

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-12354

**Final Order**

**Extension of Time for Permit Number G-12291 (modified by Permit Amendment T-8287)**

**Appeal Rights**

**This is a final order in other than contested case.** This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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**

The Department issued Permit G-12291 (modified by Permit Amendment T-8287) on February 29, 1996. The permit called for completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. On September 27, 2007, James R. Bushue submitted to the Department an Application for Extension of Time for Permit G-12291 (modified by Permit Amendment T-8287). In accordance with OAR 690-315-0050(2), on November 6, 2007, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2010 and the time to fully apply water to beneficial use to October 1, 2010. The protest period closed December 21, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

**CONDITIONS**

**1. Compliance Condition**

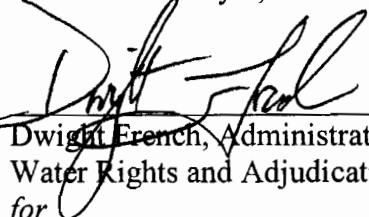
- (a) By October 1, 2010, and **before water use continues**, the permit holder must submit written documentation to the Department confirming that "Old" Well #1 has either been abandoned, in accordance with OAR 690-220, to a depth of 290 feet below ground surface or cased and sealed to a depth of 365 feet.

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-12354, Permit G-12291 (modified by Permit Amendment T-8287), therefore, is approved subject to conditions contained herein. The deadline for abandoning "Old" Well #1 up to 290 feet below ground surface is extended to October 1, 2010. The deadline for applying water to full beneficial use is extended to October 1, 2010.

DATED: January 3, 2008

  
Dwight French, Administrator of  
Water Rights and Adjudications  
for  
Phillip C. Ward, Director

- 
- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
  - 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
-