

**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-18122, Water Right Application G-18448, in	)	
the name of Aaron Mitchell	)	FINAL ORDER

Permit Information

Application:	G-18448
Permit:	G-18122
Basin:	15 – Rogue / Watermaster District 13
Date of Priority:	February 2, 2017
Source of Water:	Well 1 (JACK 57929/L78700) and Well 2, in Rogue River Basin
Purpose of Use:	Irrigation use on nursery use (irrigation and agriculture) on 55.0 acres
Maximum Rate:	0.22 cubic foot 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-18122 was issued by the Department on January 10, 2019. The permit specified actual construction of the well to begin and complete application of water to beneficial use by January 10, 2024. On June 18, 2024, Aaron Mitchell submitted an Application for Extension of Time for Permit G-18122. In accordance with OAR 690-315-0050(2), on August 6, 2024, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2026. The protest period closed September 20, 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 August 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. Water Use Condition

If no water is applied to beneficial use under the terms and conditions of Permit G-18122 on or before October 1, 2026, this will be the last extension of time granted for Permit G-18122. Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that beneficial use of the water is shown during this extension period. In addition, all normal extension standards and rules will be evaluated. 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-18448, Permit G-18122, 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 January 10, 2024, to October 1, 2026.

DATED: October 4, 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 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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