

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number S-47642

Final Order
Extension of Time for Permit Number S-35222
Permit Holder: City of Falls City

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 S-35222 was issued by the Department on May 26, 1971. The permit called for completion of construction by October 1, 1973, and complete application of water to beneficial use by October 1, 1974. On September 26, 2003, City of Falls City submitted an application to the Department for an extension of time for Permit S-35222. In accordance with OAR 690-315-0050(2), on September 13, 2011, the Department issued a Proposed Final Order proposing to deny the time to complete construction to October 1, 2051, and the time to fully apply water to beneficial use to October 1, 2051. The protest period closed November 4, 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 September 20, 2011.

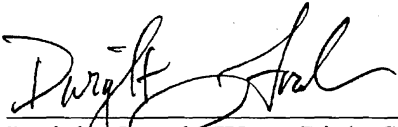
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

The applicant has not demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0080(3).

Order

The extension of time for Application S-47642, Permit S-35222, therefore, is denied.

DATED: December 1, 2011



Dwight French, Water Right Services Division Administrator *for*
PHILLIP C. WARD, DIRECTOR

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

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