

State of Oregon Water Resources Department

In the matter of Water Right Application 69732, Permit S-50758	)	Final Order
in the name of US Mt. Hood National Forest - H Ski Corp.	)	Approving Permit
<i>Applicant and Protestant</i>	)	Extension Request

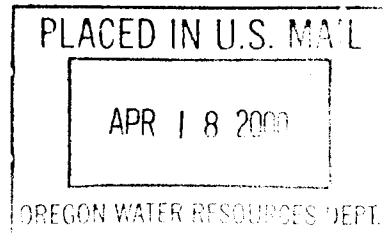
Appeal Rights

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the time specified by ORS 183.484(2).

Background

Permit S-50758, in the name of US Mt. Hood National Forest - H Ski Corp., hereinafter permit holder, was issued by the Department on October 19, 1989. The permit authorizes the use of 0.9 cfs from two springs and Camp Creek for mechanical snow generation at Ski Bowl Winter Recreational Facility in the Zigzag River Basin. The permit required construction to be completed and complete application of water to be accomplished by October 1, 1997. Six extensions of time have been granted to the permit holder in the past.

On October 1, 1998, the permit holder submitted a completed extension application and fees. On August 23, 1999, the Water Resources Department (Department) notified the permit holder by certified mail that the new extension application form required by the extension of time administrative rule OAR 320 must be submitted by October 1, 1999. On December 6, 1999, a second certified letter was sent to the permit holder, again requesting the necessary updated permit extension application form. The Department did not receive the required form and was not able to determine "good cause" in order to approve the application. On February 15, 2000, the Department issued a Proposed Final Order (PFO) proposing to deny the extension request. In its PFO the Department determined that it could not be determined whether the permittee had pursued the perfection of the water right in good faith and with reasonable diligence because of lack of information. On February 29, 2000, the PFO was protested by the permit holder per a phone call to Brendalee Wilson, Water Rights Division. The permit holder requested a new extension application form. A completed new extension form was received by the Department on March 31, 2000.



Findings and Conclusions

Under ORS 537.230(2) and OAR 690-320-0010(6) extensions of time to complete construction or to fully apply surface water to a beneficial use may only be granted upon a showing of good cause, including justification for the untimely completion. Pursuant to OAR 690-320-0010(6), a determination of good cause requires, at a minimum, consideration of the factors set out in ORS 539.010(5).

The permit holder's new extension application and protest establishes that development of the water right was pursued in good faith and with reasonable diligence but that unforeseen events has delayed water use development. Constructing and testing the right mechanical snowmaking system has been difficult, given un-cooperative weather conditions. Further, torrential rains and erosion damaged runs and snowpark, which caused cash flow to diminish as visitor admissions went down. The permit holder is currently operating a small test system in order to work out any problems that may arise when the full scale system is up and running. The permit holder has increased system capacity from 20 acres to 80 acres, however, weather conditions have prevented actual operation of the system to confirm practical system operation.

Work on the water development project completed to date includes construction of intake, installation of barrel screen, installation of air and water lines, purchase of large irrigation pump, air/water snow guns, hose, pressure pump, and power supply to operate snow guns. These investments toward developing the beneficial water use are approximately \$60,000 out of a total project cost of approximately \$100,000 and demonstrate reasonable diligence and good faith in developing the domestic water use.

The combination of information provided by the permittee -- unforeseen events delaying development of the water use and significant financial investments made toward developing the beneficial water use -- demonstrate good cause for the untimely development and due diligence and good faith in developing the subject water right. Through its protest and additional evidence the permittee has demonstrated that its request for an extension of time satisfies the good cause requirements set out in OAR 690-320-0010(6).

Ultimate Findings

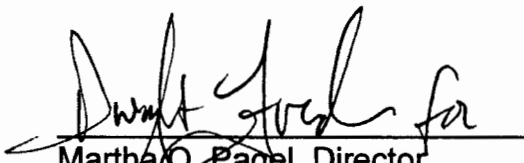
- The permittee is entitled to an extension of time under ORS 537.230.
- The permittee has submitted a complete extension application and fee.
- Completion of the project can be reasonably expected to occur within the requested extension period.
- The permittee has demonstrated good cause for an extension and demonstrated good faith and due diligence in developing the water use.

The Proposed Final Order shall be modified and an extension of time shall be granted.

Order

The request to extend the time to complete construction and apply water to full beneficial use for Permit S-50758 is approved. The time to complete construction and apply water to full beneficial use is extended to October 1, 2002.

Dated this 13th day of April, 2000


Martha O. Pagel, Director
Water Resources Department

Certificate of Service

I hereby certify that on the 18th day of April 2000, I served the within Final Order Approving Permit Extension Request by placing in the United States Post Office at Salem, Oregon a full, true and correct copy thereof addressed to

Paul Koehler
Zig Zag Ranger District
70220 E. Highway 26
Zig Zag, OR 97049

US Mt. Hood National Forest
H-Ski Corp.
P O Box 280
Government Camp, OR 97028

(for) Janet Halladey
Colleen LeMarie

**Oregon Water Resources Department
Water Rights Division**

Water Right Permit Extension Application
for Permit Number 50758

Water Right Application Number S-69732

Proposed Final Order

This Proposed Final Order applies only to permit number 50758.

Summary of Recommendation

The Department proposes to:

Deny the extension for complete construction of the water system from October 1, 1997, to October 1, 1999.

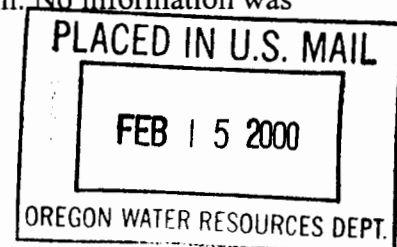
Application History

Permit no. 50758 was granted by the Water Resources Department on October 19, 1989. The permit authorizes use of 0.9 cubic foot per second (CFS), being of water from two springs and Camp Creek for Mechanical Generation of Snow at Ski Bowl Winter Recreational Facility in the Zigzag River basin. It specified that construction must be completed by October 1, 1991, and water applied to full beneficial use by October 1, 1992. A copy of permit no. 50758 is attached.

Extensions have been granted previously on this permit. The last extension granted by the Department extended the date by which construction must be completed under the permit to October 1, 1997, and the date by which complete application of the water to the use must be made by to October 1, 1997.

On October 1, 1998, the Department received an application from US Mt. Hood National Forest - H Ski Corp. for an extension of time to complete construction. The applicant has requested until October 1, 1999, to complete construction of the water system. This is the sixth permit extension request.

On August 23, 1999, the Department sent a certified letter to Todd Wheeler, US Mt. Hood National Forest, requesting the updated permit extension application form be completed and returned to the Department. No response was received by the deadline provided in the certified letter, October 1, 1999. On December 6, 1999, a second certified letter was sent from the Department to the address provided on the extension application at Government Camp, again requesting the necessary updated permit extension application form. No information was



received by the deadline provided in that letter, January 6, 2000. The Department also made several unsuccessful attempts to contact the applicant by phone. The phone number on the permit and another found in the file have been disconnected. Two other phone numbers accessed recordings for the recreation area only.

Findings of Fact

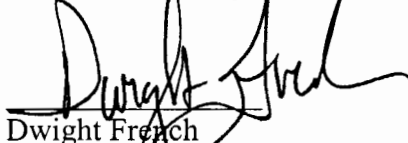
ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee. However, the applicant has not completed the updated version of the permit extension application now required by the Department for evaluating permit extension requests.
3. The Department is unable to determine whether water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit is being held up by problems associated with the weather.
5. Based upon review of the written record, the Department is unable to determine if the applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes installation of air and water lines along lift line base up to Tower #7, purchase of large irrigation pump and lease arrangement for 900 cfm air compressor, and obtaining of 4 air/water guns and manifolding, hose, pressure pump and power supply to operate all 4 guns simultaneously.
 - b) Information provided by the applicant does not identify the amount approximately invested or an estimated total water system project cost.
 - c) The work remaining to be completed consists of relocating the pump house and increase pump pressure to increase volume at higher elevations. It appears that the applicant has yet to use any water under the terms of this permit.
6. Based on the written record, the Department finds there is not good cause to approve the extension request. The applicant has not pursued perfection of the right in good faith and with reasonable diligence.
7. Due to the reasons outlined above in items 3 and 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should not be extended to October 1, 1999, as requested by the applicant.
8. By mutual consent, the applicant and the Water Resources Department agreed to defer processing of the permit extension request until such time as the Commission had adopted new permit extension rules.

Recommendation

The Department proposes to issue an order to:
deny the extension request to extend the permit time to complete construction from October 1, 1997, to October 1, 1999

DATED: February 15, 2000


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e) Any citation of legal authority supporting your protest, if known; and
 - f) The \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **March 31, 2000**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

This document was prepared by Laura Snedaker. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 272. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97310, Fax: (503)378-2496

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application	)	
for an Extension of Time for	)	
Permit #S-50758, Water Right	)	PROPOSED FINAL ORDER
Application #S-69732	)	
(H-Ski Corporation)	)	

Permit Information

Application File #S-69732 / Permit #S-50758

Basin: #03 - Sandy Basin / Watermaster District: #20

Date of Priority: October 4, 1988

Authorized Use of Water

Source of Water:	Two Springs, Tributaries of Camp Creek, and Camp Creek, Tributary of Zigzag River
Purpose or Use:	Mechanical Generation of Snow at Ski Bowl Winter Recreational Facility
Maximum Rate:	0.9 cubic foot per second (cfs) being 0.3 cfs from Camp Creek, 0.3 cfs from Spring #1, and 0.3 cfs from Spring #2, or its equivalent in case of rotation, measured at the point of diversion

**This Extension of Time request is being processed in accordance
with Oregon Administrative Rule Chapter 690, Division 315.**

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit #S-50758, water right Application #S-69732. A copy of Permit #S-50758 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 2002, to October 1, 2007; and
- grant the extension for complete application of water from October 1, 2002, to October 1, 2009.

AUTHORITY

ORS 537.230(2) provides in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

FINDINGS OF FACT

Background

1. Permit #S-50758 was granted by the Water Resources Department on October 19, 1989. The permit authorizes the appropriation of up to 0.9 cfs, being 0.3 cfs from Camp Creek, 0.3 cfs from Spring #1, and 0.3 cfs from Spring #2, for mechanical generation of snow at Ski Bowl Winter Recreational Facility. The permit specified that construction of the water development project was to be completed by October 1, 1991, and that complete application of water was to be made on or before October 1, 1992.

2. Seven prior extensions have been granted for Permit #S-50758, with the most recent extending the time in which to complete construction of the water system and the time in which to accomplish full beneficial use of water under the terms of Permit #S-50758 to October 1, 2002.
3. The permit holder submitted an "Application for Extension of Time" to the Department on October 1, 2002, requesting the time in which to complete construction of the water system be extended from October 1, 2002, to October 1, 2005, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #S-50758 be extended from October 1, 2002, to October 1, 2007.
4. Notification of the permit holder's extension of time request for Permit #S-50758 was published on the Department's Public Notice dated October 15, 2002. No public comment on the extension application was received.
5. On June 10, 2004, the permit holder requested the time in which to complete construction of the water development project be amended from October 1, 2005, to October 1, 2007, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #S-50758 be extended from October 1, 2002, to October 1, 2009.

Review Criteria [OAR 690-315-0040(1)(2)]

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230, 537.248¹, and 539.010(5).

Other Governmental Requirements [ORS 537.230(2)]

6. Delay in the development of this project was not caused by any other governmental requirements.

Start of Construction [ORS 537.230]

7. Construction of the water system began within the time specified in the permit, being October 19, 1990.

¹ ORS 537.248 applies to reservoir permits only.

Financial Investment [ORS 539.010(5)]

8. As of October 1, 2002, the permit holder had invested a total of \$75,000 into the project, consisting of: consultation and planning for equipment replacement; and purchase and installation of intake, barrel screens, air and water lines, calibrated staff gauge, large irrigation pump, air/water snow guns, snow cannon, hose, pressure pump, air compressor and power house. An additional \$100,000 investment is anticipated for the completion of this project.

Reasonable Diligence and Good Faith of the Appropriator [ORS 537.230(1) and 539.010(5)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [ORS 537.260, OAR 690-315-0040(3)].

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction

9. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Construction of the water system began within the time specified in the permit, being October 19, 1990. The work thus far consists of: consultation and planning for equipment replacement; and purchase and installation of intake, barrel screens, air and water lines, calibrated staff gauge, large irrigation pump, air/water snow guns, snow cannon, hose, pressure pump, air compressor and power house.

Beneficial Use of Water

10. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit #S-50758 on October 19, 1989, approximately 0.22 cfs of water has been appropriated from Spring #1, and applied to approximately 10 acres for testing of mechanical generation of snow.
 - b. Delay of full beneficial use of water under Permit #R-11691 was due to lack of available development funds resulting from drought

conditions and minimal snowfall in the winter of 2000-2001. A change in project management also contributed to delayed development of the water project.

Compliance with Conditions

11. The water right permit holder's conformance with the permit or previous extension conditions.

- a. The record does raise concerns about the permit holder's compliance with conditions.

In particular, Permit #S-50758 requires that the permit holder shall maintain and measure a bypass flow of 4.0 cfs of water in the natural channel of Camp Creek. The right is also subject to specific streamflows necessary to support recreation, fish and wildlife uses in the Sandy River. submitted. In order to legally demonstrate beneficial use of the water under Permit #S-50758, the permit holder must satisfy the conditions of the permit.

Financial Investments

12. Financial investments made toward developing the beneficial water use.

- a. As of October 1, 2002, the permit holder had invested approximately 43 percent of the total projected cost for complete development of this project. A total of \$75,000 has been invested into the project, consisting of: consultation and planning for equipment replacement; and purchase and installation of intake, barrel screens, air and water lines, calibrated staff gauge, large irrigation pump, air/water snow guns, snow cannon, hose, pressure pump, air compressor and power house. An additional \$100,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [ORS 539.010(5) and OAR 690-315-0040(4)]

In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

13. The amount of water available to satisfy other affected water rights and state scenic waterway flows.

- a. The permitted points of diversion, authorized under Permit #S-50758,

are located above the designated boundaries of the Sandy scenic waterway.

14. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).
 - a. The permitted points of diversion, authorized under Permit #S-50758, are located within a stream segment that has been identified by the Oregon Department of Fish and Wildlife as a "moderate" needs ranking area for streamflow restoration for fish.
 - b. The permitted points of diversion are located within the Zigzag River Basin. The Zigzag River has not been designated by the Oregon Department of Environmental Quality as a water quality limited stream.
 - c. The permitted points of diversion, authorized under Permit #S-50758, are not located within the designated reach of a federal wild and scenic river.
15. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
 - a. The permitted points of diversion are located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified by the Oregon Department of Fish and Wildlife.
16. Economic investment in the project to date.
 - a. As of October 1, 2002, the permit holder had invested approximately 43 percent of the total projected cost for complete development of this project. A total of \$75,000 has been invested into the project, consisting of: consultation and planning for equipment replacement; and purchase and installation of intake, barrel screens, air and water lines, calibrated staff gauge, large irrigation pump, air/water snow guns, snow cannon, hose, pressure pump, air compressor and power house. An additional \$100,000 investment is anticipated for the completion of this project.

17. Other economic interests dependent on completion of the project.
 - a. None have been identified.
18. Other factors relevant to the determination of the market and present demand for water and power.
 - a. None have been identified.

Fair Return Upon Investment [ORS 539.010(5)]

19. The income and use of water from the permitted water development will result in reasonable returns against the investment made in the project to date.

Duration of Extension [OAR 690-315-0040(1)(c), ORS 539.010(5)]

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

20. As of October 1, 2002, the remaining work to be completed consists of completion of the water system and complete application of water to beneficial use.
21. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2007, to complete construction of the water system and to have until October 1, 2009, to complete the application of water to beneficial use under the terms of Permit #S-50758 is both reasonable and necessary.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1), as required by OAR 690-315-0040(1)(a).
3. The applicant demonstrated that actual construction on the project began

within the time specified in the permit, as required by OAR 690-315-0040(1)(b).

4. Completion of construction can be accomplished by October 1, 2007, and full application of water to beneficial use can be completed by October 1, 2009², as required by OAR 690-315-0040(1)(c).
5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #S-50758 from October 1, 2002, to October 1, 2007; and

Extend the time for complete application of water to beneficial use under Permit #S-50758 from October 1, 2002, to October 1, 2009.

DATED: June 22, 2004


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

²

Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than Friday, August 6, 2004, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - A. Upon review of the issues, the director finds there are significant disputes related to the proposed agency action; or
 - B. The applicant submitted a timely request for a contested case hearing.

If you have other questions about the Department, or any of its programs, please contact our Water Rights Information Group at (503)986-0900. Address all other correspondence to:

**Water Rights Section
Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901**

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

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her telephone number is (503)986-0824.

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.

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-69732

Final Order
Extension of Time for Permit Number S-50758

Appeal Rights

This is a final order other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Application History

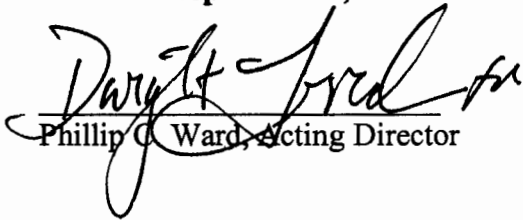
On October 1, 2002, H-Ski Corporation submitted an application to the Department for an extension of time for permit number S-50758. The Department issued permit number S-50758 on October 19, 1989. The permit called for complete construction of the water development project by October 1, 1991, and complete application of water to beneficial use by October 1, 1992. In accordance with OAR 690-315-0050(2), on June 22, 2004, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project to October 1, 2007, and the time to complete application of water to beneficial use to October 1, 2009. The protest period closed August 6, 2004, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for 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 for Application Number S-69732, Permit Number S-50758, therefore, is approved. The deadline to complete construction is extended to October 1, 2007. The deadline to apply water to beneficial use is extended to October 1, 2009.

DATED: September 1, 2004


Phillip C. Ward, Acting 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.