

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-55439

**Final Order**

**Extension of Time for Permit Number S-41645 (modified by Permit Amendments T-7541 and T-8565)**

**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**

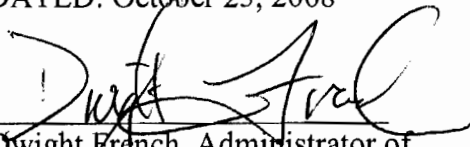
The Department issued Permit S-41645 (modified by Permit Amendments T-7541 and T-8565) on September 14, 1977. The permit called for completion of construction by October 1, 1979 and complete application of water to beneficial use by October 1, 1980. On March 2, 2006, BAIC, Inc. submitted to the Department an Application for Extension of Time for Permit S-41645 (modified by Permit Amendments T-7541 and T-8565). In accordance with OAR 690-315-0050(2), on July 10, 2007, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2010 and the time to fully apply water to beneficial use to October 1, 2010. The protest period closed August 24, 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 could be extended subject to a measuring and reporting condition. Subsequent to the issuance of the Proposed Final Order the Department received confirmation that continuous telemetric measurement recording devices had been installed in 2003, and that an annual water use report has been submitted to the Department for the 2007-2008 water year. Thus, the measuring and reporting condition in the Proposed Final Order has been satisfied, making it unnecessary to subject this Final Order to any such condition.

Order

The extension of time for Application S-55439, Permit S-41645 (modified by Permit Amendments T-7541 and T-8565) 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 1, 2010.

DATED: October 23, 2008

  
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 Reece at (503) 986-0813.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
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