

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-13518

Final Order
Extension of Time for Permit Number G-11921,
modified by Permit Amendment T-7655
Permit Holder: City of Woodburn

Permit Information

Application File G-13518/ Permit G-11921, Modified by Permit Amendment T-7655

Basin 2 – Willamette Basin / Watermaster District 16

Date of Priority: September 30, 1993

Authorized Use of Water

Source of Water:	Donner Well 9, plus 11 additional wells under Permit Amendment T-7655, within the Mill Creek Basin
Purpose or Use:	Municipal
Maximum Rate:	3.12 Cubic Feet per Second (CFS)

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-11921 was issued by the Department on December 12, 1994, and modified by Permit Amendment T-7655 (Special Order Volume 51, Page 1000) on August 29, 1997. The permit called for completion of construction by October 1, 1996, and complete application of water to beneficial use by October 1, 1997. On April 18, 2008, the City of Woodburn submitted an application to the Department for an extension of time for Permit G-11921, modified by Permit Amendment T-7655. In accordance with OAR 690-315-0050(2), on June 14, 2011, the

Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2040, and to extend the time to fully apply water to beneficial use to October 1, 2040. The protest period closed July 29, 2011, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department adopts and incorporates by reference the Proposed Final Order dated June 14, 2011. At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. Development Limitations

Diversion of any water beyond 0.7 cfs under Permit G-11921, modified by Permit Amendment T-7655 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension application. Use of water under Permit G-11921, modified by Permit Amendment T-7655 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department.

The deadline established in this PFO for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders

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

Order

The extension of time for Application G-13518, Permit G-11921, modified by Permit Amendment T-7655, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1996 to October 1, 2040. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1997 to October 1, 2040.

DATED: August 12, 2011



Dwight French, Water Rights Services Division Administrator *for*
PHILIP C. WARD, DIRECTOR

Proposed Final Order: Permit G-11921, modified by Permit Amendment T-7655

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

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