorporation
1891 Silverton, Oregon

1. The name of the proposed reservoir is Silver Creek Reservoir.

2. The name of the stream from which the reservoir is to be filled and the appropriation made is
Silver Creek
tributary of Pudding River

3. The amount of water to be stored is 1300 acre feet.

4. The use to be made of the impounded water is Municipal Supply
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. S12 T7S, RIW and S. 7&18, T7S, R1E
(Give sections or townships to be submerged)
Tp. R, W.M., in the county of Marion

(a) State whether situated in channel of running stream and give character of material at outlet
Situated in channel of Silver Creek, a running stream. Outlet will be
in rock.

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give
name and dimensions

6. The dam will be located in N.E. 1/4 of N.E. 1/4, Sec. 12
(Smallest legal subdivision)
Tp. 7 S, R. 1 W, W.M. The maximum height will be 65 feet above stream bed or ground
surface on center line of dam. The length on top will be about 500 feet; length on
bottom about 300 feet; width on top 20 feet; slope on front
or water side 3 : 1; slope on back 2 : 1; height of dam above water line
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)
when full 16 feet.

* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured
without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

11 2012

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: Zoned earthfill comprised of a fine grain soil core section with rocky shell sections. Coarser basalt rock from the spillway excavation or cobbles from the gravel borrow areas will be placed on the upstream slope.

8. The location of wasteway with dimensions are as follows: Chute Spillway around the dam, 120 ft. wide at crest, narrowing gradually to 60 feet wide at 180 feet downstream of crest.
(State whether over or around the dam)

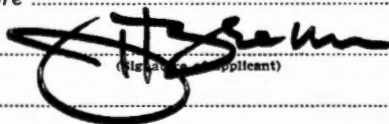
9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: At base of dam, 42 inch, cast in place reinforced concrete outlet pipe.
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

10. The area submerged by the proposed reservoir, when full, will be 65 acres, with a maximum depth of water of 50 feet; and approximate mean depth of water 20 feet.

11. The estimated cost of the proposed work is \$500,000.

12. Construction work will begin on or before May, 1973.

13. Construction work will be completed on or before December, 1973


(Signature of Applicant)

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before _____, 19____.

WITNESS my hand this _____ day of _____, 19____.

STATE ENGINEER

By 11-26-73

ASSISTANT

Remarks: The spillway design flood was computed to be 14,200 cfs according to procedure set forth by the U.S. Weather Bureau Hydro-meteorological Report No. 43 for computation of maximum probable precipitation. An additional 4 feet of freeboard was allowed above computed maximum flood level in the reservoir.

Sudden failure of the dam would cause serious flooding in Silverton and downstream with resulting heavy property damage and probable loss of life.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of Silver Creek Reservoir and storage of water from Silver Creek to be appropriated under application No. 50185, permit No. 36714 for municipal use.

The right hereunder shall be limited to the storage of 1300.0 acre feet.

The priority date of this permit is March 20, 1973

Actual construction work shall begin on or before May 18, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975.

WITNESS my hand this 18th day of May, 1973.

[Signature]

STATE ENGINEER

OK.
[Signature]

Application No. R-50194

Reservoir Permit No. R 5948

PERMIT

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 20th day of March, 1973, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

May 18, 1973

Recorded in Book No. _____ of
Reservoirs, on Page R 5948

CHRIS L. WHEELER

State Engineer

Drainage Basin No. 2 page 38E20

Fees _____

X

March 25, 1997

WATER
RESOURCES
DEPARTMENT

CITY OF SILVERTON
306 S WATER ST
SILVERTON OR 97381

REFERENCE: File 50185

Your application for extension of time to complete work under Permit Number 36714 along with your check in the amount of \$100 has been received. Our Receipt Number 10629 is enclosed.

Your request is approved by Special Order Volume 51, Page 304. The time limit for complete application of water is extended to October 1, 2001.

Certain water right holders that serve as water suppliers may be required to submit water management and conservation plans at some point in the future. You should be advised that the Water Resources Commission may adopt administrative rules that will require you to prepare and submit such plans in the future.

If you are interested in receiving periodic information concerning the conservation program or the development and adoption of management and conservation rules, please contact the Water Conservation staff at the Salem office of the Water Resources Department.

If you have questions concerning this extension please contact me at extension 272 at 1-800-624-3199 (toll-free) or 1-503-378-3739.

Sincerely,

Dallas S. Miller
Water Rights Specialist

DSM:jh

enclosure

cc: William Ferber, Watermaster



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **10629**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: City of Silverton
BY: _____

APPLICATION	50185
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 96-8 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 100.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$ 100.00

TC165 DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

0202

RECORD FEE

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

0219

LICENSE FEE

LANDOWNER'S PERMIT

\$

0220

\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT # **10629**

DATED: 3-8-97

BY: Melissa Jung

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: 50185 City of Silverton

PERMIT NO: 36714

DATE: March 14, 1997

1. Has the applicant requested any previous extensions? How many?
4
2. What water right development steps has the permittee completed within the past year? **Population growth from 6050 to 6565 resulting in increased water consumption.**
3. What water right development steps has the permittee completed prior to this past year? **Increased augmentation of Silver Creek water for pumping to the water filter plant in the summer months. Water main and service construction \$160,000 within last two years.**
4. Is the permittee currently meeting all conditions of the permit?
YES. No special conditions.
5. What is the current use of water under the permit? **Municipal.**
6. What percent of the total allowable use under the permit does the current use represent?
15 % (200 a.f.)
7. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
NO.
8. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
NO.
9. Has there been any change in demand for water or power since the permit was granted?
YES. Constant population growth.
10. If the extension request is denied, is the current level of water use under the permit economically feasible?
YES.
11. Is there an alternate source of water available at this time?
YES. 4 other permits.
12. Has use of water under the permit caused an adverse impact on the surface/groundwater resource in the area?
NO.
13. Have there been claims of injury to other water right holders or water users in the area?
NO.
14. Any conditions on previous orders?
NO.

REMARKS:

Request extend time limits from 10/1/96 to 10/1/2001. Water system built and part of water used. Recommend extend B-C dates to 10/1/2001.

MAR 10 1997

File No. 50185

WATER RESOURCES DEP
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton name
306 S. Water Street Silverton OR 97381 503-873-8679
address city state zip phone

record owner of permit No. 36714, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19__, be extended to October 1, 19__, and/or the time in which to

☒ accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1996, be extended to October 1, ~~XX~~ 2001.

I have accomplished the following described works and/or purchase and installation of equipment necessary to use of water under said permit.

(1) within past year Increased water consumption due to growth in
population.

(2) prior to this past year Increased augmentation of Silver Creek
flows for pumping to Water Filter Plant in the summer months.

(3) and have accomplished beneficial use of water to the extent of
(if for irrigation, state how many acres have been irrigated)

(4) unable to complete construction and/or application of water within the permit time limits because

Richard B. Buntz
signature

February 10, 1997
date

MAIL APPLICATION AND STATUTORY FEE OF \$100 FOR EACH PERMIT TO:
WATER RESOURCES DEPARTMENT
158 12TH ST NE
SALEM, OREGON 97310

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

March 14, 1997

To: 50185

From: DALLAS

Subject: EXTENSION

Silverton

Per phone call Richard Barstad, ~~Dallas~~ Public Works Dir. City using 200 a.f per year from reservoir under this permit. Water main and service construction of \$160,000 within last 2 years.



RECEIVED

JAN 17 1997

WATER RESOURCES DEPT.
SALEM, OREGON

January 15, 1997

Dallas Miller, Water Rights Specialist
Oregon Water Resources Department - Commerce Building
158 12th Street N.E.
Salem, OR 97310

Subject: Silver Creek Reservoir
File 50185 - Permit No. 36714

Dear Mr. Miller:

Thank you for your letter of December 31, 1996 reminding us that it is time for the City to report the status of development of the beneficial use of this permit.

In the past 5 years, the City has grown from approximately 6050 to 6565 residents and one significant water using industry has located in the community. In addition, the City has been using the reservoir storage to augment flows to Silver Creek nearly every summer when water is pumped from Silver Creek to our Water Treatment Plant. I estimate that this consumes approximately 60 acre-feet of water from storage.

The City expects to continue needing additional water storage capacity from this reservoir as growth occurs in the future. Therefore, we request that this permit be extended a minimum of 5 years to develop the beneficial use allowed.

Please give me a call at 873-8679 if you have any questions or need additional information.

Sincerely,

Richard J. Barstad, P.E.
Public Works Dir.

cc: David Meriwether, City Manager
Steve Yoder, Plants Supervisor

(waterrt.ltr)

City Manager
306 S. Water St.
Silverton, OR 97381
(503) 873-6117
Fax (503) 873-3210

Finance Department
306 S. Water St.
Silverton, OR 97381
(503) 873-5321
Fax (503) 873-3210

Police Department
306 S. Water St.
Silverton, OR 97381
(503) 873-5326
Fax (503) 873-7452

Public Works
306 S. Water St.
Silverton, OR 97381
(503) 873-8679
Fax (503) 873-3210

Water/Wastewater Facilities
1453 Pine St.
Silverton, OR 97381
(503) 873-5439

Maintenance Shop
830 McClaine St.
Silverton, OR 97381
(503) 873-6359

January 30, 1997

RICHARD BARSTAD P E
PUBLIC WORKS
306 S WATER ST
SILVERTON, OR 97381

REFERENCE: File 50185

Dear Mr Barstad,

Regarding your letter requesting a five year extension of permit 36714.

To consider your request you must fill out and submit the enclosed extension request form.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,



Dallas Miller
Water Rights Specialist



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CITY OF SILVERTON
306 S WATER ST
SILVERTON OR 97381

50185

4a. Article Number

P 56044

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-3-97

5. Received By: (Print Name)

Donna Thomas

6. Signature: (Addressee or Agent)

X Donna Thomas

8. Addressee's Address (Only if requested and fee is paid)

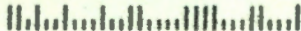
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

● Print your name, address, and ZIP Code in this box ●

WATER RESOURCES DEPARTMENT
158 12th ST NE
SALEM OR 97310



December 31, 1996

WATER
RESOURCES
DEPARTMENT

CITY OF SILVERTON
306 S WATER ST
SILVERTON OR 97381

REFERENCE: File 50185

According to the terms of your Permit 36714 complete application of water was to have been made by October 1, 1996.

Complete application of water means use of the water for the beneficial purpose described in the permit to the full extent intended. (In the case of irrigation, it means beneficial irrigation of the lands the permittee intends to cover.) This may be a smaller amount than the permit allowed. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit."

You are hereby notified that, unless proof of beneficial use is received by **MARCH 17, 1997** (within 60 days from the date of this letter) the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact me at extension 272 at 378-3739 or toll-free 1-800-624-3199.

Sincerely,

Dallas Miller
Water Rights Specialist

DM:jh

cc: Watermaster, District 16

CERTIFIED - RETURN RECEIPT REQUESTED



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

April 19, 1996

Richard J. Barstad, P.E.
Public Works Director/City Engineer
306 S. Water Street
Silverton, OR 97381

Re: Silverton Waste Water Management
Oregon gardens Project

Dear Mr. Barstad:

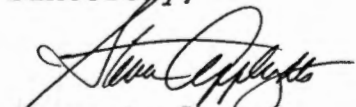
This is to respond to your letter of March 1, 1996, and to confirm our discussions of February 16, 1996.

You have described that the water to be used at the Oregon Gardens will be supplied by the City by capturing treated wastewater prior to its discharge into Silver Creek. Such water will then be transported to the gardens. The gardens will be located within the city boundaries.

We agree that such use will be within the scope of "municipal" use as allowed under the City's existing rights, and that no additional water rights or registrations are necessary.

I trust this provides the information you needed. If further questions occur to you, please contact Tom Paul (Ext.281) or me (Ext.265) at 378-8455.

Sincerely,



Steve Applegate
Acting Administrator
Water Rights & Adjudications Division

cc: Tom Paul
Gail Achterman-Stoel Rives



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130



RECEIVED

MAR - 4 1996

WATER RESOURCES DEPT.
SALEM, OREGON

March 1, 1996

Steven P. Applegate
Water Resources Department
158 12th Street NE
Salem, OR 97310

RE: Silverton Wastewater Management Facilities Water Rights

Dear Mr. Applegate:

We appreciate the time you and Mr. Paul took to meet with us on February 16 to discuss water right issues associated with the Silverton Wastewater Management Facilities.

As we outlined in that meeting, the City of Silverton, under a Stipulation and Final Order from Oregon Department of Environmental Quality, has undertaken improvements to their wastewater treatment plant to meet water quality requirements in Silver Creek. During the summer season, May 1 - October 31, the wastewater treatment plant will not be permitted to discharge to Silver Creek. The City has taken this opportunity to combine this project with other City needs in an overall wastewater management plan.

During the summer season, the treatment plant effluent will be discharged to mitigation wetlands currently under design to satisfy mitigation requirements for wetlands that were filled with the recent construction of an industrial park on the north side of town and to provide a mitigation bank for future development within the City. The initial acreage of these wetlands is estimated to be 9.7 acres.

The NPDES permit for the treatment plant will be written at the point of discharge from the treatment plant to the wetlands. It is at this point that the wastewater quality will be monitored for permit compliance. Beyond this point, the water is considered to be "waters of the State" by DEQ. For this reason, use of the water beyond this point is not subject to the DEQ Reuse Rules, OAR 340.55.

After flowing through the wetlands, the wastewater will be recaptured and pumped to the Oregon Gardens for use in the creation of wetlands that will be incorporated into the Garden design, irrigation and water features. The Oregon Gardens is a non-profit operation whose purposes are display and education. The City has agreed to provide water to the Gardens for their use. The Garden is located within the City limits. Figure 1 illustrates the overall wastewater management plan.

City Manager
306 S. Water St.
Silverton, OR 97381
(503) 873-6117
Fax (503) 873-3210

Finance Department
306 S. Water St.
Silverton, OR 97381
(503) 873-5321
Fax (503) 873-3210

Police Department
306 S. Water St.
Silverton, OR 97381
(503) 873-5326
Fax (503) 873-7452

Public Works
306 S. Water St.
Silverton, OR 97381
(503) 873-8679
Fax (503) 873-3210

Water/Wastewater Facilities
1453 Pine St.
Silverton, OR 97381
(503) 873-5439

Maintenance Shop
830 McClaine St.
Silverton, OR 97381
(503) 873-6359

MAR - 4 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Page 2

Average treatment plant effluent flows will range from 0.62 to 1.09 million gallons per day (mgd) and will be metered at the treatment plant discharge point. Preliminary estimates for recaptured flow from the wetlands are 0.45-0.82 mgd. Flow will be metered as it is recaptured from the wetlands and pumped to the Gardens.

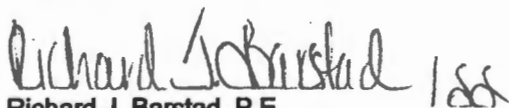
This wastewater management plan will commence when the improvements to the treatment plant are completed and the wastewater treatment plant is operational. The scheduled completion date of the wastewater treatment plant is 1998.

The City holds municipal water rights from Abiqua Creek (Permit 3226) and Silver Creek (Permits 36714, R-5948 and Certificate 2400) for use in the City's water supply system. The water delivered to the treatment plant is water appropriated under these permits and certificates. The Oregon Gardens water use will be for purposes that are usual and ordinary for a municipal system since the water will be used to irrigate a garden in a park-like setting. The Oregon Gardens are expected to become a major tourist facility and research center. By serving them with nonpotable water, the City will be able to facilitate economic development while conserving treated drinking water supplies. Water used by the City system will still be well within the rate and use allowed under the City's permits and certificate.

Because use of the water at the Oregon Gardens will simply be additional municipal water use under OAR 690-300-010(29), and under the provisions of ORS 540.510(3), the City understands that no new water right is required from the Water Resources Department to implement this project. We would appreciate it, however, if you or the Director could confirm our understanding by sending a written letter to that effect to me on behalf of the Water Resources Department.

Thank you again for your consideration.

Sincerely,

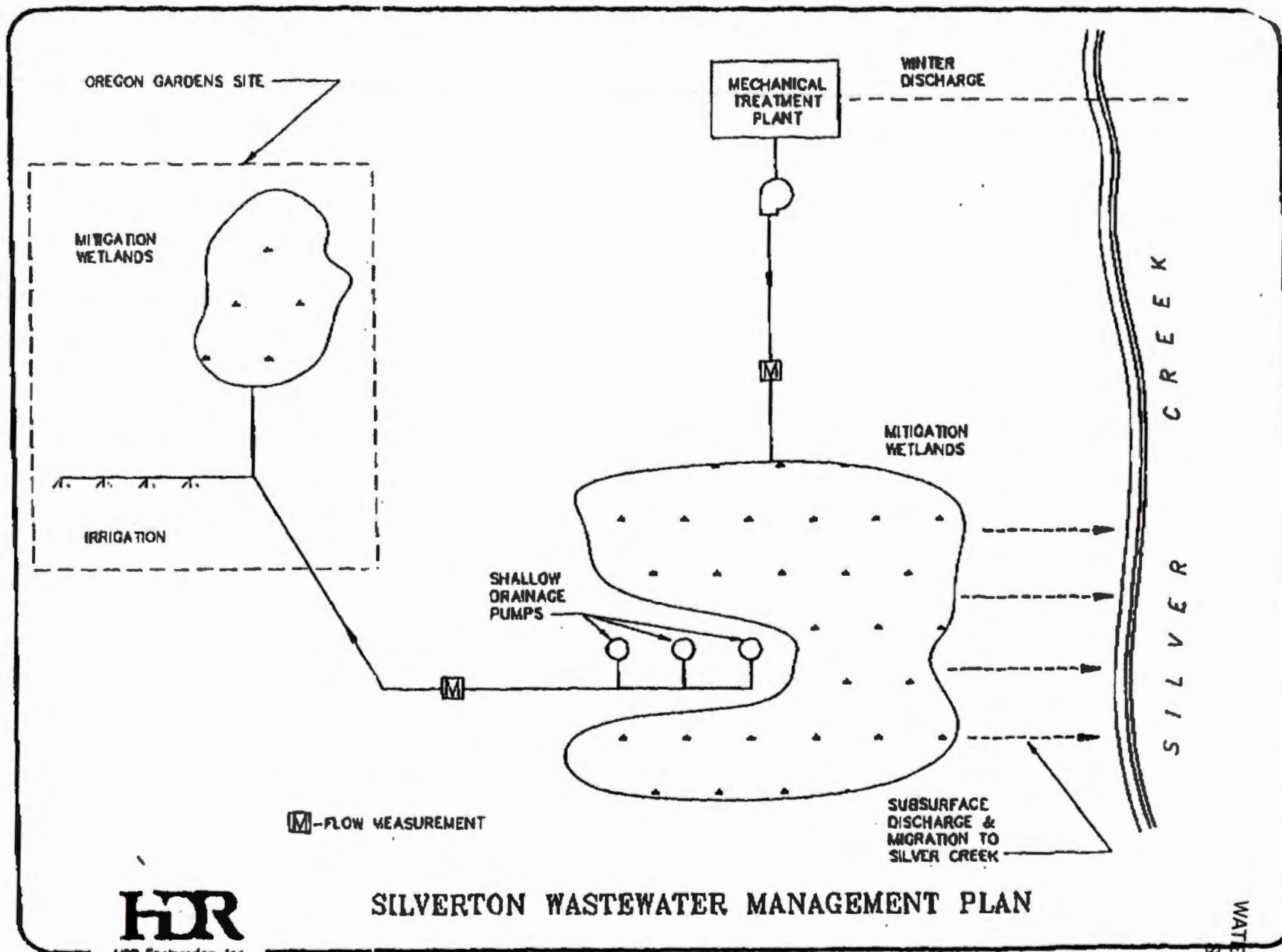


Richard J. Barstad, P.E.
Public Works Director/City Engineer

cc: Gail L. Achterman - Stoel Rives
Bruce R Willey- HDR Engineering
Tom Kuper - David Newton Associates

(wrdapple.ltr)

FILENAME: SILVERCR.DWG DATE: 01-30-96



HDR
HDR Engineering, Inc.

SILVERTON WASTEWATER MANAGEMENT PLAN

Figure 1

WATER RESOURCES DEPT
SADEN, OREGON

MAR - 4 1996

RECEIVED

February 18, 1992

City of Silverton
306 South Water Street
Silverton OR 97381-2199

REFERENCE: File 50185

We received your application for extension of the time to complete work under Permit 36714. We also have your check for \$100. Our receipt number 83338 is enclosed.

Your request is approved. The time limits under this permit are extended to October 1, 1996.

Oregon Administrative Rules (OAR) 690-410-060, (enclosed), requires water suppliers, such as you, to prepare water conservation management plans. The schedules, standards and procedures for the development of management plans will be adopted in rule form in the near future. These rules also require you to notify the Commission of your plans to assure a long-term water supply.

Accordingly, before future extension requests will be approved, there are two requirements:

1. You will need to submit a plan describing the schedules, standards, and procedures for your water conservation management plans. This will need to be done within your time extension period following the date the Water Resources Commission adopts these rules.
2. You will need to prepare a plan/timetable for the Water Resources Commission which shall indicate the steps you intend to pursue to obtain a long-term water supply. This will need to be done by October 1, 1996.

If you have any questions, please call the Department's Water Rights Section at 378-3739.

TES:jh

Enclosures



Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton Name
306 S. Water St. Mailing Address
Silverton Oregon 97381-2199
City State Zip

RECEIVED

FEB 13 1992

WATER RESOURCES DEPT.
SALEM, OREGON

record owner of water permit No. 36714, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19____, be extended to October 1, 19____; and/or the time in which to

☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1991, be extended to October 1, 1996.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year _____
 _____;

(2) prior to this past year Some storage has been used in very dry summer periods when Silver Creek pumps below dam were used to supplement the City water supply normally taken from Abiqua Creek. I believe this last happened in 1990. _____;

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Not used for irrigation. _____

(If additional space is required, attach separate sheet)

Richard J. Barstad
 Richard J. Barstad

Director of Public Works

(If signing for a corporation please identify your title)

Dated February 4, 1992

MAIL COMPLETED APPLICATION AND STATUTORY FEE
 OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department
 3850 Portland Road N.E.
 Salem, Oregon 97310

2/13/92
 # 83338
 \$100

OK
 BC 10-1-76
 EXT MUN
 JES

January 27, 1992

Richard J. Barstad, PE
City of Silverton
306 South Water Street
Silverton, OR 97381

Reference: File 50185 - Silver Creek Reservoir

Dear Mr. Barstad:

I am enclosing a form for use in making application for an extension of the time limits under permit 36714.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon showing reasonable diligence by the permittee. You should fill out the application carefully and completely describe what has been accomplished.

The application must be submitted to this office with the filing fee in the amount of \$100.00.

Sincerely,



Stephen C. Brown
Senior Water Rights Specialist
Field Operations Division

0652



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

City of Silverton
306 South Water Street
Silverton, Oregon 97381

4a. Article Number

P-56499

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

1-22-90

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

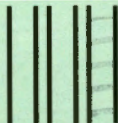
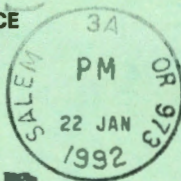
6. Signature (Agent)

Pattie Landon

50185 PAV

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE, \$300

Print your name, address and ZIP Code here

WATER RESOURCES DEPT.
3850 PORTLAND ROAD N.E.
SALEM, OREGON 97310

January 21, 1992

City of Silverton
306 South Water Street
Silverton, OR 97381

REFERENCE: File 50185

According to the terms of your Permit 36714 complete application of water was to have been made by October 1, 1991.

Complete application of water means use of the water for the beneficial purpose described in the permit to the full extent intended. (In the case of irrigation, it means beneficial irrigation of the lands the permittee intends to cover.) This may be a smaller amount than the permit allowed. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 28, 1991.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit."

You are hereby notified that, unless proof of beneficial use is received within 60 days from the date of this letter, the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact the Water Rights Section.

CERTIFIED - RETURN RECEIPT REQUESTED



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

378-8508

January 16, 1987

City of Silverton
306 South Water Street
Silverton, OR 97381

Gentlemen:.

REFERENCE: File 50185

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permit 36714 was received. We also have your check in the amount of \$100.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1991.

Sincerely,

BRUCE A. ESTES
Survey/Certificate Section

BAE:jw

Enclosures

5520D

RECEIVED

690-10-116

DEC 1 1986

File No. 50185

WATER RESOURCES DEPARTMENT
SALEM, OREGON

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton
Name
306 South Water Street
Mailing Address
Silverton Oregon 97381
City State Zip

record owner of water permit No. 30714, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1985, be extended to October 1, 1991; and/or the time in which to

☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1986, be extended to October 1, 1991.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year Added two (2) single family dwellings, and 14 new mobile homes
placed in newly extended mobile home court, all added to the City water
system.

(2) prior to this past year _____

_____;

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) _____

(If additional space is required, attach separate sheet)

(If signing for a corporation please identify your title)
Douglas K. Robinson, City Manager/Recorder

Dated D. K. Robinson

MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

12-1-84
100.00
50883

B-C
10-1-91
BCE

378-8508

November 13, 1986

City of Silverton
306 S. Water St.
Silverton, OR 97381

REFERENCE: File Number 50185

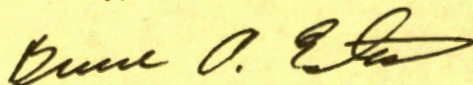
Attention: Rich Barstad

I am enclosing a form for use in making application for an extension of time limits under Permit 36714

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$100 for each permit.

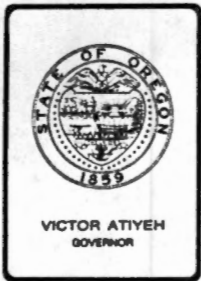
Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-115
6164A



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

August 11, 1983

City of Silverton
306 South Water Street
Silverton, OR 97381

REFERENCE: File Number 50185

Gentlemen:

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permit Number 36714 was received. We also have your check in the amount of \$20.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1986.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE/jw

Enclosure

RECEIVED

JUL 22 1983

WATER RESOURCES DEPT.
SALEM, OREGON**Application for Extension of Time**

To the State Engineer of Oregon:

I, City of Silverton, of Marion County
state of Oregon, am the owner and holder of Permit No. 36714, to
appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or
before October 1, 1981, and complete application of water is required to be
made on or before October 1, 1981.

I have heretofore done the following work described under said permit during the past year:

Completed a new 3.5 mgd water treatment facility, a 2 mg storage reservoir,
and over 2 miles of distribution line replacements. Current treatment
capacity has now increased to 6.8 mgd and will therefore increase our
dependence on Silver Creek Reservoir.

and did the following work prior to last year:

costing \$, and I estimate the cost of completion to be \$.

I have heretofore used water under said permit to the following extent: As an emergency
supply source during periods of low water.

I am unable to (complete construction work
make complete application of water } within the required time, for the following
(Strike out phrase not applicable)

reasons, to wit: The City is presently committed to supplying water for a population
increase of nearly 5000 people by the year 2000. We anticipate population
increases to be steady during the entire planning period. Therefore, increased
application of storage capacity is dependent on that growth occurring.

(If additional space is required, attach separate sheet)

(A fee of 20.00 for each permit involved must accompany this application.)

(OVER)

BC
10-1-86
DAG

7-22-83
\$ 20.00
R# 37596

RECEIVED
JUL 11 1983
DEPT. OF WATER RESOURCES
SALT LAKE CITY, UT

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
{ complete application of water } under said permit to October 1, 1986.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Marion } ss.

I, Douglas K. Robinson, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of May, 1983.

D. K. Robinson
Subscribed and sworn to before me this D.K. day of May, 1983.
D.K. Robinson, City Manager/Recorder

[Notarial Seal]

Notary Public for Oregon

My commission expires



CITY OF SILVERTON

306 SOUTH WATER STREET

SILVERTON, OREGON 97381-2199

ENGINEERING - 873-8679

May 25, 1983

Water Resources Department
Mill Creek Office Park
555 13th St. NE
Salem, OR 97310

Attn: Mr. Bruce A. Estes

Dear Mr. Estes:

Enclosed is an application and fee for extension of time to fully utilize existing water storage at Silver Creek Dam as covered by Permit No. 36714.

Please feel free to contact me if there is any further information I may provide.

Sincerely,

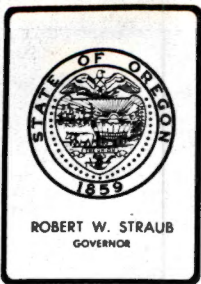
Richard J. Barstad, P.E.
City Engineer

cc: City Manager
file

encl.

RJB/bb

RECEIVED
JUL 22 1983
WATER RESOURCES DEPT.
SALEM, OREGON



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

File 50185

June 22, 1978

City of Silverton
306 South Water St.
Silverton, OR 97381

Gentlemen,

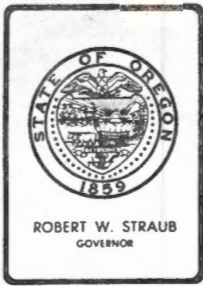
Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your permit number 36714 has been received. We also have your check in the amount of \$10.00.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits in which to complete construction and make complete application of water are being extended to October 1, 1981.

Sincerely,

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:jt
Encl. Receipt 4037



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

File R-50184
50185

April 21, 1978

City of Silverton
306 South Water St.
Silverton, OR 97381

ATTENTION: Doug Robinson, City Manager

Dear Mr. Robinson,

We have presently brought the condition of your two permits R-6948 and 36714 back to having a status which is workable. We however, most likely need an extension of time under permit 36714, which was for the use of 1300 acre feet of stored water from Silver Creek Reservoir for municipal use.

The letter from David L. Trap, of March 3, 1978 regarded the reservoir was designed to give adequate water for the City to the year of 2000. This was the reason that I expect that you need an extension, since you have not undoubtedly built all the houses you anticipate to ^{correct} build within the alinement of the permit.

I am enclosing a form for use in making application for an extension of time limits under permit number 36714.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$10.00 for each permit.

Sincerely,

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:jt

RECEIVED
JUN 16 1978
WATER RESOURCES DEPT.
SALEM, OREGON

Application No.
File ~~R-50184~~,
50185

Application for Extension of Time

I, the State Engineer of Oregon:

I, City of Silverton, Oregon, of 306 South Water Street, Silverton
state of Oregon, am the owner and holder of Permit No. 36714, to
appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or
before October 1, 1975, and complete application of water is required to be
made on or before October 1, 1976.

I have heretofore done the following work described under said permit during the past year:

and did the following work prior to last year: Construction of the Silver Creek
Dam completed in November, 1973.

Total Engineering and Construction cost was estimated
at \$650,000.

costing \$....., and I estimate the cost of completion to be \$.....

I have heretofore used water under said permit to the following extent:

I am unable to ~~complete construction work~~ } within the required time, for the following
make complete application of water }
(Strike out phrase not applicable)

reasons, to wit: Construction of the Silver Creek Dam was designed to
provide the necessary storage capacity for domestic water supply
through the year 2000. The ultimate utilization of the water
rights granted by permit no. 36714 is not expected until the
year 2000.

(If additional space is required, attach separate sheet)

(A fee of ¹⁰\$5.00 for each permit involved must accompany this application.)

(OVER)

Rec 4037
\$10.00

B-C
10-1-81
Dae

The growth rate of water users within the city's system is outlined below:

YEAR	POPULATION	WATER USERS	ESTIMATED % OF WATER RIGHT UTILIZED
1973	4750	1865	25%
1974	4756	1849	27%
1975	4780	1896	30%
1976	4880	1899	32%
1977	4950	1983	35%
* 1980	6052	2421	50%
* 1990	7067	2826	75%
* 2000	8400	3400	100%

* Estimated values based upon population data compiled by CH2M-Hill

WHEREFORE, I ask that the State Engineer extend the time for the

{ ~~completion of construction work~~ } under said permit to December 31, ~~xx~~ 2000
{ complete application of water }
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Marion } ss.

I, Dennis H. Ross City Engineer, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of JUNE, 1978.

Subscribed and sworn to before me this 6th day of June, 1978.

[Notarial Seal]

D. K. Robinson
Notary Public for Oregon

My commission expires March 11, 1981



CITY OF SILVERTON

306 SOUTH WATER STREET

SILVERTON, OREGON 97381

(503) 873-5321

March 3, 1978

RECEIVED
MAR 6 1978
WATER RESOURCES DEPT.
SALEM, OREGON

Bruce A. Estes, Supervisor
Certificate-Survey Section
Water Resource Department
Mill Creek Office Park
555 13th Street N.E.
Salem, Oregon 97310

RE: Silver Creek Dam

File No. R-5084,50185
Permit No. R-5948,36714

Gentlemen:

Construction of the Silver Creek dam began in April 1973 and was completed in November 1973.

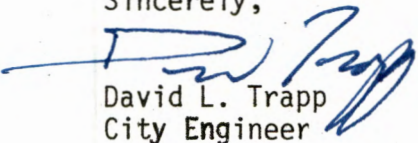
Impoundment of water was started in October 1973, and was full in November 1973.

The City of Silverton started using the water in June 1974 from the reservoir. The reservoir was designed to give the City adequate water to the year 2000.

The water permit should be extended to allow for future appropriation.

I sincerely regret that the application was not filed on time.

Sincerely,


David L. Trapp
City Engineer

DLT:os

PHONE 378-8508

FEB 23 1978

File No. R-50184, 50185

City of Silverton
306 South Water Street
Silverton, Oregon 97381

Gentlemen:

According to the terms of your permit number s R-5948 and 36714, which are for the use of Silver Creek Reservoir and storage of 1300.0 acre feet from Silver creek to be used for municipal use,

complete application of water was to have been made by October 1, 1976.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of November 20, 1976.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days' notice by registered mail, order the cancellation of the permit..."

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, the permit(s) may be canceled without further notice.

If, for any reason, you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

Sincerely,
James E. Sexson, Director

By *Bruce A. Estes*
Bruce A. Estes, Supervisor
Certificate-Survey Section

June 29, 1973

City of Silverton
306 South Water Street
Silverton, OR 97381

R-50184
50185

and 36714 with map.

R-50184 and 50185, permit No. R-5948

May 18, 1973

Cornell, Howland, Hayes & Merryfield
Consulting Engineers
P. O. Box 411
1600 West Avenue
Corvallis, Oregon 97330

Attention: Roger Lindquist

Dear Mr. Lindquist:

This is to advise you that the plans and specifications for the Silver Creek Dam have been approved and State Engineer's Permits issued. Since this project is over the statutory limits, it will be necessary that the construction be supervised by a registered, professional engineer or his direct representative. Since you were the design engineer, we will assume you will be the engineer responsible to supervise the construction to insure that the project is built in accordance with the approved plans and specifications. If this assumption is erroneous, please advise immediately.

Please keep this office advised as to the status of construction, particularly when the cut-off trench is excavated in order that we might schedule an inspection at that time.

Very truly yours,

A.M. PETSKA
Engineer

AMP:gb
cc: Watermaster
City of Silverton

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJECT: Silver Creek Reservoir, Investigations of;

DATE: May 17, 1973

TO: State Engineer
Water Resources Department
1178 Chemeketa St. N.E.
Salem, Oregon

Attention: Mr. A. M. Petska, Engineer

Dear Sir:

RECEIVED
MAY 21 1973
STATE ENGINEER
SALEM OREGON

This will confirm my telephone call to your assistant concerning the contents of your letter of May 4, 1973.

The Soil Conservation Service has never been directly involved in the proposed Silver Creek Reservoir Site. No field investigations have ever been made in that specific area to my knowledge.

Mr. R. Pfeifer of Silverton incorrectly quoted statements made by me. I advised him to review the studies and reports made by CH₂M of Corvallis under contract to the city of Silverton. One of the reports contains a section pertaining to the geology of the site in which the Geologist questions the site as to its suitability for construction of a dam.

I hope this clarifies the matter.

Yours sincerely,

Dale A. McGee

Dale A. McGee
District Conservationist

cc: R. Fox
Soil conservation Service
Wm. J. Cox
Soil Conservation Service
Myron Harper
Marion SWCD





CITY OF
SILVERTON

CITY HALL

306 SOUTH WATER STREET / SILVERTON, OREGON 97381 / TELEPHONE 873-5323

RECEIVED
APR 17 1973
STATE ENGINEER
SALEM, OREGON

16 April 1973

State Engineer
1178 Chemeketa Street N.E.
Salem, Oregon 97310

Attention: Water Resources Department

Gentlemen:

Subject: Secondary Application No. 50185 to appropriate stored water.

This is in reply to your letter of April 2, 1973, in which the City's secondary application No. 50185 and the print of the service area map were returned to us for correction and completion.

We are returning the application form No. 50185 and a sepia print of the service area, both of which have been corrected and show the additional information requested.

In regard to the surface area of the reservoir, item 10, R-50184, application form filed March 20, 1973, please amend the surface area to show an area of 65 acres instead of the 70 acres, to conform with plans for the final location of the dam.

Yours truly,

Robert E. Borland
Robert E. Borland
City Engineer

Enclosures: 1 - Sepia map
1 - Application form
1 - Letter of transmittal

cc: CH2M-Hill

REB:os

April 2, 1973

R-50184
50185

City of Silverton
306 South Water Street
Silverton, OR 97381

ATTENTION: JACK BROWN, CITY MANAGER

Gentlemen:

This will acknowledge the City's application for a permit to construct a reservoir and to store therein 1,300 acre feet of water from Silver Creek for municipal supply. Fees of \$30.00 were also received for which our receipt No. 32956 is enclosed. The reservoir application has been filed and numbered R-50184.

This will also acknowledge the City's secondary application for a permit to appropriate 1,300 acre feet of stored water only per year at a rate up to 14 cubic foot per second from Silver Creek Reservoir for municipal supply. Also acknowledged is the print showing the vicinity map and reservoir plan along with the print showing the service area. The fees in the amount of \$51.00 were also received for which our receipt No. 32957 is enclosed. The secondary application has been filed and numbered 50185.

This will also acknowledge the reproducible set and prints of the plans along with two sets of specifications to support the reservoir application.

As mentioned in our telephone conversation of March 30, the information supplied in item No. 8 of your secondary application is not in agreement with the area to be supplied water as shown on the print showing the service area. According to the print, parts of Sections 23 and 33 of Township 6 South, Range 1 West, and parts of Section 1 of Township 7 South, Range 1 West may be included in the service area. It is also necessary to complete item No. 8 on the application by listing each fractional parts of the sections within the service area. For example: the service area within Section 2 as shown on your print is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

City of Silverton

Page 2

April 2, 1973

The map to be submitted showing your service area must be prepared on a good quality tracing paper or if you wish, you may submit a sepia print. Such map must show the service area with respect to the government survey lines, such as section lines and quarter lines. The map to support your applications, along with showing the service area should also show the location of the point of diversion (dam) by distances from a reference to agree with the information given in item No. 4 of the secondary application.

According to the plans the proposed reservoir will have a surface area of 65 acres instead of the 70 acres entered in item No. 10 of the reservoir application. If the plans correctly represents the surface area, I can amend the reservoir application upon receipt of your written authorization.

I am returning your secondary application No. 50185 and the print of the service area map for correction and completion. Your application is endorsed so that in order to retain its priority date, it must be received in this office on or before June 4, 1973.

Very truly yours,

WAYNE J. OVERCASH
Assistant

WJO:mjf
Enclosures

cc: CH2M-Hill

RECEIVED
MAR 20 1973
STATE ENGINEER
SALEM, OREGON

27 February 1973

State Engineer
1178 Chemeketa Street N.E.
Salem, OR 97310

Attention: Water Resources Department

Gentlemen:

Subject: Silver Creek Dam and Reservoir

The applications to construct Silver Creek Dam and to appropriate the water are included with this letter along with a check for the appropriate examination and recording fees as follows:

1. Application for permit to construct a reservoir.

A.	Examination Fee	\$15.00
B.	Recording Fee 100 AF	5.00
	Next 900 AF	9.00
	Next 300	<u>1.50</u>
		\$30.50

 2. Application to appropriate the water.

A.	Examination Fee	15.00
B.	Recording Fee - one cfs	10.00
	Next 13 cfs at \$2.00	<u>26.00</u>
		<u>51.00</u>
- TOTAL \$81.50

The contract documents including plans and specifications for the construction will be finished soon and copies will be submitted for your review and approval.

Respectfully submitted,

City of Silverton


Jack Brown
City Manager

Application No.
Permit No.

R- 30184 + 30185

REFERENCE	INV. DATE	INV. NO.	VENDOR NO. WAT385	DESCRIPTION	02/07/92
FEBRUARY	02/04/92	36714		WATER RIGHTS	AMOUNT
					100.00

RECEIVED

FEB 13 1992

WATER RESOURCES DEPT.
SALEM, OREGON

CITY OF SILVERTON
Silverton, Oregon

BC 81

See title No. R-30184

Gary

50185

Application No.

36714

Permit No.

3/20/73

Name **City of Silverton**

Address **306 South Water Street, Silverton, OR 97381**

Assigned

Address

Beginning construction **May 18, 1974**

Completion of construction **October 1, 1975**

Extended to **10-1-81, 10-1-84, 10-1-91, 10-1-94, 10-1-01**

Complete application of water **October 1, 1976**

Extended to **10-1-81, 10-1-84, 10-1-91, 10-1-94, 10-1-01**



SERVICE AREA EXTENDS 3600' NORTH OF HOBART ROAD

SERVICE AREA EXTENDS 1500' NORTH OF HOBART RD.

WATER TREATMENT PLANT

POINT OF OUTLET OF DAM
570 FT. SOUTH &
550 FT. WEST OF
N.E. COR. S12 T7S RIW WM

PUMP STATION

POINT OF DIVERSION
CITY PUMP STATION
820 FT. NORTH &
760 FT. EAST OF
S.W. COR. S35, T6S, R/W. WM

SERVICE AREA IS WITHIN CITY LIMITS
PLUS AREAS SHOWN WITH [Hatched Pattern] MARCH 1973

SERVICE AREA EXTENDS 500'± WEST ON BETHANY ROAD

CITY OF SILVERTON, OREGON
MUNICIPAL WATER SERVICE AREA

MAP TO ACCOMPANY
APPLICATION TO THE STATE ENGINEER
FOR PERMITS FOR SILVER CREEK DAM

Application No. R-50184 & 50185
Permit No. K-5948 & 36714

CORNELL, HOWLAND, HAYES & MERRYFIELD
CLAIR A. HILL & ASSOCIATES
ENGINEERS PLANNERS ECONOMISTS





SERVICE AREA EXTENDS
3600' NORTH OF
HOBART ROAD

SERVICE AREA
EXTENDS 1500'
NORTH OF
HOBART RD.

WATER
TREATMENT
PLANT

POINT OF OUTLET OF DAM
570 FT. SOUTH &
550 FT. WEST OF
N.E. COR. S12 T7S RIW WM

POINT OF DIVERSION
CITY PUMP STATION
820 FT. NORTH &
760 FT. EAST OF
S.W. COR. S35, T6S, R/W. WM

PUMP STATION

SERVICE AREA IS WITHIN CITY LIMITS
PLUS AREAS SHOWN WITH
MARCH 1973

CITY OF SILVERTON, OREGON
MUNICIPAL WATER SERVICE AREA
**MAP TO ACCOMPANY
APPLICATION TO THE STATE ENGINEER
FOR PERMITS FOR SILVER CREEK DAM**

Application No R-50184 & 50185
Permit No K-5948 & 36719

CORNELL, HOWLAND, HAYES & MERRYFIELD
CLAIR A. HILL & ASSOCIATES
ENGINEERS PLANNERS ECONOMISTS

