

**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 G-11165, Water Right Application G-11916,) FINAL
in the name of the Timberline Rime Water Company) ORDER

Permit Information

Application File G-11916 / Permit G-11165

Basin 2C – Lower Willamette Basin / Watermaster District 20
Date of Priority: May 2, 1989

Authorized Use of Water

Source of Water: Two Wells in Sandy River Basin
Purpose or Use: Quasi-Municipal
Maximum Rate: 0.82 Cubic Feet 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-11165 was issued by the Department on January 7, 1991. The permit called for completion of construction by October 1, 1992, and complete application of water to beneficial use by October 1, 1993. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2020. On September 8, 2021, Timberline Rime Water Company submitted an application for an extension of time for Permit G-11165. In accordance with OAR 690-315-0050(2), on November 9, 2021, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2030, and to extend the time to apply water to full beneficial use to October 1, 2030. The

protest period closed December 24, 2021, 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 November 9, 2021.

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 condition:

CONDITIONS

1. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2026. *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 690-315-0080(3).

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ORDER

The extension of time for Application G-11916, Permit G-11165, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2020, to October 1, 2030. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2020, to October 1, 2030.

DATED: March 11, 2022



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 Pierceall 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.



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900

**Extension of Time
 Progress Reporting Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Timber Rim Water Company

Application G-11916

Permit G-11165

Progress Report Form for 2026

Report Due no later than October 1, 2026

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit 2026. **FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED. INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.**

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between August 10, 2021 and October 1, 2026	FINANCIAL INVESTMENT

2. Describe actions taken to comply with terms/conditions of the permit and/or previous extension.

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

3. Total number connections: _____

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate/volume used to date = _____ cfs/ gpm/AF

Signature _____

Date _____

Printed Name/Title _____

Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	<i>For OWRD use only</i>
Reviewed by: _____	Date Public Noticed: _____
	Date: _____