

BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

LAKE COUNTY

ORDER APPROVING EXTENSION OF)
TIME LIMITS FOR PERMIT G-10099)

Permit G-10099 was issued to Wade Brown on September 20, 1983. The permit granted the right to the use of 5.1 cubic feet of water per second (CFS) from a well for the irrigation of 408 acres. The priority date is April 27, 1983. Water Development Loan number 1979 B-13 funded the project.

Wade Brown stated on his application that water had been completely applied to a beneficial use.

Under the terms of the permit, a substantial beginning of construction of the water system was to have been made by September 20, 1984. An adequate irrigation system was to have been on hand by October 1, 1984 and water used to the fullest extent intended by October 1, 1985.

Our staff surveyed the project on August 9, 1984. We found that not all the land had been irrigated within the terms of the permit and that the capacity of the well was limited to 3.79 CFS. Mr. Brown was advised of this and given options.

He submitted an application, in October 1984, requesting an extension of time limits of the permit. The request was approved and the date to complete construction was extended to October 1, 1985. The use date was extended to October 1, 1986.

As a result of foreclosure proceedings, on February 4, 1988, the records were changed to show the Water Resources Department as holder of the permit. On September 15, 1988, additional time to complete the project was requested and approved. The time limit to complete construction and use water was extended to October 1, 1989.

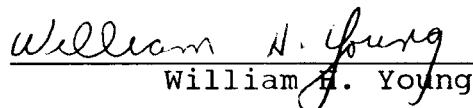
Charles Nofziger purchased the property and requested more time. Although the time limit to complete construction and use water was extended to October 1, 1991, he was advised it was doubtful any further extensions could be granted.

An application for an extension of time limits was received from Mr. Nofziger on October 28, 1991. Based on the information given on the application and supporting letter, permittee has upgraded the system. No additional irrigation was realized.

For good cause shown, the Director may extend the time limits of a permit. It is always hard to judge whether or not the user has prudently proceeded with the work required to complete the project. However, it is hereby **ORDERED** the time limits to complete construction of the water system and use water are extended to October 1, 1992.

The Director may specify standards for measuring future diligence in developing a water use allowed by a permit. Therefore, if the project is not completed within this time frame, **no further extensions will be granted unless field 13**, as identified on the map supporting the application for extension of time, **is irrigated**.

WITNESS the signature of the Water Resources Director, affixed November 12, 1991.



William H. Young

NOTICE: You are entitled to judicial review of this order, pursuant to ORS 536.075. Such review may be obtained by filing a petition within 60 days from the service (date of mailing) of this order. The petition is to be filed with the circuit court in the county in which all or part of the property affected by the order is situated.