

NOTICE OF COMPLETION OF CONSTRUCTION

I, City of Silverton, the holder of Application No. 4924, being
Mark Paulson, Recorder
 Permit No. 3226, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

for the appropriation of _____ second-feet of the waters of _____
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,

have completed the construction of the works described therein the 15th day of December, 1918,
 being within the time limitation as fixed in said permit or extended by the State Water Board for the
 completion of construction work.

Remarks:

If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described

in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of February, 1918.

Silverton, Oregon
 (Present Address)

City of Silverton, Mark Paulson
 (Signature of Applicant) Recorder

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has
 been allowed for completion.

Form A

NOTICE OF BEGINNING OF CONSTRUCTION

I, City of Silverton, Mark Paulson, the holder of Application No. 4924, being
Recorder
 Permit No. 3226, issued by the State Engineer of the State of Oregon

(Reservoir or Enlargement)

for the appropriation of _____ second-feet of the waters of _____
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,

began the actual construction of the works described therein on the 1st day of September, 1916,
 being within the time limitation as fixed in said permit for the beginning of construction work.

The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this

statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of Feb., 1918.

Silverton, Oregon
 (Present Address)

City of Silverton
 (Signature of Applicant) Mark Paulson

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

3226

1-1-96 JH
 Application No. 4924 ✓
 Permit No. 3226
 Name City of Silverton
 Address 306 S. Water St. 97381
 Beginning construction _____
 Completion of construction 6-1-19
 Extended to 10/1/35 10/1/40 - 10/1/45 10/1/50
10-1-55; 10-1-60 10-1-65 10-1-75 10-1-81 10-1-85
 Complete application of water 10-1-30

Extended to 10/1/35 10/1/40 - 10/1/45 10/1/50
10-1-55; 10-1-60 10-1-65 10-1-75 10-1-81 10-1-85 10-1-90

City of Silverton
Silve +
app. 4924
10 sec from Abcagua Cr. for
for municipal supply.
Jan 25, 1918
6-1-19
10-1-30
Card 2-5-18 for A.
1-10-25 use letters enclosed

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF APPLICATION FOR)
EXTENSION OF TIME IN WHICH TO)
COMPLETE CONSTRUCTION WORK AND)
MAKE COMPLETE APPLICATION OF WATER)
UNDER PERMIT NO. 3226 ISSUED TO)
THE CITY OF SILVERTON)

O R D E R
EXTENDING TIME LIMITS

The City of Silverton is the holder of permit No. 3226 which grants a right to the use of not to exceed 10.0 cubic feet per second of water from Abiqua Creek for municipal purposes.

The City of Silverton has submitted application for extension of time limits within which to complete the construction work and make complete application of water to beneficial use.

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 application for extension filed regarding completion of the project indicates such reasonable diligence has been shown as entitles the City to an extension of time.

No protests or objections to the granting of an extension under the permit has been filed by any subsequent permit holders.

NOW, THEREFORE, it hereby is ORDERED that the time limits to complete construction and make complete application of water under permit No. 3226 be and the same are extended to October 1, 1970.

Dated at Salem, Oregon this 13th day of December, 1965.

/s/ CHRIS L. WHEELER
State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF APPLICATION FOR
EXTENSION OF TIME IN WHICH TO
COMPLETE CONSTRUCTION WORK AND
MAKE COMPLETE APPLICATION OF WATER
UNDER PERMIT NO. 3226 ISSUED TO
THE CITY OF SILVERTON

O R D E R
EXTENDING TIME LIMITS

The City of Silverton is the holder of permit No. 3226 which grants a right to the use of not to exceed 12.0 cubic feet per second of water from Abiqua Creek for municipal purposes.

The City of Silverton has submitted application for extension of time limits within which to complete the construction work and make complete application of water to beneficial use.

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 application for extension filed regarding completion of the project indicates such reasonable diligence has been shown as entitles the City to an extension of time.

No protests or objections to the granting of an extension under the permit has been filed by any subsequent permit holders.

NOW, THEREFORE, it hereby is ORDERED that the time limits to complete construction and make complete application of water under permit No. 3226 be and the same are extended to October 1, 1970.

Dated at Salem, Oregon this 13th day of December, 1965.

/s/ CHRIS L. WHEELER
State Engineer



Oregon

Theodore R. Kulongoski, Governor

File # S-4924

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

October 7, 2003

City of Silverton
Attn: Rich Barstad
306 South Water Street
Silverton, OR 97381

REFERENCE: File #S-4924 (Permit #S-3226)

Dear Mr. Barstad:

On December 11, 1995, the City of Silverton submitted an extension of time application for Permit #S-3226, along with the \$100 statutory fee. This extension of time request was placed on hold pending completion of the Department's quasi-municipal/municipal permit extension rulemaking process (OAR Chapter 690, Division 315).

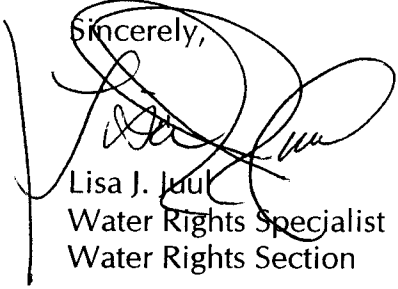
Once the quasi-municipal/municipal permit extension rules were adopted by the Water Resources Commission on November 1, 2002, the Department prompted permit holders with pending extensions to update their requests.

On February 20, 2003, therefore, the City submitted the new application for an extension of time for quasi-municipal and municipal use permits for Permit #S-3226, along with another \$100 statutory filing fee.

While processing the extension of time request for Permit #S-3226, the Department determined that excess fees were paid. Therefore, please find the enclosed check, in the amount of \$100, refunding excess permit extension fees paid to the Department on February 20, 2003.

If you have any further questions concerning this matter, please feel free to contact me by telephone at (503) 986-0808.

Sincerely,



Lisa J. Juul
Water Rights Specialist
Water Rights Section

enclosure

cc: File #S-4924 (Permit #S-3226)
Bill Ferber, Watermaster District #16
Fiscal

STATE OF OREGON REMITTANCE ADVICE

WARRANT NO.

117992711

WATER RESOURCES DEPARTMENT

(503) 378-8455 EXT. 225

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
		58382-S4924 REVENUE REFUND	690	VP018865	100.00

VENDOR NAME:	CITY OF SILVERTON	ISSUE DATE:	10/03/03	WARRANT AMOUNT	100.00
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STATE OF OREGON

Dept of Administrative Services
To the State Treasurer, Salem, OR 97301-3896
WATER RESOURCES DEPARTMENT
(503) 378-8455 EXT. 225

96-10
1232

CHECK DATE
10/03/03



BANK WARRANT NO.
11 7992711

PAY THIS AMOUNT
\$100.00

DOCUMENT NO.
VP018865

*****ONE HUNDRED AND 00/100 DOLLARS

PAY TO THE ORDER OF:

CITY OF SILVERTON
ATTN: RICH BARSTAD
306 S WATER STREET
SILVERTON

OR 97381

VOID AFTER 2 YEARS FROM DATE OF ISSUE

AUTHORIZED SIGNATURE

THE FACE OF THIS CHECK HAS A COLORED BACKGROUND. EXPLANATION OF ADDITIONAL SECURITY FEATURES INDICATED ON REVERSE SIDE

⑈ 7992711 ⑈ ⑆ 123200101 ⑆ 10501 ⑈

MEMORANDUM

Date: September 15, 2003

To: Gina Beaman, Fiscal

From: Lisa Juul, Water Rights 
Dwight French, WR Manager

Subject: Request for Refund of Excess Funds collected for an
Extension of Time Request for Application File #S-4924

cc: File Application #S-4924 (Permit #S-3226), City of Silverton

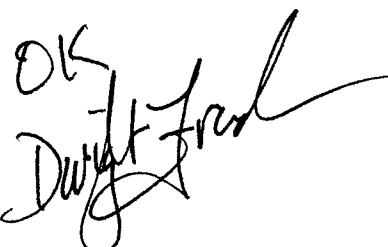
Please **refund \$ 100.00** to **City of Silverton**, File **#S-4924**, Receipt **# 58382**
written on February 20, 2003. These funds are refunded due to:

- ☐ Application rejected
- ☐ Extension request withdrawn
- ☒ **Excess fees collected** — The City of Silverton paid \$100
for an Extension of Time application submitted on
December 11, 1995. That extension request was never
processed. So, when the City updated their extension
application in February 2003, they should not have
paid any additional fees.
- ☐ File closed
- ☐ Protest Filing Fees

0240

Mailing Address: City of Silverton
Attn: Rich Barstad
306 S. Water Street
Silverton, OR 97381

SEP 16 2003

OK


**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **58382**

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

INVOICE # _____

RECEIVED FROM: <u>City of Silverton Oregon</u>	APPLICATION <u>below</u>
BY: _____	PERMIT _____
	TRANSFER _____

CASH: ☐ CHECK: # X13250 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.00

0417 WRD MISC CASH ACCT

50185 - \$100.00
4924 - \$100.00

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) Ext. of time

EXAM FEE	
\$	
\$	
\$	
\$	

0202

0204

0206

0219

0220

RECORD FEE	
\$	
\$	
\$	
\$	
LICENSE FEE	
\$	
\$	

\$200.00

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)

HRDRO APPLICATION

\$
\$
\$

RECEIPT # **58382**

DATED: 2/20/03

Connie Vance

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

MEMORANDUM

File Copy
Appl # S-4924

Date: September 15, 2003

To: Gina Beaman, Fiscal

From: Lisa Juul, Water Rights 
Dwight French, WR Manager

Subject: Request for Refund of Excess Funds collected for an
Extension of Time Request for Application File #S-4924

cc: File Application #S-4924 (Permit #S-3226), City of Silverton

Please ***refund*** \$ 100.00 to City of Silverton, File #S-4924, Receipt # 58382
written on February 20, 2003. These funds are refunded due to:

- ☐ Application rejected
- ☐ Extension request withdrawn
- ☒ **Excess fees collected** — The City of Silverton paid \$100
for an Extension of Time application submitted on
December 11, 1995. That extension request was never
processed. So, when the City updated their extension
application in February 2003, they should not have
paid any additional fees.
- ☐ File closed
- ☐ Protest Filing Fees

Mailing Address: City of Silverton
Attn: Rich Barstad
306 S. Water Street
Silverton, OR 97381

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **58382**

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

INVOICE # _____

RECEIVED FROM: <u>City of Silverton Oregon</u>	APPLICATION	<u>below</u>
	PERMIT	
	TRANSFER	

BY: _____

CASH: ☐	CHECK: # <u>X13250</u>	OTHER: (IDENTIFY) ☐	TOTAL REC'D	\$ <u>200.00</u>
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0417 WRD MISC CASH ACCT

50185 - \$100.00
4924 - \$100.00

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

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(New) TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$
\$
\$
\$

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0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) Ext. of time

EXAM FEE	
\$	
\$	
\$	
EXAM FEE	
\$	

0202
0204
0206

0219
0220

RECORD FEE	
\$	
\$	
\$	
LICENSE FEE	
\$	
\$	

\$200.00

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)

HRDRO APPLICATION

\$
\$
\$

RECEIPT # **58382**

DATED: 2/20/03

Connie Vance

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

City of Silverton
Appl S-4924 / Permit S-3226

9-15-03

Submitted New Muni Ext Appl

on: 2-20-03

With \$100 - Rept # 58382

written 2-20-03

Old Ext Appl submitted
on 12-11-95

with \$100 - Rept # 130859
on 12-11-95

~~This Ext~~
never processed.

* Ext Fo issued on 9-4-03. Extended B & C dates
from Oct. 1, 1995 to Oct. 1, 2038.

~~9-15-03~~

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-4924

Final Order¹
Extension of Time for Permit Number S-3226

Application History

On FEBRUARY 20, 2003, the CITY OF SILVERTON submitted an application to the Department for an extension of time for permit number S-3226. The Department issued permit number S-3226 on JANUARY 25, 1917. The permit called for completion of construction of the water development project by JUNE 1, 1919, and complete application of water to the full beneficial use by OCTOBER 1, 1930. In accordance with OAR 690-315-0050(2), on JULY 1, 2003, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project and the time to fully apply water to beneficial use to OCTOBER 1, 2038. The protest period closed AUGUST 15, 2003, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

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

Development Limitations

Diversion of water beyond 7.0 cfs under Permit #S-3226 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within 3 years from the date this extension is final.

¹

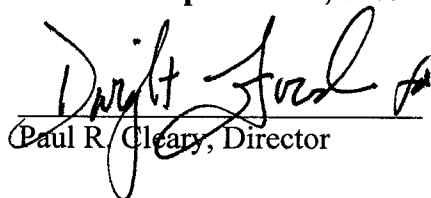
Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

Order

The extension of time for Application Number S-4924, Permit Number S-3226, therefore, is approved. The deadline for completing construction is extended to OCTOBER 1, 2038. The deadline for applying water to full beneficial use is extended to OCTOBER 1, 2038.

DATED: September 4, 2003


Paul R. Cleary, Director

NOTE: *Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.*

Mailing List for Extension FO Copies

Application #S-4924
Permit #S-3226

FO Date: September 4, 2003

Original mailed to:

Applicant: City of Silverton
 Attn: Rich Barstad
 306 South Water Street
 Silverton, OR 97381

Copies Mailed	
By:	
	(SUPPORT STAFF)
on:	9/12/03
	(DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #S-4924 / Permit #S-3226
2. WRD - Watermaster District: #16 - Bill Ferber, Salem
3. WRD - Regional Manager: NWR - Dave Jarrett, Salem
4. WRD - Doug Parrow, Salem
5. ODFW - Biologist District: #3 - Dick Caldwell, Clackamas
6. DEQ - Regional Office: Western Region - John Blanchard, Medford
7. WRD - Jonnine Fuss, Salem...*Permit record update*

Other interested parties:

8. NONE

CASEWORKER: LJJ

9-2-03

Div 315

Extension "Final Order" Checklist

Application # S-4924 / Permit # S-3226

Permit Holder's Name City of Silverton; Attn: Rich Barstad
306 S. Water St, Silverton, OR 97381

✓ 1. Date Extension Request submitted: 2-20-03

✓ 2. Date permit was issued: 1-25-1917

✓ 3. Original "B" Date from permit: 6-1-1919
(Date for completion of construction)

✓ 4. Original "C" Date from permit: 10-1-1930
(Date for complete application of water)

✓ 5. Extension PFO Date: 7-1-2003

✓ 6. WRD recommends extending "B" Date to: 10-1-2038
and extending the "C" Date to: 10-1-2038

✓ 7. Protest Deadline Date from PFO: 8-15-03

✓ 8. Any written Protests or written Comments received within the Protest period? Yes / (No)

✓ 9. Conditions from Extension PFO? Yes → Development Limitations

**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-3226, Water Right	)	PROPOSED FINAL ORDER
Application #S-4924	)	
(City of Silverton)	)	

Permit Information

Application File #S-4924 / Permit #S-3226

Basin: #2 - Willamette Basin / Watermaster District: #16

Date of Priority: May 24, 1916

Authorized Use of Water

Source of Water:	Abiqua Creek, a tributary of Pudding River
Purpose or Use:	Municipal Use
Maximum Rate:	10.0 cubic foot 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 as it contains
additional conditions not included in the original permit.***

This Proposed Final Order applies only to Permit #S-3226, water right Application #S-4924. A copy of Permit #S-3226 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1995, to October 1, 2038;
- grant the extension for complete application of water from October 1, 1995, to October 1, 2038; and
- make the extensions subject to certain conditions as set forth below.

FINDINGS OF FACT

Background

1. Permit #S-3226 was granted by the Water Resources Department on January 25, 1917. The permit authorizes the use of up to 10.0 cfs of water from Abiqua Creek, a tributary of Pudding River, for municipal purposes. It specified that construction of the water development project should be completed by October 1, 1919, and that complete application of water was to be made on or before October 1, 1930.
2. Thirteen prior extensions have been granted for Permit #S-3226. The most recent extension request resulted in the construction and completion dates being extended to October 1, 1995.
3. The permit holder submitted an "Application for Extension of Time" to the Department on December 11, 1995, requesting the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #S-3226 be extended from October 1, 1995, to October 1, 2000.
4. Due to ongoing permit extension rulemaking, the Department placed all pending municipal and quasi-municipal permit extension of time requests on hold.
5. Municipal and quasi-municipal water use permit extension rules were adopted by the Water Resources Commission and became effective on November 1, 2002 (OAR 690-315-0070 through 690-315-0100).

6. On January 13, 2003, the Department requested the permit holder to submit an extension of time application consistent with the newly adopted municipal and quasi-municipal water use permit extension rules under OAR Chapter 690, Division 315.
7. The permit holder submitted an amended "Application for Extension of Time" consistent with the municipal and quasi-municipal water use permit extension rules under OAR Chapter 690, Division 315 to the Department on February 20, 2003. Additionally, the permit holder revised the time requested to apply water to full beneficial use under Permit #G-3226 to October 1, 2006.
8. Notification of the City of Silverton's extension of time request for Permit #S-3226 was published on the Department's Public Notice dated February 25, 2003. No public comment on the extension application was received.
9. On May 14, 2003, the City of Silverton once again modified their extension of time request for Permit #S-3226. The permit holder requested that both the time in which to complete construction of the water system and to accomplish beneficial use of water to the full extent under the terms of Permit #S-3226 be extended to October 1, 2038.

Development Overview

10. The City of Silverton began construction of the water distribution system under Permit #S-3226 on September 1, 1916. Since then, the City has constructed a water treatment plant, constructed a permanent concrete diversion dam and concrete settling basin at the Abiqua Creek intake, periodically installed and upgraded water distribution pipelines, upgraded the Abiqua Creek intake structure and screening, increased capacity of the water supply system, performed Abiqua Creek dam and pipeline repairs due to flood damage, upgraded the water treatment plant filter upgrades, and installed a 1.5 million-gallon low level reservoir.
11. Since the issuance of Permit #S-3226 on January 25, 1917, the permit holder has diverted water at a maximum rate of 7.0 cfs from Abiqua Creek for municipal purposes.

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

12. 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). Each of the requirements are discussed below.

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

13. The Department received a completed extension of time application and the statutory fee specified in ORS 536.050 from the permit holder.

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

14. Permits held by municipal corporations for municipal uses or purposes are exempt from the requirement to begin actual construction work within one year from the date of approval of the application.¹

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

15. Under OAR 690-315-0080(1)(c)(d), the Department shall find that the time requested is reasonable and the applicant can complete the project within the time requested.
16. The remaining work to be completed under Permit #S-3226 consists of complete construction of the system and complete application of water to beneficial use.
17. On May 14, 2003, the City of Silverton requested that the period for completing construction of the system and applying water to the full extent allowed under Permit #S-3226 be extended to October 1, 2038.
18. Since the issuance of Permit #S-3226, the population of Silverton has grown from approximately 2,500 in 1916 to 7,420 in 2002. The City's population grew at an average rate of 1.0 percent per year through 1973. Between 1973 and 2002, however, Silverton's growth rate increased to 2.0 percent per year. Based upon these past growth rates, the City of Silverton projects

¹ ORS 537.230(1)

a population increase, on average, of 1.3 percent per year over the next thirty-five years.

19. As of February 20, 2003, the permit holder has diverted 7.0 cfs (3,142 gallons per minute) of the 10.0 cfs of water allowed under Permit #S-3226 for municipal purposes.
20. In addition to the 10.0 cfs of water allowed under Permit #S-3226, the City of Silverton also holds Certificate #2400 for 5.0 cfs of water, Permit #R-5948 for the storage of 1,300.0 acre-feet (AF) of water and Permit #S-36714 for the use of 1,300.0 AF of stored water under Permit #R-5948, all being from Silver Creek. These water rights and permits total 15.0 cfs of live flow water and the storage and use of 1,300.0 AF of water. Silverton has not yet made beneficial use of 3.0 cfs of water under Permit #S-3226 and 1,100.0 AF of water under Permit #S-36714.
21. The City relies mainly on Certificate #2400 and Permit #S-3226 to supply its demands for water, and maintains Permit #S-36714 as an emergency back-up source. Typically, during the late-fall season, surface water flows are limited and the City must utilize Permit #S-36714 to appropriate stored water from Silver Creek Reservoir in order to make up the deficiencies.
22. In addition to Silverton's domestic water users, there are also industrial water users located within an industrial park to which the City is obligated to supply water. The industrial park is not yet filled to capacity, which creates the potential for increased water demands to be placed upon the City as the industrial area grows. If needed, the City's water system is capable of supplying up to 300,000 gallons per day to the industrial park.
23. Based on a straight line growth projection of 1.3 percent per year, past peak day water demands and anticipated demands for water upon complete build-out of the industrial park, full development of the remaining portions of Permit #S-3226 and Permit #S-36714 is expected to occur by the year 2038.
24. Given the amount of development left to occur, the projected annual growth rate provided by the City, past peak day water demands and the anticipated growth of the industrial park and its related demands for water, the Department has determined that the permittee's request to have until October 1, 2038, to complete construction of the water system and to complete the application of water to beneficial use under the terms of Permit #S-3226 is reasonable.

Good Cause [OAR 690-315-0080(1)(e)]

25. The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(2). Each of the requirements are discussed below.

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(2)(a)(c)]

26. Reasonable diligence and good faith of the appropriator during the permit period constitutes a continuing test of whether and under what conditions 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(3).
27. Prior to October 1, 1995, the following had occurred: the City of Silverton had constructed a water treatment plant; constructed a permanent concrete diversion dam and concrete settling basin at the Abiqua Creek intake; periodically installed and upgraded water distribution pipelines; upgraded the Abiqua Creek intake structure; increased the capacity of the water supply system; and repaired damage to the Abiqua Creek dam and pipeline caused by flooding.
28. Since October 1, 1995, the following work was accomplished: the City of Silverton upgraded the water treatment plant filter; upgraded screening at the Abiqua Creek intake; installed a 1.5 million-gallon low level reservoir; continued to install and upgrade water distribution pipelines; and continued to increase the capacity of the water supply system.
29. As of February 20, 2003, the permit holder has invested 39 percent of the total projected cost for complete development of this project, being an approximate total of \$4,971,250. An additional \$7,757,095 investment is anticipated for the completion of this project.
30. Since the issuance of Permit #S-3226 on January 25, 1917, approximately 7.0 cfs of water has been diverted from Abiqua Creek, a tributary of Pudding River, for municipal purposes under the terms of the permit.

Financial Investment [OAR 690-315-0080(2)(b)]

31. As of February 20, 2003, the permit holder has invested an approximate total of \$4,971,250 into the project, consisting of construction of a water treatment plant; construction of a permanent concrete diversion dam and concrete settling basin at the Abiqua Creek intake; periodic installation and upgrade of water distribution pipelines; Abiqua Creek intake structure and screening upgrades; increased capacity of the water supply system; Abiqua Creek dam and pipeline repairs due to flood damage; water treatment plant filter upgrades; and installation of a 1.5 million-gallon low level reservoir. An additional \$7,757,095 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0080(2)(d)]

32. Since the issuance of Permit #S-3226, the population of Silverton has grown from approximately 2,500 in 1916 to 7,420 in 2002. The City's population grew at an average rate of 1.0 percent per year through 1973. Between 1973 and 2002, however, Silverton's growth rate increased to 2.0 percent per year. Based upon these past growth rates, the City of Silverton projects a population increase, on average, of 1.3 percent per year over the next thirty-five years.
33. In addition to Silverton's domestic water users, there are also industrial water users located within an industrial park to which the City is obligated to supply water. The industrial park is not yet filled to capacity, which creates the potential for increased water demands to be placed upon the City as the industrial area grows. If needed, the City's water system is capable of supplying up to 300,000 gallons per day to the industrial park.
34. The City of Silverton holds Certificate #2400 for 5.0 cfs of water from Silver Creek, Permit #R-5948 for the storage of 1,300.0 acre-feet (AF) of water from Silver Creek and Permit #S-36714 for the use of 1,300.0 AF of stored water under Permit #R-5948. The City also holds Permit #S-3226 for 10.0 cfs of water from Abiqua Creek. Silverton has not yet made beneficial use of 3.0 cfs of water under Permit #S-3226 and 1,100.0 AF of stored water under Permit #S-36714.
35. The City relies mainly on Certificate #2400 and Permit #S-3226 to supply its demands for water, and maintains Permit #S-36714 as an emergency back-up source. Typically, during the late-fall season, surface water flows are

limited and the City must utilize Permit #S-36714 to appropriate stored water from Silver Creek Reservoir in order to make up the deficiencies.

36. Given Silverton's current water supply situation, their future outlook and their expected demands, there is presently a demand and market for the use of water under Permit #S-3226.

Fair Return Upon Investment [OAR 690-315-0080(2)(e)]

37. Reasonable returns against the investment in the project will be gained. The City of Silverton periodically reviews and revises their water service rates to ensure they are equivalent to the costs of providing water.

Other Governmental Requirements [OAR 690-315-0080(2)(f)]

38. Delay in the development of this project was not caused by any other governmental requirements.

Events which Delayed Development under the Permit [OAR 690-315-0080(2)(g)]

39. Delay of development under Permit #S-3226 was due, in part, to the size and scope of the municipal water system, which was designed to be phased in over a period of years. Full beneficial use of water under the permit is dependant upon the continued growth of the City and the associated increased demands for water.

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.
2. The applicant 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 ORS 537.230(1), 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 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, 2038², [OAR 690-315-0080(1)(d)].
6. The Department has considered the reasonable diligence and good faith of the appropriator, the financial investment made, the market and present demands for water, the fair return upon the investment, the requirements of other governmental agencies and uncontrollable events which delayed development under the permit, and has determined that the applicant has shown good cause for an extension to complete construction and complete application of water to full beneficial use pursuant to OAR 690-315-0080(1)(e).
7. In accordance with OAR 690-315-0090(3), the Department has established, as specified under Item #1 of the "Conditions" section of this Proposed Final Order for an Extension of Time, that the diversion of water beyond 7.0 cfs under Permit #S-3226 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within 3 years from the date this extension is final.

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #S-3226 from October 1, 1995, to October 1, 2038; and

Extend the time for complete application of water to beneficial use under Permit #S-3226 from October 1, 1995, to October 1, 2038.

² 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.

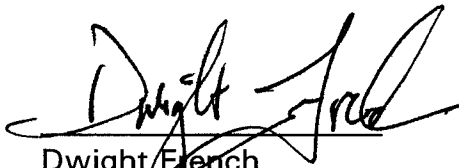
Subject to the following conditions:

CONDITIONS

1. **Development Limitations**

Diversion of water beyond 7.0 cfs under Permit #S-3226 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86. The required Water Management and Conservation Plan shall be submitted to the Department within 3 years from the date this extension is final.

DATED: July 1, 2003



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.*

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 request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **Friday, August 15, 2003**, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the 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 final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the 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 petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The 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 request for contested case hearing has been submitted, and:
 - A. Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - B. The applicant submitted a timely request for a contested case hearing.

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503) 387-8455, extension 201. Address all other correspondence to:

**Water Rights Section
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97301-4172
Fax #: (503) 378-2496**

This document was prepared by Lisa J. Juul. 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 may contact me by telephone at (503) 378-8455, extension 272.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulon. Her extension number is 239.

If you have other questions about the Department or any of its programs, please contact our Water Rights Information Group at extension 201.

Mailing List for Extension PFO Copies

Application #S-4924
Permit #S-3226

PFO Date: July 1, 2003

Original mailed to:

Applicant: City of Silverton
Attn: Rich Barstad
306 South Water Street
Silverton, OR 97381

Copies Mailed
By: <u> </u> (SUPPORT STAFF)
on: <u>7/1/03</u> (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #S-4924/ Permit #S-3226
2. WRD - Watermaster District: #16 - Bill Ferber, Salem
3. WRD - Regional Manager: NWR - Dave Jarrett, Salem
4. WRD - Doug Parrow, Salem
5. ODFW - Dist #3 - Dick Caldwell, Clackamas
6. DEQ - West Region - John Blanchard, Medford

Other interested parties:

7. NONE

CASEWORKER: LJJ

S:\groups\wr\extensions\P F O\Work_315 rules\s4924.wpd

Application # 5-4924 / Permit # S-3226

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

- ♦ **WRIG...**
✓ Money Received: \$100.⁰⁰ on 2-20-03
- ♦ **Lisa Juul...**
✓ Extension Completeness: OK [Signature]
(If **NOT** complete, send certified letter requesting add'l information.)

If Extension Appl complete and \$100 fee submitted, route to...

- ♦ **Jonnine Fuss...**
Initial 30-day Public Notice: 2/25 m
Update Extension Database: 2/25 m
Files back to filing cabinets: back to Lisa

At the close of the Initial 30-day Comment Period...

- ♦ **Lisa Juul...**
Pull files for Ext PFO review: ✓
Extension PFO completed: ✓

Once Extension PFO signed by Dwight French...

- ♦ **Jonnine Fuss...**
Prepare Ext PFO for mailing to applicant: _____
Mail to those who commented and paid copy fee: _____
Include Ext PFO on weekly Public Notice: _____

Within 60 days after the close of the 45-day PFO Protest Period...
(PFO Protest Period ends 45 days from PFO sign date)...

- ♦ **Lisa Juul...**
Issue an Extension FO: _____

Municipal or Quasi-Municipal EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: S-4924 / Permit #: S-3226

Permittee's Name: City of Silverton

Permittee's Mailing Address: 306 S. Water St, Silverton OR 97381

POD Location: Township 6-S Range 1-E Section 34 $\frac{1}{4}$ $\frac{1}{4}$ NWNW

Stream Basin: _____ County: Marion

✓ 1. Has the applicant completely filled out the updated Extension Application form? Yes / No

***If "No"..... has certified request for the new extension form been sent? Yes / No

✓ \$100. ^{or} - Yes
also paid \$100
on 12-11-95
OK - Never Process

✓ 2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No OK
*** (NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)

✓ 3. Date Permit was issued: 1-25-1917 (priority = 5-24-16)

✓ 4. Source: Abiguna Creek, trib of Pudding River

✓ 5. Use: Municipal

✓ 6. "Q": 10.0 cfs

✓ 7. Original "B" Date: 6-1-1919 Original "C" Date: 10-1-1930

✓ 8. Conditions of Permit: Original "A" Date: 1-25-18

✓ "A", "B" & "C" Dates

✓ 9. Extension request received: 2-20-03 Request Number (...1st 2nd, 3rd): 14th ~~1000~~

✓ 10. Last Authorized "B" Date: 10-1-95 Last Authorized "C" Date: 10-1-95

✓ 11. Proposed "B" Date: 10-1-2038 Proposed C Date: 10-1-2006
10-1-2038

✓ See Updated Request on Fax received on 5-14-03.

✓ 12. Amount Invested to date: \$4,971,250.⁰⁰ Estimated Total Cost: \$12,728,345.⁰⁰
(***Estimated Remaining Cost: \$7,757,095.⁰⁰)

✓ 13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. (Yes) No ***If "No"..... What permit terms and/or conditions have not been met?

• "A" Date met → Form A submitted ... work began on Sept. 1, 1916.

• Have continuously extended permit.

✓ 14. Work on the water development project completed to date includes: _____

• Max flow rate = 3142 gpm (7.0 cfs)

• See attached listing of "Work Accomplished."

✓ 15. The work remaining to be completed consists of: _____

• Beneficial Use of Remaining 3.0 cfs of water under permit

✓ 16. Progress in perfecting the permit is being held up by: _____

• Size & Scope of project → continued growth of the City presents a need for water in the future.

Population growth is needed to fully utilize permit.

✓ 17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? (Yes) No

• Invested approx. 39% of total estimated cost

• Have complied with Cond's.

• Have continued to develop & improve the system

• Have used approx. 70% of total permitted Quantity of Water.

✓ 18. Determination of the market and the present demand for water or power to be supplied: _____

* population in 1916 = 2,500
population in 2002 = 7,420

project 2% growth next 35 yrs. based on past growth

• industrial park - still has potential for growth & added water demands on City

• Growth between 1916 - 1973 = approx 0.96%
1973 - 2002 = approx. 1.9%

* 2% Future Growth Seems Reasonable.

✓ 19. 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

✓ 20. Conditions to be included on Extension PFO: _____

Development Limitations - 7.0 cfs
& Div 86 Plan submitted within 3 years

Extension "PFO" Dates

Checklist Last Revised: 1 / 31 / 2003

Mailing / Issuance Date: 7-1-03

Reviewer's Name: [Signature]

Protest Deadline Date: 8-15-03

Date: 5-6-03

City of Silverton

Appl # S-4924 / Permit # S-3226

Appl # S-50185 / Permit # S-36714

L. Juhl
6-23-03

PAGE 1

* Info found in Silverton's "Water Supply Analysis - May 2001"

Year 2000 = 7,414 population
Year 2038 = ? population

* Assume a
1.3% Growth Rate

Solve for Year 2038 population

P = projected population

$$P(38) = 7,414 (1.013)^{38}$$

$$P = 7,414 (1.633649649)$$

$$P = 12,111.8785 \longrightarrow$$

Projected Population = 12,112
in 2038

NOTE:

- Peak-Day Use occurred in August 2001 with 3,770,000 gallons.

- Population in Aug. 2001 was approx. 7,420

- $3,770,000 \text{ gpd} (\div) 7,420 = 508.1 \text{ gpcd}$

- Plus max capacity of 300,000 gpd for Industrial Park
(300,000 gpd = approx 0.5 cfs)

Silverton's - main water supply = 15.0 cfs
(being 5.0 cfs - Cert # 2400 & 10.0 cfs - Permit # S-3226)

- back-up emergency supply = $1,300.0 \text{ AF}$
(being permit S-36714 - appropriation of $1,300.0 \text{ AF}$ stored water only)

* permit # R-5948 allows storage of up to $1,300.0 \text{ AF}$ of Silver Creek water

City of Silverton

Appl # S-4924 / Permit # S-3226
Appl # S-50185 / Permit # S-36714

L. Juul
6-23-03

PAGE 2

★ Per Lisa Juul's Memo dated 6-23-03

- On a peak day, Silverton pumps water approx. 12 to 16 hours to meet peak demands

(→ an average day, they pump water between 8 to 12 hours to meet demands.)

- @ 1.3 % Growth Rate... population in 2038 = 12,112
- Peak Day per capita demand = 508.1 gpcd

@ 16 hrs.
pumping

$$\begin{aligned} 12,112 \text{ population } (x) 508.1 \text{ gpcd} &= 6,154,107.2 \text{ gpd} \\ 6,154,107.2 \text{ gpd } (\div) 16 \text{ hrs} &= 384,631.7 \text{ gph} \\ 384,631.7 \text{ gph } (\div) 60 \text{ min} &= 6,410.5 \text{ gpm} \\ 6,410.5 \text{ gpm } (\div) 448.83 &= \boxed{14.3 \text{ cfs}} \end{aligned}$$

@ 14 hrs.
pumping

$$\begin{aligned} 12,112 (x) 508.1 \text{ gpcd} &= 6,154,107.2 \text{ gpd} \\ 6,154,107.2 \text{ gpd } (\div) 14 \text{ hrs} &= 439,579.1 \text{ gph} \\ 439,579.1 \text{ gph } (\div) 60 \text{ min} &= 7,326.3 \text{ gpm} \\ 7,326.3 \text{ gpm } (\div) 448.83 &= \boxed{16.3 \text{ cfs}} \end{aligned}$$

City of Silverton

Appl # S-4924 / Permit # S-3226

5-16-03
L. Junl

Knowns

Silverton population in 1916 = 2,500
1973 = 4,300
2002 = 7,420

$$1916 \rightarrow f(0) = 2,500$$

$$1973 \rightarrow f(57) = 4,300$$

$$\frac{(1973)}{(1916)} \rightarrow \frac{f(57)}{f(0)} = \frac{4,300}{2,500} =$$

Ratio

1.72

$$\frac{f(57)}{f(0)} = \frac{ab^t}{ab^0} = \frac{ab^{57}}{ab^0} = \frac{b^{57}}{b^0} = \frac{b^{57}}{1} = b^{57}$$

$$b^{57} = 1.72$$

$$b^{57(1/57)} = 1.72^{(1/57)}$$

$$b = 1.009559868$$

0.9559868 %

a = population
starting value
b = growth factor
t = time in years
P = projected population

1916 - 1973
Growth Rate
= 0.96 %

$$1973 \rightarrow f(0) = 4,300$$

$$2002 \rightarrow f(29) = 7,420$$

$$\frac{(2002)}{(1973)} = \frac{f(29)}{f(0)} = \frac{7,420}{4,300} =$$

Ratio

1.725581395

$$\frac{f(29)}{f(0)} = \frac{ab^t}{ab^0} = \frac{ab^{29}}{ab^0} = \frac{b^{29}}{b^0} = \frac{b^{29}}{1} = b^{29}$$

$$b^{29} = 1.725581395$$

$$b^{29(1/29)} = 1.725581395^{(1/29)}$$

$$b = 1.018990624$$

1.8990624 %

1973 - 2002
Growth Rate
= 1.9 %

— Work Accomplish —

- Original "B" Date = 6-1-1919
Original "C" Date = 10-1-1930

1st Ext.

- Extended "B" & "C" to 10-1-35

→ No documentation of work accomplished during this period.

2nd Ext.

- Extended "B" & "C" to 10-1-40

→ No documentation of work accomplished during this period.

3rd Ext.

- Extended "B" & "C" to 10-1-45.

→ - Have used up to 3.0 cfs
- City delivery system gradually expanded to meet increasing demand

4th Ext.

- Extended "B" & "C" to 10-1-50.

→ - Use down to 2.5 cfs
- No documentation of work accomplished.

5th Ext.

- Extended "B" & "C" to 10-1-55.

→ - Use of 2.5 cfs

- No documentation of work accomplished.

6th Ext

- Extended "B" & "C" to 10-1-60.

→ - Use up to 3.1 cfs

- 7,900 ft of 14-inch transmission pipe installed - \$62,750

- permanent concrete diversion dam & concrete settling basin located at intake on Abiqua Cr. - \$45,500

7th Ext.

- Extended "B" & "C" to 10-1-65

→ - Use up to 3.1 cfs

- CH2M Hill hired to prepare preliminary to expand the Abiqua system including booster pumps, add'l pipe line capacity, add'l treatment capacity & if needed a storage Reservoir.

- Constructed 11,000 ft. of 14-inch water transmission pipe line to replace existing 12-inch pipe line - \$52,000

- Constructed a water treatment plant - \$175,000

8th Ext

- Extended "B" & "C" to 10-1-70.

→ Use up to 3.5 cfs

- Alterations made to existing Abiqua Cr. intake structure consisting of installation of 16-inch bypass line around settling ~~basin~~ basin, a 170 gpm washdown pump & piping and installation of an electric motor drive unit on the existing rotating screen.
- Contracted with CEM Hill for a study covering improvement of the City's water system & a financial plan for accomplishing the required work.

9th Ext.

- Extended "B" & "C" to 10-1-75.

→ Use up to 3.5 cfs

- Water Distribution System Improvements - \$125,000
- Flood repairs to Abiqua dam & pipe line - \$6,000
- Five other water main additions to the water distribution system - \$17,600

10th Ext.

- Extended "B" & "C" to 10-1-81.

→ - Began a comprehensive water system study resulting in reconstruction of 3.5 miles of raw water transmission line & a 2.0 MGD high level storage tank.

11th Ext.

- Extended "B" & "C" to 10-1-85.

→ - Replaced 16,100-feet of 14-inch wood stave supply pipe with 20-inch ductile iron pipe.
- Increased City's water supply capacity from this source to the water treatment plant from approx 2 cfs to 3.4 cfs.

12th Ext.

- Extended "B" & "C" to 10-1-90.

→ Added 12 new dwelling units to the City's water system.

City of Silverton
Appl #S-4924/Permit #S-3226

5-9-03
L. Juul

page 5

13th Ext.

- Extended "B" & "C" to 10-1-95

→ - Added 10 new dwelling units to the City water system
- Constructed water service connections to 26 new residential subdivision lots.

14th Ext.

- 1st submittal on December 11, 1995.

NEVER
processed
this Ext. → City increased flow capacity of Abiqua water supply line from 2.2 MGD to 4.3 MGD by replacing a 14-inch line with a 20-inch line.
Also added 32 new dwelling units (single-family)

- 2nd submittal on February 20, 2003

→ - Used up to 7.0 cfs
- 1998 distribution line improvements
- 1.5 MG low level reservoir
- Abiqua supply line - capacity up to 4.8 MGD
- Ike Mooney transmission - 1520 ft of 12-inch trans. main
- Upgraded Abiqua intake screening
- Upgraded Old Plant filter upgrade
- Treatment plant chemical repairs
- 2001 distribution line improvements.

Water Rights Information Query Results

5-12-03
L. Juul

Name	Application	Permit	Certificate	Decree	Claim	Transfer	Status
CITY OF SILVERTON SILVERTON OR 97381 (details)	Claim is a well	for for Municipal	500 gpm for Municipal	from Use	GR367		NC
CITY OF SILVERTON 306 SOUTH WATER ST SILVERTON OR 97381 (details)	R50184	R5948	1300.0 AF - for Municipal	Silver Creek	Use		NC
CITY OF SILVERTON SILVERTON OR 97381 (details)	S1297	S622	2400	5.0 cfs - Municipal-Domestic	Silver Creek Supply		NC
CITY OF SILVERTON 306 SOUTH WATER STREET SILVERTON OR 97381 (details)	S4924	S3226	10.0 cfs - - Municipal Use	Abigona Creek			NC
CITY OF SILVERTON 306 SOUTH WATER ST SILVERTON OR 97381 (details)	S50185	S36714	Use of permit Municipal Use	1300.0 AF R-5948 for	under		NC

Page:1

[Download Place of Use Data](#), [Point of Diversion Data](#), or [Owner Data](#)

[Return to the Water Right Information search screen](#)

Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Water Use Reporting Database

5-12-03
L. Juul

RICHARD J BARSTAD, DIR. PUBLIC WORKS
CITY OF SILVERTON
306 SOUTH WATER ST
SILVERTON, OR 97381-2199

jump to:
• home
• commission
• water law
• water rights
• surface water
• ground water
• maps
• programs
• publications
• links
• staff
• file pickup
• intranet
• about
• search
• oregon online
• comments

Pod Id	Permit	Cert	Priority	Township	Range	Secn	Use	Rate	P/A/S	Source	Tributary To
12191	S 622	2400	3/16/1911	7S	1E	18	MU	5 C	P	SILVER CR	PUDDING R

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1988	MU	M	0	0	0	0	0	0	0	0	0	2.17	0	0
1989	MU	M	0	0	0	0	0	0	0	0	0	5.22	0	0
1990	MU	G	0	6000	0	0	0	0	0	0	6000	0	6000	0
1991	MU	M	0	0	3.53	0	0	0	0	0	0	0	2.18	0
1992	MU	M	null	1.59	0	0	0	0	0	0	3.78	0	0.52	0
1993	MU	G	0	4910000	0	0	0	0	0	0	0	0	0	0
1994	MU	G	0	0	4190000	1420000	4280000	1480000	0	0	0	1102000	0	0
1995	MU	M	4.93	1.02	0	0	0	0	0	0	0	1.55	7.96	0
1996	MU	G	1090000	33543000	27923000	0	7942000	0	0	0	0	0	0	0
1997	MU	M	0	2.7	5	0	0	0	0	0	0	0	0	0
1998	MU	M	1.03	2.52	0	0	0	0	0	0	0	0	0	0
1999	MU	M	0	0	0	0	0	0	0	0	0	0	0	0
2000	MU	M	0	0	0	0	0	0	0	0	0	0	0	0
2001	MU	null	0	0	0	0	0	0	0	0	0	31	28.12	31.05

Pod Id	Permit	Cert	Priority	Township	Range	Secn	Use	Rate	P/A/S	Source	Tributary To
12192	S 3226	0	5/24/1916	6S	1E	34	MU	10 C	P	ABIQUA CR	PUDDING R

Subject Permit

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1988	MU	M	43.37	48.63	37.86	37.8	30.92	35.04	34.69	32.8	34.94	49.94	58.85	43.31
1989	MU	M	30.37	30.27	33.11	29.81	34.12	32.28	30.08	35.19	42.64	38.76	41.14	38.34
1990	MU	M	29	32.8	31.2	29.6	26.6	31.4	28.8	31.5	37.4	46.1	45.7	29.2

1991	MU	M	35	33.76	29.04	38.08	24.63	32.85	32.36	34.56	30.7	47.6	49.05	34.37
1992	MU	M	35.9	30.2	25.8	29.1	26.6	32.2	28.9	41.6	45	49.5	46.2	34.2
1993	MU	G	32400000	23400000	28400000	29700000	26700000	29500000	28400000	31200000	32600000	36100000	43300000	40800000
1994	MU	M	35.8	34.2	31.2	33.2	26.5	32.8	32.9	42.9	40.6	58	49.8	39.9
1995	MU	M	32.84	27.01	34.64	30.45	28.65	28.23	34.92	33.95	38.37	46.02	40.57	30.01
1996	MU	G	38790000	1857000	8470000	32300000	22058000	28200000	27700000	27600000	36400000	49200000	46700000	36000000
1997	MU	M	33	29.2	28.8	31.9	24.2	29.6	31.5	36.6	37.5	45.4	48.5	39.9
1998	MU	M	34.1	30.6	43	38.3	31.4	33.9	29.1	32.3	34	50.9	59	49.9
1999	MU	M	45.9	37.4	36.4	26.9	26.2	30	30.8	31.4	34	54.3	53	64.2
2000	MU	M	50.6	46.4	43.1	41.3	34.7	32	30.5	29.1	45.8	58.2	57	46.4
2001	MU	M	69.87	50	49.97	46.5	45.6	72.7	66	63.8	83.7	52.43	52.22	42.25

Pod Id	Permit	Cert	Priority	Twship	Range	Scn	Use	Rate	P/A/S	Source	Tributary To
12193	GR 353	0	2/10/1935	6S	1W	26	MU	500 G	P	A WELL	ABIOUA CR

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1993	MU	1	0	0	0	0	0	0	0	0	0	0	0	0
1994	MU	null	0	0	0	0	0	0	0	0	0	0	0	0
1995	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1996	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1997	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1998	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
1999	MU	G	0	0	0	0	0	0	0	0	0	0	0	0
2000	MU	M	0	0	0	0	0	0	0	0	0	0	0	0

Pod Id	Permit	Cert	Priority	Twship	Range	Scn	Use	Rate	P/A/S	Source	Tributary To
12194	R 5948	0	3/20/1973	7S	1W	12	MU	1300 A	P	SILVER CR	PUDDING R

Water Year	Use	Units	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1989	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
1990	MU	A	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300

Pod Id	Permit	Cert	Priority	Twship	Range	Scn	Use	Rate	P/A/S	Source	Tributary To
12195	S 36714	0	3/20/1973	7S	1W	12	MU	1300 A	P	SILVER CR RES	SILVER CR

Paul R. Cleary, Director
Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

MEMORANDUM

Date: June 23, 2003

To: Appl #S-4924 (Permit #S-3226)
and Appl #S-50185 (Permit #S-36714)

From: Lisa Juul, Permit Extension Reviewer 

Subject: Silverton's Average and Peak "Pumping" Hours

Today, I spoke with Mr. Rich Barstad regarding Silverton's water system. He provided the following answers to my questions:

Question #1: What is the number of hours per day that Silverton diverts water to satisfy their municipal needs on an average day?

Answer: Silverton pumps water approximately 8 to 12 hours per day to meet demands on an average day.

Question #2: What is the peak number of hours that Silverton diverts water to satisfy their municipal needs on a peak day?

Answer: On a peak day, Silverton pumps water approximately 12 to 16 hours per day.

MEMORANDUM

Date: June 18, 2003
To: Appl #S-4924 (Permit #S-3226) and Appl #S-50185 (Permit #S-36714)
From: Lisa Juul, Permit Extension Review
Subject: Projected Growth Rate and Peak Day Water Use

Today, I had a telephone conversation with Mr. Rich Barstad (Public Works Director for the City of Silverton) concerning the City's extension requests for Permit #S-3226 and Permit #S-36714. Mr. Barstad provided the following answers to my questions:

Question #1: The extension application indicates a projected growth rate of 2.0 percent per year, while the "Water Supply Analysis-May 2001" indicates a projected growth rate of 1.3 percent per year. Which projection is correct?

Answer: Mr. Barstad indicated that the "Water Supply Analysis-May 2001" growth rate projection of 1.3 percent per year should be used. This information is apparently more refined than that provided in the extension application.

Question #2: What is the City's peak day water use?

Answer: The City's peak day water use occurred in August 2001 with a total of 3,770,000 gallons of water being used for municipal purposes. (NOTE: The average daily use in August 2001 was 2,600,000 gallons)

MEMORANDUM

Date: May 15, 2003

To: Appl #S-4924 (Permit #S-3226) and Appl #S-50185 (Permit #S-36714)

From: Lisa Juul, Permit Extension Review 

Subject: Additional Information for Extension of Time Requests

Today, I spoke with Mr. Rich Barstad (Public Works Director for the City of Silverton) concerning the two permits referenced above. He provided the following information to further explain the City's water use and demands for water:

1. In addition to domestic water users, the City of Silverton also supplies water to an industrial park contained within the boundaries of the City. The industrial park is not filled up to capacity yet. This creates a potential of increased industrial water demands to be placed upon the City as the industrial park grows. The City has the capacity to supply up to 300,000 gallons per day for this area, if needed. The industrial park water demands have not yet reached this capacity.
2. The maximum amount of stored water appropriated under Permit #S-36714 for municipal uses to date is 200.0 acre-feet.

Permit #S-36714 is used only as an emergency back-up source to Permit #S-3226 (10.0 cfs from Abiqua Creek) and Certificate #2400 (5.0 cfs from Silver Creek) when those live flows are not available. This usually only occurs during the late fall season, which is why usage of Permit #S-36714 is so low.

From: "Doug Parrow" <Douglas.M.PARROW@state.or.us>

To: "Lisa J Juul" <Lisa.J.JUUL@wrд.state.or.us>

Subject: RE: Permit Extensions for the City of Silverton

Date: Mon, 12 May 2003 11:30:06 -0700

X-Security: MIME headers sanitized on funnel

See <http://www.impsec.org/email-tools/sanitizer-intro.html>

for details. \$Revision: 1.133 \$Date: 2002-01-05 17:09:21-08

X-Mailer: Microsoft Outlook IMO, Build 9.0.6604 (9.0.2911.0)

Importance: Normal

Lias,

Silverton does not appear to have a plan, nor are they currently required to have one based on permit conditions.

I don't see a need to include any special conditions on their extensions--unless one of the permits being extended has a conservation plan requirement (that I'm not aware of). If they are supposed to already have a plan, let's discuss.

Doug

P.S. It's Appl S-50185 (Permit S-36714)

-----Original Message-----

From: Lisa J Juul [mailto:Lisa.J.JUUL@wrд.state.or.us]

Sent: Friday, May 09, 2003 9:47 AM

To: Douglas.M.PARROW@wrд.state.or.us

Cc: Lisa.J.JUUL@wrд.state.or.us

Subject: Permit Extensions for the City of Silverton

Hi Doug,

I am beginning to work on extension PFO's for two City of Silverton permits: Permit #S-3226 (Appl #S-4924) and Permit #S-50185 (Appl #S-36714).

S-36714

S-50185

Does Silverton have an approved Div 86 WMCP already in place?

Are there any other conditions (other than development limitations and submittal/update of a Div 86 plan within 3 years) that you feel should be included in the Ext PFO?

Thank you,
Lisa

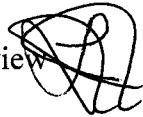
Lisa J. Juul
Water Rights Specialist
Water Rights & Adjudications Division
Oregon Water Resources Department
158 - 12th Street NE
Salem, Oregon 97301-4172

Phone # (503) 378-8455, extension 272

FAX # (503) 378-6203

Homepage/Website Address - <http://www.wrd.state.or.us>

MEMORANDUM

Date: May 12, 2003
To: Appl #S-4924 (Permit #S-3226)
From: Lisa Juul, Permit Extension Review 
Subject: Fair Return upon Investment

Today, I spoke with Mr. Rich Barstad of the City of Silverton's Public Works Department concerning whether or not the City will gain a fair return upon the investment they have made to date.

He stated that the City of Silverton periodically reviews and revises their water service rates to ensure they are equivalent to the costs of providing water. Because of this practice, reasonable returns against the investment in the project will be gained.



TRANSMITTAL LETTER

City of Silverton

306 S Water Street
Silverton, OR 97381
(503) 873-8679 FAX (503) 873-3210

RECEIVED

MAY 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Date: May 14, 2003

To: Lisa J. Juul, Water Rights Specialist

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

From: Rich Barstad, Public Works Director

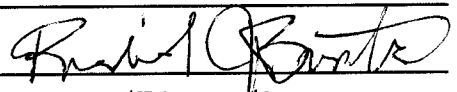
X	For Your Approval		For Your Information		For Your Signature
	Per Your Request		Please Respond		

Please Find Enclosed:

Quantity	Description
1 Page	Time Extension Application for Permit No. S3226
1 Page	Time Extension Application for Permit No. S36714

Comments:

Per our recent conversation on the time extension applications we submitted recently, I have revised the front pages of each to correct our extension time period for construction and to accomplish the beneficial use. On behalf of the City of Silverton, please accept these revisions. Call me if you have any questions at 503-873-8679.


Public Works Director

RECEIVED

MAY 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, <u>City of Silverton</u>	<u>Rich Barstad</u>
NAME OF ENTITY	NAME OF CONTACT
<u>306 S. Water St.</u>	<u>Silverton</u>
ADDRESS	CITY
	<u>OR</u>
	STATE
	<u>97381</u>
	ZIP
	<u>503-873-8679</u>
	PHONE

owner of record, or duly authorized agent, of Application No. S50185, Permit No. S36714,
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, 2001,
be extended to October 1, 2038,

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, 2001, be extended to October 1, 2038.

NOTE:

Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at: "www.wrd.state.or.us/law/oar1999.shtml"

Attached are instructions to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules require this information to be considered by the Water Resources Department when reviewing a Quasi-Municipal or Municipal water use permit extension application. For each permit, a separate extension application must be submitted. All items must be addressed or the application may be returned. Please feel free to provide the Department with any additional information or evidence that will 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, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

APPLICATION FOR EXTENSION OF TIME
for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, _____ City of Silverton
NAME OF ENTITY

Rich Barstad
NAME OF CONTACT

_____ 306 S. Water St. Silverton OR 97381 503-873-8679
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. S4924, Permit No. S3226,
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, 2001,
be extended to October 1, 2038,

and/or the time in which to:

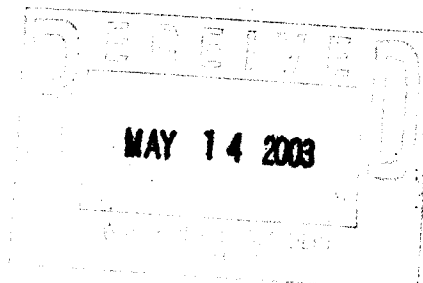
accomplish beneficial use of water to the full extent under the terms of the permit, which time
now expires on October 1, 2001, be extended to October 1, 2038.

NOTE:

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After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.





TRANSMITTAL LETTER

City of Silverton

306 S Water Street
Silverton, OR 97381
(503) 873-8679 FAX (503) 873-3210

Date: May 14, 2003

To: Lisa J. Juul, Water Rights Specialist

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

From: Rich Barstad, Public Works Director

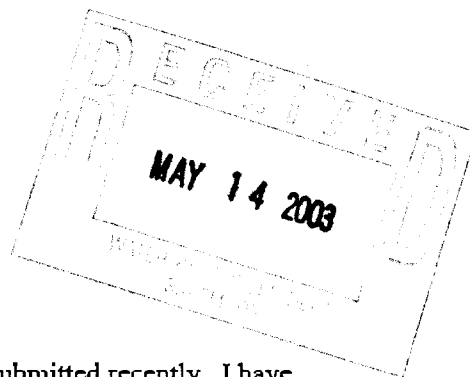
X	For Your Approval		For Your Information		For Your Signature
	Per Your Request		Please Respond		

Please Find Enclosed:

Quantity Description

1 Page Time Extension Application for Permit No. S3226

1 Page Time Extension Application for Permit No. S36714

**Comments:**

Per our recent conversation on the time extension applications we submitted recently, I have revised the front pages of each to correct our extension time period for construction and to accomplish the beneficial use. On behalf of the City of Silverton, please accept these revisions. Call me if you have any questions at 503-873-8679.

Rich Barstad
Public Works Director

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **58382**

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

INVOICE # _____

RECEIVED FROM: <u>City of Silverton Oregon</u>	APPLICATION <u>below</u>
BY: _____	PERMIT _____
	TRANSFER _____

CASH: ☐	CHECK: # <u>X13250</u>	OTHER: (IDENTIFY) ☐	TOTAL REC'D <u>\$200.00</u>
--------------------------------	------------------------	--	-----------------------------

0417 WRD MISC CASH ACCT	<u>50185 - \$100.00</u>
ADJUDICATIONS	<u>4924 - \$100.00</u>
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	EXAM FEE \$ _____ 0202
0203 GROUND WATER	EXAM FEE \$ _____ 0204
0205 TRANSFER	EXAM FEE \$ _____ 0206
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____ 0219
LANDOWNER'S PERMIT	EXAM FEE \$ _____ 0220
OTHER (IDENTIFY) <u>Ext. of time</u>	<u>\$200.00</u>

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)	\$ _____
HRDRO APPLICATION	\$ _____

RECEIPT # **58382** DATED: 2/20/03 Connie Vance
Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

APPLICATION FOR EXTENSION OF TIME
for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton Rich Barstad
NAME OF ENTITY NAME OF CONTACT

306 S. Water St. Silverton OR 97381 503-873-8679
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. S4924, Permit No. S3226,
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, 2001, be extended to October 1, 2006. 2038 - See Update
on 5-14-03 by
fax.

NOTE:

Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at: "www.wrd.state.or.us/law/oar1999.shtml"

Attached are instructions to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules require this information to be considered by the Water Resources Department when reviewing a Quasi-Municipal or Municipal water use permit extension application. For each permit, a separate extension application must be submitted. All items must be addressed or the application may be returned. Please feel free to provide the Department with any additional information or evidence that will 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, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

In order for the Department to evaluate your extension of time request for a Quasi-Municipal or Municipal water use permit, please provide the following:

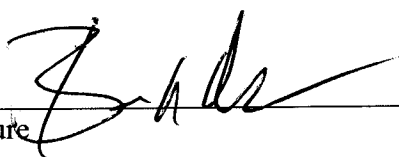
1. The appropriate fee, as specified under ORS 536.050.
- ~~2.~~ For Quasi-Municipal water use permits, evidence of the actions taken to begin actual construction on the project, if required under the applicable statute.
3. Evidence of actions taken to develop the right within the permitted time period and/or time period of the previous extension.
4. Evidence of compliance with conditions contained in the permit and any previous extension(s). If any of the conditions have not been satisfied, please explain the reason(s) why.
5. Evidence of the maximum rate of water diverted to date, if any, for Quasi-Municipal or Municipal purposes.
6. An estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.
7. A description of the financial expenditures made toward completion of the water development.
8. An estimate of the cost necessary to complete the water development.
9. 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.
10. An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights and contracts 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.

Extension 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.

11. A summary of the plan and schedule to complete construction and/or perfect the water right.
12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.
13. Any other information you wish the Department to consider while evaluating the extension of time application.

I am the permittee, or have 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

2-10-03

MAIL COMPLETED APPLICATION and STATUTORY FEE (under ORS 536.050) TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
158 - 12th STREET NE
SALEM, OREGON 97301-4172

revised: December 12, 2002

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RIGHTS TIME EXTENSION INFORMATION
FOR
ABIQUA CREEK
(Permit No. S3226)

February 4, 2003

The following information is provided as part of this time extension and uses numbering corresponding to the time extension application form:

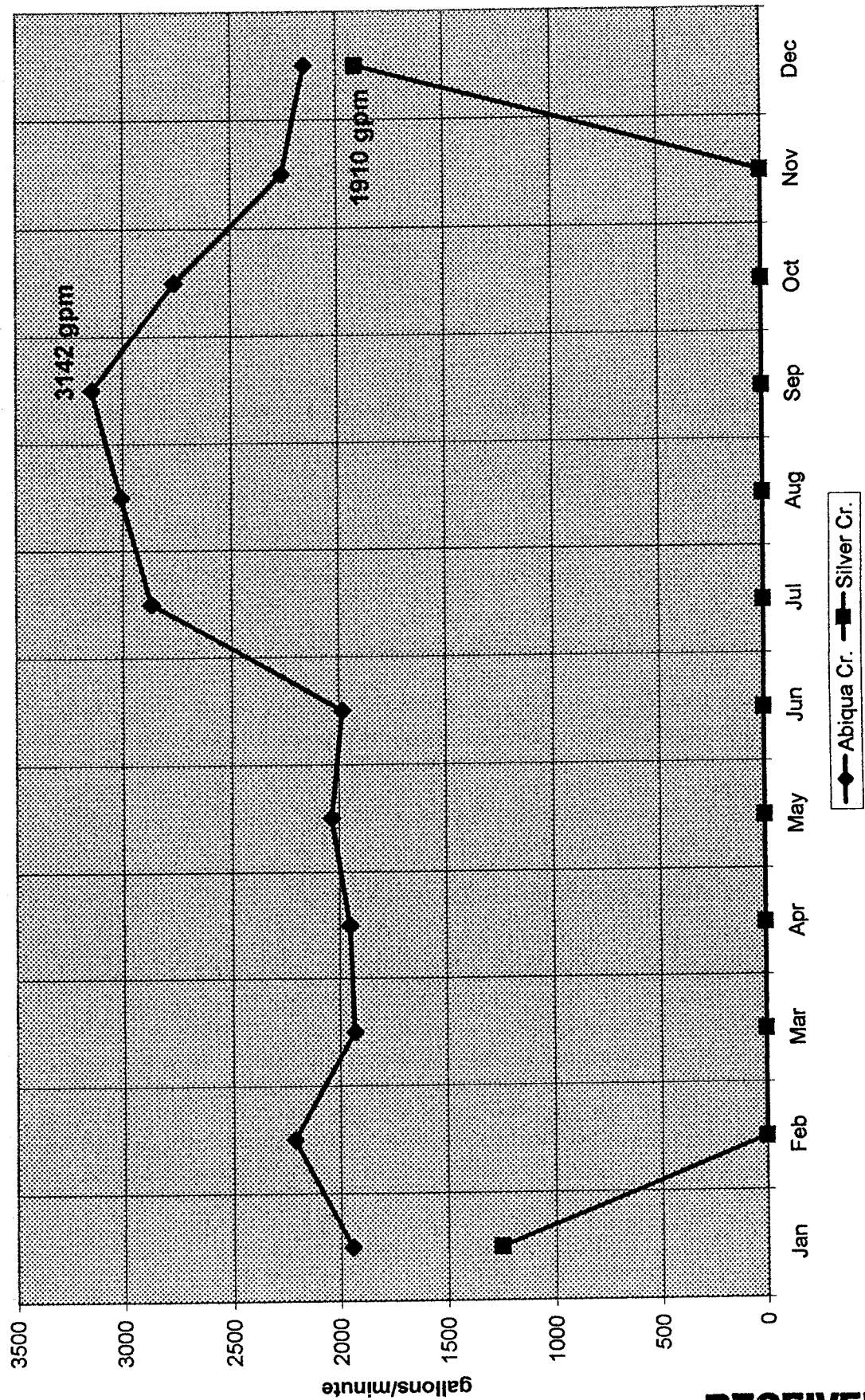
3. The City has built almost \$2 million in water system improvements that are capacity related. A copy of the page in the City's capital improvement plan (CIP) is attached to show the past projects that have been built to increase capacity of the system.
4. Am not aware of any conditions in the previous permit time extension.
5. Attached is a copy of the peak flow rates to the water plant from source supply in the past year. This information is taken from flow meter data at the water treatment plant.
6. A copy of the current population estimate for Silverton is attached. The City supplies approximately 100% of the residents in the City.
7. The page attached from the City's capital improvement plan describes each project's impact on water use development.
8. A copy of the City's future CIP is attached. This is a 20 year plan that will provide capacity for a population of approximately 9,950. The cost of these improvements is estimated at \$7,757,095. The full development of the City's system is estimated to cost approximately \$20 million.
9. Basically, completion of the water development use will require growth in the customer rate base well beyond the current level. Continued growth of the City is predictable and certain, making it necessary for continued reliance on development of the City's water rights.
10. Theoretically, we expect to fully develop our water rights to both sources, Abiqua Creek (10cfs) and Silver Creek (5cfs), at a population of approximately 15,000. Based on past growth rates of approximately 2% per year, full beneficial use would be developed in approximately 35 years or the year 2038.
11. The City only has a plan for the next 20 years of construction development at this time. This plan is contained in the CIP, attached.
12. The City is justified in requesting that this time extension be granted based on a clear history of continued water use development of this permit. In addition, City's are clearly the most efficient users of water for the overall public good.

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Maximum flow rate to WTP by month, 2002



RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

John A. Kitzhaber, M.D., Governor

Department of Administrative Services

Office of Business Administration

155 Cottage St NE U90

Salem, OR 97301-3972

(503)378-2350 ext 329

FAX (503)373-1273

Kevin.Herburger@state.or.us

April 15, 2002

CITY OF SILVERTON
CITY TREASURER
306 S WATER ST
SILVERTON OR 97381

*Right -
Does this look
reasonable?
Fred*

TREASURER

ANNUAL POPULATION UPDATE

Effective with the January 2002 revenue we will be using the following new population figure:

Current population	Increase/(Decrease)	New population
7,470	(50)	7,420

The population figure will be used starting with the January 2002 disbursements. The January 2002 revenue disbursement will start the week of April 22, 2002.

If you have any questions, you may contact me at the Office of Business Administration, Monday through Friday between 7:45 AM - 4:15 PM at (503) 378-2350 ext 329.

Sincerely,

Kevin R Herburger

Kevin Herburger
Disbursement Accountant
Office of Business Administration

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FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

**COMPLETED WATER SYSTEM CAPITAL
IMPROVEMENT PROJECTS**

CAPACITY INCREASING PROJECTS

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

PROJECT	GROWTH ACCOMMODATED	CONSTR. CAPITAL TIMING OUTLAY	PROVIDER	FUNDING SOURCE BREAKDOWN				COMMENTS		
				(1) Improv. SDC	(2) % Improv. SDC	(3) reimburs. SDC grants % or assessed	(4) rates %			
EXISTING CITY PROJECTS ELIGIBLE FOR REIMBURSEMENT FROM FUTURE DEVELOPMENT										
1998 DISTRIBUTION LINES IMPROVEMENT										
1.5 MG LOW LEVEL RESERVOIR	'98	1500 RESIDENCES	CITY	20%	\$58,000	30%	\$87,000	50%	\$145,000	UNDERSIZED LINES REPLACED ON SEVERAL STREETS COMPLETED '99
				15%	\$247,500	50%	\$825,000	0%	\$0	35%
ABIQUA SUPPLY LINE	'95	4.8 MGD CAP.	CITY	10%	\$190,000	55%	\$1,045,000	0%	\$0	ADDITIONAL 2.8 MGD CAPACITY COMPLETED '95 AVAILABLE, 4.8 MGD TOTAL CAP. 18,600 LF OF 20" & 24".
IKE MOONEY TRANSMISSION 1200 RESIDENCES LINE (2MG RESERVOIR TO IKE MOONEY RD.)	'95		CITY	10%	\$16,900	80%	\$135,200	0%	\$0	(REMAINING CAP. 2.8 MGD) YR 2001
ABIQUA INTAKE SCREENING (4.2 MGD)	'01		CITY	25%	\$45,313	33%	\$59,813	0%	\$0	1520 FT OF 12" TRANSMISSION COMPLETED '95 MAIN & PRESSURE REGULATOR (REMAINING CAP. 2.7 MGD) YR 2001
OLD PLANT FILTER UPGRADE(2.3 MGD)	'99		CITY	20%	\$44,000	50%	\$110,000	0%	\$0	UPGRADES CAPACITY OF DECOMPLETED '01 REMOVAL, RECEIVED A \$75,000 GRANT. (REMAINING CAP. 4.2 MGD)
TREATMENT PLANT CHEMICAL IMPROVEMENTS	'01		CITY	5%	\$12,800	58%	\$143,380	0%	\$0	(ADDED CAP. 1.3 MGD) UPGRADED THE CAPACITY UNDER CONSTR. FILTERS BY ATLEAST 20%. (REMAINING CAP. 2.3 MGD)
001 DISTRIBUTION LINES IMPROVEMENTS	'01		CITY	20%	\$61,000	30%	\$91,500	0%	\$0	UPGRADES W/ NEW DISINFE UNDER CONSTR. SYSTEM & ALUM/CAUSTIC REPAIRS (REMAINING CAP. 4.8 MGD)
EXISTING CITY PROJECTS) GRAND TOTAL					\$675,513		\$2,496,873		\$0	UNDERSIZED LINES REPLACED UNDER CONSTR. W/ 8" LINES ON SEVERAL STREETS (REMAINING CAP. 0.56 MGD/EA. LINE)
										\$1,798,865

EXISTING PROJECTS W/ SDC CREDITS AND/OR REIMBURSEMENT TO DEVELOPERS

INCREASE IN REVENUES

INCREASE IN REVENUES

FOR PURPOSE TO CREDIT DEVELOPER'S SDC'S

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WATER RESOURCES DEPT.
SALEM, OREGON

**FUTURE WATER SYSTEM CAPITAL
IMPROVEMENT PROJECTS**

CAPACITY INCREASING PROJECTS

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

FEB 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

ADOPTED: 8-5-02

WATER SYSTEM CAPITAL PROJECTS - 20 YEAR SCHEDULE
FY 2002-2022

PROJECT	GROWTH ACCOMMODATED	CONSTR. CAPITAL TIMING OUTLAY	PROVIDER	FUNDING SOURCE BREAKDOWN					'COMMENTS			
				(1)	(2)	(3)	(4)					
				Improv. SDC %	%Improv. SDC reimburs. SDC	grants % or assessed	rates amt.	rates %				
FUTURE UPGRADE - CAPACITY INCREASING WATER LINE REPLACEMENTS												
CHADWICK (N.CHURCH - NORWAY)	Fire Flow	'03	CITY	25%	\$10,500	0%	\$0	0%	\$0	75%	\$31,500	600 LF
CHESTER (2ND - MILL)	Fire Flow	'03	CITY	25%	\$16,500	0%	\$0	0%	\$0	75%	\$49,500	1100 LF
N.CHURCH (ROBINSON - CHADWICK)	Fire Flow	'03	CITY	25%	\$3,150	0%	\$0	0%	\$0	75%	\$9,450	180 LF
N.CHURCH (CHADWICK - OAK)	Fire Flow	'03	CITY	25%	\$10,500	0%	\$0	0%	\$0	75%	\$31,500	600 LF
WASHINGTON (N.2ND - MILL)	Fire Flow	'03	CITY	25%	\$15,000	0%	\$0	0%	\$0	75%	\$45,000	1000 LF
APPLE/JEROME (COOLIDGE - CHARLES)	Fire Flow	'03	CITY	25%	\$9,825	0%	\$0	0%	\$0	75%	\$28,875	760 LF
OAK (WATER - 2ND)	Fire Flow	'05	CITY	25%	\$10,500	0%	\$0	0%	\$0	75%	\$31,500	600 LF
OAK (5TH - STEELHAMMER)	Fire Flow	'05	CITY	25%	\$35,000	0%	\$0	0%	\$0	75%	\$105,000	2000 LF
FIFTH (OAK - MAIN)	Fire Flow	'05	CITY	25%	\$16,950	0%	\$0	0%	\$0	75%	\$50,850	1130 LF
ROCK (RESERVE - KENT)	Fire Flow	'05	CITY	25%	\$11,100	0%	\$0	0%	\$0	75%	\$33,300	740 LF
BARGER (CENTRAL - JOHNSON)	Fire Flow	'07	CITY	25%	\$3,030	0%	\$0	0%	\$0	75%	\$9,090	200 LF
BARGER (JOHNSON - COWING)	Fire Flow	'07	CITY	25%	\$4,500	0%	\$0	0%	\$0	75%	\$13,500	300 LF
COWING (S.WATER - MADISON)	Fire Flow	'07	CITY	25%	\$5,700	0%	\$0	0%	\$0	75%	\$17,100	380 LF
COOLIDGE (CHARLES - END OF 2 INCH)	Fire Flow	'07	CITY	25%	\$1,350	0%	\$0	0%	\$0	75%	\$4,050	90 LF
ISKE (W MAIN - CHARLES)	Fire Flow	'07	CITY	25%	\$13,350	0%	\$0	0%	\$0	75%	\$40,050	890 LF
JOHNSON (BARGER-END)	Fire Flow	'07	CITY	25%	\$2,280	0%	\$0	0%	\$0	75%	\$6,840	152 LF
MADISON (CENTRAL - SMITH)	Fire Flow	'07	CITY	25%	\$8,475	0%	\$0	0%	\$0	75%	\$25,425	565 LF
LESEN (WATER - END)	Fire Flow	'07	CITY	25%	\$5,250	0%	\$0	0%	\$0	75%	\$15,750	350 LF
WATER (IKE MOONEY - UGB)	Fire Flow Line Ext.	'07	CITY	25%	\$31,500	0%	\$0	0%	\$0	75%	\$94,500	1800 LF
EDGEWOOD (WEIBY - ROSS)	Fire Flow	'09	CITY	25%	\$7,725	0%	\$0	0%	\$0	75%	\$23,175	515 LF
UREKA (KEENE - END)	Fire Flow	'09	CITY	25%	\$23,375	0%	\$0	0%	\$0	75%	\$70,125	1100 LF
HAZEL (ROSS - KEENE)	Fire Flow	'09	CITY	25%	\$6,225	0%	\$0	0%	\$0	75%	\$18,675	415 LF
EIBY (ANDERSON - EDGEWOOD)	Fire Flow	'09	CITY	25%	\$9,975	0%	\$0	0%	\$0	75%	\$29,925	665 LF
ESTFIELD (W.MAIN - END)	Fire Flow	'09	CITY	25%	\$21,263	0%	\$0	0%	\$0	75%	\$63,788	1215 LF
SHOLM (SHORT - MCCLAIN)	Fire Flow	'11	CITY	25%	\$10,050	0%	\$0	0%	\$0	75%	\$30,150	670 LF
GRANT (S. OF WESTERN - END)	Fire Flow	'11	CITY	25%	\$7,200	0%	\$0	0%	\$0	75%	\$21,600	480 LF
JBART (N.2ND - WEST END)	Fire Flow	'11	CITY	25%	\$7,000	0%	\$0	0%	\$0	75%	\$21,000	400 LF
JBART (N.2ND - LANHAM)	Fire Flow	'11	CITY	25%	\$59,500	0%	\$0	0%	\$0	75%	\$178,500	3400 LF
2ND (TOBART - CITY LIMITS)	Fire Flow	'11	CITY	25%	\$9,625	0%	\$0	0%	\$0	75%	\$28,875	550 LF

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FEB 20 2003
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
FEB 20 2003
WATER RESOURCES DEPT.
SALEM, OREGON

PROJECT	GROWTH ACCOMMODATED	CONSTR. CAPITAL TIMING OUTLAY	PROVIDER	FUNDING SOURCE BREAKDOWN	'COMMENTS								
				(1) Improv. SDC %	(2) % improv. SDC	(3) reimburs. SDC grants % or assessed	(4) rates aml. or assessed						
<u>(WATER LINE REPLACEMENTS - CONTINUED)</u>													
FILBERT (WALNUT - END)	Fire Flow	'13	\$6,800	CITY	25%	\$1,725	0%	\$0	75%	\$5,175	115 LF		
WATER ST. (A STREET - PEACH)	Fire Flow	'13	\$451,875	CITY	25%	\$112,969	0%	\$0	75%	\$338,906	6025 LF		
EUREKA (KEENE - W. MAIN)	Fire Flow	'15	\$95,200	CITY	25%	\$23,800	0%	\$0	75%	\$71,400	1120 LF		
QUARRY RD. (HOBART - END)	Fire Flow	'15	\$252,700	CITY	25%	\$63,175	0%	\$0	75%	\$189,525	3610 LF		
SETNESS (HOBART - END)	Fire Flow	'15	\$105,630	CITY	25%	\$26,408	0%	\$0	75%	\$79,223	740 LF		
MISC. DEVELOPER OFF-SITE LINE REPLACEMENTS		'01-'21	\$300,000	DEVELOPER	25%	\$75,000	0%	\$0	75%	\$225,000	0%	\$0	11428 LF
TOTAL			\$2,717,095			\$679,274		\$0		\$225,000		\$1,812,821	34457 LF
<u>FUTURE - UPGRADE & CAPACITY INCREASING SUPPLY, TREATMENT OR STORAGE REPLACEMENTS</u>													
SILVER CREEK JUMP STATION SUPPLY LINE	1.2 MGD(3.3 TOTAL) '08		\$700,000	CITY	50%	\$350,000	0%	\$0	50%	\$350,000	3400 LF 14 INCH SUPPLY 3.3 MGD PUMP STA.		
MCD SOLIDS CONTACT LARIFIER	ADDS 1 MGD TO EXISTING WTP. '12		\$800,000	CITY	25%	\$150,000	0%	\$0	75%	\$450,000	3.5 MGD CAPACITY		
TOTAL			\$1,300,000			\$500,000		\$0		\$0		\$800,000	
<u>FUTURE - NEW CAPACITY INCREASING WATER SYSTEM IMPROVEMENTS</u>													
IONSON RD. FEEDER CREEK XING SCHEMEL LN. TO RAIL WAY)	25 ACRES OF RESIDENTIAL DEVELOPMENT & 1 NEW BUSINESS	'07	\$340,000	CITY	50%	\$170,000	0%	\$0	25%	\$85,000	2800 FT. OF 10" DEVELOPER USER FEES		
ILTER BACKWASH SEDIMENTATION BASIN	NEW STORM WATER REG'S	'08	\$300,000	CITY	50%	\$150,000	0%	\$0	50%	\$150,000	100' x 150' LOT 50' x 90' BASIN		
5 MILLION GAL. RESERVOIR VICTOR POINT RD.	1500 NEW RESID.	'10	\$1,600,000	CITY	75%	\$1,200,000	0%	\$0	25%	\$400,000	ABOVE GROUND TANK w/ pressurize 2nd tank.		
IGH LEVEL FEEDER NE WATER TO VICTOR PT. RES.) RESERVOIR TO KEENE)	1500 NEW RESID.	'10	\$600,000	CITY	50%	\$300,000	0%	\$0	25%	\$150,000	5700 LF OF 10 INCH USER FEES ASSESSMENTS		
FUTURE WATER LINES 20 CREDIT REIMBURSEMENT	CAPACITY	'02-'22	\$300,000	CITY	100%	\$300,000	0%	\$0	0%	\$0	0%	\$0	OFF-SITE WATER LINE EXTENSIONS & OVERSIZING
TOTAL			\$3,140,000			\$2,120,000		\$0		\$235,000		\$785,000	
<u>FUTURE WATER LINES</u>													
CTOR POINT RD. & ISON & WOODLAND DR. AREA	NEW ANNEXED AREA	'02	\$600,000	CITY	0%	\$0	0%	\$0	100%	\$600,000	0%	\$0	LID TO PROVIDE WATER TO EXISTING HOMES
TOTAL			\$600,000			\$0		\$0		\$600,000		\$0	
<u>FUTURE PROJECTS) GRAND TOTAL - ALL CATEGORIES</u>													
			\$7,757,095			\$3,289,274		\$0		\$1,060,000		\$3,397,821	

PAID THROUGH CREDITS TO EACH DEVELOPER

PAID THROUGH CREDITS TO EACH DEVELOPER

Municipal/Quasi-Municipal Permit Extension Application

◆ Published on the Department's Public Notice, dated: 2/25/03 

After published on the Public Notice, please.....

☐ Enter/Update the date published on the public notice in the "PNotice Date" field in the "cdatewext.DB" database

☐ Verify the "Ext Filed" field in the "cdatewext.DB" database is accurate.

The "filed" date for this extension should be: 2-20-03 

☐ Return File to Lisa

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

0859

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

INVOICE # _____

City of Silverton

BY: _____

APPLICATION	4924
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 18855 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 100.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
OTHER:	(IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS

840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY) <u>Extension</u>	\$ <u>100.00</u>
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

EXAM FEE	RECORD FEE
842.001 SURFACE WATER \$	842.002 \$
842.003 GROUND WATER \$	842.004 \$
842.005 TRANSFER \$	842.006 \$
EXAM FEE	LICENSE FEE
842.022 WELL DRILL CONSTRUCTOR \$	842.023 \$
LANDOWNER'S PERMIT	842.024 \$

OTHER (IDENTIFY) _____

06-00-0 WELL CONST. START FEE

842.013 WELL CONST START FEE	\$	CARD #	
MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS	\$
--------------------------	----

07-00-0 HYDRO ACTIVITY

LIC NUMBER	
842.011 POWER LICENSE FEE (FW/WRD)	\$
842.115 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

RECEIPT # **130859** DATED: 12-11-95 BY: Alo Lissner

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

4924

Silverton

1 - Abasco Cr.

Mon: 10.0 cfs

+2 13
Previous Ext,2 - System W, Replace 14" Main Line with 20" Line, Add 32
Dwelling served.

3 - No spec Cond.

4 - Muni

5 - 6.6 cfs = 4.3 MGD = 66%

6 NO 1750

7
8
9
10
11
12

13 No Cond. Last Ext.

Does not
appear that
this Extension
request was
ever processed.

OK B.C to 10-1-2000
① DSM

5-9-03
- Lisa Jurel

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: _

PERMIT NO: _

DATE:

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:

13. DOES LAST EXTENSION HAVE SPECIAL CONDITIONS?

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

DEC 11 1995

WATER RESOURCES DEPT.
SALEM, OREGON

I, City of Silverton

Name

306 S. Water Street

Mailing Address

Silverton

OR

97381

City

State

Zip

record owner of water permit No. 3226

, 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, 1995, be extended to October 1, 19 2000.

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

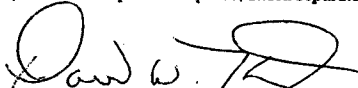
(1) within the past year City has increased the flow capacity of the Abiqua water supply line from 2.2 mgd to 4.3 mgd by replacing a 14 inch line with a 20 inch line. Also, added 32 new dwelling units (single-family).

(2) prior to this past year _____

_____;

(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)



(If signing for a corporation please identify your title)

David Kinney, Interim City Manager

Dated 11-30-95

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

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM OR 97310



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
www.wrd.state.or.us

January 13, 2003

CITY OF SILVERTON
306 SOUTH WATER STREET
SILVERTON OR 97381

REFERENCE: Permit #S3226 (App File #S4924) and the Adoption of New Administrative Rules for Municipal and Quasi-Municipal Water Use Permit Extensions

Dear Municipal and/or Quasi-Municipal Water Use Permit Holder:

The Water Resources Commission has adopted new administrative rules that govern the processing of Municipal and Quasi-Municipal permit extension requests. The new rules are contained in the Oregon Administrative Rules Chapter 690, Division 315 (OAR 690-315-0070 through 690-315-0100). If you wish to view a copy of the new Chapter 690, Division 315 Extension Rules, you may access the document from the Department's web page at:

http://www.wrd.state.or.us/cgi-bin/notices.pl?new_oars

The new rules implement many changes to the extension process for municipal and quasi-municipal permit holders. One of the most significant changes is that an extension is linked to the requirement to develop a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

In preparation for implementing the new extension rules, the Department has reviewed its records and determined that the authorized date for completion of development for your water use permit has passed and that neither a permit extension of time application, nor a claim of beneficial use and final proof survey map, have been received.

As a result of this review, your water use permit falls into one of the three following categories:

1. Development is Not Complete

If development of your water use permit is not finished, you must submit an application for extension of time to complete construction of the water system and/or complete beneficial use of water to the full extent of the permit. You may access the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" on the Department's website at:

<http://www.wrd.state.or.us/publication/forms/index.shtml>



January 13, 2003
page two

2. Development is Complete and Final Proof Must be Submitted

If your water use permit was issued *after* July 9, 1987, and development of the permit is complete, you are required by law (ORS 537.230 and/or 537.630) to hire a certified water rights examiner to prepare and submit a claim of beneficial use and final proof survey map.

3. Development is Complete and Waiting for WRD to Conduct Final Proof Survey

If you applied for or received a permit *on or before July 9, 1987*, and development of the permit is complete, you must notify the Department that the work has been completed and choose to either: **(a)** 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 (b)** continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and the commission issues a water right certificate under ORS 537.250 or 537.625.

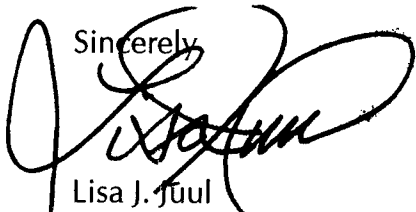
4. Permit is Not Needed and Wish to Authorize Cancellation

If you have determined that this permit is no longer needed and/or you have chosen not to pursue development of the permit, you may choose to authorize its cancellation. If you are interested in this option, please contact Jerry Sauter of our Department at extension 274 for the appropriate cancellation form.

Once you have determined which development category applies to your water use permit, please complete the enclosed "Quasi-Municipal/Municipal Water Use Permit Development Questionnaire" form and return it to my attention at the Water Resources Department by April 13, 2003.

If you would like the new rules or extension application forms sent to you by mail, or if have any questions, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely,



Lisa J. Juul
Water Rights Specialist
Water Rights Section

enclosure

cc: App File #S4924 (Permit #S3226)

Oregon Water Resources Department
Quasi-Municipal/Municipal Water Use Permit Development Questionnaire

Permit Holder: CITY OF SILVERTON

Permit #S3226

Application File #S4924

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and...

- ☐ a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

- ☐ the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and...

- ☐ the permit holder will submit a permit extension of time application to **WRD no later than 90 days from the date of this letter (April 13, 2003).**

3. The Permit is Not Needed and Wish to Authorize Cancellation...

- ☐ the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.

Signature of Authorized Personnel

Date

Please return completed form by April 13, 2003 to:

Water Resources Department

Attention: Lisa Juul

158 - 12th Street NE

Salem OR 97301-4172

April 19, 1996

Richard J. Barstad, P.E.
Public Works Director/City Engineer
306 S. Water Street
Silverton, OR 97381

Re: Silverton Waste Water Management
Oregon gardens Project

Dear Mr. Barstad:

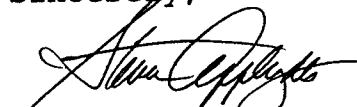
This is to respond to your letter of March 1, 1996, and to confirm our discussions of February 16, 1996.

You have described that the water to be used at the Oregon Gardens will be supplied by the City by capturing treated wastewater prior to its discharge into Silver Creek. Such water will then be transported to the gardens. The gardens will be located within the city boundaries.

We agree that such use will be within the scope of "municipal" use as allowed under the City's existing rights, and that no additional water rights or registrations are necessary.

I trust this provides the information you needed. If further questions occur to you, please contact Tom Paul (Ext.281) or me (Ext.265) at 378-8455.

Sincerely,



Steve Applegate
Acting Administrator
Water Rights & Adjudications Division

cc: Tom Paul
Gail Achterman-Stoel Rives



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

**RECEIVED**

MAR - 4 1996

WATER RESOURCES DEPT.
SALEM, OREGON

March 1, 1996

Steven P. Applegate
Water Resources Department
158 12th Street NE
Salem, OR 97310

RE: Silverton Wastewater Management Facilities Water Rights

Dear Mr. Applegate:

We appreciate the time you and Mr. Paul took to meet with us on February 16 to discuss water right issues associated with the Silverton Wastewater Management Facilities.

As we outlined in that meeting, the City of Silverton, under a Stipulation and Final Order from Oregon Department of Environmental Quality, has undertaken improvements to their wastewater treatment plant to meet water quality requirements in Silver Creek. During the summer season, May 1 - October 31, the wastewater treatment plant will not be permitted to discharge to Silver Creek. The City has taken this opportunity to combine this project with other City needs in an overall wastewater management plan.

During the summer season, the treatment plant effluent will be discharged to mitigation wetlands currently under design to satisfy mitigation requirements for wetlands that were filled with the recent construction of an industrial park on the north side of town and to provide a mitigation bank for future development within the City. The initial acreage of these wetlands is estimated to be 9.7 acres.

The NPDES permit for the treatment plant will be written at the point of discharge from the treatment plant to the wetlands. It is at this point that the wastewater quality will be monitored for permit compliance. Beyond this point, the water is considered to be "waters of the State" by DEQ. For this reason, use of the water beyond this point is not subject to the DEQ Reuse Rules, OAR 340.55.

Water flowing through the wetlands, the wastewater will be recaptured and pumped to the Oregon Gardens for use in the garden. The garden is a non-profit operation whose purposes are display and education. The City has agreed to provide water to the Gardens for their use. The Garden is located within the City boundaries. Figure 1 illustrates the overall wastewater management plan.

City Manager
306 S. Water St.
Silverton, OR 97381
(503) 873-6117
Fax (503) 873-3210

Finance Department
306 S. Water St.
Silverton, OR 97381
(503) 873-5321
Fax (503) 873-3210

Police Department
306 S. Water St.
Silverton, OR 97381
(503) 873-5326
Fax (503) 873-7452

Public Works
306 S. Water St.
Silverton, OR 97381
(503) 873-8679
Fax (503) 873-3210

Water/Wastewater Facilities
1453 Pine St.
Silverton, OR 97381
(503) 873-5439

Maintenance Shop
830 McClaine St.
Silverton, OR 97381
(503) 873-6359

MAR - 4 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Page 2

Average treatment plant effluent flows will range from 0.62 to 1.09 million gallons per day (mgd) and will be metered at the treatment plant discharge point. Preliminary estimates for recaptured flow from the wetlands are 0.45-0.82 mgd. Flow will be metered as it is recaptured from the wetlands and pumped to the Gardens.

This wastewater management plan will commence when the improvements to the treatment plant are completed and the wastewater treatment plant is operational. The scheduled completion date of the wastewater treatment plant is 1998.

The City holds municipal water rights from Abiqua Creek (Permit 3226) and Silver Creek (Permits 36714, R-5948 and Certificate 2400) for use in the City's water supply system. The water delivered to the treatment plant is water appropriated under these permits and certificates. The Oregon Gardens water use will be for purposes that are usual and ordinary for a municipal system since the water will be used to irrigate a garden in a park-like setting. The Oregon Gardens are expected to become a major tourist facility and research center. By serving them with nonpotable water, the City will be able to facilitate economic development while conserving treated drinking water supplies. Water used by the City system will still be well within the rate and use allowed under the City's permits and certificate.

Because use of the water at the Oregon Gardens will simply be additional municipal water use under OAR 690-300-010(29), and under the provisions of ORS 540.510(3), the City understands that no new water right is required from the Water Resources Department to implement this project. We would appreciate it, however, if you or the Director could confirm our understanding by sending a written letter to that effect to me on behalf of the Water Resources Department.

Thank you again for your consideration.

Sincerely,



Richard J. Barstad, P.E.
Public Works Director/City Engineer

cc: Gail L. Achterman - Stoel Rives
Bruce R Willey- HDR Engineering
Tom Kuper - David Newton Associates

(wrdapple.ltr)

MAR - 4 1996

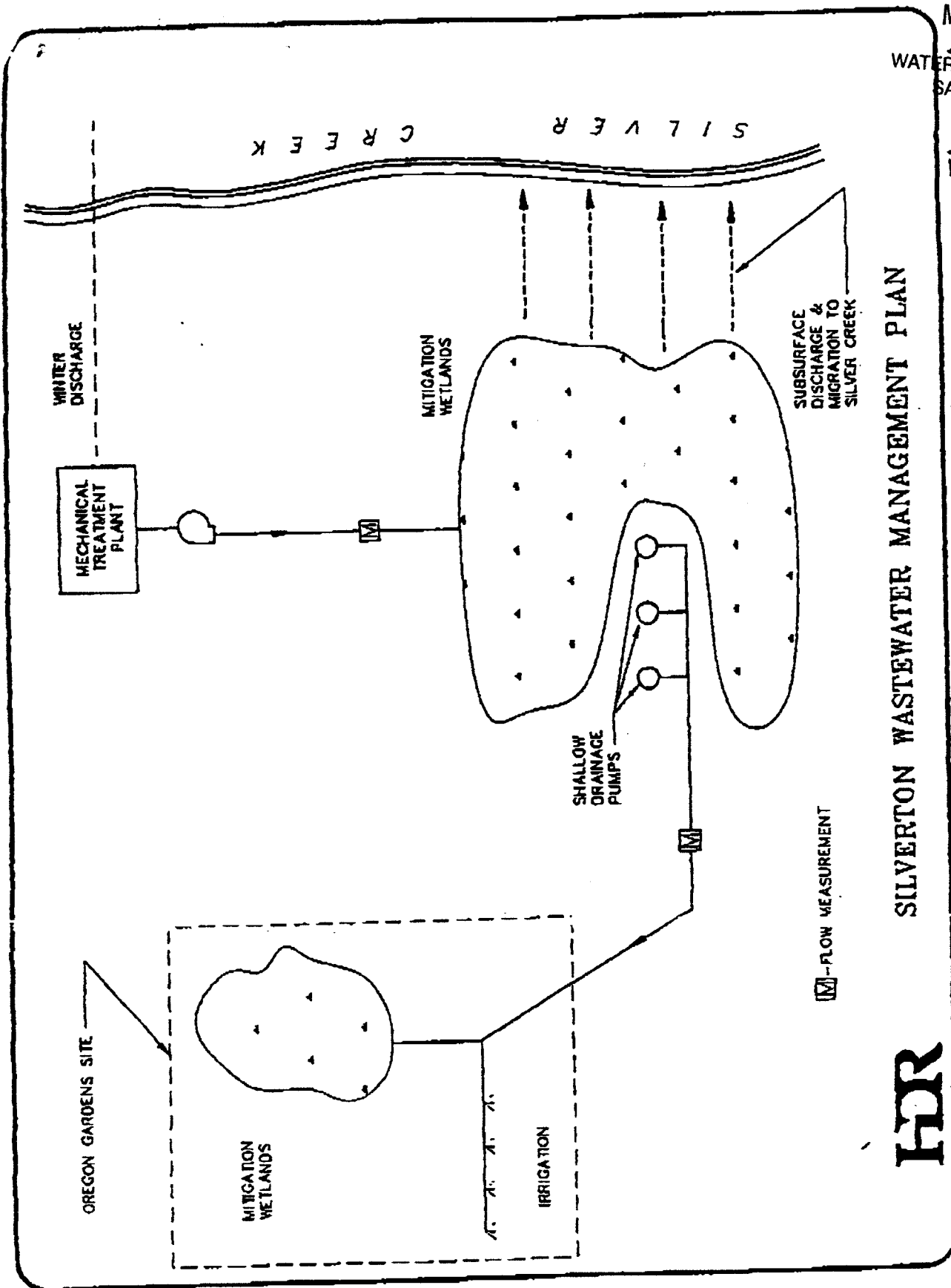
WATER RESOURCES DEPT
SALEM, OREGON

Figure 1

SILVERTON WASTEWATER MANAGEMENT PLAN

HDR
HDR Engineering, Inc.

FILENAME: SILVERTON.DWG DATE: 01-30-96



June 20, 1994

WATER
RESOURCES
DEPARTMENT

«DATA MacintoshHD: MiscData:Conservation:ExtNames»
«name»«IF street»
«street»«ENDIF»
«city», «st» «zip»

You recently received an extension of time to complete work under Permit «permno». In our letter notifying you of the extension, we indicated that you were required to prepare conservation and long-term water supply plans. We have since re-evaluated our requirements for extensions and have decided not to require the preparation of the plans at this time.

This change does not relieve municipal water suppliers from compliance with a similar condition which was included in many recently issued water use permits. The Water Resources Commission has recently authorized hearings on rules which will provide standards and criteria for the plans required under the permit conditions. A copy of the hearing notice is enclosed. You should be aware that, at some point in the future, the Commission may consider the adoption of rules extending the requirement for preparation of plans to other municipal water suppliers.

While we are not requiring water management and conservation plans as a condition of time extensions, we still encourage you to consider preparing a plan. Because of current demands, there is little water available for new appropriations from many streams in the state. As a result, many communities will have to rely on alternate sources of water such as conservation, storage or acquisition and transfer of existing water rights to support continued growth. The planning approach which is reflected in the rules is already providing many cities with an effective framework within which to identify future needs for water and to evaluate alternatives for meeting those needs.

We welcome the opportunity to work with local water suppliers in evaluating their future water supply options. Please contact Jack Donahue at 378-8455 extension 283 if you have any questions or would like our advice and guidance in preparing a water management and conservation plan.

Sincerely,

Douglas M. Parrow
Conservation/Basin Planning Manager

Enclosure



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

April 30, 1991

City of Silverton
306 S Water St
Silverton OR 97381

REFERENCE: File 4924

We received your application for extension of the time to complete work under Permit 3226. We also have your check for \$100. Our receipt number 69934 is enclosed.

Your request is approved. The time limits under this permit are extended to October 1, 1995.

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.

Accordingly, before future extension requests will be approved, there are two requirements:

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, 1995.

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

Enclosures



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

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Silverton

Name

306 South Water Street

Mailing Address

Silverton, ()Oregon97381

City

State

Zip

record owner of water permit No. 3226, 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, 1990, be extended to October 1, 1995

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 Added ten (10) new dwelling units to the City water system.
Constructed water service connections to twenty-six (26) new residential
subdivision lots.

(2) prior to this past year _____

(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)

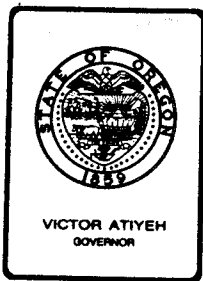
Susan E. Joyce, City Manager/Recorder
(If signing for a corporation please identify your title)

Dated December 7, 1990

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

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

BC
10-1-95
JAN



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508

January 10, 1986

City of Silverton
306 South Water Street
Silverton, OR 97381

REFERENCE: File Number 4924

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 3226 was received. We also have your check in the amount of \$100.

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, 1990.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE/jw

Enclosure

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

DEC 9 1985

WATER RESOURCES DEPT
SALEM, OREGONI, City of Silverton306 South Water Street

Mailing Address

SilvertonOregon97381

City

State

Zip

record owner of water permit No. 3226, 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, 1986, be extended to October 1, 1987.

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 added twelve (12) new dwelling units to City water system.

(2) prior to this past year _____

(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)

City Manager/Recorder

(If signing for a corporation please identify your title)

Dated D. K. Robinson11-8-85

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

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

12-9-85
\$ 100-
48268

B-C
10-1-90
BAC

378-8508

October 25, 1985

City of Silverton
306 South Water Street
Silverton, Oregon 97381

Attn: Rick Barstad

Reference File: 4924

I am enclosing a form for use in making application for an extension of time limits under Permit 3226

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 submitted to this office with the statutory filing fee in the amount of \$100 for each permit.

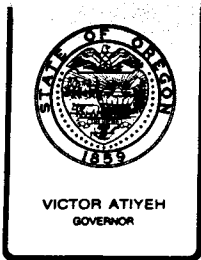
Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-115
6164A



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508

December 2, 1981

City of Silverton
306 South Water Street
Silverton, OR 97381

REFERENCE: File No. 4924

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 numbered 3226 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, 1985.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE/jw

Enclosure

Application for Extension of Time

RECEIVED

TO THE WATER RESOURCES DIRECTOR OF OREGON

NOV 20 1981

WATER RESOURCES DEPT
Salem, Oregon

I, City of Silverton

Name

306 South Water Street

Mailing Address

Silverton,

Oregon

97 381-2199

City

State

Zip

record owner of water right permit No. 3226, 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, 1981, be extended to October 1, 1985; 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, 1981, be extended to October 1, 1985.

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 Replaced 16,100' of 14" wood stave supply pipe with 20" ductile iron pipe.

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) Increased the citys water supply capacity from this source to the water treatment plant from approximately 2 CFS to 3.4 CFS. We anticipate the need to further increase this supply source within the next 10 years.

(If additional space is required, attach separate sheet)



D.K. Robinson, City Manager, City of Silverton

(If signing for a corporation please identify your title)

Dated 11/17/81

MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$ TO:

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

3-C
10-1-85
DAG

378-8508 or
1-800-452-7813

File No. 4924

November 16, 1981

City of Silverton
Attention: Rich Barnstadt
City Hall
306 South Water Street
Silverton, OR 97381

I am enclosing a form for use in making application for an extension of time limits under Permit 3226

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 submitted to this office with the statutory filing fee in the amount of \$20 for each permit.

Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-115
6164A

Cliff to

Thoro Compliance

Nancy Hand Thoro Creek in San Antonio
Reservoir upset 973-7546 They want
city increasing into thereby saying of
Creek in front of property,

Told them we couldn't do anything for
state's purpose but it might be necessary
to regulate it stream prior rights ???

14924 P-3226 City of San Antonio 10 ds Mon 5/24/76

1978 75 ds 5 gal & 10 gal per line

40 min. in 10 min. 234 35 11E

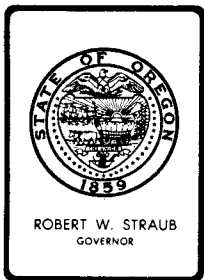
~~Sent John Environmentalist list~~

City requested 9/8/80 116th below San Antonio massive
Facilities not visible I no real info on status or
use. Could have water in pipeline not not built
for size est. N.

Phone and reported status 9/8/80 16:15 10 ds
permit extended to 10/1/80. Old report indicated 3.5
ds current capacity. Complete expansion at 1/3
current flow past San Antonio but more likely a 1/3 cut.

Pretty long time here on next x

John T. Wheeler



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508

File 4924

September 11, 1978

City of Silverton
306 S. Water St.
Silverton, OR 97381

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 3226 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 complete application of water are being extended to October 1, 1981.

Sincerely,

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:jt
Encl. Receipt 5899

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

SEP 1 1978

WATER RESOURCES DEPT.
SALEM, OREGON

I, City of Silverton

Name

306 South Water St,

Mailing Address

Silverton

Oregon

97381

City

State

Zip

record owner of water right permit No. 3226, 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, 1975, be extended to October 1, 1981.

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 During FY77-78 the city began a Comprehensive Water System Study which will result in reconstruction of 3.5 miles of raw water transmission line and a 2.0 MGD high level storage tank.

prior to this past year Refer to attached page for tabulation of water users.

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)

Dennis H. Ross

(If signing for a corporation please identify your title)

Dennis H. Ross, P.E., City Engineer

Dated August 25, 1978

MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$10.00 TO:

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

Rec 5899
\$ 10.00

Page 1 of 2

SP*35675-699

B-C
10-1-81
DAE

August 25, 1978
City of Silverton
Application for Extension of Time

Page 2 of 2
File No. 4924
Permit No. 3226

RECEIVED
SEP 1 1978
WATER RESOURCES DEPT.
SALEM, OREGON

The growth rate of water users within the city's system is outlined below:

<u>YEAR</u>	<u>POPULATION</u>	<u>WATER USERS</u>
1973	4750	1865
1974	4756	1849
1975	4780	1896
1976	4880	1899
1977	4950	1983
* 1980	7144	2858
* 1990	8340	3336
* 2000	9916	4014

* Estimated values based upon population data compiled by CH2M-Hill (REV 8/78)

PHONE 378-8508

August 24, 1978

• City of Silverton
Silverton, OR 97381

File No. 4924

ATTENTION: Dennis Ross

• Dear Mr. Ross,

I am enclosing a form for use in making application for an extension of time limits under permit number 3286

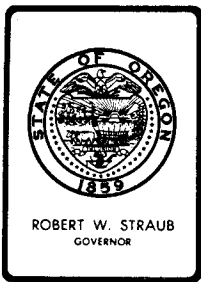
The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

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, Supervisor
Certificate-Survey Section



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-8508

File 4924

August 18, 1978

City of Silverton
Silverton, OR 97381

Gentlemen,

Your water right permit numbered 3226 which was for the use of the waters of Abiqua Creek for municipal purposes has been brought to my attention.

The permit in its present form was last extended to October 1, 1975. This means the permit is not current at the present time and we need some in-put from you regarding the status of the permit.

Please inform us if you have utilized the 10 cubic feet per second that was intended under the permit or if you have not used the water. If, you have utilized that much water, then further extensions would not be appropriate. We could then set this file up for survey and later issue you a certificate of water right. If, however, you have not utilized the water to the fullest extent intended, then further extensions would be appropriate. We will furnish you the application form upon your request.

If you have any questions please contact us.

Sincerely,

Bruce A. Estes, Supervisor
Survey-Certificate Section

BAE:jt

REX ALBRIGHT

LAWYER

SILVERTON, OREGON

May 29, 1945.

RECEIVED

MAY 31 1945

STATE ENGINEER
SALEM, OREGON

Mr. Charles E. Stricklin
State Engineer
Salem, Oregon

Dear Sir:

Your file no. 4924
1297
Gen.

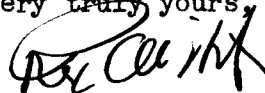
I received your letter of May 14 relative to the above matters, and I am surprised to learn that the city of Silverton has never completed its water right on the Abiqua. This stream has been the chief source of the city's water supply since 1917 and has been used continuously all these years.

I ask that you please forward to me forms and instructions for completing this water right.

It is my understanding from your letter and from the statutes, that a municipality does not lose a completed water right for failure to use water for a period of five successive years, but may maintain a water right for future use. I also assume from your letter that the water right from Silver Creek, which I believe is your file no. 1257, will continue in effect as long as the city anticipates the use of the same at some future date. The waters of Silver Creek are actually used by the city for special purposes each year, but are not in use as a source of general supply at this time.

I will appreciate hearing from you and receiving such information along these lines as you can give me, as we would like to place the city's water rights for present and expected use in order.

Very truly yours,



RA:mmm

May 11, 1945

Mr. Max Albright
City Attorney of Silverton
Silverton, Oregon

Dear Mr. Albright:

This will acknowledge receipt of your letter of May 12 in which you inquire concerning rights in the name of the City of Silverton to the use of water.

Section 116-437 O. C. L. A. is to the effect that in the matter of a completed water right such as that one confirmed by a certificate in the name of the City of Silverton, recorded on page 2400 State Record of Water Right Certificates, failure to use the water involved for a period of five successive years shall be conclusively presumed to be an abandonment of such right.

Permit No. 3326 in the name of the City of Silverton, evidences an incomplete right, which according to the terms of the permit as extended should be completed by actual use of the water involved on or before October 1, 1945.

If the permit right has not been completed by October 1, 1945 an application for an extension of time should be submitted and at this time I can see no reason why such an application for an extension should not be granted by the State Engineer.

If your city has in view the appropriation of additional water, kindly so advise and a form for submitting such an application will be forwarded to you.

In general State Engineer's permits are issued requiring beginning of construction within one year from the date of issuance and permits are subject to cancellation unless construction is commenced within one year as

May 14, 1945

Provided by law, but the statutes make an exception in the case of a municipality and the time for beginning of construction where a municipality is involved can be extended by the State Engineer.

Pursuant to your request I am mailing under separate cover 3 copies of the Oregon Water Laws and a copy of the Rules and Regulations.

Yours very truly,

CHAS. E. STRICKLIN
State Engineer

RE: AGT

By M. R. Humphrey, Assistant

I received your letter of May 11, 1945, and I am surprised to learn that the city of Medford has never completed its water right on the Klamath. This stream has been the principal source of the city's water supply since 1907 and has been used continuously all these years.

I am sure you desire to have some one responsible for the water right.

I am not understanding from your letter and from the statute, that a municipality does not lose its water right for failure to use water for a period of five consecutive years, but may exercise its water right for future use. I also understand from your letter that the water right from Klamath River, which I believe is your file on 1907, will continue to affect as long as the city maintains the water right, same at some future date. I am sure that the city is actually using the water and should purchase such water, but the fact that the city is not purchasing the water does not mean that the city has lost its water right.

I will appreciate having from you and receiving your information about the water right of the city and give you as much information as possible to place the city's water right in proper perspective.

M. R. Humphrey

January 10th, 1925.

Mr. Gustav E. Ross,
Silverton,
Oregon.

Dear Sir:-

In reply to your letter of January 9th, our records show that the City of Silverton filed an application on May 24, 1916, under which Permit No. 3226 was issued, covering the appropriation of 10 sec. ft. from Aberqua Creek for municipal supply.

According to the terms of the permit construction work was required to begin on or before June 25th, 1918, be completed on or before June 1, 1919, and the water applied to the proposed use on or before October 1, 1920.

Notices have been filed by the City showing that construction work was begun in September, 1916 and completed in December, 1917.

Trusting that this information may be of value and that you will advise if I can be of further service, I am

Yours respectfully,

Rhea Luper,
State Engineer.

ER-LA

LAW OFFICES
CUSTER E. ROSS
SILVERTON, OREGON
Jan. 9, 1925.

1297-622-2466
4924-3226

State Engineer,
State House,
Salem, Oregon.

Dear Sir:

In or about the year 1918, the City of Silverton made application for permission to appropriate water for municipal and domestic purposes from the Abiqua Creek. As the officials here understand it, the application was allowed the permission to appropriate a certain amount was given by your office.

The City has apparently lost its record in regard to this matter if it ever had any. At least, no record of this water right can now be found.

I would much appreciate your advising me on behalf of the City of full particulars in regard to this matter, stating when the application was filed and the amount of water granted to the City under the application.

Very truly yours

C. E. Ross

CER:HA.

CITY OF SILVERTON

REGULAR MEETINGS FIRST MONDAY EVENING
OF EACH MONTH

COUNCILMEN:
GEORGE I. BARR
N. DIGERNESS
R. G. ALLEN
T. P. RISTEIGEN
H. B. LATHAM
G. W. HUBBS

SILVERTON, OREGON Feb. 6, 1918

CITY OF STATE WATER BOARD
RECEIVED

FEB 7 1918

SALEM. * OREGON.

Mr. M. F. Mers, Secretary
State Water Board,
Salem, Oregon

Dear Sir:

Inclosed please find papers filled out as per your request on card received in this morning's mail. I am indeed sorry that I failed to forward this sooner; I overlooked the matter entirely, and for which negligence I wish to beg your pardon.

The construction of this pipe line was let to the lowest bidder, and the Silver Falls Timber Company being the lowest bidder, were awarded the contract to construct the pipe line. I have not the information as to the number of men, teams etc that they used in said construction.

Hoping that this may be accepted at this late date, I am

Very truly yours,

THE CITY OF SILVERTON

By Mark Paulson
City Recorder.



January 17, 1917.

Mr. Mark Paulsen,
City Recorder,
Silverton, Oregon.

Dear Sir:

I am in receipt of your letter of the 15th instant transmitting application No. 4924 for permit to appropriate water which had been returned for correction. I am also in receipt of tracing. The application will be taken up for approval as soon as the same can be reached and you will be farther advised.

Very respectfully,

Percy A. Cupper,

Assistant State Engineer.

RS.

Hon. John W. Lewis, State Engineer,
Oiler, Oregon.

Dear Sir:

I am inclosing herewith map of the Silver Lake Dam,
Silverton, Oregon, with the corrections made as per your
instructions of the 6th inst.

Trusting that this will be satisfactory, I am

Yours very truly,

1/15/1917

Marion C. Benson
City Recorder of the City of Silverton

1 tracing

D.R.

SUBJECT:

STATE OF OREGON

OFFICE OF THE

STATE ENGINEER
SALEM

Application No. 4924.
JOHN H. LEWIS, STATE ENGINEER
PRESIDENT OF THE STATE WATER BOARD
SECRETARY OF THE DESERT LAND BOARD
PERCY A. CUPPER
ASSISTANT STATE ENGINEER

WATER RESOURCES
DEPARTMENT

4924

January 6, 1917.

Mr. Mark Paulson,
City Recorder,
Silverton, Oregon.

Dear Sir:

I am in receipt of your letter of the 5th instant transmitting the tracing to be filed with application No. 4924 for permit to appropriate water in the name of the City of Silverton.

Upon again going over the map I note that the point of diversion lies within the NW NW Sec. 34 instead of section 24 as stated in the permit, and I am returning the application and map herewith for correction. In view of the fact that the point of diversion and termination of the pipe line is not located with reference to some established section or quarter section corner, I would also suggest that the application be amended as indicated showing the location of the point of diversion within some forty acre tract, also the point of termination of the pipe line.

In order to retain its original date of priority, this application corrected and accompanied by the required map should be returned to this office on or before February 6, 1917.

Very respectfully,

John H. Lewis
John H. Lewis
State Engineer.

RS.
Encs.

(over)

January 5, 1940

Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D.C.

I am in receipt of your letter of the 1st instant regarding the matter of the sale of the property of the late Mr. J. Edgar Hoover.

With reference to the matter of the sale of the property of the late Mr. J. Edgar Hoover, I am enclosing herewith a copy of the report of the Special Agent in Charge, New York, dated December 15, 1939, and a copy of the report of the Special Agent in Charge, Chicago, dated December 15, 1939. These reports contain the results of the investigation conducted by the New York and Chicago offices regarding the sale of the property of the late Mr. J. Edgar Hoover.

In view of the fact that the property of the late Mr. J. Edgar Hoover is being sold by the executor of his estate, it is suggested that the matter be referred to the United States District Court for the Southern District of New York for its consideration.

Very respectfully,
J. Edgar Hoover

cc
Mr. [illegible]

on

Silverton has more paved streets than any other city of its size in the State of Oregon.

CITY OF SILVERTON

REGULAR MEETINGS FIRST MONDAY EVENING
OF EACH MONTH

SILVERTON, ORE., January 5, 1917

Mr. John H. Lewis, State Engineer,
Salem, Oregon

Dear Sir:

I am inclosing herewith the Map of the Abiqua Pipe Line, of
Silverton, Oregon, properly executed as we understand it to be required.

Hoping this is satisfactory, I am

Yours very truly

Mark Paulson
City Recorder of the City of Silverton

4924

January 5, 1971

4924

City of Silverton
City Hall
306 S. Water Street
Silverton, Oregon 97381

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. 3226 and your check in the amount of \$5.00 for which our receipt No. 22184 is enclosed.

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

Enclosure



**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

December 30, 1970

File No. 4924

City of Silverton
Silverton,
Oregon 97381

ATTENTION Jack R. Brown, City Manager

Dear Mr. Brown:

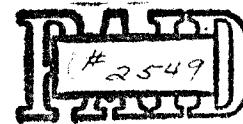
This will acknowledge an application for an extension of the time limit to complete the use of water under permit number 3226. If you will now submit the statutory fee of \$5.00 proper action will be taken on the application.

Very truly yours,

TJ:

Trevor Jones
TREVOR JONES
Assistant

TJ:mfb



Dec 31, 1970

December 30, 1970

4924

City of Silverton
Silverton,
Oregon 97381

ATTENTION Jack R. Brown, City Manager

Dear Mr. Brown:

This will acknowledge an application for an extension of the time limit to complete the use of water under permit number 3226. If you will now submit the statutory fee of \$5.00 proper action will be taken on the application.

Very truly yours,

TREVOR JONES
Assistant

TJ:mfb

Application No. 4924

Application for Extension of Time

RECEIVED
DEC 22 1970
STATE ENGINEER
SALEM OREGON

To the State Engineer of Oregon:

I, The City of Silverton, of Marion County
state of Oregon, am the owner and holder of Permit No. 3226, 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, 1970, 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:
A 20-year program, initiated in 1965, of a study of water supply and distribution
by Cornell, Howland, Hayes & Merryfield, Record No. C3257.0, has and is being
followed in making improvements to the system.
and did the following work prior to last year: From August 1965 to Jan, 1966 Water Distribution
System Improvements were made at a cost of \$125,000. Flood repairs to Abiqua Dam
and pipe line were completed in 1965 at a cost of approximately \$6,000.
Five other water main additions to the Water Distribution System at a cost of 17,600.
costing \$148,600, and I estimate the cost of completion to be \$.

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

3.5 cubic feet per second during daily peak requirements.

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 City of Silverton is presently committed to a 20-year program initiated
in 1965, established by Cornell, Howland, Hayes & Merryfield, Consulting Engineers,
based upon population and water usage projections through 1985, full and complete
usage of the Abiqua source is dependent upon existing transmission lines and
distribution facilities within the city. Program calls for the replacement of the
(If additional space is required, attach separate sheet)

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

(OVER)

\$5.00 Pd
REC. 22184
1-4-71

BC
1378

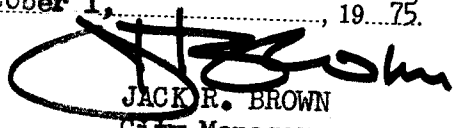
WHEREFORE, I ask that the State Engineer extend the time for the

~~completion of construction work~~
{ complete application of water
(Strike out phrase not applicable)

under said permit to October 1, 19. 75.

AFFIDAVIT OF APPLICANT

STATE OF OREGON
County of MARION } ss.

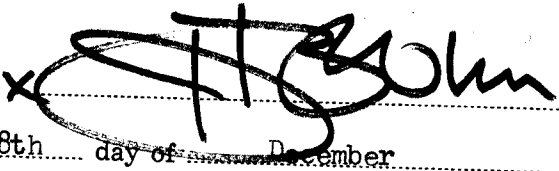
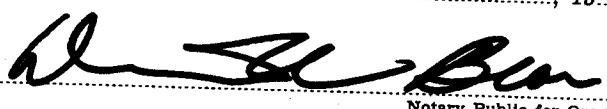

JACK R. BROWN
City Manager
City of Silverton

I, JACK R. BROWN, 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 18th day of DECEMBER
....., 19. 70..

Subscribed and sworn to before me this 18th day of December 19. 70.

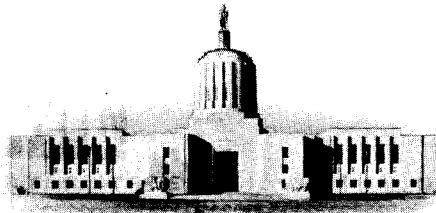
[Notarial Seal]



Notary Public for Oregon

My commission expires 5-20-72

Application No. 4924, Permit # 3226
To State Engineer of Oregon

wood stave portions of the transmission line, new storage reservoir, pumping facilities and new distribution lines. Accomplishment of this project will make it possible for the city to utilize the Abiqua source to greater advantage in future years.



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

REFER TO
FILE NO. 4924

December 10, 1970

City of Silverton
City Hall
306 South Water St.
Silverton, Oregon 97381

Gentlemen:

Pursuant to your request I am enclosing a form for use in making application for an extension of time limits under permit No. 3226.

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



HALL

CITY OF
SILVERTON

306 SOUTH WATER STREET / SILVERTON, OREGON 97381 / TELEPHONE 873-5323

25 November 1970

RECEIVED
NOV 27 1970
STATE ENGINEER
SALEM OREGON

Mr. Chris Wheeler
State Engineer
516 Public Service Building
Salem, Oregon

Dear Mr. Wheeler:

May I please have the necessary forms concerning maintenance of water rights on the Abiqua Creek for domestic water purposes of the City of Silverton.

Yours truly,


Jack R. Brown
City Manager

December 13, 1965

City of Silverton
Silverton
Oregon

Gentlemen:

From an examination of your application for extension of time to make complete application of water under Permit No. 3226, it appears that due diligence has been exercised. The time for completion is therefore being extended to October 1, 1970. We are enclosing receipt No. 7409 covering the \$2 statutory fee submitted with the application.

Yours very truly,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

Enclosure

fm

Application No.

File Number: 1,924

Application for Extension of Time

RECEIVED
NOV 1 1965

STATE ENGINEER
SALEM OREGON

To the State Engineer of Oregon:

I, The City of Silverton, of Marion County
state of Oregon, am the owner and holder of Permit No. 3226, 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, 1965, and complete application of water is required to be
made on or before October 1, 1965.

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

~~Contracted with Cornell, Howland, Hayes & Merryfield for a study covering improvement of the City of Silverton water system and a financial plan for accomplishing the required work. The completed study - Record No. G3257.0 - presented a 20-year program which the city has approved and launched as indicated below.~~

and did the following work prior to last year: In January, 1963, alterations were made to existing Abiqua Creek intake structure consisting of the installation of 16" bypass line around settling basin, a 170 gpm wash down pump and piping and the installation of an electric motor drive unit on the existing rotating screen

costing \$ 5,110.30, and I estimate the cost of completion to be \$

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

3.5 cubic feet per second during daily peak requirements.

I am unable to { ~~complete construction work~~
make complete application of water } within the required time, for the following
(Strike out phrase not applicable)

The City of Silverton is presently committed to a 20-year program establish-
reasons, to wit: ~~ed by Cornell, Howland, Hayes and Merryfield, consulting engineers, based up-~~
on population and water usage projections through 1985. Full and complete usage of the
Abiqua source is dependent upon existing transmission lines and distribution facilities with-
in the city. Program calls for the replacement of the wood stave portions of the transmission
line, new storage reservoir, pumping facilities and new distribution lines. This program was
launched in 1965 with a \$125,000 bond issue for new distribution lines and replacement of
existing small lines with larger lines. Accomplishment of this project will make it possible
for the city to utilize the Abiqua source to greater advantage in future years.

WHEREFORE, I ask that the State Engineer extend the time for the

{ ~~completion of construction work~~ } under said permit to October 1, 1970
complete application of water
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon
County of Marion } ss.

I, Robert E. Borland *, 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. * Recorder for the City of Silverton

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of October, 1965.

Subscribed and sworn to before me this 28th day of October, 1965.

[Notarial Seal]

Robert E. Borland
[Signature]
Notary Public for Oregon

My commission expires My Commission Expires Oct. 22, 1968

STATE OF OREGON
STATE ENGINEER
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO
FILE NO. 4924

October 26, 1965

City of Silverton
Silverton
Oregon

Gentlemen:

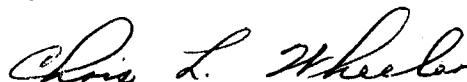
Pursuant to your request I am enclosing a form for use in making application for an extension of time limits under permit No.

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 \$2 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

CITY OF SILVERTON

City Hall
SILVERTON, OREGON

MAYOR
B. ARRINGTON

CITY MANAGER
TELEPHONE
873-5154

CITY MANAGER
ROBERT E. BORLAND

ASSISTANT CITY MANAGER
JACK R. BROWN

RECEIVED
OCT 22 1965
STATE ENGINEER
SALEM OREGON

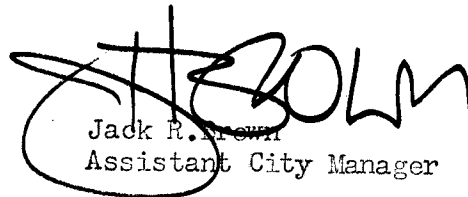
21 October 1965

Mr. Chris L. Wheeler, State Engineer,
516 Public Service Building,
Salem, Oregon.

Dear Mr. Wheeler:

May I please have appropriate forms for filing an application for an extension of time established for complete application of water covered by Permit No. 3226 as issued to the City of Silverton.

Sincerely,


Jack R. Brown
Assistant City Manager

JRB:amm

November 21, 1960

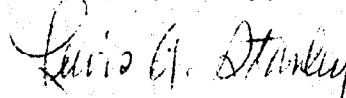
City of Silverton
Silverton,
Oregon

Gentlemen:

This acknowledges receipt of your application for an extension of time for the completion of construction and complete application of water under Permit No. 3226.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limits are being extended to October 1, 1965.

Yours very truly,



LEWIS A. STANLEY
State Engineer

Form 122

Enclosure receipt No. 27761

Application No. 4924Permit No. 3226**Application for Extension of Time**

To the State Engineer of Oregon:

/s/ The City of Silverton, of Silverton,
state of Oregon, are s
am the owner and holder of Permit No. 3226, 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 June 1, 1919, 19....., and complete application of water is required to be
made on or before October 1, 1930, 19.....

We / have heretofore done the following work described under said permit during the past year:
Engineering firm of Cornell, Howland, Hayes & Merryfield, Corvallis, Oregon employed by
City, June 25th, 1960, to prepare preliminary plans to expand the Abiqua system
including booster pumps, additional pipe line capacity, additional treatment capacity,
and if necessary, plans for Abiqua storage reservoir.
and did the following work prior to last year:

Constructed in 1956 11,000 ft. of 14" water transmission pipe line to replace an
existing 12" pipe line at a cost of \$52,000.00

Constructed in 1957, a water treatment plant costing \$175,000.00

costing \$ 227,000.00, and I estimate the cost of completion to be \$.....

We / have heretofore used water under said permit to the following extent: our present
daily use is from 2.7 cu. ft. per sec. to 3.1 cu. ft. per sec.

We are unable to make complete construction work } within the required time, for the following
make complete application of water }
(Strike out phrase not applicable)

reasons, to wit: Report of studies made to expand the Abiqua system have not been
submitted to the City by its engineers; and plans based on recommendations of
report have not been prepared.

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accom-
pany the application for extension.)

\$2.00 FEE PAID

(OVER)

27761

Ext 65 (cons
appl)

[Notarial Seal]

My commission expires 11-5-61 -
Notary Public for Oregon
James E. Brown

Subscribed and sworn to before me this 16th day of Nov, 1960

P. E. Bertrand

19.60

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of Nov.

I, R. E. Bertrand, City Manager, Silverton, 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.

STATE OF OREGON
County of Marion
ss.

AFFIDAVIT OF APPLICANT

(Strike out phrase not applicable)
{ completion of construction work }
{ complete application of water }
under said permit to October 1, 1965

WHEREFORE, I ask that the State Engineer extend the time for the

251 FINANCE BUILDING
170 12TH STREET S.E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. 4924

November 9, 1960

City of Silverton
R. E. Borland, City Manager
Silverton, Oregon

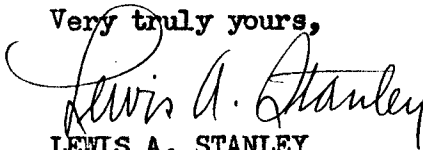
Gentlemen:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 3226.

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 \$2 for each permit. Upon its receipt, 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,


LEWIS A. STANLEY
State Engineer

Form 115
Enclosure

vmf

Explore Oregon...Centennial Exposition June 10-September 17...1959

CITY OF *Silverton*

GATEWAY TO SILVER FALLS STATE PARK

SILVERTON • OREGON

R. E. BORLAND
City Manager

4924

Nov. 7th, 1960

Mr. Lewis A. Stanley,
Office of State Engineer,
Salem, Oregon.

Dear Sir:

Please send us a form for making Application for an Extension
of Time in connection with the City of Silverton water right on
Abiqua Creek.

Thank you.

Sincerely,

R. E. Borland
City Manager.

REB:amm

ex of time

November 29, 1955

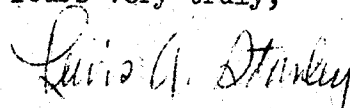
City of Silverton
Silverton
Oregon

Gentlemen:

This acknowledges receipt of your application for an extension of time for the completion of construction and complete application of water under Permit No. 3226.

The application indicates that reasonable diligence has been shown in the prosecution of work under this project, and the time limits are being extended to October 1, 1960.

Yours very truly,



LEWIS A. STANLEY
State Engineer

Form 122

enc: Receipt No. 5267

RECEIVED

NOV 15 1955

STATE ENGINEER

ation No. 4924

Permit No. 3226

Application for Extension of Time

To the State Engineer of Oregon:

WE ~~/~~ The City of Silverton, of Silverton, Marion County, state of Oregon, am the owner and holder of Permit No. 3226, 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 June 1, 1959, and complete application of water is required to be made on or before October 1, 1930.

We ~~/~~ have heretofore done the following work described under said permit: During the 5- year extension period ended October 1, 1955, the following work has been completed:

7900 lin.ft. of 14" Transmission pipe line has been constructed at a cost of \$62,750.00.

A permanent concrete diversion dam and concrete settling basin located at the intake on Abiqua Creek has been constructed at a cost of \$45,500.00 costing \$108,250.00, and ^{WE} ~~/~~ estimate the cost of completion to be \$.

WE

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

Our present daily use is from 2.7 cu.ft per sec. to 3.1 cu.ft. per sec.

WE ARE

~~/~~ ~~are~~ unable to {complete construction work
make complete application of water} within the required time, for the following

(Strike out phrase not applicable)

reasons, to wit: Our water utility construction work is closely related to the changing water requirements for industrial, business and domestic use. A section of our existing transmission pipe line is inadequate at the present time to supply all of the water needed. The use of water by our present population makes it impossible at this time to apply to beneficial use all of the water for which we have filed, but at the same time with a continous increasing demand for water it is impossible to complete

(If additional space is required, attach separate sheet)

(The fee provided by law in the amount of \$2.00 for filing an application for an extension of time should accompany the application for extension.)

construction work or to make complete ^(OVER) application of water.

Ex filed to 60 (con 2000)

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 60

(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF OREGON
County of Marion
ss.

I, Robert E. Borland
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 14th day of November

19 55.

Robert E. Borland

Subscribed and sworn to before me this 14th day of November 19 55.

[Notarial Seal]

Notary Public for Oregon

My commission expires October 27, 1957.

November 1, 1955

City of Silverton
Silverton
Oregon

Attention: Mr. R. E. Borland, City Manager

Gentlemen:

Pursuant to your request, I am enclosing a form for use in making application for an extension of time under Permit No. 3226.

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 \$2 for each permit. Upon its receipt, 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,

Lewis A. Stanley

LEWIS A. STANLEY
State Engineer

Form 115
Enclosure