# Oregon Water Resources Department Water Right Services Division

## **Application for Extension of Time**

	Application for an Extension of Time 7, Water Right Application G-17187, in Happy Valley				FINAL ORDER		
		Permit Information			3 1		
Application:		G-17187					
Permit:		G-16597					
Basin:		2c – Lower Willamette / Watermaster District 20					
Date of Prior	itx	March 9 2009					

Date of Priority: March 9, 2009
Source of Water: Well 1 in Mount Scott Creek Basin

Purpose of Use: Irrigation use on 30.36 Acres
Maximum Rate: 0.22 cubic foot per second(cfs)

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 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 G-16597 was issued by the Department on October 9, 2009. The permit specified completion of construction and complete application of water to beneficial use by October 9, 2014. On June 17, 2021, City of Happy Valley submitted an Application for Extension of Time for Permit G-16597. In accordance with OAR 690-315-0050(2), on August 17, 2021, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2026, and the time to fully apply water to beneficial use to October 1, 2026. The protest period closed October 1, 2021, in accordance with OAR 690-315-0060(1). No protest was filed.

Final Order: Permit G-16597

#### FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 17, 2021.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following condition:

#### LIMITATIONS AND CONDITIONS

### 1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2024. A form will be enclosed with your Final Order.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

#### **CONCLUSION OF LAW**

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

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Final Order: Permit G-16597

#### **ORDER**

The extension of time for Application G-17187, Permit G-16597, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 9, 2014, to October 1, 2026. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 9, 2014, to October 1, 2026.

DATED: October 15, 2021

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 the Permit Extension Specialist at (503) 979-3213.
- 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



Printed Name/Title

#### Oregon Water Resources Department 725 Summer Street NE, Suite A Salem Oregon 97301-1266 (503) 986-0900 www.wrd.state.or.us

Extension of Time Progress Report Form For Checkpoints

## TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holde	er: City of Happy Valley	Application	G-17187	Permit G-1	16597
	Report DO NOT SUBM d in ORS 690-315-0050(6),	Progress Report for a rt Due no later than Octo	2024 ober 1, 2024 S BEFORE DU equired in order	E DATE to ensure dil	
DATES	LIST ALL WORK ACCO		STMENTS	FINANCIAL INVESTMENT	
<ol> <li>Description (Example 1)</li> <li>Total Total</li> </ol>	form if needed ribe actions to achieve com nples: installed a meter, sur urements, installed a fish so number of acres irrigated acres irrigated per well,	bmitted water usage rep creen, obtained approva	orts, submitted	static water	level
<b>perm</b> Maxii Maxii	de the maximum rate, or of it, if any, to date.  mum rate used to date = mum Rate per well:		Rep as s <sub>i</sub> per (acr	ort the rate in the pecified in the pe second), gpm (ga	e same units of measuremen rmit, being cfs (cubic feet illons per minute) or AF rovide daily, monthly, or
FAILURE T	TE REPORTS WILL BE RET TO SUBMIT THIS REPOR IN BEING DENIED.				
Signature		· ·	Date		

Diligence Shown	☐ Yes ☐	No	Date Public Noticed:										
Reviewed by:			Date:										