

**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-11666, Water Right Application G-12222, in
the name of JLPN Inc.

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FINAL
ORDER

Permit Information

Application:	G-12222
Permit:	G-11666
Basin:	2B – Middle Willamette / Watermaster District 16
Date of Priority:	September 5, 1990 for 0.7 cfs from Wells 2 and 3, and October 26, 1993 for 0.15 cfs from Well 4
Source of Water:	Wells 2, 3 and 4 in the Fruitland Creek Basin
Purpose or Use and Maximum Rate:	0.85 cfs, being 0.37 cfs from Wells 2 & 4 for the irrigation of 30 acres, with any deficiencies in supply to be made up from Well 3 and 0.48 cfs from Well 3 for the irrigation of 38 acres

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-11666 was issued by the Department on February 16, 1994. The permit specified construction of the well to begin by February 16, 1995, completion of construction by October 1, 1995, and complete application of water to beneficial use by October 1, 1996. On January 30, 2023, JLPN Inc. submitted an Application for Extension of Time for Permit G-11666. In accordance with OAR 690-315-0050(2), on January 2, 2024, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2026, and the time to fully apply water to beneficial use to October 1, 2026. The protest period closed February 16, 2024, 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 March 14, 2023.

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. **Development Limitation**

Use of water under this permit is limited to no more than for irrigation of 56.7 acres, being 0.37 cfs for irrigation of 29.7 acres located north of State Street, as identified in the Claim of Beneficial Use submitted, October 26, 1993, and 0.34 cfs of water from MARI 55544, for irrigation of the 27.0 acres illustrated in the map submitted April 20, 2023, as part of the Application for Extension of Time. These maps are attached to this order as Exhibit A.

2. **Permit Amendment Condition**

The permit holder shall submit a Permit Amendment Application requesting a change in point of appropriation from Well 2 and Well 4, to MARI 55544 for irrigation of the 27.0 acres of land previously developed, by no later than March 5, 2024. The Place of Use may not be changed until a certificate of water right for the 27.0 acres that have been developed south of State Street.

If a Permit Amendment Application is not submitted by March 5, 2024, no future extension of time will be approved.

CONCLUSION OF LAW

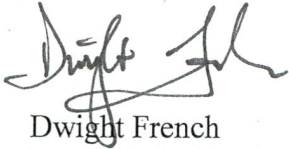
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

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ORDER

The extension of time for Application G-12222, Permit G-11666, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1995, to October 1, 2026. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1996, to October 1, 2026.

DATED: March 1, 2024



Dwight French
Water Right Services Division Administrator, for
Doug Woodcock, Acting 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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