

**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-16235, Water Right Application G-16685, in the name)	FINAL
of Jack and Salley Hay and Oregon Mountain Estate, LLC)	ORDER
(Application submitted by James Martin of Middlebay LTD)		

Permit Information

Application:	G-16685
Permit:	G-16235
Basin:	4 – Hood / Watermaster District 3
Date of Priority:	June 15, 2006
Source of Water:	Well 1 (WASC 51466) and Well 2 in Fifteen Mile Creek Basin
Purpose of Use:	irrigation use on 310.9 acres
Maximum Rate:	3.0 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-16235 was issued by the Department on October 18, 2007. The permit specified completion of construction by October 1, 2012 and complete application of water to beneficial use by October 1, 2012. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2022. On August 21, 2023, Middlebay Ltd, c/o James Martin submitted an Application for Extension of Time for Permit G-16235. On May 1, 2024, a partial assignment from Middlebay, LTD. c/o James Martin, to Oregon Mountain Estate, LLC, was recorded in the records of the Water Resources Department. In accordance with OAR 690-315-0050(2), on January 28, 2025, 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 March 14, 2025, 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 January 28, 2025.

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 no additional conditions. or the following conditions:

LIMITATIONS AND CONDITIONS

1. Last Extension Condition

This will be the last extension of time granted for Permit G-16235, that will allow for continued development of the authorized use under the permit. Any future extensions of time request may be denied. Any potential approval of an additional extension of time shall be limited to the rate of water appropriated and the number of acres irrigated as of October 1, 2026. If an additional Application for Extension of Time is submitted, it must be accompanied by a Claim of Beneficial Use, which will be used to impose a development limitation on any additional extensions of time.

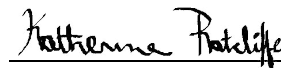
CONCLUSION OF LAW

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

extension of time for Application G-16685, Permit G-16235, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2022, 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, 2022, to October 1, 2026.

DATED: April 4, 2025



Katherine Ratcliffe
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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Mailing List for Extension FO Copies

FO Date: April 4, 2025

Copies Mailed

Application: G-16685

By: _____

Permit: G-16235

On: _____

Original mailed to permit holder

Middlebay Ltd, c/o James Martin
901 E. 2nd St
The Dalles, OR 97058

Copies sent to:

1. Jack and Salley Hay; 4532 Enerson Loop Rd, The Dalles, OR 97058
2. WRD - App. File G-16685/ Permit G-16235
3. Agents or CWREs representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving notification via e-mail - FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

5. WRD - Watermaster District 3, Robert Wood

CASEWORKER: JDP