

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-22251

Final Order
Extension of Time for Permit Number S-17549

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 S-17549 on July 3, 1947. The permit called for completion of construction by October 1, 1949, and complete application of water to beneficial use by October 1, 1950. On June 29, 2001, City of Forest Grove submitted an application to the Department for an extension of time for Permit S-17549. In accordance with OAR 690-315-0050(2), on December 18, 2007 the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2015, and the time to fully apply water to beneficial use to October 1, 2015. The protest period closed February 1, 2008, 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 the following conditions:

CONDITIONS

1. **Diminishment Requirement**

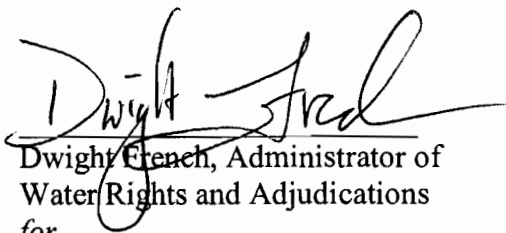
The Department must issue a signed Order titled, "IN THE MATTER OF THE VOLUNTARY CANCELLATION OF A PORTION OF THE PERMIT BY THE PERMITTEE," which will authorize the cancellation of a 2.54 cfs portion of the water use from Gales Creek under Permit S-17549. This Order will diminish Permit S-17549 from a total of 7.0 cfs of authorized water use from Gales Creek to 4.46 cfs of authorized water use from Gales Creek, a tributary of the Tualatin River. The Order will be issued approximately 61 days after issuance of the Final Order approving an extension of time for Permit S-17549 from October 1, 1983 to October 1, 2015 and cannot be issued unless there is a Final Order approving an extension of time for Permit S-17549 from October 1, 1983 to October 1, 2015.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0080(3).

Order

The extension of time for Application S-22251, Permit S-17549, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to October 1, 2015. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: February 14, 2008

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

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
