

**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-17708, Water Right Application G-15315, in)
the name of Lee Sukraw, and Cheyne Brothers, LLC)
FINAL
ORDER

Permit Information

Application:	G-15315
Permit:	G-17708
Basin:	14 – Klamath / Watermaster District 17
Date of Priority:	March 9, 2001
Source of Water:	nine wells in Klamath River Basin
Purpose of Use:	supplemental irrigation of 1166.59 Acres
Maximum Rate:	14.58 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-17708 was issued by the Department on March 13, 2003. The permit specified complete application of water to beneficial use by October 1, 2007. The most recent extension authorized complete application of water to beneficial use by October 1, 2022. On August 15, 2022, Lee Sukraw submitted an Application for Extension of Time for Permit G-17708. In accordance with OAR 690-315-0050(2), on November 1, 2022, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2027. The protest period closed December 16, 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 November 1, 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 the following conditions:

LIMITATIONS AND CONDITIONS

1. Permit Amendment Condition

The permit holder shall submit an Application for Permit Amendment requesting a change in points of appropriation to accurately reflect the location of the wells. The Permit Amendment shall be submitted by no later than March 1, 2023. Failure to submit the Permit Amendment will result in the termination of this extension of time, and the date for complete application of water will revert to October 1, 2022.

2. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2025**. *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.

3. Last Extension Condition

This may be the last extension of time granted for Permit G-17708. Any future extensions of time request will be denied, except to allow for the completion of the review of the Permit Amendment required under condition #1 of this extension of time. Any request for extension of time to allow additional development beyond October 1, 2027, or to demonstrate compliance with permit conditions after October 1, 2027, shall be denied. ORS 539.010(5); OAR 690-315-0040.

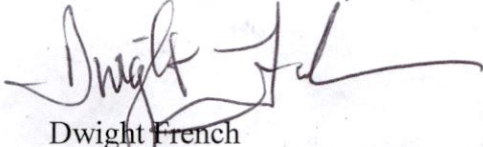
CONCLUSION OF LAW

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-15315, Permit G-17708, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2022, to October 1, 2027.

DATED: December 30, 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 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
-



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

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

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Lee Sukraw, and Cheyne Brothers, LLC
 G-17708

Application G-15315

Permit

Progress Report for 2025

Report Due no later than October 1, 2025

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 perfections of Permit G-17708.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between August 15, 2022 and October 1, 2025	FINANCIAL INVESTMENT
	Submit Permit Amendment on or before March 1, 2023	

Use back of form if needed

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.

- METERS INSTALLED- answer yes or no

Well 1 (KLAM 60546) _____ Well 2 _____ Well 3 _____ Well 4 (KLAM 61160) _____
 Well 5 (KLAM 14559) _____ Well 6 _____ Well 7 (KLAM 53732) _____
 Well 8 (KLAM 53872) _____ Well 9 (KLAM 59347) _____ Well 10 _____

-March static water levels measured and submitted- answer yes or no

Well 1 (KLAM 60546) _____ Well 2 _____ Well 3 _____ Well 4 (KLAM 61160) _____
 Well 5 (KLAM 14559) _____ Well 6 _____ Well 7 (KLAM 53732) _____
 Well 8 (KLAM 53872) _____ Well 9 (KLAM 59347) _____ Well 10 _____

3. Total number of acres irrigated to date: Supplemental _____

Total acres irrigated per well,

Well 1 (KLAM 60546) _____ Well 2 _____ Well 3 _____ Well 4 (KLAM 61160) _____
 Well 5 (KLAM 14559) _____ Well 6 _____ Well 7 (KLAM 53732) _____
 Well 8 (KLAM 53872) _____ Well 9 (KLAM 59347) _____ Well 10 _____

Diligence Shown Yes No

Date Public Noticed: _____

For OWRD use only

Reviewed by: _____

Date: _____

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.

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

Maximum rate used to date = _____ cfs

Maximum Rate per well:

Well 1 (KLAM 60546) _____ Well 2 _____ Well 3 _____ Well 4 (KLAM 61160) _____

Well 5 (KLAM 14559) _____ Well 6 _____ Well 7 (KLAM 53732) _____

Well 8 (KLAM 53872) _____ Well 9 (KLAM 59347) _____ Well 10 _____

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.

Signature _____ Date _____

Printed Name/Title _____

Diligence Shown Yes No

Date Public Noticed: _____

For OWRD use only

Reviewed by: _____ Date: _____