

**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-7903, Water Right Application G-7812,) FINAL
in the name of the Star Satellite Improvement District) ORDER

Permit Information

Application File G-7812 / Permit G-7903

Basin 2C – Lower Willamette Basin / Watermaster District 18

Date of Priority: August 15, 1977

Authorized Use of Water

Source of Water: two wells
Purpose or Use: Quasi-Municipal
Maximum Rate: 0.69 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-7903 was issued by the Department on March 10, 1978. The permit called for completion of construction by October 1, 1979, and complete application of water to beneficial use by October 1, 1980. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2019. On October 8, 2019, Star Satellite Improvement District submitted an application for an extension of time for Permit G-7903. In accordance with OAR 690-315-0050(2), on February 25, 2020, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October

1, 2049, and to extend the time to apply water to full beneficial use to October 1, 2049. The protest period closed April 10, 2020, 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 findings of fact in the Proposed Final Order dated February 25, 2020. Modifications to the Final Order are shown as follows: additions are shown in underlined text; deletions are shown in ~~strikethrough~~ text.

3. On October ~~8~~1, 2019, the permit holder submitted an “Application for Extension of Time” (Application) to the Department, requesting the time to complete construction and the time to apply water to full beneficial use under the terms and conditions of Permit G-7903 be extended from October 1, 2019, to October 1, 2039.
- ~~5. On February 14, 2005 the permit holder submitted additional information to supplement their Application for Extension of Time.~~

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.

LIMITATIONS AND CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2025, 2030, 2035, 2040, and 2045. 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).

ORDER

The extension of time for Application G-7812, Permit G-7903, therefore, is approved, subject to the condition contained herein. The deadline for completing construction is extended from October 1, 2019, to October 1, 2049. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2019, to October 1, 2049.

DATED: May 12, 2020



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) 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.
