

**Oregon Water Resources Department  
Water Right Services Division**

Water Rights Application  
Number S-69079

**Final Order  
Extension of Time for Permit Number S-50036  
Permit Holder: Heceta Water District**

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**Permit Information**

**Application File S-69079/ Permit S-50036**

Basin 18 – Mid Coast Basin / Watermaster District 2

Date of Priority: May 4, 1987

**Authorized Use of Water**

|                  |                                         |
|------------------|-----------------------------------------|
| Source of Water: | Clear Lake, a Tributary of Ackerly Lake |
| Purpose or Use:  | Municipal Use                           |
| Maximum Rate:    | 2.25 Cubic Feet per Second (cfs)        |

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**This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315**

**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-50036 was issued by the Department on August 18, 1987. The permit called for completion of construction by October 1, 1989, and complete application of water to beneficial use by October 1, 1990. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2000. On July 25, 2003, Heceta Water District submitted an application to the Department for an extension of time for Permit S-50036. In accordance with OAR 690-315-0050(2), on July 29, 2014, the Department issued a

Proposed Final Order proposing to extend the time to complete construction to October 1, 2120, and the time to fully apply water to beneficial use to October 1, 2120. The protest period closed September 12, 2014, in accordance with OAR 690-315-0060(1). No protest was filed.

### **Findings of Fact**

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated July 29, 2014.

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 under Permit S-50036 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 that authorizes access to a greater rate of diversion of water under the permit consistent with OAR 690-086-0130(7). The required WMCP shall be submitted to the Department within 3 years of this Final Order. The amount of water used under Permit S-50036 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, on file with the Department.

The deadline established in this Extension Final Order 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 final order may also meet the WMCP submittal requirements of other Department orders.

**Order**

The extension of time for Application S-69079, Permit S-50036, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2000 to October 1, 2120. The deadline for applying water to full beneficial use within the terms and conditions the permit is extended from October 1, 2000 to October 1, 2120.

DATED: September 19, 2014

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

Dwight French  
Water Right Services Division Administrator, for  
Director  
Oregon Water Resources Department

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If you have any questions about statements contained in this document, please contact Ann L. Reece at (503) 986-0834.

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

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