

**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-17493, Water Right Application G-17971, in) **FINAL**
the name of R.B. Weber Development, LLC) **ORDER**

Permit Information

Application: G-17971
Permit: G-17493
Basin: 2B – Middle Willamette / Watermaster District 16
Date of Priority: December 5, 2014
Source of Water: Well 1, Well 2, Well 3 and Well 4 in Truax Creek Basin
Purpose or Use: Irrigation of 240.7 acres
Maximum Rate: 2.0 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-17493 was issued by the Department on October 15, 2015. The permit specified completion of construction by October 8, 2020 and complete application of water to beneficial use by October 8, 2020. On September 7, 2023, R.B. Weber Development, LLC submitted an Application for Extension of Time for Permit G-17493. In accordance with OAR 690-315-0050(2), on February 6, 2024, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2028, and the time to fully apply water to beneficial use to October 1, 2028. The protest period closed March 26, 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 February 6, 2024.

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 condition:

LIMITATIONS AND CONDITIONS

1. Permit Amendment Condition

The permit holder shall submit an application for a permit amendment requesting the authorization of LINN 61766 or LINN 61767 as constructed at an unauthorized location, as points of appropriation under the permit. The permit amendment must be submitted no later than January 2, 2025. If the required permit amendment is not submitted by January 2, 2025, no additional extension will be authorized. If neither LINN 61766, or LINN 61767, as constructed, are authorized by the permit amendment, the extension of time to October 1, 2028, will be terminated because the Department can no longer make the finding that construction of the well started prior to the October 8, 2020, deadline specified by the permit, as required by ORS 537.630 and OAR 690-315-0040(1)(b). No water may be appropriated from either well until the well(s) are authorized.

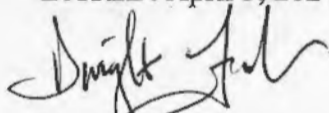
CONCLUSION OF LAW

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-17971, Permit G-17493, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 8, 2020, to October 1, 2028. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 8, 2020, to October 1, 2028.

DATED: April 5, 2024



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
-