

**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-17882, Water Right Application G-16874, ) FINAL  
in the name of the Sunriver Water, LLC ) ORDER

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**Permit Information**

**Application File G-16874 / Permit G-17882**

Basin 5 – Deschutes Basin / Watermaster District 11

Date of Priority: June 19, 2007

**Authorized Use of Water**

Source of Water: six wells in the Deschutes River Basin within the  
Deschutes River Basin  
Purpose or Use: Quasi-Municipal  
Maximum Rate: 3.90 Cubic Feet per Second (cfs), limited to a maximum  
volume of 1790.0 acre-feet (AF) annually

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**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-17460 was issued by the Department on July 30, 2015 and modified by Permit Amendment on April 5, 2018. Superseding Permit G-17882 was issued on April 5, 2018, to reflect the changes. The permit called for completion of construction by July 30, 2020, and complete application of water to beneficial use by July 30, 2020. On July 17, 2020, Sunriver Water, LLC submitted an application for an extension of time for Permit G-17882. In accordance with OAR 690-315-0050(2), on January 25, 2022, the Department issued a Proposed

Final Order proposing to extend the time to complete construction to October 1, 2070, and to extend the time to apply water to full beneficial use to October 1, 2070. The protest period closed March 11, 2022, 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 January 25, 2022.

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 conditions:

### **CONDITIONS**

1. **Development Limitations**

A maximum appropriation of 5.25 AF of water is currently allowed under Permit G-17882. Any appropriation of water beyond 5.25 AF (not to exceed the maximum volume authorized under the permit, being 1790.0 AF), shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan(s) (WMCP) under OAR Chapter 690, Division 86 that grants access to a greater rate of appropriation of water under the permit consistent with OAR 690-086-0130(7). The required WMCP shall be submitted to the Department within 3 years of this Final Order. Use of water under Permit G-17882 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department. For review of water management and conservation plans that propose to increase the maximum rate of water diverted under an Extended Permit, after January 1, 2042, that the additional diversion of water will not impair or be detrimental to the public interest.

The Development Limitation established in the above paragraph supersedes any prior limitation of the appropriation of water under Permit G-17882 that has been established under a prior WMCP or Extension final order issued by the Department.

The deadline established in the Extension Final Order for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders.

### **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).

## ORDER

The extension of time for Application G-16874, Permit G-17882, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from July 30, 2020, to October 1, 2070. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from July 30, 2020, to October 1, 2070.

DATED: April 1, 2022



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

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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.

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