

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-5644

Final Order
Extension of Time for Permit Number G-4946

Appeal Rights

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.

Application History

The Department issued Permit G-4946 on February 16, 1972. The permit called for completion of construction by October 1, 1973, and complete application of water to beneficial use by October 1, 1974. On October 31, 2003, the City of Bend submitted an application to the Department for an extension of time for Permit G-4946. In accordance with OAR 690-315-0050(2), on September 18, 2007, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2020, and the time to fully apply water to beneficial use to October 1, 2020. The protest period closed November 2, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The Department's continuing evaluation reveals that the following modification should be made to the Findings of Fact section of the Proposed Final Order:

Finding 1 is modified to correct a permit number, and in its modified form reads as follows:

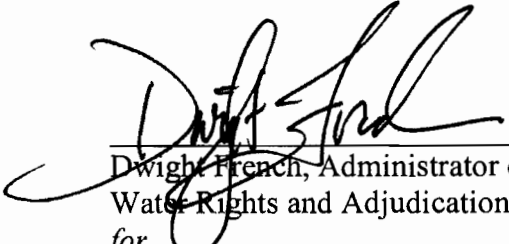
Permit G-4946 was granted by the Department on February 16, 1972. The permit authorizes the use of up to 16.04 cfs of water, being 4.01 cfs from each of four wells within the Deschutes River Basin, for municipal use. It specified that construction of the water development project should be completed by October 1, 1973, and that complete application of water was to be made on or before October 1, 1974.

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

Order

The extension of time for Application G-5644, Permit G-4946, therefore, is approved. The deadline for completing construction is extended to October 1, 2020. The deadline for applying water to full beneficial use is extended to October 1, 2020.

DATED: November 15, 2007


Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Ann L. Reece at (503) 986-0827.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.
