

**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-15841, Water Right Application G-16238, in)	FINAL
the name of Patterson Real Estate Holdings, LLC &)	ORDER
Northwest Farm Credit Services		

Permit Information

Application:	G-16238
Permit:	G-15841
Basin:	2C – Lower Willamette / Watermaster District 20
Date of Priority:	April 30, 2004
Source of Water:	Well 1, Well 2, Well 3, Well 4, and Well 5 in Eagle Creek Basin
Purpose or Use:	nursery use on 55 acres
Maximum Rate:	2.225 cubic feet per second (cfs), being no more than 2.225 cfs during the period December 1, through June 30; 0.545 cfs during the month of September; 0.196 cfs during the month of October; and 0.74 cfs during the month of November

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-15841 was issued by the Department on February 10, 2005. The permit specified complete application of water to beneficial use by October 1, 2009. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2021. On January 13, 2025, Patterson Real Estate Holdings, LLC for Permit G-15841. In accordance with OAR 690-315-0050(2), on July 1, 2025, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2030. The protest period closed August 18, 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 July 1, 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. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2028**. *A form will be enclosed with your Final Order.*

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments

2. Development Limitation Condition

The use of any water beyond 0.74 cfs, being 0.18 cfs from CLAC 54178 (Well 1), 0.18 cfs from CLAC 56492 (Well 2), 0.22 cfs from CLAC 75335 (Well 3), and 0.16 cfs from CLAC 56693 (Well 5) under Permit G-15841 is subject to this Condition.

The maximum potential rate of water that may be appropriated under this permit is limited to no more than 1.3 cfs, being 0.18 cfs from CLAC 54178 (Well 1), 0.18 cfs from CLAC 56492 (Well 2), 0.22 cfs from CLAC 75335 (Well 3), 0.16 cfs from CLAC 56693 (Well 5); and if authorized by a permit amendment, 0.16 cfs from CLAC 75720 (Well 4), and 0.4 cfs from CLAC 75843 (Well 7). A maximum rate of 0.16 cfs from CLAC 72846 (Well 5R) may be appropriated if authorized as a change in point of appropriation from CLAC 56693 (Well 5).

The maximum rate of up to 1.3 cfs, shall also be the maximum cumulative rate that may be appropriated under Permits G-15841, G-15195, and G-13691.

3. **Permit Amendment Condition**

An Application for a Permit Amendment requesting a change in points of appropriation from the authorized Well 4 to CLAC 75720, and from CLAC 56693 (Well 5) to CLAC 72846 (Well 5R), and an additional point of appropriation to add CLAC 75843 (Well 7), shall be submitted within six months from the date of issuance of the Final Order on Extension of Time. Failure to submit the required Permit Amendment within six months shall result in the automatic termination of this extension of time, and a Claim of Beneficial Use shall be submitted within 60-days of the termination of this extension of time. Furthermore, if CLAC 75720 and/or CLAC 75843 as currently constructed are not authorized by the Permit Amendment, then the rate associated with the wells, being 0.16 cfs from CLAC 75720 and 0.4 cfs from CLAC 75843, shall be deducted from the maximum rate that may be appropriated of 1.3 cfs.

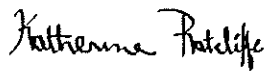
CONCLUSION OF LAW

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-16238, Permit G-15841, therefore, is approved subject to conditions contained herein. The deadline for applying water to beneficial use within the terms and conditions of the permit is extended from October 1, 2021, to October 1, 2030.

DATED: September 5, 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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