

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time) FINAL
for Permit S-54236, Water Right Application S-86311) ORDER
in the name of Daniel Loshbaugh) DENIAL

Permit Information

Application: S-86311
Permit: S-54236
Basin: South Coast / Watermaster District 14
Date of Priority: May 17, 2005
Source of Water: a reservoir, constructed under Permit R-11511 and
enlarged under Permit R-14247
Purpose of Use: cranberry use on 4.0 acres
Maximum Volume: 8.0 acre-feet (AF)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 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

On December 1, 2005, Permit S-54236 was issued by the Department. The permit called for completion of construction by October 1, 2010 and complete application of water to beneficial use by October 10, 2010. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2015. On March 18, 2024, Daniel Loshbaugh submitted an Application for Extension of Time for Permit S-54236. In accordance with OAR 690-315-0050(2), on May 7, 2024, the Department issued a Proposed Final Order proposing to deny the time to complete construction from October 10, 2015, to October 1, 2029 and the time to apply water to full beneficial use from October 10, 2015, to October 1, 2029. The protest period closed June 21, 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 in the Proposed Final Order dated May 7, 2024.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may not be extended.

CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application S-86311, Permit S-54236, therefore, is Denied.

DATED: July 5, 2024



Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact 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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