

Application No. S 44208Permit No. S 32189Certificate No. 91591Stream Index, Page No. 2-90B4

FEES PAID

Date	Amount	Receipt No.
10-27-67	29.00	6476
10-4-99	100.00	33567
7/26/00	10.00	39214
	\$1 Cert. Fee	

FEES REFUNDED

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

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

2.5 cfs from Panther Creek (North Yamhill River) for municipal use
Cart. 1868 4 cfs Panther Cr.; App 44207 2 cfs Fall C.; App 46525 1/2 cfs Panther Cr.; Also R-46024
JAN 2 1969 CARD FOR A
extension form sent
Card for BC OCT 14 1982
CARD FOR BC OCT 13 1987
FORM 100 JUL 6 1988
Ext. of time sent 6-29-88
CARD FOR C OCT 22 1992
C Rem. sent 10/16/97

CORU MAP # 1005

Name CITY OF CARLTONBy City Hall PO Box 458Address Carlton, Oregon 97111PH: 503-852-7526Date filed October 27, 1967Priority October 27, 1967Action suspended until EPD

Returned to applicant

Date of approval December 15, 1967

CONSTRUCTION

Date for beginning December 15, 1968Date for completion October 1, 1969Extended to 10-1-75 10-1-82 10-1-8710-1-92 10-1-97Date for application of water October 1, 1970Extended to 10-1-75 10-1-82 10-1-8710-1-92 10-1-97

PROSECUTION OF WORK

Form "A" filed

Form "B" filed January 17, 1969Form "C" filed January 17, 1969

FINAL PROOF

Blank mailed

Proof received

Date certificate issued AUG 10 2016

Application No.

Form B

NOTICE OF COMPLETION OF CONSTRUCTION

City of Carlton, a Municipal Corp., the holder of Permit No. 32489

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the day of Summer, 1968.

Remarks: The works has a capacity of 2.56 CFS

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you

should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of January, 1969.

City of Carlton
(Signature of Applicant)Carlton Oregon 97111
(Address)

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when construction work is completed.

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated. Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when all of the water has been applied.

Application No.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

City of Carlton, a Municipal Corp., the holder of Permit No. 32489

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the day of Summer, 1968.

Remarks:

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of January, 1969.

City of Carlton
(Signature of Applicant)Carlton Oregon 97111
(Address)WMCP
REQUIRED

STATE OF OREGON
WATER RESOURCES DEPARTMENT
158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

RECEIPT # 42920

INVOICE #

RECEIVED FROM: Cable Huston Benedict
BY:

APPLICATION
PERMIT
TRANSFER

CASH: ☐ CHECK: # 24-7038 OTHER: (IDENTIFY) ☐
TOTAL REC'D \$ 10.00

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

PCA # 66111

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)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

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)

HYDRO APPLICATION

RECEIPT # 42920

DATED: 01-29-01 BY: [Signature]

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

CABLE HUSTON BENEDICT HAAGENSEN & LLOYD LLP Portland, Oregon

028725

CLIENT	DESCRIPTION	NET AMOUNT
cib	Proposed Final Order - Yamhill S-44208	\$10.00
RECEIVED JAN 29 2001 WATER RESOURCES DEPT. SALEM, OREGON		
TOTAL FOR CHECK ➡		\$10.00

MISCELLANEOUS WATER RIGHTS ROUTE SLIP

LAURA _____

JAKE _____

DALLAS _____

ANITA _____

WRIG _____

RENEE _____

LISA _____

OTHER Diane

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **40112**

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

INVOICE #

44208

RECEIVED FROM:
BY:

Aubrey Russell

APPROVED	
DATE	
BY	

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

TOTAL REC'D \$ **25.00**

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
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0427 WRD OPERATING ACCT

0407 MISCELLANEOUS	\$
0410 COPY & TAPE FEES	\$
0408 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

0201 WATER RIGHTS: SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203 GROUND WATER	EXAM FEE \$	0204 RECORD FEE \$
0205 TRANSFER	EXAM FEE \$	0206 RECORD FEE \$
0218 WELL CONSTRUCTION	EXAM FEE \$	0219 LICENSE FEE \$
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0220 LICENSE FEE \$

0223 OTHER (IDENTIFY) Protest fee \$ **25.00**

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

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **40112**

DATED: 9-1-00 BY: S. Henderson

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

0647

NUMBER _____

Check 100⁰⁰ Mo _____ Cash _____

- _____ Surface Application
- _____ Reservoir Application
- _____ Ground Water Application
- _____ Transfer Application
- _____ PFO Request
- _____ Research
- _____ Hydroelectric Fees
- _____ Copying
- _____ Assignment
- ☒ Extension of Time
- _____ Protest
- _____ Other

Dallas

44208

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, City of Carlton A Municipal Corporation of Yamhill County
(Name of applicant)
 of City Hall, Carlton, Oregon
(Mailing address)
 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 1899

1. The source of the proposed appropriation is Panther Creek
(Name of stream)
, a tributary of North Yamhill River
 2. The amount of water which the applicant intends to apply to beneficial use is 2.5
 cubic feet per second.
(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 for municipal purposes
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
 corner of North 43° East 530 feet from the ½ section corner between Sections 18
and 19, T3S, R5W, W.M.,
and being within the SW¼ of the SE¼ of Section 18, T3S, R5W,
(If preferable, give distance and bearing to section corner)
in the County of Yamhill
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the SW¼ of the SE¼ of Sec. 18, Tp. 3S
(Give smallest legal subdivision) (N. or S.)
 R. 5W, W.M., in the county of Yamhill
(E. or W.)

5. The Pipeline to be 47,400 feet
(Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the NE¼ of the SE¼ of Sec. 21, Tp. 3S
(Smallest legal subdivision) (N. or S.)
 R. 4W, W.M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works— (Existing Intake)

6. (a) Height of dam 6 feet, length on top 50 feet, length at bottom
40 feet; material to be used and character of construction concrete gravity
(Loose rock, concrete, masonry, structure with 24 ft wasteway over top of dam)
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate water is taken into the supply line through a 10
(Timber, concrete, etc., number and size of openings)
inch pipe which extends upstream through the dam about forty feet

(c) If water is to be pumped give general description
(Size and type of pump)

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

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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, 47,400 ft.; size at intake, 10 in.; size at 8,000 ft. from intake, 12-3/4" OD in.; size at place of use 10 in.; difference in elevation between intake and place of use, 335 ft. Is grade uniform? No Estimated capacity, 2.56 sec. ft.

8. Location of area to be irrigated, or place of use

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
T3S	R4W	14	W $\frac{1}{2}$	320
		15	E $\frac{1}{2}$	320
		16	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		19	S $\frac{1}{2}$ S $\frac{1}{2}$	160
		19	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		20	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		20	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
		21	N $\frac{1}{2}$	320
		21	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		21	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		22	N $\frac{1}{2}$	320
		22	N $\frac{1}{2}$ S $\frac{1}{2}$	160 (continued)

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised

Power or Mining Purposes—

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

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.

(Head)

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

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

(Legal subdivision)

Tp., R., W. M.

(No. N. or S.)

(No. E. or W.)

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

(Yes or No)

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

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

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

T3S	R4W	22	S $\frac{1}{2}$ SW $\frac{1}{4}$	80
		22	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
		23	NW $\frac{1}{4}$	160
		23	N $\frac{1}{2}$ SW $\frac{1}{4}$	80
		27	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
		27	N $\frac{1}{2}$ NW $\frac{1}{4}$	80
		27	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
		28	E $\frac{1}{2}$ NE $\frac{1}{4}$	80
		30	E $\frac{1}{2}$ NW $\frac{1}{4}$	80
T3S	R5W	17	S $\frac{1}{2}$ SW $\frac{1}{4}$	80
		20	N $\frac{1}{2}$ NW $\frac{1}{4}$	80
		20	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
		20	NE $\frac{1}{4}$	160
		21	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
		21	S $\frac{1}{2}$ N $\frac{1}{2}$	160
		21	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		22	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
		22	SW $\frac{1}{4}$	160
		22	S $\frac{1}{2}$ SE $\frac{1}{4}$	80
		23	S $\frac{1}{2}$	320
		24	S $\frac{1}{2}$ S $\frac{1}{2}$	160
		24	N $\frac{1}{2}$ SW $\frac{1}{4}$	80
		25	N $\frac{1}{2}$ NE $\frac{1}{4}$	80
		25	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
		26	N $\frac{1}{2}$ NW $\frac{1}{4}$	80
		27	N $\frac{1}{2}$ NE $\frac{1}{4}$	80
		27	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40

10. (a) To supply the city of Carlton, Yamhill County, Oregon

Yamhill, County, having a present population of 1,070
(Name of)

and an estimated population of 1,700 in 1990. The water system presently serves 1600 persons inside and outside Carlton and will serve an estimated 2500 persons in 1990.

(b) If for domestic use state number of families to be supplied presently 457 domestic and commercial services (386 inside City and 71 outside)

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

11. Estimated cost of proposed works, \$ 202,000 (29,400 ft of 12-3/4" O.D. Steel Pipeline)

12. Construction work will begin on or before November 1, 1967

13. Construction work will be completed on or before Spring 1968

14. The water will be completely applied to the proposed use on or before Summer 1968

Myron Madsen
Myron Madsen (Signature of Applicant)
City of Carlton, Oregon

Remarks: The City of Carlton presently has an intake on Panther Creek and a water supply line which brings the water from this intake to Carlton. A construction contract has been let to replace 29,400 ft of the existing 6 inch pipeline with 12-3/4 inch O.D. pipeline. The proposed pipeline will have a hydraulic capacity of 1150 GPM (2.56 CFS) and the present pipeline has a hydraulic capacity of 185 GPM (0.41 CFS).

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 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 2.5 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Panther Creek

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 October 27, 1967

Actual construction work shall begin on or before December 15, 1968 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1969
Extended to October 1, 1987 Extended to Oct. 1, 1975 Extended to Oct. 1, 1982 Extended to October 1, 1992, 10-1-97

Complete application of the water to the proposed use shall be made on or before October 1, 1970
Extended to October 1987 Extended to Oct. 1, 1975 Extended to Oct. 1, 1982 Extended to October 1, 1992, 10-1-97

WITNESS my hand this 15th day of December, 1967

Charles L. Wheeler

STATE ENGINEER

Application No. 44208
Permit No. 32489

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 27th day of October,
1967, at 1:00 o'clock P. M.

Returned to applicant: _____

Approved: _____

December 15, 1967
Recorded in book No. _____ of
Permits on page 32489

CHARLES L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 9034
Fees 4.00

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
<input checked="" type="checkbox"/> <u>Select</u>	OWNER: CITY OF CARLTON 191 E MAIN ST CARLTON, OR 97111-9107	R46504	R5527					NC
<input type="checkbox"/> <u>Select</u>	OWNER: CITY OF CARLTON 191 E MAIN ST CARLTON, OR 97111	R69512	R10900					NC
<input type="checkbox"/> <u>Select</u>	OWNER: CITY OF CARLTON 191 E MAIN ST CARLTON, OR 97111-9107	S44207	S32488					NC
<input checked="" type="checkbox"/> <u>Select</u>	OWNER: CITY OF CARLTON 191 E MAIN ST CARLTON, OR 97111-9107	S44208	S32489					NC
<input type="checkbox"/> <u>Select</u>	OWNER: CITY OF CARLTON 191 E MAIN ST CARLTON, OR 97111-9107	S46505	S34661					NC
<input type="checkbox"/> <u>Select</u>	OWNER: CITY OF CARLTON 191 E MAIN ST CARLTON, OR 97111-9107	S69513	S50218					NC
<input checked="" type="checkbox"/> <u>Select</u>	OWNER: CITY OF CARLTON 191 E MAIN ST CARLTON, OR 97111-9107	S1609	S914	1868				NC

PATRICIA
MCC
KIM F?

PROTEST

February 9, 1993

CITY OF CARLTON
PO BOX 458
CARLTON OR 97111

REFERENCE: File 44208

We have received your application for extension of the time to complete work under Permit 32489. We also have your check in the amount of \$100. Our receipt number 94054 is enclosed.

Your request has been approved in the order of the Director entered February 26, 1993. The time limits under this permit are extended to October 1, 1997.

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.

The following requirements must be met before future extension requests will be approved:

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, 1997.

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

TES:JH

Enclosures



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

OREGON ADMINISTRATIVE RULES
CHAPTER 690, DIVISION 410 — WATER RESOURCES DEPARTMENT

dissipate flood energy and create aquatic habitat; maintaining water tables in relatively close proximity to the ground surface; carrying and storing flood flows; filtering runoff waters of sediment and potential pollutants; insulating streams from summer and winter temperature extremes; and supporting the ecosystem of the adjacent water resource;

(B) Build databases of riparian area condition, by watershed, sufficient to make the planning and management decisions to implement this policy. The condition of riparian areas shall be determined on the basis of the types of functions listed in paragraph (2)(a)(A) of this rule as known from the best scientific information available;

(C) Monitor the effectiveness of riparian area management and rehabilitation activities within a watershed in accordance with land management plans or programs;

(D) Evaluate the effects of proposed management or rehabilitation activities, taking into account known conditions or riparian areas and uplands within the whole watershed and, to the extent practical, the cumulative impacts of ongoing and proposed management activities;

(E) Mitigate activities in riparian areas which are undertaken in accordance with land management plans. In mitigating activities, actions which avoid and minimize impacts as described in the mitigation definition found in OAR 690-400-010 (9)(a) and (b) are preferred;

(F) Undertake mitigation when emergencies require action that damages riparian areas;

(G) Schedule, implement and monitor efforts to improve impaired water-related functions of riparian areas, considering the natural recovery potential of affected resources and the benefits expected from the recovery. Give preference to improvement strategies which take advantage of natural processes; and

(H) Enforce statutes, rules, and regulations that require federal land management agencies to exercise their management and trustee responsibilities to restore, maintain and enhance the riparian areas of the state. (ORS 541.355(2)(b)(C)).

(3) Applicability:

(a) The policy and principles in sections (1) and (2) of this rule shall not apply to:

(A) Privately-owned lands, including those served by a public corporation, such as an irrigation district; or

(B) Facilities constructed for the conveyance of water, including but not limited to irrigation ditches or canals.

(b) Nothing in the policy and principles in sections (1) and (2) of this rule shall preclude operating or using reservoirs, ponds, wetlands created for treating water, or other water facilities in accordance with the purposes for which they were authorized, built or permitted.

Stat. Auth.: ORS Ch. 536

Hist.: WRD 22-1990, f. & cert. ef. 12-14-90

Conservation and Efficient Water Use

690-410-060 (1) Policy — The elimination of waste and improving the efficiency of water use are high priorities. Use of water without waste is required by state statute and the prior appropriation

doctrine. Programs to eliminate waste shall be implemented. In addition, improving the efficiency of water use through implementation of voluntary conservation measures can help restore instream flows and provide for future needs including public uses and continued economic development. Priority shall be given to developing subbasin conservation plans and providing public assistance in areas of known over-appropriation of surface water and groundwater and of water quality problems.

(2) Principles — Programs to achieve the policy in section (1) of this rule shall be guided by the following principles:

(a) Water users shall construct, operate and maintain their water systems in a manner which prevents waste and minimizes harm to the waters of the state and injury to other water rights;

(b) Major water users and suppliers shall prepare water management plans under the guidance of schedules, criteria and procedures which shall be adopted by rule. The plans shall evaluate opportunities for conservation and include a quantification of losses of water from the systems, an evaluation of the effectiveness and costs of alternative measures to reduce losses, and an implementation schedule for all feasible measures. During the planning processes, consideration shall be given to the environmental impacts from and time needed for implementation of system modifications. The Department shall assist water users and suppliers in the preparation of the water management plans;

(c) The Commission shall encourage and facilitate the development of subbasin conservation plans throughout the state by local advisory committees. Subbasin conservation plans shall include measures to assist water users in eliminating waste, other methods to improve water use efficiency in the subbasin, funding proposals to implement the measures and procedures to protect water dedicated to instream uses from further diversion. Priority shall be given to development of subbasin conservation plans in serious water management problem areas, critical groundwater areas and other areas where water supplies are not sufficient to meet demands. The Commission shall adopt rules to guide formation of broad-based committees, the preparation of subbasin plans, and the submittal of plans to the Commission for approval;

(d) When wasteful practices are identified in water management plans and subbasin conservation plans, the Commission shall adopt rules prescribing statewide and subbasin standards and practices that ensure beneficial use without waste. The rules shall recognize that conditions vary for different parts of the state and for different uses;

(e) A conservation element shall be developed and included in each basin plan when a major plan review and update is performed;

(f) The collection, analysis and distribution of information on water use and availability are necessary to ensure that the waters of the state are managed for maximum beneficial use and to protect the public welfare, safety and health. The ability to measure flows at authorized points of diversion is essential to the management of water and the elimination of waste;

(g) The Commission shall support public education programs, research and demonstration projects to increase citizen and water user awareness of

fire sprinkler system connections with flow alarms or detector-checks, water line blow-offs and drains, stand-by emergency interties, valve controlled drinking fountains or other similar intermittently used connections.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD -1994, f. & cert.ef. 9-21-94

General Provisions

690-86-120 (1) Municipal water suppliers are encouraged to prepare water management plans, but are not required to do so unless a plan is prescribed by a condition of a water use permit issued under OAR Chapter 690, Division 11. ←

WHICH IS
NOW DIV
300

(2) Each municipal water supplier required to submit a water management and conservation plan shall exercise diligence in implementing the approved plan and shall update and resubmit a plan consistent with the requirements of OAR 690, Division 86 as prescribed during plan approval.

(3) Water management and conservation plans submitted by municipal water suppliers shall meet the requirements in OAR 690-86-140 (Plan Elements and Standards).

(4) A master plan prepared under the requirements of the Department of Human Resources Health Division or the water supply element of a public facilities plan prepared under the requirements of the Department of Land Conservation and Development which substantially meets the requirements of OAR 690-86-140 may be submitted to meet the requirements of this rule.

(5) Each municipal water supplier shall consult with the planning departments or appropriate officials of affected local governments to allow for coordination with comprehensive land use plans early in the development of a plan and, at least 30 days prior to submitting a draft plan to the Department, shall make the draft plan available for review by each affected local government.

(6) Each municipal water supplier preparing a water management and conservation plan is encouraged to develop and implement a program to involve the supplier's customers in the preparation of the plan. Recommendations include making the plan available for public inspection and conducting public meetings to provide information and gather input on the plan.

Stat. Auth.: ORS 536.027, 537.211 and 540.572

Hist.: WRD -1994, f. & cert.ef. 9-21-94

Plan Elements and Standards

690-86-140 A water management and conservation plan submitted by a municipal water supplier shall consist of the following elements:

(1) A description of the water system that includes at least the following information:

(a) Source(s) of water, water rights, storage and regulation facilities, transfers and exchange agreements, and intergovernmental cooperation agreements;

February 9, 1993

CITY OF CARLTON
PO BOX 458
CARLTON OR 97111

REFERENCE: File 44208

We have received your application for extension of the time to complete work under Permit 32489. We also have your check in the amount of \$100. Our receipt number 94054 is enclosed.

Your request has been approved in the order of the Director entered February 26, 1993. The time limits under this permit are extended to October 1, 1997.

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.

The following requirements must be met before future extension requests will be approved:

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, 1997.

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

TES:JH

Enclosures



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

Application for Extension of Time

RECEIVED

NOV 12 1992

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Carlton

Name

WATER RESOURCES DEPT
SALEM, OREGON

P. O. Box 458

Mailing Address

Carlton

City

OR

State

97111

Zip

record owner of water right permit No. 32489, 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, 1992., be extended to October 1, 1997..

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

within the past year New sewer treatment facilities are being completed which is

allowing growth to start. Several new homes are being built and a sub-division

of 40+ new homes is in the preliminary planning stages.

prior to this past year Water leak survey's to help minimize water losses

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)

David Carl, Administrator

(If signing for a corporation please identify your title)

Dated October , 1992

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

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

Ac. # 94054

11-12-92

\$100.00

OK
BC 10-1-97
JRS

CITY OF CARLTON

P.O. BOX 458 • CARLTON, OREGON 97111

(503) 852-7575

RECEIVED

JAN 04 1993

WATER RESOURCES DEPT.
SALEM, OREGON

December 29, 1992

Oregon Water Resources Dept.
Mr. Thomas E. Shook
3850 Portland Rd. NE
Salem, OR 97310

Dear Mr. Shook;

In response to your letter of December 7, 1992, requesting more information concerning the City's application for an extension on our permit 32489, I have compiled the following information.

Our maximum daily usage has been 00.9 CFS. No new transmission lines have been installed in this permit period. Our population has increased from 1289 to 1320 this year by Portland State University population estimates.

At the present time, the City is considering plans for a 28 home subdivision on six acres with an additional 10 acres to be developed when this is complete.

Our records show that our total water rights from Panther Creek at 3.07 CFS as follows; Permit 32489 is for 2.5 CFS, Permit 914 is for .5 CFS and permit 50218 is for .07 CFS. In addition, we have a permit for a water right on Fall Creek, permit 32488 is for 2.0 CFS. While this latter permit has not been developed, it is expected to be activated in the next few years as Carlton grows and needs more water supply.

While the Carlton City Council hasn't adopted a water conservation plan, one is in the preliminary stages of development by City Staff.

Sincerely,

David Carl

David Carl, Administrator

December 7, 1992

CITY OF CARLTON
PO BOX 458
CARLTON, OR 97111

REFERENCE FILE: 44208

We have received your application requesting an extension of time limits of your permit 32489 and a check in the amount of \$100.

Additional information is needed. Your permit grants the right to the use of 2.5 cubic feet of water per second (CFS) from Panther Creek for municipal purposes. We will need to know what your maximum usage has been, how many feet of distribution line has been installed, and how much has your population increased during the past extension of time period. (1987 - 1992)

Our records show you have other rights of record for more than 3 CFS from Panther Creek. Do you have a water conservation plan?

Further action will be withheld on your file for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook
Water Right Specialist



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



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

January 23, 1989

City of Carlton
P.O. Box 458
Carlton, Oregon 97111

Reference File: 44208

Your application for extension of the time limits to complete construction and make complete application of water under the terms of your Permit 32489 was received. We also have your check for \$100.00.

The application indicates reasonable diligence toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1992.

Sincerely,

Steven P. Applegate, Manager
Survey/Mapping Section

receipt enclosed

Application for Extension of Time**RECEIVED**

TO THE WATER RESOURCES DIRECTOR OF OREGON

JUL 15 1988

WATER RESOURCES DEPT.
SALEM, OREGONI, City of Carlton

Name

P.O. Box 458

Mailing Address

Carlton

City

OR

State

97111

Zip

record owner of water permit No. 32489, 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, 1987, be extended to October 1, 1992.

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 in 1985, a 560 GPM pressure water treatment plant was
constructed in order to bring Carlton's water into compliance
with EPA turbidity standards.

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

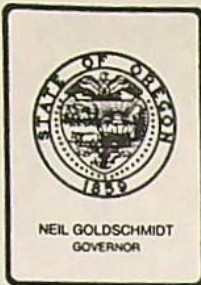
(If additional space is required, attach separate sheet)

David Carl

Administrator

(If signing for a corporation please identify your title)

Dated July 13, 1988MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$100.00 FOR EACH PERMIT TO:Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 973107-15-88\$100.0055693OK B&C to
10-1-92
AFC



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310
June 6, 1988

PHONE 378-3739

City of Carlton
PO Box 458
Bend OR 97111

Carlton

REFERENCE: File 44208

According to the terms of your Permit 32489, complete application of water was to have been made by October 1, 1987.

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 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 12, 1987.

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 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 Ves Garner, Manager, Survey/Certificate Section.

CERTIFIED - RETURN RECEIPT REQUESTED

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268		DOMESTIC RETURN RECEIPT	
3. Article Addressed to: City of Carlton P.O. Box 458 Carlton, OR 97111		4. Article Number 56212	
5. Signature of Addressee [Signature]		Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail	
6. Signature - Agent [Signature]		8. Addressee's Address (ONLY if requested and fee paid)	
7. Date of Delivery 6/30/88		Always obtain signature of addressee or agent and DATE DELIVERED.	

1. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
2. ☐ Restricted Delivery
3. ☐ Show to whom delivered, date, and addressee's address.
4. ☐ Extra charge!
5. ☐ Extra charge!

Form 100 44208



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508
1-800-452-7813
(message line)

April 25, 1983

City of Carlton
City Hall,
Carlton, Oregon 97111

REFERENCE: File Number 44208

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 32489 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, 1987.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE/jw

Enclosure

Application for Extension of Time

RECEIVED

NOV 30 1982

WATER RESOURCES DEPT.
SALEM, OREGON

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, CITY OF CARLTON
NameCITY HALL
Mailing AddressCARLTON ORE.
City State Ziprecord owner of water right permit No. 32489, 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, 1982, be extended to October 1, 1988

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

within the past year RESERVOIR IMPROVEMENTS TO REDUCE
AMOUNT OF LOST WATER & OTHER
MAINTENANCE

prior to this past year

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY

ACRES HAVE BEEN IRRIGATED) APPROXIMATELY 1 MILLION GALLONS
PER DAY MAXIMUM. POPULATION SERVED IS EXPECTED
TO GROW FROM 1500 TO 2300 BY YEAR 2000

(If additional space is required, attach separate sheet)

Campbell A. Stehette City Engineer
(If signing for a corporation please identify your title)Dated 11-23-82MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$20.00 FOR EACH PERMIT TO:20.00Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310B C
10-1-87
BCE11-30-82
20.00
R# 33882



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508

File 44208

September 11, 1978

City of Carlton
P.O. Box 452
Carlton, OR 97111

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 32489 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, 1982.

Sincerely,

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:jt
Encl. Receipt 5739

RECEIVED

AUG 25 1978

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 44208

Application for Extension of Time

To the State Engineer of Oregon:

I, City of Carlton, of Yamhill County
state of Oregon, am the owner and holder of Permit No. 32489, 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, 1995.

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

Maintenance

and did the following work prior to last year:

Maintenance

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

I have heretofore used water under said permit to the following extent:

Providing water for City use. Population 1370

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: The Comprehensive Plan projection for the year 2000 is for a
population of 2250.

Time extention is requested to ensure a sufficient supply of water
to accomodate this rate of population growth.

(If additional space is required, attach separate sheet)

(A fee of ~~\$5.00~~ for each permit involved must accompany this application.)

(OVER)

5739 61000
slk 8-25-78

B-C
10-1-82
DAE

RECEIVED
AUG 2 1978
WATER RESOURCES DEPT.
SALEM, OREGON

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 19 2000
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Yamhill } ss.

I, Lula B. Oates, 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 24 day of August, 19 78

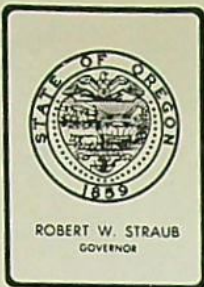
Subscribed and sworn to before me this 24 day of August, 19 78

[Notarial Seal]

Lula B. Oates

Notary Public for Oregon

My commission expires 4-21-79



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508

File 44207

44208

August 15, 1978

City of Carlton
City Hall
Carlton, OR 97111

Gentlemen,

On June 6, 1978 we sent you an extension form for your use in requesting extensions on your permits numbered 32488 and 32489.

Permit 32489, which was for the use of the waters of Panther Creek for municipal purposes was last extended to October 1, 1975. We have had no further correspondence from you regarding this permit and it is now becoming invalid by lack of action on your part.

Permit 32488, which was for the use of waters of Fall Creek was last extended to October 1, 1970. There is some information in the file of a consideration that you may cancel this particular permit, but that has not been done to this date. This is in a similar status and that we have to have information from you regarding the permit in order to maintain its validity.

Please let us know as soon as possible what you intend to do with these two permits.

Sincerely,

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:jt

PHONE 378-8508

June 6, 1978

• City of Carlton
City Hall
Carlton, OR 97111

File No. 44207
44208

ATTENTION: Herb Holz

• Dear Mr. Holz,

I am enclosing a form for use in making application for an extension of time limits under permit number 32488, 32489

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

Bruce A. Estes, Supervisor
Certificate-Survey Section

December 29, 1970

44208

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

This will acknowledge 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 No. 32489 and fee of \$5.00 for which our receipt No. 21771 was sent to you in our letter of December 15, 1970.

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, 1975.

Very truly yours,

Trevor Jones
Assistant

TJ:slv

RECEIVED
DEC 23 1970
STATE ENGINEER
SALEM, OREGON

Application No. 44208

Application for Extension of Time

To the State Engineer of Oregon:

I, City Council, of Carlton
state of Oregon, am the owner and holder of Permit No. 32489
21771, 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, 1969, and complete application of water is required to be
made on or before October 1, 1970.

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

Diversion works and transmission line completed and hooked
to City system. Additional distribution lines to be installed as
needed for additional services.

~~and did the following work prior to last year:~~

Completion notices were prematurely submitted January 1969

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

I have heretofore used water under said permit to the following extent: / About 1 CFS
used to date.

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: Full quantity of Water not yet needed by City

(If additional space is required, attach separate sheet)

(A fee of \$5.00 for each permit involved must accompany this application.)

(OVER)

Fee Pd
Rec 21771 — \$5.00 trans. from Acct P-6
12-28-70
S. Morris, Blakey

BC
10-1-75
P

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, 19 75.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Yamhill } ss.

I,, 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 day of
....., 19.....

Subscribed and sworn to before me this 22nd day of Dec., 1970

[Notarial Seal]

Edmund Wald
Notary Public for Oregon

My commission expires
My Commission Expires May 9, 1973

December 15, 1970

44207
44208
R-46504
46505

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

This will acknowledge an application for an extension of the time limits to complete the project under the City of Carlton's permit number 32488 and the fee of \$10.00 for which our receipt, number 21771, is enclosed.

Permit number 32488 describes the appropriation of water from Fall Creek for municipal use and the application for an extension of time makes reference to reservoir construction so I wonder if there is a mix-up of permit numbers. One application for an extension of time only requires a fee of \$5.00 so we have placed the \$10.00 you submitted in a pending account.

Permit number 32488 is for the appropriation of water from Fall Creek. The time limits to begin and complete construction and complete the use of water have been extended to October 1, 1970. If this project has not yet been started application for an extension of the time limit should be made accordingly.

Permit number 32489 is for the appropriation of 2.5 cubic feet of water per second from Panther Creek for municipal. The city has reported that this appropriation is complete but I wonder if this is premature. Even though the installed diversion works and transmission facilities have a capacity for 2.5 cubic feet of water per second the city should not file the notice of completion until this quantity of water has been put to use. It is my understanding that the demand by the city has not yet reached this figure of 2.5 cubic feet of water per second. If this is so the city should request an extension of time to complete construction and complete the application of water under this permit.

December 15, 1970

Permit R-5527 is for the construction of a reservoir and the storage of water for municipal use and permit 33461 is the secondary permit providing for the use of water from the stream and reservoir. The time limit to begin construction under these permits is June 9, 1971, and the time limit to complete construction is October 1, 1972, so no application for an extension of time for this project need yet be submitted.

I am returning your application for an extension of time to you and I am also enclosing extra application forms. Apparently an application for an extension of time for permit 32488 should be made and perhaps one for permit 32489. Upon receipt of the proper applications we will take the appropriate action. No further monies need be submitted with these applications.

Very truly yours,

TREVOR JONES
Assistant

TJ:mfb

Enclosures 5

G. O. Powell

44207

44208

January 20, 1969

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

This will acknowledge receipt of an application for extension of the time limit to begin construction under permit 32488 and a fee of \$5.00 for which our receipt No. 12937 is enclosed. It appears that this extension can be approved and when the order is entered, a copy will be sent you.

The notices of completion of construction and complete application of water under permit 32489 for the appropriation of water from Panther Creek were also submitted. If the transmission facilities were completed the notice of completion of construction is properly submitted. Unless the City has required and has used the 2.5 cubic feet per second authorized by the permit, a notice of complete application of water should not yet be filed. If, in addition to the immediate demand, the system was built to provide for expansion of use, then you should not yet submit the notice of complete application of water.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:slh

Enclosure



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

REFER TO
FILE NO. 44207
44208

January 6, 1969

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

Pursuant to your request I am enclosing a form for use in making application for an extension of time limits under permit No. 32488 and permit No. 32489.

Please be advised that the State Engineer is permitted by law to extend the time for completion of a project only upon a showing of due diligence by the permittee. Therefore, you should execute the application carefully and completely so that this office may determine from your sworn statement whether due diligence has been shown.

The application must be executed before a notary public and submitted to this office with the statutory filing fee in the amount of \$5 for each permit.

Upon receipt of the application, the matter of extending the time under the appropriation will be given further consideration and you will be advised of our action.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 115
Enclosure

44208

44207

December 21, 1967

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

44207, permit No. 32488, application No.
44208, permit No. 32489 with a blueprint and our refund check No. 2061 in the amount
of \$2.00.

44207
44208

December 18, 1967

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

The City of Carlton's applications No. 44207 and 44208 have been approved by issuance of permits and these permits will be mailed to you when we have completed our records.

The permits will only permit the appropriation of water over that required to satisfy the existing rights on the stream. There are quite a number of rights to appropriate water from Panther Creek and there may not be water available for the city during the latter part of the irrigation season.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:hls

44207
44208

December 15, 1967

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

There is no further action required by the city in connection with your applications No. 44207 and 44208.

The permits have not been issued only because we have some backlog and are not up to this filing date yet. These applications will be included in the group presently being processed and the permits will be mailed to you when issued.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

TJ:hls

44207

44208

November 20, 1967

City of Carlton
City Hall
Carlton, Oregon 97111

Gentlemen:

This will acknowledge receipt of your application for a permit to appropriate 2.0 cubic feet of water per second from Fall Creek for municipal purposes and map with one print and the fee of \$29 for which our receipt No. 6475 is enclosed.

This application has been filed and numbered 44207 and is in satisfactory form for approval by issuance of a permit.

Also acknowledged is receipt of your application for a permit to appropriate 2.5 cubic feet of water per second from Panther Creek for municipal use and the fee of \$29 for which our receipt No. 6476 is enclosed.

This application has been filed and numbered 44208 and is in satisfactory form for approval by issuance of a permit.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Larry W. Jebousek
Assistant

LWJ:hls
Enclosures

Partial
30-135

Abstract of Permit No. 32489

Application No. 44208

Certificate No.

Name

City of Carlton, a municipal corporation

Address

City Hall
Carlton, Oregon

Source of water supply

Panther Creek

Use

Municipal

Point of diversion

N. 43° E. 530' from 1/4 sec. cor. between Secs. 18 & 19, being within SW 1/4 SE 1/4, Sec. 18, T. 3 S., R. 5 W., W. M., county of Yamhill

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
3S	4W	14					X	X	X	X	X	X	X	X				
		15	X	X	X	X									X	X	X	X
		16																X
		19											X	X	X		X	X
		20									X	X	X		X	X		
		21	X	X	X	X	X	X	X	X	X	X			X	X		X
		22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
		23					X	X	X	X	X	X						
		27		X			X	X	X									

Priority date

October 27, 1967

Amount of water

2.5 c.f.s.

Time limit to begin construction

December 15, 1968

Time limit to complete construction 10-1-69 extended to

extended to 10-1-97

Time limit to completely apply water 10-1-70 extended to

extended to 10-1-97

Remarks:

Apr 1609 C1868 Keds Panther C.



Oregon

Kate Brown, Governor

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

November 30, 2016

City of Carlton
Chad Olsen
191 E. Main Street
Carlton, OR 97111

WaterWatch of Oregon
Lisa Brown
213 SW Ash St. STE 208
Portland, OR 97204

Re: WaterWatch of Oregon's Petition for Reconsideration of Certificate 91591

Dear Mr. Olsen and Ms. Brown,

A Petition for Reconsideration of Certificate 91591 was received on October 10, 2016. The Department is reconsidering the order. Pursuant to OAR 137-004-0080(7) the final order (the certificate) remains in effect during reconsideration. Please call me, or Gerry Clark, at the number above if you have any questions.

Sincerely,

Dwight French
Water Right Services Division Administrator



BEFORE THE
OREGON WATER RESOURCES DEPARTMENT

In the Matter of Water Right Certificate)	
91591 (Permit S-32489; Application)	
44208), in the Name of the	)	PETITION FOR
City of Carlton	)	RECONSIDERATION
)	
WaterWatch of Oregon,)	
<i>Petitioner</i>)	
)	

This is a Petition for Reconsideration filed pursuant to OAR 137-004-0080 and ORS 183.484(2) regarding issuance by the Oregon Water Resources Department (OWRD), on August 10, 2016, of a Certificate of Water Right 91591 for Permit S-32489 (Application S-44208), in the name of the City of Carlton.

Pursuant to OAR 137-004-0080 and ORS 183.484, WaterWatch of Oregon timely files this petition for reconsideration of the above-mentioned order in other than contested case. Petitioner respectfully requests that OWRD reconsider the final order and reverse its decision for the reasons discussed below. Petitioner incorporates by reference all materials previously submitted in relation to the above-mentioned permit.

SPECIFIC GROUNDS FOR RECONSIDERATION

- A. The Claim of Beneficial Use ("COBU") does not conform to standards for COBU preparation set forth in rule and issuing a certificate based on this COBU is inconsistent with prior agency practice.

The COBU explains that its claimed rate of beneficial use is based on an addendum to the COBU. (COBU, p. 4). The addendum is titled "Memorandum from City Engineer" and is a memo from Peter Blumanthal, P.E. of Westech Engineering. COBUs must be prepared by a

Certified Water Rights Examiners ("CWRE"). OAR 690-014-0110. However, nothing in the COBU prepared by the CWRE who filed the COBU, Theodore R. Ressler, establishes the rate of water put to beneficial use. Rather, the COBU references the addendum which is not included the document preceding the CWRE's stamp and statement that the COBU is true and correct to the best of his knowledge. OAR 690-014-0100(14).

Further, there is no description of diversion works that traces the water system from the point of diversion included in the COBU either, as required by OAR 690-014-0110(4). To the extent any such description is included, it is in the addendum memo only.

Peter Blumanthal, P.E., who signed the addendum titled "Memorandum from City Engineer" is not identified as a CWRE, has not included the required statement that the facts in the addendum are true and correct to the best of his knowledge, and has provided no CWRE stamp on the addendum.

This is a significant problem because the unstamped addendum memo purports to estimate the rate of water use that occurred in 1970—46 years ago—through the construction and application of a model based on a series of assumptions. This is far outside the norm of claims of beneficial use. Use of this memo to establish the rate of beneficial use and the details of the water system is not consistent with OWRD's rules and is inconsistent with prior agency practice.

- B. Issuing a certificate based on information in the addendum memo does not meet statutory and rule standards and is inconsistent with agency practice.

The certificate is based on information contained in the addendum memo that purports to quantify a rate of water use that occurred 46 years ago. The memo quantifies this rate based on a constructed model, not on any actual measurements or records of water use. Additionally, the memo is heavily reliant on an analysis of a reservoir fill rate that is in turn based on a "control system." Regarding the history of that control system, the addendum memo states that

the city's current public works director reported that the control system was "well used and clearly not a recently installed system" when he was hired in 1996 (26 years after the claimed water use occurred) and that he "had no reason to believe the originally installed control system had been modified." (P. 2). The addendum memo also bases its estimated water use and model on "[a] review of historical demand in the summer of 1968, documented by a CH2M 1969 leak study" (which is not included) that the memo states "*indicates* that the concrete reservoir required an average of 8 fill cycles per day during July, 1968." (P. 2, emphasis added).

The information contained in the COBU and the addendum memo is not adequate information upon which the OWRD may issue a certificate. Relying on such information to issue a certificate is also outside of agency practice.

- C. The city's certificates for water rights on Panther Creek are for a cumulative rate that appears to be higher than that available in Panther Creek.

Including certificate 91591, OWRD has issued water right certificates to the city for a total rate of 3.11 cfs from Panther Creek. However, the city's Water Management and Conservation Plan (October, 2104) states that in July, 2013, a measured flow of Panther Creek above the reservoir calculated a stream flow of approximately 1.5 cfs. (P. 2-18). In any case, nothing in the COBU or addendum memo establishes that the rate of 3.11 cfs was available in Panther Creek at the time that the city claims it used this full rate. Further complicating this issue is that nothing in the COBU establishes any specific day or time period when the claimed water use occurred. OWRD cannot issue certificates for more water than was actually available at the source at the time of proof, and issuing a certificate in this instance and based on this deficient information also does not comport with prior agency practice.

- D. Even if the city had used the water claimed in its COBU, the certificate unlawfully includes water use from a reservoir when the permit is for streamflow from Panther Creek.

The permit (and certificate) is for use from Panther Creek but the COBU and its addendum memo appear to describe water use that occurred from a reservoir. A certificate cannot be issued for water use from Panther Creek based on a diversion rate from a reservoir.

- E. The certificate is inconsistent with OWRD's issuance of certificate 86064, certificate 86065, and two previous proposed final orders for extension of permit S-32489 issued by OWRD.

In 2010, the city partially perfected two other water rights on Panther Creek:

1. Permit S-34661 for .5 cfs was partially certificated in the amount of .271 cfs (Certificate 86064); and
2. Permit S-50218 for .07 cfs was partially certificated in the amount of .018 cfs (Certificate 86065).

OWRD's determination of the total amount of water perfected under the city's Panther Creek water rights when those certificates were issued in 2010 conflicts with its determination in certificate 91591.

Further, OWRD has previously issued two different proposed final orders for permit S-32489 (which were both protested and are both still pending), the findings in both of which also conflict with OWRD's determination in certificate 91591 regarding how much water the city has put to beneficial use from Panther Creek.

OWRD has failed to explain any of these significant inconsistencies. The final order is not supported by substantial evidence.

Request for Relief

For the reasons described above, Petitioner respectfully request that OWRD reconsider and withdraw its final order issuing certificate 91591.

Dated: October 7, 2016

Respectfully submitted,

LA 13

Lisa A. Brown, OSB No. 025240
WaterWatch of Oregon
213 SW Ash St. STE 208
Portland, OR 97204
Phone: 503.295.4039 x4
Email: lisa@waterwatch.org

CERTIFICATE OF FILING AND SERVICE

I certify that on this day I filed the foregoing PETITION FOR RECONSIDERATION on the following by FAX and email to:

Director Byler
Oregon Water Resources Department
725 Summer St. NE, STE A
Salem OR 97301
FAX: 503.986.0904
thomas.m.byler@state.or.us

Oct 2016
Pet Gov
Reconsideration

I further certify that I served the foregoing on PETITION FOR RECONSIDERATION on the following by placing in the US Postal Mail:

City of Carlton
191 E Main Street
Carlton, OR 97111

Walter R. Gowell
HAUGEBERG, RUETER, GOWELL, FREDRICKS & HIGGINS, P.C.
620 North East Fifth Street
P.O. Box 480
McMinnville, Oregon 97128
Attorney for City of Carlton

Dated: October 7, 2016

Lisa A. Brown

Lisa A. Brown, OSB No. 025240
WaterWatch of Oregon
213 SW Ash St. STE 208
Portland, OR 97204
Phone: 503.295.4039 x4
Email: lisa@waterwatch.org

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF PARTIAL PERFECTION OF)
WATER RIGHT PERMIT S-32489 IN THE NAME)
OF THE CITY OF CARLTON)

ORDER

STATEMENT

On May 30, 2001, the Water Resources Department received a request from the City of Carlton to partially perfect the use of water under water right permit S-32489. On May 11, 2016, the Department received an addendum to the previously submit request.

FINDINGS OF FACT

Permit S-32489 allows for the use of 2.5 cubic feet per second (cfs) from Panther Creek, tributary to the North Yamhill River for municipal purposes.

The City has requested partial perfection of permit S-32489 and issuance of a water right certificate. The request was accompanied by the survey required under ORS 537.230(3). The survey shows, to the satisfaction of the Director, that the appropriation has been partially perfected in accordance with the provision of the Water Rights Act.

ORS 537.260 allows, without loss of priority or cancellation to the permit, the incremental perfection of the water right permit in an amount of not less than 25 percent, pursuant to ORS 537.260 and OAR 690-320-0040, without loss of priority or cancellation of the permit.

The Department finds that the City has perfected 2.311 cfs. The quantity of water is equal or greater than the 25 percent of the original quantity of water allowed under permit S-32489.

OAR 690-320-0040(5) allows municipal suppliers that incrementally perfect less than the full quantity of water to request further extension of time to complete construction and apply water to beneficial use for the remaining, unperfected quantity of water.

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. 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 either 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.

ULTIMATE FINDING OF FACT

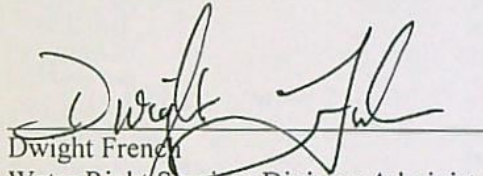
As of the date of this order, the City has filed for an extension of time for permit S-32489.

The City is now entitled to a certificate in the amount of 2.311 cfs. The Director has determined the permittee has complied with the requirements to partially perfect permit S-32489 pursuant to ORS 537.250 and 537.260.

ORDER

The Department finds that there is 0.189 cfs remaining to be perfected and that a certificate in the amount of 2.311 cfs be issued to the City of Carlton.

Issued AUG 10 2016.



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

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF CARLTON
191 E MAIN ST
CARLTON OR 97111

confirms the right to the use of water perfected under the terms of Permit S-32489. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-44208

SOURCE OF WATER: PANTHER CREEK, A TRIBUTARY OF NORTH YAMHILL RIVER

PURPOSE or USE: MUNICIPAL USE

MAXIMUM RATE: 2.311 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: OCTOBER 27, 1967

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	5 W	WM	18	SW SE	377 FEET NORTH AND 2743 FEET EAST, FROM SW CORNER, SECTION 18

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	4 W	WM	14	NE SW
3 S	4 W	WM	14	SE SW
3 S	4 W	WM	16	SE SE
3 S	4 W	WM	19	SW SW
3 S	4 W	WM	19	SE SW
3 S	4 W	WM	19	NE SE
3 S	4 W	WM	19	SW SE
3 S	4 W	WM	19	SE SE
3 S	4 W	WM	20	NE SW
3 S	4 W	WM	20	NW SW
3 S	4 W	WM	20	SW SW
3 S	4 W	WM	20	NE SE
3 S	4 W	WM	20	NW SE
3 S	4 W	WM	21	NE NE

Twp	Rng	Mer	Sec	Q-Q
3 S	4 W	WM	21	NW NE
3 S	4 W	WM	21	SW NE
3 S	4 W	WM	21	SE NE
3 S	4 W	WM	21	NE NW
3 S	4 W	WM	21	SW NW
3 S	4 W	WM	21	SE NW
3 S	4 W	WM	21	NE SW
3 S	4 W	WM	21	NW SW
3 S	4 W	WM	21	NE SE
3 S	4 W	WM	21	NW SE
3 S	4 W	WM	21	SE SE
3 S	4 W	WM	22	NE NE
3 S	4 W	WM	22	NW NE
3 S	4 W	WM	22	SW NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Twp	Rng	Mer	Sec	Q-Q
3 S	4 W	WM	22	SE NE
3 S	4 W	WM	22	NE NW
3 S	4 W	WM	22	NW NW
3 S	4 W	WM	22	SW NW
3 S	4 W	WM	22	SE NW
3 S	4 W	WM	22	NE SW
3 S	4 W	WM	22	NW SW
3 S	4 W	WM	22	SW SW
3 S	4 W	WM	22	SE SW
3 S	4 W	WM	22	NE SE
3 S	4 W	WM	22	NW SE
3 S	4 W	WM	22	SW SE
3 S	4 W	WM	23	NE NW
3 S	4 W	WM	23	NW NW
3 S	4 W	WM	23	SW NW
3 S	4 W	WM	23	SE NW
3 S	4 W	WM	23	NE SW
3 S	4 W	WM	23	NW SW
3 S	4 W	WM	27	NW NE
3 S	4 W	WM	27	NE NW
3 S	4 W	WM	27	NW NW
3 S	4 W	WM	27	SW NW
3 S	4 W	WM	28	NE NE
3 S	4 W	WM	28	SE NE
3 S	4 W	WM	30	NE NW
3 S	5 W	WM	17	SW SW
3 S	5 W	WM	17	SE SW
3 S	5 W	WM	20	NE NE
3 S	5 W	WM	20	NW NE
3 S	5 W	WM	20	SW NE
3 S	5 W	WM	20	SE NE
3 S	5 W	WM	20	NE NW
3 S	5 W	WM	20	NW NW
3 S	5 W	WM	20	SE NW
3 S	5 W	WM	21	SW NE
3 S	5 W	WM	21	SE NE
3 S	5 W	WM	21	NW NW

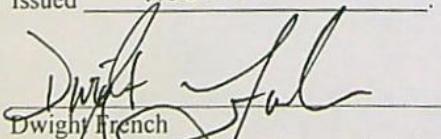
Twp	Rng	Mer	Sec	Q-Q
3 S	5 W	WM	21	SW NW
3 S	5 W	WM	21	SE NW
3 S	5 W	WM	21	NE SW
3 S	5 W	WM	21	NW SW
3 S	5 W	WM	21	NE SE
3 S	5 W	WM	21	NW SE
3 S	5 W	WM	22	SW NW
3 S	5 W	WM	22	NE SW
3 S	5 W	WM	22	NW SW
3 S	5 W	WM	22	SE SW
3 S	5 W	WM	22	SW SE
3 S	5 W	WM	22	SE SE
3 S	5 W	WM	23	NE SW
3 S	5 W	WM	23	NW SW
3 S	5 W	WM	23	SW SW
3 S	5 W	WM	23	SE SW
3 S	5 W	WM	23	NE SE
3 S	5 W	WM	23	NW SE
3 S	5 W	WM	23	SW SE
3 S	5 W	WM	23	SE SE
3 S	5 W	WM	24	NE SW
3 S	5 W	WM	24	NW SW
3 S	5 W	WM	24	SW SW
3 S	5 W	WM	24	SE SW
3 S	5 W	WM	24	SW SE
3 S	5 W	WM	24	SE SE
3 S	5 W	WM	25	NE NE
3 S	5 W	WM	25	NW NE
3 S	5 W	WM	25	NE NW
3 S	5 W	WM	26	NE NW
3 S	5 W	WM	26	NW NW
3 S	5 W	WM	27	NE NE
3 S	5 W	WM	27	NW NE
3 S	5 W	WM	27	NE NW

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued for a partial perfection of Permit S-32489 as described in OAR 690-320-0040 and by an order of the

Water Resources Director entered AUG 10 2016 at Special Order Volume 101, Page 644.

Issued AUG 10 2016


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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

DATE MAILED: August 12, 2016

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Partial Perfection Order and Certificate

Application: S-44208

Permit: S-32489

Certificate: 91591

Certificate/Transfer Holder: (include copy of map)

CITY OF CARLTON
191 E MAIN ST
CARLTON OR 97111

✓

Copies of final Certificate to be sent to:

1. Watermaster # 16 (Include map) ✓
2. ~~Data Center~~
3. Water Availability ✓
4. Vault ✓
5. File ✓

Copies Mailed

By: *Connie Jane*
(SUPPORT STAFF)

on: 910Z 11 90V
(DATE)
AUG 11 2016

6

7

Other Persons to receive copies (proposed and/or final certificate: (Include map)

Adam Sussman, GSI ✓
Ted Ressler, CWRE ✓

Walter Gowell ✓
Attorney ✓
PO BOX 480
McMinnville OR 97128

Lisa Jaramillo, WRD ✓

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF PARTIAL PERFECTION OF)
WATER RIGHT PERMIT S-32489 IN THE NAME)
OF THE CITY OF CARLTON)

ORDER

STATEMENT

On May 30, 2001, the Water Resources Department received a request from the City of Carlton to partially perfect the use of water under water right permit S-32489. On May 11, 2016, the Department received an addendum to the previously submit request.

FINDINGS OF FACT

Permit S-32489 allows for the use of 2.5 cubic feet per second (cfs) from Panther Creek, tributary to the North Yamhill River for municipal purposes.

The City has requested partial perfection of permit S-32489 and issuance of a water right certificate. The request was accompanied by the survey required under ORS 537.230(3). The survey shows, to the satisfaction of the Director, that the appropriation has been partially perfected in accordance with the provision of the Water Rights Act.

ORS 537.260 allows, without loss of priority or cancellation to the permit, the incremental perfection of the water right permit in an amount of not less than 25 percent, pursuant to ORS 537.260 and OAR 690-320-0040, without loss of priority or cancellation of the permit.

The Department finds that the City has perfected 2.311 cfs. The quantity of water is equal or greater than the 25 percent of the original quantity of water allowed under permit S-32489.

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PROPOSED

ULTIMATE FINDING OF FACT

As of the date of this order, the City has filed for an extension of time for permit S-32489.

The City is now entitled to a certificate in the amount of 2.311 cfs. The Director has determined the permittee has complied with the requirements to partially perfect permit S-32489 pursuant to ORS 537.250 and 537.260.

ORDER

The Department finds that there is 0.189 cfs remaining to be perfected and that a certificate in the amount of 2.311 cfs be issued to the City of Carlton.

Issued _____.

PROPOSED

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

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF CARLTON
191 E MAIN ST
CARLTON OR 97111

confirms the right to the use of water perfected under the terms of Permit S-32489. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

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SOURCE OF WATER: PANTHER CREEK, A TRIBUTARY OF NORTH YAMHILL RIVER

PURPOSE or USE: MUNICIPAL USE

MAXIMUM RATE: 2.311 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: OCTOBER 27, 1967

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3 S	4 W	WM	19	SW SE
3 S	4 W	WM	19	SE SE
3 S	4 W	WM	20	NE SW
3 S	4 W	WM	20	NW SW
3 S	4 W	WM	20	SW SW
3 S	4 W	WM	20	NE SE
3 S	4 W	WM	20	NW SE
3 S	4 W	WM	21	NE NE

Twp	Rng	Mer	Sec	Q-Q
3 S	4 W	WM	21	NW NE
3 S	4 W	WM	21	SW NE
3 S	4 W	WM	21	SE NE
3 S	4 W	WM	21	NE NW
3 S	4 W	WM	21	SW NW
3 S	4 W	WM	21	SE NW
3 S	4 W	WM	21	NE SW
3 S	4 W	WM	21	NW SW
3 S	4 W	WM	21	NE SE
3 S	4 W	WM	21	NW SE
3 S	4 W	WM	21	SE SE
3 S	4 W	WM	22	NE NE
3 S	4 W	WM	22	NW NE
3 S	4 W	WM	22	SW NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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Twp	Rng	Mer	Sec	Q-Q
3 S	4 W	WM	22	SE NE
3 S	4 W	WM	22	NE NW
3 S	4 W	WM	22	NW NW
3 S	4 W	WM	22	SW NW
3 S	4 W	WM	22	SE NW
3 S	4 W	WM	22	NE SW
3 S	4 W	WM	22	NW SW
3 S	4 W	WM	22	SW SW
3 S	4 W	WM	22	SE SW
3 S	4 W	WM	22	NE SE
3 S	4 W	WM	22	NW SE
3 S	4 W	WM	22	SW SE
3 S	4 W	WM	23	NE NW
3 S	4 W	WM	23	NW NW
3 S	4 W	WM	23	SW NW
3 S	4 W	WM	23	SE NW
3 S	4 W	WM	23	NE SW
3 S	4 W	WM	23	NW SW
3 S	4 W	WM	27	NW NE
3 S	4 W	WM	27	NE NW
3 S	4 W	WM	27	NW NW
3 S	4 W	WM	27	SW NW
3 S	4 W	WM	28	NE NE
3 S	4 W	WM	28	SE NE
3 S	4 W	WM	30	NE NW
3 S	5 W	WM	17	SW SW
3 S	5 W	WM	17	SE SW
3 S	5 W	WM	20	NE NE
3 S	5 W	WM	20	NW NE
3 S	5 W	WM	20	SW NE
3 S	5 W	WM	20	SE NE
3 S	5 W	WM	20	NE NW
3 S	5 W	WM	20	NW NW
3 S	5 W	WM	20	SE NW
3 S	5 W	WM	21	SW NE
3 S	5 W	WM	21	SE NE
3 S	5 W	WM	21	NW NW

Twp	Rng	Mer	Sec	Q-Q
3 S	5 W	WM	21	SW NW
3 S	5 W	WM	21	SE NW
3 S	5 W	WM	21	NE SW
3 S	5 W	WM	21	NW SW
3 S	5 W	WM	21	NE SE
3 S	5 W	WM	21	NW SE
3 S	5 W	WM	22	SW NW
3 S	5 W	WM	22	NE SW
3 S	5 W	WM	22	NW SW
3 S	5 W	WM	22	SE SW
3 S	5 W	WM	22	SW SE
3 S	5 W	WM	22	SE SE
3 S	5 W	WM	23	NE SW
3 S	5 W	WM	23	NW SW
3 S	5 W	WM	23	SW SW
3 S	5 W	WM	23	SE SW
3 S	5 W	WM	23	NE SE
3 S	5 W	WM	23	NW SE
3 S	5 W	WM	23	SW SE
3 S	5 W	WM	23	SE SE
3 S	5 W	WM	24	NE SW
3 S	5 W	WM	24	NW SW
3 S	5 W	WM	24	SW SW
3 S	5 W	WM	24	SE SW
3 S	5 W	WM	24	SW SE
3 S	5 W	WM	24	SE SE
3 S	5 W	WM	25	NE NE
3 S	5 W	WM	25	NW NE
3 S	5 W	WM	25	NE NW
3 S	5 W	WM	26	NE NW
3 S	5 W	WM	26	NW NW
3 S	5 W	WM	27	NE NE
3 S	5 W	WM	27	NW NE
3 S	5 W	WM	27	NE NW

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued for a partial perfection of Permit S-32489 as described in OAR 690-320-0040 and by an order of the Water Resources Director entered _____ at Special Order Volume 101, Page _____.

Issued _____.

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

Twp	Rng	Mer	Sec	Q-Q
3 S	5 W	WM	21	SE NW
3 S	5 W	WM	21	NE SW
3 S	5 W	WM	21	NW SW
3 S	5 W	WM	21	NE SE
3 S	5 W	WM	21	NW SE
3 S	5 W	WM	22	SW NW
3 S	5 W	WM	22	NE SW
3 S	5 W	WM	22	NW SW
3 S	5 W	WM	22	SW SW
3 S	5 W	WM	22	SE SW
3 S	5 W	WM	22	SW SE
3 S	5 W	WM	22	SE SE
3 S	5 W	WM	23	NE SW
3 S	5 W	WM	23	NW SW
3 S	5 W	WM	23	SW SW
3 S	5 W	WM	23	SE SW
3 S	5 W	WM	23	NE SE
3 S	5 W	WM	23	NW SE
3 S	5 W	WM	23	SW SE
3 S	5 W	WM	23	SE SE
3 S	5 W	WM	24	NE SW
3 S	5 W	WM	24	NW SW
3 S	5 W	WM	24	SW SW
3 S	5 W	WM	24	SE SW
3 S	5 W	WM	24	SW SE
3 S	5 W	WM	24	SE SE
3 S	5 W	WM	25	NE NE
3 S	5 W	WM	25	NW NE
3 S	5 W	WM	25	NE NW
3 S	5 W	WM	26	NE NW
3 S	5 W	WM	26	NW NW
3 S	5 W	WM	27	NE NE
3 S	5 W	WM	27	NW NE
3 S	5 W	WM	27	NE NW

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued for a partial perfection of Permit S-32489 as described in OAR 690-320-0040 and by an order of the Water Resources Director entered _____, 2016 at Special Order Volume 101, Page _____.

Issued

PROPOSED

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

Twp	Rng	Mer	Sec	Q-Q
3 S	4 W	WM	20	NW SE
3 S	4 W	WM	21	NE NE
3 S	4 W	WM	21	NW NE
3 S	4 W	WM	21	SW NE
3 S	4 W	WM	21	SE NE
3 S	4 W	WM	21	NE NW
3 S	4 W	WM	21	NW NW
3 S	4 W	WM	21	SW NW
3 S	4 W	WM	21	SE NW
3 S	4 W	WM	21	NE SW
3 S	4 W	WM	21	NW SW
3 S	4 W	WM	21	NE SE
3 S	4 W	WM	21	NW SE
3 S	4 W	WM	21	SE SE
3 S	4 W	WM	22	NE NE
3 S	4 W	WM	22	NW NE
3 S	4 W	WM	22	SW NE
3 S	4 W	WM	22	SE NE
3 S	4 W	WM	22	NE NW
3 S	4 W	WM	22	NW NW
3 S	4 W	WM	22	SW NW
3 S	4 W	WM	22	SE NW
3 S	4 W	WM	22	NE SW
3 S	4 W	WM	22	NW SW
3 S	4 W	WM	22	SW SW
3 S	4 W	WM	22	SE SW
3 S	4 W	WM	22	NE SE
3 S	4 W	WM	22	NW SE
3 S	4 W	WM	22	SW SE
3 S	4 W	WM	23	NE NW
3 S	4 W	WM	23	NW NW
3 S	4 W	WM	23	SW NW
3 S	4 W	WM	23	SE NW
3 S	4 W	WM	23	NE SW
3 S	4 W	WM	23	NW SW
3 S	4 W	WM	27	NW NE
3 S	4 W	WM	27	NE NW
3 S	4 W	WM	27	NW NW
3 S	4 W	WM	27	SW NW
3 S	4 W	WM	28	NE NE
3 S	4 W	WM	28	SE NE
3 S	4 W	WM	30	NE NW
3 S	5 W	WM	17	SW SW
3 S	5 W	WM	17	SE SW
3 S	5 W	WM	20	NE NE
3 S	5 W	WM	20	NW NE
3 S	5 W	WM	20	SW NE
3 S	5 W	WM	20	SE NE
3 S	5 W	WM	20	NE NW
3 S	5 W	WM	20	NW NW
3 S	5 W	WM	20	SE NW
3 S	5 W	WM	21	SW NE
3 S	5 W	WM	21	SE NE
3 S	5 W	WM	21	NW NW
3 S	5 W	WM	21	SW NW

Removed 7/6/16 JC - Not on CBU maps.

PROPOSED

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF CARLTON
191 E MAIN ST
CARLTON OR 97111

confirms the right to the use of water perfected under the terms of Permit S-32489. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-44208

SOURCE OF WATER: PANTHER CREEK, A TRIBUTARY OF NORTH YAMHILL RIVER

PURPOSE or USE: MUNICIPAL USE

MAXIMUM RATE: 2.311 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: OCTOBER 27, 1967

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	5 W	WM	18	SW SE	377 FEET NORTH AND 2743 FEET EAST, FROM SW CORNER, SECTION 18

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	4 W	WM	14	NE SW
3 S	4 W	WM	14	SE SW
3 S	4 W	WM	16	SE SE
3 S	4 W	WM	19	SW SW
3 S	4 W	WM	19	SE SW
3 S	4 W	WM	19	NE SE
3 S	4 W	WM	19	SW SE
3 S	4 W	WM	19	SE SE
3 S	4 W	WM	20	NE SW
3 S	4 W	WM	20	NW SW
3 S	4 W	WM	20	SW SW
3 S	4 W	WM	20	NE SE

PROPOSED**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

PROPOSED

Mailing List for Partial Perfection Order and Certificate

Application: S-44208

Permit: S-32489

Certificate:

Certificate/Transfer Holder: (include copy of map)

CITY OF CARLTON
191 E MAIN ST
CARLTON OR 97111 ✓

Copies Mailed

By: *Connie Vance*
(SUPPORT STAFF)

on: JUN 17 2016
(DATE)

Copies of final Certificate to be sent to:

1. Watermaster # 16 (Include map)
- ~~2. Data Center~~
- ~~3. Water Availability~~
- ~~4. Vault~~
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map))

Adam Sussman, GSI ✓
Ted Ressler, CWRE

Walter Gowell ✓
Attorney
PO BOX 480
McMinnville OR 97128

Lisa Jaramillo, WRD

6
7

CLARK Gerry E

From: CLARK Gerry E
Sent: Wednesday, July 06, 2016 9:16 AM
To: 'Ted Ressler'
Cc: Chad Olsen
Subject: RE: Proposed certificate and partial perfection order for Permit S-32489, City of Carlton

Ted,

Thank you for the information. I have updated the document to remove the referenced quarter quarter.

We will begin the process of issuing the final certificate and associated partial perfection order.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Ted Ressler [<mailto:tressler@gsiws.com>]
Sent: Tuesday, July 05, 2016 4:30 PM
To: 'Gerry Clark' (gerald.e.clark@state.or.us)
Cc: Chad Olsen
Subject: Proposed certificate and partial perfection order for Permit S-32489, City of Carlton

Gerry

We have reviewed the proposed certificate and partial perfection order resulting from the Department's review of the Claim of Beneficial Use (COBU) for Permit S-32489. Other than the following apparent scrivener's error in the place of use listing, we are in agreement with the proposed certificate and order: T3S, R4W, Section 21, NW NW is included in the place of use listing on the proposed certificate, however, this quarter-quarter section was not was not part of the place of use shown on the COBU map.

With the incorporation of this correction, please proceed with issuing the final order and certificate. Thank you.

Regards
Ted

Theodore R. Ressler
RG, PG, CWRE
Hydrogeologist | GSI Water Solutions, Inc.
direct: 971-200-8509 | cell: 503-701-4535



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

DATE MAILED: JUN 17 2016

NOTICE

Reference: Application S-44208 Permit S-32489

Enclosed are a proposed certificate of water right and map along with a proposed order regarding the partial perfection of the permit. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate or partial perfection order, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French
Water Right Services Administrator

MEMO – 2014-2015 Certificate Project Proof to Satisfaction (Aug 7, 2014)

Application # <u>44208</u>	Permit # <u>32489</u>	Transfer # <u>0</u>
WRD Reviewer <u>Gerry C</u>	Date	
WRD Peer Reviewer <u>J. Joyce</u>	Date <u>6.13.16</u>	

Research

12/15/1967

"C" = 10/1/1997

- ☐ Organize file in chronological order
- ☐ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- ☐ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- ☐ Water Organization identified using AOI? ☐ No ☐ Yes
If "Yes" cc: _____ & Add to Mailing List
- ☐ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- ☐ Print Platcard & check for Place of Use Conflict? ☐ No ☐ Yes
If "Yes", provide copy of certificate & relevant map
- ☐ Print BLM Cadastral Survey
- ☐ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ☐ No ☐ Yes
If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- NA Fish Conditions
- 5 Meter/measuring device
- 5 Water Use Reporting
- 5 Pump Test (post December 19, 1988)
- 5 Other Conditions _____
- 5 SWL
- 5 C-Date 10/1/1997

Addendum
 Need - statement pointing^{to} use prior to 10/1/1997. Describe Use
 Clarify the source Panther Creek not Res.
 ✓ calculations and rate
 ✓ errors & typos
 ✓ take into account cuts ~~86064~~ 86064 & 5

☐ Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

✓ *POU Map*

pp Preceding 3 years?

Addendum Capacity = 3.1 cfs - ok

Limit cut to 2.311 cfs ⇒

cut rate		
1868	0.5 cfs	3.1 cfs
86064	0.271 cfs	
86065	0.018 cfs	-0.789 cfs
	0.789 cfs	

2.311 cfs

Determination

____ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

___ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

____ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

____ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking: App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____
 App _____ Permit _____ Cert _____

NOTES:

2.31 cfs

[Company Name]

Memo

To: File 44208, Permit 32489
From: Gerry Clark
cc:
Date: June 9, 2016
Re: Partial Perfection and Claim of Beneficial Use Review

On May 30, 2001, the Department received a request from the City of Carlton for Partial Perfection of Permit 32489. On May 11, 2016, the Department received an addendum to the Partial Perfection request originally submitted in 2001.

The addendum provided established that the City was beneficially using 3.1 cfs between permit issuance and the last authorized complete application of water date; being October 1, 1997.

City has a total of 0.789 cubic feet per second of perfected water rights from direct flow from Panther Creek.

Under this permit, the City has beneficially used 2.311 cfs. ($3.1 \text{ cfs} - 0.789 \text{ cfs} = 2.311 \text{ cfs}$).

Addendum to CORU states that 3.1 cfs was used from Panther Creek regularly between 1970-1985. Though the City's ^{perfected} WRS total 0.789 cfs, Permit S-50218 has priority of 11/30/1987. So if confirmed, the City has diverted 2.329 cfs under permit S-32489. This is because the 3.1 cfs is being claimed as being diverted between 1970-1985, at which time, the other permits authorize 0.771 cfs total.

•APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, City of Carlton A Municipal Corporation of Yamhill County
(Name of applicant)
 of City Hall, Carlton, Oregon
(Mailing address)
 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 1899

1. The source of the proposed appropriation is Panther Creek
(Name of stream)
, a tributary of North Yamhill River
 2. The amount of water which the applicant intends to apply to beneficial use is 2.5
 cubic feet per second.
(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 for municipal purposes
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
 corner of
(Section or subdivision)
North 43° East 530 feet from the $\frac{1}{2}$ section corner between Sections 18
and 19, T3S, R5W, W.M.
and being within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, T3S, R5W,
(If preferable, give distance and bearing to section corner)
in the County of Yamhill
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 18, Tp. 3S
(Give smallest legal subdivision) (N. or S.)
 R. 5W, W. M., in the county of Yamhill
(E. or W.)

5. The Pipeline to be 47,400 feet
(Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 21, Tp. 3S
(Smallest legal subdivision) (N. or S.)
 R. 4W, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works— (Existing Intake)

6. (a) Height of dam 6 feet, length on top 50 feet, length at bottom
40 feet; material to be used and character of construction concrete gravity
(Loose rock, concrete, masonry,
structure with 24 ft wasteway over top of dam
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate water is taken into the supply line through a 10
(Timber, concrete, etc., number and size of openings)
inch pipe which extends upstream through the dam about forty feet

(c) If water is to be pumped give general description
(Size and type of pump)

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

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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, 47,400 ft.; size at intake, 10 in.; size at 8,000 ft. from intake, 12-3/4" OD in.; size at place of use 10 in.; difference in elevation between intake and place of use, 335 ft. Is grade uniform? No Estimated capacity, 2.56 sec. ft.

8. Location of area to be irrigated, or place of use

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
T3S	R4W	14	NE $\frac{1}{4}$ ^{NE$\frac{1}{4}$ SE$\frac{1}{4}$}	320
		15	E $\frac{1}{2}$	320
		16	SE $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	40
		19	S $\frac{1}{2}$ S $\frac{1}{2}$	160
		19	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		20	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		20	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
		21	N $\frac{1}{2}$	320
		21	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		21	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		22	N $\frac{1}{2}$	320
		22	N $\frac{1}{2}$ S $\frac{1}{2}$	160 (continued)

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised

Power or Mining Purposes—

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

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

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

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

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

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

....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

T3S	R4W	22	S $\frac{1}{2}$ SW $\frac{1}{2}$	80
		22	SW $\frac{1}{2}$ SE $\frac{1}{2}$	40
		23	NW $\frac{1}{2}$	160
		23	N $\frac{1}{2}$ SW $\frac{1}{2}$	80
		27	NW $\frac{1}{2}$ NE $\frac{1}{2}$	40
		27	N $\frac{1}{2}$ NW $\frac{1}{2}$	80
		27	SW $\frac{1}{2}$ NW $\frac{1}{2}$	40
		28	E $\frac{1}{2}$ NE $\frac{1}{2}$	80
		30	E $\frac{1}{2}$ NW $\frac{1}{2}$	80
T3S	R5W	17	S $\frac{1}{2}$ SW $\frac{1}{2}$	80
		20	N $\frac{1}{2}$ NW $\frac{1}{2}$	80
		20	SE $\frac{1}{2}$ NW $\frac{1}{2}$	40
		20	NE $\frac{1}{2}$	160
		21	NW $\frac{1}{2}$ NW $\frac{1}{2}$	40
		21	S $\frac{1}{2}$ N $\frac{1}{2}$	160
		21	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		22	SW $\frac{1}{2}$ NW $\frac{1}{2}$	40
		22	SW $\frac{1}{2}$	160
		22	S $\frac{1}{2}$ SE $\frac{1}{2}$	80
		23	S $\frac{1}{2}$	320
		24	S $\frac{1}{2}$ S $\frac{1}{2}$	160
		24	N $\frac{1}{2}$ SW $\frac{1}{2}$	80
		25	N $\frac{1}{2}$ NE $\frac{1}{2}$	80
		25	NE $\frac{1}{2}$ NW $\frac{1}{2}$	40
		26	N $\frac{1}{2}$ NW $\frac{1}{2}$	80
		27	N $\frac{1}{2}$ NE $\frac{1}{2}$	80
		27	NE $\frac{1}{2}$ NW $\frac{1}{2}$	40

10. (a) To supply the city of Carlton, Yachill County, Oregon

Yachill, County, having a present population of 1,070
(Name of)

and an estimated population of 1,700 in 1990. The water system presently serves 1600 persons inside and outside Carlton and will serve an estimated 2500 persons in 1990.

(b) If for domestic use state number of families to be supplied presently 457 domestic and commercial services (386 inside City and 71 outside)

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

11. Estimated cost of proposed works, \$ 202,000 (29,400 ft of 12-3/4" O.D. Steel Pipeline)

12. Construction work will begin on or before November 1, 1967

13. Construction work will be completed on or before Spring 1968

14. The water will be completely applied to the proposed use on or before Summer 1968

Myron Madsen
Myron Madsen (Mayor of applicant)
City of Carlton, Oregon

Remarks: The City of Carlton presently has an intake on Panther Creek and a water supply line which brings the water from this intake to Carlton. A construction contract has been let to replace 29,400 ft of the existing 6 inch pipeline with 12-3/4 inch O.D. pipeline. The proposed pipeline will have a hydraulic capacity of 1150 GPM (2.56 CFS) and the present pipeline has a hydraulic capacity of 185 GPM (0.41 CFS).

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 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 2.5 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Panther Creek

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

Handwritten notes:
- Total system Capacity is 3.1 cfs per annum CBU.
- ~~2.5 cfs~~
- 0.789 cfs is under cuts 1868, 86064, & 86065.
- of the 3.1 cfs, 0.789 cfs accounted for under cuts leaving 2.311 cfs
- of ben use under this cut point.
- 2.5 > 2.311
- Issue cut for 2.311 cfs leaves 0.189 on permit

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 October 27, 1967

Actual construction work shall begin on or before December 15, 1968 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1970
Extended to October 1987 Extended to Oct. 1 1975 Extended to Oct. 1, 1982 Extended to October 1, 1992, 10-1-97

Complete application of the water to the proposed use shall be made on or before October 1, 1970
Extended to October 1987 Extended to Oct. 1 1975 Extended to Oct. 1, 1982 Extended to October 1, 1992, 10-1-97

WITNESS my hand this 15th day of December, 1967

Signature of State Engineer

STATE ENGINEER

Application No. 44208
Permit No. 32489

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 27th day of October,
1967, at 1:00 o'clock P. M.

Returned to applicant:

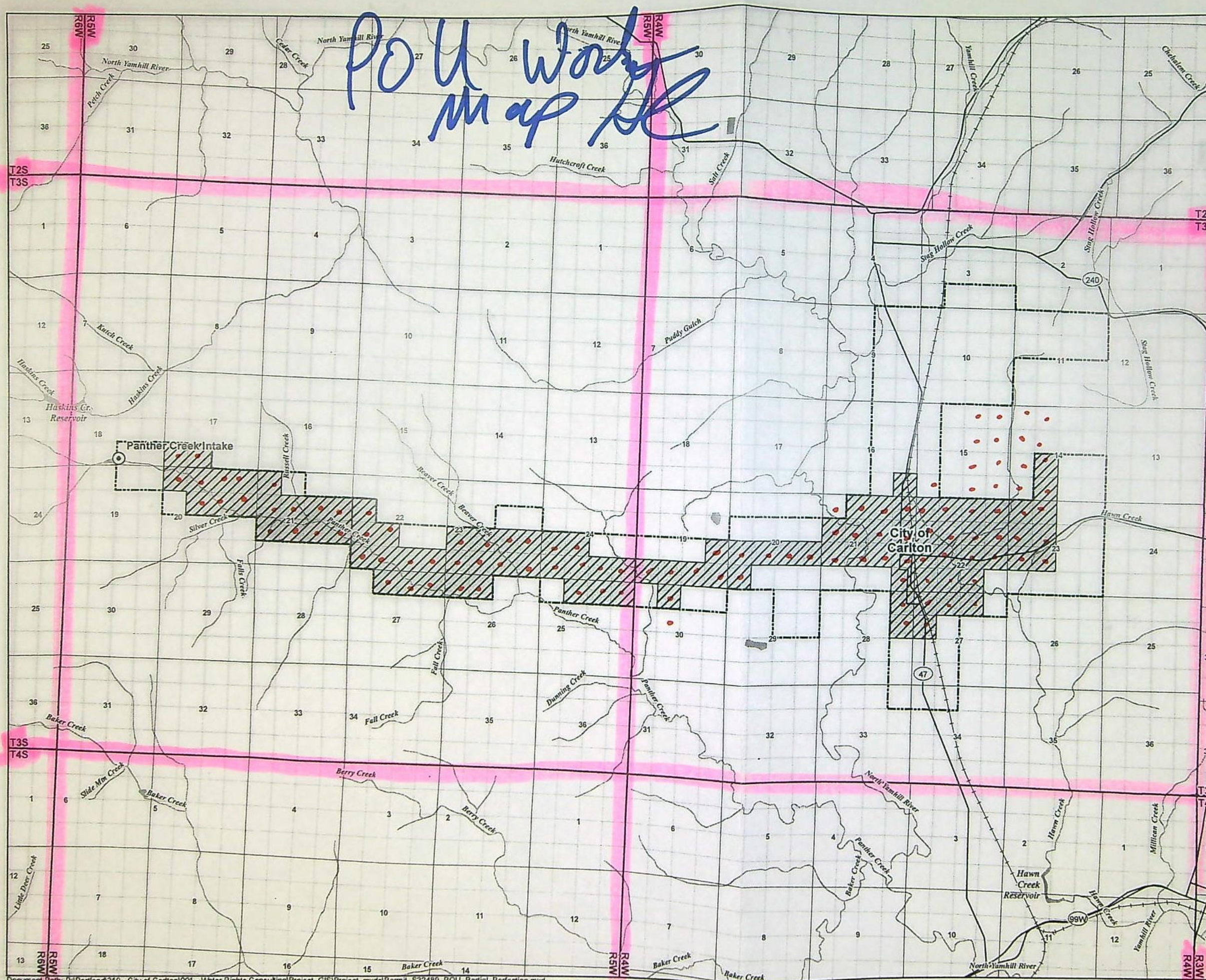
Approved:

December 15, 1967

Recorded in book No. _____ of _____
Permits on page 32489

CHAS. L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 9034
Fees 4.27



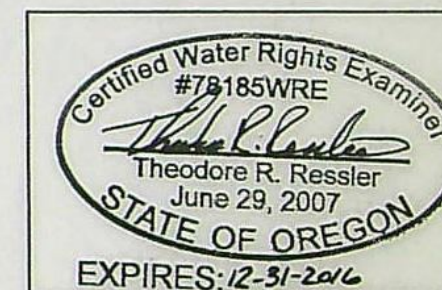
**Claim of Beneficial Use
Place of Use Map
Partial Perfection of
Permit S-32489
(Application S-44208)**

**A Water Right in the Name of
City of Carlton
Yamhill County**

**Township 3 South,
Ranges 4 & 5 West (W.M.)**

LEGEND

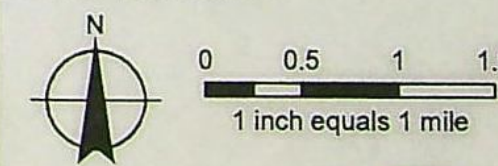
- ⊙ Point of Diversion (POD)
- ▨ Place of Use (POU)
- ▭ Service Area
- Waterbodies
- Watercourses
- Detailed Streets
- Railroads



CWRE Stamp and Signature

DISCLAIMERS:

1. This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.
2. Under the provisions of ORS 540.510(3) the City of Carlton may lawfully provide and use water in locations other than those described.



MAP NOTES:
Date: April 25, 2016
Data Sources: OWRD, ESRI, Oregon Geospatial
Data Clearinghouse, City of Carlton





Water Solutions, Inc.

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3.1 cfs 1970-1985

April 27, 2016

Gerry Clark
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Subject: Addendum to Claim of Beneficial Use Report for Permit S-32489, City of Carlton

Gerry:

This addendum is submitted on behalf of the City of Carlton (City) to provide additional data and information to supplement and clarify the Claim of Beneficial Use (COBU) report for Permit S-32489 (Application S-44208) submitted to the Department on May 24, 2001.

Claim of Beneficial Use Map

The map included with the 2001 COBU provided the required information regarding the point of diversion but did not describe the place of use. An additional COBU map is provided in Attachment 1 as a supplement to the original map included with the 2001 COBU to clarify the place of use where water was beneficially used in accordance with the terms and conditions of the permit.

Additional Data Documenting Beneficial Use of Water

The narrative included with the 2001 COBU describes the City's beneficial use of water for quarterly flushing of the transmission line between the reservoir and the water treatment plant to clear the pipeline and maintain the transmission capacity. In addition to this beneficial use of water, from 1970 until the construction of the City's first water treatment plant in 1985, the routine operation of the City's water supply system involved transmission of water for municipal water supply in a similar manner: unrestricted gravity flow from the City's intake on Panther Creek (at the Panther Creek Reservoir) to the City's single water service reservoir (i.e., concrete reservoir) that supplied the City's municipal water distribution system. Based on the configuration of the City's water system during the period from 1970 to 1985, the City diverted water at a rate of 3.1 cfs for beneficial municipal use during routine filling of the concrete reservoir (a process occurring multiple times each day, year round). This rate of beneficial

water use, and a detailed description of the City's water system and how it functioned, is provided in a memorandum from the City Engineer dated March 23, 2016 (Attachment 2).

The purpose for construction of the Panther Creek Reservoir was to provide storage to offset the seasonally reduced summer flows of Panther Creek. Accordingly, the City's gravity flow system described above utilized live flow from Panther Creek when sufficient live flow was available, and utilized a combination of live flow and stored water when flows in Panther Creek were reduced.

Measured Pipe Flow

The 2001 COBU provides a calculated flow measurement during a pipeline flushing on May 11, 2001 at a 6-inch PVC discharge pipe at the water treatment plant. The flow calculation is based on an empirical relationship between the arc of the water discharging from the open end of a horizontal pipe and the flow rate (i.e., yard stick method, coordinate method, trajectory method). Rather than using the equation for this empirical relationship, the flow calculation presented in the 2001 COBU appears to be based on a proportionality from a table or nonogram. Provided below is the flow calculation made using the empirical equation for this method and the same parameters provided in the 2001 COBU.

Coordinate Method per Ground Water Handbook (Anderson, 1993)

$$Q = 3.61 \times A \times X \div Y^{0.5}$$

Q = flow (gpm)

A = inside area of pipe (in²)

X = horizontal distance (in)

Y = vertical distance (in)

Equation parameters from 2001 COBU

$$A = \pi \times (6/2)^2 = 28.27 \text{ in}^2$$

$$X = 30 \text{ in}$$

$$Y = 6 \text{ in}$$

Calculation

$$Q = 3.61 \times 28.27 \times 30 \div 6^{0.5} = 1250 \text{ gpm} = \underline{2.8 \text{ cfs}}$$

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The accuracy of this method of flow measurement is +/- 10%, assuming careful measurement of the horizontal and vertical components of the water discharging from the pipe (Bureau of Reclamation, 2001). Applying this accuracy tolerance, yields a flow range of 2.5 to 3.1 cfs, the upper range of which corresponds with the flow rate during routine filling of the concrete as calculated by the City Engineer (Attachment 2).

Theoretical Pipe Flow Calculation

The 2001 COBU provided a theoretical flow capacity calculation (based on the Hazen-Williams equation) for the transmission pipeline between the reservoir and the water treatment plant (i.e., the location where flushing of the transmission pipeline has taken place since the construction of the water treatment plant¹). The calculated capacity stated in the 2001 COBU is not correct as a result of the following:

- A pipeline length of 3,425 ft should be used (not 2,640 ft)
- A typo in the equation – the coefficient of the Hazen-Williams equation is 1.318 (not 1.316)
- An apparent mathematical error during calculation.

The corrected theoretical pipe flow calculation is provided below; the corrected values are shown in ***bold italic***. As suggested by the 2001 COBU, this calculated theoretical pipe flow calculation is an overestimate of the actual capacity of the pipeline as it does not fully account for the frictional losses in the pipeline.

Hazen-Williams Formula

$$V = 1.318 \times C \times R^{0.63} \times S^{0.54}$$

V = velocity (ft/s)

C = Hazen-Williams friction coefficient

R = hydraulic radius (ft) = cross-sectional area of flow ÷ wetted perimeter

S = slope

$$\text{Flow (Q)} = A \times V$$

A = cross-sectional area of flow

Equation parameters

$$C = 100$$

$$A = \pi \times (0.833/2)^2 = 0.545 \text{ ft}^2$$

$$R = 0.545 \div 2\pi \times (0.833/2) = 0.208 \text{ ft}$$

$$S = 125/3425 = 0.0365$$

Calculation

$$Q = 0.545 \times [1.318 \times 100 \times 0.208^{0.63} \times 0.0365^{0.54}] = \underline{4.47 \text{ cfs}}$$

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¹ Prior to construction of the water treatment plant, flushing of the transmission pipeline took place at the concrete reservoir

Need
Calcs**Amended Claim Summary**

POD / POA name or #	Maximum rate authorized	Calculated theoretical rate based on system	Amount of water measured	Use	# of acres allowed	# of acres developed
Panther Creek Intake	2.5 cfs	4.47 cfs	3.1 cfs	Municipal	N/A	N/A

Rate of Beneficial Use under Permit S-32489

The additional information provided in this addendum to the COBU for Permit S-32489 documents the City's beneficial use of water from Panther Creek at a rate of 3.1 cfs. This rate, however, is the aggregate rate of beneficial use under the City's certificated water rights for Panther Creek and Permit S-32489 as allocated in Table 1. The City has incrementally perfected a 2.311 cfs portion (92%) of Permit S-32489 prior to October 1, 1997 and is seeking a water right certificate for this portion of the permit.

Table 1. Panther Creek beneficial use rate allocated by water right.

Application	Permit	Certificate	Priority Date	Rate of Use (cfs)
S-1609	S-914	1868	8/12/1911	0.5
S-46505	S-34661	86064	10/22/1969	0.271
S-69513	S-50218	86065	11/30/1987	0.018
S-44208	S-32489		10/27/1967	2.311
Total rate of beneficial use of water:				3.1

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Additional Information Required for Partial Perfection**1. Monthly quantity of water appropriated for the preceding three years**

The monthly water production volumes under Permit S-32489 during 1995, 1996, and 1997 (the three years preceding the current C date of October 1, 1997) are provided in Table 1 below.

Table 1. Production in million gallons from Panther Creek and Panther Creek Reservoir.

(Total diversion from Panther Creek Intake under Certificate 1868, Certificate 86064, Certificate 86065, Permit S-32489, Permit S-34661, and Permit S-50218; Water Use Report 11245)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
1997	27.36	23.87	25.82	24.16	28.78	30.56	47.92	45.66	31.06			
1996	28.58	31.91	28.65	29.03	30.29	39.70	51.03	50.00	35.58	28.46	24.85	26.55
1995	20.56	20.78	22.24	21.01	27.52	32.37	43.34	41.55	32.56	29.33	28.12	26.92

2. Plan for development successive increments of the permit

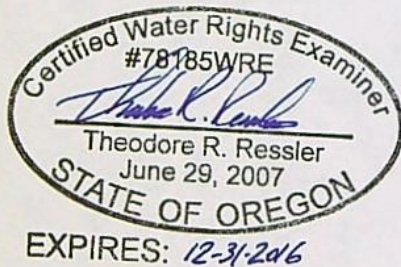
The residual 0.189 cfs of Permit S-32489 will be developed by the City in response to future water demand, which is anticipated to increase in response to population growth and changes in service area size. The City's Water Management and Conservation Plan, approved by OWRD on January 16, 2015, provides a summary of the population growth projections and a proposed plan for meeting the forecasted increase in population and water demand, which includes further development of Permit S-32489. The City intends to seek an extension of time for the residual 0.189 cfs of Permit S-32489.

3. Map showing where water will be put to use

Refer to the maps accompanying the enclosed COBU which show the maximum extent of beneficial use under Permit S-32489. The City will develop and use the remaining portion of Permit S-32489 within the City's service area for municipal water supply in accordance with the permit.

The facts contained in this addendum to the Claim of Beneficial Use reports for Permit G-32489 are correct to the best of my knowledge.

CWRE Seal and Signature



Permit Holder of Record Signature and Acknowledgement

A handwritten signature in blue ink, which appears to read "Chad Olsen".

Chad Olsen
City Manager
City of Carlton

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References

Anderson, Keith E., 1993. *Ground Water Handbook*. National Groundwater Association.

Bureau of Reclamation, 2001. *Water Measurement Manual*, Revised Reprint of the Third Edition. United States Department of the Interior, Bureau of Reclamation.

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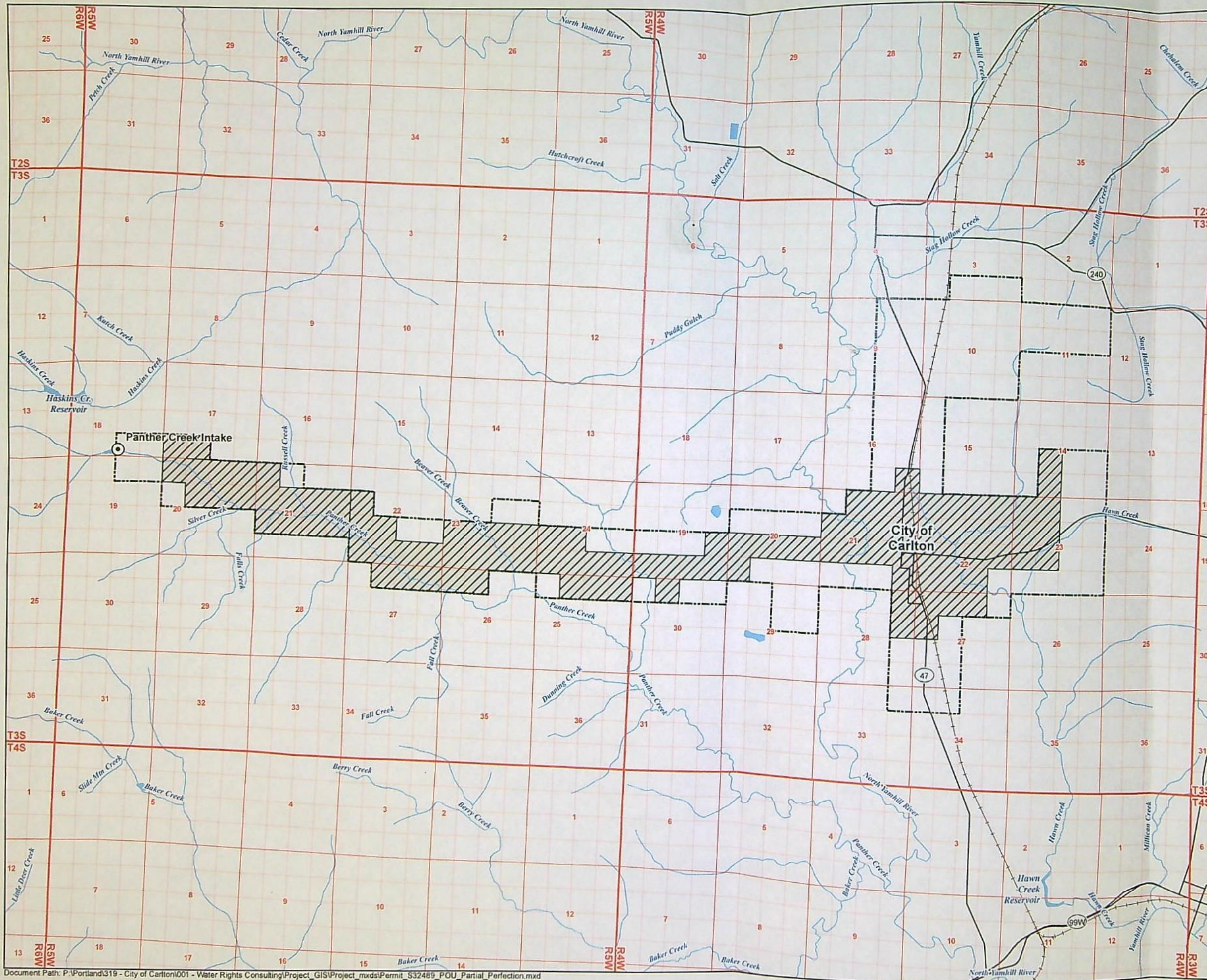
MAY 11 2016

SALEM, OR

Attachment 1

Claim of Beneficial Use Map

Addendum to Claim of Beneficial Use for Permit S-32489



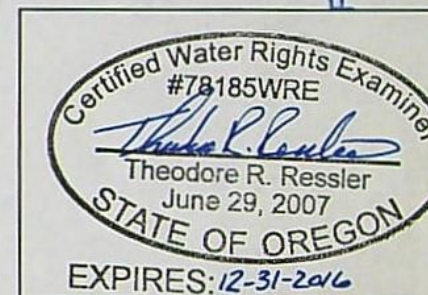
**Claim of Beneficial Use
Place of Use Map
Partial Perfection of
Permit S-32489
(Application S-44208)**

A Water Right in the Name of
City of Carlton
Yamhill County

Township 3 South,
Ranges 4 & 5 West (W.M.)

LEGEND

- ⊙ Point of Diversion (POD)
- ▨ Place of Use (POU)
- ▭ Service Area
- Waterbodies
- Watercourses
- Detailed Streets
- Railroads



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1. This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.
2. Under the provisions of ORS 540.510(3) the City of Carlton may lawfully provide and use water in locations other than those described.



0 0.5 1 1.5
1 inch equals 1 mile

MAP NOTES:

Date: April 25, 2016
Data Sources: OWRD, ESRI, Oregon Geospatial
Data Clearinghouse, City of Carlton



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Attachment 2

Memorandum from City Engineer

Addendum to Claim of Beneficial Use for Permit S-32489

Westech Engineering, Inc.
Consulting Engineers & Planners

March 23, 2016

Walter Gowell
Haugeberg, Reuter, Gowell, Fredricks & Higgins, P.C.
620 NE 5th Street
McMinnville, OR 97128

Subject: City of Carlton Historical Water System Configuration

Dear Mr. Gowell:

Westech Engineering currently serves as the City Engineer for the City of Carlton. In that capacity we have delivered a number of improvement projects for the City's water system and recently completed a water master plan for the City. Westech also served as the engineer of record for the design of the Panther Creek Dam project in 1970. We have reviewed the original design documents for that project as well as those for other major components of the city water system. As such, we are in a good position to evaluate the history of the City's water system and offer this factual summary. This memo is primarily targeted to describe the water system serving the City from 1968 up to 1985.

Prior to 1970 the City utilized a 6 foot high by 50 foot long concrete diversion structure to capture streamflow from Panther Creek. The water was piped approximately 7 miles to the City's then only 380,000 gallon concrete reservoir located on a ridge approximately 2 miles west of the City. This finished water reservoir is still in use and provides gravity flow to the City.

In 1968 the City completed a new 12-inch diameter transmission line that largely replaced the old line connecting the diversion structure and concrete reservoir. The upstream end of this project utilized 7,900 feet of existing 10-inch pipe and added 29,850 feet of new pipe to terminate in a control valve vault at the concrete reservoir. The valve configuration at the concrete reservoir utilized a 6-inch hydraulically actuated valve to fill the concrete reservoir and a second, similarly configured, 10-inch bypass valve to serve the City during reservoir maintenance periods. This project also included a chlorination facility. The chlorination structure was constructed approximately 2,000 feet downstream of the diversion point at the site of the City's future water treatment plant. It is important to note that the chlorination facility operated as an injection point for chlorine only and did not restrict the hydraulic capacity of the transmission line.

In 1969 a leak detection study conducted by CH2M determined that there was no measurable leakage in the transmission system from the Panther Creek diversion structure to the concrete reservoir.

In 1970 Westech Engineering designed, and the City constructed, a new 50 foot high by 200 foot long earthen dam to replace the original diversion structure. The new dam was designed to provide additional storage to offset the seasonally reduced summer flows in Panther Creek. The dam utilized a submerged

4 foot square intake structure at the upstream toe of the dam to release water through a short section of 12-inch diameter pipe that connected to the existing transmission line.

From 1970 until 1985 when the City's first water treatment plant was constructed, the storage and transmission facilities operated as a simple gravity flow system. The hydraulic head from the dam delivered water through the intake structure, into the transmission line and to the control valves at the concrete reservoir.

The control structure at the concrete reservoir uses a simple float system to control the electrically actuated control valve on the inlet line to the reservoir. When the reservoir level drops 2-feet below the fill level, a float switch activates a solenoid valve on the control valve which in turn opens the valve on a short hydraulically dampened cycle after which the valve is fully open. With the control valve fully open the reservoir fills at the full capacity of the transmission line until a second float switch triggers the control valve to modulate the valve closed. The fill rate at the concrete reservoir is the unrestricted hydraulic capacity of the transmission line and the City has traditionally received beneficial use of the transmission line in this mode. A review of historical demand in the summer of 1968, documented by the CH2M 1969 leak study, indicates that the concrete reservoir required an average of 8 fill cycles per day during July, 1968. The City's current Public Works Director has confirmed that the float system for refilling the concrete reservoir has been in use since prior to his employment with the city in 1996. At the beginning of his tenure, the control system was well used and was clearly not a recently installed system. He has no reason to believe the originally installed control system has been modified.

In order to document the hydraulic capacity of the transmission line in 1970, a hydraulic model was constructed using WaterCAD, a hydraulic modeling software program written by Bentley Systems Inc. The model was constructed to replicate the newly constructed dam, the system of 10 and 12-inch pipe in service at the time, and the model was populated with pipe roughness factors for an essentially new pipe system. Control valves were added to simulate the open/close function at the concrete reservoir. From this model it was determined that the capacity of the transmission system flowing unrestricted into the concrete reservoir was 1,400 gallons per minute (gpm)—the equivalent of 3.1 cubic feet per second (cfs). A summary of the model and associated metrics appears on Figure 1 attached to this memo.

In addition to the routine beneficial use of water by the City under the normal concrete reservoir fill cycle—and in the time since 1970—the City has derived significant benefit from the ability to flush the transmission line. The City's raw water contains low levels of naturally occurring iron and manganese. The addition of chlorine as a disinfectant in 1968 concurrently oxidized the dissolved iron and manganese in the raw water yielding solids of both elements that precipitated into the transmission line as the water moved toward town. Until the construction of the City's water treatment plant in 1985, the only method to remove and dispose of these solids was to hydraulically flush the line. The American Water Works Association (AWWA) recommends a flushing velocity range of 3.5 to 5 feet per second (fps) to

Mr. Walter Howell
March 23, 2016
Page 3

resuspend solids and to promote scouring and the removal of biofilms in order to reduce disinfectant demand. A flow of 1,400 gpm yields a line velocity of 4.0 fps in the 12-inch diameter transmission line.

In my judgment the City has routinely received beneficial use of their water system functioning in its full capacity as designed and constructed between 1968 and 1970, and as described above.

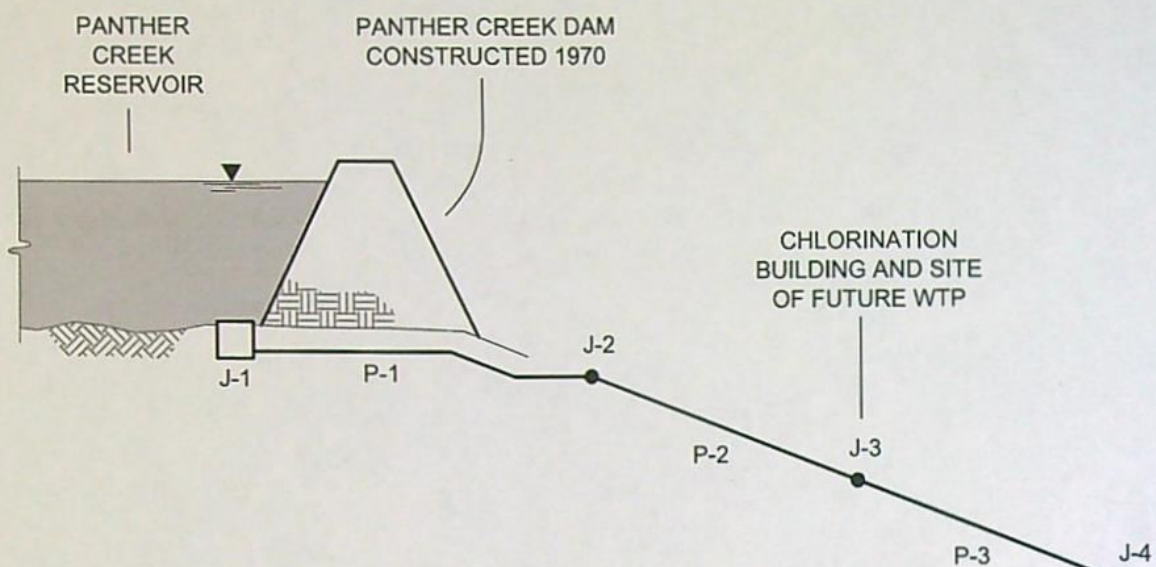
I am available by telephone at 503-585-2474 and by e-mail at pblumanthal@westech-eng.com should you have any questions.

Sincerely,

Westech Engineering, Inc.

A handwritten signature in blue ink, appearing to read "Peter Blumanthal", with a stylized flourish at the end.

Peter Blumanthal, P.E.
Project Manager



NODE ELEMENT SUMMARY TABLE

NODE	ELEVATION	DESCRIPTION
J-1	554	4 FT SQUARE INTAKE STRUCTURE
J-2	500	PIPE JUNCTION AT TOE OF DAM
J-3	460	CHLORINATION BUILDING (1985 WTP SITE)
J-4	405	PIPE JUNCTION NEAR REX BROWN RD.
J-5	350	PIPE JUNCTION AT CONTROL VAULT
J-6	350	PIPE JUNCTION AT CONTROL VAULT

PIPE ELEMENT SUMMARY TABLE

PIPE	NOM. DIA.	LENG	C	DESCRIPTION
P-1	12"	180	130	OUTLET PIPE UNDER BASE OF DAM
P-2	10"	3,425	115	TRANSMISSION LINE PARALLELING PANTHER CREEK
P-3	10"	4,440	115	TRANSMISSION LINE ALONG NW PANTHER CR. RD.
P-4	12"	25,560	130	TRANS. LINE ALONG NW PANTHER CR. RD. & MEADOWLAKE RD.
P-5	12"	5	130	TRANSMISSION LINE AT CONTROL VALVE VAULT
P-6	6"	50	115	CONCRETE RESERVOIR FILL LINE
P-7	10"	50	115	CONCRETE RESERVOIR OUTLET LINE

RESERVOIR ELEMENT SUMMARY TABLE

FACILITY NAME	HGL	VOLUME	DESCRIPTION
PANTHER CREEK	584	20 MG	EARTHEN DAM -- CONSTRUCTED 1970
CONCRETE	352	380,000 GAL	CONCRETE IN-GROUND STRUCTURE -- PRE 1967
STEEL	352	1 MG	WELDED STEEL GROUND STORAGE -- 2001

HYDRAULIC MODELING DATA

SOFTWARE: WATERCAD v.8i, BENTLEY SYSTEMS INC.

HEADLOSS: HAZEN-WILLIAMS EQUATION

STEADY STATE, CONSERVATION OF MASS AND ENERGY

HYDRAULIC MODELING RESULT

STEADY STATE GRAVITY FLOW FROM J-1 TO CONCRETE RESERVOIR IS 1,400 GPM = 1.3 CFS

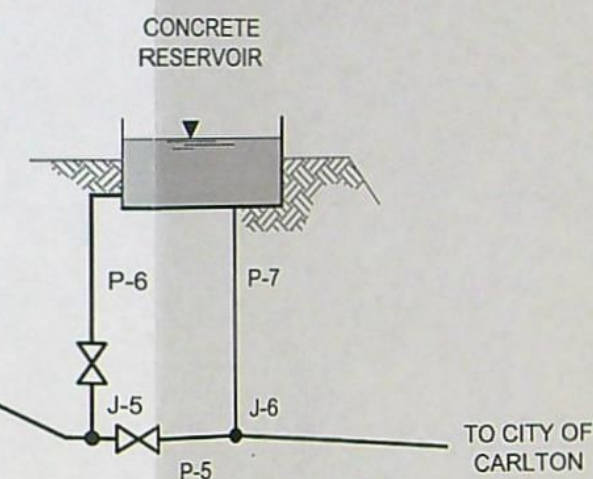


FIGURE 1
HYDRAULIC MODEL SUMMARY



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

VIA EMAIL ONLY

February 26, 2016

WaterWatch of Oregon, Inc.
Lisa Brown
213 SW Ash Street, Suite 208
Portland, OR 97204

Re: City of Carlton Permit S-32489

Dear Ms. Brown:

On December 22, 2015, the Department sent an e-mail to Adam Sussman, agent for the City of Carlton's Permit S-32489 extension application, informing the City that the Department will be referring the application to ODFW for fish persistence advice. You were copied on that e-mail. The purpose of this letter is to inform WaterWatch of additional activity on the permit that may affect the determinations in the extension application.

On February 12, 2016, the City informed the Department that a claim of beneficial use on the permit had been submitted in 2001. The City requested that the Department process that claim, and the Department agreed to do so. The certificates section is working on the claim now, and will complete its review once the City submits supplemental material.

The amount of water under the permit that the City may certificate is unknown at this point. The Department will not be sending the extension application to ODFW until the certificate section's review is complete and the amount of undeveloped water is known. Once ODFW has completed its advice on the undeveloped portion, the Department may contact the parties to resume discussions on the protest.

Sincerely,

Patricia McCarty, Protest Program Coordinator
Water Right Services Division
503-986-0820

C: Walt Gowell
Adam Sussman

From: Ann Reece

Sent: Thursday, November 13, 2008 1:35 PM

To: Patricia McCarty

Subject: RE: Re: City of Carlton protest meeting w/applicant

I don't see any rule that would have prevented the Department from issuing a FO for the City of Carlton under 320 rules (without an ODFW persistence review). The FO was not issued due to the protests filed, not because of pending rule changes.

-Ann

Nov 2, 1998:

- 320 rules were amended - to be in effect through 6-30-2001

 - Muni's not required to apply for an extension until July 1, 2001

 - 690-320-0010 (4) provides that a holder of a permit for municipal water use . . . may apply for an extension under the rules of this division . . . Until July 1, 2001, holders of municipal water use permits are not required to file for a permit extension.

- 315 rules were adopted- to be effective on July 1, 2001 (but was delayed to July 1, 2003 by 1-31-2001 amendment)

Oct. 1, 1999: City of Carlton filed an extension application

Sept 2000: Final Order approving City of Carlton extension was issued

April 30, 2002: Amended 315 rules to give Muni's option to apply for extension under new 315 rules, but not required to until July 1, 2002.

Nov. 1, 2002: All muni extensions issued after November 2, 1998 subject to new Muni-extension 315 rules

Nov. 22, 2005: First extension issued after June 28, 2005 for Muni permits issued before Nov. 2, 1998 requires ODFW review on undeveloped portion.

From: Patricia McCarty

Sent: Thursday, November 13, 2008 12:39 PM

To: Ann Reece

Subject: FW: Re: City of Carlton protest meeting w/applicant

Thanks,
Patricia

From: Lisa Brown [mailto:lisa@waterwatch.org]
Sent: Monday, November 10, 2008 12:45 PM
To: Patricia McCarty
Subject: Fwd: Re: City of Carlton protest meeting w/applicant

Hi Patricia -

I am no longer available Wednesday morning but could make it down there by mid-afternoon.

Lisa

Date: Fri, 07 Nov 2008 14:54:35 -0800
To: Patricia McCarty <mccartpe@wrdd.state.or.us>
From: Lisa Brown <lisa@waterwatch.org>
Subject: Re: City of Carlton protest meeting w/applicant

Hi Patricia -

I could meet that week during the following times:

Tuesday morning

Wednesday anytime

Friday afternoon

In other situations I am aware of like this where an extension application was filed and a PFO issued prior to the revised Division 315 rules being in place, a revised application has been filed and the WRD has issued a superceding PFO, after getting fish persistence advice from ODFW. The two I am thinking of are one of the North Clackamas Water Commission extensions the Tualatin Valley Water District extension (now Willamette River Water Coalition). Is this how the WRD plans to proceed with regards to Carlton?

Thanks,
Lisa

At 03:11 PM 11/5/2008, you wrote:

Hi Lisa,

Are you available to meet with Steven Weaver and me on the protest (to the PFO on the extension applications for Permits #32488 and #34661) any time in the week of November 17th?

Patricia McCarty
Protest Program Coordinator

Water Rights Division
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
Phone: 503-986-0820
Fax: 503-986-0901

Lisa Brown
Staff Attorney
WaterWatch of Oregon
503.295.4039 x 2
213 SW Ash St., STE 208,
Portland, OR 97204
lisa@waterwatch.org
www.waterwatch.org

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Lisa Brown
Staff Attorney
WaterWatch of Oregon
503.295.4039 x 2
213 SW Ash St., STE 208,
Portland, OR 97204
lisa@waterwatch.org
www.waterwatch.org

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MCCARTY Patricia E

From: Walt Gowell <WGowell@hrglawyers.com>
Sent: Tuesday, January 05, 2016 4:56 PM
To: patricia.e.mccarty@state.or.us
Cc: Adam Sussman (ASussman@gsiws.com); Chad (chad@ci.carlton.or.us); dwight.w.french@state.or.us; lisa@waterwatch.org
Subject: City of Carlton Permit S-32489 Extension application

Dear Patricia:

Adam Sussman passed along your email from 12/22/2015 relating to the pending City of Carlton Permit S-32489 Extension Application.

Your extension application file should reflect that the City of Carlton is also represented by this law firm in this matter.

The city understands from your email that you will be submitting the extension application to ODFW for a fish persistence review around January 12th and will be further reviewing the application when that advice is received.

The city anticipates a further consultation with OWRD after the ODFW advice is received, and will be then able to determine, at that time, whether to request a superseding PFO, or whether to instead seek a resolution through a settlement agreement with Waterwatch.

Please keep me in the loop on this.

Walter Gowell
City Attorney

Walter R. Gowell

HAUGEBERG, RUETER, GOWELL, FREDRICKS & HIGGINS, P.C.
620 North East Fifth Street | P.O. Box 480 | McMinnville, Oregon 97128
Telephone (503) 472-5141 | Fax (503) 472-4713
wgowell@hrglawyers.com | www.hrglawyers.com

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MCCARTY Patricia E

From: Walt Gowell <WGowell@hrglawyers.com>
Sent: Tuesday, January 05, 2016 4:56 PM
To: patricia.e.mccarty@state.or.us
Cc: Adam Sussman (ASussman@gsiws.com); Chad (chad@ci.carlton.or.us); dwight.w.french@state.or.us; lisa@waterwatch.org
Subject: City of Carlton Permit S-32489 Extension application

Dear Patricia:

Adam Sussman passed along your email from 12/22/2015 relating to the pending City of Carlton Permit S-32489 Extension Application.

Your extension application file should reflect that the City of Carlton is also represented by this law firm in this matter.

The city understands from your email that you will be submitting the extension application to ODFW for a fish persistence review around January 12th and will be further reviewing the application when that advice is received.

The city anticipates a further consultation with OWRD after the ODFW advice is received, and will be then able to determine, at that time, whether to request a superseding PFO, or whether to instead seek a resolution through a settlement agreement with Waterwatch.

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MCCARTY Patricia E

From: Adam Sussman <ASussman@gsiws.com>
Sent: Tuesday, December 22, 2015 4:04 PM
To: MCCARTY Patricia E
Cc: REECE Ann L; Dwight French (dwight.w.french@state.or.us); lisa@waterwatch.org; BAMBERGER Machel A
Subject: RE: City of Carlton Permit S-32489 Extension application

Patricia:

Hi, thanks for checking in. I will be in touch with the City and someone will be in touch with you soon, probably after the first of the year. Have a good holiday!

Sincerely,

Adam

Adam Sussman

Principal Water Resources Consultant | GSI Water Solutions, Inc.

direct: 541-257-9001 | cell: 541-602-5188

1600 SW Western Blvd., Suite 240, Corvallis, OR 97333

www.gsiws.com | [bio](#) | asussman@gsiwatersolutions.com

From: MCCARTY Patricia E [<mailto:patricia.e.mccarty@state.or.us>]
Sent: Tuesday, December 22, 2015 3:45 PM
To: Adam Sussman
Cc: REECE Ann L; Dwight French (dwight.w.french@state.or.us); lisa@waterwatch.org; BAMBERGER Machel A
Subject: City of Carlton Permit S-32489 Extension application

Adam,

I understand that GSI is representing the City of Carlton at present. If not, please let me know. The Department needs to let the City of Carlton know that its extension application will need to be re-reviewed in keeping with the Appellate order on the City of Cottage Grove case. The record shows the amount of developed (0.98 CFS) and undeveloped water (1.52 CFS) as of approximately the C date; documentation is attached for reference. The Department will be referring the application to ODFW for fish persistence review pursuant to OAR 690-315-0080 around January 12, 2016. We don't know how long it will be before ODFW can complete its advice.

Carlton, the Department and WaterWatch have a couple of choices at this point. The Department could either issue a superseding PFO, or the protest could be resolved within a settlement agreement. The Department has not yet determined which is the best approach, under these circumstances. The Department will let everyone know as soon as possible.

This email is being sent to WaterWatch and to additional WRD staff for information purposes only. Please respond to me, as this is a municipal extension application under protest. In addition, if you can provide current information on the appropriate contact person for the city, and any updates to mailing or email addresses, I would appreciate it.

Sincerely,
Patricia McCarty
Protest Program Coordinator
Oregon Water Resources Department
(503) 986-0820

MCCARTY Patricia E

From: MCCARTY Patricia E
Sent: Tuesday, December 22, 2015 3:45 PM
To: Adam Sussman (ASussman@gsiws.com)
Cc: lisa@waterwatch.org; REECE Ann L; BAMBERGER Machel A; Dwight French (dwight.w.french@state.or.us)
Subject: City of Carlton Permit S-32489 Extension application
Attachments: City of Carlson 1999 ext Application.pdf

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Adam Sussman

Principal Water Resources Consultant | GSI Water Solutions, Inc.

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Patricia McCarty

Protest Program Coordinator

Oregon Water Resources Department

(503) 986-0820



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

December 20, 2010

*file copy
mailed 12-20-2010*

WaterWatch of Oregon
213 SW Ash Street, Suite 208
Portland, OR 97204

Re: Application S-44208

Dear WaterWatch,

The Water Resources Department received your protest on the Proposed Final Order for application for an extension of time for permit S-32489. Enclosed is the receipt #101870 for check #3389.

Sincerely,

Patricia McCarty

Patricia McCarty
Protest Program Coordinator
Water Rights Division
Phone: 503-986-0820

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **101870**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: WaterWatch of Oregon
BY: _____
CASH: ☐ CHECK: # 3389 OTHER: (IDENTIFY) ☐

APPLICATION	<u>S-32489</u>
PERMIT	
TRANSFER	

TOTAL REC'D \$ 6000.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$ 47235
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$	

WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$

223 OTHER (IDENTIFY) Protest Fees \$ 6000.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$
0210 MONITORING WELLS \$

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER _____

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$

RECEIPT: **101870**

DATED: 12-17-10 BY: 28

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

Transerv
PACKAGE EXPRESS

(503) 241-0484

ACCT. NO 851624

NON-NEGOTIABLE AIRBILL SHIPPER'S AGENT
PICKUP TIME AND DATE

12:51 12-17

DRIVER: 11-13

PDX 715116

CGR: 418749 Order #

DATE: _____ DECLARED VALUE \$

NAME <u>LISA BROWN</u> FROM: COMPANY NAME <u>WaterWatch of Oregon</u> ADDRESS <u>213 SW Ash St, Suite 208</u> CITY <u>Portland</u> STATE <u>OR</u> ZIP <u>97204</u> REFERENCE <u>Protest, S-32489 (Carlton Ext.)</u>	TELEPHONE <u>(503) 295-4039</u> x4 NAME <u>WATER RES. 1 AND 2nd 1st 2nd 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th 28th 29th 30th 31st 32nd 33rd 34th 35th 36th 37th 38th 39th 40th 41st 42nd 43rd 44th 45th 46th 47th 48th 49th 50th 51st 52nd 53rd 54th 55th 56th 57th 58th 59th 60th 61st 62nd 63rd 64th 65th 66th 67th 68th 69th 70th 71st 72nd 73rd 74th 75th 76th 77th 78th 79th 80th 81st 82nd 83rd 84th 85th 86th 87th 88th 89th 90th 91st 92nd 93rd 94th 95th 96th 97th 98th 99th 100th</u> TO (FROM): COMPANY NAME <u>OREGON WATER RESOURCES DEPT.</u> ADDRESS <u>725 SUMMER ST NE, STE A</u> CITY <u>SALEM</u> STATE <u>OR</u> ZIP REQUIRED <u>97301</u> DEPT./ORDER NO.
---	---

THIRD PARTY BILLING NO. PCS.	NAME ADDRESS CITY STATE ZIP	WEIGHT	RATE	AMOUNT
DESCRIPTION <u>DOCUMENT - LARGE ENVELOPE</u>				
AIR EXPRESS <input type="checkbox"/> NEXT DAY A.M. (DELIVER WEEKDAY) <input type="checkbox"/> INTERNATIONAL <input type="checkbox"/> *NEXT DAY BY 9 <input type="checkbox"/> *SATURDAY SVC. <input type="checkbox"/> *SAME DAY <input type="checkbox"/> *LATE PICKUP <input type="checkbox"/> *EXTRA CHARGE APPLIES		LOCAL DELIVERY <input type="checkbox"/> CORE15 <input type="checkbox"/> SUPER RUSH <input type="checkbox"/> DIRECT <input type="checkbox"/> DEFERRED <input type="checkbox"/> ROUND TRIP <input type="checkbox"/> ROUTE		
SPECIAL INSTRUCTIONS <u>Deliver before 5 PM.</u>		ADVANCED FEES		
RECEIVED DEC 17 2010 WATER RESOURCES DEPT SALEM, OREGON		WAITING TIME OTHER		
DEL DEADLINE <u>5 PM 12/17</u>		PICKUP		
RECEIVED BY <u>X</u>	TIME <u>2:33</u>	DATE <u>12/17/10</u>	D/M # <u>7</u>	RETURN TO TIME DATE D/M #

SEE REVERSE SIDE FOR CONDITIONS OF CARRIAGE; LIMITATIONS OF LIABILITY.

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WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Department
Water Rights Division

In the Matter of the)	PROTEST TO PROPOSED
Application for an Extension)	FINAL ORDER
of Time for Permit S-32489,)	
Water Right Application S-)	
44208, in the Name of the)	
City of Carlton)	

Dec 2010
WW Protest

I. Name, Address and Telephone Number of Protestant

WaterWatch of Oregon, Inc.
213 SW Ash Street, Suite 208
Portland, OR 97204
Phone: 503.295.4039
Fax: 503.295.2791
Contact: Lisa Brown

II. Interests of Protestant

Protestant WaterWatch of Oregon ("WaterWatch") has invested time and money protecting and restoring in-stream flows and surface waters in Oregon, including areas that would be affected by the Proposed Final Order ("PFO"). WaterWatch also has members who use and enjoy surface waters that would be affected by the PFO.

WaterWatch and its members have invested time and money promoting sound water policy, including water policy requiring a public interest analysis of a new water withdrawal at a time reasonably close to the time of the actual water withdrawal. WaterWatch has expended significant time and resources in the establishment of the requirement that the undeveloped portions of permits for municipal use be conditioned to maintain the persistence of listed fish species.

WaterWatch also has invested time and money in ensuring fair water policy in which a beneficial user of water does not lose priority to a later user simply on grounds

that the later user applied for and obtained a permit that was not developed with reasonable diligence within the statutory time required by law.

WaterWatch also represents the public's interest in protecting Oregon's waterways from exploitation and waste, investing its time and resources to ensure the highest beneficial use is realized from the public waterways. WaterWatch does this by participating in the water permitting process, including by reviewing and filing protests, as appropriate, to water permitting decisions; participating in the public review process for Water Management and Conservation Plans; and working in the Oregon legislature and on rules advisory committees, all with the goal of ensuring that the water laws are properly implemented so to achieve the sustainable and beneficial use of Oregon's waterways.

For all of these reasons, WaterWatch and its members will be affected, adversely affected and aggrieved, and practically affected by the PFO.

III. The PFO Would Impair And Be Detrimental To Protestant's Interests

1. The proposed water use would harm existing surface water uses for fishing and recreation. Members of WaterWatch use and enjoy the affected waters, including for recreation and for fishing.

2. Issuance of the extension consistent with the PFO would impair and be detrimental to WaterWatch's interest in protecting the public's use of Panther Creek and the North Fork of the Yamhill River for beneficial uses.

3. Issuance of the extension would impair and be detrimental to WaterWatch's interest and the public's interest in ensuring that the state condition

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WATER RESOURCES DEPT
SALEM, OREGON

2

municipal extensions to maintain the persistence of listed fish and to require a Water Management and Conservation Plan.

4. Issuance of the extension would impair and be detrimental to WaterWatch's interest and the public's interest in protecting and conserving the aquatic ecology and native fish species of Oregon's rivers and streams, including those species protected under the state or federal Endangered Species Act and the State sensitive species list.

5. Issuance of the extension would impair and be detrimental to WaterWatch's interest and the public's interest in ensuring that Oregon's water laws are properly implemented and that Oregon water resources are allocated fairly.

IV. How The PFO Is In Error And Deficient And How To Correct The Errors And Deficiencies

A. The PFO is in error and deficient for reasons including the following:

1. The PFO is deficient because it was issued at the same time another extension PFO has been issued for the same permit, using different numbers and reaching a different conclusion, with no notice provided to the protestants of the prior PFO.

The Oregon Water Resources Department ("OWRD") issued a PFO for this permit on July 18, 2000. That PFO was Based on an extension application received by City of Carlton ("Carlton") on October 1, 1999. WaterWatch and Oregon Trout (now Freshwater Trust) filed a timely protest to the PFO on September 1, 2000. On November 2, 2010, OWRD issued a new PFO without addressing the still pending 1999 PFO or the protest to that PFO, and without providing notice to the protestants to the pending PFO that a new PFO was being issued.

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In 2008, OWRD contacted protestants to arrange a meeting between protestants, OWRD and the city regarding the pending protest to the 1999 PFO. *See* various emails in the OWRD permit file. OWRD, through its employee Patricia McCarty, then told WaterWatch that it believed OWRD should first meet alone with the applicant to help the applicant understand its water rights situation. Ms. McCarty told WaterWatch it would involve WaterWatch in the process at the appropriate time. That never happened. Not only was WaterWatch not informed of any developments in the proceeding, it was not even mailed a copy of the new PFO. Instead, WaterWatch learned of the new PFO by reading the OWRD's weekly Public Notice.

Amazingly, the new PFO fails to even mention that a previous PFO had been issued or that it had been protested. OWRD apparently believes it can ignore the 1999 PFO, though still pending and still the subject of a pending protest, by relegating it to an administrative zombie status. That is not the case. OWRD cannot have two currently pending, yet very different, PFOs for the same action. The 2010 PFO should be withdrawn.

Because there had been a sizable undeveloped portion of the permit at the time the 1999 application was filed, and because this extension had been sent to Oregon Department of Fish and Wildlife ("ODFW") for a fish persistence review under ORS 537.230(2)(c) (OWRD later told ODFW to stop processing the review while the application was on hold), WaterWatch understood that the next step was for a fish persistence review to occur. Instead, OWRD appears to have actively facilitated the applicant's evasion of the statutory fish persistence review.

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WATER RESOURCES DEPT
SALEM, OREGON

Because OWRD chose to issue a new PFO with absolutely no notice to the protestants of the 1999 PFO, WaterWatch has been left no choice but to filing a new protest to pursue legal remedies in a situation where it may have been possible to address WaterWatch's concerns through settlement discussions. This creates an unfortunate result where OWRD, which is facing serious budget deficits, the city and WaterWatch could easily find themselves in years of costly litigation.

The PFO should be withdrawn because it was issued while another PFO is still pending on the same matter and because it was issued without notice to the protestants of that pending PFO.

2. The PFO is in error in its findings and conclusions that, because OWRD will cancel .31 cfs of the permit, there will be no undeveloped portion of this permit pursuant to OAR 690-315-0010(g), and in failing to evaluate this extension pursuant to ORS 537.230(2)(c) and OAR 690-315-0080(1)(f).

The PFO incorrectly finds that, because OWRD will cancel .31 cfs of the permit, "a Division 315 Fish Persistence evaluation is not required." At 6 (Finding #26). The PFO incorrectly treats 2.19 cfs of the permit, which the city claims it diverted on July 1, 2009, as developed for purposes of evading the fish persistence review required by ORS 537.230(2)(c) and OAR 690-315-0080(1)(f).

The "b" and "c" dates in the permit, as amended by prior extension, are October 1, 1997. The proposed extension would begin October 1, 1997. By measuring the undeveloped portion of the permit based on a one-time diversion which took place on July 1, 2009, WRD is impermissibly allowing Carlton to develop its permit outside of the terms and conditions of the permit. WRD is in error in counting as developed the 2.19 cfs

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of the permit which was diverted 12 years after expiration of the last amended "b" and "c" dates of the permit.

As OWRD knows because it solicited and received a recommendation from the ODFW on this permit extension in 2000, Panther Creek is home to steelhead, coho and cutthroat and that ODFW advised that this proposed diversion would likely adversely affect these fish. Because it has recently issued other municipal extensions in the Willamette Basin, OWRD also has knowledge that steelhead in this stream system are listed fish species for purposes of triggering the maintain the persistence of fish review. Yet OWRD made no inquiries and took no action with regards to these, or any other fish using Panther Creek, when proposing to issue this extension.

The PFO's finding that "a Division 315 Fish Persistence evaluation is not required" is in error, not supported by substantial evidence and not in accordance with law. The PFO is deficient in failing to evaluate and condition, if appropriate, whatever portion of the permit had not been diverted as of October 1, 1997, pursuant to the fish protection standard found at ORS 537.230(2)(c) and OAR 690-315-0080(1)(f).

3. The PFO is in error for failing to condition use of the undeveloped portion on development of a Division 86 plan.

Because there remains an undeveloped portion of this permit (see (2) above), the PFO should have conditioned use of that portion on development and implementation of a Division 86 Water Management and Conservation Plan. The PFO failed to do so.

4. Even if the 2.19 cfs had been diverted in accordance with the terms of the permit, the PFO is in error in concluding that it was diverted for beneficial use.

Carlton has provided records which it reports show that it pumped 320,900 gallons through its water treatment plant over a four hour period on July 1, 2009.

amounting to a rate of 2.979 cfs. No information is provided either in the extension application or in the PFO regarding how this water was used or how this amount relates to Carlton's peak day use. The PFO's conclusion that the water was diverted for beneficial use is not supported and may be in error.

5. The PFO's determination of good cause is in error.

Extensions of time for municipal permits can only be granted for good cause shown. ORS 537.230(2)(a); OAR 690-315-0080(1)(e), (3)(a-g) and (4). The PFO's determination of good cause is in error including for the following reasons: 1) the PFO lacks analysis of market and present demands, as evidenced by the absence of information on Carlton's present or future water use or demands' 2) the PFO failed to evaluate the present demand of Panther Creek and the N.Fk. Yamhill River for fish, wildlife, recreation, scenic values, and water quality maintenance, despite information in WRD's file for this permit about water quality impairments, fish use and the fact that the instream water right is already not met at certain times of the year; 3) the PFO failed to evaluate climate change in its evaluation of the market and present demand for the water; and 4) the PFO is in error in evaluating the good faith of the appropriator.

6. WRD cannot authorize an action that results in take of species listed as threatened or endangered under the federal Endangered Species Act.

Steelhead using Panther Creek and the N.Fk. Yamhill River are part of the Upper Willamette River Steelhead ESU, which are listed as threatened under the federal Endangered Species Act (ESA). Other listed species may also occur in Panther Creek and the N.Fk. Yamhill River, or species may occur that are listed in the future. The director of WRD has a duty to ensure that WRD's actions comply with the federal ESA's prohibition against take of listed species. While a legal course of action on this issue could be

properly brought in federal court after a Final Order is issued, WaterWatch strongly urges WRD and the application to consider this critical issue at this stage of proceedings.

The ESA prohibits all actions that cause a “take” of an endangered species. 16 U.S.C. § 1538(a)(1)(B). The ESA defines “take” as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Section 3(19), 16 U.S.C. § 1532(19). Congress intended the term “take” to be defined in the “broadest possible manner to include every conceivable way” in which a person could harm or kill fish or wildlife. S. Rep. No. 307, 93rd Cong., 1st Sess. 1, reprinted in 1973 U.S. Code Cong. & Admin. News 2989, 2995.

The take prohibition applies only to endangered species but under § 4(d), 16 U.S.C. § 1533(d), may be extended to threatened species by regulation. National Marine Fisheries Service promulgates 4(d) rules on a species by species basis and adopted a 4(d) rule making the take prohibition applicable to several evolutionarily significant units of west coast salmon and steelhead that became effective in January of 2001. 65 Fed. Reg. 42,422 (July 10, 2000). The U.S. Fish and Wildlife Service (FWS) has extended the take prohibition by regulation to all threatened species under its jurisdiction.

NMFS, responsible for ESA listed marine species and ocean going fish including steelhead and salmon, has defined “harm” by regulation to include:

significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding or sheltering.

50 C.F.R. § 222.102.

FWS has similarly defined harm as including:

significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns,

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including breeding, feeding or sheltering.

50 CFR § 17.3.

“Take” is also defined to include harassment of listed species. FWS regulations define “harass” as

an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding or sheltering.

50 C.F.R. § 17.3.

This PFO is likely authorizing take of listed fish in violation of law. According to the WRD’s water availability model, at 80% exceedence, with development of this permit Panther Creek would fail to meet the instream water right in July, August, September and November. WRD’s figures show that in July and August, Panther Creek would dry up while in September, flow would be .28 cfs (plus potentially the .31 cfs voluntarily given up here). Given the PFO’s complete lack of information and analysis about streamflow impacts on listed fish and the lack of review or advice from ODFW, WaterWatch reserves the right to amend or add to this argument as information is developed through discovery and further analysis.

7. The extension, if granted, should include a fish screening requirement.

Because of the important fisheries value of this stream, any extension issued for this permit must include a fish screen requirement developed in consultation with Oregon Department of Fish and Wildlife and any other appropriate agencies.

- B. The errors and deficiencies should be corrected as follows:

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**WATER RESOURCES DEPT
SALEM, OREGON**

1. The errors and deficiencies should be corrected by issuing a Final Order denying the extension or by withdrawing the 2010 PFO until the deficiencies described above are addressed.

V. Citation Of Legal Authority

Applicable legal authorities include but are not limited to those cited in the protest.

VI. Protest Fee

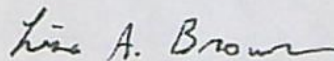
The required fee of \$600.00 is included with this protest.

VII. Request For Hearing

Protestant requests a contested case hearing.

Dated: December 17, 2010.

By:



Lisa Brown, OSB #025240
WaterWatch of Oregon
213 SW Ash St., STE 208
Portland, OR 97204
Ph: 503.295.4039 x4
Fax: 503.295.2791
lisa@waterwatch.org

RECEIVED

DEC 17 2010

WATER RESOURCES DEPT
SALEM, OREGON

Certificate of Service

I certify that on this date, a copy of the foregoing protest was served on each of the following by the method indicated:

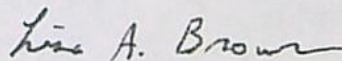
City of Carlton
191 E. Main Street
Carlton, OR 97111

By placing in the US Postal Mail, first class postage prepaid, from Portland, Oregon

Water Rights and Adjudications Section
Oregon Water Resources Department
725 Summer St. NE, STE A
Salem, OR 97301-1266

By hand delivery via messenger service

Dated: December 17, 2010.



Lisa Brown
WaterWatch of Oregon
213 SW Ash St., STE 208
Portland, OR 97204
Ph: 503.295.4039 x2
Fax: 503.295.2791
lisa@waterwatch.org

RECEIVED

DEC 17 2010

WATER RESOURCES DEPT
SALEM, OREGON

191 E. Main Street
Carlton, OR 97111



Phone (503) 852-7575
FAX (503) 852-7761
TTY (800) 735-2900

November 12, 2010

Mr. Dwight French
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

RE: Voluntary Diminution of Permit S-32489 (Application S-44208)

Mr. French:

On behalf of the City of Carlton (City), I am requesting a voluntary diminution in the rate of use for Permit S-32489 pursuant to City Council action. The City intends to develop 2.19 cfs of the authorized rate under Permit S-32489 rather than the 2.50 cfs rate originally authorized by the permit.

This request is contingent upon the Department issuing a final order on extension for the 2.19 cfs portion of Permit S-32489 concurrently with the final order diminishing Permit S-32489.

Sincerely,

Steven Weaver, City Manager
City of Carlton

RECEIVED

NOV 15 2010

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

NOV 15 2010

Nov 2010 WFO

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-32489, Water Right Application S-44208,)
in the name of the City of Carlton.)

PROPOSED FINAL ORDER

Permit Information

Application File S-44208/ Permit S-32489

Basin 2 – Willamette Basin / Watermaster District 16

Date of Priority: October 27, 1967

Authorized Use of Water

Source of Water:	Panther Creek, a Tributary of North Yamhill River
Purpose or Use:	Municipal Use
Maximum Rate:	2.50 Cubic Feet per Second (cfs)

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.

This Proposed Final Order applies only to Permit S-32489, water right Application S-44208.
A copy of Permit S-32489 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 1997 to October 1, 2009.
- Grant an extension of time to apply water to full beneficial use from October 1, 1997 to October 1, 2009.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

City – City of Carlton

ODFW – Oregon Department of Fish and Wildlife

PFO – Proposed Final Order

WMCP – Water Management and Conservation Plan

Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

mgd – million gallons per day

AUTHORITY

Generally, see ORS 537.230 and OAR Chapter 690 Division 315.

ORS 537.230(2) provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order and allow an extension to complete construction or perfect a water right. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0080 provides in pertinent part that the Department shall make findings to determine if an extension of time for municipal and/or quasi-municipal water use permit holders may be approved to complete construction and/or apply water to full beneficial use. Under specific circumstances, the Department may condition extensions of time for municipal water use permit holders to provide that use of the undeveloped portion of the permit maintains the persistence of listed fish species in the portions of the waterways affected by water use under the permit.

FINDINGS OF FACT

Background

1. Permit S-32489 was granted by the Department on December 15, 1967. The permit authorizes the use of up to 2.50 cfs of water from Panther Creek, a tributary of the North Yamhill River for municipal use. Permit S-32489 specified construction of the water development project was to be completed by October 1, 1969, and complete application of water was to be made on or before October 1, 1970.
2. Five prior permit extensions have been granted for Permit S-32489. The most recent extension request resulted in the completion dates for construction and full application of water being extended to October 1, 1997.
3. Due to an ongoing permit extension rulemaking, the Department placed all pending Applications for Extension of Time for municipal and quasi-municipal permits on hold and did not require municipal and quasi-municipal water use permit holders to submit Applications for Extension of Time until the new rules were adopted.
4. Municipal and quasi-municipal water use permit extension rules OAR 690-315-0070 through 690-315-0100 became effective on November 1, 2002, were amended, filed with the Secretary of State, and became effective on November 22, 2005.
5. On July 28, 2010 City of Carlton (City) submitted an "Application for Extension of Time" to the Department requesting the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit S-32489 be extended from October 1, 1997 to October 1, 2009.
6. Notification of the City's Application for Extension of Time for Permit S-32489 was published in the Department's Public Notice dated August 3, 2010. No public comments were received regarding the extension application.

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

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). This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴

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

7. On July 28, 2010 the Department received a completed application for extension of time and the fee specified in ORS 536.050.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 537.010(5) applies to surface water and ground water permits.

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

8. Permit S-32489 was issued prior to June 29, 2005; therefore, the permit holder is not required to provide evidence of actions taken to begin actual construction of the project.⁵

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

Under OAR 690-315-0080(1)(c) and (1)(d), in order to approve an extension of time for municipal and quasi-municipal water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

9. The remaining work to be accomplished under Permit S-32489 consists of submitting a Claim of Beneficial Use and requesting a Water Right Certificate.
10. As of July 28, 2010 the permit holder has diverted for beneficial use, 2.19 cfs of the 2.50 cfs of water authorized under Permit S-32489 for municipal purposes. The City has indicated an intent to voluntarily cancel the 0.31 cfs undeveloped portion of Permit S-32489. This Proposed Final Order is conditioned to require the City to submit a request to cancel the undeveloped 0.31 cfs portion of this permit prior to the Department issuing a final order for the extension. The Department will cancel the undeveloped 0.31 cfs portion of Permit S-32489 concurrently with issuance of a final order for the extension.
11. In addition to the 2.50 cfs of water authorized under Permit S-32489 the City holds the following municipal use water right certificates and permits:
- Certificate 86064 for Municipal Use from Panther Creek and Reservoir at a rate of 0.271 cfs and a volume of 66.0 AF;
 - Certificate 85744 for Storage of 66.0 AF for Municipal Use from Panther Creek;
 - Certificate 85747 for Storage of 9.0 AF from Panther Creek;
 - Certificate 86065 for Municipal Use from Panther Creek and Reservoir at a rate of 0.018 cfs and a volume of 9.0 AF;
 - Certificate 1868 for Municipal Use from Panther Creek at a rate of 0.50 cfs;
 - Permit S-34661 for Municipal Use from Panther Creek and Reservoir at a rate of 0.229 cfs;
 - Permit S-50218 for Municipal Use from Panther Creek and Reservoir at a rate of 0.052 cfs; and
 - Permit S-32488 for Municipal Use from Fall Creek at a rate of 2.0 cfs;
12. The City diverted 2.19 cfs of water under Permit S-32489 for beneficial use in response to municipal demand within its service area boundary on July 1, 2009. No growth of service area or additional construction is required for the complete development of the 2.19 cfs portion of this permit to be extended.

⁵ Section 5, Chapter 410, Oregon Laws 2005 and OAR 690-315-0070(1)(d).

13. Current development of the 2.19 cfs portion of Permit S-32489 was needed to meet present water demand of the City of Carlton, including system redundancy and emergency use.
14. The City's request for an extension of time until October 1, 2009 to complete construction of the water system and to apply water to full beneficial use under the terms of Permit S-32489 is both reasonable and necessary.

Good Cause [OAR 690-315-0080(1)(e) and (3)(a-g)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(3).

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(3)(a), (3)(c) and (4)]

Reasonable diligence and good faith of the appropriator must be demonstrated during the permit period or prior extension period as a part of evaluating good cause in determining whether or not 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(4) and shall evaluate how well the applicant met the conditions of the permit or conditions of a prior extension period.

15. Work accomplished (specified in the Application for Extension of Time) during the original development time frame and subsequent extensions of time includes construction of 29,400 linear feet of steel pipeline, and construction of the water treatment plant.
16. During the last extension period, being October 1, 1993 to October 1, 1997 the City developed Permit S-32489 in response to municipal demand.
17. According to the City, as of July 28, 2010 they have invested approximately \$2,962,604, which is approximately 99 percent of the total projected cost for development of this project. The City anticipates an additional \$5000 investment is needed for the completion of this project. The Department recognizes that while some of these investment costs are unique to construction and development solely under Permit S-32489, other costs included in this accounting are not partitioned out for Permit S-32489 because (1) they are incurred under the development of a water supply system jointly utilized under other rights held by the City, and/or (2) they are generated from individual activities counted towards reasonable diligence and good faith as listed in ORS 690-315-0080(4) which are not associated with just this permit, but with the development and exercise of all the City's water rights.
18. Since the issuance of Permit S-32489 on December 15, 1967, the City has diverted 2.19 cfs of the 2.50 cfs allowed for beneficial municipal purposes under the terms of this permit.
19. The Department recognizes Permit S-32489 does not contain any conditions.

Financial Investment and Cost to Appropriately and Apply Water to a Beneficial Purpose [OAR 690-315-0080(3)(b)]

20. According to the City, as of July 28, 2010 they have invested approximately \$2,962,604.00 which is approximately 99 percent of the total projected cost for development of this project. The City anticipates an additional \$5000 investment is needed for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0080(3)(d)]

21. As described in Findings 12 and 13 above, the City has indicated, and the Department finds that the City must rely on development of Permit S-32489 to meet current demand.
22. Given the current water supply situation of the City, including current and expected demands, the need for system redundancy, and emergency water supply, there is a market and present demand for the water to be supplied under Permit S-32489.

Fair Return Upon Investment [OAR 690-315-0080(3)(e)]

23. Use and income from the permitted water development project would result in reasonable returns upon the investment made in the project to date.

Other Governmental Requirements [OAR 690-315-0080(3)(f)]

24. Delays caused by any other governmental requirements in the development of this project have not been identified.

Events which Delayed Development under the Permit [OAR 690-315-0080(3)(g)]

25. The development of this water right has occurred as needed to meet the City's municipal demands. Construction is complete, and 2.19 cfs was diverted in July 2009 for beneficial use to meet municipal demands. The City has indicated intent to voluntarily cancel 0.31 cfs portion of Permit S-32489. This Proposed Final Order is conditioned to require the City to submit a request to cancel the undeveloped 0.31 cfs portion of this permit within 30 days of issuance of this proposed final order. The Department will cancel the undeveloped 0.31 cfs portion of Permit S-32489 concurrently with issuing a final order for the extension.

Maintaining the Persistence of Listed Fish Species [OAR 690-315-0080(1)(f) and (2)]

The Department's determination regarding maintaining the persistence of listed fish species shall be based on existing data and advice of the Oregon Department of Fish and Wildlife (ODFW). The determination shall be limited to impacts related to stream flow as a result of use of the undeveloped portion of the permit and further limited to where, as a result of use of the undeveloped portion of the permit, ODFW indicates that stream flow would be a limiting factor for the subject listed fish species.

26. Because OWRD will cancel the remaining undeveloped 0.31 cfs portion of Permit S-32489 concurrently with issuance of the final order for this permit, a Division 315 Fish Persistence evaluation is not required.

CONCLUSIONS OF LAW

1. The City 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).

2. The City 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 Section 5, Chapter 410, Oregon Laws 2005, 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 otherwise 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, 2009⁶, as required by OAR 690-315-0080(1)(d).
6. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and the fair return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the water right permit holder had no control, and the Department has determined that the City has shown good cause for an extension of time to complete construction of the water system and to apply the water to full beneficial use pursuant to OAR 690-315-0080(1)(e).

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to complete construction of the water system under Permit S-32489 from October 1, 1997 to October 1, 2009.

Extend the time to apply the water to beneficial use under Permit S-32489 from October 1, 1997 to October 1, 2009.

Subject to the following conditions:

⁶For 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 Department, for issuance of a water right certificate; or (2) continue to appropriate water under the water right permit until the Department conducts a survey and issues a water right certificate under ORS 537.625.

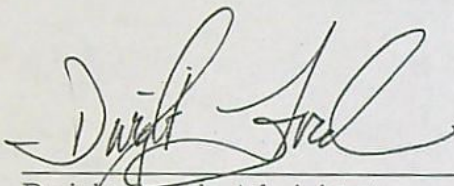
CONDITIONS

1. **Voluntary Cancellation**

The City shall submit to the Department a request to voluntarily cancel the remaining 0.31 cfs undeveloped portion of Permit S-32489. The Department will issue the final order extending this permit concurrently with issuance of an order cancelling the 0.31 cfs undeveloped portion of this the permit. The City shall submit the voluntary cancellation request within 30 days of issuance of this proposed final order, or this proposed final order will be withdrawn by the Department.

DATED: November 2, 2010

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


Dwight French, Administrator
Water Rights and Adjudications Division

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 submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **December 17, 2010**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed 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 proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed 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 protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant 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 protest has been submitted, and:

- 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
- 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

If you have any questions about statements contained in this document, please contact Scott Kudlemyer at 503-986-0816.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.

If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.

Address any correspondence to: Water Rights and Adjudications Division
725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266

Mailing List for Extension PFO Copies

PFO Date: November 2, 2010

Application S-44208

Permit S-32489

Copies Mailed	
By: <u>JS</u>	(SUPPORT STAFF)
On: <u>11/2/10</u>	(DATE)

Original mailed to:

City of Carlton
Attn: Steven Weaver
191 East Main St
Carlton, OR 97111

Copies sent to:

1. WRD - App. File S- 44208/ Permit S-32489
2. WRD - Watermaster District: 16 - Mike McCord
3. Adam Sussman, GSI Water Solutions

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving via e-mail (10 AM Tuesday of signature date)

5. WRD – Watermaster District 16 – Mike McCord, Salem

Done by SM Date 10/29/10

CASEWORKER: SBK

Municipal or Quasi-Municipal

Extension PFO Checklist for Water Use Permits

issued on or prior to November 2, 1998

(OAR 690-315-0010 through OAR 690-315-0060)

Application: S- 44208 Permit: S- 32489 Permit Amendment? No ☒ Yes ☐ T- ☐ pending ☐ approved

Permit Holder's Name: City of Carlton Attn: Steven Weaver

Permit Holder's Mailing Address: 191 East Main St Carlton, OR 97111 email sweaver@ci.carlton.or.us

Phone Number: 503-852-7575

POD Location: Township 3 S Range 5 W Section 18 $\frac{1}{4}$ SWSE

Drainage Basin: 2 County: Yamhill Watermaster District: 16 Watermaster: Mike McCord

Date Permit was issued: 12/15/1967

Priority Date: 10/27/1967

Date of PN: 8/3/2010

Source: Panther Creek

Use: ☒ Municipal ☐ Quasi Municipal ☐

"Q": 2.5 cfs

Orig "A" Date: 12/15/1968

Orig "B" Date: 10/1/1969

Orig "C" Date: 10/1/1970

Extension
request rec'd: 7/28/2010

Last Authorized
"B" Date: 10/1/1997

Last Authorized
"C" Date: 10/1/1997

Request Number (1, 2, 3...): 5

Proposed
"B" Date: 10/1/2009

Proposed
C Date: 10/1/2009

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input type="checkbox"/>	<input type="checkbox"/>	No Permit Conditions
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- ☒ ☐ Work was accomplished within the time allowed in the permit or previous extension
- ☒ ☐ Water right permit holder conformed with the permit or previous extension conditions
- ☒ ☐ Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used 2.19 ☒ cfs ☐ gpm ☐ af Undeveloped portion .31 ☒ cfs ☐ gpm ☐ af
- ☒ ☐ Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$2,962,604 Estimated Remaining Cost: \$5,000

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes ☒ No ☐

As of Population 1,790 (Year) 2009 ☐ Growth % ☐ Population by (Year) Calculated? Yes ☐

As of Peak Demand 2.979 cfs (Year) 2009 ☐ Peak Demand cfs by (Year) Calculated? Yes ☐

Application: _____ Permit: _____ Township _____ Range _____ Section _____

For MUNICIPAL permits ONLY.

Yes No

- ☒ ☐ Is this a Municipal use Permit (If YES, proceed. If NO, skip to "Good Cause")
- ☒ ☐ Has full "Q" been beneficially used? (If YES, skip to "Good Cause")
- ☒ ☐ Is this the first extension issued since 6/29/05? (If NO, skip to "Good Cause")
- ☐ ☒ If GW permit, does it have PSI? (If NO, skip to "Good Cause")
- ☐ ☒ Does the permit holder have any existing fish protection agreements with a state or federal agency?

Date sent to ODFW for review _____

Date returned from ODFW _____

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

Conditions to be included in Extension PFO (if applicable)? Yes ☐ No ☒

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

☐ Max "Q" Development Limitations and Div. 86 Water Management and Conservation Plan

☐ Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

☒ COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987

"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 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."

☐ COBU Requirement - Surface Water - post July 9, 1987

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

☐ COBU Requirement - Ground Water - post July 9, 1987

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

No WMPC needed. Carlton will cancel any undeveloped portion of water right as soon as extension application is approved. sbk 8/3/10

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: _____ Date: _____

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **100678**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM:

City of Carlton

BY:

APPLICATION

544208

PERMIT

TRANSFER

CASH:

CHECK #

OTHER: (IDENTIFY)

☐

28069

TOTAL REC'D

\$ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

OTHER: (IDENTIFY)

RECEIVED

OVER THE COUNTER

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER

(IDENTIFY)

EXAM FEE

\$

0202

\$

0204

\$

EXAM FEE

\$

0219

\$

0220

RECORD FEE

\$

\$

LICENSE FEE

\$

\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER

(IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

0231 HYDRO LICENSE FEE (FWWRD)

HYDRO APPLICATION

\$

\$

\$

TREASURY

OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **100678**

DATED: 7.28.10 BY: LA

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

28069

CITY OF CARLTON

Vendor: OWRD
Vendor No: OWRD
Invoice Number

Date
07/16/2010

Vendor Acct No:
Description
Extension Application

Check Date: 07/16/2010
Check Amount: \$500.00
Invoice Amount: 500.00

**RECEIVED
OVER THE COUNTER**

RECEIVED

JUL 28 2010

WATER RESOURCES DEPT
SALEM, OREGON

July 2010 Ext App



Oregon Water Resources
725 Summer Street NE,
Salem Oregon 97301-12
(503) 986-0900
www.wrd.state.or.us

Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits

Make use of this form, *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, only if the permit uses the word "Municipal" or "Quasi-municipal" in the description of the purpose or use to which water is to be applied.

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

A separate extension application must be submitted for each permit as per OAR 690-315-0070(2). This page, with an original signature by the permit holder of record, must accompany the extension of time application.

This application and a summary of review criteria and procedures that are generally applicable to this application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

I, City of Carlton

NAME OF PERMIT HOLDER [OAR 690-315-0070(1) and (3)(a)]

Steven Weaver

NAME OF CONTACT

191 East Main Street
ADDRESS

Carlton
CITY

OR
STATE

97111
ZIP

503-852-7575
PHONE

sweaver@ci.carlton.or.us
E-MAIL ADDRESS

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the permit holder of:

Application Number S-44208

JUL 28 2010

Permit Number S-32489
[OAR 690-315-0070(3)(b)]

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SALEM, OREGON

do hereby request that the time in which to:

- ☒ complete 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, 1997, be extended to October 1, 2009,

and/or the time in which to:

- ☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 1997, be extended to October 1, 2009.

I am the permittee, or have written 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

Date

7/16/2010

[OAR 690-315-0070(3)]

1. Submit the appropriate extension of time fee, as specified under ORS 536.050.

The required examination fee of \$500 is enclosed.

[OAR 690-315-0070(3)(c)]

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

N/A – Permit S-32489 is for municipal, not quasi-municipal purposes. (See permit in Attachment A).

[OAR 690-315-0070(3)(d)]

3. For Municipal water use permits issued on or after June 29, 2005, evidence of the actions taken to begin actual construction on the project.

N/A – Permit S-32489 was issued on December 15, 1967. (See permit in Attachment A.)

[OAR 690-315-0070(3)(e) and OAR 690-315-0070(3)(i)]

4. Provide a description of financial expenditures and evidence of actions taken to develop the water right permit within the permitted time period and, if applicable, within the time period of the most recent extension granted. *Present the list in chronological order in Chart-I.*

CHART-I

INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST
	N/A	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED DURING PERMITTED TIME PERIOD (after permit was issued and prior to permit "C-date")	COST
12/15/1967	Date the permit was signed - find date above signature on last page of permit.	
1968	Construction of 29,400 LF 12-3/4 O.D. steel pipeline	\$202,000
12/15/ 1968	Date the permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date.	
10/1/1970	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

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INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED AFTER PERMIT "C-Date" and PRIOR TO THE MOST RECENT EXTENSION OF TIME REQUEST	COST
1987	Construction of water treatment plant	\$298,000
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED DURING THE MOST RECENT EXTENSION OF TIME GRANTED	COST
10/1/1992	Date of the last "Extended From Date" for complete application of water (used on the most recently approved extension of time).	
1992-1997	Development of water right in response to municipal demand	
10/1/1997	Last "Extended To" date for complete application of water (resulting from the most recently approved extension of time).	
INSERT DATES	ALL WORK AND ACTIONS ACCOMPLISHED AFTER THE MOST RECENT EXTENSION OF TIME GRANTED	COST
1999-2004	Expansion of water treatment plant and construction of new reservoir	\$2,462,604
Total Cost to Date		\$2,962,604

[OAR 690-315-0070(3)(f)]

5. Provide evidence of compliance with conditions contained in the original permit, in any previous extension(s), and/or in any permit amendments, or the reason the condition was not satisfied.

Permit S-32489 and subsequent extensions (in 1971, 1979, 1983, 1989, and 1993) do not contain conditions. (See Attachment A)

[OAR 690-315-0070(3)(g)]

6. Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

The maximum rate of water diverted for beneficial use to date under Permit S-32482 is 2.19 cfs. This water was diverted to meet municipal demands. (See Attachment B.)

[OAR 690-315-0070(3)(h)]

7. Provide an estimate of the current population served under this permit and a description of the methodology(ies) used to make the estimate.

The current population estimate for Carlton is 1790. This figure came from the most recent certified population estimates gathered by Portland State University's Population Research Center, which is dated December 15, 2009. (See Attachment C)

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2.19 cfs 2009

[OAR 690-315-0070(3)(p)]

8. **Report the current peak water demand of the current population served, and a description of the methodology(ies) used to make the estimate.**

The total rate of water being diverted for beneficial use to meet current peak demand is 2.979 cfs. This rate was measured by the City of Carlton Water Treatment Plant Operator during 4 hours of operation on July 1, 2009. The following water rights authorize the diversion of 2.979 cfs of water for beneficial use: 0.5 cfs under Certificate 1868; 0.271 cfs under Certificate 86064; 0.018 under Certificate 86065; and the remaining 2.19 cfs under Permit S-32489. (See Attachment B.)

[OAR 690-315-0070(3)(k)]

9. **Provide 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.**

Construction has been completed and 2.19 cfs was diverted in 2009 for beneficial use to meet municipal demand. (See Attachment B.) Upon receiving an extension of time, the City will voluntarily cancel the remaining undeveloped portion of this permit and will submit a Claim of Beneficial use to perfect the developed portion of the water right and obtain a certificate.

The development of this water right has occurred as needed to meet the City's municipal demands.

[OAR 690-315-0070(3)(l)]

- 10-A. **Provide an estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights 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.**

a) **Inventory of Water Rights Held**

See inventory of water rights held in Attachment D.

b) **Water Supply Contracts and/or Agreements**

Carlton does not have any water supply contracts or agreements to provide water to, or receive water from, other entities.

c) **Projected Population**

According to certified population estimates by Portland State University's Population Research Center (dated December 15, 2009) the 2009 population estimate for Carlton is 1790 individuals. (See Attachment C.)

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d) **Future Peak Water Demands**

On July 1, 2009, the City of Carlton diverted 2.979 cfs for beneficial use to meet its municipal water demands. (See Attachment B.)

e) **Potential Growth**

No growth of the service area is required for development of this permit. Construction was completed, and 2.19 cfs was put to beneficial use on July 1, 2009 in response to municipal water demands. The undeveloped portion of the permit remaining after that date will be voluntarily canceled by the City after the extension is approved.

f) **Completion Date**

Water development was completed and water put to full beneficial use on or before October 1, 2009. The City had also completed construction by this date. The undeveloped portion of the permit remaining after that date will be voluntarily canceled by the City after the extension is received.

[OAR 690-315-0070(3)(l)]

10-B. Application for Extension of Time 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.

N/A – the City is not requesting an extension of more than 50 years.

[OAR 690-315-0070(3)(j) and OAR 690-315-0070(3)(m)]

11. Provide an estimate of the costs to complete water development and summary of the future plan and schedule to complete construction and/or perfect the water right.

CHART-V

APPROXIMATE DATE RANGE	WORK AND ACTIONS TO BE ACCOMPLISHED	ESTIMATED COST
N/A	Submit a Claim of Beneficial Use and request a certificate	\$5,000
Year: <u>2009</u>	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Estimated Total Cost to Complete Development		\$ 5,000

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[OAR 690-315-0070(3)(n)]

12. **Justify the time requested to complete the project and/or apply the water to full beneficial use.**

The City is seeking an extension of time to October 1, 2009. Construction has been completed and a 2.19 cfs portion of the permit was developed and beneficially used in 2009 in response to municipal demand. After receiving an extension, the City will voluntarily cancel the undeveloped portion of the permit and will submit a Claim of Beneficial Use to perfect the water right and obtain a water right certificate.

[OAR 690-315-0070(3)(o)]

13. **Provide any other information you wish OWRD to consider while evaluating the Application for Extension of Time**

The City intends to voluntarily cancel the undeveloped portion of the permit after receiving an extension of time for this permit.

[OAR 690-315-0070(3)(q)]

14. **For Municipal water use permits issued before November 2, 1998, for the first extension issued after June 29, 2005, provide a copy of any agreements regarding use of the undeveloped portion of the permit between the permit holder and a federal or state agency that include conditions or required actions that maintain the persistence of listed fish species in the portions of the waterways affected by water use under the permit.**

The City does not have any agreements regarding use of the undeveloped portion of the permit. They City will voluntarily cancel any undeveloped portion of the permit remaining after approval of this extension application.

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SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

August 3, 2010

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE#: S-44208 (PERMIT#: S-32489)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Scott Kudlemyer at (503) 986-0813. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "www.wrd.state.or.us".

Application # S-44208

Permit # S-32489

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

♦ WRIG...

Money Received on: 7/28/10

♦ Extension Specialist...

☒ Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

♦ Jonnine Skaug...

☒ Publish on Public Notice (initial 30-day comment): Date of notice 8/3/10

☒ Update WRIS Database

☒ In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

☒ In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or (No)

Return file to Extension Specialist after PN

ATTACHMENT A

Water Rights Documents

Inventory of Existing Water Rights		
Permit	S-32489	12/15/1967
Extension	21-39	4/23/1971
Extension	31-561	1/12/1979
Extension	37-258	5/10/1983
Extension	43-104	3/8/1989
Extension	47-168	2/26/1993

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WATER RESOURCES DEPT
SALEM, OREGON

191 E. Main Street
Carlton, OR 97111



Phone (503) 852-7575
FAX (503) 852-7761
TTY (800) 735-2900

July 16, 2010

Scott Kudlemyer
Water Rights and Adjudications Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

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WATER RESOURCES DEPT
SALEM, OREGON

RE: Application for Extension of Time for Application S-44208/Permit S-32489 in the name of the City of Carlton

Dear Mr. Kudlemyer:

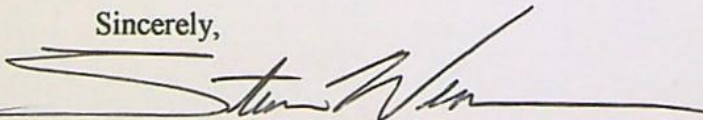
The City of Carlton (City) is submitting the enclosed Application for Extension of Time for Application S-44208/Permit S-32489. Please also find enclosed the statutorily-required filing fee of \$500.

The City is requesting an extension of time for a 2.19 cfs portion of this water right, which the City has beneficially used under Permit S-32489. The City is not requesting an extension for the undeveloped portion of this right. The City will voluntarily cancel the remaining 0.31 cfs portion of this permit 61 days after OWRD issues a final approval of this application for extension of time.

The City requests an extension of time until October 1, 2009. The City completed construction has diverted 2.19 cfs for beneficial use to meet municipal demands. An extension of time until October 1, 2009, will allow the City to perfect this 2.19 cfs portion of Permit S-32489, submit a claim of beneficial use, and request a water right certificate. As a result, the City believes that an extension of time to October 1, 2009 is reasonable.

If you have any questions regarding the enclosed information, please contact Adam Sussman at 541-753-0745 or asussman@gsiws.com. Thank you for your assistance and I look forward to hearing from you soon.

Sincerely,



Steven Weaver, City Manager

Cc: Adam Sussman, GSI Water Solutions, Inc.

Enclosures: Application for extension of time for Permit S-32489
Check for \$ 500

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, City of Carlton A Municipal Corporation of Yamhill County
(Name of applicant)
 of City Hall, Carlton, Oregon
(Mailing address)
 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 1899

1. The source of the proposed appropriation is Panther Creek
(Name of stream)
 a tributary of North Yamhill River
 2. The amount of water which the applicant intends to apply to beneficial use is 2.5
 cubic feet per second.
(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 for municipal purposes
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
 corner of North 43° East 530 feet from the 1/4 section corner between sections 18
(Section or subdivision)
and 19, T3S, R5W, W.M.
and being within the SW 1/4 of the SE 1/4 of Section 18, T3S, R5W,
(If preferable, give distance and bearing to section corner)
in the County of Yamhill

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary.)
 being within the SW 1/4 of the SE 1/4 of Sec. 18, Tp. 3S
(Give smallest legal subdivision) (N. or S.)
 R. 5W, W. M., in the county of Yamhill
(E. or W.)

5. The Pipeline to be 47,400 feet
(Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the NE 1/4 of the SE 1/4 of Sec. 21, Tp. 3S
(Smallest legal subdivision) (N. or S.)
 R. 4W, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works— (Existing Intake)

6. (a) Height of dam 6 feet, length on top 50 feet, length at bottom
40 feet; material to be used and character of construction concrete gravity
(Loose rock, concrete, masonry, structure with 24 ft wasteway over top of dam)
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate water is taken into the supply line through a 10
(Timber, concrete, etc., number and size of openings)
inch pipe which extends upstream through the dam about forty feet

(c) If water is to be pumped give general description
(Size and type of pump)
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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Canal System or Pipe Line—

32489

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, 47,400 ft.; size at intake, 10 in.; size at 8,000 ft. from intake, 12-3/4" OD in.; size at place of use 10 in.; difference in elevation between intake and place of use, 335 ft. Is grade uniform? No Estimated capacity, 2.56 sec. ft.

8. Location of area to be irrigated, or place of use

Township North or South	Range E. or W. of Williams Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
T3S	R4W	14	W $\frac{1}{2}$	320
		15	E $\frac{1}{2}$	320
		16	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		19	S $\frac{1}{2}$ S $\frac{1}{2}$	160
		19	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		20	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		20	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
		21	N $\frac{1}{2}$	320
		21	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		21	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		22	N $\frac{1}{2}$	320
		22	N $\frac{1}{2}$ S $\frac{1}{2}$	160 (continued)

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised

Power or Mining Purposes—

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

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

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

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

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return
....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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T3S	R4W	22	S $\frac{1}{2}$ SW $\frac{1}{4}$	80
		22	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
		23	NW $\frac{1}{4}$	160
		23	N $\frac{1}{2}$ SW $\frac{1}{4}$	80
		27	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
		27	N $\frac{1}{2}$ NW $\frac{1}{4}$	80
		27	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
		28	E $\frac{1}{2}$ NE $\frac{1}{4}$	80
		30	E $\frac{1}{2}$ NW $\frac{1}{4}$	80
T3S	R5W	17	S $\frac{1}{2}$ SW $\frac{1}{4}$	80
		20	N $\frac{1}{2}$ NW $\frac{1}{4}$	80
		20	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
		20	NE $\frac{1}{4}$	160
		21	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
		21	S $\frac{1}{2}$ N $\frac{1}{2}$	160
		21	N $\frac{1}{2}$ S $\frac{1}{2}$	160
		22	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
		22	SW $\frac{1}{4}$	160
		22	S $\frac{1}{2}$ SE $\frac{1}{4}$	80
		23	S $\frac{1}{2}$	320
		24	S $\frac{1}{2}$ S $\frac{1}{2}$	160
		24	N $\frac{1}{2}$ SW $\frac{1}{4}$	80
		25	N $\frac{1}{2}$ NE $\frac{1}{4}$	80
		25	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
		26	N $\frac{1}{2}$ NW $\frac{1}{4}$	80
		27	N $\frac{1}{2}$ NE $\frac{1}{4}$	80
		27	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40

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10. (a) To supply the city of Carlton, Yamhill County, Oregon
Yamhill, County, having a present population of 1,070
 (Name of)
 and an estimated population of 1,700 in 1990. The water system presently serves
 1600 persons inside and outside Carlton and will serve an estimated 2500 persons in 1990.
 (b) If for domestic use state number of families to be supplied presently 457 domestic and
commercial services (386 inside City and 71 outside)

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

11. Estimated cost of proposed works, \$ 202,000 (29,400 ft of 12-3/4" O.D. Steel Pipeline)
 12. Construction work will begin on or before November 1, 1967
 13. Construction work will be completed on or before Spring 1968
 14. The water will be completely applied to the proposed use on or before Summer 1968

Myron Madsen
 Myron Madsen (Signature of applicant)
 City of Carlton, Oregon

Remarks: The City of Carlton presently has an intake on Panther Creek and
a water supply line which brings the water from this intake to Carlton. A
construction contract has been let to replace 29,400 ft of the existing
6 inch pipeline with 12-3/4 inch O.D. pipeline. The proposed pipeline will
have a hydraulic capacity of 1150 GPM (2.56 CFS) and the present pipeline
has a hydraulic capacity of 185 GPM (0.41 CFS).

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 correc-
 tions on or before _____, 19____

WITNESS my hand this _____ day of _____, 19____

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WATER RESOURCES DEPT
 SALEM, OREGON

STATE ENGINEER

By _____ ASSISTANT

PERMIT

STATE OF OREGON, }
County of Marion, }

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 2.5 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Panther Creek

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 _____

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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 October 27, 1967

Actual construction work shall begin on or before December 15, 1968 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1969
Extended to Oct. 1 1975 Extended to Oct. 1, 1982 Extended to October 1, 1992, 10-1-97

Complete application of the water to the proposed use shall be made on or before October 1, 1970
Extended to October 1987 Extended to Oct. 1 1975 Extended to Oct. 1, 1992 Extended to October 1, 1992, 10-1-97

WITNESS my hand this 15th day of December, 1967

Charles L. Wheeler
STATE ENGINEER

Ap. lication No. 44208
Permit No. 32489

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 27th day of October,
1967, at 1:00 o'clock P. M.

Returned to applicant: _____

Approved: _____

December 15, 1967

Recorded in book No. _____ of _____

Permits on page 32489

CIRUS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 9034

Fees 6.47

BEFORE THE STATE ENGINEER OF OREGON:

Marion County

IN THE MATTER OF APPLICATIONS FOR)
EXTENSION OF TIME IN WHICH TO COM-)
PLETE CONSTRUCTION WORK AND MAKE)
COMPLETE APPLICATION OF WATER UNDER)
CERTAIN PERMITS ISSUED BY THE STATE)
ENGINEER)
-----)

O R D E R

The above entitled matter now coming on for the consideration of the State Engineer, and it appearing that:

The holders of the following water right permits issued by the State Engineer have submitted applications for extensions of time limits within which to complete the construction work and make complete application of water to beneficial use under their respective water right permits;

The State Engineer is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work or perfect a right under a water right permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

NAME	PERMIT NUMBER	TO COMPLETE WORK	TO APPLY WATER
Russell H. & Jessie Parker	G-1368	October 1, 1971	October 1, 1971
Coos Bay-North Bend Water Board	G-1389	October 1, 1975	October 1, 1975
Russell H. & Jessie E. Parker	G-1644	October 1, 1971	October 1, 1971
Hayesville Water System, Inc.	G-1956	October 1, 1972	October 1, 1972
Lower Chenoweth Water Dist.	G-2127	October 1, 1971	October 1, 1971
Scravel Hill Water Co-op	G-2158	October 1, 1972	October 1, 1972
City of Union	G-2541	October 1, 1971	October 1, 1971
City of Cave Junction	G-2570	October 1, 1975	October 1, 1975

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WATER RESOURCES DEPT
SALEM, OREGON

NAME	PERMIT NUMBER	TO COMPLETE WORK	TO APPLY WATER
Willamette Water Company	G-2643	October 1, 1971	October 1, 1971
Clarence W. Ruddell	G-2952		October 1, 1971
Mrs. Enriqueta S. Ruddell	G-2953		October 1, 1971
City of Florence	G-3040	October 1, 1972	October 1, 1972
Lloyd D. & Suzanne M. Cogley	G-3057	October 1, 1971	October 1, 1971
Rivergrove Water District	G-3182	October 1, 1975	October 1, 1975
Carson & Elizabeth M. Merkley	G-3192		October 1, 1971
Pineway Golf Club, Inc.	G-3253	October 1, 1971	October 1, 1971
Carl T. Novak	G-3314		October 1, 1971
City of Eugene			
Dept. of Parks & Recreation	G-3370	October 1, 1972	October 1, 1972
William P. & Ruth T. Moser	G-3383		October 1, 1971
Shenandoah Home Owners	G-3388	October 1, 1971	October 1, 1971
William & Florence Ross	G-3406	October 1, 1971	October 1, 1971
Bobby R. Hamett	G-3516	October 1, 1971	October 1, 1971
Norman Stauffer	G-3518	October 1, 1971	October 1, 1971
Marville F. Sheard	G-3519		October 1, 1971
Everett J. & Dorothy L. Becraft	G-3529	October 1, 1971	October 1, 1971
Robert E. Haines	G-3534	October 1, 1971	October 1, 1971
Dan Stauffer	G-3601		October 1, 1971
Ray L. James	G-3607	October 1, 1971	October 1, 1971
Bruno O. Kraxberger	G-3637	October 1, 1971	
Lester E. Marke	G-3652		October 1, 1971
Leonard G. Ritter	G-3653	October 1, 1971	October 1, 1971
Dick Arnold	G-3661	October 1, 1971	October 1, 1971
Howard W. Piete	G-3664		October 1, 1971
Walter J. Neubert	G-3682		October 1, 1971
Dale Slaughter	G-3715	October 1, 1971	October 1, 1971
John & Vera Garber	G-3734		October 1, 1971
Robert C. Austin	G-3754	October 1, 1970	
Carl W. & Betty E. Lethlean	G-3766	October 1, 1971	October 1, 1971
Oregon State Highway Comm.	G-3775	October 1, 1972	October 1, 1972
Dorothea M. & Marshall W.			
Poole & Robert Moisio	G-3796	October 1, 1971	October 1, 1971
John A. Hay	G-3824		October 1, 1971
R. G. & Hilda M. Saylor	G-3834		October 1, 1971
Robert L. Weir	G-3860	October 1, 1971	October 1, 1971
N. B. & Mary B. Welsh	G-3862	October 1, 1972	October 1, 1972
Milton Hungsberg	G-3875		October 1, 1971
Mrs. George Kaufman	G-3881		October 1, 1971
Bernice Joe & Woody Joe, Sr.	G-3893	October 1, 1972	October 1, 1972
Oregon Propagating Company	G-3900		October 1, 1971
C. E. Newquist	G-3913	October 1, 1971	October 1, 1971
Ronald B. Ochs	G-3915		October 1, 1971
H. T. Burns	G-3917	October 1, 1971	October 1, 1971
U. S. Dept. of Interior			
Bonneville Power Admin.	G-3933		October 1, 1971
U. S. Dept. of Interior			
Bonneville Power Admin.	G-3941	October 1, 1971	October 1, 1971
Mike & Jo Deely	G-3969	October 1, 1971	
Shirley A. & Anna G. Hevel	G-4020	October 1, 1971	
7C Ranch, Inc.	G-4119	October 1, 1971	
A. & M. C. Palacios	G-4147	October 1, 1971	

NAME	PERMIT NUMBER	TO COMPLETE WATER	TO APPLY WATER
Raymond H. & Ralph J. Heimbigner	G-4154	October 1, 1972	October 1, 1972
Raymond H. & Ruth & Hanna Heimbigner	G-4160	October 1, 1972	October 1, 1972
John W. Rice	G-4241	October 1, 1971	
Kenneth G. Batty	G-4281	October 1, 1971	
Emmett S. Ashley	G-4254	October 1, 1971	
Louis Umbarger	G-4300	October 1, 1971	
Porter-Peringer, Inc.	G-4326	October 1, 1971	
City of Heppner	G-4333	October 1, 1972	October 1, 1972
Junipine Acres, Inc.	G-4335	October 1, 1972	October 1, 1972
Campbell Ranch, Inc.	G-4354	October 1, 1971	
Terrel L. Benge	G-4366	October 1, 1971	
Henry Jensen	G-4427	October 1, 1971	
Weishaar Brothers	G-4428	October 1, 1971	
City of Bend	G-4435	October 1, 1975	October 1, 1975
Sheard Farms, Inc.	G-4453	October 1, 1971	
B. L. Davis Ranch, Inc.	G-4456	October 1, 1972	October 1, 1972
B. L. Davis Ranch, Inc.	G-4457	October 1, 1972	October 1, 1972
B. L. Davis Ranch, Inc.	G-4458	October 1, 1972	October 1, 1972
B. L. Davis Ranch, Inc.	G-4459	October 1, 1972	October 1, 1972
Town of Long Creek	G-4475	October 1, 1971	
Luckiamute Domestic Water Cooperative	G-4480	October 1, 1973	October 1, 1973
Mt. Hood Loop Water Dist.	G-4586	October 1, 1974	October 1, 1974
City of Reedsport	R-184	October 1, 1975	
City of Reedsport	R-755	October 1, 1975	
Oregon State Game Comm.	R-2343	October 1, 1973	
Louis E. Randall	R-4613	October 1, 1972	
Dcn Pearson	R-4627	October 1, 1971	
John Collins	R-4726	October 1, 1971	
Kinzua Corp.	R-4752	October 1, 1970	
Edwin R. Werner	R-4812	October 1, 1970	
Sutherlin Water Control Dist.	R-4965	October 1, 1971	
Allan Campbell	R-5053	October 1, 1971	
Charles & J. M. Ereno	R-5084	October 1, 1971	
Orval M. & Margaret E. Fleshman	R-5247	October 1, 1971	
Willard G. Deardorff	R-5268	October 1, 1971	
Harry Ditmore	R-5274	October 1, 1971	
E. R. Smart	R-5351	October 1, 1971	
Santiam Water Control Dist.	E-82	October 1, 1971	October 1, 1971
City of Reedsport	1149	October 1, 1975	October 1, 1975
Santiam Water Control Dist.	1401	October 1, 1971	October 1, 1971
City of Silverton	3226	October 1, 1975	October 1, 1975
City of Warrenton	5070	October 1, 1975	October 1, 1975
City of Medford	6703	October 1, 1975	October 1, 1975
City of Medford	6704	October 1, 1975	October 1, 1975
City of Medford	6884	October 1, 1975	October 1, 1975
City of Hood River	8387	October 1, 1975	October 1, 1975
Corbett Water Dist.	11882	October 1, 1975	October 1, 1975
Corbett Water Dist.	12154	October 1, 1975	October 1, 1975
City of Reedsport	14579	October 1, 1975	October 1, 1975
City of McMinnville			
McMinnville Water & Light Comm.	14837	October 1, 1972	October 1, 1972

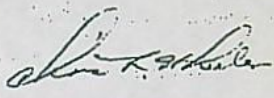
NAME	PERMIT NUMBER	TO COMPLETE WORK	TO APPLY WATER
City of Manzanita	17073	October 1, 1971	October 1, 1971
City of Eugene			
Eugene Water Board	17358	October 1, 1974	October 1, 1974
City of Forest Grove	17549	October 1, 1975	October 1, 1975
City of Sweet Home	20525	October 1, 1975	October 1, 1975
Western Kraft Corp.	23102	October 1, 1972	October 1, 1972
City of Molalla	23158	October 1, 1975	October 1, 1975
City of Medford	23210	October 1, 1975	October 1, 1975
Willow Valley Irrigation Dist.	24041		October 1, 1971
Oregon Water Corp.	24914	October 1, 1972	October 1, 1972
Bureau of Reclamation	25915	October 1, 1972	October 1, 1972
David M. Steinmetz	26604	October 1, 1972	October 1, 1972
Oregon State Game Comm.	26728	October 1, 1973	October 1, 1973
Garden Valley Water Assoc.	26827	October 1, 1972	October 1, 1972
City of Eugene			
Eugene Water & Electric Board	27441	October 1, 1975	October 1, 1975
Brookings Water Company	27610	October 1, 1974	October 1, 1974
Middle Fork Irrigation Dist.	27788	October 1, 1975	October 1, 1975
Tumalo Irrigation Dist.	27840	October 1, 1970	October 1, 1970
Tumalo Irrigation Dist.	27840	October 1, 1971	October 1, 1971
Tumalo Irrigation Dist.	27841	October 1, 1970	October 1, 1970
Tumalo Irrigation Dist.	27841	October 1, 1971	October 1, 1971
Rimrock Water Improvement Dist.	28205	October 1, 1970	October 1, 1970
Rimrock Water Improvement Dist.	28205	October 1, 1971	October 1, 1971
City of Dufur	28579	October 1, 1975	October 1, 1975
International Paper Company			
Gardiner Paper Mill	28724	October 1, 1975	October 1, 1975
Falcon-Cove Beach Domestic			
Water Supply Dist.	28972	October 1, 1973	October 1, 1973
Richard A. Smith	28984	October 1, 1971	October 1, 1971
Benton Memorial Park Assoc.	29197	October 1, 1971	October 1, 1971
Douglas County School Dist. No. 12	29623	October 1, 1973	October 1, 1973
Wesley Pieren	29881	October 1, 1971	October 1, 1971
Ross H. & Doris Colahan	29891	October 1, 1971	October 1, 1971
Crown Zellerbach Corporation	30138	October 1, 1971	October 1, 1971
Frederic Schildmeyer	30424	October 1, 1970	October 1, 1970
Lewis Strickler	30489	October 1, 1970	October 1, 1970
Marvin & Luana Fluegge	30605	October 1, 1971	October 1, 1971
Louis E. Randall	30627		October 1, 1971
Garden Valley Water Assoc.	30651	October 1, 1972	October 1, 1972
Don Pearson	30704	October 1, 1971	October 1, 1971
John Stringer	30705	October 1, 1971	October 1, 1971
Howard L. & Joan K. Knapp	30725	October 1, 1971	October 1, 1971
East Fork Irrigation Dist.	30825	October 1, 1972	October 1, 1972
Big Creek Ditch Company	30974	October 1, 1972	October 1, 1972
Big Creek Ditch Company	30975	October 1, 1972	October 1, 1972
Farrell Peterson	31052	October 1, 1969	
Mrs. Pekasky	31056	October 1, 1970	October 1, 1970
Gordon W. White	31071		October 1, 1971
Tumalo Irrigation Dist.	31120	October 1, 1971	October 1, 1971
Alsea Water Dist.	31214	October 1, 1975	October 1, 1975
John Collins	31241	October 1, 1971	October 1, 1971
Kinzua Corporation	31274	October 1, 1970	October 1, 1970

NAME	PERMIT NUMBER	TO COMPLETE WORK	TO APPLY WATER
City of Brookings	31293	October 1, 1975	October 1, 1975
Ross H. & Doris Colahan	31344	October 1, 1971	October 1, 1971
Ross H. & Doris Colahan	31395	October 1, 1971	October 1, 1971
Bill J. Brace	31402		October 1, 1971
Grand Prairie Water Control Dist.	31419		October 1, 1972
Loren & Mary Fleet	31433	October 1, 1971	October 1, 1971
Robert D. & Douglas J. Puckett	31437	October 1, 1971	October 1, 1971
Gilbert Kangiser	31482		October 1, 1971
Adrian L. & Kent D. Wilcox	31551		October 1, 1971
Edwin R. Werner	31714	October 1, 1970	October 1, 1970
Harold R. Schlichting	31716	October 1, 1971	October 1, 1971
Vernon B. & Verda E. Hall	31722		October 1, 1971
Thurman Weaver	31727		October 1, 1971
Ann L. Sloan	31760	October 1, 1971	October 1, 1971
Wilbur Worden	31769	October 1, 1971	October 1, 1971
Marjorie Worden	31770	October 1, 1971	October 1, 1971
Jesse W. Eastman	31868		October 1, 1971
City of Astoria	31880	October 1, 1975	October 1, 1975
City of Astoria	31881	October 1, 1975	October 1, 1975
Richard Welden	31886	October 1, 1971	October 1, 1971
Richard V. & Allice E. Kirkpatrick	31910	October 1, 1971	October 1, 1971
Frank L. Nims	31926		October 1, 1971
Frank L. Nims	31927		October 1, 1971
George A. Houx	31931	October 1, 1971	October 1, 1971
Norman Stadel	31934		October 1, 1971
James C. Ernest	31951		October 1, 1971
Middle Fork Irrigation Dist.	31956	October 1, 1975	October 1, 1975
Thomas H. Taylor	32028	October 1, 1971	October 1, 1971
Lester H. & Mabel M. Wertz	32078		October 1, 1971
John DeJong & Howard Buell	32088		October 1, 1971
East Fork Irrigation Dist.	32101	October 1, 1972	October 1, 1972
Levern & Lora Elder	32113		October 1, 1971
Harold J. Johnson	32129		October 1, 1971
Delbert G. Upton	32120		October 1, 1971
Hudson Bay District Improvement Company	32145		October 1, 1972
Bruce Berndt	32194	October 1, 1971	October 1, 1971
Irwin & Sons	32199		October 1, 1971
Verda Crook	32204		October 1, 1971
Ralph J. Gilstrap	32223	October 1, 1971	October 1, 1971
Eugene L. Mars	32230		October 1, 1971
Ted V. Bell	32275	October 1, 1971	October 1, 1971
D. B. Elliott	32295	October 1, 1971	October 1, 1971
Robert James Shreeve	32332	October 1, 1971	October 1, 1971
Gene Reynolds	32394	October 1, 1971	October 1, 1971
City of Lake Oswego	32410	October 1, 1975	October 1, 1975
Sutherlin Water Control Dist.	32425	October 1, 1971	October 1, 1971
City of Sutherlin	32426	October 1, 1971	October 1, 1971
City of Detroit	32449	October 1, 1975	October 1, 1975
City of Carlton	32489	October 1, 1975	October 1, 1975
Lulay Farms, Inc.	32497		October 1, 1971
John E. Straughan	32565	October 1, 1971	October 1, 1971
Thomas W. Hill	32579		October 1, 1971

NAME	PERMIT NUMBER	TO COMPLETE WORK	TO APPLY WATER
J. R. Campbell	32584	October 1, 1971	October 1, 1971
Withers Ranch Inc.	32596		October 1, 1971
Donald L. Stimson	32675	October 1, 1971	October 1, 1971
East Fork Irrigation Dist.	32685	October 1, 1972	October 1, 1972
Henry George et al	32754	October 1, 1971	October 1, 1971
Adolphus M. & Emma L. Fambrough	32774	October 1, 1971	October 1, 1971
Ralph D. Tipton	32786		October 1, 1971
M. F. Knetts	32817	October 1, 1971	October 1, 1971
Allan Campbell	32820	October 1, 1971	October 1, 1971
Scio Water Improvement Dist.	32841	October 1, 1971	October 1, 1971
F. M. Ellis	32843		October 1, 1971
U. S. Forest Service			
Winema National Forest	32893	October 1, 1971	
Maurice Montgomery	32912	October 1, 1971	
Harold E. Schweitzer	32980	October 1, 1971	
Bert L. & Lynda J. Nestelle	32993	October 1, 1971	
Robert W. Johnson	33026	October 1, 1971	
Ugo E. Pezzi	33072	October 1, 1971	
William I. & Judith A. Phillips	33095	October 1, 1971	
City of Newport	33127	October 1, 1975	October 1, 1975
City of Newport	33151	October 1, 1975	October 1, 1975
Axel H. & Essie M. Anderson	33155	October 1, 1971	
Mike & Jo Deely	33184	October 1, 1971	
Larry E. Mullarkey	33185	October 1, 1971	
Paul J. & Donna B. Thiringer	33212	October 1, 1971	
Ben Elmer	33218	October 1, 1971	
Tumalo Irrigation Dist.	33233	October 1, 1971	
Paul R. Zink	33251	October 1, 1971	
Willard G. Deardorff	33291	October 1, 1971	
Curtis Terrell & Margaret M. Morse	33297	October 1, 1971	
Douglas J. Howser	33307	October 1, 1971	
Harry Ditmore	33324	October 1, 1971	
Colahan Enterprises, Inc.	33342	October 1, 1971	October 1, 1971
Larry Hall	33345	October 1, 1971	
James T. & Bessie D. Nielsen	33361	October 1, 1971	
Keith L. Kinney	33369	October 1, 1971	
Ben J. Corwin	33456	October 1, 1971	
John & Eva M. Trout	33474	October 1, 1971	
Tumalo Irrigation District	33478	October 1, 1971	
Willie McCarley	33502	October 1, 1971	
Siegfried Kraxberger	33517	October 1, 1971	
Joe J. Montez	33580	October 1, 1971	
James A. Meithof & Ivan O. Gartner	33618	October 1, 1971	
Douglas County Fair	33621	October 1, 1972	October 1, 1972
E. Howard Nielsen	33633	October 1, 1971	
Lawson Acre's Municipal Water Dist.	33655	October 1, 1971	
Arthur J. Hodgen	33658	October 1, 1971	
Wayne J. Foster	33688	October 1, 1971	
Andrew H., Marline W., & Esther Koch	33701	October 1, 1971	

NAME	PERMIT NUMBER	TO COMPLETE WORK	TO APPLY WATER
Alsea River Enterprises	33727	October 1, 1971	
Richard D. & Reatha D. Kluser	33739	October 1, 1971	
Kent & Bryce Olsen			
dba Murrel Olsen & Sons	33772	October 1, 1971	
E. R. Smart	33798	October 1, 1971	
Emil & Irene Hoerauf	33824	October 1, 1971	
Sam & Mary Pecorilla	33828	October 1, 1971	
Maurice Montgomery	33842	October 1, 1971	

Dated at Salem, Oregon, this 23rd day of April, 1971.


CHRIS L. WHEELER
State Engineer

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JUL 28 2010

WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF APPLICATIONS FOR
EXTENSION OF TIME IN WHICH TO
COMPLETE CONSTRUCTION WORK AND
MAKE COMPLETE APPLICATION OF WATER
UNDER CERTAIN PERMITS.

O R D E R

The above entitled matter now coming on for the consideration of the Water Resources Director, and it appearing that:

The holders of the following water right permits issued by the Water Resources Director have submitted applications for extension of time limits within which to complete the construction work and make complete application of water to beneficial use under their respective water right permits;

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work or perfect a right under a water right permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitled him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

RECEIVED

Name	Permit Number	To Complete Work	To Apply Water
Chenoweth Irrigation Cooperative, Inc.	G-294	October 1, 1979	October 1, 1979
Willamette Water Co.	G-2643	October 1, 1979	October 1, 1979

WATER RESOURCES DEPT
SALEM, OREGON

Name	Permit Number	To Complete Work	To Apply Water
City of Wallowa	G-3353	October 1, 1979	October 1, 1979
Shanandoah Home Owners, Inc.	G-3388	October 1, 1979	October 1, 1979
George H. Sheard	G-3519		October 1, 1972
City of Portland Bureau of Parks & Recreation	G-3773	October 1, 1979	October 1, 1979
West Interlachen Water Co-op Inc.	G-3862	October 1, 1980	October 1, 1980
Junipine Acres, Inc.	G-4335	October 1, 1980	October 1, 1980
City of Wilsonville	G-4551	October 1, 1982	October 1, 1982
Gerald K. Drummond and Robert L. Allen	G-4557	October 1, 1976	October 1, 1976
City of Monmouth	G-4818	October 1, 1979	October 1, 1979
Helen D. and H. T. Rea	G-4848	October 1, 1975	October 1, 1975
City of Bend	G-4946	October 1, 1979	October 1, 1979
Vernon & Ivan Cook	G-5215	October 1, 1978	October 1, 1978
Vernon & Ivan Cook	G-5215	October 1, 1979	October 1, 1979
Lura W. Martin	G-5222	October 1, 1979	October 1, 1979
Travelers Ins. Co. and Chester Prior	G-5275	October 1, 1979	October 1, 1979
Mrs. Claude Berge	G-5315		October 1, 1979
J. R. Stewart	G-5333		October 1, 1979
City of Cornelius	G-5524	October 1, 1978	October 1, 1978
Shangri-La Water Dist.	G-5533	October 1, 1980	October 1, 1980
Harold W. & Dona L. Bates	G-5534	October 1, 1978	October 1, 1978
City of Fairview	G-5594	October 1, 1978	October 1, 1978
City of Fairview	G-5594	October 1, 1983	October 1, 1983
Lyon Lawrence dba: Lawrence Water Co.	G-5681	October 1, 1980	October 1, 1980
Rickreall Community Water Users Assoc.	G-5701	October 1, 1981	October 1, 1981
Richard D. McMullen	G-5748	October 1, 1979	October 1, 1979
L. P. Appleby and Thomas D. Trissel	G-5838		October 1, 1979
Frank Mueller	G-5909	October 1, 1978	October 1, 1979
Hillview Dairy, Inc.	G-5953	October 1, 1979	October 1, 1979
Hans E. Nadler	G-5983		October 1, 1979
Myron M. Mueller	G-6001		October 1, 1979
Travelers Ins. Co./Chester Prior	G-6010	October 1, 1979	October 1, 1979
Larry Woodell	G-6045		October 1, 1979
Fix Ranches	G-6067	October 1, 1979	October 1, 1979
Travelers Ins. Co.	G-6069	October 1, 1978	
Travelers Ins. Co.	G-6069	October 1, 1979	October 1, 1979
Chester Prior/Travelers Ins. Company	G-6095	October 1, 1979	October 1, 1979
Kenneth C. Bowman, Sr.	G-6233	October 1, 1979	
Carl Thorpe	G-6247	October 1, 1979	
Scravel Hill Water Co-op	G-6253	October 1, 1979	

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JUL 28 2010

WATER RESOURCES DEPT
SALEM, OREGON

Name	Permit Number	To Complete Work	To Apply Water
Celesta A. Yeoman	G-6270	October 1, 1979	
Robert P. Maley	G-6319	October 1, 1979	
Travelers Indemity Co.			
Real Estate Dept./Chester Prior	G-6339	October 1, 1979	
Martin H. & Janet A. Buchanan	G-6341		October 1, 1979
George J. Gerspacher	G-6371	October 1, 1979	October 1, 1979
Ray R. Fiske	G-6401		October 1, 1979
A. & M. C. Palacios	G-6457		October 1, 1979
Charles & Viola Leiferman	G-6462	October 1, 1979	October 1, 1979
Davis Street Investment Co.	G-6471		October 1, 1979
Gerald E. Kaufman	G-6536	October 1, 1978	October 1, 1979
Jason & Bertha Lee	G-6593		October 1, 1979
Robert D. Petrik	G-6600	October 1, 1979	October 1, 1979
Theodore L. Issel	G-6617		October 1, 1979
Melvin Van Cleave	G-6651		October 1, 1979
Lyle Woodcock	G-6660		October 1, 1979
Leland Hellberg	G-6677	October 1, 1979	October 1, 1979
Leland L. List	G-6742		October 1, 1979
Benjamin J. Newman	G-6785	October 1, 1979	October 1, 1979
T. A. Doman	G-6819	October 1, 1979	October 1, 1979
City of Hermiston	G-6831	October 1, 1979	October 1, 1979
City of Salem, Dept. of Utilities/Public Works	G-6841	October 1, 1983	October 1, 1983
Stuart Bonney	G-6848	October 1, 1979	
McRae Ranch c/o Mrs. Catherine A. Thompson	G-6865	October 1, 1979	
Leon G. Morton	G-6867	October 1, 1979	
B. L. Davis Ranch, Inc.	G-6870	October 1, 1979	
City of Troutdale	G-6881	October 1, 1979	
L and L Farms	G-6893	October 1, 1979	
Van Harth	G-6934	October 1, 1979	
L and L Farms	G-6936	October 1, 1979	
Hazelwood Water Dist.	G-6940	October 1, 1979	
Arakelian Ranch	G-6955	October 1, 1979	
Leland R. Baggett	G-6974	October 1, 1979	
McNulty Water Assoc.	G-6977	October 1, 1980	October 1, 1980
Richard N. Widenoja	G-6980	October 1, 1979	
Nillo J. & Mary Jane Widenoja	G-6983	October 1, 1979	
Roger F. Chase	G-7026	October 1, 1979	
L and L Farms	G-7036	October 1, 1979	
Blue Mountain Cattle Inc.			
Dorman Otley	G-7047	October 1, 1979	
O. R. Heavilin	G-7054	October 1, 1979	
Johnson City Water & Sewer Inc.	G-7058	October 1, 1980	October 1, 1980

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JUL 28 2019

WATER RESOURCES DEPT
SALEM, OREGON

Name	Permit Number	To Complete Work	To Apply Water
Chester Prior/ Travelers Indemnity Co.	G-7078	October 1, 1979	
Oregon Propagating Company	G-7156	October 1, 1979	
Doyle M. Eisiminger	G-7165	October 1, 1979	
Jack L. Gillette	G-7191	October 1, 1979	
George H. Bradach	G-7212	October 1, 1979	
Island City	G-7224	October 1, 1979	
Stuart Bonney	G-7231	October 1, 1979	
Ross Island Sand & Gravel Company	G-7237	October 1, 1979	
Emma Jean Greener	G-7277	October 1, 1979	
Thomas L. Holmes	G-7290	October 1, 1979	
Eagle Ranch, a joint venture	G-7314	October 1, 1979	
Wayne Platt, Sr.	G-7324	October 1, 1979	
Willett E. & Jo Anne K. White	G-7332	October 1, 1979	
Wayne Hollingsworth	G-7334	October 1, 1979	
Perla Development Co., Inc. c/o Robert M. Perla	G-7341	October 1, 1979	
Oregon Shores Beach Club, Inc.	G-7346	October 1, 1980	October 1, 1980
Fred T. Bienz	G-7398	October 1, 1979	
Stanley D. & Marjorie J. Cole	G-7404	October 1, 1979	
Deer Creek Estates Mobile Homes Assoc.	G-7435	October 1, 1979	
Charles Tompkins	G-7484	October 1, 1979	
William L. & Floy O. Smith	G-7510	October 1, 1979	
Roger K. & Joanna Eberwein	G-7512	October 1, 1979	
Roger Heinke	G-7515	October 1, 1979	
Robert C. & Myrna S. Johnson	G-7531	October 1, 1979	
City of Reedsport	1149	October 1, 1983	October 1, 1983
City of Bandon	3011	October 1, 1983	October 1, 1983
City of Silverton	3226	October 1, 1981	October 1, 1981
Rogue River Valley Irrigation District	4951	October 1, 1980	October 1, 1980
Eagle Point Irrigation District	6396	October 1, 1978	October 1, 1978
City of Medford	6703	October 1, 1980	October 1, 1980
City of Medford	6704	October 1, 1980	October 1, 1980
City of Medford	6884	October 1, 1980	October 1, 1980
City of Reedsport	14579	October 1, 1983	October 1, 1983
City of Forest Grove	17549	October 1, 1983	October 1, 1983
City of Medford	20177	October 1, 1983	October 1, 1983
Springfield Utility Board	22200	October 1, 1981	October 1, 1981
Western Kraft Corp.	23102	October 1, 1980	October 1, 1980
City of Medford	23210	October 1, 1980	October 1, 1980

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Name	Permit Number	To Complete Work	To Apply Water
City of Willamina	23560	October 1, 1977	October 1, 1977
City of Willamina	23560	October 1, 1982	October 1, 1982
Oregon Water Corp	24914	October 1, 1981	October 1, 1981
City of Bandon	27232	October 1, 1983	October 1, 1983
City of Bandon	27233	October 1, 1983	October 1, 1983
City of Eugene, Eugene Water & Electric Board	27441	October 1, 1980	October 1, 1980
Westland Irrigation District	27583	October 1, 1978	October 1, 1978
Tumalo Irrigation Dist.	27840	October 1, 1983	October 1, 1983
Tumalo Irrigation Dist.	27841	October 1, 1983	October 1, 1983
The Dalles Irrigation Dist.	28546	October 1, 1980	October 1, 1980
Tumalo Irrigation Dist.	28622	October 1, 1983	October 1, 1983
Tumalo Irrigation Dist.	28623	October 1, 1983	October 1, 1983
City of Stayton	29266	October 1, 1983	October 1, 1983
Crystal Springs Water Dist.	29377	October 1, 1983	October 1, 1983
Tumalo Irrigation Dist.	31120	October 1, 1983	October 1, 1983
City of Carlton	32489	October 1, 1982	October 1, 1982
Erenos' Mens Store, Inc.	32934	October 1, 1979	October 1, 1979
Tumalo Irrigation Dist.	33233	October 1, 1983	October 1, 1983
Tumalo Irrigation Dist.	33478	October 1, 1983	October 1, 1983
City of Dunes City	33923	October 1, 1980	October 1, 1980
Oregon State Game Commission	33949	October 1, 1979	October 1, 1979
Wayne J. Blaylock	34061	October 1, 1974	October 1, 1974
Joseph Rogers	34065	October 1, 1973	October 1, 1973
Joseph Rogers	34065	October 1, 1978	October 1, 1978
Sumner McKnight	34065	October 1, 1979	October 1, 1979
Marvin D. Way	34120	October 1, 1973	October 1, 1973
Crystal Springs Water Dist.	34196	October 1, 1983	October 1, 1983
Warren A. McMinimee	34435	October 1, 1979	October 1, 1979
Stephen Benedict	34628	October 1, 1974	October 1, 1974
Paul J. Peters	34654	October 1, 1973	October 1, 1973
City of Carlton	34661	October 1, 1983	October 1, 1983
Oris Crisp	35002	October 1, 1979	October 1, 1979
Bruce W. Griffith	35003	October 1, 1979	October 1, 1979
Leoanna A. Griffith	35004	October 1, 1979	October 1, 1979
Doris Crisp	35005	October 1, 1979	October 1, 1979
South Umpqua Water Assoc.	35103	October 1, 1983	October 1, 1983
The Dalles Irrigation Dist	35177	October 1, 1980	October 1, 1980
Floyd Riley	35399	October 1, 1976	October 1, 1976
Boeing-Agri Industrial Co.	35425	October 1, 1981	October 1, 1981
Boeing-Agri Industrial Co.	35426	October 1, 1981	October 1, 1981
Canby Utility Board	35453	October 1, 1980	October 1, 1980
City of Corvallis	35551	October 1, 1980	October 1, 1980
Donald J. Dodds	35691	October 1, 1974	October 1, 1974
Stuart F. Bonney/Ray D. Kalal	35716	October 1, 1976	October 1, 1976
Tumalo Irrigation Dist.	35783	October 1, 1983	October 1, 1983

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Name	Permit Number	To Complete Work	To Apply Water
Leonard Knight	35814	October 1, 1976	October 1, 1976
City of Cave Junction	36172	October 1, 1980	October 1, 1980
DeMosh, Inc.	36249	October 1, 1980	October 1, 1980
Estate of James H. Reed	36459	October 1, 1979	October 1, 1979
Scott Thomas Hampson	36485	October 1, 1976	October 1, 1976
Deschutes Valley Water District	36515	October 1, 1983	October 1, 1983
David B. & Laurene Eastham	36555	October 1, 1977	October 1, 1977
Melvin & William R. DuRette	36704	October 1, 1977	October 1, 1977
City of Silverton	36714	October 1, 1981	October 1, 1981
Howard J. Geyer	36788	October 1, 1979	October 1, 1979
Paul Jasa	36940	October 1, 1979	October 1, 1979
Tumalo Irrigation District	37004	October 1, 1983	October 1, 1983
C & B Livestock Co.	37108	October 1, 1978	October 1, 1978
Tierra Del Mar Beach Water Company	37197	October 1, 1980	October 1, 1980
Dorothy J. McCurdy	37213	October 1, 1979	October 1, 1979
R Land Co. & Dennis Repp	37293	October 1, 1979	October 1, 1979
Dale R. & Sherron Matheny	37308	October 1, 1977	October 1, 1979
Lura W. Martin	37323	October 1, 1979	October 1, 1979
Boeing-Agri Industrial Co.	37346	October 1, 1981	October 1, 1981
Mark A. Melgard	37384	October 1, 1979	October 1, 1979
Ladd F. Hunt/Wm. Fleet	37427	October 1, 1978	October 1, 1978
Charlene Barnhill	37539	October 1, 1978	October 1, 1978
Charlene Barnhill	37539	October 1, 1979	October 1, 1979
John Memering	37587	October 1, 1979	October 1, 1979
George L. & Joan F. Combs	37599	October 1, 1979	October 1, 1979
William P. & Florence Howell	37645		October 1, 1978
Calvin Meade	37675		October 1, 1979
Philip W. Murphy	37727	October 1, 1979	October 1, 1979
City of Lostine	37731	October 1, 1981	October 1, 1981
Walter R. Miller	37753		October 1, 1979
Howard & Verna Stone	37775	October 1, 1979	October 1, 1979
Glenn L. Stose	37779	October 1, 1978	October 1, 1978
Glenn L. Stose	37779	October 1, 1979	October 1, 1979
Edward F. Lofquist	37807		October 1, 1979
Ray C. Andrews	37809		October 1, 1979
Richard L. & Bethna J. Goergen	37816	October 1, 1979	October 1, 1979
Floyd J. & Neppie M. Condrey	37819	October 1, 1979	October 1, 1979
Lois McClellan	37821		October 1, 1979
Warren A. McMinimee	37873	October 1, 1979	October 1, 1979
Falcon Cove Beach Domestic Water Supply Dist.	37930	October 1, 1982	October 1, 1982
Billie W. Sparks	38002	October 1, 1978	October 1, 1979
Charles D. Powell	38066		October 1, 1979
W. J. Kvarsten	38076	October 1, 1979	October 1, 1979
Floyd N. Wilson	38142	October 1, 1979	October 1, 1979

Name	Permit Number	To Complete Work	To Apply Water
Larry J. & Corrin M. Schrenk	38199	October 1, 1979	October 1, 1979
Theresa Mysinger	38200	October 1, 1978	
City of Newport	38220	October 1, 1982	October 1, 1982
Oris & Doris Crisp	38225	October 1, 1979	October 1, 1979
Esta Valley Farms (Daniel Minchew & Shirley A. Coffield)	38422	October 1, 1979	October 1, 1979
John G. Koenig	38441	October 1, 1978	
Marvin D. Lovell	38478		October 1, 1979
Thomas & Carol Delsman	38488	October 1, 1978	October 1, 1979
Jonas Lohr	38493	October 1, 1979	October 1, 1979
George F. Wolff	38522	October 1, 1978	
Bobby Lee Clark	38523	October 1, 1979	October 1, 1979
Curt & Anna Delfosse	38594	October 1, 1979	October 1, 1979
Steve Holmes	38601	October 1, 1979	October 1, 1979
Jay H. Wade	38607		October 1, 1979
Beth Peterson	38622		October 1, 1979
M. L. Mills	38639		October 1, 1979
Carroll F. Poland	38668	October 1, 1979	October 1, 1979
David P. & Carolyn V. Kyzer	38675		October 1, 1979
Donovan L. Nicol	38692	October 1, 1979	October 1, 1979
John W. Lamers	38697	October 1, 1979	October 1, 1979
Webster Briggs	38702		October 1, 1979
Robert A. & Judith A. Mosher	38706		October 1, 1979
Rex O. Tollefson	38728		October 1, 1979
Howard V. Cassells	38771	October 1, 1979	October 1, 1979
Eugene Trost	38780	October 1, 1979	October 1, 1979
Eugene D. Radeka	38784		October 1, 1979
Dean A. & Margaret R. Brookey	38806		October 1, 1979
R. Keith Day	38820	October 1, 1979	October 1, 1979
Wilbur T. Boone	38836	October 1, 1978	
Clarence O. & Isabelle C. Grunst	38860	October 1, 1979	October 1, 1979
Jerry Wayne Jenson	38877	October 1, 1979	October 1, 1979
T. A. Doman	38914		October 1, 1979
John J. Lund	38939	October 1, 1979	October 1, 1979
Emil G. Sitkei	38952	October 1, 1979	October 1, 1979
Harold E. & Harold D. Church	38959	October 1, 1979	October 1, 1979
Kermit H. Carlile	38979	October 1, 1979	October 1, 1979
Robert Vachter	39044		October 1, 1979
John Dwyer, David & Barbara Meininger	39047	October 1, 1978	October 1, 1979
John D. Petshow	39084	October 1, 1978	
James H. Rainwater, Jr.	39099	October 1, 1979	October 1, 1979
James M. Fanning	39114		October 1, 1979
Robert P. Maley	39184	October 1, 1979	

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Name	Permit Number	To Complete Work	To Apply Water
Archie K. Mecklem	39186	October 1, 1979	
Lance Bisaccia	39206	October 1, 1979	October 1, 1979
Edna Milar Diveley	39212		October 1, 1979
A. O. Olsen	39231		October 1, 1979
Wayne E. Snyder	39232	October 1, 1979	October 1, 1979
Roy Morgan	39252	October 1, 1979	October 1, 1979
Ruthella Herburger	39262	October 1, 1978	October 1, 1979
Calvin W. Heckard	39283	October 1, 1979	October 1, 1979
August H. Stevenson	39285	October 1, 1978	
John &/or Anne Batzer	39304	October 1, 1979	October 1, 1979
James A. Reese	39314	October 1, 1979	October 1, 1979
Malcolm Blinn	39316		October 1, 1979
Ross Williams	39320	October 1, 1978	
Thomas A. Bartlett	39321	October 1, 1979	October 1, 1979
Robert W. Radcliffe	39332	October 1, 1979	October 1, 1979
Stuart Bonney	39369	October 1, 1979	October 1, 1979
Herbert Crew	39376		October 1, 1979
Stuart Bonney	39379	October 1, 1979	October 1, 1979
Jess H. Penington	39399	October 1, 1979	October 1, 1979
Norman Larsen	39420	October 1, 1979	October 1, 1979
Ralph & Alvida Stauch	39466		October 1, 1979
George A. Calvert	39498		October 1, 1979
Willys M. Sills	39545	October 1, 1978	
Peter F. Rose	39537		October 1, 1979
William W. Schmidt	39553		October 1, 1979
Bundy Albertoni	39557	October 1, 1979	October 1, 1979
Rollie Morris	39587		October 1, 1979
David A. & James W. Bassett	39590		October 1, 1979
Vernon L. & Karen Fulton	39694	October 1, 1978	October 1, 1979
Hans E. Nadler	39723		October 1, 1979
Allan B. Bartlett	39771	October 1, 1978	October 1, 1979
M. R. Long	39785		October 1, 1979
Lawrence & Harriet Schultz	39807	October 1, 1979	October 1, 1979
Joseph Pinaire	39814	October 1, 1979	October 1, 1979
Larry D. Durst	39861	October 1, 1978	October 1, 1979
Walter Hafner	39888	October 1, 1978	October 1, 1979
Wayne & Florence Taylor	39899	October 1, 1979	October 1, 1979
Edward M. Snyder	39904	October 1, 1979	October 1, 1979
R. E. Poole	39908	October 1, 1979	October 1, 1979
Michael R. Smith	39911	October 1, 1979	October 1, 1979
Walter S. Hershey	39921	October 1, 1979	October 1, 1979
Dean A. Malencik	39925		October 1, 1979
Vern A. & Alice L. Langford	39938	October 1, 1979	October 1, 1979
Kenneth A. Bond	39948		October 1, 1979
Matthew Outland	39951		October 1, 1979
Edward R. Stuedli	40004	October 1, 1979	October 1, 1979
Isaac M. Risseuw	40006		October 1, 1979
Paul Hoffman	40014	October 1, 1979	October 1, 1979
Norman G. & Tempe T. Berggren	40015		October 1, 1979

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Name	Permit Number	To Complete Work	To Apply Water
Clifford & Mary Anne Rabe	40106	October 1, 1979	October 1, 1979
Herbert C. Bork	40118	October 1, 1979	October 1, 1979
Jean Frieden	40125		October 1, 1979
Kenneth E. Zirul	40129	October 1, 1979	October 1, 1979
Melvin L. Elliott	40145	October 1, 1979	October 1, 1979
Theodore F. Ritchie	40150	October 1, 1978	
George M. & Edith I. Menken	40156		October 1, 1979
Jess H. Penington	40162	October 1, 1979	October 1, 1979
Gene Weitman	40181		October 1, 1979
Walter R. Miller	40260		October 1, 1979
Tim J. Melville	40278	October 1, 1978	October 1, 1979
Marshall O. Butler	40286	October 1, 1979	
John Voltz	40299	October 1, 1979	
A. W. Phillips	40308	October 1, 1979	
Lee J. Riddle	40314	October 1, 1979	
Gary & Ethel Ackerman	40328	October 1, 1979	
Eve Bridges	40331	October 1, 1979	
City of Boardman	40336	October 1, 1980	October 1, 1980
Douglas D. McCoy	40344	October 1, 1979	
Don McQuinn	40354	October 1, 1979	
David Cook	40391	October 1, 1979	
Robert J. & Mary F. Bush	40393	October 1, 1979	
E. G. Dunn	40401	October 1, 1979	
Leroy R. McPherson	40406	October 1, 1979	
Charles M. Kelley	40411	October 1, 1979	
John A. Wittich	40451	October 1, 1979	
Norma A. Quick	40453	October 1, 1979	
Harry A. Washabaugh	40456	October 1, 1979	
Joseph B. Otter	40481	October 1, 1979	
Miroco Water Dist.	40600	October 1, 1980	October 1, 1980
Carl R. Slaughter	40602	October 1, 1979	
City of Forest Grove	40615	October 1, 1983	October 1, 1983
Robert Wayne Fair/ W. T. Dawson	40616	October 1, 1979	
Mrs. Georgina Wahl	40646	October 1, 1979	
James D. Roberts	40700	October 1, 1979	
J. Thomas & Barbara Strout	40774	October 1, 1979	
Jackman Youth & Natural Resources Center	40918	October 1, 1979	
Boeing-Agri Industrial Co.	40920	October 1, 1981	October 1, 1981
Alan L. & Shirely E. Stokes	40933	October 1, 1979	
Roger L. Weiss, et. al.	40973	October 1, 1979	
Leo J. Lymp	41001	October 1, 1979	
Robert E. Scharf	41002	October 1, 1979	
Joseph & Nora Mesh	41017	October 1, 1979	
Quitman E. & Veda N. McKee	41036	October 1, 1979	
David R. Morris	41042	October 1, 1979	
David E. & Doris J. Craven	41052	October 1, 1979	
Richard Dilling	41055	October 1, 1979	

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Name	Permit Number	To Complete Work	To Apply Water
A. C. Pierce	41069	October 1, 1979	
Restful Haven Health Club, Inc.	41176	October 1, 1979	
Leroy E. Becker	41180	October 1, 1979	
James A. Bullock	41182	October 1, 1979	
Thomas Orchards, Inc.	41184	October 1, 1979	
Oregon Dept. of Fish & Wildlife	41202	October 1, 1979	
M. H. & Julia Pingle	41213	October 1, 1979	
Michael A. Kelly	41289	October 1, 1979	
Circle Five Ranch, Inc.	41302	October 1, 1979	
Robert W. & Donald G. Root	41303	October 1, 1979	
Boeing-Agri Industrial Co.	41314	October 1, 1981	October 1, 1981
Neal Blessinger	41319	October 1, 1979	
Colahan Enterprises, Inc.	41339	October 1, 1979	
Bill Toweill	41353	October 1, 1979	
Weldon Downing	41388	October 1, 1979	
Erwin Koszescha	41422	October 1, 1979	
Oregon Dept. of Fish & Wildlife	41447	October 1, 1979	
David Pickett	41488	October 1, 1979	
Stuart Bonney	41489	October 1, 1979	
Irving L. Edwards	41495	October 1, 1979	
City of Reedsport	R-184	October 1, 1983	
City of Bandon	R-368	October 1, 1983	
City of Reedsport	R-755	October 1, 1983	
City of Medford	R-1118	October 1, 1983	
Charles & J. M. Ereno	R-5084	October 1, 1979	
Oregon State Game Commission	R-5371	October 1, 1979	
Wayne J. Blaylock	R-5403	October 1, 1974	
Paul J. Peters	R-5523	October 1, 1973	
Donald J. Dodds	R-5752	October 1, 1974	
Leonard Knight	R-5783	October 1, 1976	
Grace Etta Lund Apple	R-5896	October 1, 1975	
Mark A. Melgard	R-6072	October 1, 1979	
Theresa Mysinger	R-6168	October 1, 1978	
R. Keith Day	R-6231	October 1, 1979	
John D. Petshow	R-6256	October 1, 1978	
August H. Stevenson	R-6306	October 1, 1978	
Willys M. Sills	R-6328	October 1, 1978	
Vern A. & Alice Langford	R-6397	October 1, 1978	
Marshall O. Butler	R-6415	October 1, 1979	
Lee J. Riddle	R-6423	October 1, 1979	
David Cook	R-6438	October 1, 1979	
Harry A. Washabaugh	R-6460	October 1, 1979	
Jackman Youth & Natural Resources Center Lake Creek Camp, Inc.	R-6531	October 1, 1979	

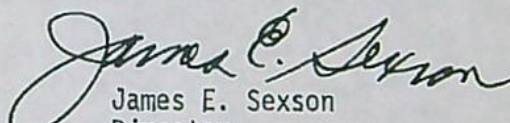
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Name	Permit Number	To Complete Work	To Apply Water
George H. Suter Kenneth A. & Donna D. Slocum	R-6539	October 1, 1979	
Robert E. Scharf	R-6540	October 1, 1979	
Restful Haven Health Club, Inc.	R-6543	October 1, 1979	
Circle Five Ranch, Inc.	R-6553	October 1, 1979	
	R-6562	October 1, 1979	

Dated at Salem, Oregon, this 12th day of January, 1979.


James E. Sexson
Director

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WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR

MARION COUNTY

IN THE MATTER OF APPLICATION FOR)
EXTENSION OF TIME IN WHICH TO)
COMPLETE CONSTRUCTION WORK AND)
MAKE COMPLETE APPLICATION OF)
WATER UNDER CERTAIN PERMITS.)

ORDER

The above entitled matter now coming on for the consideration of the Water Resources Director, and it appearing that:

The holders of the following water right permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and make complete application of water to beneficial use under their respective water right permits;

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work or perfect a right under a water right permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

<u>Name</u>	<u>Permit Number</u>	<u>To Complete Work</u>	<u>To Apply Water</u>
Chenoweth Irrigation Cooperative	G-294	October 1, 1986	October 1, 1986
City of Oakridge	G-1512	October 1, 1986	October 1, 1986
Shenandoah Homeowners, Incorporated	G-3388	October 1, 1984	October 1, 1984
Western Interlachen Water Co-op	G-3862	October 1, 1985	October 1, 1985
Milton F. Van Voorhis	G-3865	October 1, 1986	October 1, 1986
City of Bend	G-4435	October 1, 1987	October 1, 1987
Metolius Meadows Property Owners Assoc.	G-5218	October 1, 1985	October 1, 1985
Lyon Lawrence			
dba Lawrence Water Company	G-5681	October 1, 1984	October 1, 1984
Rickreall Community Water Assoc.	G-5701	October 1, 1986	October 1, 1986
Leon Jay and Sharon Kay Ball	G-5732	October 1, 1977	
City of Dundee	G-6017	October 1, 1987	October 1, 1987
Tygh Valley Water District	G-6034	October 1, 1987	October 1, 1987
City of John Day	G-6690	October 1, 1984	October 1, 1984
Clairmont Water District	G-6728	October 1, 1987	October 1, 1987

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Eastmont Water Company	G-6833	October 1, 1987	October 1, 1987
Johnson City Water and Sewer, Incorporated	G-7058	October 1, 1986	October 1, 1986
Fremont Lumber Company	G-7149		October 1, 1983
Connecticut General Life Insurance	G-7152	October 1, 1984	October 1, 1984
Oregon Shores Recreational Club, Incorporated	G-7341	October 1, 1986	October 1, 1986
Rodney A. and Donna Jean Lytle	G-7639	October 1, 1984	October 1, 1984
Twenty Eight Acres, OR Ltd.	G-7658	October 1, 1985	October 1, 1985
Mary A. Reeves	G-7785	October 1, 1982	October 1, 1982
Wilson J. and MaryAnne Meyer	G-7870	October 1, 1984	October 1, 1984
Dyer Land Development	G-7899	October 1, 1983	October 1, 1983
Rodney S. Johnson	G-7909	October 1, 1983	October 1, 1983
Glenn L. Rohde	G-7911	October 1, 1984	October 1, 1984
Robert Harrison	G-7955	October 1, 1983	October 1, 1983
S.R.H. Water Corporation	G-8033	October 1, 1985	October 1, 1985
Mayfield, Gisler and Mayfield, dba MGM	G-8089	October 1, 1985	October 1, 1985
Henry Blair	G-8116	October 1, 1982	October 1, 1982
Phillip M. and Florence Anderegg	G-8241	October 1, 1982	October 1, 1982
Oregon Department of Fish and Wildlife	G-8257	October 1, 1983	October 1, 1983
Arthur J. Stewart	G-8271	October 1, 1983	October 1, 1983
Interlachen, Incorporated	G-8292	October 1, 1986	October 1, 1986
Marvin L. Benter	G-8322		October 1, 1983
Ben and Doris Coombes	G-8470	October 1, 1983	October 1, 1983
George Dean Archibald	G-8482	October 1, 1983	October 1, 1983
Russel and Bernice Kulm	G-8483	October 1, 1983	October 1, 1983
Shur-Way Contractor, Incorporated	G-8485	October 1, 1984	October 1, 1984
Andrew C. Gaskin	G-8529		October 1, 1982
Theodore R. Tiahrl	G-8551	October 1, 1983	October 1, 1983
Precision Pine Company	G-8599	October 1, 1981	
Ray B. Wagner	G-8601	October 1, 1982	October 1, 1982
City of Echo	G-8647	October 1, 1983	October 1, 1983
Jerry R. Patterson	G-8660	October 1, 1983	October 1, 1983
Marion D. Bockelman and Barbara	G-8689		October 1, 1983
Alvin R. and Jean L. Cheek	G-8703	October 1, 1983	October 1, 1983
Rockwood Water District	G-8719	October 1, 1986	October 1, 1986
George Holberton	G-8742	October 1, 1983	October 1, 1983
J.A. Bush	G-8750		October 1, 1983
W.C. Hendrix	G-8763	October 1, 1983	October 1, 1983
City of Sodaville	G-8796	October 1, 1986	October 1, 1986
Loyalta, Incorporated	G-8802	October 1, 1983	October 1, 1983
L. William Moore	G-8805	October 1, 1983	October 1, 1983
Carle C. Walker, Agent	G-8806		October 1, 1983
Donald H. Vetterlein	G-8847		October 1, 1983
Theodore O. Erickson	G-8853	October 1, 1983	October 1, 1983
Otto G. Piki	G-8855		October 1, 1983
Clyde Buros and Audrey M. Carner	G-8877	October 1, 1983	October 1, 1983
Kenneth W. Taylor	G-8880	October 1, 1983	October 1, 1983
Merle A. Gehrke	G-8907	October 1, 1983	October 1, 1983
Norman C. Strawn	G-8909	October 1, 1984	October 1, 1984
Edward A. Erb	G-8917	October 1, 1983	October 1, 1983
Glenn R. Brown	G-8921		October 1, 1983
Ronald E. Welch	G-8933	October 1, 1983	October 1, 1983
Allan L. Rogers	G-8944	October 1, 1983	
Grant F. Brown	G-8991	October 1, 1983	October 1, 1984

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Bert H. Goff	G-9030	October 1, 1983	
Angel 7A Ranch, Incorporated	G-9031	October 1, 1984	October 1, 1984
Catherine Villalobos	G-9050	October 1, 1983	
Melvin D. Enlow	G-9074	October 1, 1983	
Melvin D. Enlow	G-9075	October 1, 1983	
Melvin D. Enlow	G-9076	October 1, 1983	
Skyline View District Improvement Company	G-9079	October 1, 1986	October 1, 1986
Timothy J. Strubhar	G-9123	October 1, 1983	
Williams Land Company, Incorporated	G-9129	October 1, 1983	
Al Chachere	G-9131	October 1, 1983	
Kenneth and Virginia R. White	G-9132	October 1, 1983	
John R. Koos and Sons	G-9139	October 1, 1983	
Alan V. and Bonnie R. Bahn	G-9196	October 1, 1983	
William V. Kergil	G-9205	October 1, 1983	
Avion Water Company, Incorporated	G-9217	October 1, 1987	October 1, 1987
Grant F. Brown	G-9240	October 1, 1983	October 1, 1984
Richard A. Schoenberg	G-9245	October 1, 1983	
Vernon Pura	G-9263	October 1, 1983	
Avion Water Company, Incorporated	G-9269	October 1, 1987	October 1, 1987
Gerald L. Lanier	G-9276	October 1, 1984	October 1, 1984
Cecil E. and Cecil R. Alberts	G-9279	October 1, 1983	
Avion Water Company, Incorporated	G-9283	October 1, 1987	October 1, 1987
Avion Water Company, Incorporated	G-9284	October 1, 1987	October 1, 1987
LeRoy P. and Gayle P. Valentine	G-9286	October 1, 1983	October 1, 1984
Avion Water Company, Incorporated	G-9320	October 1, 1987	October 1, 1987
Dave Umbarger	G-9321	October 1, 1983	
Walter Albertson	G-9327	October 1, 1983	
Avion Water Company, Incorporated	G-9341	October 1, 1987	October 1, 1987
John and Norma Flaming	G-9352	October 1, 1983	October 1, 1984
Marion F. and Margaret Jean Kane	G-9358	October 1, 1983	
Bruce Norman Ritter	G-9360	October 1, 1983	
James C. Liston	G-9361	October 1, 1983	
David Klein	G-9371	October 1, 1983	
Laidlaw Water District	G-9375	October 1, 1987	October 1, 1987
Roy E. Davis	G-9378	October 1, 1983	
Avion Water Company, Incorporated	G-9398	October 1, 1987	October 1, 1987
William E. Rodgers	G-9399	October 1, 1983	
Richard L. Sharp	G-9410	October 1, 1983	
Willie A. and Linda S. Olson	G-9421	October 1, 1983	
Larry C. Heaton	G-9423	October 1, 1983	
Juniper Flat District Improvement Company	R-2106	October 1, 1972	
Ereno's Mens Store	R-5084	October 1, 1984	
Circle Five Ranch, Incorporated	R-6562	October 1, 1983	
Boeing Agri-Industrial Company	R-6605	October 1, 1985	
Elton L. Hale	R-6653	October 1, 1983	
William E. Miller			
dba Central Oregon Pumice Company	R-6892	October 1, 1983	
William E. Miller			
dba Central Oregon Pumice Company	R-6893	October 1, 1983	
Patrick M. Malone	R-7929	October 1, 1983	
Robert L. Mai	R-8001	October 1, 1984	
Donald B. Thelin	R-8123	October 1, 1984	
David A. and Kathleen J. Bassett	R-8163	October 1, 1983	

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Gylan Mulkey	R-8167	October 1, 1983	
James L. Henderson	R-8175	October 1, 1983	
Boyd C. Ringo	R-8178	October 1, 1983	
Joseph J. Adams	R-8193	October 1, 1983	
Gail W. Pressnall	R-8208	October 1, 1983	
John F. Wilson	R-8223	October 1, 1984	
South Fork Water Board	3778	October 1, 1987	October 1, 1987
City of Sheridan	13862	October 1, 1987	October 1, 1987
City of McMinnville	14837	October 1, 1987	October 1, 1987
City of Roseburg	24914	October 1, 1986	October 1, 1986
Juniper Flats District Improvement Company	25275	October 1, 1972	October 1, 1972
City of McMinnville	27520	October 1, 1987	October 1, 1987
The Dalles Irrigation District	28546	October 1, 1986	October 1, 1986
Falcon Cove Beach Domestic Water Supply	28972	October 1, 1986	October 1, 1986
Kernville, Gleneden Beach,			
Lincoln Beach Water District	29267	October 1, 1987	October 1, 1987
Tillamook Water Commission	30192	October 1, 1985	October 1, 1985
Neskowon Regional Water District	31716	October 1, 1986	October 1, 1986
City of Carlton	32489	October 1, 1987	October 1, 1987
Baker Valley Irrigation	32932	October 1, 1982	October 1, 1982
Ereno's Mens Store	32934	October 1, 1984	October 1, 1984
City of Rainier	33386	October 1, 1986	October 1, 1986
City of McMinnville	34803	October 1, 1987	October 1, 1987
Kernville, Gleneden Beach			
Lincoln Beach Water District	35106	October 1, 1987	October 1, 1987
The Dalles Irrigation District	35177	October 1, 1986	October 1, 1986
River Bend West Water Company	35314	October 1, 1984	October 1, 1984
Archie McVay and Frank Akin	35534	October 1, 1985	October 1, 1985
Archie McVay and Frank Akin	35535	October 1, 1985	October 1, 1985
Powder Valley Water Control District	35791	October 1, 1986	October 1, 1986
City of Lincoln City	37605	October 1, 1985	October 1, 1985
Oceanside Water District	37836	October 1, 1987	October 1, 1987
The City of Forest Grove	37837	October 1, 1987	October 1, 1987
Falcon Cove Beach Domestic Water Supply	37930	October 1, 1986	October 1, 1986
City of Newport	38220	October 1, 1987	October 1, 1987
Earl and Darlene Hendrickson	38406	October 1, 1981	October 1, 1981
Tumalo Irrigation District	38863	October 1, 1983	October 1, 1983
Panther Creek Water District	38994	October 1, 1987	October 1, 1987
J.J. Looney Estate, c/o Thad Looney	39000		October 1, 1984
Portland General Electric Company	39188	October 1, 1985	October 1, 1985
Joe Naumes	39303	October 1, 1979	October 1, 1979
Seal Rock Irrigation District	40277	October 1, 1987	October 1, 1987
Tim. J. Melville	40278	October 1, 1983	October 1, 1983
Restful Haven Health Club, Incorporated	41176	October 1, 1984	October 1, 1984
Thomas Orchards, Incorporated	41184	October 1, 1983	October 1, 1983
Circle Five Ranch, Incorporated	41302	October 1, 1983	October 1, 1983
Grande Ronde Domestic Water Association	41436	October 1, 1987	October 1, 1987
Grande Ronde Domestic Water Association	41437	October 1, 1987	October 1, 1987
Jesse A. Kassahn	41571		October 1, 1983
Boeing Agri-Industrial Company	41644	October 1, 1985	October 1, 1985
Boeing Agri-Industrial Company	41645	October 1, 1985	October 1, 1985
Homer L. and Jeanette E. Harrison	41655		October 1, 1983
Western Heights Water Association, c/o			
Ron D. Quigley	41864	October 1, 1984	October 1, 1984

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Marx Farms, Incorporated	41971	October 1, 1982	October 1, 1983
Miguel Flores	41982	October 1, 1983	October 1, 1983
Elton L. Hale	41994	October 1, 1983	October 1, 1983
Bette E. Bowling	42436		October 1, 1983
Michael Gutman	42595		October 1, 1982
Star Mountain Ranch	42689	October 1, 1983	October 1, 1983
Powder Valley Water Control District	42690	October 1, 1986	October 1, 1986
George and/or Nancy Blount	42751		October 1, 1983
Bill D. and Vera I. Powers	42752	October 1, 1980	October 1, 1982
William E. Miller			
dba Central Oregon Pumice Company	42781	October 1, 1983	October 1, 1983
William E. Miller			
dba Central Oregon Pumice Company	42782	October 1, 1983	October 1, 1983
Barry Winters	42823	October 1, 1983	October 1, 1983
Brooks Resources Corporation	42833	October 1, 1983	October 1, 1983
John M. Schoonover	42884	October 1, 1983	October 1, 1983
Lonnie and Darlene Hayward	42890	October 1, 1983	October 1, 1983
ALbert and Adeline M. Pondelick	42951	October 1, 1983	October 1, 1983
Charles C. and Chloie Maxwell	43004		October 1, 1983
Sheila Beth Ferson Jenkins	43013	October 1, 1983	October 1, 1983
City of Yamhill	43032	October 1, 1986	October 1, 1986
Donald K. McKrola	43045	October 1, 1982	October 1, 1983
John Bertrand Ronnau	43047		October 1, 1983
Domsea Farms, Incorporated	43068	October 1, 1982	October 1, 1982
East Mud Creek Water Users District	43095	October 1, 1983	October 1, 1983
Russell J. and Edith G. Walsh	43105	October 1, 1983	October 1, 1983
Ralph S. Walker	43113	October 1, 1983	October 1, 1983
Henry Blair	43216	October 1, 1982	October 1, 1982
Henry Blair	43217	October 1, 1982	October 1, 1982
Henry Blair	43218	October 1, 1982	October 1, 1982
Henry Blair	43219	October 1, 1982	October 1, 1982
David J. Bielenberg	43312		October 1, 1983
The Dalles Irrigation District	43315	October 1, 1986	October 1, 1986
Boeing Agri-Industrial Company	43325	October 1, 1985	October 1, 1985
William L. and Nadine F. Gallagher	43336		October 1, 1983
Vernon E. Lyda	43390		October 1, 1982
East Fork Irrigation District	43395	October 1, 1985	October 1, 1985
George W. Reynolds	43430		October 1, 1983
Mary M. Chandler	43542	October 1, 1983	October 1, 1983
Elizabeth J. Carroll	43592	October 1, 1983	October 1, 1983
Charles C. and Chloie Maxwell	43649		October 1, 1983
Forrest Solomon	43718	October 1, 1983	October 1, 1983
Douglas A. Sharkey, William L. Sturnam			
and Robert Danko	43828	October 1, 1983	October 1, 1983
Victorene E. Kohl	43933	October 1, 1983	October 1, 1983
Donald M. Marshal	43971	October 1, 1983	October 1, 1983
James H. Armstrong	44041	October 1, 1983	October 1, 1983
City of Myrtle Creek	44020	October 1, 1983	October 1, 1983
Andrew Husari	44024		October 1, 1983
J. Peter Rial	44027	October 1, 1983	October 1, 1983
Henry Blair	44048	October 1, 1982	
Jean Bailiff	44051		October 1, 1983

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Michael G. Arrowood	44075	October 1, 1983	October 1, 1983
Delmar E. and Elfrida M. Free	44108	October 1, 1983	
William A. Ayres	44138		October 1, 1983
Robert and Barbara Woodcock	44147		October 1, 1983
Leo Oltman	44160	October 1, 1983	October 1, 1983
Frank W. Turner	44173	October 1, 1983	October 1, 1983
Joe and Diane Russell	44174		October 1, 1983
Junior T. Frederick	44183		October 1, 1983
Richard L. and Bernie L. Brown	44215		October 1, 1983
Mrs. Earl W. Larsen	44234	October 1, 1983	October 1, 1983
Melvyn T. and Joy Marie Yeo	44245	October 1, 1983	October 1, 1983
Black Butte Ranch Association	44269		October 1, 1984
Harry Timberlake	44345		October 1, 1983
W.K. Grassauer	44351	October 1, 1984	October 1, 1984
Raymond and Margaret Prag	44364		October 1, 1983
Patrick M. Malone	44383	October 1, 1983	October 1, 1983
John and Alice Pratt	44408	October 1, 1983	October 1, 1983
Lynn Geelan	44410	October 1, 1983	October 1, 1983
Craig A. Tritten	44461	October 1, 1983	October 1, 1983
John F. Porter	44579	October 1, 1983	October 1, 1983
High Lostine, Limited Partnership	44586	October 1, 1984	October 1, 1984
Gordon S. McDonald	44610		October 1, 1983
Norma Quick	44614		October 1, 1983
Dan and Christine Carnegie	44627	October 1, 1983	October 1, 1983
Martin G. Bauer	44634	October 1, 1983	October 1, 1983
Joseph S. Danchok	44642	October 1, 1983	October 1, 1983
John C. and Joyce A. Lagler	44659	October 1, 1984	October 1, 1984
Virgil J. Helmke	44701		October 1, 1983
Frank Varnum	44702	October 1, 1983	October 1, 1983
Robert L. Mai	44719	October 1, 1984	October 1, 1984
Steven Ungerleider, Ph.D.	44730	October 1, 1983	
Wally Nusbaum and Gregory S. Jeffrey	44732	October 1, 1983	
J.A. Reese	44746	October 1, 1983	October 1, 1983
Donald B. Martin	44752	October 1, 1983	
Everett J. and Dorothy L. Becraft	44753	October 1, 1983	
Oregon Driftwood Shores by			
Anthony Schmidt	44758	October 1, 1984	October 1, 1984
Thomas W. Lassett and			
David D. Reeder M.D.	44759	October 1, 1983	
Wayne J. and Myrtle M. and Kenneth Williams	44784	October 1, 1983	
Thistle Hill Water Co-op, Carl D. Walker	44791	October 1, 1985	October 1, 1985
John W. and Marie J. Breed	44809	October 1, 1983	
Donald B. Thelin	44817	October 1, 1984	October 1, 1984
Richard Rullamas	44837	October 1, 1983	
Cedric Cross	44851	October 1, 1984	October 1, 1984
Vernon R. Morgan	44873	October 1, 1983	
Theodore O. Erickson	44877	October 1, 1983	
Dan E. Maynard	44902	October 1, 1984	October 1, 1984
Edward J. Bernosky	44928	October 1, 1983	
Leon Douglas Colgan	44935	October 1, 1983	
Lawrence Wallin and Billy Wells	44988	October 1, 1984	October 1, 1984
David A. and Kathleen J. Bassett	44989	October 1, 1983	
City of Gates	45022	October 1, 1987	October 1, 1987

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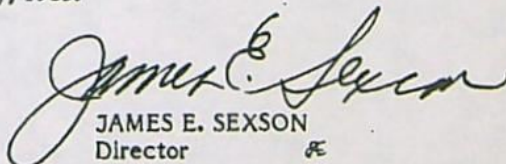
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Fletscher Brothers, Incorporated	45051	October 1, 1984	October 1, 1984
John M. and Juanita M. McGraw	45059	October 1, 1983	
Mike W. and Rosalie T. Rogoff	45069	October 1, 1983	
City of Roseburg	45076	October 1, 1983	
Boyd C. Ringo	45091	October 1, 1983	
Jay W. and Janice A. Cooper	45131	October 1, 1983	
Bertil L. Svensson	45142	October 1, 1983	
Dennis P. Arnold	45155	October 1, 1983	
Port of Cascade Locks	45203	October 1, 1983	
Jim L. Campbell	45224	October 1, 1983	
Robert S. Snazuk	45234	October 1, 1983	
William O. Denson	45251	October 1, 1983	
Thunder River Corporation	45303	October 1, 1983	October 1, 1984
Arnold W. Colwell	45346	October 1, 1983	
Gail W. Pressnall	45350	October 1, 1983	
Donald W. Randall	45355	October 1, 1983	
Claran H. and Marjorie Jesse	45391	October 1, 1983	
Steven G. Peterman	45401	October 1, 1983	
Walter R. and Norma Olsen	45408	October 1, 1983	
Donald R. and Trudi J. Sthen	45417	October 1, 1983	
Bruce and Gloria A. Lighthart	45432	October 1, 1984	October 1, 1984
Gerald A. White, Sr.	45441	October 1, 1983	
John Wilson	45445	October 1, 1984	October 1, 1984
Philip and Acynthia Sanford	45466	October 1, 1983	
Edith G. Walsh	45475	October 1, 1983	
E.J. Worman	45494	October 1, 1983	
Clyde D. Lovell	45496	October 1, 1983	October 1, 1983
Jeffery A. Jackets	45500	October 1, 1983	October 1, 1984
Cecil E. and Catherin Rae Osborne, Jr.	45505	October 1, 1983	
David Sprecher	45512	October 1, 1983	
Cecil O. Hornkohl	45546	October 1, 1983	

Dated at Salem, Oregon this 10th day of May, 1983.


 JAMES E. SEXSON
 Director

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WATER RESOURCES DEPT
 SALEM, OREGON

BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

IN THE MATTER OF APPLICATION FOR)
 EXTENSION OF TIME IN WHICH TO)
 COMPLETE CONSTRUCTION WORK AND) ORDER
 MAKE COMPLETE APPLICATION OF WATER)
 UNDER CERTAIN PERMITS)

The owners of the following water permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and/or make complete application of water to beneficial use under their respective permits.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

<u>Permittee</u>	<u>Application Number</u>	<u>Permit Number</u>	<u>New Time Limit To Complete Construction</u>	<u>New Time Limit To Apply Water</u>
City of Pendleton	G-2463	G-2410	Oct. 1, 1993	Oct. 1, 1993
City of Pendleton	G-3443	G-3225	Oct. 1, 1993	Oct. 1, 1993
Shenandoah Home Owners	G-3601	G-3388	Oct. 1, 1989	Oct. 1, 1989
Century Meadows Water Systems	G-4488	G-4183	Oct. 1, 1992	Oct. 1, 1992
Tyler Hansell	G-5598	G-10651	Oct. 1, 1989	Oct. 1, 1989
City of Fairview	G-5857	G-5594	Oct. 1, 1993	Oct. 1, 1993
City of Salem	G-6222	G-6841	Oct. 1, 1993	Oct. 1, 1993
Snow Goose Water Company	G-6302	G-5924	Oct. 1, 1992	Oct. 1, 1992
City of Dundee	G-6331	G-6017	Oct. 1, 1992	Oct. 1, 1992
City of Jordan Valley	G-6538	G-6030	Oct. 1, 1993	Oct. 1, 1993
Scravel Hill Water Co-op	G-6713	G-6253	Oct. 1, 1993	Oct. 1, 1993

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City of Redmond	G-6865	G-6793	Oct. 1, 1993	Oct. 1, 1993
City of Redmond	G-9462	G-8866	Oct. 1, 1993	Oct. 1, 1993
Hayden Island Co.	G-8595	G-7954	Oct. 1, 1990	Oct. 1, 1990
SRH Water Corp.	G-8668	G-8033	Oct. 1, 1991	Oct. 1, 1991
Avion Water Corp.	G-8754	G-8258	Oct. 1, 1993	Oct. 1, 1993
Avion Water Corp.	G-10371	G-9999	Oct. 1, 1993	Oct. 1, 1993
Avion Water Corp.	G-10617	G-9982	Oct. 1, 1993	Oct. 1, 1993
City of Donald	G-9938	G-9513	Oct. 1, 1993	Oct. 1, 1993
Gum Creek Farms	G-10146	G-10461	Oct. 1, 1989	Oct. 1, 1989
Laidlaw Water District	G-10306	G-9375	Oct. 1, 1992	Oct. 1, 1992
Robert Stockhoff	G-10366	G-9974	Oct. 1, 1990	Oct. 1, 1990
Robert Stockhoff	G-11234	G-10326	Oct. 1, 1990	Oct. 1, 1990
Western Heights Homeowner Asso.	G-10846	G-10005	Oct. 1, 1992	Oct. 1, 1992
Western Heights Homeowner Asso.	64552	47290	Oct. 1, 1992	Oct. 1, 1992
Idaho First National Bank	G-10921	G-10096	Oct. 1, 1988	Oct. 1, 1988
Idaho First National Bank	G-10952	G-10101	Oct. 1, 1988	Oct. 1, 1988
Water Resources Department	G-10940	G-10099	Oct. 1, 1989	Oct. 1, 1989
John Dawson	G-11012	G-10182	Oct. 1, 1988	Oct. 1, 1988
Ashdown Wood Water Company	G-11154	G-10270	Oct. 1, 1991	Oct. 1, 1991
Arthur W. Pullen	G-11171	G-10233	Oct. 1, 1989	Oct. 1, 1989
City of Lafayette	G-11257	G-10399	Oct. 1, 1990	Oct. 1, 1990
City of Lafayette	G-11258	G-10400	Oct. 1, 1990	Oct. 1, 1990
PomeRoy G. Sorum	G-11278	G-10402	Oct. 1, 1988	Oct. 1, 1988
Marc and Eileen Aasland	G-11340	G-10552	Oct. 1, 1990	Oct. 1, 1990
City of Sherwood	G-11347	G-10495	Oct. 1, 1992	Oct. 1, 1992
City of Wallowa	G-11368	G-10569	Oct. 1, 1993	Oct. 1, 1993
Geo-Culture, Inc.	G-11383	G-10613	Oct. 1, 1989	Oct. 1, 1989
Knappa Water Association	G-11422	G-10572	Oct. 1, 1993	Oct. 1, 1993
	42843	32022	Oct. 1, 1993	Oct. 1, 1993
	45659	34049	Oct. 1, 1993	Oct. 1, 1993
	60220	46048	Oct. 1, 1993	Oct. 1, 1993
Nappe & Son Nursery Inc.	G-11431	G-10579	Oct. 1, 1989	
Steven C. Scott	G-11446	G-10580	Oct. 1, 1989	
City of Seneca	G-11478	G-10634	Oct. 1, 1993	Oct. 1, 1993
Ronald Raasch	G-11494	G-10609	Oct. 1, 1990	Oct. 1, 1990

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Polehn Heights Water Asso. Inc.,	G-11515	G-10673	Oct. 1, 1991	Oct. 1, 1991
Raymond L. Curry South Fork Water Board	G-11586 5942	G-10670 3778	Oct. 1, 1989 Oct. 1, 1990	Oct. 1, 1990
Tillamook Water Commission	9415	6673	Oct. 1, 1993	Oct. 1, 1993
City of McMinnville				
	19124	14837	Oct. 1, 1992	Oct. 1, 1992
	32770	27520	Oct. 1, 1992	Oct. 1, 1992
	46564	34803	Oct. 1, 1992	Oct. 1, 1992
City of Coquille	23572	18600	Oct. 1, 1993	Oct. 1, 1993
City of Medford	R-24210	R-1118	Oct. 1, 1993	Oct. 1, 1993
City of Medford	24211	20177	Oct. 1, 1993	Oct. 1, 1993
City of Carlton	44208	32489	Oct. 1, 1992	Oct. 1, 1992
CHR District Improvement Co.,				
	44192	33018	Oct. 1, 1992	Oct. 1, 1992
	44361	33141	Oct. 1, 1992	Oct. 1, 1992
Alsea Riviera Water Improvement District	45144	33727	Oct. 1, 1992	Oct. 1, 1992
The Dalles Irrigation District	47024	35177	Oct. 1, 1993	Oct. 1, 1993
Deschutes Valley Water District	48909	36515	Oct. 1, 1993	Oct. 1, 1993
Beverly Beach Water District	48925	37278	Oct. 1, 1993	Oct. 1, 1993
Enterprise, City of	49101	36777	Oct. 1, 1993	Oct. 1, 1993
Enterprise, City of	51178	39123	Oct. 1, 1993	Oct. 1, 1993
Panther Creek Water District	50569	38994	Oct. 1, 1992	Oct. 1, 1992
Mikami Bros.	51288	37121	Oct. 1, 1981	Oct. 1, 1981
Mikami Bros.	52807	37833	Oct. 1, 1981	Oct. 1, 1981
Restful Haven Health Club, Inc.	53949	41176	Oct. 1, 1990	Oct. 1, 1990
City of Wheeler	52321	39355	Oct. 1, 1990	Oct. 1, 1990
Oceanside Water District	52410	37836	Oct. 1, 1992	Oct. 1, 1992

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Western Heights Water Asso.	54701	41864	Oct. 1, 1992	Oct. 1, 1992
Douglas County Public Works	55991	41514	Oct. 1, 1993	Oct. 1, 1993
East Fork Irrigation District	56365	43395	Oct. 1, 1990	Oct. 1, 1990
East Fork Irrigation District	63241	46707	Oct. 1, 1990	Oct. 1, 1990
The Dalles Irrigation District	57319	43315	Oct. 1, 1993	Oct. 1, 1993
Manzanita, City of	57745	43756	Oct. 1, 1993	Oct. 1, 1993
Jones, Pierre, & Elizabeth	58162	47471	Oct. 1, 1990	Oct. 1, 1990
Robert & Shirley Mai				
	R-59784	R-8001	Oct. 1, 1988	
	59785	44719	Oct. 1, 1988	Oct. 1, 1988
City of Gates	59946	45022	Oct. 1, 1992	Oct. 1, 1992
Gladstone, City of	60632	46120	Oct. 1, 1993	Oct. 1, 1993
Canyonville, City of	61248	46155	Oct. 1, 1993	Oct. 1, 1993
City of Riddle	60959	45405	Oct. 1, 1993	Oct. 1, 1993
Phillip C. & Pamela Kudlac	61481	45762	Oct. 1, 1988	Oct. 1, 1988
	63182	46663	Oct. 1, 1988	Oct. 1, 1988
Allen Muhly	61806	45989	Oct. 1, 1989	Oct. 1, 1989
Martin & David Leff	62429	46551	Oct. 1, 1989	Oct. 1, 1989
John Harry Jacobson	63760	47448	Oct. 1, 1988	Oct. 1, 1988
Larry F. Hyatt	63957	47712	Oct. 1, 1989	Oct. 1, 1989
A. Joe Dunn	R-64502	R-8537	Oct. 1, 1987	
A. Joe Dunn	64503	47180	Oct. 1, 1987	Oct. 1, 1987
Willamette Industries, Inc.,	64514	47184	Oct. 1, 1992	Oct. 1, 1992
Walter McEwen	64734	47505	Oct. 1, 1989	Oct. 1, 1989

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Lawrence Salmony	65155	47833	Oct. 1, 1989	Oct. 1, 1989
William R. & W.R. Reed Sr.,	65516	47945	Oct. 1, 1989	Oct. 1, 1989
Gladys Philpott	65584	48032	Oct. 1, 1990	Oct. 1, 1990
Siskiyou National Forest	66610	49338	Oct. 1, 1990	Oct. 1, 1990
Ralph W. Chaney	67686	48259	Oct. 1, 1987	Oct. 1, 1987
Coos County Parks Department				
	67702	48955	Oct. 1, 1989	Oct. 1, 1989
	67703	48508	Oct. 1, 1989	Oct. 1, 1989
	67704	48509	Oct. 1, 1989	Oct. 1, 1989
Tommy & Richard Camp	67904	48341		Oct. 1, 1989
Gerth A. & Brenda Christensen	67998	48542	Oct. 1, 1989	Oct. 1, 1989
Carl E. Hilberg & Janice K. Nauman	67999	48459	Oct. 1, 1989	Oct. 1, 1989
Saint Peter's Church	68002	48345		Oct. 1, 1989
Lyons-Mehama Water District	68116	48873	Oct. 1, 1992	Oct. 1, 1992
Wallace N. & Myra Parrish	68124	49372	Oct. 1, 1990	Oct. 1, 1990
Morris E. Van Billiard	68168	48880	Oct. 1, 1989	Oct. 1, 1989
Phillip F. Dahl	68171	48882	Oct. 1, 1989	Oct. 1, 1989
Ronald A. Walch	68203	49400	Oct. 1, 1989	Oct. 1, 1989
Philomath, City of	68266	49245	Oct. 1, 1993	Oct. 1, 1993
Karen Fleck Harding	68332	49358	Oct. 1, 1990	Oct. 1, 1990
David Peterson	68467	49446	Oct. 1, 1989	Oct. 1, 1989
William S. & Mary Hillman	68496	49611	Oct. 1, 1989	
James L. & Shirley Westbrook	68605	49562		Oct. 1, 1989

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Oregon Department Fish & Wildlife	68681	49662	Oct. 1, 1990	Oct. 1, 1990
City of Westfir	68715	49765	Oct. 1, 1989	
Dan Averett	68731	49705	Oct. 1, 1989	
William Jarvis	R-68825	R-10811	Oct. 1, 1989	

Dated at Salem, Oregon this *8th* day of March, 1989.

William H. Young
WILLIAM H. YOUNG
Director

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JUL 28 2010

WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF APPLICATION FOR)
EXTENSION OF TIME IN WHICH TO BEGIN)
AND COMPLETE CONSTRUCTION WORK AND) ORDER
MAKE COMPLETE APPLICATION OF WATER)
UNDER CERTAIN PERMITS)

The owners of the following water permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to begin and/or complete the construction work and/or make complete application of water to beneficial use under their respective permits.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;

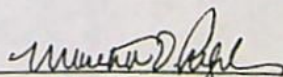
The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles them to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it is hereby is ORDERED that extensions of time are granted as follows:

PERMITTEE	APPL. NUMBER	PERMIT NUMBER	BASIN NUMBER	NEW TIME LIMITS TO:		
				START CONST.	COMPLETE CONST.	APPLY WATER
<u>PERMITS TO USE GROUNDWATER:</u>						
Avion Water						
Company, Inc.	G-10599	G-9981	5	10-1-97	10-1-97	
City of Portland	G-11306	G-10455	3	10-1-96	10-1-96	
City of Portland	G-11354	G-10479	3	10-1-97	10-1-97	
City of Monroe	G-11769	G-10890	2	10-1-96	10-1-96	
Wilbur A. Klopfenstein	G-12239	G-11147	2	10-1-93		
<u>PERMITS TO USE SURFACE WATER:</u>						
International						
Paper Company	29820	26724	18	10-1-95	10-1-95	
City of Carlton	44208	32489	2	10-1-97	10-1-97	
City of Salem	55010	45565	2	10-1-97	10-1-97	10-1-97
Ernest Dennis	69256	50262	14	10-1-93	10-1-93	
City of Depoe Bay	69800	50604	18	10-1-97	10-1-97	
<u>TRANSFERS:</u>						
City of Salem	T-5476			10-1-94		
Duane E. Bowman	T-6432			10-1-93		
James T. Clark	T-6480			10-1-93		

Dated at Salem, Oregon this 26th day of February, 1993.


Martha O. Pagel
Director
Water Resources Department

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WATER RESOURCES DEPT
SALEM, OREGON

ATTACHMENT B

Documentation of Diversion for Beneficial Use and Water Rights Used

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WATER RESOURCES DEPT
SALEM, OREGON

City of Carlton Water treatment plant capacity
Meter readings on July 1, 2009

Time	Filter Unit 1 & 2		Filter Unit 3		Filter Unit 4		
	Totalizer × 1000 gal	Rate gpm	Totalizer × 100 gal	Rate gpm	Totalizer × 100 gal	Rate gpm	
9:30 AM	222702	414	3370472	524	3501413	518	
10:30 AM	222727	390	3370807	489	3501756	512	
11:30 AM	222746	386	3371070	461	3502038	505	
12:30 PM	222768	366	3371346	433	3502350	501	
1:30 PM	222787	371	3371598	415	3502646	498	
Totals							
Demonstrated	354.2 gpm		469.2 gpm		513.8 gpm		1337.1 gpm
Production Rate	0.7891 cfs		1.0453 cfs		1.1446 cfs		2.979 cfs

Water Rights authorizing use of 2.979 cfs

Application	Permit	Certificate	Rate (cfs)	Source	Priority	Rate Perfected (cfs)	Rate Remaining (cfs)	Current WTP Capacity (cfs) 2.979 Allocated
S-1609	S-914	1868	0.5	Panther Cr.	8/12/1911	0.5 <i>Certificate dated 1/9/1918</i>	0	0.5
S-44208	S-32489	--	2.5	Panther Cr.	10/27/1967	0	2.5	2.190
S-46505	S-34661	86064	0.5	Panther Cr.	10/22/1969	0.271 <i>Certificate dated 2/2/2010</i>	0.229	0.271
S-69513	S-50218	86065	0.07	Panther Cr.	11/30/1987	0.018 <i>Certificate dated 2/9/2010</i>	0.052	0.018
Totals			3.57			0.789	2.781	2.979

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JUL 28 2010
WATER RESOURCES DEPT
SALEM, OREGON

ATTACHMENT C

Population Estimates

Source: Population Research Center, Portland State University
12/15/2009

RECEIVED

JUL 28 2010

WATER RESOURCES DEPT
SALEM, OREGON

Certified Population Estimates for Oregon and Oregon Counties

State and Counties	Certified Population Estimate July 1, 2009	Certified Population Estimate July 1, 2008	Population Change 2008-09	Percent Change 2008-09
Oregon	3,823,465	3,791,075	32,390	0.9%
Counties				
BAKER	16,450	16,455	-5	0.0%
BENTON	86,725	86,120	605	0.7%
CLACKAMAS	379,845	376,660	3,185	0.8%
CLATSOP	37,840	37,695	145	0.4%
COLUMBIA	48,410	48,095	315	0.7%
COOS	63,065	63,210	-145	-0.2%
CROOK	27,185	26,845	340	1.3%
CURRY	21,340	21,510	-170	-0.8%
DESCHUTES	170,705	167,015	3,690	2.2%
DOUGLAS	105,395	105,240	155	0.1%
GILLIAM	1,885	1,885	0	0.0%
GRANT	7,525	7,530	-5	-0.1%
HARNEY	7,715	7,705	10	0.1%
HOOD RIVER	21,725	21,625	100	0.5%
JACKSON	207,010	205,305	1,705	0.8%
JEFFERSON	22,715	22,450	265	1.2%
JOSEPHINE	83,665	83,290	375	0.5%
KLAMATH	66,350	66,180	170	0.3%
LAKE	7,600	7,585	15	0.2%
LANE	347,690	345,880	1,810	0.5%
LINCOLN	44,700	44,715	-15	0.0%
LINN	110,865	110,185	680	0.6%
MALHEUR	31,720	31,675	45	0.1%
MARION	318,170	314,865	3,305	1.0%
MORROW	12,540	12,485	55	0.4%
MULTNOMAH	724,680	717,880	6,800	0.9%
POLK	68,785	68,235	550	0.8%
SHERMAN	1,830	1,845	-15	-0.8%
TILLAMOOK	26,130	26,060	70	0.3%
UMATILLA	72,430	72,380	50	0.1%
UNION	25,470	25,360	110	0.4%
WALLOWA	7,100	7,115	-15	-0.2%
WASCO	24,230	24,170	60	0.2%
WASHINGTON	527,140	519,925	7,215	1.4%
WHEELER	1,585	1,575	10	0.6%
YAMHILL	95,250	94,325	925	1.0%

FOR THE BOARD OF HIGHER EDUCATION

Risa S. Proehl

Population Estimates Program Manager

Population Research Center

College of Urban and Public Affairs

Portland State University

12/15/2009

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WATER RESOURCES DEPT
SALEM, OREGON

Certified Population Estimates for Oregon's Cities and Towns

Incorporated City/Town	Certified Estimate July 1, 2009	Incorporated City/Town	Certified Estimate July 1, 2009	Incorporated City/Town	Certified Estimate July 1, 2009
Adair Village	930	Dayville	185	Imbler	295
Adams	335	Depoe Bay	1,420	Independence	8,240
Adrian	185	Detroit	275	Ione	335
Albany	49,165	Donald	1,030	Irrigon	1,880
Amity	1,670	Drain	1,090	Island City	1,030
Antelope	60	Dufur	660	Jacksonville	2,665
Arlington	610	Dundee	3,060	Jefferson	2,655
Ashland	21,505	Dunes City	1,360	John Day	1,855
Astoria	10,250	Durham	1,400	Johnson City	680
Athena	1,270	Eagle Point	8,790	Jordan Valley	240
Aumsville	3,560	Echo	715	Joseph	1,120
Aurora	980	Elgin	1,705	Junction City	5,460
Baker City	10,160	Elkton	255	Keizer	36,220
Bandon	3,295	Enterprise	1,975	King City	2,785
Banks	1,435	Estacada	2,865	Klamath Falls	21,305
Barlow	140	Eugene	157,100	La Grande	13,085
Bay City	1,285	Fairview	9,740	La Pine	1,625
Beaverton	86,860	Falls City	965	Lafayette	3,925
Bend	82,280	Florence	9,580	Lake Oswego	36,755
Boardman	3,295	Forest Grove	21,500	Lakeside	1,560
Bonanza	425	Fossil	465	Lakeview	2,685
Brookings	6,470	Garibaldi	895	Lebanon	15,580
Brownsville	1,780	Gaston	665	Lexington	285
Burns	3,025	Gates	505	Lincoln City	7,930
Butte Falls	445	Gearhart	1,440	Lonerock	20
Canby	15,230	Gervais	2,260	Long Creek	220
Cannon Beach	1,690	Gladstone	12,215	Lostine	250
Canyon City	685	Glendale	955	Lowell	1,030
Canyonville	1,705	Gold Beach	2,140	Lyons	1,135
Carlton	1,790	Gold Hill	1,080	Madras	6,650
Cascade Locks	1,055	Granite	30	Malin	805
Cave Junction	1,750	Grants Pass	33,225	Manzanita	735
Central Point	17,165	Grass Valley	170	Maupin	490
Chiloquin	720	Greenhorn	2	Maywood Park	750
Clatskanie	1,735	Gresham	101,015	McMinnville	32,760
Coburg	1,080	Haines	435	Medford	77,240
Columbia City	1,990	Halfway	355	Merrill	915
Condon	785	Halsey	840	Metolius	895
Coos Bay	16,670	Happy Valley	11,465	Mill City	1,660
Coquille	4,205	Harrisburg	3,455	Millersburg	1,170
Cornelius	10,985	Helix	230	Milton-Freewater	6,545
Corvallis	55,125	Heppner	1,435	Milwaukie	20,920
Cottage Grove	9,485	Hermiston	16,215	Mitchell	175
Cove	640	Hillsboro	90,380	Molalla	7,800
Creswell	4,790	Hines	1,870	Monmouth	9,630
Culver	1,335	Hood River	6,925	Monroe	690
Dallas	15,445	Hubbard	3,140	Monument	135
Damascus	9,985	Huntington	590	Moro	390
Dayton	2,495	Idanha	230	Mosier	485

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WATER RESOURCES DEPT
SALEM, OREGON

Incorporated City/Town	Certified Estimate July 1, 2009	Incorporated City/Town	Certified Estimate July 1, 2009
Mt. Angel	3,790	Silverton	9,585
Mt. Vernon	600	Sisters	1,925
Myrtle Creek	3,665	Sodaville	295
Myrtle Point	2,550	Spray	160
Nehalem	260	Springfield	58,085
Newberg	23,150	St. Helens	12,380
Newport	10,600	St. Paul	415
North Bend	9,855	Stanfield	2,290
North Plains	1,910	Stayton	7,820
North Powder	510	Sublimity	2,255
Nyssa	3,210	Summerville	120
Oakland	945	Sumpter	170
Oakridge	3,755	Sutherlin	8,085
Ontario	11,435	Sweet Home	9,050
Oregon City	30,710	Talent	6,680
Paisley	250	Tangent	1,000
Pendleton	17,515	The Dalles	13,385
Philomath	4,640	Tigard	47,460
Phoenix	4,855	Tillamook	4,710
Pilot Rock	1,560	Toledo	3,645
Port Orford	1,285	Troutdale	15,535
Portland	582,130	Tualatin	26,130
Powers	755	Turner	1,750
Prairie City	1,110	Ukiah	260
Prescott	60	Umatilla	6,530
Prineville	10,370	Union	1,960
Rainier	1,825	Unity	115
Redmond	25,800	Vale	2,080
Reedsport	4,300	Veneta	4,975
Richland	150	Vernonia	2,370
Riddle	1,030	Waldport	2,145
Rivergrove	350	Wallowa	890
Rockaway Beach	1,380	Warrenton	4,785
Rogue River	2,090	Wasco	430
Roseburg	21,355	Waterloo	215
Rufus	275	West Linn	24,400
Salem	156,955	Westfir	340
Sandy	8,205	Weston	755
Scappoose	6,605	Wheeler	460
Scio	790	Willamina	1,885
Scotts Mills	300	Wilsonville	18,020
Seaside	6,480	Winston	5,925
Seneca	230	Wood Village	3,130
Shady Cove	2,865	Woodburn	23,350
Shaniko	40	Yachats	815
Sheridan	6,020	Yamhill	860
Sherwood	16,640	Yoncalla	1,115
Siletz	1,190		

FOR THE BOARD OF HIGHER EDUCATION

Risa S. Proehl, Population Estimates Program Manager
Population Research Center
College of Urban and Public Affairs
Portland State University

12/15/2009

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WATER RESOURCES DEPT
SALEM, OREGON

ATTACHMENT D

Inventory of Existing Water Rights

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WATER RESOURCES DEPT
SALEM, OREGON

NAME OF ENTITY: City of CarltonINVENTORY OF EXISTING WATER RIGHTS AND PERMITS

ATTACHMENT D

Ground Water

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Used To Date	*Use Limitations
N/A							

Surface Water

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Used To Date	*Use Limitations
S-46505/S-34661	86064	Panther Creek and Reservoir	Municipal	10/22/1969	0.271 cfs & 66 AF	0.271 cfs & 66 AF	
	—				0.229 cfs	0 cfs	
S-44207/S-32488	—	Fall Creek	Municipal	10/27/1967	2.0 cfs	0 cfs	
S-44208/S-32489	—	Panther Creek	Municipal	10/27/1967	2.5 cfs	2.19 cfs	
R-46504/R-5527	85744	Panther Creek	Storage for Municipal	10/22/1969	66 AF	66 AF	
R-69512/R-10900	85747	Panther Creek	Storage	11/30/1987	9 AF	9 AF	
S-69513/S-50218	86065	Panther Creek and Reservoir	Municipal	11/30/1987	0.018 cfs & 9 AF	0.018 cfs & 9 AF	
	—				0.052 cfs	0 cfs	
S-1609/S-914	1868	Panther Creek	Municipal	8/12/1911	0.5 cfs	0.5 cfs	

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JUL 28 2010WATER RESOURCES DEPT
SALEM, OREGON

Application	Proposed Source	Proposed Use	Priority Date	Proposed Amount of	*Use Limitations
-------------	-----------------	--------------	---------------	--------------------	------------------



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 9, 2009

City of Carlton
Attn: Doug Hooper
191 East Main Street
Carlton, OR 97111

REFERENCE: Pending Applications for Extension of Time

Water Right Application S-46505 (Permit S-34661)
Water Right Application S-44207 (Permit S-32488)
Water Right Application S-44208 (Permit S-32489)

Dear Municipal Water Right Holder:

The purpose of this letter is to provide clarification regarding the previous letter that was sent to the City of Carlton, dated April 3, 2009 regarding your extension applications being delivered to ODFW. The City of Carlton applications were mistakenly delivered to ODFW but have not been processed for ODFW review and continue to be on administrative hold until further notice from the City of Carlton, my apologies for the mistake.

If you have any questions concerning your extension request or this letter please contact me at (503) 986-0813.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Kudlemyer", with a long horizontal line extending to the right.

Scott Kudlemyer
Water Rights Specialist

Enclosures

cc: Application File S-46505
Application File S-44207
Application File S-44208
Mike McCord, Watermaster District # 16
Adam Sussman GSI Water Solutions 1600 SW Western Blvd, Suite 240, Corvallis, OR 97333



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 3, 2009

City of Carlton
Attn: Doug Hooper
191 East Main Street
Carlton OR, 97111

REFERENCE: Pending Application for Extension of Time, Application S-44207
(Permit S-32488) and Application S-44208 (Permit (S-32489)

Dear Municipal Water Right Holder:

The purpose of this letter is to provide you with notification as per OAR 690-315-0080(2)(b) that the above referenced municipal permit extension application was delivered to ODFW on April 2, 2009 for review under OAR 690-315-0080.

If you should have any questions concerning your extension request you may contact me at (503) 986-0813.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Kudlemyer", with a long horizontal stroke extending to the right.

Scott Kudlemyer
Water Rights Specialist

cc: Application S-44207 (Permit S-32488) and Application S-44208 (Permit S-32489)
Mike McCord, Watermaster District 16



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

March 18, 2009

City of Carlton
Attn: Steven Weaver
191 E Main Street
Carlton, OR 97111

Reference: Pending Application for Extensions of Time
Application S-44027 (Permit S-32488), S-44208 (Permit S-32489), and S-46505
(Permit S-34661)

Dear Mr. Weaver,

As of March 13, 2009 the Applications for Extension of Time for Permit S-32488 (Application S-44027), Permit S-32489 (Application S-44208), and Permit S-34661 (Application S-46505) for the City of Carlton have been placed on administrative hold as per the City's request, and will remain on administrative hold until the Department is notified otherwise. Due to your administrative hold request, the City's Application for Extension of Time for Permit S-32488 and Permit S-34661 will be withdrawn from review by the Oregon Department of Fish and Wildlife.

Sincerely,

Scott Kudlemyer
Extensions
Water Rights and Adjudications Division

Cc: File: Application S-44207, S-44208, S-46505
Adam Sussman, GSI Water Solutions, Inc.

191 E. Main Street
Carlton, OR 97111



Phone (503) 852-7575
FAX (503) 852-7761
TTY (800) 735-2900

March 9, 2009

Ms. Ann Reece
Water Rights and Adjudications Division
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

RE: Request for Administrative Hold for Applications for Extension of Time for Applications S-44207 (Permit S-32488), S-44208 (Permit S-32489), and S-46505 (Permit S-34661), in the name of the City of Carlton

Dear Ms. Reece,

On behalf of the City of Carlton (Applicant), I hereby request that the Oregon Water Resources Department place the above-referenced applications for extension of time on administrative hold until further notice.

If you have any questions or need additional information, please contact me at 503-852-7575 or send an e-mail to sweaver@ci.carlton.or.us.

Respectfully submitted,

Steven Weaver, City Manager
City of Carlton

cc: Adam Sussman GSI Water Solutions, Inc.

RECEIVED

MAR 11 2009

WATER RESOURCES DEPT
SALEM, OREGON

Patricia McCarty

From: Steven Weaver [sweaver@ci.carlton.or.us]
Sent: Thursday, December 18, 2008 11:43 AM
To: Patricia McCarty
Subject: RE: Guidelines_2001.pdf

Patricia:

I have been consulting with some other individuals and I am not sure we are going to cancel this particular water right. I really trying to figure out the benefit of doing so. We would have to start over pay more fees and Waterwatch will still protest it and we will be back to the same spot. We are trying to get a Water Master on board to help us out with this process.

Thanks.

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
Carlton, OR 97111
(503) 852-7575
(503) 852-7761 FAX

From: Patricia McCarty [mailto:mccartpe@wrld.state.or.us]
Sent: Thursday, November 20, 2008 9:06 AM
To: 'Steven Weaver'
Subject: FW: Guidelines_2001.pdf

From: Ann Reece
Sent: Thursday, November 20, 2008 8:57 AM
To: Patricia McCarty
Subject: Guidelines_2001.pdf

12/19/2008

Patricia McCarty

From: Patricia McCarty
Sent: Wednesday, November 19, 2008 11:04 AM
To: 'Steven Weaver'
Subject: RE: Extension applications on water Permits #32488 and #34661

Mr. Weaver,

If it is easy, you may want to have in mind the current level of use of water under your existing permits. Also, any relevant material from your own files on these extension applications. It turns out that WaterWatch will not be joining us until we work through where the current extension application is - it was filed in 2000 and a Claim of Beneficial Use was filed in 2001 for partial perfection of the right. I understood from you that Carlton is using most, if not all of the water under its permits, and may have a need for more, or more storage. For unknown reasons the file does not indicate that any work was done on resolving the protest filed by WaterWatch on these extensions at any time in the last 8 years. The rules governing extensions have changed since 2000 and we need to go over the changes with you and see if we can provide any resources or assistance to get the applications up to date. This will require an in-person meeting so it is good that you are planning on coming down. I agreed with WaterWatch that their presence would not be useful at this meeting, although they may well become involved at a later time. I can tell you more about that this afternoon. After we are clear on what needs to happen next with the extensions I will communicate with WaterWatch about where they stand.

Thanks,
Patricia

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

From: Steven Weaver [mailto:sweaver@ci.carlton.or.us]
Sent: Tuesday, November 18, 2008 10:02 AM
To: Patricia McCarty
Subject: RE: Extension applications on water Permits #32488 and #34661

That will be fine. What do we need to bring?

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
Carlton, OR 97111
(503) 852-7575
(503) 852-7761 FAX

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

From: Patricia McCarty [mailto:mccartpe@wrld.state.or.us]
Sent: Tuesday, November 18, 2008 9:06 AM
To: 'Steven Weaver'
Subject: RE: Extension applications on water Permits #32488 and #34661

Our office is at 725 Summer St. NE, Suite A, which is between "D" St. and Union. There is 2-hour parking on the West and East sides of the building, on Summer St and Winter St.. Here is a link to the map from the

website.

http://www.wrd.state.or.us/OWRD/contact_us_map.shtml

How does 1:30 sound?

Thanks,
Patricia

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

From: Steven Weaver [mailto:sweaver@ci.carlton.or.us]
Sent: Tuesday, November 18, 2008 8:59 AM
To: Patricia McCarty
Subject: RE: Extension applications on water Permits #32488 and #34661

When would be the time on Wednesday afternoon? Where is your building?

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
Carlton, OR 97111
(503) 852-7575
(503) 852-7761 FAX

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

From: Patricia McCarty [mailto:mccartpe@wrld.state.or.us]
Sent: Monday, November 17, 2008 10:51 AM
To: 'Steven Weaver'
Subject: RE: Extension applications on water Permits #32488 and #34661

Mr. Weaver,

Lisa Brown, the attorney for WaterWatch, the protestant to the City of Carlton's permit extension, is available to meet to discuss a settlement Tuesday morning (tomorrow), Wednesday afternoon, and Friday afternoon of this week. Are any of these days workable for you? If so, I would suggest meeting mid-morning or early afternoon, to give everybody a better chance of missing bad traffic. We can meet here at Water Resources, and I would suggest a two hour meeting as a maximum.

Please let me know what you prefer.

Thanks,
Patricia

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

From: Steven Weaver [mailto:sweaver@ci.carlton.or.us]
Sent: Wednesday, October 29, 2008 9:40 AM
To: Patricia McCarty
Subject: RE: Extension applications on water Permits #32488 and #34661

I am pretty open right now.

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
Carlton, OR 97111
(503) 852-7575
(503) 852-7761 FAX

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

From: Patricia McCarty [mailto:mccartpe@wrld.state.or.us]
Sent: Wednesday, October 29, 2008 9:35 AM
To: 'Steven Weaver'
Subject: RE: Extension applications on water Permits #32488 and #34661

Mr. Weaver,

I've contacted the WaterWatch representative, Lisa Brown. When I get some possible dates and times for a meeting from her, I'll let you know and we can set up a time to go over the possibilities for settlement. Are there any periods of time that you prefer, or that are already blocked out as unavailable? For instance, I am out of the office November 6 & 7, and November 12-14, so those dates are out for me.

I look forward to working with you.

Thanks,
Patricia

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

From: Steven Weaver [mailto:sweaver@ci.carlton.or.us]
Sent: Tuesday, October 28, 2008 3:11 PM
To: Patricia McCarty
Subject: RE: Extension applications on water Permits #32488 and #34661

Let's set up a meeting and get this process started.

Thanks.

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
Carlton, OR 97111
(503) 852-7575
(503) 852-7761 FAX

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

From: Patricia McCarty [mailto:mccartpe@wrld.state.or.us]
Sent: Friday, August 22, 2008 3:29 PM

To: Steven Weaver

Subject: RE: Extension applications on water Permits #32488 and #34661

The protest by WaterWatch is primarily a criticism of the Department's interpretation of its agency statutes and rules, and so is directed at the Department's analysis and conclusions. The early part of any negotiations with WaterWatch would not require an attorney representing Carlton.

Typically, WaterWatch is concerned with maintaining flows in streams at a level that supports aquatic life. They argue in this instance that Carlton does not have a need for the remaining amount of water under this permit because the rate of growth of Carlton is so slow that there will not be enough customers to use the full amount, even by the end of the permit extension.

The first talks with WaterWatch will likely center on how Carlton can use the water in a manner that withdraws water from the stream at a time and in a manner that maintains adequate flows for aquatic life. You would be the right person for those talks, or the public works director, is there is one.

If you cannot get to an agreement with WaterWatch you can request a contested case hearing at which the Department would be defending its proposed order to grant the extension. Hearings are rare - one in the last 4 years. The odds are that something could be worked out that resolves the protest. But you know how odds are....they don't predict the outcome of any particular event. WaterWatch has been very concerned with municipal extensions lately. Many municipal water rights were issued before the Department really knew what the actual stream flows were and before there were any minimum stream flows for aquatic life. WaterWatch is concerned that in the future, as municipalities withdraw more and more, under valid permits, the impacts to streams and rivers will be severe. They also are interested in municipalities doing more to encourage less, rather than more, consumption of water.

Early talks with WaterWatch would not involve the legal issues. As to other people that work on these issues, consultants like GSI Water Solutions in Corvallis, or a Certified Water Right Examiner do act as agents for municipalities because the discussions are often about how water is withdrawn, transported, delivered, and accounted for, and other infrastructure issues. The legal issues are not at the forefront, and are often non-existent.

Hope this helps. Let me know which way you are leaning.

Thanks,
Patricia

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

From: Steven Weaver [mailto:sweaver@ci.carlton.or.us]

Sent: Friday, August 22, 2008 1:24 PM

To: Patricia McCarty

Subject: RE: Extension applications on water Permits #32488 and #34661

What is the norm? I would like to do these myself but don't want to get into a legal battle and end up losing. Do most agencies have attorneys or experts take care of these issues? Are there other people besides attorneys that specialize in this work?

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
(503) 852-7575

690, Division 315. Given the rate at which the reviews by ODFW have been completed in the past, it is expected to be several months, and perhaps a year or two, before WRD receives the review on these extensions.

Regarding permit #32489, Panther Creek, after talking with staff handling certificates, it turns out the city will need to get the extension requested. Certification will be problematic without it. To resolve the protest to the extension, I can arrange a meeting with WaterWatch and/or Oregon Trout, the protestants. We will need to see what their interests are and find out if we can come to a settlement of the protest.

Sincerely,

Patricia McCarty
Protest Program Coordinator
Water Rights Division
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
Phone: 503-986-0820
Fax: 503-986-0901

Patricia McCarty

From: Ann Reece
Sent: Thursday, November 13, 2008 1:35 PM
To: Patricia McCarty
Subject: RE: Re: City of Carlton protest meeting w/applicant

App 44208

I don't see any rule that would have prevented the Department from issuing a FO for the City of Carlton under 320 rules (without an ODFW persistence review). The FO was not issued due to the protests filed, not because of pending rule changes.

-Ann

Nov 2, 1998:

- 320 rules were amended - to be in effect through 6-30-2001

 - Muni's not required to apply for an extension until July 1, 2001

 - 690-320-0010 (4) provides that a holder of a permit for municipal water use . . . may apply for an extension under the rules of this division . . . Until July 1, 2001, holders of municipal water use permits are not required to file for a permit extension.

- 315 rules were adopted- to be effective on July 1, 2001 (but was delayed to July 1, 2003 by 1-31-2001 amendment)

Oct. 1, 1999: City of Carlton filed an extension application

July 18 Proposed

~~Sept~~ 2000: Final Order approving City of Carlton extension was issued

April 30, 2002: Amended 315 rules to give Muni's option to apply for extension under new 315 rules, but not required to until July 1, 2002.

Nov. 1, 2002: All muni extensions issued after November 2, 1998 subject to new Muni-extension 315 rules

Nov. 22, 2005: First extension issued after June 28, 2005 for Muni permits issued before Nov. 2, 1998 requires ODFW review on undeveloped portion.

From: Patricia McCarty
Sent: Thursday, November 13, 2008 12:39 PM
To: Ann Reece
Subject: FW: Re: City of Carlton protest meeting w/applicant

Thanks,
Patricia

11/17/2008

From: Lisa Brown [mailto:lisa@waterwatch.org]
Sent: Monday, November 10, 2008 12:45 PM
To: Patricia McCarty
Subject: Fwd: Re: City of Carlton protest meeting w/applicant

Hi Patricia -

I am no longer available Wednesday morning but could make it down there by mid-afternoon.

Lisa

Date: Fri, 07 Nov 2008 14:54:35 -0800
To: Patricia McCarty <mccartpe@wrdd.state.or.us>
From: Lisa Brown <lisa@waterwatch.org>
Subject: Re: City of Carlton protest meeting w/applicant

Hi Patricia -

I could meet that week during the following times:

Tuesday morning

Wednesday anytime

Friday afternoon

In other situations I am aware of like this where an extension application was filed and a PFO issued prior to the revised Division 315 rules being in place, a revised application has been filed and the WRD has issued a superceding PFO, after getting fish persistence advice from ODFW. The two I am thinking of are one of the North Clackamas Water Commission extensions the Tualatin Valley Water District extension (now Willamette River Water Coalition). Is this how the WRD plans to proceed with regards to Carlton?

Thanks,
Lisa

At 03:11 PM 11/5/2008, you wrote:

Hi Lisa,

Are you available to meet with Steven Weaver and me on the protest (to the PFO on the extension applications for Permits #32488 and #34661) any time in the week of November 17th?

Patricia McCarty
Protest Program Coordinator
Water Rights Division
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301

Phone: 503-986-0820
Fax: 503-986-0901

Lisa Brown
Staff Attorney
WaterWatch of Oregon
503.295.4039 x 2
213 SW Ash St., STE 208,
Portland, OR 97204
lisa@waterwatch.org
www.waterwatch.org

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Lisa Brown
Staff Attorney
WaterWatch of Oregon
503.295.4039 x 2
213 SW Ash St., STE 208,
Portland, OR 97204
lisa@waterwatch.org
www.waterwatch.org

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by phone, and return the original message to us at the email address from which it came. Thank you.

Re City of Carlton S-44208 extension
From: Kimberley Priestley [kjp@waterwatch.org]
Sent: Tuesday, July 22, 2008 1:22 PM
To: Patricia McCarty
Subject: Re: City of Carlton S-44208 extension

Next time I'm in salem I'll look at the file. Sorry about the delay.

Thanks, Kimberley

At 08:31 AM 7/22/2008, you wrote:

>Hi Kimberley,
>
>Any progress on this protest? I can't find my reply to you but I
>believe I stated that I spoke to Oregon Trout and they said that they
>would follow ww's lead on this. Please let me know when you have some
>time to discuss.

>
>Thanks,
>Patricia

>
>-----Original Message-----

>From: Kimberley Priestley [mailto:kjp@waterwatch.org]
>Sent: Monday, June 16, 2008 9:27 AM
>To: Patricia McCarty
>Subject: Re: City of Carlton S-44208 extension

>
>Could you please refresh my memory. I thought you were going to
>contact OT since they were the lead on this? I will not be able to
>commit to a time until I understand OT's role and also have a chance
>to obtain/review the file. Once I do that, I will send some
>dates. Thanks, Kimberley

>
>
>At 08:49 AM 6/16/2008, you wrote:

> >Hello Kimberley,
> >
> >I've contacted City of Carlton manager Steven Weaver to begin
> >discussions on their extension application protest. Please let me
> >know when you are available to discuss this over the next month. It
> >will be helpful if you can identify several mornings or afternoons
> >that I can try to match with Mr. Weaver's open times. We can start
> >with an update of Carlton's development, since the extension
> >application was filed in 1999. Hopefully we can find some common
> >ground and resolve the
> >protest.

> >
> >Thanks,

> >
> >Patricia McCarty
> >Protest Program Coordinator
> >Water Rights Division
> >Oregon Water Resources Department
> >725 Summer St. NE Suite A
> >Salem, OR 97301
> >Phone: 503-986-0820
> >Fax: 503-986-0901

> >
> >
> >No virus found in this incoming message.
> >Checked by AVG.
> >Version: 8.0.100 / Virus Database: 270.3.0/1505 - Release Date:
> >6/16/2008 7:20 AM

>~~~~~
>Kimberley Priestley
>WaterWatch of Oregon
>213 SW Ash, Suite 208
>Portland, OR 97204
>Phone: (503) 295-4039, ext. 3
>FAX: (503) 295-2791
>http://www.waterwatch.org
>

Re City of Carlton S-44208 extension

> ~~~~~
>
>
> *****
> Help WaterWatch meet a 2008 Challenge Grant!
> Each dollar raised from NEW DONORS (up to \$25,000) will bring in \$2.40
> to support WaterWatch's work.
> For more details or to make a secure on-line donation, please go to
> <http://www.waterwatch.org/>
> *****
>
>
>
> No virus found in this incoming message.
> Checked by AVG - <http://www.avg.com>
> Version: 8.0.138 / Virus Database: 270.5.3/1565 - Release Date:
> 7/21/2008 6:36 PM

~~~~~  
Kimberley Priestley  
WaterWatch of Oregon  
213 SW Ash, Suite 208  
Portland, OR 97204  
Phone: (503) 295-4039, ext. 3  
FAX: (503) 295-2791  
<http://www.waterwatch.org>  
~~~~~

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For more details or to make a secure on-line donation, please go to <http://www.waterwatch.org/>

Extension applications on water Permits #32488 and #34661

From: Patricia McCarty
Sent: Friday, August 22, 2008 3:29 PM
To: 'Steven Weaver'
Subject: RE: Extension applications on water Permits #32488 and #34661

The protest by Waterwatch is primarily a criticism of the Department's interpretation of its agency statutes and rules, and so is directed at the Department's analysis and conclusions. The early part of any negotiations with Waterwatch would not require an attorney representing Carlton. Typically, Waterwatch is concerned with maintaining flows in streams at a level that supports aquatic life. They argue in this instance that Carlton does not have a need for the remaining amount of water under this permit because the rate of growth of Carlton is so slow that there will not be enough customers to use the full amount, even by the end of the permit extension.

The first talks with Waterwatch will likely center on how Carlton can use the water in a manner that withdraws water from the stream at a time and in a manner that maintains adequate flows for aquatic life. You would be the right person for those talks, or the public works director, if there is one. If you cannot get to an agreement with Waterwatch you can request a contested case hearing at which the Department would be defending its proposed order to grant the extension. Hearings are rare - one in the last 4 years. The odds are that something could be worked out that resolves the protest. But you know how odds are....they don't predict the outcome of any particular event. Waterwatch has been very concerned with municipal extensions lately. Many municipal water rights were issued before the Department really knew what the actual stream flows were and before there were any minimum stream flows for aquatic life. Waterwatch is concerned that in the future, as municipalities withdraw more and more, under valid permits, the impacts to streams and rivers will be severe. They also are interested in municipalities doing more to encourage less, rather than more, consumption of water.

Early talks with Waterwatch would not involve the legal issues. As to other people that work on these issues, consultants like GSI Water Solutions in Corvallis, or a Certified Water Right Examiner do act as agents for municipalities because the discussions are often about how water is withdrawn, transported, delivered, and accounted for, and other infrastructure issues. The legal issues are not at the forefront, and are often non-existent.

Hope this helps. Let me know which way you are leaning.

Thanks,
Patricia

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

From: Steven Weaver [mailto:sweaver@ci.carlton.or.us]
Sent: Friday, August 22, 2008 1:24 PM
To: Patricia McCarty
Subject: RE: Extension applications on water Permits #32488 and #34661

What is the norm? I would like to do these myself but don't want to get into a legal battle and end up losing. Do most agencies have attorneys or experts take care of these issues? Are there other people besides attorneys that specialize in this work?

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
(503) 852-7575
(503) 852-7761 FAX

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

From: Patricia McCarty [mailto:mccartpe@wrdd.state.or.us]
Sent: Friday, August 22, 2008 12:18 PM
To: Steven Weaver
Subject: RE: Extension applications on water Permits #32488 and #34661

Hi Steve,
You just need to let me know when you are ready to start negotiations with Waterwatch on the protest to permit #32489, Panther Creek. If you have no interest in negotiating with them, you are free to request a contested case hearing on the extension Proposed Final Order. If you would like to meet with Waterwatch to see if a settlement agreement is possible, I will arrange that by email - finding dates, etc. If Carlton has an attorney that would be involved in the negotiations or contested case hearing, you can have that person contact me. If the Carlton representative will be you, then you should let me know when you are available for a meeting.

It would be in the City of Carlton's interest to get the extension completed. The City did submit information in 2001 to partially perfect and receive a certificate for some of the water use under permit #32489.

I am not sure at this point how that will impact the discussions, but it is a point to keep in mind.

Let me know whether it will be you or your attorney handling this, and when you want to start working on it.

Extension applications on water Permits #32488 and #34661

Thank you,
Patricia McCarty

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

From: Steven Weaver [mailto:sweaver@ci.carlton.or.us]
Sent: Friday, August 22, 2008 11:40 AM
To: Patricia McCarty
Subject: RE: Extension applications on water Permits #32488 and #34661

I was just reviewing my inbox and found this email. I know we had a conversation on the phone but not sure what else needs to be done.

Steven M. Weaver
City Manager
City of Carlton
191 E. Main Street
(503) 852-7575
(503) 852-7761 FAX

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

From: Patricia McCarty [mailto:mccartpe@wrdd.state.or.us]
Sent: Monday, June 16, 2008 11:06 AM
To: sweaver@ci.carlton.or.us
Subject: Extension applications on water Permits #32488 and #34661

Mr. Weaver,

The above applications for extension of time are in line to be sent to ODFW for a review under OAR Chapter 690, Division 315. Given the rate at which the reviews by ODFW have been completed in the past, it is expected to be several months, and perhaps a year or two, before WRD receives the review on these extensions.

Regarding permit #32489, Panther Creek, after talking with staff handling certificates, it turns out the city will need to get the extension requested. Certification will be problematic without it. To resolve the protest to the extension, I can arrange a meeting with Waterwatch and/or Oregon Trout, the protestants. We will need to see what their interests are and find out if we can come to a settlement of the protest.

Sincerely,

Patricia McCarty
Protest Program Coordinator
Water Rights Division
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
Phone: 503-986-0820
Fax: 503-986-0901

From: Ann Reece

Sent: Monday, June 16, 2008 10:20 AM

To: Patricia McCarty

Subject: RE: City of Carlton Permit #S-32488 extension

Carlton has two pending extensions. They have not developed any water under either of these two permits, and so they must be sent to ODFW for persistence review before the PFO goes out.

I don't know how long it will be before the Carlton files are reviewed by ODFW. Since March 2006 we have send 18 files to ODFW. 14 reviews have been completed. There are currently 4 still at ODFW for review. Carlton is in the next batch 18 in queue to be sent to ODFW. That is assuming the next batch are Willamette basin rights, and not Columbia River rights (there had been some discussion of sending Columbia rights next rather than Willamette Basin rights)

S	44207	32488	CITY OF CARLTON	6/24/2004	7/13/2004		Fall Cr	Panther Cr to N. Yamhill R	2
S	46505	34661	CITY OF CARLTON	1/10/2001	7/13/2004	cert sent on 3/14/05 to respond by 6/13/05. Rcvd e-mail on 6/10/05 and 6/14/05 asking for more time to submit info. Deadline date for submittal is now 7/13/05.... LJJ. NOTE: Needs \$250 duplicate fee refund at FO	Panther Cr & Res	N. Yamhill R	0.5 + 66 AF

Ann Reece

Water Resources Department

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

From: Patricia McCarty

Sent: Monday, June 16, 2008 9:45 AM

To: Ann Reece

Subject: City of Carlton Permit #S-32488 extension

Hi Ann,

Could you check on the above extension and give me an estimate on how long it might be until the PFO goes out?

Thanks,

Patricia McCarty

Protest Program Coordinator

Water Rights Division

Oregon Water Resources Department

725 Summer St. NE Suite A

Salem, OR 97301

Phone: 503-986-0820

Fax: 503-986-0901

5/19/08

New Carlton city manager (503) 852-7575

Steven Weaver

sweaver@ci.carlton.or.us

New Oregon Trout contact

Brett Browncombe

(503) 222-9091

5-19-08

Hello Kimberley,

On September 1, 2000 you filed a protest to the PFO for the City of Carlton extension (S-44208) for WaterWatch. At that time, Aubrey Russell was the named Oregon Trout representative, which filed jointly with WaterWatch.

There is nothing in the file to indicate a settlement agreement had been developed. If you have any information about progress on a settlement within the last few years, please let me know. Otherwise, I will be contacting you about this after I speak with the city's representative.

Thank you,

Patricia McCarty
Protest Program Coordinator
Water Rights Division
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
Phone: 503-986-0820
Fax: 503-986-0901

File #5-44208
(S-32489)

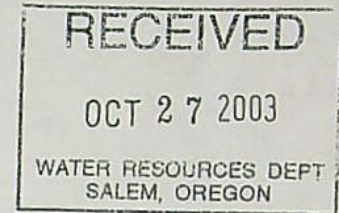
CITY OF CARLTON

P.O. BOX 458 • CARLTON, OREGON 97111

(503) 852-7575

October 9, 2003

Lisa Juul
Oregon Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172



Subject: City of Carlton Water Right Permit Extension

Dear Ms. Juul:

The City of Carlton will be requesting extensions for the following water use permits:

R5527
S50218 (may file for a Claim of Beneficial Use)
S32489

The City will be preparing a Water Management and Conservation Plan over the next year. We will be submitting the actual permit extension application and fee by December 31, 2003.

Please contact me if I can provide additional information at this time.

Sincerely,

A handwritten signature in cursive script that reads "Doug Hooper". The signature is written in dark ink and is positioned above the printed name and title.

Doug Hooper
City Manager



Oregon

Theodore R. Kulongoski, Governor

File # S-44208
Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

August 29, 2003

Oregon Trout
Attn: Aubrey Russell
117 SW Naito Parkway
Portland, OR 97204

REFERENCE: Application #S-44208 (Permit #S-32489)

Dear Mr. Russell:

As you are aware, on July 18, 2000, the Department issued a proposed final order in accordance with Oregon Administrative Rule (OAR) Division 690, Chapter 320 to grant an extension of time in which to complete construction and accomplish full beneficial use of water under Permit #S-32489 through October 1, 2020.

The Department hereby acknowledges receipt of your protest, on behalf of Oregon Trout and WaterWatch of Oregon, to the proposed final order for extension of Permit #S-32489 issued on July 18, 2000. Your protest and the appropriate fee were received in the Salem office of the Water Resources Department on September 1, 2000. A copy of your receipt numbered 40112 is enclosed for your reference.

The Department will first try to reach an informal negotiated resolution with both parties. If this approach fails, the Department will then proceed with a formal hearing process.

If you have any questions, you may contact me by telephone at (503) 378-8455, extension 239.

Sincerely,

Renee Moulun
Hearings Coordinator
Water Rights and Adjudication Division

enclosure

cc: Appl #S-44208 (Permit #S-32489)
WaterWatch of Oregon, 213 SW Ash Street, Suite 208, Portland, OR 97204





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

August 29, 2003

City of Carlton
Attn: David Carl
PO Box 458
Carlton, OR 97111

REFERENCE: Application #S-44208 (Permit #S-32489)

Dear Permit Holder:

As you are aware, on July 18, 2000, the Department issued a proposed final order in accordance with Oregon Administrative Rule (OAR) Division 690, Chapter 320 to grant an extension of time in which to complete construction and accomplish full beneficial use of water under Permit #S-32489 through October 1, 2020.

The Department received a protest to the proposed final order for extension of Permit #S-32489 from Oregon Trout and WaterWatch of Oregon on September 1, 2000. I have enclosed a copy of the protest for your reference.

The Department will first try to reach an informal negotiated resolution with both parties. If this approach fails, the Department will then proceed with a formal hearing process.

If you have any questions or concerns regarding the protest, you may contact me by telephone at (503) 378-8455, extension 239.

Sincerely,

Renee Moulun
Hearings Coordinator
Water Rights and Adjudication Division

enclosure

cc: Appl #S-44208 (Permit #S-32489)

File # S-44208

CITY OF CARLTON

P.O. BOX 458 • CARLTON, OREGON 97111

(503) 852-7575

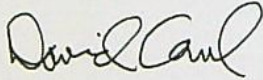
May 24, 2001

Oregon Water Resource Department
Water Right Permit Division
158 12th Street NE
Salem, OR 97310

Dear Sirs:

Enclosed is a copy of a Claim of Beneficial Use and Site Report for the City's Water Right Permit No. 32489. The City would request a partial perfection of this permit be issued as allowed under ORS 537.260. Thank you for your consideration of this request.

Sincerely,



David Carl
City Manager

RECEIVED

MAY 30 2001

WATER RESOURCES DEPT.
SALEM, OREGON

**CLAIM OF BENEFICIAL USE AND SITE REPORT
FOR
CITY OF CARLTON
IN
SECTION 18, T 3 S, R 5 W, W.M.
YAMHILL COUNTY, OREGON**

INFORMATION:

OWNER / PERMITTEE: City of Carlton
191 E. Main Street
P.O. Box 458
Carlton, Oregon 97111
(503) 852-7575

CONTACT PERSON: David Carl, City Manager
(503) 852-7575

REFERENCE: Permit No. 32489
Application No. S 44208

BACKGROUND:

Description of System: City of Carlton owns and operates a public water system serving the city and metered connections outside the City limits. The source of supply is Panther Creek, a tributary of North Yamhill River. Water is stored in the Panther Creek Reservoir and piped from that Reservoir to a treatment plant located 8.5 miles west of the City on Panther Creek Road. The plant, originally constructed in 1985, had a rated capacity of 0.88 MGD that was reduced in 1993 to 0.41 MGD by the Oregon Division of Health. Water from the filters is metered and water then flows to the service area. A metered portion of the filtered water is also diverted back to the plant to backwash the filters. An additional use is made approximately four times per year to flush the transmission line between the Reservoir and the plant to maintain the pipeline capacity. 26

The plant capacity is inadequate for the demands of the service area and a new plant is being designed for construction before 2003. The new plant will be located adjacent to the existing plant, deliver water to the same service area, and have a capacity of 1.48 MGD. Until the new plant is in service, the existing plant is operated at rates that exceed its rated capacity.

RECEIVED

MAY 30 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Existing Water Rights:

<u>Source</u>	<u>Number</u>	<u>Capacity</u>	<u>Priority Date</u>
Panther Creek	Certificate 1868	0.5 cfs	8/12/11
Panther Creek	Permit 32489	2.5 cfs	10/27/67
Fall Creek	Permit 32488	2.0 cfs	10/27/67
Panther Creek	Permit 34661	0.5 cfs	10/22/69
Panther Creek	Permit 50218	0.07 cfs	11/30/87
Panther Creek Reservoir	Permit R-5527	66 AF	10/22/69
Panther Creek Reservoir	Permit R-10900	9 AF	11/30/87

One permit has been certificated, the one for 0.5 cfs from Panther Creek. An application was submitted on Panther Creek Permit 32489 to extend it to October 1, 2020 and Oregon Trout and Water Watch lodged a challenge. One issue was that the City had not shown due diligence in developing this water right. This "Claim of Beneficial Use and Site Report" was authorized to "prove" the permit.

Permit Conditions: The permitted source was to be a concrete gravity dam on Panther Creek located North 43° East 530 feet from the ¼ section corner between Sections 18 and 19, T3S, R5W, W.M. The amount of water to be applied for beneficial use was to be 2.5 cfs. The water was to be conveyed through a 10-inch pipe that extended from about forty feet upstream of the dam to 47,400 feet downstream to the City and its outside customers. Work on a proposed pipeline replacement was to begin by November 1, 1967 and the water applied to the proposed use on or before October 1, 1970.

Variations From The Permit: The water use was put into beneficial use by the City but at a rate of flow less than that permitted. The use meets the minimum requirement that 25 percent of the permitted rate of flow be used, in addition to the flow under the earlier certificated right, to meet the consumption needs of the City and this use is documented by the metered plant records. There is an additional need for a greater rate of flow to periodically flush the conveyance pipeline. That use has also occurred and was measured during an event on May 11, 2001. That flow was 67 percent of the permitted rate of flow.

The flow to the City from the treatment plant is through a 10-inch diameter cast iron pipe for a distance of approximately 4,300-feet but the pipe is reported to be a 12-inch diameter steel pipe for the remainder of the distance to the City.

SOURCE: The original source, Panther Creek, remains in use and is reported by the City Manager and the City Water Superintendent to have been in continuous use since the time of the original supply in the early 1900's.

The source is now from the Panther Creek Reservoir as permitted by R-5527 instead of the free-flowing creek.

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DIVERSION POINT: The original point of diversion was replaced when an earth fill dam was constructed under Permit R-5527. There is no record of a "Claim of Beneficial Use and Site Report" on the revised point of diversion.

The survey tie to the original point of appropriation was listed in Permit 32489 as North 43° East 530 feet from the ¼ section corner between Sections 18 and 19, T3S, R5W, W.M. The actual field location of the point at which the creek bed passes under the centerline of the dam, by field GPS survey, is N45° 18.293', W 123° 20.998', or 377-feet north and 2,743-feet east of the southwest corner of Section 18, T3S, R5W, W.M.

MOTOR: None

PUMP: None

PIPE: The pipeline from Panther Creek Reservoir is reported to be a 12-inch steel pipe. The pipe upstream of the original 10-inch is buried and submerged, and was not available for inspection. The valve at the point of connection to the existing 10-inch main is a 12-inch gate valve, however, supporting belief that the pipeline is 12-inches in diameter between the reservoir and the valve on the downstream side of the dam.

The pipeline from the Reservoir to the treatment plant, and from the treatment plant to the City is reported by the City Manager and Water System Superintendent to be substantially unchanged in size and location from the plans in Permit 32489. The capacity of the pipeline was previously estimated as 2.56 cfs.

HEADS: None

USE: The approved purpose and "Point of Use" is for municipal water use by the City of Carlton, including inside and outside customers. There has been no change except due to the growth of the community. The populations estimated in the permit and now existing are shown below.

	<u>Permit</u>	<u>Year 2000</u>
City Population	1,070	1,520
Inside customers	386	685
Outside customers	71	142
Estimated future	1,700 (1990)	2,627 (2020)

The quantity of water appropriated is metered at the water treatment plant as it is filtered and copies of the metering record for the past 36 months are attached. The volume of water delivered to the City can be calculated by subtracting the metered flow of water used for backwashing the filter. An additional volume is used when the pipeline between the reservoir and treatment plant is flushed, reportedly four times a year for periods of 1 to 2 hours each event, to clear the pipe and maintain its capacity.

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4.36 cfs 2001

~ 0.5 cfs

LIFT: Not applicable

CALCULATIONS:

Capacity of pipeline from reservoir to treatment plant: 2640-feet of 10-inch cast iron pipe, Hazen-Williams friction coefficient estimated at 100 for old line, and elevation change of 125-ft based on the pressure difference between static and residual pressure when flowing. This is the calculated rate of flow when the pipeline is being flushed.

The Hazen-Williams equation is $Q = AV$ where:

Q is cfs.

A is pipe cross-section area, diameter of 10-inches or 0.833-ft.

V is $1.318 C \cdot R^{0.63} \cdot S^{0.54}$ where:

C is Hazen-Williams friction coefficient, presumed 100 for old cast iron in good condition.

R is hydraulic radius, $.25 \cdot \text{Diameter}$ for full flow.

S is slope, or $125/2640$.

$$\begin{aligned} Q &= [(.833^2) \cdot \pi/4] \cdot 1.316 \cdot 100 \cdot [(.833/4)^{.63}] \cdot [(125/2640)^{.54}] \\ &= 4.17 \text{ cfs.} \end{aligned}$$

The flow was measured using the "yardstick water measuring method" presented in the OWRD manual. The distance was 30-inches for a vertical distance of 6-inches from a level 6-inch PVC pipe. The tabular flow for that distance and a 12-inch vertical is 880 gpm, or $1.4 \cdot 880 \text{ gpm} = 1230 \text{ gpm}$ (2.72 cfs) for a 6-inch vertical distance. Comparing the flow of 2.72 cfs with the calculated 4.17 cfs indicates the friction must be approximately 65 which is indicative of old cast iron pipe in poor condition.

The measured flow of 2.17 cfs is used for this proof.

Maximum flow through existing treatment plant: See plot of maximum day flows over the past 36-months. The maximum day during this period was 0.662 MGD, corrected to 24 hours, or 1.02 cfs. The operation of the plant requires backwashing during part of the day, leaving less than 24-hours for the actual flow to pass through the plant. Filtering time is normally about 90 percent of the actual "on" time, and the effective flow through the plant on such a day would have been $1.02/0.9 = 1.13 \text{ cfs}$. The plant was originally designed for a flow of 0.88 MGD (1.36 cfs) and is reported to have been operated at that rate.

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Use : The existing use of the City exceeds the use permitted by Certificate 1868 (0.5 cfs). The flow used exceeds 25 percent of the amount in Permit 32489 as required by OAR 537.260 to retain a permit or certificate. There is an additional existing use that has occurred when the pipeline is flushed. This flow is reported to have occurred since the time of the reservoir was constructed under Permit R-5527.

The percentages of use of Permit 32489, above full use of Certificate 1868, are:

	<u>City consumption (1.13 cfs)</u>	<u>Flushing (2.17 cfs)</u>
Certificate 1868 (0.5 cfs)	226 %	434 %
Permit 32489 (2.5 cfs)	25 %	67 %

The rate of flow has been proven to these levels, which exceed the minimum required to satisfy the statute.

SURVEY TIE:

A survey tie has been made to a section corner and is shown on the drawing.

SPECIAL CONDITIONS:

The permit included a number of special conditions. The conditions are shown below and followed by a narrative on compliance.

1. The proposed change shall be completed on or before October 1, 1970.

The changes were in place on the date of inspection, March 23, 2001. Bryan Burnham, Water Treatment Operator, stated they had been in place by the required date of October 1, 1970.

2. The quantity of water diverted at the new points of appropriation, together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation. The permit indicates a flow of 0.5 cfs under the original certificate and an additional 2.5 cfs under this permit.

The recorded usage exceeds the total of the original Certificate and is 67 percent of the additional flow under this permit.

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REMARKS:

The above information was supplied by:

Point of appropriation: Jan Kem, PhD, PE, CWRE, LDC Design Group, Inc.
Phone 503-858-4242

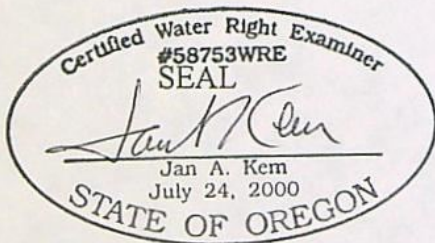
Inspection of metering: Jan Kem, PhD, PE, CWRE, LDC Design Group, Inc.
Phone 503-858-4242

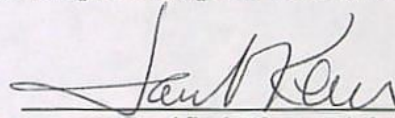
Water metering records: Bryan Burnham, Water Treatment Operator
Phone 503-852-7575

Use of water: Bryan Burnham, Water Treatment Operator
Phone 503-852-7575

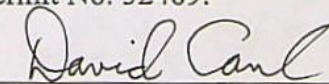
The information was obtained from site visits on March 23 and May 11, 2001, and a site meeting with the Water Treatment Operator on May 11, 2001.

The final proof survey and inspection of the use as found to be completed under the terms and conditions of Permit 32469 were completed by me on May 14, 2001 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.




Certified Water Rights Examiner

I, David Carl, as City Manager of City of Carlton, agree to the findings of the CWRE and do submit this site report and map as my Claim of Beneficial Use of the water as provided under the terms and conditions of Permit No. 32489.


(Signature)

Attachments:

Map of Final Proof Survey
Records of water use

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WATER RESOURCES DEPT.
SALEM, OREGON



Planners
Engineers
Surveyors

3300 NW 211th TERRACE
HILLSBORO, OREGON 97124
PHONE: (503) 858-4242
FAX: (503) 645-5500
EMAIL: ldch@ldcdesign.com

FINAL PROOF SURVEY

Scale: 1" = 1320'

PREPARED FOR: CITY OF CARLTON
191 EAST MAIN STREET
P.O. BOX 458
CARLTON, OREGON 97111
(503) 852-7575

DATE: 05-14-01

SITE LOCATION:

IN THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 5 WEST,
WILLAMETTE MERIDIAN, YAMHILL COUNTY, STATE OF OREGON.

THIS IS NOT A BOUNDARY SURVEY - FOR WATER RIGHT PURPOSES ONLY

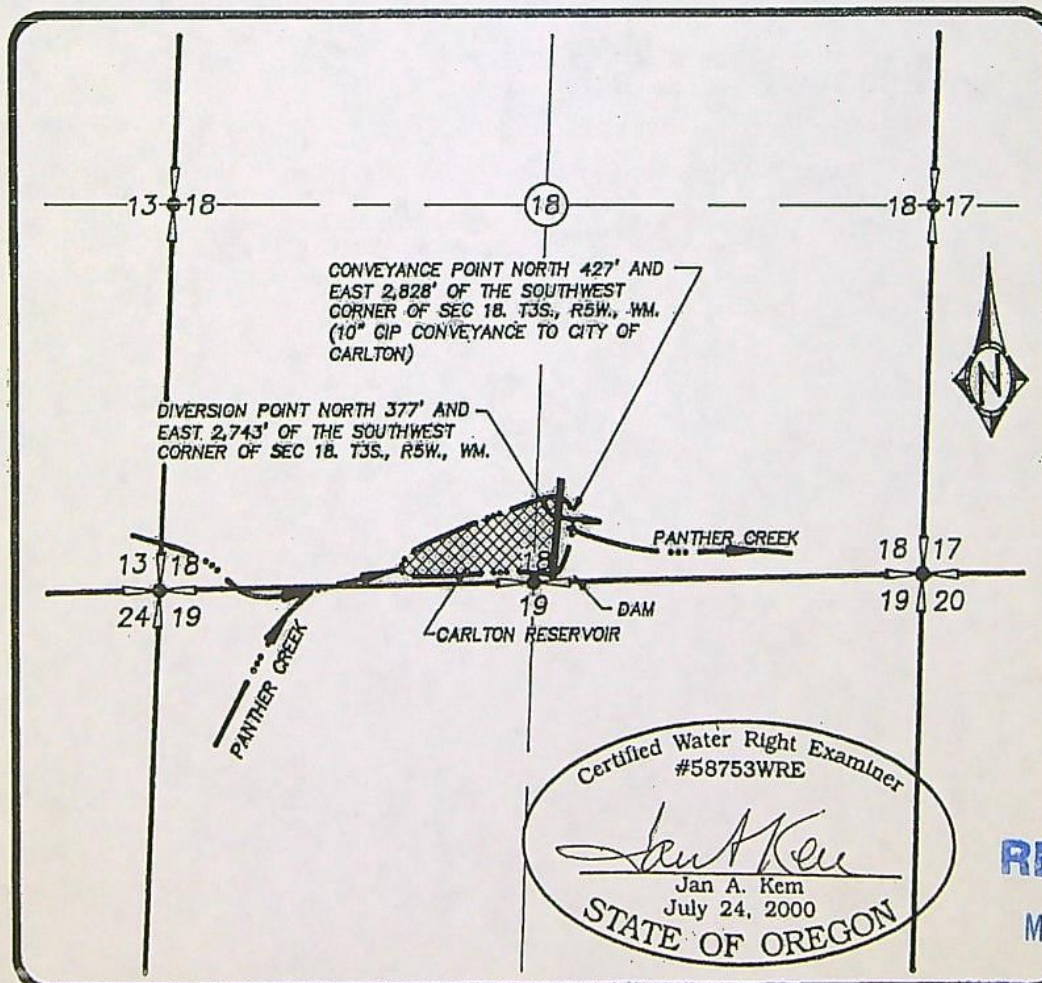
I certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge. It is to be used for the purpose of identifying the location of water right only and is not intended to provide legal dimensions or locations of the property ownership lines.

APPLICATION NUMBER: S-44208
PERMIT NUMBER: 32489

SOURCE: PANTHER CREEK
TRIBUTARY TO: NORTH YAMHILL RIVER

MAP NOTE:

MAP DRAWN USING DIMENSIONS AND PROJECTIONS FROM CS-11170, A RECORDED SURVEY IN YAMHILL COUNTY.
CONVEYANCE AND DIVERSION POINT COLLECTED USING A HANDHELD GPS UNIT.



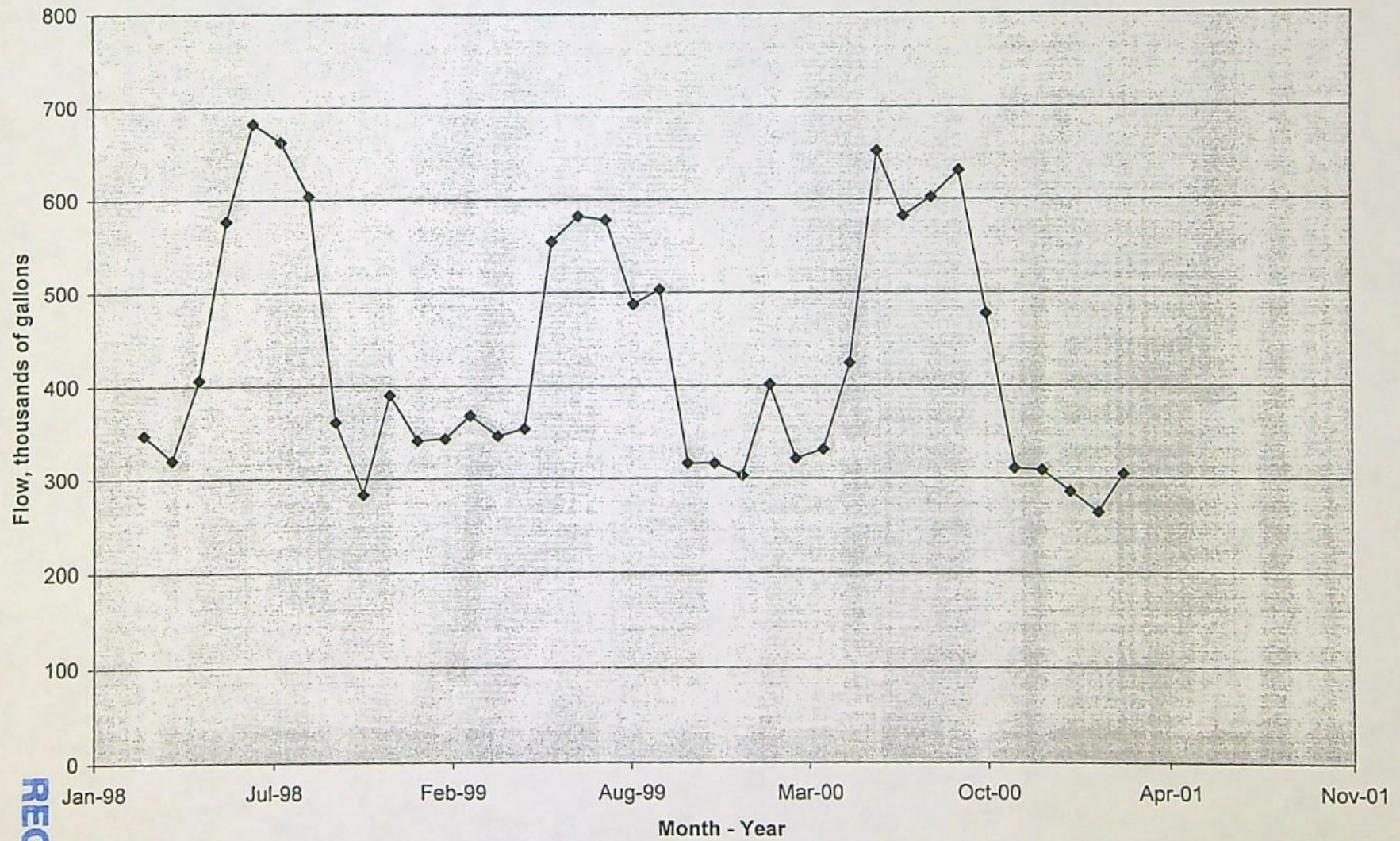
Certified Water Right Examiner
#58753WRE
Jan A. Kern
Jan A. Kern
July 24, 2000
STATE OF OREGON

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WATER RESOURCES DEPT.
SALEM, OREGON

MAXIMUM DAILY FLOW BY MONTH



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WATER RESOURCES DEPT.
SALEM, OREGON

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	820	834740	219	124168	5	199	235	3	1.0	4.5	30	4	7.5	1.0	2.0
2	850	834929	224	124173	9	196		5	1.0	4.5	26	4	7.5	0.5	2.0
3	845	835153	237	124182	6	191		4	1.0	4.5	30	8	7.5	0.5	2.0
4	1000	835390	219	124189	8	187		5	1.0	4.5	28	4	7.5	0.5	2.0
5	818	835609	240	124197	9	182		3	1.0	4.5	23	8	7.5	0.5	2.0
6	800	835840	234	124206	8	179		4	1.0	4.5	26	4	7.5	0.5	2.0
7	757	836083	241	124214	9	175		4	1.0	4.5	23	5	7.5	0.1	2.0
8	842	836324	215	124223	8	171		4	1.0	4.5	20	5	7.5	0.1	2.0
9	811	836539	214	124231	11	167		4	1.0	4.5	18	4	7.5	0.6	2.0
10	652	836753	227	124242	11	163		5	1.0	4.5	18	12	7.5	0.6	2.0
11	658	836980	261	124253	12	158		6	1.0	4.5	18	14	7.5	0.6	2.0
12	900	837241	238	124265	11	152		4	2.0	4.5	18	6	7.5	0.7	2.0
13	800	837479	236	124276	16	148		4	1.0	4.5	27	4	7.5	0.7	2.0
14	520	837715	258	124286	10	144		5	1.0	4.5	36	6	7.5	0.4	2.0
15	937	837973	265	124296	12	139		7	1.0	4.5	27	8	7.5	0.3	2.0
16	1145	838238	245	124308	11	132		5	1.0	4.5	26	6	7.5	0.5	2.0
17	215	838484	145	124314	8	127		4	1.0	4.5	15	10	7.5	0.3	2.0
18	800	838629	231	124327	10	125	233	5	1.0	4.5	24	5	7.5	0.2	2.0
19	700	838860	244	124337	10		225	7	1.0	4.5	24	7	7.5	0.2	2.0
20	730	839104	239	124347	10		221	4	1.0	4.5	30	6	7.5	0.2	2.0
21	730	839343	247	124357	10		217	3	1.0	4.5	24	4	7.5	0.2	2.0
22	800	839590	305	124367	12		214	7	1.0	4.5	26	8	7.5	0.8	2.0
23	130	839893	190	124379	8		207	3	1.0	4.5	18	4	7.5	0.8	2.0
24	725	840085	237	124387	10		204	2	1.0	4.5	16	6	7.5	0.6	2.0
25	720	840322	260	124397	5		202	7	1.0	4.5	24	5	7.5	0.8	2.0
26	830	840582	217	124402	8		195	5	5.0	4.5	30	4	7.5	0.1	2.0
27	755	840799	244	124410	14		190	5	1.0	4.5	27	12	7.5	1.1	2.0
28	800	841043	236	124424	14		185	5	1.0	4.5	28	9	7.5	0.1	2.0
29	815	841279	245	124438	13		180	4	1.0	4.5	25	11	7.5	0.8	2.0
30	821	841524	238	124451	11		176	5	1.0	4.5	27	8	7.5	0.8	2.0
31	700	841762	213	124462	14		171	5	1.0	4.5	24	6	7.5	0.8	2.0

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City Carlton #4100171

Water F Readings

Date Feb 1

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	8:35	822159	223	103843	14	276	172	6	1.8	<.5	20	32	7.5	.3 °5	2.0
2	8:15	828382	258	123857	13		166	6	1.5	<.5	24	4	7.5	.4 °5	2.0
3	9:40	828640	187	123870	8		160	2	1.5	<.5	26	2	7.5	.5 °5	2.0
4	9:10	828827	250	123878	14		158	3	1.0	<.5	26	4	7.5	.3 °5	2.0
5	8:45	829077	236	123892	7		155	6	1.0	<.5	26	2	7.5	- °6	2.1
6	8:30	829313	237	123899	9		149	5	0.6	<.5	27	3	7.5	- °6	2.1
7	8:15	829550	239	123906	7		144	6	0.6	<.5	27	6	7.5	- °6	2.2
8	8:10	829789	200	123915	11		138	4	1.0	<.5	19	2	7.5	.2 °5	2.0
9	8:11	829929	259	123926	11		134	5	1.0	<.5	27	2	7.5	.5 °5	2.0
10	9:41	830245	191	123937	11		129	5	1.0	<.5	21	4	7.5	.5 °5	2.0
11	9:11	830482	239	123942	16		124	3	1.0	<.5	27	2	7.5	.5 °5	2.0
12	8:10	830715	244	123961	11	275	122	4	1.0	<.5	24	2	7.5	- °4	2.0
13	8:11	830912	260	123974	11	276		6	1.0	<.5	27	2	7.5	- °4	2.0
14	11:00	831179	215	123986	10	264		4	1.0	<.5	24	2	7.5	- °4	2.0
15	8:45	831394	241	123996	10	260		5	1.0	<.5	24	8	7.5	.7 °4	2.0
16	8:50	831635	237	124006	12	255		5	1.0	<.5	24	6	7.5	.2 °4	2.0
17	10:40	831872	244	124018	11	250		5	0.4	<.5	24	6	7.5	.5 °4	2.0
18	11:15	832116	226	124029	11	245		5	0.2	<.5	24	6	7.5	- °4	2.0
19	8:00	832342	226	124040	11	250		5	.2	<.5	24	6	7.5	- °4	2.0
20	8:00	832568	250	124051	20	235		4	.1	<.5	35	4	7.5	.7 °4	2.0
21	7:45	832818	239	124071	13	231	235	4	1.6	<.5	20	3	7.5	.3 °5	2.0
22	8:00	833057	246	124084	11	227		6	1.0	<.5	18	2	7.5	.1 °6	2.0
23	9:00	833305	231	124095	16	221		5	1.0	<.5	26	24	7.5	- °7	2.0
24	11:50	833536	206	124111	14	216		2	1.0	<.5	15	2	7.5	- °7	2.0
25	8:41	833742	255	124125	17	214		5	1.0	<.5	30	6	7.5	- °7	2.0
26	7:11	833917	264	124142	9	209		5	1.0	<.5	30	10	7.5	- °6	2.0
27	10:30	834261	206	124151	9	204		3	1.0	<.5	16	13	7.5	- °6	2.0
28	8:07	834411	243	124160	8	201		2	1.0	<.5	27	43	7.5	- °5	2.0
29	8:20	834710		124168		199			1.0	<.5			7.5	- °6	2.0
30															
31															

pit
problem.

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WATER RESOURCES DEPT.
SALEM, OREGON

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph.	Rain	Temp	Cl2 Res
1	8:45	820876	259	123516	25	172 274	6	2.0	<.5	48	6	7.5	-	7	2.0
2	7:30	821135	277	123541	13	164	6	2.4	<.5	42	6	7.5	-	7	2.0
3	8:00	821419	220	123554	10	160	5	1.2	<.5	21	3	7.5	20	7	2.0
4	8:00	821419	244	123564	13	155	5	2.0	<.5	20	6	7.5	20	7	2.0
5	8:00	821876	286	123577	12	150	5	1.9	<.5	30	6	7.5	-	7	2.0
6	2:00 PM	822161	160	123589	8	145	5	1.9	<.5	19	22	7.5	-	7	2.0
7	8:00	822321	257	123597	7	140	6	1.87	<.5	24	6	7.5	20	5	2.0
8	8:00	822579	251	123604	14	134	6	1.9	<.5	24	32	7.5	-	5	2.0
9	10:30	822827	248	123618	11	128	7	1.6	<.5	24	4	7.5	60	5	2.0
10	8:00	823077	201	123629	9	125	6	1.7	<.5	19	4	7.5	-	5	2.0
11	7:00	823275	263	123638	11	275	5	1.5	<.5	24	4	7.5	-	5	2.0
12	9:15	823541	210	123649	9	259	5	1.1	<.5	18	4	7.5	.3	5	2.0
13	9:00	823751	226	123658	9	254	4	1.0	<.5	18	4	7.5	.3	5	2.0
14	9:45	823977	219	123667	9	250	2	.8	<.5	24	4	7.5	.2	5	2.0
15	8:00	824196	253	123676	9	248	7	2.0	<.5	24	4	7.5	-	5	2.0
16	8:00	824449	236	123685	9	241	6	2.0	<.5	20	12	7.5	-	5	2.0
17	9:00	824695	249	123694	9	235	6	1.6	<.5	38	12	7.5	-	5	2.0
18	9:30	824924	252	123703	10	229	6	1.5	<.5	27	16	7.5	-	5	2.0
19	11:30	825156	215	123713	11	223	4	1.3	<.5	20	8	7.5	-	5	2.0
20	10:30	825401	204	123724	8	219	4	1.4	<.5	18	12	7.5	.9	5	2.0
21	9:20	825605	265	123732	11	215	4	1.5	<.5	20	12	7.5	.1	5	2.0
22	11:30	825870	198	123743	8	211	4	2.1	<.5	21	10	7.5	-	07	2.0
23	8:30	826058	263	123751	9	207	4	2.2	<.5	22	6	7.5	.4	07	2.0
24	11:30	826331	199	123760	9	275 203	2	1.8	<.5	18	6	7.5	-	07	2.0
25	5:30	826530	221	123769	10	201	6	1.9	<.5	18	5	7.5	-	07	2.0
26	8:45	826751	340	123779	19	195	6	2.1	<.5	30	10	7.5	.3	06	2.0
27	5:33	827091	163	123788	16	189	3	1.4	<.5	12	4	7.5	-	06	2.0
28	12:30	827254	193	123804	8	186	3	1.3	<.5	12	18	7.5	.7	06	2.0
29	8:50	827447	222	123812	9	183	3	1.4	<.5	21	18	7.5	.4	05	2.0
30	8:00	827669	268	123821	10	180	5	1.8	<.5	30	8	7.5	-	04	2.0
31	10:00	827937	222	123831	12	175	3	1.8	<.5	18	4	7.5	-	04	2.0

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WATER RESOURCES DEPT.
SALEM, OREGON

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2	
		Meter		Meter		1	2				Ash				Res	
1	7 ⁰⁰	813253	259	122937	13	277	167	9	2.0	2.5	36	8	2.5	.5	5	2.0
2	9 ³⁰	813512	230	122950	15		158	5	2.0	2.5	30	6	2.5	-	5	2.0
3	6 ⁰⁰	813742	234	122965	13		157	5	2.0	2.5	36	12	2.5		5	2.0
4	8 ³⁰	813976	220	122978	15		148	4	1.0	2.5	32	6	2.5	-	5	2.0
5	7 ³⁰	814196	268	122993	13		144	7	1.0	2.5	38	6	2.5	-	5	2.0
6	11 ⁰⁰	814464	254	123006	21		137	7	1.0	2.5	36	6	2.5	-	5	2.0
7	9 ³⁰	814718	296	123027	42		130	7	1.0	2.5	36	8	2.5	-	5	2.0
8	9 ⁴⁵	815014	226	123069	11		123	5	1.0	2.5	26	8	2.5	-	5	2.0
9	8 ³⁰	815240	193	123080	13		118	5	1.2	2.5	20	12	2.5	-	5	2.0
10	8:05	815433	255	123093	15		113	6	1.0	2.5	30	8	2.5	-	5	2.0
11	8 ⁵⁶	815688	256	123108	11		107	6	1.0	2.5	36	6	2.5	-	4	2.0
12	10 ³³	815944	232	123119	13		101	6	2.0	2.5	30	6	2.5	-	4	2.0
13	9 ⁴⁵	816176	251	123132	11		95	6	2.5	2.5	36	8	2.5	.7	4	2.0
14	10 ⁵⁰	816427	220	123143	17	273	93	5	2.0	2.5	30	6	2.5	1.8	4	2.0
15	7 ⁴⁵	816647	254	123160	17	265	92	7	8.0	2.5	42	6	2.5	-	4	2.0
16	9 ³⁰	816901	228	123177	17	261		6	2.0	2.5	36	6	2.5	1.5	4	2.0
17	8 ⁰⁰	817129	240	123194	15	255		6	9.7	2.5	42	6	2.5	-	4	2.0
18	9 ⁰⁰	817369	236	123209	20	250		7	6.1	2.5	36	22	2.5	.3	4	2.0
19	8 ⁵⁰	817605	244	123229	25	243		6	5.9	2.5	32	16	2.5	.7	5	2.0
20	8 ⁰⁰	817849	305	123254	31	238	274	7	3.0	2.5	48	28	2.5	.2	-	2.0
21	7 ⁴⁵	818154	296	123285	19	231		6	3.0	2.5	36	6	2.5	2.6	5	2.0
22	8 ⁰⁰	818450	258	123304	23	225		5	18	2.5	48	8	2.5	.5	5	2.0
23	8 ¹⁵	818708	208	123327	17	220		5	10.1	2.5	36	8	2.5	.8	5	2.0
24	8 ⁰⁰	818916	309	123344	34	215		6	2.5	2.5	60	8	2.5	-	5	2.0
25	11 ¹⁵	819225	177	123378	14	209		4	4.5	2.5	32	8	2.5	-	5	2.0
26	8 ²⁵	819402	290	123392	28	205		6	3.6	2.5	48	8	2.5	-	7	2.0
27	9 ⁵⁵	819692	233	123420	21	199		5	3.4	2.5	36	6	2.5	-	7	2.0
28	8 ⁵⁰	819925	259	123441	21	194		6	2.6	2.5	36	8	2.5	-	7	2.0
29	8 ³⁰	820184	219	123462	18	188		5	2.7	2.5	24	4	2.5	-	7	2.0
30	8 ⁴⁰	820403	280	123480	19	183		5	2.2	2.5	44	8	2.5	1.2	7	2.0
31	10:00	820683	193	123499	17	178		6	2.1	2.5	30	8	2.5	-	7	2.0
32	8 ⁴⁵	820876		123516		172			2.0	2.5	48	6	2.5	-	7	2.0

12:00pm
first snow
snow

MAY 3 0 2001

RECEIVED

Switch
-to B
Filter

541.265.2876

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	700	796483	309	121366	61	132	246	11	-	2.5	48	32	7.5	-	12 2.1
2	830	796792	458	121427	51	121		16	3.9	2.5	36	8	7.5	-	14 2.1
3	745	797250	342	121478	69		230	9	3.9	2.5	36	16	7.5	-	14 2.1
4	700	797592	439	121547	59		221	9	3.0	2.5	54	6	7.5	-	13 2.1
5	1045	798031	382	121806	56		212	7	3.0	2.5	48	12	7.5	-	14 2.1
6	845	798413	484	121662	71		205	7	3.0	2.5	44	8	7.5	-	14 2.1
7	645	799937	477	121733	65		198	8	3.6	2.5	42	8	7.5	-	14 2.1
8	905	799314	382	121798	59		190	7	3.6	2.5	36	8	7.5	.4	14 2.1
9	730	799696	332	121851	42		186	6	3.0	2.5	18	8	7.5	.9	14 2.1
10	645	800028	417	121893	63		180	9	3.3	2.5	28	8	7.5	-	11 2.1
11	830	800405	342	121953	51		171	7	3.3	2.5	48	12	7.5	-	12 2.1
12	930	800787	350	122004	45		164	7	3.7	2.5	44	12	7.5	.1	12 2.1
13	845	801137	342	122049	51	281	157	11	3.3	2.5	44	12	7.5	.6	12 2.1
14	715	801479	388	122100	42		148	9	3.0	2.5	54	16	7.5	0	12 2.1
15	9100	801864	332	122142	45		139	7	2.8	2.5	48	8	7.5	-	12 2.1
16	700	802176	258	122197	24		132	8	5.1	2.5	36	8	7.5	-	12 2.1
17	900	802454	263	122211	21		124	6	3.4	2.5	36	6	7.5	-	11 2.1
18	845	802712	259	122272	21		118	6	3.0	2.5	36	6	7.5	-	11 2.1
19	1000	802976	218	122253	13		112	6	2.8	2.5	30	12	7.5	.8	11 2.0
20	836	803194	206	122266	16		106	6	3.3	2.5	30	8	7.5	.3	11 2.1
21	730	803400	242	122282	14		100	5	3.0	2.5	30	8	7.5	-	11 2.1
22	745	803642	249	122296	13	280	96	6	2.5	2.5	36	8	7.5	-	11 2.1
23	960	803891	247	122309	16	274		6	2.5	2.5	36	8	7.5	-	11 2.1
24	1600	804138	220	122325	14	218		6	2.6	2.5	30	8	7.5	-	11 2.0
25	700	804358	226	122339	16	262		5	2.5	2.5	24	8	7.5	.1	11 2.0
26	960	804584	238	122355	13	257		8	2.6	2.5	24	8	7.5	.8	11 2.1
27	700	804832	209	122367	11	249		6	2.5	2.5	24	8	7.5	.9	11 2.1
28	730	805031	239	122379	13	243		6	2.8	2.5	30	4	7.5	.3	11 2.1
29	725	805270	277	122392	14	-		6	2.7	2.5	27	8	7.5	-	11 2.1
30	1130	805541	266	122406	16	238		6	2.6	2.5	27	8	7.5	-	9 2.1
31	1030	805813	188	122408	14	231		4	2.9	2.5	18	6	7.5	-	9 2.1

* Leak Repair

RECEIVED

MAY 3 0 2001

54 20

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter	347	Meter	24	1 2	7	1.0	2.5		Ash		-		Res
1	7:30	784803	387	120384	26	150 238	8	1.0	2.5	38	26	7.5		16	2.0
2	9:15	785190	292	120410	18	142 234	7	1.1	2.5	42	20	7.5		16	2.0
3	8:51	785482	310	120428	23	135 228	7	1.0	2.5	42	20	7.5		16	2.0
4	9:30	785792	310	120455	26	128	6	1.0	2.5	22	36	7.5		16	2.0
5	7:35	786102	341	120481	21	126	6	1.4	2.5	24	16	7.5		16	2.0
6	7:45	786443	366	120502	27	121 202	9	1.4	2.5	38	16	7.5		16	2.0
7	9:00	786809	390	120524	29	203 211	7	1.0	2.5	32	18	7.5		14	2.0
8	10:30	787199	304	120558	30	210	8	1.3	2.5	28	10	7.5		14	2.0
9	7:30	787503	303	120588	27	202	6	1.7	2.5	28	10	7.5		14	2.0
10	9:00	787806	232	120615	29	196	7	1.8	2.5	23	8	7.5		14	2.0
11	8:15	788131	355	120640	26	189	8	1.8	2.5	20	12	7.5		14	2.0
12	7:40	788493	425	120670	33	181	9	1.4	2.5	28	12	7.5		14	2.0
13	10:45	788918	580	120703	32	172	14	1.4	2.5	48	14	7.5		14	2.0
14	11:44	789418	361	120735	21	158	12	1.5	2.5	39	12	7.5		14	3.0
15	11:11	789779	383	120766	19	146	14	1.5	2.5	46	16	7.5		14	3.0
16	8:00	790102	337	120775	17	132	16	1.5	2.5	48	18	7.5		14	3.0
17	9:15	790499	299	120792	11	116	18	1.5	2.5	48	12	7.5		14	3.0
18	9:30	790798	500	120803	48	102	14	2.3	2.5	57	20	7.5		16	2.8
19	11:30	791278	364	120851	34	270 91	12	2.2	2.5	48	14	7.5		14	2.1
20	10:45	791662	348	120895	36	258	8	2.0	2.5	20	8	7.5		16	2.1
21	8:11	792313	480	120931	41	250	8	2.2	2.5	54	20	7.5		16	2.1
22	8:32	792490	532	120962	58	242	11	2.7	2.5	72	16	7.5		16	2.1
23	8:30	793022	506	121020	48	231	13	2.7	2.5	78	12	7.5		16	2.1
24	8:30	793528	618	121068	47	218	13	2.4	2.5	72	16	7.5		16	2.1
25	8:00	794146	485	121115	39	205	10	2.0	2.5	78	8	7.5		14	2.1
26	7:00	794631	374	121154	38	195	15	2.1	2.5	114	40	7.5		14	2.1
27	10:00	795005	438	121192	40	180	12	2.6	2.5	54	12	7.5		13	2.1
28	8:50	795463	297	121232	49	168	10	2.7	2.5	36	8	7.5		12	2.1
29	5:00	795760	431	121281	49	152	13	2.2	2.5	48	8	7.5		13	2.1
30	8:30	796191	292	121320	31	145	13	4.3	2.5	42	8	7.5		13	2.1
		796413		121366		132		3.9	2.5	48	10	7.5		12	2.1

Cl2 Change
30

631/20

RECEIVED

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2	
		Meter		Meter		1	2				Ash				Res	
1	7:00	770220	609	119051	129		129	4	2.5	4.5	143	24	7.5	-	17	2.0
2	7:25	770829	620	119150	122	242	125	12	2.3	4.5	140	16	7.5	-	17	2.0
3	9:00	771449	543	119302	74	229		7	2.5	4.5	129	18	7.5	-	17	2.0
4	8:00	771992	500	119376	52	222		10	2.6	4.5	132	14	7.5	-	17	2.0
5	6:00	772492	489	119428	61	212		9	2.5	4.5	110	14	7.5	-	17	2.0
6	6:30	772921	463	119469	42	203		8	3.0	4.5	108	12	7.5	-	17	2.0
7	6:40	773444	305	119511	34	195		8	3.3	4.5	78	8	7.5	-	17	2.0
8	7:00	773749	556	119545	52	187		6	3.0	4.5	88	14	7.5	-	17	2.0
9	7:30	774305	457	119597	59	181		6	3.0	4.5	56	12	7.5	-	19	2.0
10	8:50	774762	451	119656	27	175	279	10	2.6	4.5	72	8	7.5	-	19	2.0
11	6:00	775213	314	119693	21	165		5	2.9	4.5	92	32	7.5	-	16	2.0
12	6:11	775527	652	119714	78	160		10	2.6	4.5	132	32	7.5	-	16	2.0
13	8:13	776179	451	119792	37	150		8	2.2	4.5	93	24	7.5	-	16	2.0
14	6:27	776630	566	119829	41	142		7	2.2	4.5	69	32	7.5	-	16	2.0
15	12:00	777190	371	119870	27	135		5	1.8	4.5	45	16	7.5	-	16	2.0
16	8:00	777567	455	119897	28	130		4	2.9	4.5	54	20	7.5	-	16	2.0
17	7:00	778122	419	119925	24	126		4	1.78	4.5	48	16	7.5	-	16	2.0
18	5:15	778441	521	119949	37	120		13	1.40	4.5	60	24	7.5	-	16	2.0
19	2:50	778775	416	119986	21	107		13	1.28	4.5	38	16	7.5	-	16	2.0
20	6:36	779378	203	120007	8	100	273	5	1.5	4.5	23	20	7.5	-	16	2.0
21	7:15	779551	633	120015	47	97	270	12	1.5	4.5	69	16	7.5	-	16	2.0
22	7:45	779714	592	120032	44		261	17	1.2	4.5	72	16	7.5	-	16	2.0
23	9:30	780000	435	120106	42		244	14	1.1	4.5	48	20	7.5	-	16	2.0
24	8:25	781241	420	120148	39	241		18	1.5	4.5	39	20	7.5	-	16	2.0
25	8:30	781661	452	120187	32	223		13	1.8	4.5	45	16	7.5	-	16	2.0
26	8:30	782113	427	120219	26	210		8	1.8	4.5	55	22	7.5	-	16	2.0
27	8:15	782546	483	120245	35	202		9	1.7	4.5	48	16	7.5	-	16	2.0
28	10:45	783023	505	120280	28	193		11	1.90	4.5	78	16	7.5	-	16	2.0
29	8:15	783528	485	120308	28	182		12	1.0	4.5	84	20	7.5	-	16	2.0
30	8:30	784013	443	120336	24	170		13	1.5	4.5	58	14	7.5	-	16	2.0
31	8:00	784456	347	120365	24	157	232	7	1.67	4.5	54	20	7.5	-	16	2.0

Copper

Total
lowered
to 13'
F/6.5470
BW
vate

Copper

RECEIVED

MAY 3 0 2001

WATER RESOURCES DEPT.

446

Date	Time	Main	Filtered	Backwash	Used	Chlorine		Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2					Ash				Res
1	6:00	755634	342	117959	13	146	196	8	1.84	2.5	44	10	7.5	-	14	2.0
2	6:00	753976	436	117972	20		188	8	1.84	2.5	44	8	7.5	-	15	2.0
3	6:00	756412	445	117992	25		180	8	1.0	2.5	46	8	7.5	-	15	2.0
4	6:00	756857	405	118017	20		170	11	1.12	2.5	44	8	7.5	-	15	2.0
5	7:45	757262	333	118037	18		161	7	1.3	2.5	32	6	7.5	-	15	2.0
6	7:30	757595	360	118055	24		154	8	1.4	2.5	40	8	7.5	-	14	2.0
7	7:00	757955	540	118079	29		146	9	1.4	2.5	52	6	7.5	-	14	2.0
8	6:30	758495	486	118108	31		137	8	1.5	2.5	48	4	7.5	-	14	2.0
9	6:30	758961	572	118139	31		129	8	1.4	2.5	58	8	7.5	-	14	2.0
10	10:30	759473	380	118170	27	143	124	7	1.5	2.5	44	8	7.5	-	14	2.0
11	8:30	759853	473	118197	38	136		9	1.79	2.5	58	8	7.5	-	14	2.0
12	8:00	760326	508	118235	41	127		9	1.66	2.5	54	12	7.5	-	14	2.0
13	8:30	760834	575	118276	54	118	276	8	1.64	2.5	54	6	7.5	-	14	2.0
14	9:30	761409	508	118330	42	110		10	1.86	2.5	62	12	7.5	-	14	2.0
15	11:30	761917	438	118372	28	100		8	1.99	2.5	48	8	7.5	-	15	2.0
16	2:30	762395	476	118400	37	97	271	9	2.00	2.5	62	2	7.5	-	15	2.0
17	9:00	762871	497	118437	29		262	8	2.0	2.5	52	6	7.5	-	15	2.0
18	7:10	763328	500	118466	33		254	9	1.8	2.5	48	8	7.5	-	15	2.0
19	7:45	763828	484	118499	25		245	9	2.0	2.5	56	8	7.5	-	15	2.0
20	7:41	764318	495	118522	25		236	11	1.7	2.5	56	10	7.5	-	15	2.0
21	10:41	764807	339	118549	18		225	5	1.69	2.5	40	4	7.5	-	15	2.0
22	6:10	765146	582	118567	26		220	12	1.9	2.5	56	24	7.5	-	15	2.0
23	9:30	765788	448	118593	21		208	8	1.9	2.5	11	4	7.5	-	16	2.0
24	8:00	766176	497	118614	39		200	8	1.87	2.5	70	6	7.5	-	16	2.0
25	8:00	766577	498	118652	32		192	10	2.2	2.5	80	16	7.5	-	16	2.0
26	8:45	767171	450	118685	41		182	9	1.8	2.5	76	14	7.5	-	16	2.0
27	9:15	767621	560	118726	51		173	8	2.6	2.5	80	10	7.5	-	16	2.0
28	9:00	768181	465	118777	59		165	9	2.1	2.5	96	20	7.5	-	16	2.0
29	8:00	768646	498	118836	95		156	9	2.1	2.5	100	16	7.5	-	16	2.0
30	9:20	769144	528	118931	88		147	9	2.1	2.5	88	8	7.5	-	16	2.0
31	9:45	769672	548	118981	62		138	9	2.4	2.5	112	12	7.5	-	17	2.0

Rw
3 hrs

RECEIVED

MAY 30 2001

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	7:00	743777	419	117358	20	151	6	2.0	2.5	48	16	7.5	-	11	2.0
2	8:00	744196	423	117378	20	249	9	1.5	2.5	48	18	7.5	-	11	2.0
3	8:00	744619	432	117398	24	136	8	1.6	2.5	44	14	7.5	-	11	2.0
4	9:30	745051	427	117432	21	128	6	1.4	2.5	44	16	7.5	-	13	2.0
5	8:20	745478	321	117443	22	132	5	1.6	2.5	30	4	7.5	-	13	2.0
6	7:45	745799	342	117465	25	247	7	1.6	2.5	28	4	7.5	4	13	2.0
7	9:00	746141	300	117490	11	240	5	1.6	2.5	36	8	7.5	4	13	2.0
8	7:20	746441	288	117501	12	235	7	1.5	2.5	36	84	7.5	-	13	2.0
9	7:10	746729	306	117513	14	228	6	1.4	2.5	37	8	7.5	3	12	2.0
10	8:10	747035	276	117527	13	222	7	1.6	2.5	36	4	7.5	2	11	2.0
11	8:00	747311	284	117540	12	215	6	1.6	2.5	40	4	7.5	2.2	11	2.0
12	8:15	747545	282	117552	15	209	6	2.2	2.5	46	6	7.5	-	11	2.0
13	7:00	747877	327	117567	18	203	7	1.6	2.5	32	13	7.5	-	11	2.0
14	7:30	748204	371	117585	16	196	6	4.11	2.5	32	13	7.5	-	11	2.0
15	9:00	748575	361	117601	19	190	4	2.87	2.5	50	32	7.5	-	11	2.0
16	10:30	748936	382	117620	23	182	6	3.0	2.5	40	10	7.5	-	11	2.0
17	7:00	749318	313	117631	12	176	6	1.7	2.5	72	10	7.5	-	13	2.0
18	7:00	750000	455	117659	24	170	7	1.5	2.5	70	10	7.5	-	13	2.0
19	7:55	750500	533	117670	28	163	8	1.5	2.5	72	8	7.5	-	13	2.0
20	12:15	750819	372	117707	21	155	7	1.3	2.5	56	6	7.5	-	13	2.0
21	8:40	750991	404	117728	20	148	3	1.4	2.5	64	12	7.5	-	13	2.0
22	7:15	751395	410	117748	22	145	7	1.1	2.5	56	13	7.5	-	13	2.0
23	7:50	751805	428	117770	24	267	9	1.1	2.5	60	9	7.5	-	13	2.0
24	8:30	752233	402	117794	25	258	9	1.1	2.5	60	10	7.5	-	14	2.0
25	9:00	752635	462	117819	22	249	7	1.1	2.5	60	10	7.5	-	14	2.0
26	9:30	753097	437	117841	25	242	9	.9	2.5	56	8	7.5	-	14	2.0
27	8:40	753534	502	117866	24	232	11	.9	2.5	70	8	7.5	-	15	2.0
28	8:40	754036	646	117890	25	224	11	.84	2.5	68	8	7.5	-	15	2.0
29	8:30	754652	571	117915	22	213	10	.81	2.5	66	16	7.5	-	15	2.0
30	7:30	755253	381	117937	22	203	7	.73	2.5	46	8	7.5	-	16	2.0
31	7:00	755634		117959		196									

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MAY 30 2001

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652/12

WATER RESOURCES DEPT.
SALEM, OREGON

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res	Filler Raw Filt.
1	8:30	734249	273	117004	4	171		7	2.7	4.5	28	6	7.5	10	2.0	24 24
2	8:45	734522	277	117008	10	164		6	2.2	4.5	36	8	7.5	10	2.0	24 24
3	9:15	734799	261	117018	9	158		5	2.3	4.5	26	5	7.5	10	2.0	12 12
4	8:15	735060	301	117027	8	153		7	2.2	4.5	38	8	7.5	10	2.0	12 12
5	8:43	735361	291	117035	12	146		6	2.4	4.5	36	8	7.5	10	2.0	12 12
6	11:00	735652	260	117047	4	140		7	1.9	4.5	36	8	7.5	11	2.0	12 12
7	8:45	735912	262	117051	9	133		6	1.7	4.5	36	8	7.5	11	2.0	12 12
8	7:00	736174	298	117060	8	127		7	1.7	4.5	32	6	7.5	11	2.0	12 12
9	8:00	736472	245	117068	10	120		6	1.6	4.5	30	5	7.5	11	2.0	12 12
10	8:25	736717	279	117078	8	114		7	4.2	4.5	36	8	7.5	10	2.0	12 12
11	8:25	736996	319	117086	16	107	276	7	8.6	4.5	48	12	7.5	10	2.0	6 6
12	10:35	737315	215	117102	16	100		6	5.1	4.5	28	8	7.5	10	2.0	6 6
13	8:30	737530	292	117118	8	94		6	2.7	4.5	36	8	7.5	10	2.0	12 12
14	8:45	737822	280	117126	8	92		7	2.6	4.5	38	8	7.5	10	2.0	12 12
15	7:45	738102	299	117134	10			8	2.4	4.5	40	8	7.5	10	2.0	12 12
16	8:30	738401	297	117144	9			5	2.5	4.5	36	8	7.5	10	2.0	12-12
17	9:00	738698	310	117153	13			7	2.3	4.5	40	8	7.5	10	2.0	8-8
18	10:30	739008	270	117166	8			4	2.2	4.5	32	8	7.5	10	2.0	8-8
19	8:45	739278	327	117174	17			6	2.0	4.5	40	8	7.5	10	2.0	6
20	11:30	739555	244	117180	8			10	2.0	4.5	30	8	7.5	10	2.0	
21	8:10	739849	254	117199	12			5	2.0	4.5	34	8	7.4	11	2.0	8-8
22	11:30	740103	409	117211	6			7	2.0	4.5	48	10	7.5	11	2.0	8-8
23	9:06	740511	421	117219	17			6	2.0	4.5	52	8	7.5	11	2.0	7-7
24	7:55	740932	393	117236	12			7	2.4	4.5	48	12	7.5	11	2.0	7-7
25	8:00	741325	388	117248	14			5	1.99	4.5	48	6	7.5	11	2.0	7-7
26	9:20	741713	317	117262	10			7	2.5	4.5	42	6	7.5	11	2.0	7-7
27	7:40	742030	324	117275	17			6	1.6	4.5	48	8	7.5	11	2.0	7-7*
28	8:15	742354	314	117288	16			7	1.6	4.5	48	8	7.5	11	2.0	6-6*
29	9:00	742668	307	117305	17			8	1.6	4.5	44	8	7.5	11	2.0	6-6*
30	7:50	743075	378	117322	19			7	1.5	4.5	44	8	7.5	11	2.0	5-5*
31	7:30	743353	424	117341	17			8	2.0	4.5	64	8	7.5	11	2.0	5-5
32	7:00	743777		117358					2.0	4.5			7.5	11	2.0	

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MAY 30 2001

WATER RESOURCES DEPT

Date	Time	Main Meter	Filtered 283	Backwash Meter	Used 12	Chlorine 1 2	Used 5	Influ	Eff	Alum 20	Soda Ash 5	Ph	Rain	Temp	Cl2 Res
1	8:00	726084	.279	116787	10	242	205	5	1.8	2.5	20	7.5	-	10	2.0
2	8:00	726363	.271	116797	7		200	2	2.0	2.5	16	7.5	-	10	2.0
3	8:15	726600	.297	116806	12		198	4	2.3	2.5	20	7.5	-	10	2.0
4	8:45	726931	.306	116818	10		194	6	2.6	2.5	22	7.5	-	10	2.0
5	8:45	727237	.263	116828	10		188	5	1.6	2.5	23	7.5	-	10	2.0
6	7:45	727500	.301	116838	6		183	6	1.6	2.5	32	7.5	.1	10	2.0
7	8:40	727801	.331	116844	13		177	6	2.2	2.5	28	7.5	-	9	2.0
8	11:00	728132	.284	116857	8		171	7	2.0	2.5	24	7.5	-	10	2.0
9	1:00	728416	.211	116865	6		164	4	2.0	2.5	16	7.5	-	10	2.0
10	9:00	728627	.296	116871	10		160	5	1.7	2.5	24	7.5	-	10	2.0
11	8:25	728923	.214	116881	6		155	6	1.75	2.5	24	7.5	-	10	2.0
12	8:23	729217	.281	116887	6		149	5	1.70	2.5	20	7.5	.10	10	2.0
13	8:07	729499	.283	116897	10		144	5	1.80	2.5	20	7.5	.50	11	2.0
14	9:00	729781	.292	116903	8		139	5	2.29	2.5	32	7.5	.2	11	2.0
15	9:20	730073	.237	116911	10		134	5	2.00	2.03	28	7.5	.1	11	2.0
16	8:30	730310	.276	116921	6		129	5	1.81	2.5	26	7.5	-	11	2.0
17	8:00	730586	.252	116927	10		124	6	2.90	2.5	28	7.5	-	11	2.0
18	7:50	730838	.313	116937	6		118	4	2.2	2.5	36	7.5	-	11	2.0
19	9:00	731151	.292	116943	11	239	117	5	1.8	2.5	24	7.5	-	11	2.0
20	7:30	731373	.313	116954	6	234		5	1.9	2.5	36	7.5	-	11	2.0
21	9:00	731686	.231	116960	6	229		5	2.19	2.5	28	7.5	.15	11	2.0
22	7:00	731917	.291	116966	4	224		6	2.2	2.5	32	7.5	.1	11	2.0
23	8:30	732208	.230	116970	6	218		5	1.77	2.5	28	7.5	.3	11	2.0
24	8:30	732438	.264	116976	4	217		4	2.0	2.5	32	7.5	.3	11	2.0
25	8:15	732702	.247	116980	6	209		6	3.0	2.5	28	7.5	-	10	2.0
26	9:30	732949	.272	116986	3	203		6	2.4	2.5	30	7.5	-	10	2.0
27	8:50	733231	.265	116989	5	197		7	2.6	2.5	26	7.5	.80	10	2.0
28	9:25	733496	.248	116994	4	190		6	2.7	2.5	26	7.5	.20	10	2.0
29	10:00	733774	.274	116998	4	184		7	3.7	2.5	32	7.5	-	10	2.0
30	9:25	734008	.241	117002	2	177		6	2.8	2.5	24	7.5	-	10	2.0
31	8:30	734249		117004		171			2.7	2.5		7.5			

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Date		Time		Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
				Meter		Meter		1	2				Ash				Res
				717668		116387											
1	8:30			717933	.256	116407	22	204		5	5.7	2.5	22	12	7.0	8	2.0
2	8:13			718189	.274	116429	23	199	260	7	4.3	2.5	24	14	7.3	8	2.0
3	8:25			718468	.268	116452	20	192		6	4.4	2.5	22	12	7.2	8	2.0
4	7:55			718736	.258	116472	26	186		6	3.6	2.5	20	8	7.0	12	2.0
5	8:50			718988	.274	116498	22	180		6	3.5	2.5	24	16	7.0	8	2.0
6	8:16			719262	.271	116520	11	174		6	3.5	2.5	16	16	7.3	7	2.0
7	8:05			719533	.295	116531	9	168		6	2.7	2.5	24	8	7.3	8	2.0
8	8:55			719828	.220	116540	13	162		5	2.89	2.5	12	10	7.4	7	2.0
9	7:57			720048	.251	116553	13	157		6	2.56	2.5	20	8	7.4	7	2.0
10	8:55			720299	.268	116566	13	151		7	3.12	2.5	24	10	7.0	12	2.0
11	8:35			720567	.284	116579	8	144		5	3.89	2.5	20	6	7.5	7	2.0
12	8:30			720851	.291	116587	14	139		6	3.9	2.5	20	10	7.5	7	2.0
13	11:40			721142	.209	116601	6	133		7	3.9	2.5	16	10	7.5	10	2.0
14	8:00			721351	.321	116607	9	126		7	7.2	2.5	24	12	7.5	8	2.0
15	12:00			721672	.216	116616	6	119		5	6.7	2.5	16	10	7.5	8	2.0
16	7:40			721888	.260	116622	9	114		7	5.83	2.5	20	6	7.3	10	2.0
17	7:00			722148	.229	116631	10	107		5	5.3	2.5	20	6	7.4	8	2.0
18	8:30			722377	.244	116641	8	102		7	4.2	2.5	16	6	7.5	8	2.0
19	8:30			722641	.247	116649	8	95		5	4.5	2.5	20	6	7.5	8	2.0
20	8:30			722888	.249	116657	10	90	260	6	4.4	2.5	20	6	7.5	8	2.0
21	1:30			723137	.266	116667	15		254	6	3.55	2.5	24	16	7.5	8	2.0
22	7:30			723403	.268	116682	12		248	4	8.16	2.5	18	8	7.5	8	2.0
23	7:30			723671	.267	116694	12		244	5	4.33	2.5	18	4	7.5	8	2.0
24	9:20			723938	.269	116706	11	242	239	1	3.00	2.5	18	8	7.5	8	2.0
25	9:35			724207	.221	116717	11		238	3	2.92	2.5	12	2	7.5	8	2.0
26	8:15			724428	.292	116728	13		235	6	3.10	2.5	20	6	7.4	8	2.0
27	8:00			724720	.240	116741	4		229	5	2.0	2.5	16	5	7.5	8	2.0
28	7:45			724960	.267	116745	10		224	4	2.7	2.5	22	4	7.5	8	2.0
29	7:30			725227	.282	116755	12		220	6	1.9	2.5	20	4	7.5	8	2.0
30	7:20			725509	.292	116767	8		214	4	1.9	2.5	16	4	7.5	8	2.0
31	6:00			725801	.283	116775	12		210	5	1.9	2.5	20	5	7.5	8	2.0
1	8:30			726049		116787			205		1.8	2.5			7.5	10	2.0

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Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	8:30	709701	.287	115766	27	242	5			44	36	7.5	.7	8	2.0
2	8:30	709988	.275	115793	26	231	6	18.8	<.5	22	22	7.5	-	8	2.0
3	7:00	710227	.266	115821	33	231	6	4.2	<.5	24	28	7.5	-	8	2.0
4	7:50	710529	.289	115862	25	225	5	2.66	<.5	24	36	7.5	.2	8	2.0
5	9:30	710818	.256	115887	35	220	5	3.11	<.5	20	32	7.5	.1	8	2.0
6	8:00	711011	.304	115722	54	215	7	10	<.5	24	32	7.5	-	8	2.0
7	11:09	711378	.236	115976	13	208	4	3.71	<.5	16	28	7.5	.6	8	2.0
8	7:55	711514	.298	115989	26	204	7	3.41	<.5	24	24	7.5	-	11	2.0
9	7:30	711912	.335	116015	26	197	6	2.73	<.5	24	28	7.2	-	8	2.0
10	9:00	712247	.401	116036	22	191	5	2.23	<.5	24	28	7.5	-	8	2.0
11	7:00	712648	.292	116058	21	186	6	2.55	<.5	20	24	7.1	.5	10	2.0
12	9:00	712940	.246	116079	20	180	5	18	<.5	16	16	7.4	.0	11	2.0
13	8:00	713186	.326	116099	19	175	6	2.0	<.5	24	16	7.4	1.1	11	2.0
14	9:54	713512	.231	116118	21	169	5	2.83	<.5	12	12	7.1	.6	10	2.0
15	8:00	713743	.320	116139	18	164	6	5.67	<.5	20	20	7.1	-	11	2.0
16	7:50	714063	.343	116157	19	158	6	3.53	<.5	28	28	7.1	-	8	2.0
17	9:30	714406	.324	116176	17	152	5	2.41	<.5	28	20	7.1	-	10	2.0
18	9:00	714730	.319	116193	18	147	7	2.22	<.5	24	12	7.0	-	10	2.0
19	11:45	715049	.206	116211	15	140	4	2.31	<.5	12	40	7.0	-	7	2.0
20	8:45	715243	.288	116226	15	136	5	1.83	<.5	24	50	7.4	.1	7	2.0
21	8:30	715531	.284	116241	17	131	6	6.0	<.5	34	18	7.5	1.1	7	2.0
22	9:30	715815	.258	116258	13	125	5	4.1	<.5	34	18	7.2	-	7	2.0
23	8:40	716073	.271	116271	15	120	6	3.2	<.5	28	12	7.5	-	7	2.0
24	8:00	716344	.311	116286	15	118	7	2.8	<.5	28	28	7.5	.1	8	2.0
25	11:11	716655	.218	116301	15	231	4	2.6	<.5	16	12	7.5	.7	8	2.0
26	8:30	716873	.267	116316	24	227	5	2.9	<.5	20	12	7.5	2.0	8	1.9
27	7:50	717140	.252	116340	26	222	6	13.0	<.5	16	12	7.5	-	8	2.0
28	7:55	717392	.276	116366	21	216	5	6.2	<.5	24	12	7.5	1.2	8	2.0
29	8:25	717668	.265	116387	20	211	7	11.08	<.5	24	12	7.5	-	8	2.0
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Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	7:30 PM	701794	.116	115 533	12			7	11	4.5	4	7.5	.7	6	2.0
2	8:00	701794	.236	115 533	13	273		6	10	4.5	48	7.5	.4	6	2.0
3	8:30	702146	.219	115 258	13	267		5	12	4.5	16	7.5	2.0	8	2.0
4	7:30	702365	.266	115 271	25	219	265	9	14	4.5	44	7.5	.6	8	2.0
5	8:00	702631	.266	115 276	28	210		4	13	4.5	40	7.5	—	8	2.0
6	9:00	702897	.281	115 324	16	206		9	10	4.5	40	7.5	—	8	2.0
7	7:45	703171	.291	115 341	16	197		7	9	4.5	40	7.5	—	8	2.0
8	7:40	703447	.238	115 356	15	190		5	10	4.5	32	7.5	1.0	8	2.0
9	8:00	703701	.290	115 371	14	185		6	10	4.5	40	7.5	.7	8	2.0
10	8:00	703701	.225	115 385	13	177		6	12	4.5	32	7.5	Show	8	2.0
11	8:10	704222	.255	115 398	14	173		5	10	4.5	32	7.5	Show	8	2.0
12	8:30	704477	.277	115 412	12	168		7	10	4.5	32	7.5	Show	8	2.0
13	7:50	704754	.287	115 424	17	160		6	10	4.5	28	7.5	1.0	6	2.0
14	12:00	705041	.239	115 441	25	155		10	11.4	4.5	24	7.5	—	8	2.2
15	9:50	705280	.259	115 466	24	145		4	10.6	4.5	28	7.5	1.0	8	2.0
16	8:30	705539	.244	115 490	23	141		6	10.2	4.5	28	7.5	—	7	2.0
17	8:00	705771	.266	115 511	21	137		5	12	4.5	40	7.5	—	7	2.0
18	7:40	706049	.303	115 534	25	132		6	3.88	4.5	40	7.3	—	6	2.2
19	8:50	706352	.228	115 559	19	126		4	3.84	4.5	28	7.0	.5	8	2.0
20	8:30	706680	.279	115 578	21	122		6	9.10	4.5	28	7.1	1.5	7	2.0
21	7:30	706979	.274	115 599	26	116		4	7.01	4.5	52	7.1	.4	10	2.0
22	8:30	707133	.249	115 623	21	112		4	10.8	4.5	32	7.1	0	10	2.0
23	8:00	707342	.271	115 646	26	108		7	10	4.5	32	7.1	—	8	2.0
24	9:00	707557	.239	115 672	20	101		5	4.72	4.5	36	7.5	1.3	8	2.0
25	8:20	707892	.202	115 692	14	96		7	11.2	4.5	20	7.0	—	8	2.0
26	7:40	708094	.296	115 706	14	95		2	5.57	4.5	24	7.0	—	7	2.0
27	7:50	708390	.275	115 720	8			5	5.30	4.5	40	7.0	—	8	2.0
28	9:00	708645	.256	115 728	5		260	3	15.0	4.5	44	7.5	—	6	2.0
29	8:30	708921	.259	115 733	12		257	7	3.86	4.5	32	7.2	—	6	2.0
30	9:00	709150	.248	115 745	12		250	4	4	4.5	28	7.2	.1	10	2.0
31	7:30	709428		115 757			246	4	8	4.5	32	7.2	2.3	7	2.0
		709701		115 766			242		21.2	4.5					

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WATER RESOURCES DEPT
SAFETY

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 12	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	41		246	114619		125	6	8	4.5	41	24	7.5	2.2	10	2.0
2	51		359	114642	23	125	8	25	4.5	44	20	7.5	3.0	7	2.0
3	950	694140		114665	23	124	8	10	4.5	48	29	7.5	-	9	2.0
4	1205	694401		114692	17	114	6	8	4.5	44	24	7.5		9	2.0
5	1210	694719	246	114719	26	116	8	8	4.5	44	36	7.5	1.5	9	2.0
6	1215	694719	246	114735	20	105	6	8	4.5	40	24	7.5	1.2	9	2.0
7	900	695245	235	114755	21	96	6	15	4.5	44	20	7.5	1.2	9	2.0
8	1230	695475	249	114772	20	92	8	10	4.5	44	24	7.5	1.2	9	2.0
9	930	695724	215	114792	11	879	7	10	4.5	40	24	7.5	3	9	2.0
10	710	695724	376	114792	21	272	7	8	4.5	52	26	7.5	1.2	8	2.0
11	1120	695724	253	114829	24	285	7	8	4.5	40	30	7.5	1.6	8	2.0
12	1120	696550		114845	14	277	8	8	4.5	40	24	7.5	1.9	8	2.0
13	1125	696750	246	114857	4	27	6	18	4.5	40	32	7.5	2.2	5	2.0
14	1125	696750	257	114877	20	247	9	30	4.5	48	28	7.5	3.3	8	2.0
15	1025	697205	257	114903	23	257	6	20	4.5	44	24	7.5	1.5	9	2.0
16	715	697205	240	114923	25	251	7	20	4.5	32	24	7.5	1.3	8	2.0
17	915	697778	263	114951	26	244	6	11	4.5	36	24	7.5	1.3	10	2.0
18	9100	698041	238	114977	21	238	8	11	4.5	36	24	7.5	-	10	2.0
19	8100	698277	237	114998	24	230	8	8	4.5	40	28	7.5	-	9	2.0
20	945	698536	311	115023	14	224	8	8	4.5	36	24	7.5	-	9	2.0
21	1115	698536	309	115047	21	216	6	9	4.5	44	28	7.5	-	9	2.0
22	815	699145	245	115061	19	210	7	9	4.5	32	28	7.5	-	8	2.0
23	807	699140	242	115077	16	202	6	9	4.5	32	20	7.5	-	8	2.0
24	1030	699662	231	115096	19	197	6	7	4.5	32	24	7.5	-	8	2.0
25	1030	699662	212	115115	16	191	6	7	4.5	32	16	7.5	-	7	2.0
26	125	700175	191	115131	14	185	5	7	4.5	32	4	7.5	-	7	2.0
27		700346		115145		179	7	7	4.5	32	22	7.5	-	7	2.0
28						174	7	7	4.5	28	19	7.5	-	6	2.0
29	800	700662	212	115177	17	167	7	7	4.5	32	56	7.5	-	5	2.0
30	950	701155	242	115194	13	160	7	7	4.5	4	26	7.5	-	6	2.0
31	530	701397	297	115207	26	157	14	9	4.5	68	44	7.5	1.0	6	2.0
		701794		115233											

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MAY 3 0 2001

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WATER RESOURCES DEPT.
SALEM, OREGON

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	700	685706	267	114159	10	245		6	10	2.5	32	30	2.5	9	2.0
2	730	685973	257	114169	11	239		6	8	2.5	42	36	2.5	9	2.0
3	745	686230	253	114180	16	232		6	6	2.5	48	36	2.5	9	2.0
4	750	686400	284	114196	15	227		8	6	2.5	50	32	2.5	9	2.0
5	1000	686721	264	114211	13	219		7	5	2.5	42	36	2.5	9	2.0
6	1000	687035	271	114224	14	212		6	5	2.5	45	39	2.5	9	2.0
7	1000	687306	217	114238	13	206		6	8	2.5	42	36	2.5	9	2.0
8	930	687520	234	114251	13	200		7	7	2.5	42	36	2.5	9	2.0
9	1130	687757	241	114264	11	193		6	8	2.5	42	36	2.5	9	2.0
10	930	687974	238	114273	12	186		7	7	2.5	42	36	2.5	9	2.0
11	11		193		10			7	10	2.5	39	30	2.5	9	2.0
12	700	688411	316	114297	25	173		7	10	2.5	40	42	2.5	9	2.0
13	1030	688741	253	114322	19	166		6	13	2.5	32	30	2.5	10	2.0
14	830	688917	275	114338	19	160		6	8	2.5	32	30	2.5	9	2.0
15	930	689274	291	114355	14	154	233	5	8	2.5	32	29	2.5	10	2.0
16	1100	689565	342	114369	19	150	232	5	8	2.5	44	30	2.5	10	2.0
17	930	689907	265	114388	19		237	5	8	2.5	44	37	2.5	10	2.0
18	1030	690172	238	114407	16		222	6	8	2.5	44	29	2.5	10	2.0
19	830	690406	312	114423	18		216	6	8	2.5	42	33	2.5	10	2.0
20	1030	690718	302	114441	19		210	7	8	2.5	44	32	2.5	10	2.0
21	1030	691020	267	114458	16		203	6	8	2.5	44	32	2.5	10	2.0
22	1000	691287	265	114476	18		197	8	8	2.5	48	35	2.5	10	2.0
23	1020	691552	299	114494	13		189	7	7	2.5	48	32	2.5	10	2.0
24	930	691821	249	114507	19		182	5	7	2.5	36	28	2.5	10	2.0
25	930	692100	234	114526	15		177	6	19	2.5	44	37	2.5	10	2.0
26	600	692333	244	114541	14		171	6	50/80	2.5	50	37	2.5	10	2.0
27	630	692577	312	114555	14		165	8	22	2.5	50	36	2.5	10	2.0
28	1030	692800	242	114567	15		157		19	2.5	44	26	2.5	10	2.0
29	1045	693021	228	114584	16		151	6	1	2.5	46	21	2.5	9	2.0
30	615	693359	248	114600	18		145	7	11	2.5	40	20	2.5	10	2.0
		693359		114618											

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Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	8:15	676433	186	113589	20	159		5	6	2.5	16	21	7.5	-	14 2.0
2	9:30	676614	503	113602	19	154		4	6	2.5	16	15	7.5	-	14 2.0
3	9:00	677122	390	113621	11	145		8	6	2.5	24	24	7.5	-	14 2.0
4	10:00	677512	348	113632	13	137		8	5	2.5	24	24	7.5	-	14 2.0
5	9:30	677860	291	113645	24	129		8	6	2.5	29	27	7.5	23	14 2.0
6	9:00	678151	291	113669	16	120	236	2	5	2.5	30	22	7.5	-	13 2.0
7	7:30	678442	238	113685	13	109		10	5	2.5	34	19	7.5	-	13 2.0
8	7:15	678680	305	113696	19	105		10	5	2.5	20	30	7.5	-	13 2.0
9	10:00	678985	300	113717	16	205		12	5	2.5	30	30	7.5	-	13 2.0
10	11:00	679225	236	113733	12	193		5	5	2.5			7.5	-	13 2.0
11	7:00	679421	282	113747	15	156		9	5	2.5	36	30	7.5	-	13 2.0
12		679	294	1137	25	177		10	5	2.5	32		7.5	-	13 2.0
13			308	113755	18	167		9	5	2.5			7.5	-	13 2.0
14			337	1137	22	155		10	5	2.5	24	45	7.5	-	13 2.0
15	10:30	679742	328	113825	21	147		7	5	2.5	24	45	7.5	-	13 2.0
16	10:00	680022	308	113846	27	141		6	5	2.5	24	33	7.5	-	13 2.0
17	7:30	681372	276	113873	16	135		6	5	2.5	24	36	7.5	-	13 2.0
18			350	1138	21	130		8	5	2.5	20	43	7.5	-	11 2.0
19	11:30	682004	308	113910	11	122		5	5	2.5	24	56	7.5	-	11 2.0
20	9:00	682312	315	113921	27	117		5	5	2.5	24	36	7.5	-	11 2.0
21	9:00		322	113935	20	11		5	5	2.5	24		7.5	-	11 2.0
22			279	113940	15			5	4.5	2.5	18	28			
23	10:00	683238	309	113983	18	300	103	7	5	2.5	24	36	7.5	1	10 2.0
24	10:30	683547	302	114001	19	293	-	7	5	2.5	24	36	7.5		10 2.0
25	10:30	683858	345	114020	29	210	-	8	5	2.5	24	27	7.5	1	10 2.0
26	10:30	684174	268	114047	35	282		5	5	2.5	24	27	7.5	2	10 2.0
27		684425	253	114064	16	207		7	5	2.5	24	30	7.5	35	10 2.0
28	7:30	684713	261	114100	16	270		7	20	2.5	42	36	7.5	3	10 2.0
29	8:30	684976	258	114116	13	263		7	12	2.5	45	39	7.5	1	10 2.0
30	9:30	685234	238	114129	17	256		6	10	2.5	36	36	7.5	-	10 2.0
31	12:30	685572	234	114146	13	250		5	10	2.5			7.5	-	10 2.0
				114159											

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	7:30	663924	446	112310	60	211		6	2.5	55	36	7.5	-	18	2.0
2	7:30	664370	361	112370	38	205	7	8	2.5	50	24	7.5	-	17	2.0
3	7:45	664731	370	112408	38	198	7	5	2.5	50	32	7.5	-	17	2.0
4	8:00	665111	446	112446	71	191	8	6	2.5	55	36	7.5	-	17	2.0
5	9:00	665507	441	112517	62	187	8	6	2.5	55	36	7.5	-	17	2.0
6	10:30	665988	444	112574	61	175	7	5	2.5	45	40	7.5	-	17	2.0
7	11:00	666475	368	112642	53	165	7	6	2.5	50	32	7.5	-	17	2.0
8	6:00	666800	454	112695	65	161	8	6	2.5	50	32	7.5	-	17	2.0
9	8:45	667254	433	112760	63	153	7	8	2.5	80	28	7.5	-	16	2.0
10	7:00	667687	433	112823	46	146	7	6	2.5	80	30	7.5	-	16	2.0
11	7:00	668120	447	112869	55	139	7	6	2.5	50	32	7.5	-	16	2.0
12	7:00	668567	468	112924	61	132	8	6	2.5	40	28	7.5	-	16	2.0
13	8:30	669035	435	112985	55	124	8	5	2.5	35	24	7.5	-	16	2.0
14	7:30	669471	471	113040	51	116	7	5	2.5	35	24	7.5	-	16	2.0
15	7:30	669911	435	113091	59	111	7	6	2.5	50	26	7.5	-	16	2.0
16	7:00	670376	487	113150	51	102	7	6	2.5	65	36	7.5	-	16	2.0
17	8:00	670811	483	113201	59	95	7	8	2.5	75	36	7.5	-	16	2.0
18	11:00	671341	392	113255	45	249	7	9	2.5	60	28	7.5	-	17	2.0
19	7:30	671786	443	113303	46	242	-	4	2.5	60	30	7.5	-	17	2.0
20	7:00	672171	386	113349	49	232	9	9	2.5	60	43	7.5	-	17	2.0
21	7:00	672551	400	113398	20	233	7	6	2.5	40	44	7.5	-	16	2.0
22	7:00	672997	440	113418	19	226	7	6	2.5	36	40	7.5	-	16	2.0
23	7:30	673437	408	113433	17	219	8	6	2.5	28	27	7.5	-	16	2.0
24	7:30	673845	341	113454	13	211	5	7	2.5	16	18	7.5	-	16	2.0
25	6:01	674141	355	113467	26	206	7	5	2.5	16	24	7.5	-	16	2.0
26	9:00	674546	376	113492	17	199	8	5	2.5	16	15	7.5	-	16	2.0
27	8:00	674922	357	113509	22	239	6	6	2.5	16	15	7.5	-	15	2.0
28	7:40	675269	401	113531	16	185	9	6	2.5	16	15	7.5	-	14	2.0
29	8:15	675670	404	113547	16	176	9	6	2.5	20	9	7.5	-	15	2.0
30	8:15	676074	359	113563	19	167	8	6	2.5			7.5	-	14	2.0
31		676433													

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WATER RESOURCES DE
SALEM OREGON

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	7:00	651324	496	111268	41	109	10	6	<.5	115	53	7.5	-	17	2.0
2	7:10	651820	483	111309	41	99	8	2	<.5	110	51	7.5	-	17	2.0
3	6:30	652203	468	111350	34	272	9	5	<.5	85	48	7.5	-	17	2.0
4	7:45	652771	459	111384	42	263	9	5	<.5	100	48	7.5	-	17	2.0
5	7:45	653230	496	111426	40	254	10	5	<.5	80	41	7.5	-	18	2.0
6	7:00	653726	569	111466	179	244	9	5	<.5	95	54	7.5	-	18	2.0
7	1:00	654227	189	111645	34	225	5	5	<.5	40	24	7.5	.5	18	2.0
8	8:45	654484	310	111679	27	230	7	5	<.5	55	24	7.5	-	19	2.0
9	7:00	654794	427	111706	51	223	6	6	<.5	70	39	7.5	-	19	2.0
10	7:40	655221	406	111757	14	217	7	5	<.5	60	35	7.5	-	18	2.0
11	7:50	655627	404	111771	18	210	6	5	<.5	50	48	7.5	-	18	2.0
12	7:30	656031	355	111789	14	204	6	6	<.5	45	33	7.5	-	18	2.0
13	8:00	656386	359	111803	16	200	7	7	<.5	45	30	7.5	.1	18	2.0
14	8:00	656745	389	111819	16	193	6	6	<.5	50	27	7.5	.1	18	2.0
15	12:00	657134	300	111837	14	187	5	6	<.5	40	24	7.5	-	18	2.0
16	7:00	657434	466	111851	13	192	6	6	<.5	60	24	7.5	-	18	2.0
17	9:00	657900	413	111864	12	176	7	5	<.5	55	27	7.5	-	18	2.0
18	9:00	658313	418	111876	15	169	7	5	<.5	55	39	7.5	-	18	2.0
19	8:30	658731	453	111891	16	162	8	5	<.5	65	54	7.5	-	18	2.0
20	1:00	659184	440	111907	25	154	9	5	<.5	55	39	7.5	-	19	2.0
21	1:45	659624	326	111932	19	145	5	5	<.5	45	36	7.5	-	19	2.0
22	9:05	659950	322	111951	19	140	6	5	<.5	50	48	7.5	-	19	2.0
23	7:30	660279	429	111970	11	134	7	5	<.5	55	52	7.5	-	19	2.0
24	7:30	660701	423	111981	28	127	7	6	<.5	50	48	7.5	-	19	2.0
25	7:34	661124	511	112009	38	120	8	7	<.5	55	36	7.5	-	19	2.0
26	7:50	661635	477	112047	43	254	8	6	<.5	50	40	7.5	-	18	2.0
27	7:00	662082	378	112090	45	248	8	6	<.5	40	28	7.5	-	19	2.0
28	5:45	662460	166	112135	9	239	13	6	<.5	55	64	7.5	-	10	2.0
29	7:00	662626	578	112144	73	225	13	6	<.5	60	72	7.5	-	19	2.0
30	7:00	663204	391	112217	38	225	7	7	<.5	45	36	7.5	.20	19	2.0
31	7:00	663595	329	112255	38	218	7	7	<.5	50	28	7.5	-	18	2.0
		663924													
			12600	112310											

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Copper
Third Lab

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2*				Ash				Res
1	730	637018	356	109780	28	245	272	9	5	2.5	33	21	7.5	-	13 2.0
2	730	637364	372	109808	32		267	9	5	2.5	35	18	7.5	-	13 2.0
3	730	637736	396	109840	36		254	10	5	2.5	36	15	7.5	-	13 2.0
4	730	638132	436	109886	12		244	7	5	2.5	27	16	7.5	-	13 2.0
5	730	638368	341	109898	25		237	6	5	2.5	27	15	7.5	-	13 2.0
6	730	638709	384	109923	74		231	8	4	2.5	36	19	7.5	-	13 2.0
7	730	639193	422	109967	37		228	9	4	2.5	36	18	7.5	-	13 2.0
8	730	639615	470	110004	39		214	10	5	2.5	36	21	7.5	-	13 2.0
9	730	640085	487	110043	58		204	10	5	2.5	36	24	7.5	-	14 2.0
10	800	640572	460	110105	72		194	9	6	2.5	31	24	7.5	-	14 2.0
11	730	641032	541	110177	108		185	9	6	2.5	36	21	7.5	-	14 2.0
12	900	641573	522	110285	48		176	9	4	2.5	50	19	7.5	-	15 2.0
13	900	642095	510	110303	48		167	9	6	2.5	54	21	7.5	-	15 2.0
14	900	642605	500	110381	44		158	10	6	2.5	54	21	7.5	-	15 2.0
15	900	643105	482	110425	32		148	9	6	2.5	54	21	7.5	-	15 2.0
16	900	643587	445	110457	59		139	9	8	2.5	45	21	7.5	-	15 2.0
17	830	644022	430	110516	64	244	130	8	8	2.5	45	21	7.5	-	15 2.0
18	815	644452	432	110580	57	236		9	4	2.5	45	24	7.5	-	15 2.0
19	800	644884	460	110637	43	227		9	4	2.5	45	18	7.5	-	15 2.0
20	700	645346	582	110680	33	218		10	5	2.5	54	21	7.5	-	15 2.0
21	900	645923	453	110713	44	208		8	5	2.5	45	18	7.5	-	15 2.0
22	730	646381	510	110757	57	200		9	5	2.5	54	21	7.5	-	16 2.0
23	730	646891	516	100874	89	191		9	5	2.5	54	24	7.5	-	16 2.0
24	830	647407	469	110903	50	182		8	5	2.5	54	21	7.5	-	16 2.0
25	715	647876	481	110953	59	174		9	5	2.5	63	21	7.5	-	16 2.0
26	645	648357	486	111012	87	165		9	4	2.5	74.5	36	7.5	-	16 2.0
27	800	648843	515	111099	54	156		8	4	2.5	45	45	7.5	-	16 2.0
28	843	649358	447	111153	20	148		9	5	2.5	85	42	7.5	-	17 2.0
29	630	649815	463	111173	38	139		10	5	2.5	90	45	7.5	-	17 2.0
30	630	650268	561	111211	25	129		10	5	2.5	95	45	7.5	-	17 2.0
31	630	650829	495	111236	32	119		10	7	2.5	28	33	7.5	-	17 2.0
	630	651304	496	111268	41	109			6		148	53	7.5	-	17 2.0
		651820		111309											

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RECEIVED

MAY 30 2001

WATER RESOURCES DEPT

MAY 30 2001 MAY 30 2001

RECEIVED RECEIVED

City arlton #4100171

Water P. Readings

Date June 99

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	700	626786	270	109145	9	141		6	12	2.5	36	12	7.5	10	2.0
2	700	627052	310	109154	10	135		7	7	2.5	36	12	7.5	10	2.0
3	700	627366	335	109164	10	128		6	7	2.5	36	12	7.5	10	2.0
4	845	627701	246	109174	22	126	243	6	6	2.5	31.5	9	7.5	11	2.0
5	745	628047	316	109186	8		237	5	6	2.5	36	15	7.5	11	2.0
6	845	628353	277	109204	30		232	7	6	2.5	32	15	7.5	11	2.0
7	757	628635	258	109224	35	222	236	6	6	2.5	36	15	7.5	11	2.0
8	630	628865	294	109264	35		252	6	8	2.5	36	15	7.5	11	2.0
9	730	629180	200	109264	10		222	6	9	2.5	25.5	6	7.5	11	2.0
10	814	629382	236	109314	7		216	6	9	2.5	36	4	7.5	11	2.0
11	604	629618	401	109321	17		210	6	5	2.5	50	6	7.5	11	2.0
12	915	630019	429	109338	21		204	5	7	2.5	50	12	7.5	11	2.0
13	400	630448	360	109359	6		194	7	6	2.5	26	6	7.5	11	2.0
14	500	630809	445	109365	19		192	6	6	2.5	54	6	7.5	11	2.0
15	500	631254	371	109384	14		186	5	5	2.5	45	15	7.5	12	2.0
16	1030	631625	467	109398	29		181	7	5	2.5	50	15	7.5	12	2.0
17	930	632042	297	109427	21		174	6	5	2.5	36	12	7.5	12	2.0
18	830	632384	387	109427	38			5	5	2.5	50	21	7	12	
19	1000	632726	350	109486	14		163	5	4	2.5	50	21	7.5	12	2.0
20	930	633128	343	109500	14		158	6	4	2.5	50	21	7.5	12	2.0
21	800	633469	340	109514	15		152	6	4	2.5	45	18	7.5	12	2.0
22	700	633809	335	109529	19		146	6	4	2.5	50	21	7.5	12	2.0
23	800	634164	388	109548	14		140	6	4	2.5	50	18	7.5	12	2.0
24	800	634552	411	109562	55		134	7	4	2.5	45	19	7.5	13	2.0
25	815	634963	328	109617	64		127	6	5	2.5	40	18	7.5	13	2.0
26	730	635291	285	109681	9		121	6	5	2.5	45	21	7.5	13	2.0
27	800	635576	280	109690	6		115	7	5	2.5	45	30	7.5	13	2.0
28	800	635856	266	109696	10		108	6	5	2.5	36	18	7.5	13	2.0
29	745	636122	341	109706	18	245	102	6	6	2.5	49	18	7.5	13	2.0
30	730	636463	555	109724	56	245	212	10	5	2.5	41	21	7.5	13	2.0
31				109780			278		5	2.5			7.5	13	2.0
		637018	10232												

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Lolke

635

750 2/30 21pm

WATER RESOURCES DEPT.
SALEM, OREGON

MAY 30 2001

RECEIVED

City arton #4100171

Water P Readings

Date May 9

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter	MGD	Meter		* 1	2				Ash				Res
1	830	616870	177	108843	10	135	251	4	20	4.5	30	12	7.5	-	8 2.0
2	830	619047	274	108853	14	131		6	20	4.5	30	12	7.5	.5	8 2.0
3	800	619323	243	108867	9	125		4	20	4.5	30	12	7.5	.6	7 2.0
4	730	619566	243	108876	11	121		5	40	4.5	20	12	7.5	.3	8 2.0
5	700	619869	243	108887	16	116		6	60	4.5	36	8	7.5	-	9 2.0
6	10:00	620052	263	108903	5	110		6	45	4.5	30	6	7.5	.5	8 2.0
7	830	620315	233	108908	15	104		6	40	4.5	27	6	7.5	.3	8 2.0
8	730	620548	233	108923	9	98		3+3=6	40	4.5	30	6	7.5	.1	8 2.0
9	830	620781	221	108932	10	95	278	6	30	4.5	30	6	7.5	-	8 2.0
10	800	621002	246	108942	9		273	5	18	4.5	25.5	12	7.5	.1	8 2.0
11	730	621246	262	108951	14		267	5	12	4.5	22.5	12	7.5	.2	8 2.0
12	7:15	621510	253	108965	7		261	5	30	4.5	22.5	15	7.5	-	7 2.0
13	830	621763	192	108972	7	247	256	4	12	4.5	22.5	12	7.5	.2	8 2.0
14	8:15	621955	244	108979	8		252	7	12	4.5	31.5	12	7.5	.2	8 2.0
15	430	622189	245	108987	11		248	7	12	4.5	27	15	7.5	-	9 2.0
16	10:00	622434	214	108998	7		238	6	12	4.5	31.5	12	7.5	.4	8 2.0
17	7:40	622645	232	109005	9		232	5	12	4.5	27	12	7.5	.2	8 2.0
18	7:30	622840	233	109010	11		217	7	12	4.5	31.5	12	7.5	-	8 2.0
19	7:00	623111	266	109025	7		200	7	10	4.5	27	12	7.5	-	8 2.0
20	8:00	623379	279	109032	9		213	6	10	4.5	31	15	7.5	-	8 2.0
21	800	623658	274	109041	10		207	6	10	4.5	31.5	12	7.5	-	8 2.0
22	10:00	623932	226	109051	9		201	6	10	4.5	27	9	7.5	-	9 2.0
23	730	624158	354	109060	9		195	5	10	4.5	31.5	6	7.5	-	9 2.0
24	7:10	624512	250	109069	9		190	6	10	4.5	31.5	6	7.5	-	9 2.0
25	7:30	624772	251	109078	9		184	7	10	4.5	31.5	6	7.5	-	9 2.0
26	700	625023	336	109087	11		177	7	8	4.5	36	9	7.5	-	9 2.0
27	7:30	625357	244	109098	8		170	5	8	4.5	36	12	7.5	-	10 2.0
28	7:50	625603	326	109106	8		165	6	8	4.5	36	15	7.5	-	10 2.0
29	830	625929	269	109114	7		159	6	8	4.5	36	15	7.5	-	10 2.0
30	800	626198	275	109125	11		153	6	8	4.5	38	15	7.5	-	10 2.0
31	800	626473	313	109135	10		147	6	12	4.5	36	12	7.5	-	10 2.0
1	8:00	626784	279	109145	9		141	6	7	4.5	39	12	7.5	-	10 2.0
2	800	627065		109154			135		7	4.5			7.5	-	10 2.0

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MAY 30 2001

RECEIVED

WATER RESOURCES DEPT

City arlton #4100171

Water F Readings

Date Apr 19

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2	
		Meter		Meter		1	2				Ash				Res	
1	730	611330	346	108482	16	186	8	60		50	6	7.5	-	8	2.0	
2	730	611672	289	108498	16	178	7	30		36	7	7.5	.5	8	2.0	
3	900	611965	235	108514	11	171	6	20		27	6	7.5	-	8	2.0	
4	900	612190	285	108523	10	165	6	20		23	8	7.5	.6	8	2.0	
5	830	612405	229	108533	8	159	6	30	<.5	23	10	7.5	-	8	2.0	
6	830	612634	255	108541	10	153	6	40	<.5	23	9	7.5	-	8	2.0	
7	830	612889	230	108551	10	147	5	20	<.5	18	9	7.5	.10	8	2.0	
8	800	613119	219	108561	8	142	7	30	<.5	18	21	7.5	-	7	2.0	
9	800	613338	240	108569	15	135	6	30	<.5	22.5	6	7.5	1.5	7	2.0	
10	900	613578	209	108580	14	129	5	100+	<.5	54	12	7.5	.3	7	2.0	
11	800	613787	197	108598	18	124	5	100+	<.5	63	12	7.5	-	7	2.0	
12	730	613984	230	108616	27	943	122	7	100+	<.5	50	12	7.5	-	7	2.0
13	800	614214	282	108643	19	237	-	6	100+	<.5	44	10	7.5	-	7	2.0
14	800	614496	301	108663	14	231		6	80	<.5	36	18	7.5	-	7	2.0
15	900	614797	265	108681	10	225		6	25	<.5	32	6	7.5	-	7	2.0
16	900	615062	245	108691	10	219		6	20	<.5	32	12	7.5	-	7	2.0
17	730	615307	240	108701	10	213		6	20	<.5	34	12	7.5	-	8	2.0
18	800	615547	222	108711	11	207		6	18	<.5	31	19	7.5	-	8	2.0
19	630	615769	279	108722	8	201		6	22	<.5	31	18	7.5	.1	8	2.0
20	830	616048	187	108730	5	195		6	28	<.5	27	12	7.5	-	8	2.0
21	630	616235	301	108735	16	189		6	32	<.5	31	9	7.5	-	8	2.0
22	1000	616536	221	108751	6	188		10	40	<.5	22.5	6	7.5	-	8	2.0
23	800	616757	335	108757	15	179		6	28	<.5	27.0	6	7.5	-	8	2.0
24	1145	617092	187	108772	10	173		5	28	<.5	22.5	6	7.5	-	9	2.0
25	800	617279	242	108782	8	168		5	29	<.5	22.5	6	7.5	-	8	2.0
26	700	617521	271	108790	9	163		5	28	<.5	18	6	7.5	-	8	2.0
27	700	617792	266	108799	12	158		6	30	<.5	26.5	9	7.5	-	8	2.0
28	700	618057	317	108811	15	152		6	20	<.5	20	12	7.5	-	8	2.0
29	955	618374	225	108826	11	146		5	20	<.5	25.5	6	7.5	-	8	2.0
30	900	618601	269	108831	12	141		6	16	<.5	25.5	6	7.5	-	8	2.0
31		618870		108843		135										
			2540													

361

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260 x 8.34

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MAY 30 2001

RECEIVED

WATER RESOURCES DEP

City arton #4100171

Water F Readings

Date MAR 1 99

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	800	603156	238	107817	34	197	-	6	100+	4.5	188	30	7.5	.2	8 2.0
2	800	603394	265	107851	35	191		6	100+	4.5	250	45	7.5	1.3	8 2.0
3	800	603659	263	107886	36	186		7	100+	4.5	265	65	7.5	1.1	8 2.0
4	700	603922	314	107922	48	179		8	100+	4.5	191	48	7.5	-	9 2.0
5	800	604236	287	107970	30	171		7	100+	4.5	152	39	7.1	-	9 2.0
6	800	604523	250	108000	24	164		8	10	4.5	106	33	7.1	-	7 2.0
7	700	604773	263	108024	17	156		8	55	4.5	68	33	7.5	.2	7 2.0
8	700	605038	350	108041	12	148		6	40	4.5	40	18	7.5	.2	8 2.0
9	730	605388	280	108053	13	142		6	32	4.5	30	12	7.5	.2	8 2.0
10	730	605668	275	108066	14	136		6	100+	4.5	50	18	7.5	-	8 2.0
11	730	605943	265	108080	13	130		6	85	4.5	40	16	7.5	.4	8 2.0
12	750	606208	255	108093	25	124	(275)	6	65	4.5	50	10	7.5	1.1	8 2.0
13	750	606463	251	108118	24	118		9	100+	4.5	74	8	7.5	.5	10 2.0
14	650	606720	297	108142	27	109		7	100+	4.5	68	20	7.5	.5	10 2.0
15	730	607017	293	108169	25	102		7	100+	4.5	40	5	7.5	-	10 2.0
16	730	607310	305	108194	14	95		6	100+	4.5	50	6	7.5	-	10 2.0
17	730	607615	213	108208	12	92	275	6	80	4.5	36	5	7.5	.2	10 2.0
18	730	607828	220	108220	17	91	270	6	40	4.5	40	6	7.5	-	9 2.0
19	700	608108	270	108237	12		264	6	50	4.5	36	9	7.5	-	9 2.0
20	730	608378	234	108249	15		258	5	30	4.5	32	9	7.5	-	9 2.0
21	800	608612	229	108264	13		253	6	30	4.5	28	10	7.5	-	8 2.0
22	715	608841	251	108277	11		247	6	40	4.5	32	12	7.5	.1	8 2.0
23	700	609092	238	108288	19		241	6	50	4.5	32	8	7.5	1.0	8 2.0
24	700	609320	227	108307	20		235	6	100+	4.5	50	12	7.5	.3	8 2.0
25	600	609547	250	108327	23		229	6	100+	4.5	50	18	7.5	.1	8 2.0
26	600	609797	270	108350	24		228	6	100+	4.5	44	8	7.5	.6	8 2.0
27	730	610067	244	108374	17		218	6	100+	4.5	50	8	7.5	.4	8 2.0
28	700	610311	223	108391	35		212	6	100+	4.5	52	8	7.5	1.8	8 2.0
29	600	610534	206	108426	24		206	6	100+	4.5	72	7	7.5	1.0	8 2.0
30	600	610735	223	108450	18		200	6	100+	1.0	45	.6	7.5	.6	8 2.0
31	600	610962	368	108468	14		194	8	100		50	6	7.5	.2	8 2.0
32	600	611330		108482			186		60						8 2.0

665

9297 7144

11.5

Clt. Carlton #4100171

Water it Readings

Date... Feb 19

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	800	595991	253	107209	18	245	6	11	2.5	24	12	7.5	2.4	8	2.0
2	800	596144	277	107220	31	239	5	14	2.5	32	15	7.5	1	8	2.0
3	800	596421	291	107251	28	234	7	12	2.5	24	23	7.5	3.1	8	2.0
4	1040	596712	227	107277	20	237	5	12	2.5	24	8	7.5	3	8	2.0
5	830	596939	266	107297	17	222	6	7	2.5	28	6	7.5	3.9	8	2.0
6	1130	597205	206	107314	30	216	6	25	2.5	22	5	7.5	2.2	8	2.0
7	7130	597411	264	107344	19	210	5	40	2.5	40	6	7.5	1.0	8	2.0
8	730	597675	265	107373	28	205	6	15	2.5	28	6	7.5	1.7	7	2.0
9	730	597940	261	107401	14	199	6	12	2.5	28	6	7.5	1.5	7	2.0
10	800	598221	242	107415	12	193	6	11	2.5	24	6	7.5	1.7	6	2.0
11	815	598463	244	107427	9	186	6	10	2.5	20	4	7.5	1	6	2.0
12	815	598707	305	107436	12	180	6	8	2.5	28	6	7.5	1.5	6	2.0
13	130	599012	140	107449	9	174	5	10	2.5	16	6	7.5	1	7	2.0
14	830	599302	239	107457	7	169	5	10	2.5	20	6	7.5	1	7	2.0
15	830	599441	256	107464	11	164	6	9	2.5	20	8	7.5	1.8	7	2.0
16	800	599697	271	107475	10	158	6	10	2.5	24	6	7.5	1.5	7	2.0
17	830	599968	247	107485	14	152	6	11	2.5	24	6	7.5	1.7	7	2.0
18	800	600215	275	107499	16	146	6	11	2.5	28	8	7.5	2.7	7	2.0
19	820	600510	287	107515	27	140	6	20	2.5	22	8	7.5	1.2	8	2.0
20	1230	600797	198	107542	19	134	5	13	2.5	20	6	7.5	1.7	7	2.0
21	815	600995	277	107561	30	129	6	10	2.5	28	12	7.5	3.0	7	2.0
22	900	601272	273	107591	32	238	6	14	2.5	36	6	7.5	1.3	7	2.0
23	830	601545	255	107623	32	232	6	28	2.5	28	6	7.5	1.3	8	2.0
24	700	601800	250	107655	39	236	5	100+	2.5	86+	18	7.5	5.0	8	2.0
25	760	602050	320	107694	26	221	6	60	2.5	30	9	7.5	1.7	8	2.0
26	730	602370	343	107720	24	215	6	40	2.5	30	5	7.5	1.9	8	2.0
27	900	602690	320	107744	28	209	6	40	2.5	26	6	7.5	2.9	8	2.0
28	800	602932	242	107772	45	203	6	100+	2.5	131+	30	7.5	1.9	8	2.0
29	800	603156	224	107817		197						7.5	1.7	8	2.0
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MAY 3 0 2001

RECEIVED

WATER RESOURCES DEPT.
SALEM, OREGON

It. Carlton #4100171

Water It Readings

Date Jan 7

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	9:45	587872	285	106609	12	273	10	10	<.5	32	8	7.5	-	9	2.0
2	1:00	588157	266	106621	10	263	6	10	<.5	36	8	7.5	-	9	2.0
3	2:00	588423	198	106631	9	257	6	10	<.5	16	4	7.5	-	9	2.0
4	3:00	588621	250	106640	14	351	6	8	<.5	28	12	7.5	-	7	2.0
5	3:00	588871	263	106654	13	245	6	6	<.5	20	16	7.5	-	7	2.0
6	3:15	589134	249	106667	12	239	4	7	<.5	20	8	7.5	-	8	2.0
7	7:30	589383	259	106679	11	235	6	7	<.5	24	8	7.5	-	8	2.0
8	7:00	589642	322	106690	16	229	9	8	<.5	24	8	7.5	-	8	2.0
9	1:45	589960	277	106706	12	221	6	7	<.5	24	8	7.5	-	8	2.0
10	4:00	590234	155	106718	9	215	5	1	<.5	16	4	7.5	-	8	2.0
11	7:30	590389	262	106727	11	210	5	9	<.5	20	24	7.5	-	8	2.0
12	8:00	590651	262	106738	16	205	6	9	<.5	28	12	7.5	-	8	2.0
13	7:50	590913	256	106754	13	194	5	6	<.5	28	12	7.5	-	7	2.0
14	4:00	591169	237	106767	12	194	6	8	<.5	28	12	7.5	-	8	2.0
15	7:50	591406	248	106779	20	188	6	10	<.5	32	8	7.5	1.5	8	2.0
16	8:00	591654	267	106799	24	181	6	12	<.5	44	8	7.5	1.5	8	2.0
17	9:00	591921	267	106803	24	175	5	30	<.5	44	8	7.5	2.4	8	2.0
18	8:00	592188	282	106847	41	170	5	30	<.5	40	9	7.5	3.7	9	2.0
19	7:00	592471	298	106888	38	165	7	20	<.5	36	9	7.5	1.8	9	2.0
20	9:00	592769	263	106926	26	158	6	10	<.5	36	12	7.5	2.2	7	2.0
21	8:00	593033	280	106951	26	152	5	20	<.5	32	12	7.5	1.8	9	2.0
22	8:00	593312	303	106977	28	147	6	18	<.5	32	6	7.5	7	9	2.0
23	10:30	593615	341	107005	25	141	7	20	<.5	40	9	7.5	8	9	2.0
24	5:00 PM	593961	176	107030	14	134	4	11	<.5	20	11	7.5	-	9	2.0
25	8:00	594115	267	107044	19	130	5	11	<.5	28	8	7.5	-	9	2.0
26	9:00	594382	263	107063	29	125	5	10	<.5	28	10	7.5	-	9	2.0
27	9:00	594645	230	107084	16	124	5	10	<.5	30	11	7.5	3.3	9	2.0
28	7:45	594875	260	107100	25	264	6	15+	<.5	28	9	7.5	3.0	8	2.0
29	6:30	595135	267	107125	26	263	6	15+	<.5	36	10	7.5	1.3	8	2.0
30	8:45	595402	256	107151	38	257	7	10+	<.5	36	12	7.5	-	8	2.0
31	9:30	595658	233	107179	23	250	5	10	<.5	28	15	7.5	-	8	2.0
		595891		107262											

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MAY 3 0 2001

RECEIVED

 WATER RESOURCES DEPT.
SALEM, OREGON

City arlton #4100171

Water P Readings

Date Dec 6

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	7:00	579 527	262	106141	14	139	9	2	4.5	28	44	7.5	4.0	9	2.0
2	8:15	579 849	236	106155	23	130	7	2	4.5	28	40	7.5	.5	9	2.0
3	8:15	580 085	260	106178	23	123	6	2	4.5	28	44	7.5	-	9	2.0
4	8:15	580 345	240	106201	12	117	7	1.5	4.5	28	44	7.5	-	8	2.0
5	8:00	580 595	225	106217	13	110	7	.5	4.5	24	40	7.5	1.1	8	2.0
6	9:30	580 510	222	106226	10	102	8	1.7	4.5	24	40	7.5	.5	7	2.0
7	5:30	581 832	245	106236	11	95	7	1	3.5	24	40	7.5	10	7	2.0
8	8:15	581 277	243	106247	16	94	6	1	4.5	24	8	7.5	10	8	2.0
9	8:15	581 500	253	106267	12	265	5	4	3.5	24	10	7.5	-	8	2.0
10	8:15	581 773	253	106275	11	(276) 266	6	4	4.5	24	12	7.5	-	8	2.0
11	8:15	582 026	227	106296	18	254	5	4.5	4.5	24	12	7.5	10	8	2.0
12	6:30	582 253	245	106304	21	249	6	8.2	4.5	24	12	7.5	2.0	10	2.0
13	7:30	582 498	253	106325	22	243	6	7	3.5	40	12	7.5	1.5	10	2.0
14	8:00	582 751	273	106347	13	237	5	3.8	4.5	20	8	7.5	-	8	2.0
15	8:15	583 024	233	106361	10	232	5	2.5	4.5	20	8	7.5	-	8	2.0
16	8:00	583 257	277	106371	9	227	7	3	4.5	28	10	7.5	-	8	2.0
17	8:00	583 530	246	106380	8	220	6	3.8	4.5	24	12	7.5	-	9	2.0
18	8:00	583 776	283	106388	9	214	7	4	4.5	32	16	7.5	-	7	2.0
19	12:00	584 059	200	106397	8	207	7	3	4.5	24	16	7.5	-	6	2.0
20	8:15	584 259	313	106405	9	200	7	3	4.5	24	16	7.5	-	5	2.0
21	9:30	584 522	261	106414	8	193	5	2.5	4.5	32	16	7.5	-	5	2.0
22	8:00	584 833	287	106422	8	188	6	3.0	4.5	24	20	7.5	-	4	2.0
23	8:30	585 120	267	106430	6	182	6	4.0	4.5	20	20	7.5	-	8	2.0
24	7:15	585 382	390	106436	9	176	8	3.0	4.5	36	28	7.5	1.0	6	2.0
25	12:30	585 777	378	106445	15	168	6	3.0	4.5	40	(18) 24	7.5	1.0	2	2.0
26	7:30	586 150	328	106460	17	162	5	8.6	4.5	32	14	7.5	1.0	8	2.0
27	8:20	586 478	275	106477	28	157	6	4.5	4.5	68	24	7.5	5.0	8	2.0
28	8:15	586 753	256	106505	44	151	6	6.0	4.5	40	16	7.5	3.8	9	2.0
29	6:30	587 009	273	106544	28	145	8	3.0	4.5	36	8	7.5	.8	10	2.0
30	6:50	587 282	247	106577	19	137	7	2.0	4.5	32	8	7.5	.3	10	2.0
31	7:00	587 579	297	106596	13	130	6	10	4.5	32	8	7.5	-	10	2.0
		587 872		106609											

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MAY 3 0 2001

RECEIVED

WATER DEPARTMENT

Cit. Carlton #4100171

Water .it Readings

Date 11/09/01 98

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2	
		Meter		Meter		1	2				Ash				Res	
1	9:30	572252	232	105699	9	149	244	6	1	2.5	24	40	7.5	-10	9	2.0
2	8:00	572484	253	105708	10	143		6	1	2.5	20	40	7.5	-	9	2.0
3	8:00	572737	247	105718	12	187		5	1	2.5	20	40	7.5	-90	9	2.0
4	8:00	572984	252	105730	12	182		6	1	2.5	24	40	7.5	-90	9	2.0
5	8:00	573236	283	105742	19	176		6	1	2.5	24	40	7.5	-70	9	2.0
6	8:00	573519	223	105754	10	170		6	1	2.5	24	40	7.5	-30	9	2.0
7	7:00	573742	247	105764	9	164		5	1	2.5	28	48	7.5	-.4	9	2.0
8	8:45	573989	243	105773	12	159		6	1	2.5	20	44	7.5	-.2	9	2.0
9	8:45	574232	212	105785	12	153		5	1	2.5	24	40	7.5	-.4	9	2.0
10	7:00	574444	276	105797	8	148		6	1	2.5	24	40	7.5	-.8	9	2.0
11	8:00	574710	233	105808	12	142		6	1	2.5	24	44	7.5	-	9	2.0
12	7:00	574943	246	105820	14	136		6	1	2.5	28	44	7.5	-	9	2.0
13	7:00	575189	225	105834	11	136		5	1	2.5	24	44	7.5	-	9	2.0
14	7:30	575414	243	105845	13	125		7	2	2.5	30	48	7.5	1.3	9	2.0
15	8:00	575657	237	105858	9	121	241	5	3	2.5	28	44	7.5	-.2	9	2.0
16	8:00	575894	237	105867	14		236	6	1.5	2.5	26	44	7.5	-	9	2.0
17	8:00	576131	243	105881	11		230	6	1.5	2.5	28	44	7.5	-.2	9	2.0
18	8:00	576374	259	105892	11		224	6	1.5	2.5	28	44	7.5	-.8	9	2.0
19	8:00	576633	231	105903	12		218	6	2.0	2.5	26	44	7.5	1.8	9	2.0
20	7:45	576864	257	105915	22		212	5	1.8	2.5	28	40	7.5	3.5	9	2.0
21	7:45	577121	266	105937	21		207	6	2.0	2.5	22	44	7.5	1.3	9	2.0
22	8:45	577387	243	105966	28		201	6	2.2	2.5	28	44	7.5	1.2	9	2.0
23	8:00	577630	263	105994	18		195	5	2.0	2.5	20	40	7.5	2.0	9	2.0
24	7:40	577873	235	106012	16		190	6	2.0	2.5	32	44	7.5	5.3	10	2.0
25	7:00	578128	275	106028	28		184	7	1.5	2.5	26	40	7.5	3.4	10	2.0
26	7:00	578403	224	106056	22		177	9	1.0	2.5	20	40	7.5	1.5	10	2.0
27	7:30	578626	238	106078	15		168	7	1.5	2.5	40	44	7.5	-	10	2.0
28	8:30	578864	239	106093	16		161	18	3	2.5	40	44	7.5	1.7	10	2.0
29	8:00	579103	239	106104	17		153	7	2	2.5	28	40	7.5	0.9	10	2.0
30	7:45	579392	244	106126	15		146	7	2	2.5	28	44	7.5	1.0	10	2.0
31		579587		106141												
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WATER RESOURCES DEPT.
SALEM, OREGON
MAY 30 2001
RECEIVED

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp C	Cl2 Res
1	8:30	563977	231	105220	22	190	10	2.2	2.5	32	36	7.5	18	15	2.0
2	9:00	56308	263	105242	23	180	10	1.8	2.5	20	28	7.5	15	15	2.0
3	8:30	564571	228	105265	23	170	10	2	2.5	24	30	7.5	18	14	2
4	7:30	564799	296	105288	23	160	10	2	2.5	40	44	7.5	—	14	2.0
5	9:00	565095	237	105311	21	245	150	1.2	2.5	36	32	7.5	—	13	2.0
6	8:30	565332	273	105332	21	140	10	1.0	2.5	44	40	7.5	—	13	2.0
7	7:00	565605	285	105353	21	130	10	1.4	2.5	44	44	7.5	—	13	2.0
8	8:00	565890	255	105374	21	232	127	1.1	2.5	40	40	7.5	14	13	2.0
9	7:30	566145	276	105395	21	227	—	1.0	2.5	44	40	7.5	1.0	13	2.0
10	9:30	566431	224	105416	16	217	—	1.0	2.5	32	28	7.5	—	12	2.0
11	8:30	566655	235	105432	15	207	—	1.0	2.5	36	32	7.5	15	12	2.0
12	8:20	566890	241	105447	14	196	—	1.0	2.5	30	26	7.5	1.2	13	2.0
13	7:00	567131	269	105453	17	186	275	1.0	2.5	48	40	7.5	1.5	13	2.0
14	7:00	567400	266	105470	15	176	—	1.0	2.5	48	38	7.5	1.1	13	2.0
15	8:00	567666	229	105485	13	166	—	1.0	2.5	32	36	7.5	—	13	2.0
16	7:00	567895	270	105498	10	156	—	1.0	2.5	40	42	7.5	—	13	2.0
17	7:00	568171	290	105508	9	145	—	1.0	2.5	44	44	7.5	—	13	2.0
18	9:00	568467	267	105517	11	135	—	1.0	2.5	36	44	7.5	—	11	2.0
19	8:30	568734	321	105528	17	125	—	1.0	2.5	36	40	7.5	—	11	2.0
20	8:30	569055	275	105545	14	112	—	1.0	2.5	32	32	7.5	—	11	2.0
21	10:30	569330	296	105554	14	103	—	1.0	2.5	32	32	7.5	—	10	2.0
22	7:50	569626	361	105573	19	95	273	1.0	2.5	36	40	7.5	—	10	2.0
23	9:00	569987	236	105592	15	244	267	1.0	2.5	32	36	7.5	—	10	2.0
24	6:30	570223	244	105607	9	260	8	1.0	2.5	32	56	7.5	—	10	2.0
25	7:00	570467	283	105616	14	252	8	1.0	2.5	32	44	7.5	—	10	2.0
26	7:30	570750	258	105630	9	244	8	1.0	2.5	28	40	7.5	—	10	2.0
27	7:45	571008	244	105639	12	236	8	1.0	2.5	24	40	7.5	—	10	2.0
28	2:45	571252	253	105651	12	228	8	1.0	2.5	24	44	7.5	—	10	2.0
29	8:30	571505	247	105663	12	220	7	1.0	2.5	24	44	7.5	—	10	2.0
30	9:00	571752	232	105675	12	213	7	1.0	2.5	24	40	7.5	1.2	9	2.0
31	8:00	571980	272	105687	12	206	7	1.0	2.5	28	44	7.5	1.2	9	2.0
32	9:30	572252		105699		199								9	

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City arlton #4100171

Water F Readings

Date Sept 98

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res.
1	8:00	551559	553	104330	59		212	14	2.5	4.5	75	32	7.5	-	18 2.0
2	8:00	552140	561	104389	60		198	13	3.5	4.5	80	32	7.5	-	18 2.0
3	8:30	552171	618	104448	59		185	11	3.5	4.5	80	45	7.5	-	15 2.0
4	8:19	553329	671	104500	50		174	23	3.5	4.5	85	54	7.5	-	19 2.0
5	11:00	554000	452	104530	41	279	151	9	2.8	4.5	75	66	7.5	-	19 2.0
6	8:00	554452	533	104591	44		142	10	2.8	4.5	80	84	7.5	-	19 2.0
7	9:30	554985	505	104635	51		132	9	2.5	4.5	85	72	7.5	-	19 2.0
8	8:00	554988	510	104686	47	223	127	13	2.0	4.5	65	78	7.5	-	19 2.0
9	9:30	556000	480	104733	53	260	(281)	15	1.5	4.5	55	65	7.5	-	19 2.0
10	9:00	556480	344	104786	31	245		12	1.5	4.5	45	38	7.5	-	18 2.0
11	8:00	556824	437	104817	31	233		10	.7	4.5	45	38	7.5	-	19 2.0
12	8:00	557261	400	104848	26	223		10	1.2	4.5	45	50	7.5	-	18 2.0
13	9:00	557661	460	104874	24	213		9	2	4.5	50	64	7.5	-	18 2.0
14	7:00	558154	489	104898	26	204		11	2	4.5	50	64	7.5	-	18 2.0
15	10:15	558608	408	104924	20	190		9	2	4.5	40	52	7.5	-	18 2.0
16	8:00	559017	451	104944	22	184		8	1.5	4.5	45	56	7.5	-	18 2.0
17	8:00	559433	460	104966	24	176		11	1.2	4.5	45	54	7.5	-	18 2.0
18		559928	231	104990	19	165		9	1.4	4.5	20	24	7.5	1.5	18 2.0
19	7:30	560159	262	105009	24	156		12	1.0	4.5	40	22	7.5	-	17 2.0
20	2:00	560521	230	105033	17	144		9	1.5	4.5	20	40	7.5	.1	17 2.0
21	8:00	560751	330	105050	14	135		8	1.4	4.5	30	40	7.5	-	17 2.0
22	8:00	561081	327	105064	15	130		8	1.6	4.5	24	44	7.5	-	16 2.0
23	8:30	561486	256	105079	11	120	270	8	1.4	4.5	22	52	7.5	-	16 2.0
24	2:15	561664	307	105090	15	112	242	9	1.6	4.5	40	68	7.5	at	16 2.0
25	8:00	561971	362	105105	15	253	253	12	1.2	4.5	36	56	7.5	-	16 2.0
26	9:00	562239	281	105120	20	241	241	10	1.2	4.5	22	44	7.5	-	16 2.0
27	8:00	562614	327	105140	15	231	231	11	1.7	4.5	40	54	7.5	-	15 2.0
28	8:00	562941	345	105155	22	222	222	12	1.8	4.5	40	52	7.5	-	15 2.0
29	8:00	563292	343	105177	21	210	210	9	1.8	4.5	40	50	7.5	-	15 2.0
30	8:00	563635	342	105198	22	201	201	11	1.8	4.5	30	48	7.5	-	15 2.0
31		563977		105220		190									

ONE
FILTER

890

MAY 3 0 2001

RECEIVED

WATER RESOURCES DEPT.
SALEM, OREGON

Cil Carlton #4100171

Water nt Readings

Date... Aug 18

July 833928

Date	Time	Main Meter	Filtered	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	500	533968	446	102108	78	184	283	2.1	2.7	64	40	7.5	-	18	2.0
2	600	534414	611	102136	82	116	282	13	2.8	66	40	7.5	-	18	2.0
3	530	535025	718	102268	88	-	267	12	3.0	86	45	7.5	-	18	2.0
4	780	535743	673	102356	75	-	257	11	2.4	80	40	7.5	-	18	2.0
5	730	536416	567	102431	72	-	246	11	2.0	62	35	7.5	-	19	2.0
6	600	536983	520	102503	80	-	235	11	2.5	80	40	7.5	-	19	2.0
7	500	537503	764	102583	95	-	284	16	2.8	90	50	7.5	-	19	2.0
8	900	538267	540	102678	68	-	208	14	2.5	72	35	7.5	-	19	2.0
9	700	538807	601	102746	63	-	194	16	2.8	72	40	7.5	-	19	2.0
10	730	539408	563	102809	73	-	178	9	2.2	72	40	7.5	-	19	2.0
11	730	359971	579	102882	62	-	167	11	2.8	76	40	7.5	-	19	2.0
12	800	540530	574	102944	63	200	156	15	2.0	72	40	7.5	-	19	2.0
13	810	541124	534	103007	63	-	141	17	2.0	76	40	7.5	-	19	2.0
14	820	541698	578	103070	69	233	132	13	2.6	76	40	7.5	-	19	2.0
15	900	542276	524	103139	65	219	-	11	2.8	72	35	7.5	-	20	2.0
16	730	542805	614	103204	86	208	-	13	2.5	88	40	7.5	-	20	2.0
17	1000	543419	421	103290	63	195	-	10	2.5	62	30	7.5	-	20	2.0
18	1100	543840	478	103353	62	185	-	12	2.5	54	48	7.5	-	19	2.0
19	630	544318	504	103415	65	173	New	12	2.2	62	35	7.5	-	19	2.0
20	630	544822	655	103480	85	161	(282)	13	1.5	92	32	7.5	-	18	2.0
21	8100	545417	528	103565	72	148	-	12	1.5	80	35	7.5	-	19	2.0
22	730	546005	570	103637	80	136	-	11	1.5	80	35	7.5	-	19	2.0
23	700	546575	540	103713	57	125	-	13	2.0	70	40	7.5	-	18	2.0
24	800	547115	503	103774	66	112	-	11	2.0	76	40	7.5	-	18	2.0
25	745	547615	527	103846	72	101	282	10	1.2	80	40	7.5	-	18	2.0
26	900	548145	484	103912	64	91	-	10	1.5	72	28	7.5	-	18	2.0
27	801	548629	601	103976	82	90	273	10	2.0	84	40	7.5	-	18	2.0
28	830	549230	602	104158	72	-	263	12	2.8	78	30	7.5	-	18	2.0
29	700	549832	602	104130	84	-	251	13	2.2	85	20	7.5	-	18	2.0
30	815	550434	572	104214	60	-	238	17	2.5	85	20	7.5	-	18	2.0
31	830	551000	-	104274	-	-	215	-	3.0	-	-	7.5	-	18	2.0
		551559	-	-	-	-	-	-	-	-	-	-	-	-	-

MAY 30 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2	
		Meter		Meter		1	2				Ash				Res	
1	700	517860	395	100118	64	264	-	9	2.2	<5	44	24	7.5	-	12	1.5
2	700	518255	375	100172	46	255	260	6	2.2	<5	36	36	7.5	-	13	1.5
3	700	518630	383	100218	45	249		5	2.4	<5	36	36	7.5	-	13	1.5
4	700	519013	378	100263	52	244		7	2.4	<5	40	44	7.5		13	1.5
5	800	519391	387	100315	47	237		7	2.6	<5	40	20	7.5		13	1.5
6	700	519776	520	100362	60	230		8	3.2	<5	50	28	7.5		13	1.5
7	736	520298	620	100422	52	222		10	3.2	<5	52	28	7.5	-	14	1.5
8	900	520818	460	100474	42	212		7	4.5	<5	50	40	7.5	-	15	1.5
9	730	521278	507	100516	39	203		8	2.2	<5	48	28	7.5	-	15	1.5
10	830	521785	437	100555	35	199		8	2.8	<5	50	40	7.5	-	15	1.5
11	730	522222	452	100590	39	189		8	2.8	<5	40	24	7.5	-	15	1.5
12	730	522674	513	100629	52	181		9	2.8	<5	44	21	7.5	-	15	1.5
13	1000	523187	472	100681	33	172		7	2.6	<5	40	35	7.5	-	15	1.5
14	800	523659	408	100714	45	165		7	2.6	<5	44	35	7.5		15	1.5
15	530	524067	582	100759	61	157		10	3.0	<5	52	31	7.5	-	15	1.5
16	930	524444	504	100820	63	147		9	3.2	<5	50	10	7.5	-	15	1.5
17	730	525153	655	100883	78	138		9	3.5	<5	56	35	7.5	-	16	2.0
18	645	525508	604	100961	111	129		12	3.5	<5	74	35	7.5		16	2.0
19	900	525412	570	101072	94	122	255	12	3.0	<5	80	30	7.5		16	2.0
20	900	526982	569	101171	96	-	250	10	3.0	<5	58	20	7.5		17	2.0
21	830	527001	593	101267	68	-	240	9	4.0	<5	66	25	7.5		17	2.0
22	630	528124	670	101335	62		231	10	4.0	<5	60	125	7.5		17	2.0
23	630	528794	578	101397	83		221	10	4.0	<5	70	25	7.5		17	2.0
24	530	529372	624	101480	93		211	11	4.0	<5	78	25	7.5		17	2.0
25	630	529996	614	101573	76		200	11	2.5	<5	64	25	7.5		17	2.0
26	130	530610	560	101649	63		189	10	2.5	<5	86	35	7.5		17	2.0
27	530	531170	648	101712	75		179	12	2.8	<5	78	40	7.5		18	2.0
28	760	531818	710	101787	92		167	12	2.4	<5	92	40	7.5		18	2.0
29	800	532528	545	101879	82		155	14	2.4	<5	88	35	7.5		18	2.0
30	500	533073	440	101961	70		141	7	2.8	<5	52	25	7.5		18	2.0
31	506	533513	455	102031	77		134	16	2.8	<5	56	35	7.5		18	2.0
	560	533968		102108			124								18	

682/29

MAY 30 2001

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City : arlton #4100171

Water F Readings

Date June 9

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2	
		Meter		Meter		1	2				Ash				Res	
1	7:00	507694	262	99298	10	227		4	1.8	2.5	24	28	7.5	-	10	1.5
2	7:00	507356	300	99308	5	223		4	1.8	2.5	28	40	7.5	-	10	1.5
3	7:30	507656	311	99313	8	219		4	1.8	2.5	28	32	7.5	-	10	1.5
4	8:00	507967	403	99321	9	215		6	1.9	2.5	40	36	7.5	-	10	1.5
5	9:00	508370	484	99330	12	209		5	2.0	2.5	40	36	7.5	-	10	1.5
6	3:30	508854	254	99342	7	204		4	2.0	2.5	00	36	7.5	-	11	1.5
7	8:15	509105	365	99349	15	200		5	1.5	2.5	22	32	7.5	-	11	1.5
8	7:30	509473	317	99360	21	195		4	2	2.5	24	32	7.5	-	11	1.5
9	8:00	509790	332	99385	26	191		4	3	2.5	28	36	7.5	.3	11	1.5
10	10:00	510122	264	99411	23	187		4	2.5	2.5	28	24	7.5	-	11	1.5
11	7:00	510356	254	99424	29	182		5	2	2.5	32	40	7.5	-	11	1.5
12	1:30	510700	242	99463	25	178		4	2	2.5	20	24	7.5	-	11	1.5
13	6:00	510982	414	99488	37	174		4	3.5	2.5	32	36	7.5	-	11	1.5
14	8:15	511396	385	99525	29	170		5	1.8	2.5	32	40	7.5	-	11	1.5
15	8:15	511781	341	99554	24	165		5	2.8	2.5	32	36	7.5	-	12	1.5
16	9:00	512122	328	99578	24	160	277	4	1.8	2.5	24	32	7.5	-	12	1.5
17	7:45	512450	381	99602	22	156		6	2.0	2.5	32	28	7.5	-	12	1.5
18	8:30	512831	404	99624	23	150		3	2.0	2.5	32	28	7.5	-	12	1.5
19	8:15	513235	331	99647	16	147		2	1.6	2.5	24	26	7.5	-	13	1.5
20	7:30	513566	303	99663	39	145		4	2.0	2.5	40	42	7.5	-	13	1.5
21	1:30	514064	378	99701	14	141		5	2.0	2.5	28	28	7.5	-	13	1.5
22	10:45	514447	468	99715	19	136		7	2.2	2.5	36	36	7.5	-	13	1.5
23	1:45	514915	294	99736	18	129		5	2.2	2.5	32	24	7.5	-	13	1.5
24	8:30	515209	305	99754	34	124		4	2.0	2.5	24	24	7.5	20	13	1.5
25	8:00	515510	322	99782	36	130		5	2.2	2.5	24	24	7.5	-	13	1.5
26	6:30	515836	369	99824	49	115		5	2.2	2.5	24	24	7.5	-	13	1.5
27	7:30	516135	350	99873	47	110		4	2.2	2.5	28	28	7.5	-	15	1.5
28	7:00	516485	359	99920	57	102		5	2.3	2.5	32	26	7.5	-	14	1.5
29	7:00	516874	577	99977	61	101		7	2.2	2.5	44	26	7.5	-	13	1.5
30	9:11	517481	409	100058	60	99	272	8	2.2	2.5	32	28	7.5	-	13	1.5
REC		517860		100118			264									

OFF for
6 hrs

MAY 30 2001

RECEIVED

WATER RESOURCES D
SALEM, OREGON

City arlton #4100171

Water F Readings

Date May

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2
		Meter		Meter		1	2				Ash				Res
1	7 ³⁰	498765	406	98854	21	251	5	3	4.5	24	24	7.5	10	1.5	
2	10 ³⁰	499171	233	98875	22	246	6	2	4.5	16	16	7.5	-	10	1.5
3	8 ³⁰	499404	306	98897	20	240	5	2	4.5	24	20	7.5	-	10	1.5
4	8 ⁴⁵	499710	283	98917	17	235	5	2	4.5	24	20	7.5	-	10	1.5
5	9 ⁰⁰	499993	287	98934	14	247	230	4	1	4.5	20	7.5	-	10	1.5
6	9 ⁰⁰	500280	300	98948	8	226	4	1.2	4.5	28	36	7.5	-	10	1.5
7	8 ³⁰	500580	295	98956	16	222	4	3	4.5	24	40	7.5	-	10	1.5
8	9 ⁰⁰	500875	258	98972	11	218	4	2	4.5	24	20	7.5	-	10	1.5
9	9 ³⁰	501133	205	98983	14	214	5	3	4.5	28	20	7.5	-	10	1.5
10	8 ⁴⁰	501361	259	98997	15	209	5	1.5	4.5	28	40	7.5	-	11	1.5
11	7 ³⁰	501620	280	99012	12	204	5	1.5	4.5	24	36	7.5	-	11	1.5
12	7 ³⁰	501900	310	99024	7	199	5	1.5	4.5	28	44	7.5	4	11	1.5
13	8 ⁰⁰	502210	251	99033	12	194	5	1.3	4.5	28	32	7.5	4	10	1.5
14	8 ¹⁵	502491	252	99045	14	189	4	1.3	4.5	20	24	7.5	7	10	1.5
15	7 ³⁰	502743	297	99059	12	185	6	1.8	4.5	22	24	7.5	7	10	1.5
16	12 ²⁰	503040	225	99071	12	179	3	1.0	4.5	22	24	7.5	4	10	1.5
17	8 ³⁰	503265	266	99083	7	176	5	1.2	4.5	24	32	7.5	-	10	1.5
18	7 ³⁴	503571	286	99090	13	171	5	1.3	4.5	24	36	7.5	-	10	1.5
19	8 ³⁰	503817	256	99103	20	166	4	2.2	4.5	24	32	7.5	4	11	1.5
20	8 ⁰⁰	504067	316	99123	17	162	6	2.0	4.5	26	36	7.5	1.2	10	1.5
21	10 ³⁰	504383	219	99140	14	156	3	2.6	4.5	24	28	7.5	-	10	1.5
22	5 ³⁰	504602	255	99154	15	153	4	2.5	4.5	28	30	7.5	-	10	1.5
23	10 ⁰⁰	504857	244	99169	20	149	5	2	4.5	22	28	7.5	1.5	10	1.5
24	10 ⁰⁰	505101	189	99189	16	144	4	2	4.5	20	24	7.5	1.4	10	1.5
25	7 ³⁰	505290	252	99205	13	140	5	4	4.5	23	25	6.5	2	10	1.5
26	7 ⁰⁰	505542	266	99218	14	135	5	3	4.5	23	25	7	1	10	1.5
27	7 ³⁰	505808	253	99236	13	130	5	2	4.5	24	20	7.2	-	10	1.5
28	7 ⁴⁵	506041	252	99249	16	246	6	1.6	4.5	24	20	7.2	1	10	1.5
29	6 ⁴⁵	506313	300	99265	13	240	5	1.8	4.5	30	30	7.1	2	10	1.5
30	12 ⁰⁰	506617	240	99278	10	235	4	1.1	4.5	25	24	7.5	-	10	1.5
31	2 ⁰⁰	506853	240	99288	10	231	4	1.5	4.5	25	24	7.5	-	10	1.5
		507071		99298		227									

City arlton #4100171

Water F Readings

Date April 98

Date	Time	Main Meter	Filtered M6D	Backwash Meter	Used	Chlorine 1 2	Used	Influ	Eff	Alum	Soda Ash	Ph	Rain	Temp	Cl2 Res
1	7:30	490741	288	98593	12	189	4	1.5	2.5	16	20	7.5	-	7	1.5
2	8:15	491029	274	98605	13	185	4	1	2.5	16	24	7.5	.2	7.5	1.5
3	9:00	491313	271	98614	10	181	3	1	2.5	14	20	7.5	.1	8.5	1.5
4	10:15	491584	227	98620	10	178	3	1.5	2.5	12	24	7.5	-	8	1.5
5	8:25	491811	265	98630	9	175	3	1	2.5	16	24	7.5	.3	7	1.5
6	8:00	492076	260	98639	7	172	4	1	2.5	16	24	7.5	.1	7.5	1.5
7	7:44	492334	260	98646	12	168	3	1	2.5	16	20	7.5	-	7.5	1.5
8	7:45	492596	292	98658	9	165	4	1	2.5	12	28	7.5	.1	8	1.5
9	6:30	492878	254	98667	7	161	3	1	2.5	16	24	7.5	.6	8	1.5
10	7:30	493132	252	98674	7	158/145 281	3	1	2.5	12	22	7.5	.8	8	1.5
11	7:10	493384	260	98681	14	142	4	1.5	2.5	12	22	7.5	-	8	1.5
12	7:00	493644	260	98695	12	138	5	1	2.5	12	22	7.5	.5	8	1.5
13	7:00	493904	269	98708	10	133	4	1	2.5	16	20	7.5	.1	9	1.5
14	7:45	494173	258	98718	7	129	5	1	2.5	16	24	7.5	-	8	1.5
15	8:00	494431	257	98725	6	124	4	1	2.5	16	24	7.5	-	8	1.5
16	7:30	494688	277	98731	10	120	4	1	2.5	16	24	7.5	-	7	1.5
17	8:30	494965	264	98741	9	116	3	1	2.5	16	24	7.5	-	8	1.5
18	6:00	495129	317	98750	9	113	5	1	2.5	16	24	7.5	-	8	1.5
19	8:00	495446	326	98759	7	108	4	1	2.5	14	24	7.5	-	8	1.5
20	11:30	495772	251	98766	7	104	5	1	2.5	20	24	7.5	-	8	1.5
21	10:00	496023	258	98773	9	99	4	1	2.5	20	20	7.5	-	8	1.5
22	9:00	496281	245	98782	7	95	4	1	2.5	12	40	7.5	-	8	1.5
23	7:30	496526	262	98789	12	91	4	1	2.5	16	20	7.5	-	8	1.5
24	7:45	496755	263	98861	7	87	5	1	2.5	16	24	7.5	-	8	1.5
25	8:15	497051	274	98808	11	86	4	1	2.5	16	28	7.5	-	9	1.5
26	11:45	497325	240	98819	7	273	5	1.2	2.5	16	20	7.5	-	9	1.5
27	8:00	497565	283	98826	7	268	5	1.2	2.5	12	20	7.5	-	9	1.5
28	7:45	497848	293	98835	7	263	4	2	2.5	20	24	7.5	-	9	1.5
29	7:45	498141	320	98842	7	259	4	1.5	2.5	20	24	7.5	-	10	1.5
30	8:40	498461	304	98849	5	255	4	2	2.5	20	24	7.5	-	10	1.5
		498765		98854		251		2	2.5			7.5		10	1.5

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MAY 3 0 2001

WATER RESOURCES DEPT
SALEM, OREGON

City of Carlton #4100171

Feb 474587

Water Plant Readings

Date... March 98

Date	Time	Main	Filtered	Backwash	Used	Chlorine	Used	Influ	Eff	Alum	Soda	Ph	Rain	Temp	Cl2	
		Meter		Meter		1	2				Ash				Res	
1	7:00	482550	268	98260	8		209	4	3	4.5	28	32	7.5	.30	8	1.5
2	7:30	482819	280	98268	13		205	3	2	4.5	20	20	7.5	.7	8	1.5
3	7:30	483098	279	98281	13		202	5	3	4.5	32	20	7.5	-	8	1.5
4	7:30	483377	262	98294	13		197	5	4	4.5	24	20	7.5	-5	8	1.5
5	7:30	483639	289	98307	11		192	3	4	4.5	24	24	7.5	-	7	1.5
6	9:30	483929	225	98318	12		189	4	2	4.5	24	18	7.5	-	8	1.5
7	6:30	484153	347	98330	14		185	15	2	4.5	24	18	7.5	1	7	1.5
8	5:00 PM	484500	174	98344	4		180	3	3	4.5	12	16	7.5	.30	7	1.5
9	8:00	484674	260	98348	11		177	3	3	4.5	16	20	7.5	.1	8	1.5
10	7:30	484934	266	98359	11		174	4	2	4.5	16	20	7.5	.5	8	1.5
11	7:00	485200	272	98370	9		170	2	2	4.5	12	28	7.5	-	8	1.5
12	7:45	485472	292	98379	11	248	165	3	2	4.5	16	20	7.5	.7	8	1.5
13	9:08	485764	268	98390	14		165	3	2	4.5	16	22	7.5	-	8	1.5
14	9:00	486032	229	98404	12		162	3	2	4.5	16	20	7.5	-	8	1.5
15	8:00	486260	268	98416	7		159	5	2	4.5	12	16	7.5	-	9	1.5
16	7:30	486528	225	98423	9	243		5	2	4.5	12	28	7.5	-	8	1.5
17	7:34	486803	329	98432	7	238		3	1	4.5	16	24	7.5	-	8	1.5
18	11:40	487132	261	98439	9	235		3	1	4.5	16	24	7.5	-	8	1.5
19	11:30	487393	259	98448	7	232		3	1	4.5	16	22	7.5	-	8	1.5
20	10:30	487652	207	98455	13	229		3	1	4.5	16	22	7.5	-	8	1.5
21	6:00	487859	271	98462	11	226	259	3	3	4.5	16	22	7.5	2.2	9	1.5
22	9:30	489130	251	98473	10	223		3	2	4.5	16	22	7.5	.8	9	1.5
23	7:30	488381	240	98483	13	220		3	4	4.5	16	25	7.5	.7	9	1.5
24	6:30	488699	269	98496	14	217		4	2	4.5	24	19	7.5	.3	9	1.5
25	6:30	488856	274	98510	14	213		3	2	4.5	14	22	7.5	.5	9	1.5
26	7:10	489162	258	98524	16	210		3	1	4.5	14	22	7.5	.5	8	1.5
27	7:30	489420	240	98540	12	207		5	1	4.5	12	20	7.5	.5	8	1.5
28	6:10	489660	289	98552	19	202		4	1	4.5	16	26	7.5	-	8	1.5
29	8:00	489949	254	98566	11	198		4	1	4.5	16	20	7.5	.1	7	1.5
30	7:30	490203	285	98577	9	194		2	2	4.5	16	16	7.5	.5	7	1.5
31	8:30	490489	252	98586	7	192		3	2	4.5	16	20	7.5	.1	7	1.5
		490741														

MAY 30 2001

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WATER RESOURCES DEPT.
SALEM, OREGON

Date February, 98

[illegible]

MYSELF

MAY 3 0 2001

WAIVER RESOURCES DEPT
SALEM, OREGON



Planners
Engineers
Surveyors

3300 NW 211th TERRACE
HILLSBORO, OREGON 97124
PHONE: (503) 858-4242
FAX: (503) 645-5500
EMAIL: ldch@ldcdesign.com

FINAL PROOF SURVEY

Scale: 1" = 1320'

PREPARED FOR: CITY OF CARLTON
191 EAST MAIN STREET
P.O. BOX 458
CARLTON, OREGON 97111
(503) 852-7575

DATE: 05-14-01

SITE LOCATION:

IN THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 5 WEST,
WILLAMETTE MERIDIAN, YAMHILL COUNTY, STATE OF OREGON.

THIS IS NOT A BOUNDARY SURVEY - FOR WATER RIGHT PURPOSES ONLY

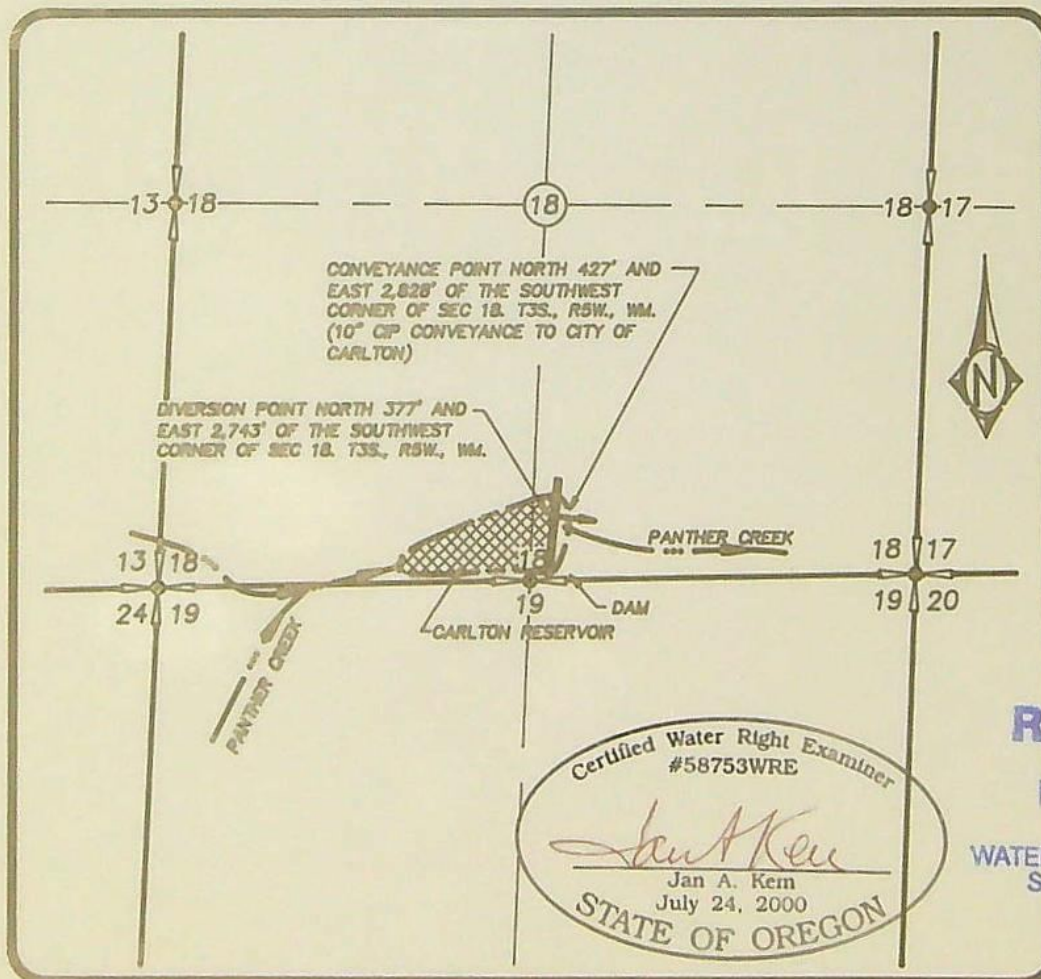
I certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge. It is to be used for the purpose of identifying the location of water right only and is not intended to provide legal dimensions or locations of the property ownership lines.

APPLICATION NUMBER: S-44208
PERMIT NUMBER: 32489

SOURCE: PANTHER CREEK
TRIBUTARY TO: NORTH YAMHILL RIVER

MAP NOTE:

MAP DRAWN USING DIMENSIONS AND PROJECTIONS FROM CS-11170, A RECORDED SURVEY IN YAMHILL COUNTY. CONVEYANCE AND DIVERSION POINT COLLECTED USING A HANDHELD GPS UNIT.





Planners
Engineers
Surveyors

3300 NW 211th TERRACE
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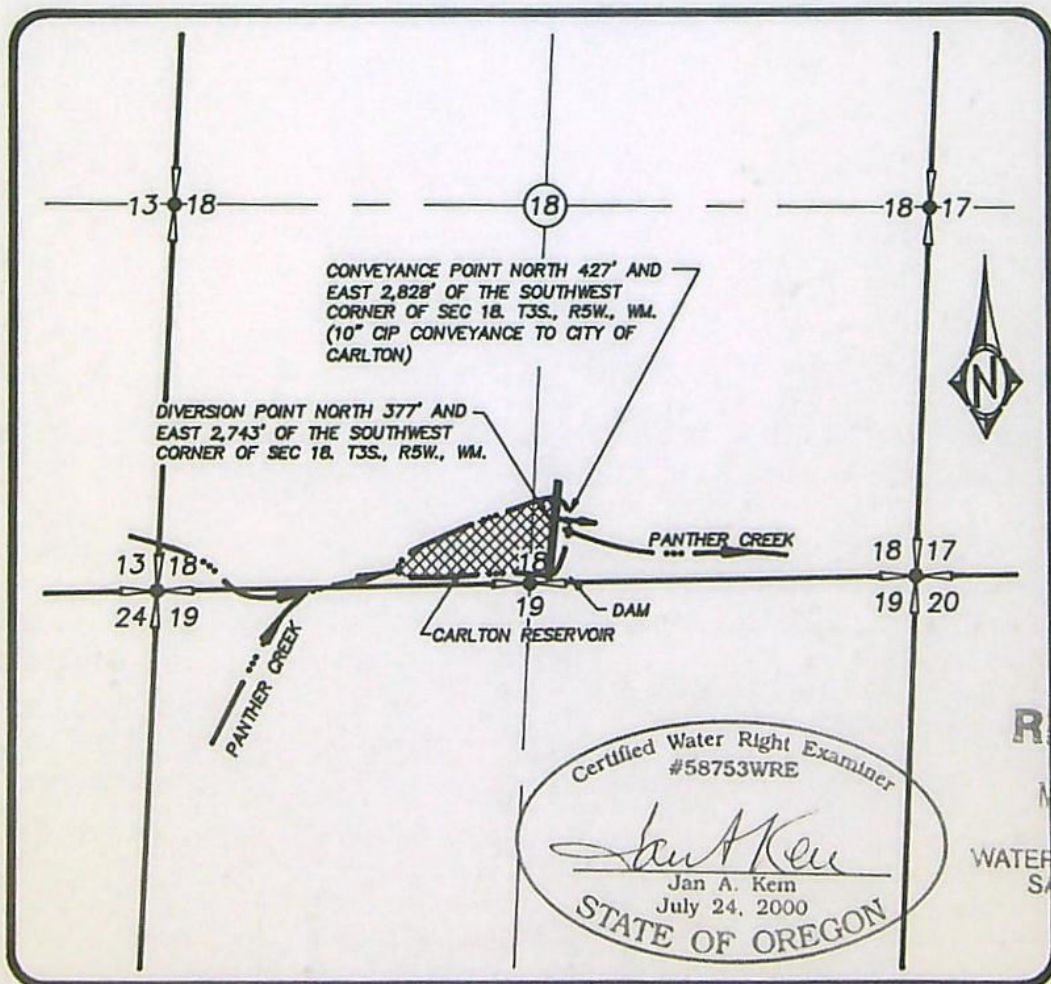
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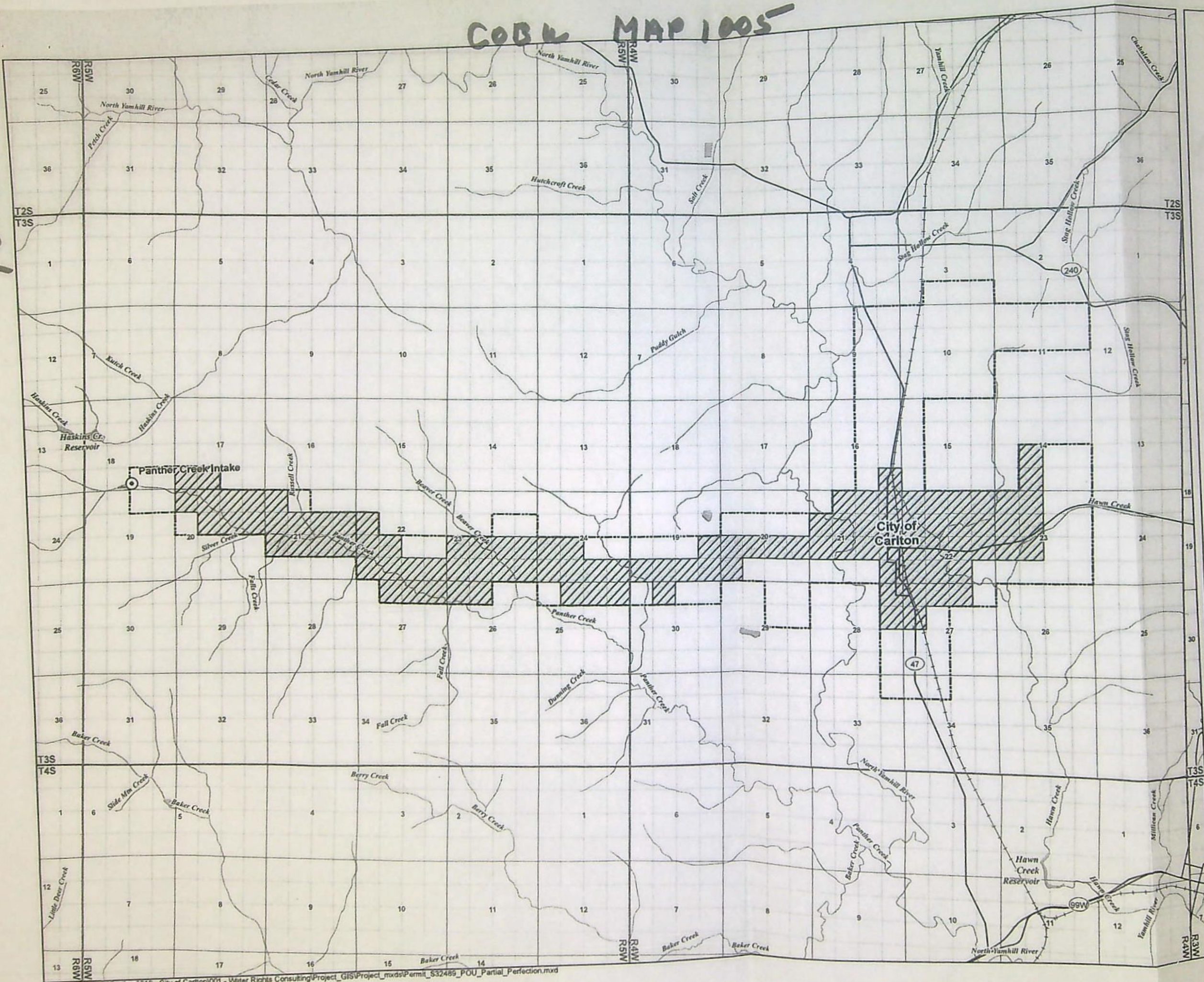
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CONVEYANCE AND DIVERSION POINT COLLECTED USING A HANDHELD GPS UNIT.



5001

COB & MAP 1005



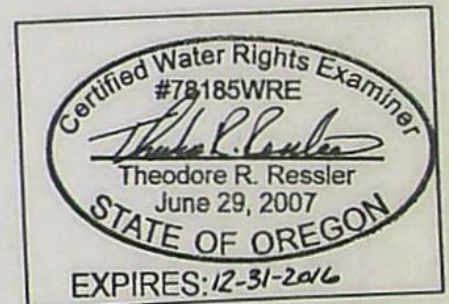
**Claim of Beneficial Use
Place of Use Map
Partial Perfection of
Permit S-32489
(Application S-44208)**

A Water Right in the Name of
City of Carlton
Yamhill County

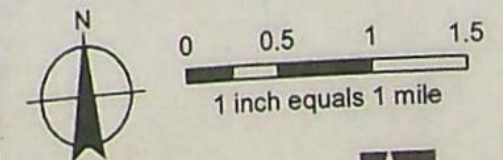
Township 3 South,
Ranges 4 & 5 West (W.M.)

LEGEND

- ⊙ Point of Diversion (POD)
- ▨ Place of Use (POU)
- Service Area
- Waterbodies
- ~ Watercourses
- Detailed Streets
- Railroads



DISCLAIMERS:
1. This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.
2. Under the provisions of ORS 540.510(3) the City of Carlton may lawfully provide and use water in locations other than those described.



MAP NOTES:
Date: April 25, 2016
Data Sources: OWRD, ESRI, Oregon Geospatial Data Clearinghouse, City of Carlton



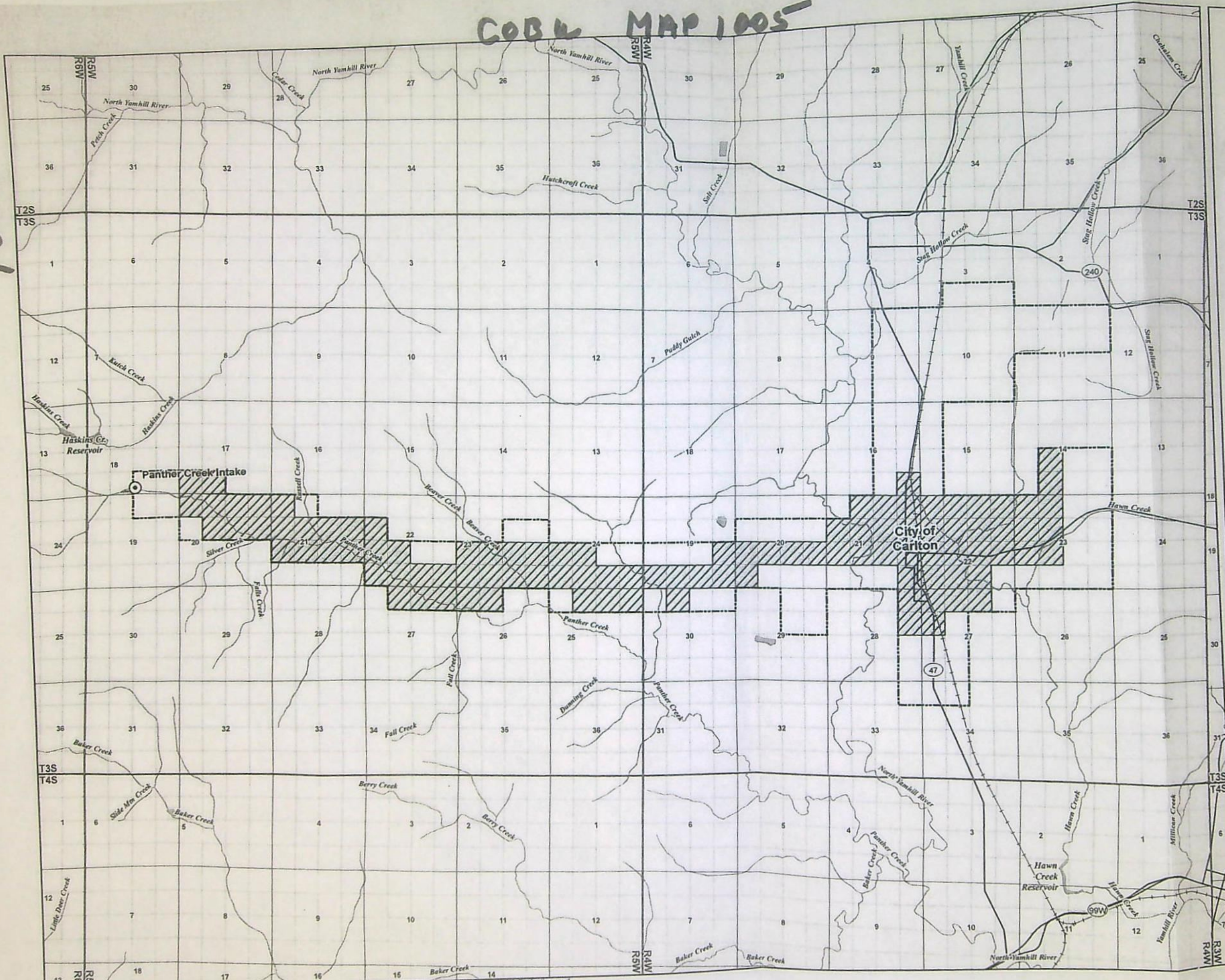
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SALEM, OR

MAY 11 2016

1001

COB W MAP 1005



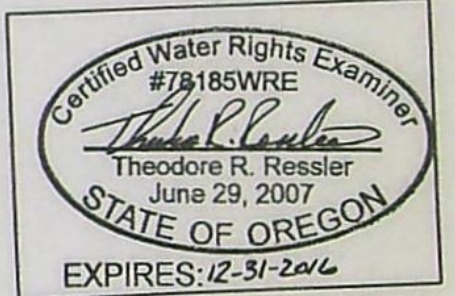
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**A Water Right in the Name of
City of Carlton
Yamhill County**

**Township 3 South,
Ranges 4 & 5 West (W.M.)**

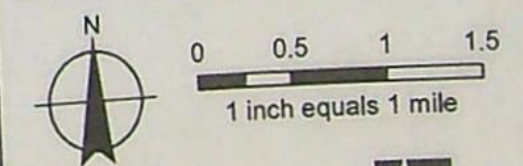
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MAP NOTES:

Date: April 25, 2016
Data Sources: OWRD, ESRI, Oregon Geospatial Data Clearinghouse, City of Carlton



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OREGON ADMINISTRATIVE RULES

WATER RESOURCES DEPARTMENT

DIVISION 320

WATER RIGHT PERMIT EXTENSIONS

690-320-0010

Extension of Time Limits

- (1) *Effective ²⁰⁰¹ until July 1, ~~2001~~*, this rule establishes the procedures and standards by which the Department shall evaluate applications for extensions of time for water right permit holders to:
 - (a) Begin actual construction pursuant to ORS 537.248 or as otherwise authorized by law; or
 - (b) Complete construction or completely apply water to the full beneficial use pursuant to ORS 537.230 and 537.630.
- (2) This rule does not apply to permit holders requiring Federal Energy Regulatory Commission permits pursuant to ORS 537.240.
- (3) *After July 1, 2001, the permit extension application process rules shall be contained in OAR Chapter 690, Division 315.*
- (4) A holder of a permit for municipal water use, as defined in OAR 690-300-0010, may apply for an extension under the rules in this Division. However, the Department will convene a work group to address issues relating to water rights for municipal water uses. The work group will be asked to make recommendations for rules and/or legislation to address issues specific to water rights for municipal water uses, including extensions of such water rights. Until July 1, 2001, holders of municipal water use permits are not required to apply for a permit extension. During this time, the Department will not require submission of proof of completion for, attempt to cancel, or compel an application for an extension for a water right permit for municipal water uses. This time period is offered to allow the work group to develop recommendations. The Department may shorten the time limit if the working group develops recommendations and new rules are adopted before July 1, 2001.

- (5) The time limit to begin construction of water use facilities shall not be extended except for municipal use of surface water by a municipality, permits involving Federal Energy Regulatory Commission projects, permits issued to irrigation districts for reclamation purposes, or county, municipality or district permits for new storage projects.
- (6) The time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of ~~good cause~~ for the untimely completion. This determination shall consider the requirements of ORS 537.230, 537.248, 537.630 and 539.010(5).
- (7) Time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.
- (8) Before taking final action on any request for an extension of time, the Director shall issue a proposed final order including any conditions necessary for approval of the extension. The Director shall provide public notice of the Department's proposed final order by means of publication in the Department's weekly notice. A period of 45 days shall be provided for the submission of a written comment or a written protest against a proposed final order. Protests shall include the fee as required under ORS 536.050. Each person submitting a protest shall raise all reasonably ascertainable issues and raise all reasonably available arguments supporting the person's position by the close of the comment period.
- (9) If the Director determines that some progress has been made to complete the construction or use, but if diligence is questionable, the Director may issue a proposed final order to:
 - (a) Deny the request for more time;
 - (b) Grant the request for more time and notify the applicant that future requests for more time will not be granted; or
 - (c) Grant the request for more time by an order amending the permit to include any condition or provisions needed for determining future diligence. Such new provisions or conditions shall not apply to any portion of the right developed under the time limits previously granted.

A More
than one
year for
Non-Muni
Permits.

[OAR 690-320-0010... continued]

- (10) For extensions exceeding five years, the Department shall establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.
 - (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 for 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 described in subsection (10)(a) of this rule 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.
- (11) After the 45 day comment and protest period, the Director shall determine whether to:
 - (a) Issue a final order; or
 - (b) Schedule a contested case hearing if the Director finds that there are significant disputes related to the use of water.

Stat. Auth.: ORS 536.025 & ORS 536.027

Stats. Implemented: ORS 536.050, ORS 537.230, ORS 537.248, ORS 537.630 & ORS 539.010

Hist.: WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92, Renumbered from 690-011-0095; WRD 1-1996, f. & cert. ef. 1-31-96, Renumbered from 690-011-0205; WRD 4-1998, f. & cert. ef. 11-2-98

690-320-0020

Cancellation of Permit

When it appears from an onsite examination by the Water Resources Department that no appropriation has been made under the terms of the permit, or that use once made has undergone a period of five successive years of nonuse, a certified letter of intent to cancel the permit shall be sent to the permittee, allowing 60 days from the date of the letter for response. Failure to respond during the 60-day period shall result in cancellation of the permit.

Stat. Auth.: ORS 536.025 & ORS 536.027

Stats. Implemented: ORS 536.220, ORS 536.300, ORS 536.310, ORS 537.260, ORS 537.410 to ORS 537.450, ORS 540 and ORS 543

Hist.: WRD 6-1987, f. & ef. 6-11-87; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92, Renumbered from 690-011-0100; WRD 1-1996, f. & cert. ef. 1-31-96, Renumbered from 690-011-0210

690-320-0030

Claims of Beneficial Use for Applications Filed After June 30, 1987

Except for applications filed under the provisions of OAR 690-340-0220, all final proof surveys and claims of beneficial use for applications filed after July 9, 1987 shall be performed by Certified Water Right Examiners. Applicants prior to July 10, 1987 may either wait for the Department to perform the final proof survey on its own schedule or may hire a certified Water Right Examiner.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.797, ORS 537.798 & ORS 537.799

Hist.: WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88; WRD 9-1992, f. & cert. ef. 7-1-92, Renumbered from 690-011-0103; WRD 5-1994, f. & cert. ef. 4-13-94; WRD 1-1996, f. & cert. ef. 1-31-96, Renumbered from 690-011-0215

690-320-0040

Incremental Perfection of a Municipal Water Right

- (1) A municipal supplier may incrementally perfect a portion of the quantity of water authorized by any of its municipal water use permits. For the purpose of incrementally perfecting water rights, a municipal supplier means:
 - (a) Any incorporated city, village, or town;
 - (b) A port formed under ORS 777.005 to 777.725 and ORS 777.915 to 777.953;

[OAR 690-320-0040(1)... continued]

- (c) A domestic water supply district formed under ORS Chapter 264; or
 - (d) A water supply authority formed under ORS Chapter 450.
- (2) The portion of water use that may be incrementally perfected by a municipal supplier shall not be less than 25 percent of the quantity originally authorized by permit. The perfection, or proof of appropriation, of each increment of water shall conform to the proof of appropriation requirements of OAR 690-330-0010.
 - (3) When a portion of a permit issued for municipal use is perfected by a municipal supplier, the remaining unperfected quantity of water shall remain in permit status without loss of priority. The increment of water perfected and confirmed by certificate shall be subtracted from the quantity of water originally authorized by permit. The remainder shall be the quantity of water subject to future perfection under the terms of the permit.
 - (4) A municipal supplier shall notify the Department, in writing, of its intent to incrementally perfect a portion of its water right. Written notice shall include the following information:
 - (a) The quantity of water diverted from each point of diversion, by month, for the preceding three years;
 - (b) A plan of how the municipal supplier intends to develop successive increments of its water right; and
 - (c) Maps that show where water will be put to use. Maps accompanying notification of intent to perfect an increment of a water right shall be prepared to the specifications described in OAR 690-310-0050, except that a standard even scale less than 4" = 1 mile may be used if appropriate.
 - (5) Municipal suppliers that incrementally perfect less than the full quantity of water authorized by permit may request further extension of the time limit to complete construction and apply water to beneficial use for the remaining, unperfected quantity of water. OAR 690-320-0010 governing extension of time limits applies to unperfected municipal water rights.

Stat. Auth.: ORS 536.025 & ORS 536.027,

Stats. Implemented: ORS 536.220, ORS 536.300, ORS 536.310, ORS 537.260 & ORS 540

Hist.: WRD 19-1990, f. & cert. ef. 12-14-90; WRD 9-1992, f. & cert. ef. 7-1-92, Renumbered from 690-011-0130; WRD 1-1996, f. & cert. ef. 1-31-96, Renumbered from 690-011-0235

690-320-0050

Temperature Control

Where a permit has been issued for use of water for temperature control (either heat or cold), a report detailing the amount of water used, the times of application and conditions requiring the use of water for temperature control shall be required annually. These shall be required as an element of proof of appropriation to the satisfaction of the Department prior to issuance of a confirming water right certificate.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 537.170, ORS 537.250, ORS 537.525 & ORS 537.630

Hist.: WRD 1-1996, f. & cert. ef. 1-31-96

690-320-0060

Assignment or Change of Ownership of a Permit or Groundwater Registration

- (1) When a change of interest or ownership occurs in lands covered by a permit or groundwater registration, the record holder may request, in writing, the Director to record the assignment of a new owner.
- (2) Should the record holder of the permit or groundwater registration be unavailable, the current owner of the property involved may furnish proof of such ownership to the Commission to obtain ownership of the permit or registration. The Department shall also record a change in ownership to an heir or devisee under a will upon receiving proof of a transfer to trust by the record holder. Proof of ownership of the involved lands shall include, but not be limited to one or more of the following documents:
 - (a) A copy of the deed to the land;
 - (b) A copy of a land sales contract;
 - (c) A court order or decree; or
 - (d) Documentation of survivorship of property held jointly.

Stat. Auth.: ORS 536.025 & ORS 536.027

Stats. Implemented: ORS 537.220 & ORS 537.635

Hist.: WRD 1-1996, f. & cert. ef. 1-31-96; WRD 4-1998, f. & cert. ef. 11-2-98

690-320-0070

Primary and Supplemental Rights

- (1) Cancellation of primary rights:
 - (a) A notice given pursuant to ORS 540.631 for the proposed cancellation of a primary water right for irrigation of certain lands shall include notice of the proposed cancellation of any supplemental water right for irrigation of the same lands;
 - (b) If the primary right is determined to have been forfeited by non-use and the supplemental right is not determined also to have been forfeited by non-use, the owner of the land to which the right is appurtenant may apply to transfer the supplemental right, without loss of priority, to become the primary right.
- (2) Diminution of a water right: A primary right may, at the request of the owner of the right, be diminished to a supplemental status to allow for a new primary right application from a more dependable source of water.
- (3) Supplemental rights: Where more than one right exists, water shall be used from the primary source so long as there is sufficient quantity to satisfy the terms of the permit or certificate. Nevertheless, if requested by the applicant, a permit may be issued which describes a surface water source as supplemental to a groundwater right and shall provide that, in the interest of conserving the groundwater supplies, the supplemental right may be exercised at time when water is available from the surface water supply.

Stat. Auth.: ORS 536.027

Stats. Implemented: ORS 540.610 to ORS 540.650

Hist.: WRD 1-1996, f. & cert. ef. 1-31-96



DESIGN GROUP, INC.

COPY

May 5, 2003

Project 2603

Mr. Doug Hooper, City Manager
City of Carlton
191 E. Main
Carlton, OR 97111

WATER RIGHTS STATUS SUMMARY

Dear Mr. Hooper:

This letter includes a summary of the City's existing water-use permits and certificates and their status. Several of the permits are set to expire, and require some action by the City. The table below lists the general information and status of the permits:

Permit or Cert. No.	Priority Date	Max. Diversion Rate	Max. Storage	Source	Status
R5527	Oct - 1969		66 AF	Panther Cr.	<i>Expires Apr - 2003</i>
S34661	Oct - 1969	0.5 cfs		Storage R5527	current
R10900	Nov - 1987		9 AF	Panther Cr.	current
S50218	Nov - 1987	0.07 cfs		Storage R10900	<i>Expires Apr - 2003</i>
S32488	Oct - 1967	2.0 cfs		Fall Creek	<i>Expires Apr - 2003</i>
S32489	Oct - 1967	2.5 cfs		Panther Cr.	CBU, May 2001
Cert. 1868	Aug - 1911	0.5 cfs		Panther Cr.	Permanent
	Total	5.57 cfs	75 AF		

3300 NW 211TH TERRACE
ILLSBORO OREGON 97124

PH 503. 858. 4242
FX 503. 645. 5500

WWW.LDCDESIGN.COM

CORPORATE OFFICE
HILLSBORO OREGON

TILLAMOOK OREGON
VANCOUVER WASHINGTON

BELLEVUE WASHINGTON

COEUR D'ALENE IDAHO

SACRAMENTO CALIFORNIA

The following paragraphs are short descriptions of each permit and future actions necessary (if any):

R5527: Reservoir construction and storage permit. Can "prove up" this permit if storage capacity meets or exceeds 66 AF. Since reservoir capacity has been

Oregon
Water
Resources
Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172

PUBLIC NOTICE COMMENT FORM

January 23, 2001

Use the back of this form to offer comments on water use requests or other items in this notice or to order copies of proposed final and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Water Use Request Type & File Number (e.g. "Permit Application G-12345" or "Transfer T-1234"): (payment enclosed)*	Mail me the Order
Permit Application No. S-44208; Permit No. 32489	XX

Your Name, Address, and Phone Number:

Clark I. Balfour
Cable Huston Benedict Haagensen & Lloyd LLP
Suite 2000, 1001 SW Fifth Avenue, Portland, OR 97204

* We are required by law to charge a fee of \$10 to mail a copy of a proposed final or final order for a permit application to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$10 for each proposed final order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued.

(Copies of proposed final and final orders are also available for viewing - at no charge - at our Salem office or at the local watermaster office.)

Comments (please type or print):

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JAN 29 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Get me a copy of this PFO

Proposed Final Orders Regarding Extensions of Time for Water Rights Permits

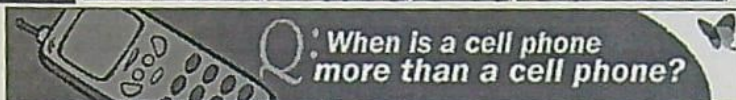
County of Use: Yamhill
Application File Number: S-44208
Permit Number: 32489
Applicant: City of Carlton
Address: City Hall, Carlton, OR 97111
River Basin: North Yamhill River
Water Source: Panther Creek
Authorized Use of Water: Municipal
Maximum Diversion/ Appropriation Rate: 2.5 cfs
Recommendation: The Department proposes to issue an order to approve the extension for complete construction of the water system from October 1, 1969 to October 1, 2020 and approve the extension for complete application of water from October 1, 1970 to October 1, 2020.

County of Use: CLACKAMAS
Application File Number: G 12596
Permit Number: G 12156
Applicant: PAUL IWASAKI
Address: 12425 SW RIVERVIEW LN, WILSONVILLE, OR 97070
River Basin: WILLAMETTE RIVER
Water Source: A WELL
Authorized Use of Water: NURSERY OPERATIONS ON 11.91 ACRES
Maximum Diversion/ Appropriation Rate: 0.33 CFS
Recommendation: The Department proposes to issue an order to approve the extension for complete construction of the water system from October 1, 1997 to October 1, 2000 and approve the extension for complete application of water from October 1, 1998 to October 1, 2000.

County of Use: WASHINGTON
Application File Number: 71157
Permit Number: 51996
Applicant: DECKER FARMS INC.
Address: 12475 SW RIVER RD, HILLSBORO, OR 97123
River Basin: WILLAMETTE RIVER
Water Source: HEATON CREEK, McFEE CREEK, AND TUALATIN RIVER
Authorized Use of Water: TEMPERATURE CONTROL ON 227.4 ACRES
Maximum Diversion/ Appropriation Rate: 5.74 CFS
Recommendation: The Department proposes to issue an order to approve the extension for complete construction of the water system from October 1, 1998 to October 1, 2000 and approve the extension for complete application of water from October 1, 1999 to October 1, 2009.

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JAN 29 2001

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From: brendalee wilson <brendalee.s.wilson@wrд.state.or.us> [Save Address](#) - [Block Sender](#)
To: bsujiko@hotmail.com [Save Address](#)
Subject: Fwd: Re: Carlton
Date: Fri, 17 Nov 2000 20:56:34 -0800

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Date: Fri, 17 Nov 2000 15:17:04 -0800

From: "Gregory Robart" <Gregory.P.Robart@state.or.us>

To: WILSON Brendalee S <Brendalee.S.Wilson@state.or.us>

Subject: Re: Carlton

November 17, 2000

Brendalee Wilson

Water Resources Department
Salem, OR

Dear Brendalee:

In response to your request for our comments, this forwards Oregon Department of Fish and Wildlife (ODFW) comments on this proposed water right extension by the City of Carlton. **Panther Creek contains steelhead, coho salmon and cutthroat trout.** Appropriating water at such a proposed rate from Panther Creek between April 1 and November 30 each year **will likely adversely impact** these fish as well as other important ecological values associated with Panther Creek. Also, impeding fish passage with any instream fish barrier will also be detrimental these salmonids.

Therefore, Water Resources Department **should condition** this permit to protect fish and wildlife **as follows:**

- Water shall be appropriated from Panther Creek between December 1 March 31 each year only.
- All water diverted from Panther Creek shall be stored in off-channel storage facilities. No in-channel storage is allowed.
- The applicant shall install, operate and maintain, at the expense of the applicant, all fish screening or by-pass devices that ODFW determines are necessary to prevent fish from leaving Panther Creek and entering the diversion.
- The applicant shall not create any instream barrier to fish passage in Panther Creek without designing, installing and maintaining year-round fish passage facilities in compliance with ODFW specifications.

If you have questions, please call me. Thank you for the opportunity to comment.

Sincerely,

Gregory P. Robart

Habitat Biologist

>>> Brendalee Wilson <Brendalee.S.Wilson@state.or.us> 11/15/00 02:33PM >>>

Gregory:

Hello!

I am processing an extension request for the City of Carlton. They have a total of 3.57 cfs on Panther Creek. They are currently using 0.5 cfs at 100% along with about 30% of a 2.5 cfs permit. The 2.5 cfs permit is the subject of the extension request. They also have an undeveloped right on Fall Creek.

There is an instream water right on the Yamhill that is not met part of the year, but these rights have old priority dates.

I know there are listed fish too.

Can you give me your comments on this right?

Thanks Gregory!

Have a great day!

Brendalee S. Wilson
Interagency Coordinator/Policy Analyst
Water Rights Division
Oregon Water Resources Department
503-378-8455/1-800-624-3199 ext: 276
Fax: 503-378-6203

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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

November 14, 2000

Walter Gowell
Haugeberg Rueter Stone Gowell & Fredericks, PC
620 E 5th St
P O Box 480
McMinnville, OR 97128

RE: Application 44208, Permit 32489

Dear Mr. Gowell:

Thank you for the additional information submitted by you regarding the City of Carlton. After reviewing the information, however, I noted that some clarification and additional information is needed.

I have attached a questionnaire with the clarification questions. After receiving these back, I should be able to make a decision shortly thereafter.

If you have any questions, please give me a call at (503) 378-8455 or toll free within Oregon at 1 (800) 624-3199, extension 276.

Sincerely,

Brendalee S. Wilson
Water Rights Division
503-378-8455/1-800-624-3199 ext: 276
Fax: 503-378-6203



1. On page two of the Supplemental Information Sheet (SIS), it states "[s]ince 1987, Carlton has prohibited additional water hookups outside the Carlton's urban growth boundary." On page three, it states that "[t]he City population in 2020, ...is projected to be 2627 with an additional outside water user population ... of 350..." Is this "outside user population" outside the UGB and if so, when will additional water hookups be allowed?
2. The SIS indicates that water curtailment regulations have been adopted. Can you please provide me with a copy of those?
3. On page 2, the SIS indicates that progressive water rates were adopted, is there a policy reason for this?
4. What is the projected water treatment plant capacity?
5. Has there been any development of permit 32488, Fall Creek? Is there any plan to develop that permit? If so, when?
6. Has there been any development of permits 50218 or 34661? Are there any plans to? If so, when?
7. When will the final proof for partial perfection of permit 32489 be submitted to the Department? (By the way, that should be submitted to the attention of Dwight French, Water Rights Division Manager)
8. Has the City taken any measures to address ESA issues in Panther Creek? If so, what are those measures?

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **40112**

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

INVOICE # **44208**

RECEIVED FROM: Aubrey Russell
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

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

TOTAL REC'D \$ **25.00**

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) _____

(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) _____

EXAM FEE

\$
\$
\$
EXAM FEE
\$

0202

0204

0206

0219

0220

RECORD FEE

\$
\$
\$

LICENSE FEE

\$
\$

0223 Protest fee \$25.00

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)

HYDRO APPLICATION

\$
\$

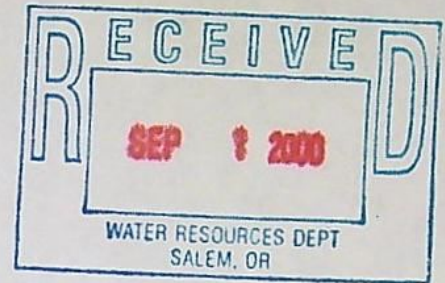
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RECEIPT # **40112**

DATED: 9-1-00

BY: S. Henderson

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



Sept 2000
WRO & OT Protest

Before the
Oregon Water Resources Department

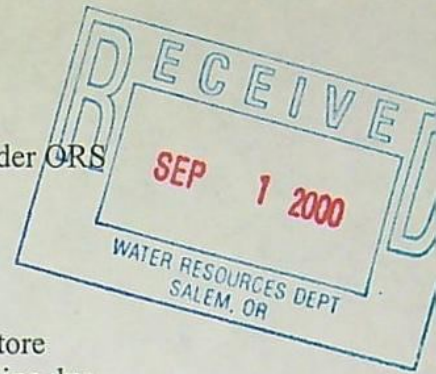
In the matter of the Application for an	)	Protest of Proposed Final Order
Extension of Permit Number 32489	)	Oregon Trout
Water Right Application Number 44208	)	and
City of Carlton (Applicant)	)	WaterWatch

Introduction

Oregon Trout and WaterWatch (Protestants) file this protest and a check for \$25 pursuant to OAR 690-320-0010(8). Protestants strongly oppose the proposed extension of this permit. Information before this agency and argument presented in this protest show that significant questions exist relating to this proposed use of water. This proposed extension would allow the allocation of water far in excess of what is justified by Applicant. Applicant has not shown a need for water sufficient to ensure that the proposed use will not result in waste. Applicant has not indicated how the permitted right will be used in conjunction with other certificated and permitted rights to satisfy their water needs. Without this information, the Department is unable to ascertain the need for additional rights. In addition, Applicant's lack of diligence in completing appropriation of water prevents the finding of "good cause" necessary for granting an extension. Applicant's permitted rights are so far in excess of demonstrated needs that Applicant appears to have no plan to fully develop their water right. Under these conditions, the Department cannot logically make a finding of diligence.

Applicant has not shown demand for water, an ability to use beneficially the permitted amount, or diligence in development and use of the permitted amount. The Department must deny the application for extension on the grounds that the

Department has insufficient information to justify a finding of good cause under ORS 537.230(2).



Statement of Protestant's Interest

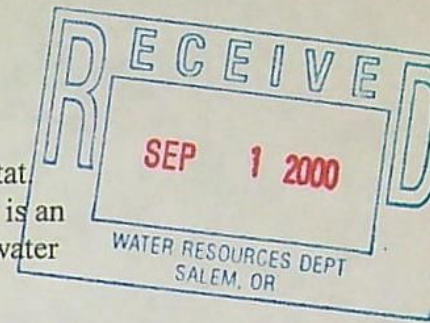
Oregon Trout is a non-profit organization whose mission is to protect and restore native fish and their habitat. Many of Oregon's native fish species are in decline due to degradation of their habitat. While the factors that contribute to habitat degradation are numerous, primary among them is the reduction of instream flows due to the appropriation of water for out-of-stream uses. Where the Department's permitting practices promote an inefficient use of water for out-of-stream values, Oregon Trout's interest in preserving fish habitat is undermined. Granting water rights far in excess of envisioned beneficial use discourages conservation and so encourages this sort of inefficient use of water.

WaterWatch is a non-profit, tax-exempt organization incorporated under the laws of Oregon. WaterWatch's mission is to promote water policies and water allocation decisions in Oregon that provide for the quality and quantity of water necessary to support fish, wildlife, recreation, ecological values, public health and a sound economy. WaterWatch has sought, and continues to seek, to modify or prevent further withdrawals from Oregon's streams and rivers in order to protect anadromous and resident fish populations and water quality in those streams. With regard to the Yamhill River basin, WaterWatch was instrumental of the passage of the Instream Water Rights Act which mandated conversion of existing minimum perennial streamflows in the Yamhill River and elsewhere in the state to instream water rights.

Extending permits for which there is no reasonably foreseeable need is contrary to the State's duty to hold the public resource in trust and allocate it in a way that considers a broad array of public interests, including the survival of fish. When the department approves an extension for developing a use that will not exist for many decades, it does so without any knowledge of the future condition of fish (and other aspects of the public interest) at the time of the actual use, and is therefore unable to judge the impact. Organizations such as Oregon Trout, WaterWatch, and their members are also unable to judge the impact or to provide comments based on the state of the public interest at stake at the time of the actual proposed use. In short, granting extensions of long duration when development will not commence within four decades undermines Oregon Trout's and WaterWatch's ability to monitor and safeguard fish populations and other instream values that may be threatened at present or in the future.

The Department is aware that winter steelhead are listed as threatened under the federal Endangered Species Act (ESA), and that these fish are present in the North Fork of the Yamhill River, which is fed by the waters of Panther Creek. Also, the Yamhill River retains a population of native Cutthroat Trout, and provides seasonal rearing habitat—if not spawning habitat—for Spring Chinook salmon. Upper Willamette River Chinook are listed as threatened under the federal Endangered Species Act. The North Fork of the Yamhill River is also home to Pacific Lamprey, which are designated a state sensitive species. Oregon Trout's and WaterWatch's

members have an interest in protecting these threatened species and their habitat. Maintaining adequate instream flows through appropriate permitting practices is an important means toward halting the downward trend in the water quality and water quantity which are necessary for fish health.



In addition, both Oregon Trout and WaterWatch are members of the Water Resources Department's work group formed to address Community Water Supply issues, including extensions of time for municipal permits. Both groups have invested staff resources and money in working on issues raised by this extension request.

WaterWatch and Oregon Trout are representing their organizational interests, the interests of their members and the public interest in the water resources at stake in the extension request.

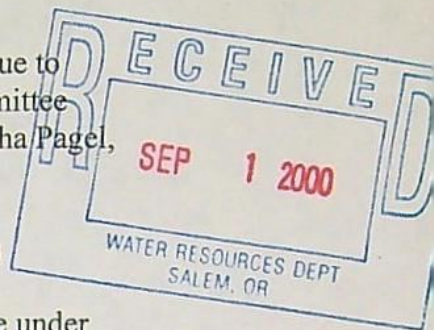
Statement of Public Interest

Oregon Trout's and WaterWatch's interest in streamflows and fish habitat is directly related to the public's interest in prudent management of the state's water resources. Water is a publicly owned resource, ORS 537.110, and the Department is charged with ensuring that extensions are granted for permits only when the applicant shows the ability to apply water to a beneficial use. ORS 539.010(5), OAR 690-320-0010(7). Where an appropriation of water is not for a beneficial use, the water is wasted. OAR 690-400-010(16). In addition, the public has entrusted the Department with the responsibility of "diligently enforc[ing] laws concerning cancellation, release and discharge of excessive unused claims to waters of this state to the end that such excessive and unused amounts may be made available for appropriation and beneficial use by the public." ORS 536.340(1)(b). The public interest is impaired when permits are extended without a proper showing that the permitted water right will be put to beneficial use within a reasonable time period.

The proposed extension would allow for increased diversions from Panther Creek, a tributary of the North Fork of the Yamhill River which in turn flows into the Yamhill River mainstem and on to the Willamette. There is at least one instream water right on the Yamhill River that is currently not being met and that will be affected by this proposed extension. The Department's practice of granting and extending permits far in excess of demonstrated proposed beneficial use discourages conservation planning, encourages excessive diversion of water, and encourages erosion of the instream water right. It also exacerbates existing water quality problems. The Yamhill River is currently listed as water quality limited under the State's 303(d) list.

The public also shares Oregon Trout's and WaterWatch's interest in protecting fish species and instream flows. The Oregon Legislature has endorsed and funded the Oregon Plan for Salmon and Watersheds, which aims to restore Oregon's wild salmon and trout populations. Under that plan, the Department is charged with protecting the public's interest in salmon and trout by conducting their permitting actions in a manner that will "minimize and mitigate adverse effects of the actions on salmonids or the habitat they depend on." Executive Order No. EO 99-01, paragraph 1(d)(a). The

Oregon Plan forces the question of "whether it is good public policy to continue to issue water rights in those cases where there is little or no chance that the permittee will ever be able to use water." Letter from Governor John Kitzhaber to Martha Pagel, April 26, 2000. The issuance of extensions raises the same question.



Proposed Approval of Extension will Impair Protestant's and Public' Interests

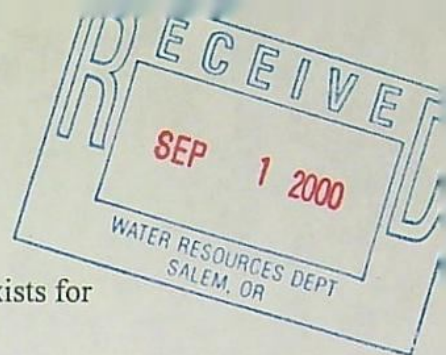
The facts available to the Department do not show that water will be put to use under this permit within the reasonably foreseeable future. The record shows that the rate of development of Applicant's existing water rights has been less than one half of one percent annually over the past four decades¹. At this rate of growth, Applicant's needs may be met under other permits until approximately the year 2230. Application of water under the present permit would not be complete until the year 2360. The Department, however, does not appear to forecast of the future rate of water development and grants an extension for a period of time that reflects neither a rational method nor the law. Even the long period proposed for this extension would not allow Applicant to develop the full amount of the water under existing permits, let alone the additional 2.5 cfs under this permit. Approving the extension under these circumstances discourages the use of conservation as a source of water supply. By over-allocating water to out of stream uses, the Department ensures that those uses will take precedence over competing demands for water for instream use. This practice, especially when considered in the aggregate with other permitting decisions, contributes to the waste of water allocated for out-of-stream uses. This impairs Protestants' interest in instream uses. The loss of this water for fish habitat will have a long-term effect on the ability of WaterWatch, Oregon Trout, the Public, and the State to protect sensitive fish species.

Extension Law

Oregon law provides that "the department, for good cause shown, shall order and allow an extension of time, . . . within which irrigation or other works shall be completed or the right perfected." ORS 537.230(2). The applicant bears the burden of showing that good cause exists for the extension. In determining good cause, the Department must give due weight to:

"the cost of the appropriation and application of the water to a beneficial purpose, the good faith of the appropriator, the market for water or power to be supplied, the present demands therefor (sic), and the income or use that may be required to provide fair and reasonable returns upon the investment." ORS 539.010(5).

¹ See internal Water Resources Department e-mail memo dated 2-4-00 from Bill Fuji to Russell Klassen, indicating that the present population of 1,525 has increased by 18% since 1960. This translates into an annual rate of growth of little more than 4/10 of one percent. See also Application for Extension of Time submitted by Applicant 8/25/78, in which Applicant gives population as 1,370 people. Again, subsequent growth has occurred at an annualized rate of little more than 4/10 of one percent.



Under the current circumstances, Applicant has not shown that good cause exists for granting this extension.

1. The Applicant Must Show the Extent of the Proposed Beneficial Use and that this Use Will Occur within a Reasonable Time

In determining whether to grant an extension, the Department is to consider the merits of the applied-for extension as they relate to "the appropriation and application of the water to a beneficial purpose." See ORS 539.010(5).

a. Need Must be Justified Based Upon Projected Demands and Must be Considered in Conjunction with Supply

Whether Applicant will put their permitted water right to beneficial use depends on the demand for water and alternative supplies. The Department must first consider alternative sources of water in order to ensure that the permit under consideration for extension is necessary for the proposed beneficial use and so will, in fact, be put to beneficial use. In the present case, Applicant can draw water under other certificated and permitted water rights. Applicant has the following water rights and sources:

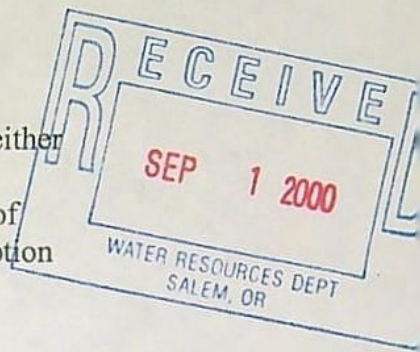
<u>Source</u>	<u>Permit/Certificate #</u>	<u>Quantity</u>	<u>Status</u>
Panther Creek	C1868	0.5 cfs	Certified
Panther Creek	P50218	0.07 cfs	?
Panther Creek	P34661	0.5 cfs	?
Fall Creek	P32488	2.0 cfs	No development
Panther Creek	P32489	2.5 cfs	Extension?
Total:		5.57 cfs	

In determining the extent of a proposed beneficial use, logic requires that the Department compare the demand for water against the existing and applied-for supply. Where the applied-for source of water far exceeds the projected demands, the Department must make a determination as to what portion of the applied-for rights does not contemplate the application of water to a beneficial use.

Information provided by Applicant in their application does not clarify the question of when Applicant will put the permitted water to beneficial use. It is not clear to what extent they intend (or are able) to use the permitted 2.5 cfs in conjunction with their existing water rights. There is no plan for development of the permitted water to meet a reasonably foreseeable demand, or beneficial use.

Instead, the Department accepts Applicant's assertion that their water master plan projects an increase in peak use from 440 gpm presently, to 1390 gpm by the year 2016. This represents an annual growth rate of 7.5% over the next 16 years, and still

leaves Applicant with 1110 gpm in undeveloped rights. The record contains neither the water master plan, nor a justification for this very high projected rate of development². On the contrary, Applicant describes recent growth in the City of Carlton's population as "nominal," and gives no evidence to support an assumption that this rate of growth may increase. The Department, as a result, can base its decision to grant an extension only on the vague idea that the water may meet potential needs of potential users in the far distant future.



Protestants believe that the Department's method of forecasting future use based on Applicant's untested water master plan is not an acceptable substitute for forecasting application of water to beneficial use. It encourages excessive use of water over short periods of time in order to prove up on a permit, and so is a dangerous threat to the conservative management of the state's water resources. It rewards the applicant whose interest in water is speculative, and encourages them to use large quantities of water in a wasteful manner in order to achieve a certificated right. Extensions may be granted only in order to allow the applicant to "complete construction or to apply the water to a beneficial use." OAR 690-320-0010(6). Without more detailed information regarding efficiency, conservation, changes in use, and land use, it is not possible to predict future use with the degree of accuracy necessary to justify a finding of good cause to grant an extension. Also, in the present case, future beneficial use is not determined with the specificity which allows the good cause determination to be made in accordance with other legal mandates prohibiting waste and speculation. The present facts compel a finding of insufficient beneficial use to justify an extension.

b. Demand Projections Must be Based on Minimum Levels of Efficiency and Conservation.

Beneficial use is the basis, measure and limit of all rights to the use of water in Oregon. ORS 537.525(3), 540.610(1). "Beneficial use" in Oregon is essentially the efficient use of water for a purpose consistent with the laws and best interests of the people of this state. OAR 690-300-010(5). Oregon law calls for the state to "aggressively promote" water conservation and places a "high priority" on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a), OAR 690-410-060(1).

Thus, under this statutory structure, the "good cause" determination necessarily includes consideration of whether the water will be put to a beneficial use without waste. There is nothing in the file that indicates that Applicant's demand projections were evaluated in the context of water use efficiency. In fact, there is nothing in the file to show whether Applicant's present use of water is subject to any efficiency or conservation measures. There is no information regarding how the use of storage, if any exists, contributes to the meeting of peak need. There is no information regarding efficiency of Applicant's treatment plant; losses of water due to leakage; prevention of

² The future annual rate of growth in population for Oregon as a whole is forecasted by the Oregon Office of Economic Analysis to not exceed 1.69%.

leakage through leak detection programs; use of variable rate structures; consumer conservation measures; or curtailment plans.

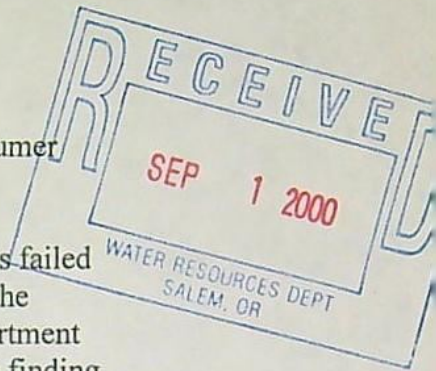
Even if the method of projecting demand had otherwise been reasonable, it has failed to take into account assumptions of water use efficiency. Failure to consider the potential of conservation as a source of future water supply prevents the Department from weighing the purported need against available sources, and so prevents a finding that the water under this permit will be put to beneficial use. Without sufficient evidence that the water will be put to beneficial use, good cause has not been shown, and the extension must be denied.

c. Demand Projections must Reflect Limitations to Growth Imposed by State and Local Land Use Laws

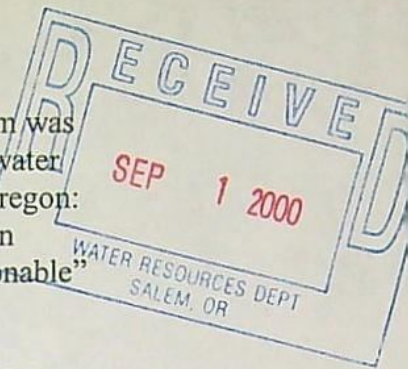
In forecasting the need for future water supply, it is typical for municipalities to prepare water demand forecasts that are based on "reasonable service area delineations, growth patterns, land use . . . and shifts in per capita water demand brought about by conservation." ("Long-Term Water Supply Planning", League of Oregon Cities, February 2000.) The record here is devoid of any description of the way that land use may affect forecasting of future water use within Applicant's service area. Again, the Department's decision appears to have been based upon the assumption—rather than any assurance—that Applicant's purported water needs are consistent with its demonstrated commitment to a local zoning scheme. Neither is there any consideration of the county's role in allocating growth throughout the region. While zoning may change to accommodate growth at the instigation of the city and upon the approval of its citizens, it is not the foregone conclusion that it appears to be in the Department's record. Nor is it clear from the department's record what the present zoning may provide for. Many municipal water providers in Oregon serve "exception areas" (communities that are neither incorporated nor unincorporated) where exclusive farm use (or other) zoning has permitted rural residential growth in the past, but now preserves the rural character of those communities. In such situations, where zoning changes are exceptionally difficult to bring about, it is not valid to assume continuing exponential growth in population with a corresponding increase in water demand. In short, without information regarding the constraints on growth imposed by land use planning, the Department is unable to judge Applicant's demand forecasting, and therefore may not make the finding of need necessary to show good cause for granting the requested extension.

2. The Law Does Not Allow Extensions for Arbitrary Lengths of Time

Water allocation in Oregon is built around a concept that the water will be used beneficially within a reasonable period of time. Beneficial use is the basis, measure and limit of all rights to the use of water in Oregon. ORS 537.525(3), 540.610(1). Water use permits in the state are only granted upon a showing of the intent and ability to use water beneficially. See ORS 537.170(8), ORS 537.190(1), ORS 537.140(1) and OAR 690-310-040(1)(a)(H) and (P). While the permit system essentially creates



priority dates based on when applications for permits are filed, the permit system was meant only to make a record of water rights, not to eliminate the principle that water rights can be acquired and maintained only through use. *See Water Rights in Oregon: An Introduction to Oregon's Water Law and Water Rights System* at 14 (Oregon Water Resources Department, 1997). Permits can only be extended for a "reasonable" time period necessary to make beneficial use. OAR 690-320-0010(7).



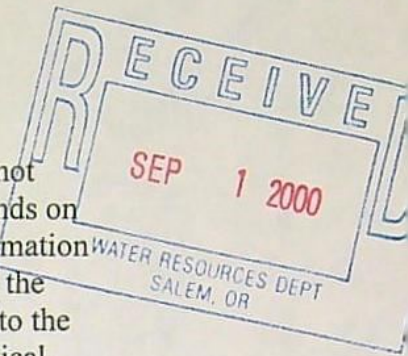
Twenty years is not a reasonable time period in which to complete water use under this permit. Applicant indicates in their application for extension that they plan an expansion of their water treatment plant to a capacity of 700 gpm (1.56 cfs). Given Applicant's existing rights at the same point of diversion, this plant will permit Applicant to develop less than one fifth of the present permit. There is no indication that Applicant plans on further expansions of their plant, so there is no evidence to suggest that they will use the available water by the year 2020. The actual amount of time necessary for full application of the water under this permit to beneficial use is unknown, and the Department may not grant extensions for periods of time which are arbitrarily determined. Since the Department has no rational, non-arbitrary method of determining "the reasonable time period necessary to complete construction and application of water to beneficial use," OAR 690-320-0010(7), the Department must withdraw the PFO approving extension and deny Applicant's request.

Granting the extension for twenty years, as proposed, would inevitably lead to Applicant's inability to apply water within the extension period, and to their reapplying for additional extensions. There are good policy reasons not to allow water use permits far in advance of actual use. The "good cause" determination in an extension is a broad-based determination that must look at a divergent range of considerations. It is virtually impossible to predict what will be needed twenty years from now. The decision as to need should not be made far in advance of the actual use. The decision should be made at the time the need is real, with knowledge and wisdom acquired in the intervening period. It should also be made with knowledge of the other factors that must be considered under the Department's good use analysis, such as competing demands on the resource for other uses, such as fish and recreation. It is impossible at this time to make an informed judgement of the sort contemplated by the good cause determination.

3. The Department Failed to Consider the Competing Demands for Water as Fish Habitat and so Cannot Find Good Cause to Grant an Extension.

The Department has limited its analysis of market value of water to the value of water for municipal use only, and so has failed to conduct an adequate analysis of demands for water. The good cause standard requires analysis of demand, and is not limited to consideration of out-of-stream uses. ORS 537.230 and 539.010. The good cause analysis can include whether the water would be of greater value for instream uses, such as fish habitat. *Id.* and Letter to Dick Bailey from Steve Sanders, pg. 8 (6/26/97).

The application that the Department uses in evaluating extension requests does not give the applicant the opportunity to explain whether there are competing demands on water for other uses, and for fish habitat in particular. The file contains no information regarding the existence of Cutthroat Trout, Winter Steelhead or Spring Chinook the North Fork of the Yamhill River, and does not contain any information relating to the potential impact of the proposed out-of-stream use on instream flows during critical, low flow times of the year. Consideration of competing demands shows that water is needed instream to protect listed salmon and steelhead. The agency's water availability analysis shows that these water needs are not met year round. Continued development of this permit without adequate conditions will take away water needed for these instream water rights or other existing uses of water in the system. It may also further exacerbate the problem of over-appropriation of the affected rivers.



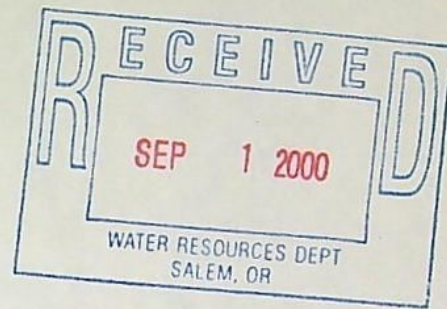
Since the Department has failed to consider competing demands for the water, the Department cannot find that good cause exists for granting the extension, and must deny the extension request.

4. The Department Cannot Grant the Extension as Proposed Since Applicant has not Demonstrated Diligence in Developing the Permitted Amount.

Oregon law requires that the Department, in reviewing an application for an extension, consider the good faith of the applicant in pursuing application of the water. ORS 537.230(2), ORS 539.010(5). Logically, good faith includes a consideration of the diligence that the applicant has demonstrated in pursuing application of the permitted amount. Lack of diligence argues in favor of denial of the extension request and a requirement that the applicant "prove up" on the amount that they have appropriated for beneficial use.

The Department's extensions application form asks a number of questions designed to allow the applicant to show their diligence in pursuing construction and application to beneficial use. In instructions that accompany the application form, the Department asks for information that would be "useful in evaluating the time needed to complete the project and beneficially use water," such as might be provided in a business plan or a "phasing schedule showing how the project is to be fully developed and water applied in increments." Such a plan for development of the water would permit the Department to assess Applicant's progress.

In the present case, Applicant fails to set forth a plan for appropriating the full amount of their permitted right. The assumption is that water will be applied at a rate which corresponds to future population growth in Applicant's service area. As discussed above, the application fails to put forth any credible data relating to planned future population, demand, or use. As a result, Applicant is unable to demonstrate their diligence in advancing toward a defined goal. Applicant acknowledges that "the date certain when the full 2.5 cfs will be needed is unknown at this time." Under these circumstances it is difficult for the Department to make a determination as to diligence.



Conclusion

Applicant has not shown good cause for the requested extension. The facts in the record do not permit the Department to approve the requested extension of permit number 32489. Applicant has failed to show that market conditions for water within their water supply district are such that there is a need for additional municipal water sources under this permit. Applicant has also failed to demonstrate how they will put the permitted water to beneficial use, and failed to show diligence. Finally, the proposed conditions are inadequate to support a finding of "good cause" for extension.

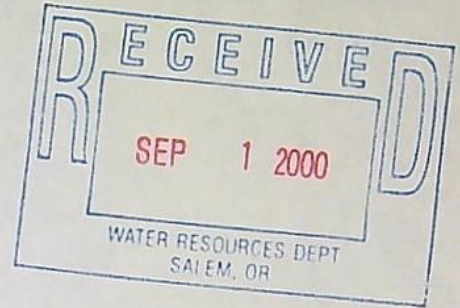
Requested Remedy

Oregon Trout and WaterWatch request that the PFO approving the extension for Permit No. 32489 be withdrawn and that the extension request be reconsidered only after Applicant has provided additional information. Such information should allow the Department to accurately judge the amount of water that Applicant can put to beneficial use during the reasonably foreseeable future. The information should permit the Department to quantify reasonably foreseeable needs, and also to judge how those needs can be met given Applicant's other, existing, water rights. The Department must ensure the most practical water source possible for Applicant, up to, but not exceeding reasonably foreseeable needs. If less practical source are made redundant by development of the present permit, those sources should no longer be available to serve a beneficial use which is being met under this permit. Protestants are willing to work with WRD and Applicant on further evaluation of the requested extension.

The Department may alternatively consider the possibility of extending the permit, but only to the extent of the quantity of water that Applicant can show a reasonably certain need for. The Department may chose to grant the extension only to the extent that this would permit appropriation to beneficial use.

If there is no additional, relevant information of the quality and quantity that would satisfy the Department's requirements as codified in ORS 537.230 and ORS 539.010(5), then Oregon Trout and WaterWatch request that the extension be denied.

Failing that, Protestants request a contested case on the proposed extension. For the reasons discussed above, the Department cannot find that good cause exists to grant an extension for the entire amount of the permit.

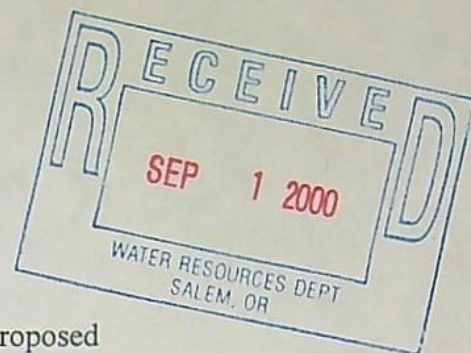


Submitted this 1st day of September, 2000.

Aubrey Russell
Water Policy Advocate
Oregon Trout
117 S.W. Naito Parkway
Portland, Oregon 97204
(503) 222-909

Kimberley Priestley
Deputy Director
WaterWatch
213 SW Ash Street, Suite 208
Portland, OR 97204
(503) 295-4039

CERTIFICATE OF SERVICE



I hereby certify that on September 1, 2000 I filed this Protest of the Proposed Final Order, by delivering the original to Paul Cleary at the Water Resources Department at the address set forth below. I further certify that I served a copy of said Protest on all the entities known to us to be parties in this proceeding by mailing said copy to the address set forth below, certified mail, by placing said copy in the United States Post Office in Portland, Oregon on September 1, 2000.

Paul Cleary, Director
Water Resources Department
158 12th Street N
Salem, Oregon 97310

City of Carlton
City Hall
Carlton, Oregon 97111

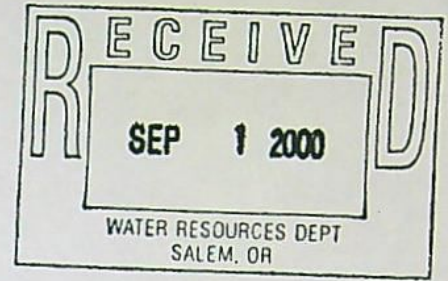
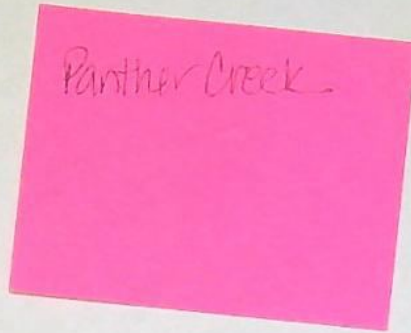
WaterWatch
213 S.W. Ash Street, Suite 208
Portland, Oregon 97204

Oregon Trout
117 S.W. Naito Parkway
Portland, Oregon 97204

Signed this 1st day of September, 2000

A. Russell

Aubrey Russell
Oregon Trout



Before the
Oregon Water Resources Department

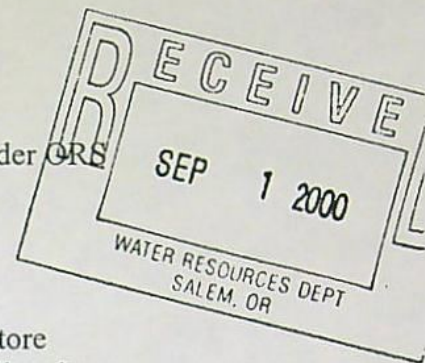
In the matter of the Application for an	)	Protest of Proposed Final Order
Extension of Permit Number 32489	)	Oregon Trout
Water Right Application Number 44208	)	and
City of Carlton (Applicant)	)	WaterWatch

Introduction

Oregon Trout and WaterWatch (Protestants) file this protest and a check for \$25 pursuant to OAR 690-320-0010(8). Protestants strongly oppose the proposed extension of this permit. Information before this agency and argument presented in this protest show that significant questions exist relating to this proposed use of water. This proposed extension would allow the allocation of water far in excess of what is justified by Applicant. Applicant has not shown a need for water sufficient to ensure that the proposed use will not result in waste. Applicant has not indicated how the permitted right will be used in conjunction with other certificated and permitted rights to satisfy their water needs. Without this information, the Department is unable to ascertain the need for additional rights. In addition, Applicant's lack of diligence in completing appropriation of water prevents the finding of "good cause" necessary for granting an extension. Applicant's permitted rights are so far in excess of demonstrated needs that Applicant appears to have no plan to fully develop their water right. Under these conditions, the Department cannot logically make a finding of diligence.

Applicant has not shown demand for water, an ability to use beneficially the permitted amount, or diligence in development and use of the permitted amount. The Department must deny the application for extension on the grounds that the

Department has insufficient information to justify a finding of good cause under ORS 537.230(2).



Statement of Protestant's Interest

Oregon Trout is a non-profit organization whose mission is to protect and restore native fish and their habitat. Many of Oregon's native fish species are in decline due to degradation of their habitat. While the factors that contribute to habitat degradation are numerous, primary among them is the reduction of instream flows due to the appropriation of water for out-of-stream uses. Where the Department's permitting practices promote an inefficient use of water for out-of-stream values, Oregon Trout's interest in preserving fish habitat is undermined. Granting water rights far in excess of envisioned beneficial use discourages conservation and so encourages this sort of inefficient use of water.

WaterWatch is a non-profit, tax-exempt organization incorporated under the laws of Oregon. WaterWatch's mission is to promote water policies and water allocation decisions in Oregon that provide for the quality and quantity of water necessary to support fish, wildlife, recreation, ecological values, public health and a sound economy. WaterWatch has sought, and continues to seek, to modify or prevent further withdrawals from Oregon's streams and rivers in order to protect anadromous and resident fish populations and water quality in those streams. With regard to the Yamhill River basin, WaterWatch was instrumental of the passage of the Instream Water Rights Act which mandated conversion of existing minimum perennial streamflows in the Yamhill River and elsewhere in the state to instream water rights.

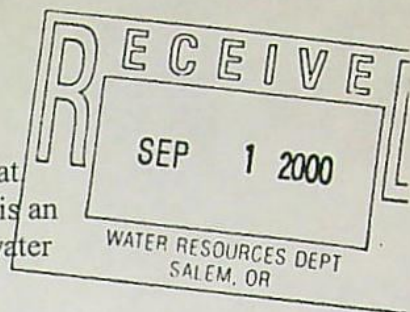
Extending permits for which there is no reasonably foreseeable need is contrary to the State's duty to hold the public resource in trust and allocate it in a way that considers a broad array of public interests, including the survival of fish. When the department approves an extension for developing a use that will not exist for many decades, it does so without any knowledge of the future condition of fish (and other aspects of the public interest) at the time of the actual use, and is therefore unable to judge the impact. Organizations such as Oregon Trout, WaterWatch, and their members are also unable to judge the impact or to provide comments based on the state of the public interest at stake at the time of the actual proposed use. In short, granting extensions of long duration when development will not commence within four decades undermines Oregon Trout's and WaterWatch's ability to monitor and safeguard fish populations and other instream values that may be threatened at present or in the future.

The Department is aware that winter steelhead are listed as threatened under the federal Endangered Species Act (ESA), and that these fish are present in the North Fork of the Yamhill River, which is fed by the waters of Panther Creek. Also, the Yamhill River retains a population of native Cutthroat Trout, and provides seasonal rearing habitat—if not spawning habitat—for Spring Chinook salmon. Upper Willamette River Chinook are listed as threatened under the federal Endangered Species Act. The North Fork of the Yamhill River is also home to Pacific Lamprey, which are designated a state sensitive species. Oregon Trout's and WaterWatch's

- winter (T) Steelhead
Cutthroat Trout
Spring Chinook
Upper Will. (T) Chinook

Pacific (S) Lamprey

members have an interest in protecting these threatened species and their habitat. Maintaining adequate instream flows through appropriate permitting practices is an important means toward halting the downward trend in the water quality and water quantity which are necessary for fish health.



In addition, both Oregon Trout and WaterWatch are members of the Water Resources Department's work group formed to address Community Water Supply issues, including extensions of time for municipal permits. Both groups have invested staff resources and money in working on issues raised by this extension request.

WaterWatch and Oregon Trout are representing their organizational interests, the interests of their members and the public interest in the water resources at stake in the extension request.

Statement of Public Interest

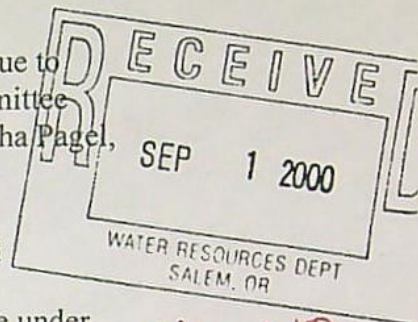
Oregon Trout's and WaterWatch's interest in streamflows and fish habitat is directly related to the public's interest in prudent management of the state's water resources. Water is a publicly owned resource, ORS 537.110, and the Department is charged with ensuring that extensions are granted for permits only when the applicant shows the ability to apply water to a beneficial use. ORS 539.010(5), OAR 690-320-0010(7). Where an appropriation of water is not for a beneficial use, the water is wasted. OAR 690-400-010(16). In addition, the public has entrusted the Department with the responsibility of "diligently enforce[ing] laws concerning cancellation, release and discharge of excessive unused claims to waters of this state to the end that such excessive and unused amounts may be made available for appropriation and beneficial use by the public." ORS 536.340(1)(b). The public interest is impaired when permits are extended without a proper showing that the permitted water right will be put to beneficial use within a reasonable time period.

The proposed extension would allow for increased diversions from Panther Creek, a tributary of the North Fork of the Yamhill River which in turn flows into the Yamhill River mainstem and on to the Willamette. There is at least one instream water right on the Yamhill River that is currently not being met and that will be affected by this proposed extension. The Department's practice of granting and extending permits far in excess of demonstrated proposed beneficial use discourages conservation planning, encourages excessive diversion of water, and encourages erosion of the instream water right. It also exacerbates existing water quality problems. The Yamhill River is currently listed as water quality limited under the State's 303(d) list.

instream
water
right
303(d)
list.

The public also shares Oregon Trout's and WaterWatch's interest in protecting fish species and instream flows. The Oregon Legislature has endorsed and funded the Oregon Plan for Salmon and Watersheds, which aims to restore Oregon's wild salmon and trout populations. Under that plan, the Department is charged with protecting the public's interest in salmon and trout by conducting their permitting actions in a manner that will "minimize and mitigate adverse effects of the actions on salmonids or the habitat they depend on." Executive Order No. EO 99-01, paragraph 1(d)(a). The

Oregon Plan forces the question of "whether it is good public policy to continue to issue water rights in those cases where there is little or no chance that the permittee will ever be able to use water." Letter from Governor John Kitzhaber to Martha Page, April 26, 2000. The issuance of extensions raises the same question.



Proposed Approval of Extension will Impair Protestant's and Public' Interests

The facts available to the Department do not show that water will be put to use under this permit within the reasonably foreseeable future. The record shows that the rate of development of Applicant's existing water rights has been less than one half of one percent annually over the past four decades¹. At this rate of growth, Applicant's needs may be met under other permits until approximately the year 2230. Application of water under the present permit would not be complete until the year 2360. The Department, however, does not appear to forecast of the future rate of water development and grants an extension for a period of time that reflects neither a rational method nor the law. Even the long period proposed for this extension would not allow Applicant to develop the full amount of the water under existing permits, let alone the additional 2.5 cfs under this permit. Approving the extension under these circumstances discourages the use of conservation as a source of water supply. By over-allocating water to out of stream uses, the Department ensures that those uses will take precedence over competing demands for water for instream use. This practice, especially when considered in the aggregate with other permitting decisions, contributes to the waste of water allocated for out-of-stream uses. This impairs Protestants' interest in instream uses. The loss of this water for fish habitat will have a long-term effect on the ability of WaterWatch, Oregon Trout, the Public, and the State to protect sensitive fish species.

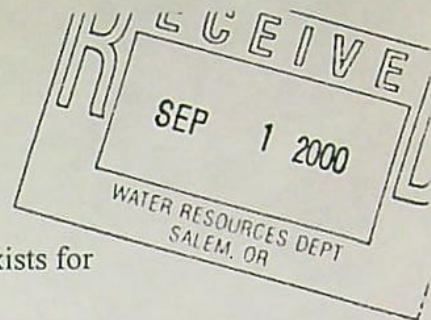
< 1/2 of 1%
annually over
the past
4 decades.

Extension Law

Oregon law provides that "the department, for good cause shown, shall order and allow an extension of time, . . . within which irrigation or other works shall be completed or the right perfected." ORS 537.230(2). The applicant bears the burden of showing that good cause exists for the extension. In determining good cause, the Department must give due weight to:

"the cost of the appropriation and application of the water to a beneficial purpose, the good faith of the appropriator, the market for water or power to be supplied, the present demands therefor (sic), and the income or use that may be required to provide fair and reasonable returns upon the investment." ORS 539.010(5).

¹ See internal Water Resources Department e-mail memo dated 2-4-00 from Bill Fuji to Russell Klassen, indicating that the present population of 1,525 has increased by 18% since 1960. This translates into an annual rate of growth of little more than 4/10 of one percent. See also Application for Extension of Time submitted by Applicant 8/25/78, in which Applicant gives population as 1,370 people. Again, subsequent growth has occurred at an annualized rate of little more than 4/10 of one percent.



Under the current circumstances, Applicant has not shown that good cause exists for granting this extension.

1. The Applicant Must Show the Extent of the Proposed Beneficial Use and that this Use Will Occur within a Reasonable Time

In determining whether to grant an extension, the Department is to consider the merits of the applied-for extension as they relate to "the appropriation and application of the water to a beneficial purpose." See ORS 539.010(5).

a. Need Must be Justified Based Upon Projected Demands and Must be Considered in Conjunction with Supply

Whether Applicant will put their permitted water right to beneficial use depends on the demand for water and alternative supplies. The Department must first consider alternative sources of water in order to ensure that the permit under consideration for extension is necessary for the proposed beneficial use and so will, in fact, be put to beneficial use. In the present case, Applicant can draw water under other certificated and permitted water rights. Applicant has the following water rights and sources:

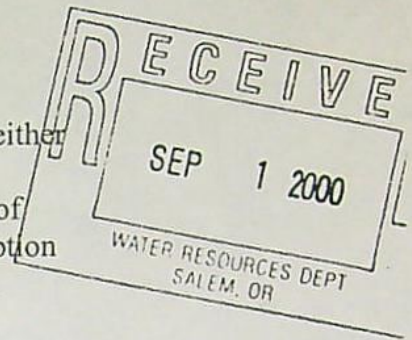
<u>Source</u>	<u>Permit/Certificate #</u>	<u>Quantity</u>	<u>Status</u>
Panther Creek	C1868	0.5 cfs	Certified — 100% ✓
Panther Creek	P50218	0.07 cfs	?
Panther Creek	P34661	0.5 cfs	?
Fall Creek	P32488	2.0 cfs	No development
Panther Creek	P32489	2.5 cfs	Extension? → 1998 PU 30%
Total:		5.57 cfs	

In determining the extent of a proposed beneficial use, logic requires that the Department compare the demand for water against the existing and applied-for supply. Where the applied-for source of water far exceeds the projected demands, the Department must make a determination as to what portion of the applied-for rights does not contemplate the application of water to a beneficial use.

Information provided by Applicant in their application does not clarify the question of when Applicant will put the permitted water to beneficial use. It is not clear to what extent they intend (or are able) to use the permitted 2.5 cfs in conjunction with their existing water rights. There is no plan for development of the permitted water to meet a reasonably foreseeable demand, or beneficial use.

Instead, the Department accepts Applicant's assertion that their water master plan projects an increase in peak use from 440 gpm presently, to 1390 gpm by the year 2016. This represents an annual growth rate of 7.5% over the next 16 years, and still

leaves Applicant with 1110 gpm in undeveloped rights. The record contains neither the water master plan, nor a justification for this very high projected rate of development². On the contrary, Applicant describes recent growth in the City of Carlton's population as "nominal," and gives no evidence to support an assumption that this rate of growth may increase. The Department, as a result, can base its decision to grant an extension only on the vague idea that the water may meet potential needs of potential users in the far distant future.



Protestants believe that the Department's method of forecasting future use based on Applicant's untested water master plan is not an acceptable substitute for forecasting application of water to beneficial use. It encourages excessive use of water over short periods of time in order to prove up on a permit, and so is a dangerous threat to the conservative management of the state's water resources. It rewards the applicant whose interest in water is speculative, and encourages them to use large quantities of water in a wasteful manner in order to achieve a certificated right. Extensions may be granted only in order to allow the applicant to "complete construction or to apply the water to a beneficial use." OAR 690-320-0010(6). Without more detailed information regarding efficiency, conservation, changes in use, and land use, it is not possible to predict future use with the degree of accuracy necessary to justify a finding of good cause to grant an extension. Also, in the present case, future beneficial use is not determined with the specificity which allows the good cause determination to be made in accordance with other legal mandates prohibiting waste and speculation. The present facts compel a finding of insufficient beneficial use to justify an extension.

b. Demand Projections Must be Based on Minimum Levels of Efficiency and Conservation.

Beneficial use is the basis, measure and limit of all rights to the use of water in Oregon. ORS 537.525(3), 540.610(1). "Beneficial use" in Oregon is essentially the efficient use of water for a purpose consistent with the laws and best interests of the people of this state. OAR 690-300-010(5). Oregon law calls for the state to "aggressively promote" water conservation and places a "high priority" on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a), OAR 690-410-060(1).

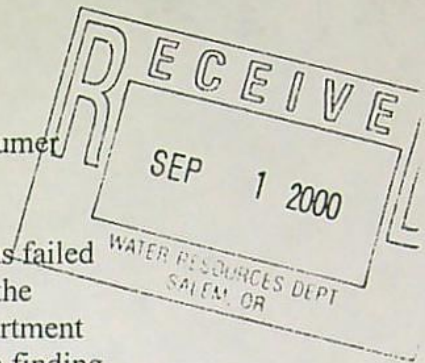
Thus, under this statutory structure, the "good cause" determination necessarily includes consideration of whether the water will be put to a beneficial use without waste. There is nothing in the file that indicates that Applicant's demand projections were evaluated in the context of water use efficiency. In fact, there is nothing in the file to show whether Applicant's present use of water is subject to any efficiency or conservation measures. There is no information regarding how the use of storage, if any exists, contributes to the meeting of peak need. There is no information regarding efficiency of Applicant's treatment plant; losses of water due to leakage; prevention of

✓
efficiency
or
conservation
measures?

² The future annual rate of growth in population for Oregon as a whole is forecasted by the Oregon Office of Economic Analysis to not exceed 1.69%.

leakage through leak detection programs; use of variable rate structures; consumer conservation measures; or curtailment plans.

Even if the method of projecting demand had otherwise been reasonable, it has failed to take into account assumptions of water use efficiency. Failure to consider the potential of conservation as a source of future water supply prevents the Department from weighing the purported need against available sources, and so prevents a finding that the water under this permit will be put to beneficial use. Without sufficient evidence that the water will be put to beneficial use, good cause has not been shown, and the extension must be denied.



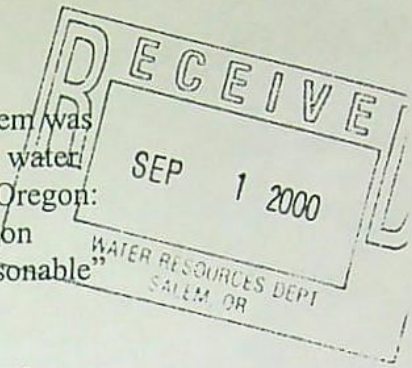
c. Demand Projections must Reflect Limitations to Growth Imposed by State and Local Land Use Laws

In forecasting the need for future water supply, it is typical for municipalities to prepare water demand forecasts that are based on “reasonable service area delineations, growth patterns, land use . . . and shifts in per capita water demand brought about by conservation.” (“Long-Term Water Supply Planning”, League of Oregon Cities, February 2000.) The record here is devoid of any description of the way that land use may affect forecasting of future water use within Applicant’s service area. Again, the Department’s decision appears to have been based upon the assumption—rather than any assurance—that Applicant’s purported water needs are consistent with its demonstrated commitment to a local zoning scheme. Neither is there any consideration of the county’s role in allocating growth throughout the region. While zoning may change to accommodate growth at the instigation of the city and upon the approval of its citizens, it is not the foregone conclusion that it appears to be in the Department’s record. Nor is it clear from the department’s record what the present zoning may provide for. Many municipal water providers in Oregon serve “exception areas”(communities that are neither incorporated nor unincorporated) where exclusive farm use (or other) zoning has permitted rural residential growth in the past, but now preserves the rural character of those communities. In such situations, where zoning changes are exceptionally difficult to bring about, it is not valid to assume continuing exponential growth in population with a corresponding increase in water demand. In short, without information regarding the constraints on growth imposed by land use planning, the Department is unable to judge Applicant’s demand forecasting, and therefore may not make the finding of need necessary to show good cause for granting the requested extension.

2. The Law Does Not Allow Extensions for Arbitrary Lengths of Time

Water allocation in Oregon is built around a concept that the water will be used beneficially within a reasonable period of time. Beneficial use is the basis, measure and limit of all rights to the use of water in Oregon. ORS 537.525(3), 540.610(1). Water use permits in the state are only granted upon a showing of the intent and ability to use water beneficially. See ORS 537.170(8), ORS 537.190(1), ORS 537.140(1) and OAR 690-310-040(1)(a)(H) and (P). While the permit system essentially creates

priority dates based on when applications for permits are filed, the permit system was meant only to make a record of water rights, not to eliminate the principle that water rights can be acquired and maintained only through use. See Water Rights in Oregon: An Introduction to Oregon's Water Law and Water Rights System at 14 (Oregon Water Resources Department, 1997). Permits can only be extended for a "reasonable" time period necessary to make beneficial use. OAR 690-320-0010(7).



Twenty years is not a reasonable time period in which to complete water use under this permit. Applicant indicates in their application for extension that they plan an expansion of their water treatment plant to a capacity of 700 gpm (1.56 cfs). Given Applicant's existing rights at the same point of diversion, this plant will permit Applicant to develop less than one fifth of the present permit. There is no indication that Applicant plans on further expansions of their plant, so there is no evidence to suggest that they will use the available water by the year 2020. The actual amount of time necessary for full application of the water under this permit to beneficial use is unknown, and the Department may not grant extensions for periods of time which are arbitrarily determined. Since the Department has no rational, non-arbitrary method of determining "the reasonable time period necessary to complete construction and application of water to beneficial use," OAR 690-320-0010(7), the Department must withdraw the PFO approving extension and deny Applicant's request.

✓
Water treatment capacity - expanded to 1.0 mill. gpd.

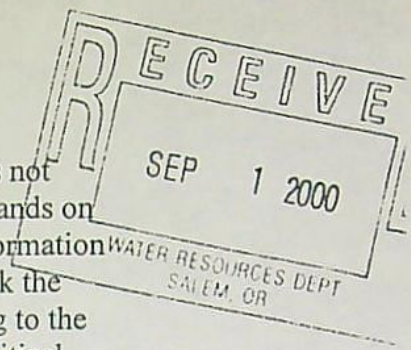
Granting the extension for twenty years, as proposed, would inevitably lead to Applicant's inability to apply water within the extension period, and to their reapplying for additional extensions. There are good policy reasons not to allow water use permits far in advance of actual use. The "good cause" determination in an extension is a broad-based determination that must look at a divergent range of considerations. It is virtually impossible to predict what will be needed twenty years from now. The decision as to need should not be made far in advance of the actual use. The decision should be made at the time the need is real, with knowledge and wisdom acquired in the intervening period. It should also be made with knowledge of the other factors that must be considered under the Department's good use analysis, such as competing demands on the resource for other uses, such as fish and recreation. It is impossible at this time to make an informed judgement of the sort contemplated by the good cause determination.

3. The Department Failed to Consider the Competing Demands for Water as Fish Habitat and so Cannot Find Good Cause to Grant an Extension.

The Department has limited its analysis of market value of water to the value of water for municipal use only, and so has failed to conduct an adequate analysis of demands for water. The good cause standard requires analysis of demand, and is not limited to consideration of out-of-stream uses. ORS 537.230 and 539.010. The good cause analysis can include whether the water would be of greater value for instream uses, such as fish habitat. Id. and Letter to Dick Bailey from Steve Sanders, pg. 8 (6/26/97).

7
Treatment plant

The application that the Department uses in evaluating extension requests does not give the applicant the opportunity to explain whether there are competing demands on water for other uses, and for fish habitat in particular. The file contains no information regarding the existence of Cutthroat Trout, Winter Steelhead or Spring Chinook the North Fork of the Yamhill River, and does not contain any information relating to the potential impact of the proposed out-of-stream use on instream flows during critical, low flow times of the year. Consideration of competing demands shows that water is needed instream to protect listed salmon and steelhead. The agency's water availability analysis shows that these water needs are not met year round. Continued development of this permit without adequate conditions will take away water needed for these instream water rights or other existing uses of water in the system. It may also further exacerbate the problem of over-appropriation of the affected rivers.



Since the Department has failed to consider competing demands for the water, the Department cannot find that good cause exists for granting the extension, and must deny the extension request.

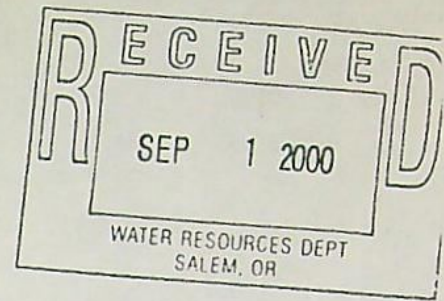
4. The Department Cannot Grant the Extension as Proposed Since Applicant has not Demonstrated Diligence in Developing the Permitted Amount.

Oregon law requires that the Department, in reviewing an application for an extension, consider the good faith of the applicant in pursuing application of the water. ORS 537.230(2), ORS 539.010(5). Logically, good faith includes a consideration of the diligence that the applicant has demonstrated in pursuing application of the permitted amount. Lack of diligence argues in favor of denial of the extension request and a requirement that the applicant "prove up" on the amount that they have appropriated for beneficial use.

The Department's extensions application form asks a number of questions designed to allow the applicant to show their diligence in pursuing construction and application to beneficial use. In instructions that accompany the application form, the Department asks for information that would be "useful in evaluating the time needed to complete the project and beneficially use water," such as might be provided in a business plan or a "phasing schedule showing how the project is to be fully developed and water applied in increments." Such a plan for development of the water would permit the Department to assess Applicant's progress.

In the present case, Applicant fails to set forth a plan for appropriating the full amount of their permitted right. The assumption is that water will be applied at a rate which corresponds to future population growth in Applicant's service area. As discussed above, the application fails to put forth any credible data relating to planned future population, demand, or use. As a result, Applicant is unable to demonstrate their diligence in advancing toward a defined goal. Applicant acknowledges that "the date certain when the full 2.5 cfs will be needed is unknown at this time." Under these circumstances it is difficult for the Department to make a determination as to diligence.

✓
plan for water



Conclusion

Applicant has not shown good cause for the requested extension. The facts in the record do not permit the Department to approve the requested extension of permit number 32489. Applicant has failed to show that market conditions for water within their water supply district are such that there is a need for additional municipal water sources under this permit. Applicant has also failed to demonstrate how they will put the permitted water to beneficial use, and failed to show diligence. Finally, the proposed conditions are inadequate to support a finding of "good cause" for extension.

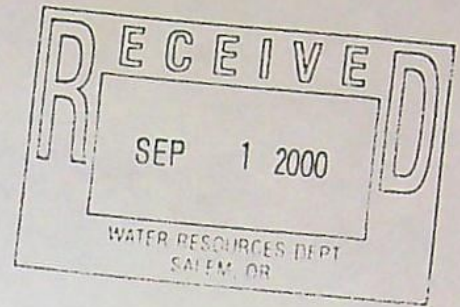
Requested Remedy

Oregon Trout and WaterWatch request that the PFO approving the extension for Permit No. 32489 be withdrawn and that the extension request be reconsidered only after Applicant has provided additional information. Such information should allow the Department to accurately judge the amount of water that Applicant can put to beneficial use during the reasonably foreseeable future. The information should permit the Department to quantify reasonably foreseeable needs, and also to judge how those needs can be met given Applicant's other, existing, water rights. The Department must ensure the most practical water source possible for Applicant, up to, but not exceeding reasonably foreseeable needs. If less practical source are made redundant by development of the present permit, those sources should no longer be available to serve a beneficial use which is being met under this permit. Protestants are willing to work with WRD and Applicant on further evaluation of the requested extension.

The Department may alternatively consider the possibility of extending the permit, but only to the extent of the quantity of water that Applicant can show a reasonably certain need for. The Department may chose to grant the extension only to the extent that this would permit appropriation to beneficial use.

If there is no additional, relevant information of the quality and quantity that would satisfy the Department's requirements as codified in ORS 537.230 and ORS 539.010(5), then Oregon Trout and WaterWatch request that the extension be denied.

Failing that, Protestants request a contested case on the proposed extension. For the reasons discussed above, the Department cannot find that good cause exists to grant an extension for the entire amount of the permit.



Submitted this 1st day of September, 2000.

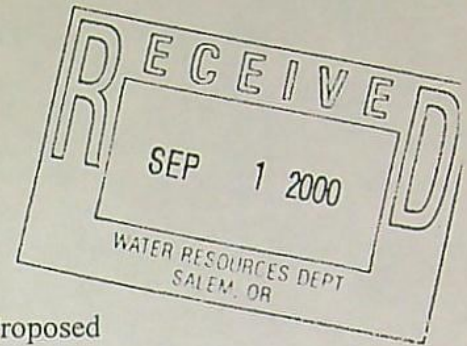
A handwritten signature in cursive script, appearing to read "A. Russell".

Aubrey Russell
Water Policy Advocate
Oregon Trout
117 S.W. Naito Parkway
Portland, Oregon 97204
(503) 222-909

A handwritten signature in cursive script, appearing to read "K. Priestley".

Kimberley Priestley
Deputy Director
WaterWatch
213 SW Ash Street, Suite 208
Portland, OR 97204
(503) 295-4039

CERTIFICATE OF SERVICE



I hereby certify that on September 1, 2000 I filed this Protest of the Proposed Final Order, by delivering the original to Paul Cleary at the Water Resources Department at the address set forth below. I further certify that I served a copy of said Protest on all the entities known to us to be parties in this proceeding by mailing said copy to the address set forth below, certified mail, by placing said copy in the United States Post Office in Portland, Oregon on September 1, 2000.

Paul Cleary, Director
Water Resources Department
158 12th Street N
Salem, Oregon 97310

City of Carlton
City Hall
Carlton, Oregon 97111

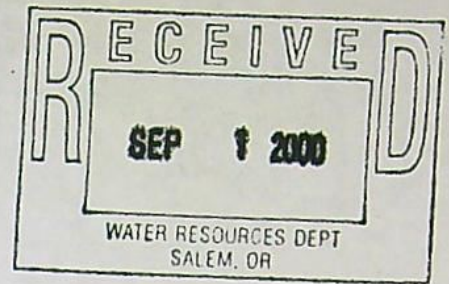
Water Watch
213 S.W. Ash Street, Suite 208
Portland, Oregon 97204

Oregon Trout
117 S.W. Naito Parkway
Portland, Oregon 97204

Signed this 1st day of September, 2000

A. Russell

Aubrey Russell
Oregon Trout



Before the
Oregon Water Resources Department

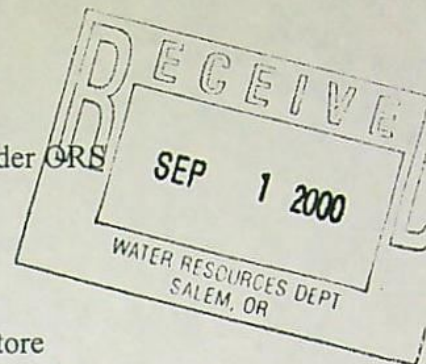
In the matter of the Application for an	)	Protest of Proposed Final Order
Extension of Permit Number 32489	)	Oregon Trout
Water Right Application Number 44208	)	and
City of Carlton (Applicant)	)	WaterWatch

Introduction

Oregon Trout and WaterWatch (Protestants) file this protest and a check for \$25 pursuant to OAR 690-320-0010(8). Protestants strongly oppose the proposed extension of this permit. Information before this agency and argument presented in this protest show that significant questions exist relating to this proposed use of water. This proposed extension would allow the allocation of water far in excess of what is justified by Applicant. Applicant has not shown a need for water sufficient to ensure that the proposed use will not result in waste. Applicant has not indicated how the permitted right will be used in conjunction with other certificated and permitted rights to satisfy their water needs. Without this information, the Department is unable to ascertain the need for additional rights. In addition, Applicant's lack of diligence in completing appropriation of water prevents the finding of "good cause" necessary for granting an extension. Applicant's permitted rights are so far in excess of demonstrated needs that Applicant appears to have no plan to fully develop their water right. Under these conditions, the Department cannot logically make a finding of diligence.

Applicant has not shown demand for water, an ability to use beneficially the permitted amount, or diligence in development and use of the permitted amount. The Department must deny the application for extension on the grounds that the

Department has insufficient information to justify a finding of good cause under ORS 537.230(2).



Statement of Protestant's Interest

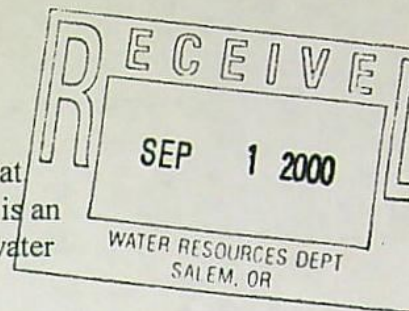
Oregon Trout is a non-profit organization whose mission is to protect and restore native fish and their habitat. Many of Oregon's native fish species are in decline due to degradation of their habitat. While the factors that contribute to habitat degradation are numerous, primary among them is the reduction of instream flows due to the appropriation of water for out-of-stream uses. Where the Department's permitting practices promote an inefficient use of water for out-of-stream values, Oregon Trout's interest in preserving fish habitat is undermined. Granting water rights far in excess of envisioned beneficial use discourages conservation and so encourages this sort of inefficient use of water.

WaterWatch is a non-profit, tax-exempt organization incorporated under the laws of Oregon. WaterWatch's mission is to promote water policies and water allocation decisions in Oregon that provide for the quality and quantity of water necessary to support fish, wildlife, recreation, ecological values, public health and a sound economy. WaterWatch has sought, and continues to seek, to modify or prevent further withdrawals from Oregon's streams and rivers in order to protect anadromous and resident fish populations and water quality in those streams. With regard to the Yamhill River basin, WaterWatch was instrumental of the passage of the Instream Water Rights Act which mandated conversion of existing minimum perennial streamflows in the Yamhill River and elsewhere in the state to instream water rights.

Extending permits for which there is no reasonably foreseeable need is contrary to the State's duty to hold the public resource in trust and allocate it in a way that considers a broad array of public interests, including the survival of fish. When the department approves an extension for developing a use that will not exist for many decades, it does so without any knowledge of the future condition of fish (and other aspects of the public interest) at the time of the actual use, and is therefore unable to judge the impact. Organizations such as Oregon Trout, WaterWatch, and their members are also unable to judge the impact or to provide comments based on the state of the public interest at stake at the time of the actual proposed use. In short, granting extensions of long duration when development will not commence within four decades undermines Oregon Trout's and WaterWatch's ability to monitor and safeguard fish populations and other instream values that may be threatened at present or in the future.

The Department is aware that winter steelhead are listed as threatened under the federal Endangered Species Act (ESA), and that these fish are present in the North Fork of the Yamhill River, which is fed by the waters of Panther Creek. Also, the Yamhill River retains a population of native Cutthroat Trout, and provides seasonal rearing habitat—if not spawning habitat—for Spring Chinook salmon. Upper Willamette River Chinook are listed as threatened under the federal Endangered Species Act. The North Fork of the Yamhill River is also home to Pacific Lamprey, which are designated a state sensitive species. Oregon Trout's and WaterWatch's

members have an interest in protecting these threatened species and their habitat. Maintaining adequate instream flows through appropriate permitting practices is an important means toward halting the downward trend in the water quality and water quantity which are necessary for fish health.



In addition, both Oregon Trout and WaterWatch are members of the Water Resources Department's work group formed to address Community Water Supply issues, including extensions of time for municipal permits. Both groups have invested staff resources and money in working on issues raised by this extension request.

WaterWatch and Oregon Trout are representing their organizational interests, the interests of their members and the public interest in the water resources at stake in the extension request.

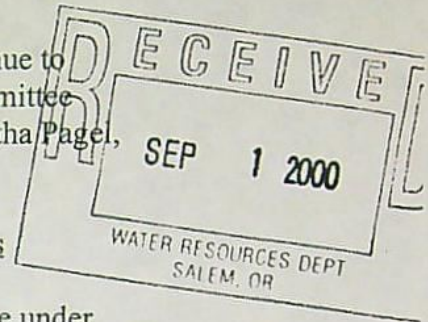
Statement of Public Interest

Oregon Trout's and WaterWatch's interest in streamflows and fish habitat is directly related to the public's interest in prudent management of the state's water resources. Water is a publicly owned resource, ORS 537.110, and the Department is charged with ensuring that extensions are granted for permits only when the applicant shows the ability to apply water to a beneficial use. ORS 539.010(5), OAR 690-320-0010(7). Where an appropriation of water is not for a beneficial use, the water is wasted. OAR 690-400-010(16). In addition, the public has entrusted the Department with the responsibility of "diligently enforce[ing] laws concerning cancellation, release and discharge of excessive unused claims to waters of this state to the end that such excessive and unused amounts may be made available for appropriation and beneficial use by the public." ORS 536.340(1)(b). The public interest is impaired when permits are extended without a proper showing that the permitted water right will be put to beneficial use within a reasonable time period.

The proposed extension would allow for increased diversions from Panther Creek, a tributary of the North Fork of the Yamhill River which in turn flows into the Yamhill River mainstem and on to the Willamette. There is at least one instream water right on the Yamhill River that is currently not being met and that will be affected by this proposed extension. The Department's practice of granting and extending permits far in excess of demonstrated proposed beneficial use discourages conservation planning, encourages excessive diversion of water, and encourages erosion of the instream water right. It also exacerbates existing water quality problems. The Yamhill River is currently listed as water quality limited under the State's 303(d) list.

The public also shares Oregon Trout's and WaterWatch's interest in protecting fish species and instream flows. The Oregon Legislature has endorsed and funded the Oregon Plan for Salmon and Watersheds, which aims to restore Oregon's wild salmon and trout populations. Under that plan, the Department is charged with protecting the public's interest in salmon and trout by conducting their permitting actions in a manner that will "minimize and mitigate adverse effects of the actions on salmonids or the habitat they depend on." Executive Order No. EO 99-01, paragraph 1(d)(a). The

Oregon Plan forces the question of "whether it is good public policy to continue to issue water rights in those cases where there is little or no chance that the permittee will ever be able to use water." Letter from Governor John Kitzhaber to Martha Pangel, April 26, 2000. The issuance of extensions raises the same question.



Proposed Approval of Extension will Impair Protestant's and Public' Interests

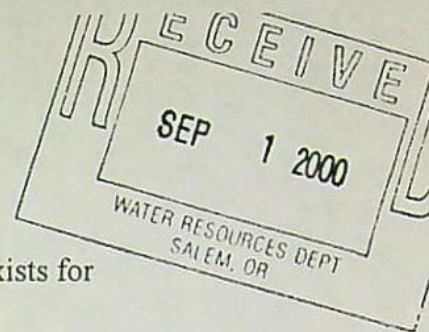
The facts available to the Department do not show that water will be put to use under this permit within the reasonably foreseeable future. The record shows that the rate of development of Applicant's existing water rights has been less than one half of one percent annually over the past four decades¹. At this rate of growth, Applicant's needs may be met under other permits until approximately the year 2230. Application of water under the present permit would not be complete until the year 2360. The Department, however, does not appear to forecast of the future rate of water development and grants an extension for a period of time that reflects neither a rational method nor the law. Even the long period proposed for this extension would not allow Applicant to develop the full amount of the water under existing permits, let alone the additional 2.5 cfs under this permit. Approving the extension under these circumstances discourages the use of conservation as a source of water supply. By over-allocating water to out of stream uses, the Department ensures that those uses will take precedence over competing demands for water for instream use. This practice, especially when considered in the aggregate with other permitting decisions, contributes to the waste of water allocated for out-of-stream uses. This impairs Protestants' interest in instream uses. The loss of this water for fish habitat will have a long-term effect on the ability of WaterWatch, Oregon Trout, the Public, and the State to protect sensitive fish species.

Extension Law

Oregon law provides that "the department, for good cause shown, shall order and allow an extension of time, . . . within which irrigation or other works shall be completed or the right perfected." ORS 537.230(2). The applicant bears the burden of showing that good cause exists for the extension. In determining good cause, the Department must give due weight to:

"the cost of the appropriation and application of the water to a beneficial purpose, the good faith of the appropriator, the market for water or power to be supplied, the present demands therefor (sic), and the income or use that may be required to provide fair and reasonable returns upon the investment." ORS 539.010(5).

¹ See internal Water Resources Department e-mail memo dated 2-4-00 from Bill Fuji to Russell Klassen, indicating that the present population of 1,525 has increased by 18% since 1960. This translates into an annual rate of growth of little more than 4/10 of one percent. See also Application for Extension of Time submitted by Applicant 8/25/78, in which Applicant gives population as 1,370 people. Again, subsequent growth has occurred at an annualized rate of little more than 4/10 of one percent.



Under the current circumstances, Applicant has not shown that good cause exists for granting this extension.

1. The Applicant Must Show the Extent of the Proposed Beneficial Use and that this Use Will Occur within a Reasonable Time

In determining whether to grant an extension, the Department is to consider the merits of the applied-for extension as they relate to "the appropriation and application of the water to a beneficial purpose." See ORS 539.010(5).

a. Need Must be Justified Based Upon Projected Demands and Must be Considered in Conjunction with Supply

Whether Applicant will put their permitted water right to beneficial use depends on the demand for water and alternative supplies. The Department must first consider alternative sources of water in order to ensure that the permit under consideration for extension is necessary for the proposed beneficial use and so will, in fact, be put to beneficial use. In the present case, Applicant can draw water under other certificated and permitted water rights. Applicant has the following water rights and sources:

<u>Source</u>	<u>Permit/Certificate #</u>	<u>Quantity</u>	<u>Status</u>
Panther Creek	C1868	0.5 cfs	Certified
Panther Creek	P50218	0.07 cfs	?
Panther Creek	P34661	0.5 cfs	?
Fall Creek	P32488	2.0 cfs	No development
Panther Creek	P32489	2.5 cfs	Extension?

Total: 5.57 cfs

In determining the extent of a proposed beneficial use, logic requires that the Department compare the demand for water against the existing and applied-for supply. Where the applied-for source of water far exceeds the projected demands, the Department must make a determination as to what portion of the applied-for rights does not contemplate the application of water to a beneficial use.

Information provided by Applicant in their application does not clarify the question of when Applicant will put the permitted water to beneficial use. It is not clear to what extent they intend (or are able) to use the permitted 2.5 cfs in conjunction with their existing water rights. There is no plan for development of the permitted water to meet a reasonably foreseeable demand, or beneficial use.

Instead, the Department accepts Applicant's assertion that their water master plan projects an increase in peak use from 440 gpm presently, to 1390 gpm by the year 2016. This represents an annual growth rate of 7.5% over the next 16 years, and still

leaves Applicant with 1110 gpm in undeveloped rights. The record contains neither the water master plan, nor a justification for this very high projected rate of development². On the contrary, Applicant describes recent growth in the City of Carlton's population as "nominal," and gives no evidence to support an assumption that this rate of growth may increase. The Department, as a result, can base its decision to grant an extension only on the vague idea that the water may meet potential needs of potential users in the far distant future.



Protestants believe that the Department's method of forecasting future use based on Applicant's untested water master plan is not an acceptable substitute for forecasting application of water to beneficial use. It encourages excessive use of water over short periods of time in order to prove up on a permit, and so is a dangerous threat to the conservative management of the state's water resources. It rewards the applicant whose interest in water is speculative, and encourages them to use large quantities of water in a wasteful manner in order to achieve a certificated right. Extensions may be granted only in order to allow the applicant to "complete construction or to apply the water to a beneficial use." OAR 690-320-0010(6). Without more detailed information regarding efficiency, conservation, changes in use, and land use, it is not possible to predict future use with the degree of accuracy necessary to justify a finding of good cause to grant an extension. Also, in the present case, future beneficial use is not determined with the specificity which allows the good cause determination to be made in accordance with other legal mandates prohibiting waste and speculation. The present facts compel a finding of insufficient beneficial use to justify an extension.

b. Demand Projections Must be Based on Minimum Levels of Efficiency and Conservation.

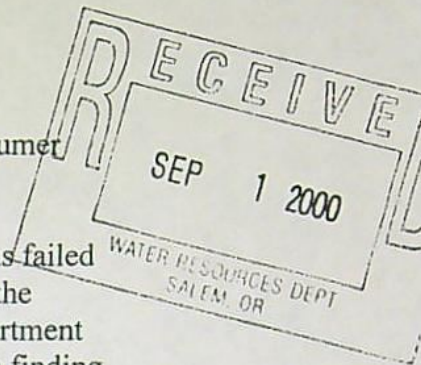
Beneficial use is the basis, measure and limit of all rights to the use of water in Oregon. ORS 537.525(3), 540.610(1). "Beneficial use" in Oregon is essentially the efficient use of water for a purpose consistent with the laws and best interests of the people of this state. OAR 690-300-010(5). Oregon law calls for the state to "aggressively promote" water conservation and places a "high priority" on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a), OAR 690-410-060(1).

Thus, under this statutory structure, the "good cause" determination necessarily includes consideration of whether the water will be put to a beneficial use without waste. There is nothing in the file that indicates that Applicant's demand projections were evaluated in the context of water use efficiency. In fact, there is nothing in the file to show whether Applicant's present use of water is subject to any efficiency or conservation measures. There is no information regarding how the use of storage, if any exists, contributes to the meeting of peak need. There is no information regarding efficiency of Applicant's treatment plant; losses of water due to leakage; prevention of

² The future annual rate of growth in population for Oregon as a whole is forecasted by the Oregon Office of Economic Analysis to not exceed 1.69%.

leakage through leak detection programs; use of variable rate structures; consumer conservation measures; or curtailment plans.

Even if the method of projecting demand had otherwise been reasonable, it has failed to take into account assumptions of water use efficiency. Failure to consider the potential of conservation as a source of future water supply prevents the Department from weighing the purported need against available sources, and so prevents a finding that the water under this permit will be put to beneficial use. Without sufficient evidence that the water will be put to beneficial use, good cause has not been shown, and the extension must be denied.



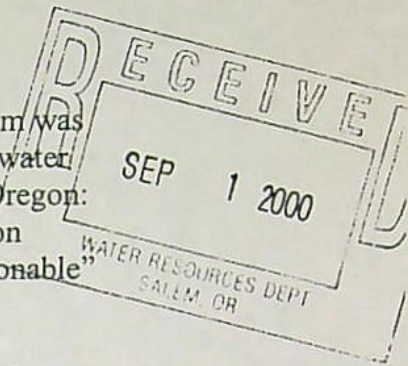
c. Demand Projections must Reflect Limitations to Growth Imposed by State and Local Land Use Laws

In forecasting the need for future water supply, it is typical for municipalities to prepare water demand forecasts that are based on "reasonable service area delineations, growth patterns, land use . . . and shifts in per capita water demand brought about by conservation." ("Long-Term Water Supply Planning", League of Oregon Cities, February 2000.) The record here is devoid of any description of the way that land use may affect forecasting of future water use within Applicant's service area. Again, the Department's decision appears to have been based upon the assumption—rather than any assurance—that Applicant's purported water needs are consistent with its demonstrated commitment to a local zoning scheme. Neither is there any consideration of the county's role in allocating growth throughout the region. While zoning may change to accommodate growth at the instigation of the city and upon the approval of its citizens, it is not the foregone conclusion that it appears to be in the Department's record. Nor is it clear from the department's record what the present zoning may provide for. Many municipal water providers in Oregon serve "exception areas" (communities that are neither incorporated nor unincorporated) where exclusive farm use (or other) zoning has permitted rural residential growth in the past, but now preserves the rural character of those communities. In such situations, where zoning changes are exceptionally difficult to bring about, it is not valid to assume continuing exponential growth in population with a corresponding increase in water demand. In short, without information regarding the constraints on growth imposed by land use planning, the Department is unable to judge Applicant's demand forecasting, and therefore may not make the finding of need necessary to show good cause for granting the requested extension.

2. The Law Does Not Allow Extensions for Arbitrary Lengths of Time

Water allocation in Oregon is built around a concept that the water will be used beneficially within a reasonable period of time. Beneficial use is the basis, measure and limit of all rights to the use of water in Oregon. ORS 537.525(3), 540.610(1). Water use permits in the state are only granted upon a showing of the intent and ability to use water beneficially. See ORS 537.170(8), ORS 537.190(1), ORS 537.140(1) and OAR 690-310-040(1)(a)(H) and (P). While the permit system essentially creates

priority dates based on when applications for permits are filed, the permit system was meant only to make a record of water rights, not to eliminate the principle that water rights can be acquired and maintained only through use. See *Water Rights in Oregon: An Introduction to Oregon's Water Law and Water Rights System* at 14 (Oregon Water Resources Department, 1997). Permits can only be extended for a "reasonable" time period necessary to make beneficial use. OAR 690-320-0010(7).



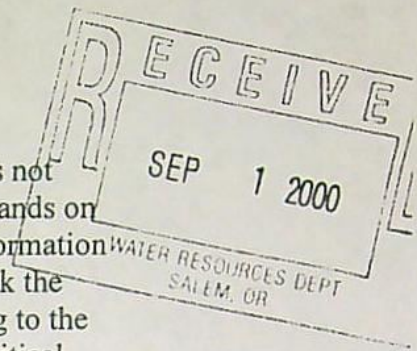
Twenty years is not a reasonable time period in which to complete water use under this permit. Applicant indicates in their application for extension that they plan an expansion of their water treatment plant to a capacity of 700 gpm (1.56 cfs). Given Applicant's existing rights at the same point of diversion, this plant will permit Applicant to develop less than one fifth of the present permit. There is no indication that Applicant plans on further expansions of their plant, so there is no evidence to suggest that they will use the available water by the year 2020. The actual amount of time necessary for full application of the water under this permit to beneficial use is unknown, and the Department may not grant extensions for periods of time which are arbitrarily determined. Since the Department has no rational, non-arbitrary method of determining "the reasonable time period necessary to complete construction and application of water to beneficial use," OAR 690-320-0010(7), the Department must withdraw the PFO approving extension and deny Applicant's request.

Granting the extension for twenty years, as proposed, would inevitably lead to Applicant's inability to apply water within the extension period, and to their reapplying for additional extensions. There are good policy reasons not to allow water use permits far in advance of actual use. The "good cause" determination in an extension is a broad-based determination that must look at a divergent range of considerations. It is virtually impossible to predict what will be needed twenty years from now. The decision as to need should not be made far in advance of the actual use. The decision should be made at the time the need is real, with knowledge and wisdom acquired in the intervening period. It should also be made with knowledge of the other factors that must be considered under the Department's good use analysis, such as competing demands on the resource for other uses, such as fish and recreation. It is impossible at this time to make an informed judgement of the sort contemplated by the good cause determination.

3. The Department Failed to Consider the Competing Demands for Water as Fish Habitat and so Cannot Find Good Cause to Grant an Extension.

The Department has limited its analysis of market value of water to the value of water for municipal use only, and so has failed to conduct an adequate analysis of demands for water. The good cause standard requires analysis of demand, and is not limited to consideration of out-of-stream uses. ORS 537.230 and 539.010. The good cause analysis can include whether the water would be of greater value for instream uses, such as fish habitat. *Id.* and Letter to Dick Bailey from Steve Sanders, pg. 8 (6/26/97).

The application that the Department uses in evaluating extension requests does not give the applicant the opportunity to explain whether there are competing demands on water for other uses, and for fish habitat in particular. The file contains no information regarding the existence of Cutthroat Trout, Winter Steelhead or Spring Chinook the North Fork of the Yamhill River, and does not contain any information relating to the potential impact of the proposed out-of-stream use on instream flows during critical, low flow times of the year. Consideration of competing demands shows that water is needed instream to protect listed salmon and steelhead. The agency's water availability analysis shows that these water needs are not met year round. Continued development of this permit without adequate conditions will take away water needed for these instream water rights or other existing uses of water in the system. It may also further exacerbate the problem of over-appropriation of the affected rivers.



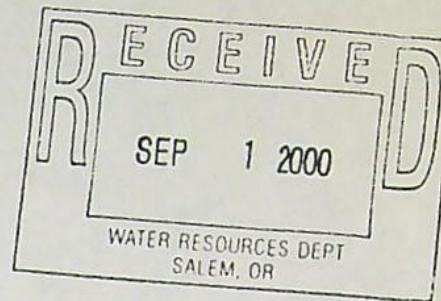
Since the Department has failed to consider competing demands for the water, the Department cannot find that good cause exists for granting the extension, and must deny the extension request.

4. The Department Cannot Grant the Extension as Proposed Since Applicant has not Demonstrated Diligence in Developing the Permitted Amount.

Oregon law requires that the Department, in reviewing an application for an extension, consider the good faith of the applicant in pursuing application of the water. ORS 537.230(2), ORS 539.010(5). Logically, good faith includes a consideration of the diligence that the applicant has demonstrated in pursuing application of the permitted amount. Lack of diligence argues in favor of denial of the extension request and a requirement that the applicant "prove up" on the amount that they have appropriated for beneficial use.

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Conclusion

Applicant has not shown good cause for the requested extension. The facts in the record do not permit the Department to approve the requested extension of permit number 32489. Applicant has failed to show that market conditions for water within their water supply district are such that there is a need for additional municipal water sources under this permit. Applicant has also failed to demonstrate how they will put the permitted water to beneficial use, and failed to show diligence. Finally, the proposed conditions are inadequate to support a finding of "good cause" for extension.

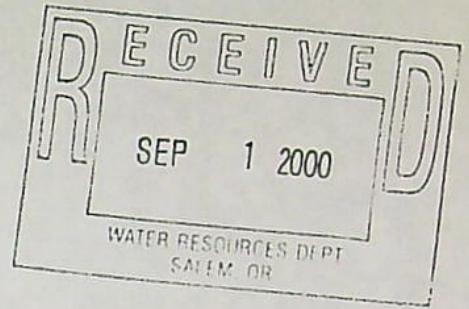
Requested Remedy

Oregon Trout and WaterWatch request that the PFO approving the extension for Permit No. 32489 be withdrawn and that the extension request be reconsidered only after Applicant has provided additional information. Such information should allow the Department to accurately judge the amount of water that Applicant can put to beneficial use during the reasonably foreseeable future. The information should permit the Department to quantify reasonably foreseeable needs, and also to judge how those needs can be met given Applicant's other, existing, water rights. The Department must ensure the most practical water source possible for Applicant, up to, but not exceeding reasonably foreseeable needs. If less practical source are made redundant by development of the present permit, those sources should no longer be available to serve a beneficial use which is being met under this permit. Protestants are willing to work with WRD and Applicant on further evaluation of the requested extension.

The Department may alternatively consider the possibility of extending the permit, but only to the extent of the quantity of water that Applicant can show a reasonably certain need for. The Department may chose to grant the extension only to the extent that this would permit appropriation to beneficial use.

If there is no additional, relevant information of the quality and quantity that would satisfy the Department's requirements as codified in ORS 537.230 and ORS 539.010(5), then Oregon Trout and WaterWatch request that the extension be denied.

Failing that, Protestants request a contested case on the proposed extension. For the reasons discussed above, the Department cannot find that good cause exists to grant an extension for the entire amount of the permit.

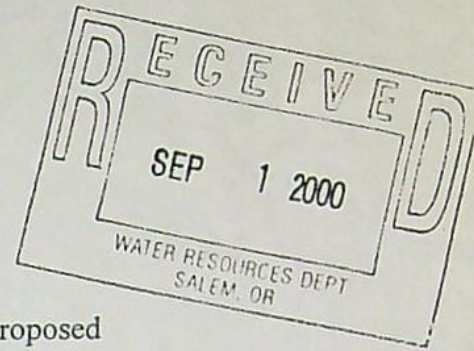


Submitted this 1st day of September, 2000.

Aubrey Russell
Water Policy Advocate
Oregon Trout
117 S.W. Naito Parkway
Portland, Oregon 97204
(503) 222-909

Kimberley Priestley
Deputy Director
WaterWatch
213 SW Ash Street, Suite 208
Portland, OR 97204
(503) 295-4039

CERTIFICATE OF SERVICE



I hereby certify that on September 1, 2000 I filed this Protest of the Proposed Final Order, by delivering the original to Paul Cleary at the Water Resources Department at the address set forth below. I further certify that I served a copy of said Protest on all the entities known to us to be parties in this proceeding by mailing said copy to the address set forth below, certified mail, by placing said copy in the United States Post Office in Portland, Oregon on September 1, 2000.

Paul Cleary, Director
Water Resources Department
158 12th Street N
Salem, Oregon 97310

City of Carlton
City Hall
Carlton, Oregon 97111

WaterWatch
213 S.W. Ash Street, Suite 208
Portland, Oregon 97204

Oregon Trout
117 S.W. Naito Parkway
Portland, Oregon 97204

Signed this 1st day of September, 2000

A. Russell

Aubrey Russell
Oregon Trout

**Oregon Water Resources Department
Water Rights Division**

Water Right Permit Extension Application
for Permit Number 32489

Water Right Application Number S-44208

Proposed Final Order

**Please read this Proposed Final Order in it's entirety, it contains additional
conditions, not included in the original permit.**

This Proposed Final Order applies only to permit number 32489.

Summary of Recommendation

The Department proposes to:

grant the extension for complete construction of the water system from October 1, 1969 to October 1, 2020, and

grant the extension for complete application of water from October 1, 1970 to October 1, 2020.

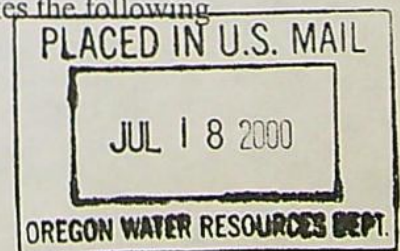
Application History

Permit no. 32489 was granted by the Water Resources Department on December 15, 1967. The permit authorizes use of 2.5 cfs of water from Panther Creek for municipal in the North Yamhill River basin. It specified that construction must be completed by October 1, 1969, and water applied to full beneficial use by October 1, 1970. A copy of permit no. 32489 is attached.

On October 1, 1999, the Department received an application from City of Carlton for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2020, to complete construction of the water system and until October 1, 2020, to apply water to full beneficial use. This is the sixth permit extension request.

Findings of Fact

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following



findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit is being held up by the rate of population and industry growth within the cities service boundaries. The cities master plan projects that the peak usage by the year 2016 will be 3.1 cfs.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes construction of wells and pump testing.
 - b) The work remaining to be completed consists of the remaining construction of the water delivery system, including design and upgrade of treatment plant, and complete application of water.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence. Perfection of the permit has been delayed by the size and scope of the project.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 2020 and the length of time requested for completion of the application of water should be extended to October 1, 2020 as requested by the applicant.
8. By mutual consent, the applicant and the Water Resources Department agreed to defer processing of the permit extension request until such time as the Commission had adopted new permit extension rules.

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, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).
5. The permit extension should be approved until October 1, 2020, to complete construction and until October 1, 2020, to complete the application of water.

Conditions

By October 1, 2003, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this time line to complete the required Water Management Conservation Plan.

The permittee must submit a written progress report to the Department by October 1, 2003. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence;
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant

has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

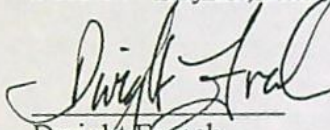
Recommendation

The Department proposes to issue an order to:

extend the permit time to complete construction from October 1, 1997, to October 1, 2020, and

extend the permit time to complete application of water from October 1, 1997, to October 1, 2020.

DATED: July 18, 2000



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.*

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
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 - f) The \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **September 1, 2000**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

This document was prepared by Russell W. Klassen. 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 can reach me toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.

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July 18, 2000 PFO
910 320

**Oregon Water Resources Department
Water Rights Division**

Water Right Permit Extension Application
for Permit Number 32489

Water Right Application Number S-44208

Proposed Final Order

**Please read this Proposed Final Order in it's entirety, it contains additional
conditions, not included in the original permit.**

This Proposed Final Order applies only to permit number 32489.

Summary of Recommendation

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1969 to October 1, 2020, and
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Application History

Permit no. 32489 was granted by the Water Resources Department on December 15, 1967. The permit authorizes use of 2.5 cfs of water from Panther Creek for municipal in the North Yamhill River basin. It specified that construction must be completed by October 1, 1969, and water applied to full beneficial use by October 1, 1970. A copy of permit no. 32489 is attached.

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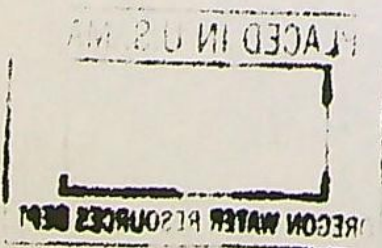


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Conclusions of Law

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By October 1, 2003, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this time line to complete the required Water Management Conservation Plan.

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Recommendation

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DATED: July 18, 2000



Dwight French
Water Rights Section Manager

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please check the information
box on the last page for the
appropriate names and
phone numbers.*

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 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
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X-Sender: frenchdw@mailhub.wrd.state.or.us
Date: Mon, 07 Feb 2000 08:26:50 +0000
To: Russell.W.KLASSEN@wrđ.state.or.us
From: Dwight W French <Dwight.W.FRENCH@wrđ.state.or.us>
Subject: City of Carlton Extension Request
Cc: William.H.FUJII@wrđ.state.or.us

russ,

How about tying the WMCP condition to the first checkpoint. Then we can check in on them at 5 years to see if they have complied. That is my thought, if there is better justification for another date, so be it.
Dwight

>X-Sender: fujiiwh@mailhub.wrd.state.or.us
>X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.6 (32)
>Date: Fri, 04 Feb 2000 16:51:43 -0800
>To: Russell.W.KLASSEN@wrđ.state.or.us
>From: Bill Fujii <William.H.FUJII@wrđ.state.or.us>
>Subject: City of Carlton Extension Request
>Cc: Dwight.W.FRENCH@wrđ.state.or.us, Thomas.J.PAUL@wrđ.state.or.us,
> Dave.E.JARRETT@wrđ.state.or.us,
William.E.FERBER@wrđ.state.or.us
>
>Russ -
>
>Thanks for giving me the chance to review this application for extension.
>Carlton, population 1,525 has experienced a growth rate of about 18 % since 1960. Carlton's water supply is Panther Creek. Panther is tributary to the Yamhill River. The Yamhill is on DEQ's 303d list. Unfortunately, the instream water right on the Yamhill is also not met in the late summer so, flow is an issue.
>
>I suggest that it would be recommended that the City of Carlton work on a water management and conservation plan process. A side from the supply problem, the conflict with water quality and instream flow; the city should also be concerned with planning for growth, local partners in case of emergency and natural shortages. There appears to be a single pipe from the diversion to the City. Carlton has two advantages. 1) Several Cities in Yamhill County are working on or have adopted water management plans.

>2) the proximity to Haskins Creek makes McMinville a natural partner if a

>regional supply is developed from McGuire Reservoir.

>

>I suggest that you give them several years to develop the plan, perhaps we

>could check with the Health Division to see when the next Water System

>Master Plan update is required. The new HD rules tie in with our

>requirements. This would allow Carlton to fund the planning process

>through the state and federal programs I have been working with on the

>Agency Standardization Committee. I would be happy to call Tom C from HD

>to see when the next WSMP is required if you would like.

>

>

>

>

>

>

>

>

>

>Thanks

>

>Bill Fujii, Natural Resource Specialist 3

>Field Services Division

>Oregon Water Resources Department

>158 - 12th St. NE

>Salem, Oregon 97301-4172

>

>Phone: (503) 378-8455 ext 254

>

-or-

>toll free in Oregon 1 (800) 624-3199 ext 254

>

>FAX: (503) 378-8130

>

>web page address: <http://www.wrd.state.or.us>

>

>

>

>

>

=====

Dwight French

Water Rights Section Manager, Water Rights Division

Oregon Water Resources Department

158 12th ST NE, Salem Oregon 97301-1724

1 800 624-3199 ext. 268 or 503 378-8455 x268

FAX: 503 378-6203

To: Russ Klassen
From: Bill Fujii <William.H.FUJII@wrdd.state.or.us>
Subject: City of Carlton Extension Request
Cc: Dwight French, Tom Paul, Dave Jarrett, Bill Ferber
Bcc:
Attached:

Russ -

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Tom C. left me a voice mail saying
that their WSMP expires this year

Bill -
Can we talk
about This?
BFW

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **33567**

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

INVOICE # _____

RECEIVED FROM: City of Carlton
BY: _____

APPLICATION	44208
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 96-7031 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) _____

(New) TC162 DEPOSIT LIAB. (IDENTIFY) _____

PIA #66111

\$
\$
\$
\$

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

EXAM FEE

\$

\$

\$

EXAM FEE

\$

0202

0204

0206

0219

0220

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

0240 OTHER (IDENTIFY) EXT. OF TIME \$100.00

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)

HYDRO APPLICATION

\$

\$

\$

RECEIPT #

33567

DATED: 10-4-99 BY: Roger Wright

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

99 Ext 1110

APPLICATION FOR EXTENSION OF TIME TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Carlton
NAME

City Hall Carlton OR 97111 (503) 852-7575
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 44208, Permit No. 32489, 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, 1997, be extended to October 1, 2020.

NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

Enclosed is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would 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, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]?
Yes

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]? Yes

RECEIVED

OCT 01 1999

**WATER RESOURCES DEPT.
SALEM, OREGON**

A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

Actual construction of the 29,400 LF 12-3/4 O.D. steel pipeline was completed in Spring of 1968.

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions. Complete application of the 2.5 cfs of water has not occurred to

date. The current peak water use has been about 440 gpm (0.98 cfs). The water master plan, completed in 1996, projects a peak use of 1390 gpm (3.10 cfs) in the year 2016.

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

Design of an upgrade to the water treatment plant is currently underway. The expanded plant will have a capacity of 700 gpm (1.56 cfs).

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated): The current peak day use of water is approximately 440 gpm (1.0 cfs).

0.98 cfs

4-Cost of project to date N/A. Estimated remaining cost to complete the project _____.

5-Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit. The 2.5 cfs permitted will be utilized when the town population and industry require it. Growth is and will continue to occur, but the date certain when the full 2.5 cfs will be needed is unknown at this time.

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes. _____

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project. _____

D) Acts of God or other unforeseen events delayed full development of the water system and use of water. _____

6-Please identify the economic market or markets to which beneficial use of water under the permit is responding. Municipal water supply

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WATER RESOURCES
SALEM, OREGON

A) Has there been any change in this market since the permit was issued? _____
Nominal growth of city population.

B) Have these changes, if any, affected the economic feasibility of your project? No.

7-Are there other present competing demands for water in your community? _____
All water for Carlton residents is supplied by the City. There are presently no competing demands for water that we are aware of.

A) Has there been any change in these demands for water since the permit was issued? _____
Water use has increased as the population of Carlton has grown.

B) Are you aware of alternative sources of water that may be able to satisfy the competing demands?
N/A

C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community? _____
No.

8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project? The water supply of the City is integral to the health and safety of its citizens.

9-If the extension request is denied, is the current level of water use economically feasible?

Other water rights for the City exist as listed in Attachment A. Permit P32489 is essential for the City of Carlton. Permit P32488 is on a different watershed, and would require significant capital to develop. Permit 32489 will allow the full capacity of the expanded treatment plant to be utilized.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature David Carl, City Manager

Date Sept. 24, 1999

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

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**WATER RESOURCES DEPT.
SALEM, OREGON**

ATTACHMENT A

Existing water rights owned by the City of Carlton.

FILE NO.	PERMIT OR CERTIFICATE NO. (P/C)	MAXIMUM WATER USAGE RATE (CFS)	RESERVOIR STORAGE VOLUME (ACRE-FEET)	COMMENT
1609	C1868	0.50	--	Panther Creek
44207	P32488	2.00	--	Fall Creek
69513	P50218	0.07	9	Panther Creek
46505	P34661	0.50	66	Panther Creek Certificate requested

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OCT 01 1999

**WATER RESOURCES DEPT.
SALEM, OREGON**



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

November 10, 1998

File# 44208

CITY OF CARLTON
C/O DAVID CARL
PO BOX 458
CARLTON, OR 97111

Dear Municipal Water Use Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. The new rules are contained in OAR Chapter 690, Division 320. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office in June 1997. Many permit holders elected to hold their extension requests until the new rules were in place. The new rules provide an opportunity for the holders of permits for municipal use to delay action on permit extensions through June 30, 2001. The temporary exemption of municipal use permit holders included in the new permit extension rules was included to provide time for the Department to convene a work group to review issues relating to community water supply, and recommend changes, if appropriate, to current laws and rules. A first meeting with a group of stakeholders to scope out the charge of the community water supply group was held on October 26, 1998. Barring any changes emanating from the work group, municipal use permit holders will be subject to the provisions of OAR Chapter 690, Division 315 as of July 1, 2001.

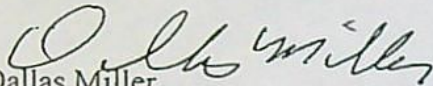
Notwithstanding the temporary exemption in the new rules, should a municipal use permit holder voluntarily wish to apply for a permit extension between now and June 30, 2001, it may be done in accordance with Division 320. Because of the Attorney General's advice, extensions will no longer be limited to five years for municipal use permit holders. Applicants should request to extend permits for the amount of time necessary to fully complete the projects and put the water to beneficial use. By allowing a reasonable period of time for perfection of water rights, it is the Department's hope that future permit extensions will not be necessary. For permit extensions exceeding five years in length, a system of "checkpoints" will apply. This system will require the submission of progress reports at periodic intervals, not exceeding five years, that the Department will review to evaluate permit holders' continuing diligence in fully developing and perfecting water rights.

For municipal use permit holders who wish to proceed with a permit extension under Division 320, please fill out the enclosed form. The new rules require that the Department consider this information when determining whether or not to approve extension requests. It is important for you to complete a response to all items on the form. If additional space is needed for your responses, please use a separate sheet of paper. Please send the completed form at your earliest convenience to my attention at the following address:

Water Right Permit Extensions
Water Resources Department
158 12th Street NE,
Salem, Oregon 97310.

I would be happy to send you a copy of the new permit extension rules, upon request. If you have any questions, please contact me at 1-800-624-3199 extension 272. If I am not available, you may contact either Patrick Lee (ext. 276) or Dwight French (ext 268). If you have an interest in the community water supply group, please contact Patrick Lee.

Sincerely,


Dallas Miller
Water Rights Specialist

November 12, 1997

WATER
RESOURCES
DEPARTMENT

CITY OF CARLTON, C/O DAVID CARL, CITY MANAGER
PO BOX 458
CARLTON, OR 97111

Reference File 44208, Permit 32489

Dear Extension Applicant:

We have received your request for extension of time limits under your permit.

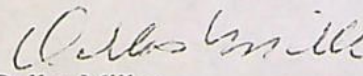
Because of action taken by the Oregon Attorney Generals Office the Water Resources Department is working on new administrative rules affecting the extension process. Anticipating this change in the rules, we will hold your application until the new rules are in effect. We feel that processing your request under the new rules may be to your advantage. We anticipate that the rules will be adopted in March 1998.

If you must have an extension of time before that date, we may be able to process it if you can provide a statement that you can complete the project within one year.

Your patience is appreciated and we will process your request as soon as possible. Enclosed is receipt 17329 for the \$100 fee submitted.

If you have questions please contact me at the address below or phone 1-800-624-3199 ext. 272.

Sincerely,


Dallas Miller
Natural Resource Specialist 2

Watermaster Dist 16



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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **17329**

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

INVOICE # _____

RECEIVED FROM: City of Carlton
BY: _____

APPLICATION	44208
PERMIT	32489
TRANSFER	

CASH: ☐ CHECK: # 96-7031 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

PCA 66111

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$ 100.00

(New) TC165 DEPOSIT LIAB. (IDENTIFY) _____

\$

(Existing) TC168

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

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)

\$

HYDRO APPLICATION

\$

RECEIPT # **17329**

DATED: 11-7-97

BY: W. Beaman

Application for Extension of Time

RECEIVED

TO THE WATER RESOURCES DIRECTOR OF OREGON

NOV - 7 1997

WATER RESOURCES DEPT.
SALEM, OREGONI, City of Carlton NameP.O. Box 458

Mailing Address

Carlton

City

OR

State

97111

Zip

record owner of water right permit No. 32489, 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, 1997, be extended to October 1, 2002

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

within the past year The city has recently approved a Water Master Plan that shows a projected population 3920 in the year 2016 an increase of 267% over present population and water needs.

prior to this past year

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

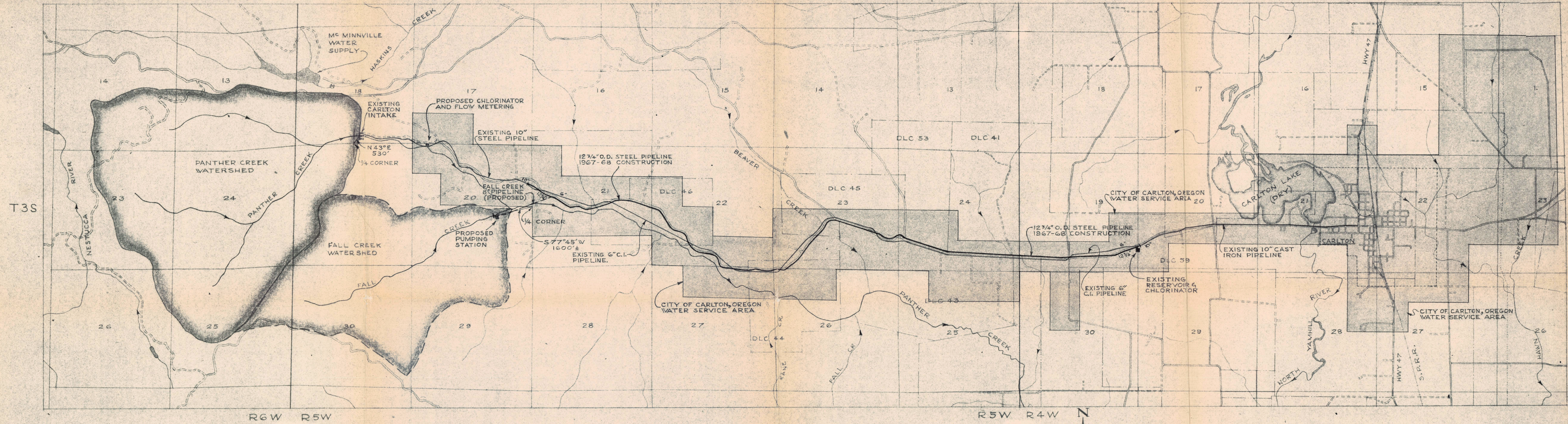
(If additional space is required, attach separate sheet)

David CarlCity Manager

(If signing for a corporation please identify your title)

Dated

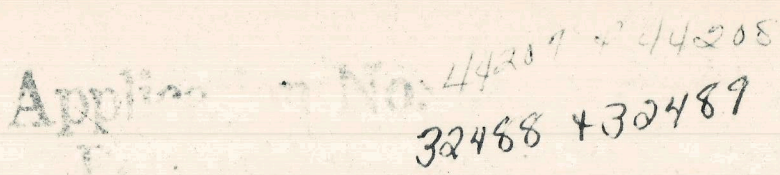
October 29, 1997MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$100.00 TO:Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310



Application No. 44207 244208
Permit No. RECEIVED
OCT 27 1967
STATE ENGINEER
SALEM OREGON



DATE	REVISIONS	BY	CITY OF CARLTON, OREGON WATER RIGHTS MAP PANTHER CR. & FALL CR.		SHEET NO. 1
DESIGN	AMK	SCALE 1" = 2,000'			
DRAWN	GEG	DATE OCT. 1967	CARL E. GREEN & ASSOCIATES CONSULTING ENGINEERS PORTLAND, OREGON		OF 1
CHECKED	CEG	DWG. No. 126-B-1			



CITY OF CARLTON

14223

Vendor: WATER RESOURCES DEPT.

Vendor No: 3400

Vendor Acct No:

Check Date:

09/28/1999

Check Amount:

\$100.00

Invoice Number

Date

09/28/1999

Description

Time extension for water right permit.

Invoice Amount

100.00

2.5 CFS 32489

167
PANTER CR. MUN
(YAMH)

97. 5TH

YOUR PERMIT GRANTS THE
USE OF 2.5 CFS (1120 GPM)
FOR MUN PUR.

WE WILL NEED TO KNOW ~~HOW~~
WHAT YOUR MAX US CAGG HAS
BEEN, HOW MANY FEET OF
~~DISTRIBUTION~~ ~~WATER~~ HAS BEEN INSTALLED, &
HOW MUCH HAS THE POP INCREASED
DURING THE PAST 60T OF
TIME PERIOD.

DO YOU HAVE A 620
CONS. PLAN?

A.

R-246504 RES Comp

R-69512 9 ACFT PANTHER

44207 2 CFS FILL CR

46505 0.5 RES

69513 - 0.07

1609 0.5 PANT

PLAN/TIMETABLE

CITY OF CARLTON

WATER RESOURCES DEPT. 11/09/22 7426

10/20/92

MAINTENANCE

100.00

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NOV 12 1992

WATER RESOURCES DEPT.
SALEM, OREGON

100.00

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following service(s) are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. ☐ Restricted Delivery
↑(Extra charge)↑

3. Article Addressed to:

City of Carlton
P.O. Box 458
Bend, OR 97111

4. Article Number

56106

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

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

sent again
6-17-88
wrong
city

FPD

10-27-67

44268

Application No.

Permit No.

32489

Name City of Carlton

Address City Hall, Carlton, Oregon

Assigned

Address

Beginning construction December 15, 1968

Completion of construction October 1, 1969

Extended to 10-1-75 10-1-82 10-1-87 10-1-92, 10-1-97

Complete application of water October 1, 1970

Extended to 10-1-75 10-1-82 10-1-87 10-1-92, 10-1-97

For proof Proof mailed

FORM 100 JUN 6 1968