

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit S-55199, Water Right Application S-69623) FINAL ORDER
in the name of Tualatin Valley Irrigation District)

Permit Information

Application: S-69623
Permit: S-55199
Basin: Lower Willamette / Watermaster District 18
Date of Priority: May 24, 1988, for 43.75 cfs and December 16, 1988 for 37.5 cfs
Source of Water: Scoggins Reservoir, constructed under Permit R-5777 and Scoggins Creek, tributaries to the Tualatin River; and the Tualatin River, tributary to the Willamette River
Purpose or Use: agricultural use on 34,258.78 acres; and primary irrigation of 17,179.98 acres, subject to the following limitation: no more than 17,000 acres shall be irrigated in any one irrigation season. The District must submit a list of all the acres to be irrigated to the Watermaster by June 1, of each year
Maximum Rate/Volume: 81.25 cubic feet per second (cfs), being up to 81.25 cfs from the Tualatin River and 23.6 cfs from Scoggins Creek, with any deficiency in live flow made up from stored water in Scoggins Reservoir, constructed under Permit R-5777

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit S-55199 was issued by the Department on August 8, 2019. The permit specified complete

application of water to beneficial use by August 8, 2024. On June 5, 2024, Tualatin Valley Irrigation District submitted an Application for Extension of Time for Permit S-55199. In accordance with OAR 690-315-0050(2), on November 19, 2024, the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use from August 8, 2024, to October 1, 2049. The protest period closed January 3, 2025, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings in the Proposed Final Order dated November 19, 2024.

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 condition:

LIMITATIONS AND CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2028, 2033, 2038, 2043, and 2048**. *A form will be enclosed with your Final Order.*

(a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

(b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.


CONCLUSION OF LAW

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

ORDER

The extension of time for Application S-69623, Permit S-55199, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from August 8, 2024, to October 1, 2049.

DATED: January 17, 2025



Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Permit Extension Specialist at (503)979-3213.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
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Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900

**Extension of Time
 Progress Reporting Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Tualatin Valley Irrigation District

Application S-69623

Permit S-55199

Progress Report Form for 2028

Report Due no later than October 1, 2028

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit S-55199. **FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED. INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.**

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 5, 2024 and October 1, 2028	FINANCIAL INVESTMENT

2. Describe actions taken to comply with terms/conditions of the permit and/or previous extension. (Examples: installed a meter, submitted water usage reports, installed a fish screen, etc.) Attache additional pages as needed.

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

3. Total number of acres irrigated to date:
 Total number of acres in agricultural use:

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, **made to date.**

Maximum rate used to date (Tualatin River) = _____ cfs
 (Scoggins Creek) = _____ cfs

Signature _____ Date _____

Printed Name/Title _____

