

**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-11565, Water Right Application G-12161, in) FINAL
the name of Duane and Eric Land Holdings, LLC) ORDER

Permit Information

Application:	G-12161
Permit:	G-11565
Basin:	2B – Middle Willamette / Watermaster District 16
Date of Priority:	July 3, 1990
Source of Water:	a well in Little Pudding River Basin
Purpose of Use:	Irrigation use on 107.7 Acres
Maximum Rate:	1.35 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-11565 was issued by the Department on September 29, 1995. The permit specified actual construction of the well to begin by September 29, 1996, completion of construction by October 1, 1997 and complete application of water to beneficial use by October 1, 1998. On March 1, 2022, Duane and Eric Land Holdings, LLC submitted an Application for Extension of Time for Permit G-11565. In accordance with OAR 690-315-0050(2), on May 3, 2022, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2021, and the time to fully apply water to beneficial use to October 1, 2021. The issuance of this PFO did not appear on the Departments weekly public notice as required by OAR 690-315-0050(3). On August 10, 2022, the Department issued Superseding Proposed Final Order proposing to extend the time to complete construction to October 1, 2021, and the time to fully apply water to beneficial use to October 1, 2021. The protest period closed September 23, 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 August 10, 2022.

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 no additional conditions.

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).

ORDER

The extension of time for Application G-12161, Permit G-11565, therefore, is approved. The deadline for completing construction is extended from October 1, 1997, to October 1, 2021. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1998, to October 1, 2021.

DATED: October 7, 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 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
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