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-17129, Water Right Application G-14898, in the name of Shane Deruwe)	FINAL ORDER
--	----------------

Permit Information

Application: G-14898 Permit: G-17129

Basin: 7 – Umatilla / Watermaster District 23

Date of Priority: January 5, 1999

Source of Water: five wells in Raymond Gulch Basin

Purpose or Use: irrigation of 211.3 acres

Maximum Rate: 2.64 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.

<u>Application History</u>

Permit G-13717 was issued by the Department on August 13, 1999. The permit specified actual construction of the well to begin by August 13, 2000, and complete application of water was to be made on or before October 1, 2003. The most recent extension authorized complete application of water to beneficial use by October 30, 2023. On May 11, 2023, the permit holder submitted an Application for Extension of Time to the Department, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-17129 be extended from October 30, 2023, to October 1, 2032. In accordance with OAR 690-315-0050(2), on October 24, 2023, the Department issued a Proposed Final Order proposing to deny the extension of time for Permit G-17129. On December 6, 2024, the permit holder filed a protest to the Proposed Final Order. On January 7, 2025, the Department issued a Superseding Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2026. The protest period closed February 7, 2025, in accordance with OAR 690-315-0060(1). No protest was filed.

Final Order: Permit G-18341 Page 1 of 3

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated January 7, 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 the following conditions:

LIMITATIONS AND CONDITIONS

1. Well Repair and Development Limitation Condition

The use of water under Permit G-17129 and the perfection of the appropriation authorized by Permit G-17129 is limited to no more than 0.66 cubic feet per second combined from Well C and Well D, for irrigation of 210 acres, unless Well E is repaired to appropriate water only from the sand and gravel aquifer. Upon satisfactory repair of Well E, as approved by the Department Ground Water Section, the actual capacity of water available from Well E, acquired only from the Sand and Gravel aquifer, up to 0.44 cfs, that is applied to beneficial use, may be included in addition to the 0.66 cfs of water from Well C and Well D.

2. <u>Last Extension Condition</u>

This shall be the last extension of time that will be authorized for Permit G-17129. Any future requests for an extension of time will be denied.

3. **No Permit Amendment Condition**

The Permit Holder may not submit any additional Permit Amendment Applications to the Department under Permit G-17129. Any Permit Amendment Application submitted for Permit G-17129 will be denied.

continued on following page

Final Order: Permit G-18341 Page 2 of 3

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-14868, Permit G-17129, 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 October 30, 2023, to October 1, 2026.

DATED: April 18, 2025

Katherine Ratcliffe

Water Right Services Division Administrator, for

Ivan Gall, 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

Final Order: Permit G-18341 Page 3 of 3

Mailing List for Extension FO Copies

FO Date: April 18, 2025	Copies Mailed
Application: G-14898 Permit: G-18341	By:

Original mailed to Applicant:

Shane Deruwe 85201 Hudson Bay Rd Milton-Freewater, OR 97862

Copies sent to:

1. WRD - App. File G-14898/ Permit G-17129

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date) (DONE BY EXTENSION SPECIALIST)

- 3. WRD Watermaster District 23, Ken Thiemann
- 4. WRD NCR Regional Manager, Chris Kowitz

CASEWORKER: JDP