

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit S-36601, Water Right Application S-48840,) FINAL
in the name of the City of Sandy) ORDER

Permit Information

Application File S-48840/ Permit S-36601

Basin 3 – Sandy Basin / Watermaster District 20

Date of Priority: November 11, 1971

Authorized Use of Water

Source of Water:	Alder Creek
Purpose or Use:	Municipal
Maximum Rate:	4.0 Cubic Feet per Second (cfs)

**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 final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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

Permit S-36601 was issued by the Department on April 24, 1973, and partially perfected under Certificate 91176. The permit called for completion of construction by October 1, 1975, and complete application of water to beneficial use by October 1, 1976. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 1996. On January 28, 2016, City of Sandy submitted an application to the

Department for an extension of time for Permit S-36601. In accordance with OAR 690-315-0050(2), on March 8, 2016, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2004, and the time to fully apply water to beneficial use to October 1, 2004. The protest period closed February 2, 2018, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

Except as expressly stated herein, The Department adopts and incorporates by reference the Proposed Final Order dated March 8, 2016. Modifications to the Final Order are shown as follows: additions are shown in underlined text; deletions are shown in ~~striketrough~~ text.

The following Findings of Fact in the PFO are modified to correct scrivener's errors:

19. During the most recent extension period under Permit S-36601, being October 1, 1991, to October 1, 1996, the following work was accomplished by City of Sandy:
 - a partial ~~WMCP~~ Water Master Plan was prepared in 1991; and
 - improvements to backwash storage, chemical feed and disinfection systems.
20. Since October 1, 1996, the following work was accomplished by City of Sandy:
 - constructed 1 million gallon per day (mgd) expansion to water treatment plant;
 - updated the City's Water Master Plan; and
 - replaced a 1 mgd water treatment facility unit from 1977 with a new 1.6 ~~mdg~~ mgd treatment facility unit.

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 no additional conditions.

CONDITIONS AND LIMITATIONS

1. Municipal Use Condition

An updated Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86 shall be submitted and approved by the Department by November 30, 2025.

CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0080(3).

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ORDER

The extension of time for Application S-48840, Permit S-36601, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1996, to October 1, 2004. The deadline for applying water to full beneficial use within the terms and conditions the permit is extended from October 1, 1996, to October 1, 2004.

DATED: February 9, 2018



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

If you have any questions about statements contained in this document, please contact Jeffrey D. Pierceall at (503) 986-0802.

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
