

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

Water Rights Application  
Number G-10574

**Final Order  
Extension of Time for Permit Number G-9829  
Permit Holder: City of Tillamook**

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**Permit Information**

**Application File G-10574/ Permit G-9829**

Basin 1 – North Coast Basin / Watermaster District 1

Date of Priority: July 14, 1982

**Authorized Use of Water**

Source of Water:	One Well within the Trask River Basin
Purpose or Use:	Municipal
Maximum Rate:	2.7 Cubic Feet per Second (CFS)

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**This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 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 G-9829 was issued by the Department on August 31, 1982. The permit called for completion of construction by October 1, 1983, and complete application of water to beneficial use by October 1, 1984. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 1999. On September 22, 2009, the City of Tillamook submitted an application to the Department for an extension of time for

Permit G-9829. In accordance with OAR 690-315-0050(2), on September 23, 2014, 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 November 7, 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 September 23, 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. Municipal Use Extension Condition**

The use of any water beyond 1.60 cfs under Permit G-9829 is subject to this Municipal Use Extension Condition.

The water user shall develop a plan to monitor and report the impact of water use under Permit G-9829 on water levels within the aquifer that provides water to the permitted wells. The plan shall be submitted to the Department within one year of the date the Extension Order is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted wells or and adequate substitute such as water levels in nearby wells.

### **2. Development Limitations**

Appropriation of any water beyond 1.60 cfs up to 2.7 cfs under Permit G-9829 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 appropriation 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 G-9829 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 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.

### CONCLUSION OF LAW

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-10574, Permit G-9829, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1999 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, 1999 to October 1, 2040.

November 14, 2014



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler Director,  
Oregon Water Resources Department

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If you have any questions about statements contained in this document, please contact Ann 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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