

**Final Order**  
**Extension of Time for Permit Number S-51017**

**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**

On October 13, 2005, Kent R. and Shannon K. Madison submitted an application to the Department for an extension of time for permit number S-51017. The Department issued permit number S-51017 on July 3, 1990. The permit called for completion of construction by October 1, 1992, and complete application of water to beneficial use by October 1, 1993. In accordance with OAR 690-315-0050(2), on March 28, 2006, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project to October 1, 2010, and the time to fully apply water to beneficial use to October 1, 2010. The protest period closed May 12, 2006, 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:

The water right permit holder's conformance with the permit or previous extension conditions.

Although there is information that Columbia Improvement District had adopted a Resolution to replace its screens to comply with National Marine Fisheries Service (NMFS) standards the permit holder has not yet obtained written documentation from Oregon Department of Fish and Wildlife has approved the Columbia Improvement District fish screens. In order to demonstrate beneficial use of the water under Permit #S-51017, this permit condition must be satisfied.

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

**Order**

The extension of time for Application Number S-70272, Permit Number S-51017, therefore, is approved. The deadline for completing construction is extended to October 1, 2010. The deadline for applying water to full beneficial use is extended to October 2, 2010.

**DATED: May 19, 2006**



Dwight French, Administrator of  
Water Rights and Adjudications

*for*

Phillip C. Ward, Director

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**If you have any questions about statements contained in this document, please contact Ann L. Reece at (503) 986-0808.**

**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.**