

**Final Order**  
**Extension of Time for Permit Number S-51439**

**Appeal Rights**

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

**Application History**

On February 27, 2004, the United States Bureau of Reclamation; Pacific Northwest Region submitted an application to the Department for an extension of time for permit number S-51439. The Department issued permit number S-51439 on April 21, 1992. The permit called for completion of construction and complete application of water to beneficial use by October 1, 1996. In accordance with OAR 690-315-0050(2), on October 26, 2004, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2006. The protest period closed December 10, 2004, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department's continuing evaluation, however, reveals the following:

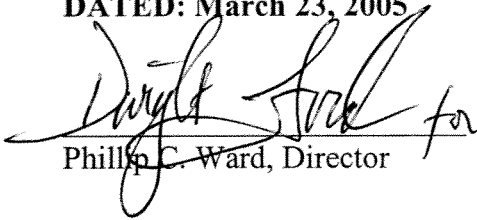
The extension request for Permit #S-51439 to extend the time to complete the application of water from October 1, 2001, to October 1, 2006, should be denied. The denial is necessary because the permit holder submitted a claim of beneficial use report and survey map to the Department on November 12, 2004. The claim verified that full beneficial use of water, consistent with the terms and conditions of Permit #S-51439, was accomplished by October 1, 2001. Therefore, an extension of time for Permit #S-51439 from October 1, 2001, to October 1, 2006, is not necessary and cannot be allowed.

The factors identified by the Department's continuing evaluation establish that there is not good cause to allow the permit extension pursuant to ORS 537.230, 537.248, 537.630, 539.010(5) and/or OAR 690-315-0040(2).

Order

The extension of time request for Application Number S-71293, Permit Number S-51439 is DENIED.

**DATED: March 23, 2005**

  
Phillip C. Ward, Director

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

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