

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
***A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).***

I, Joan Cooper

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

29438 S Molalla Ave
ADDRESS

Molalla
CITY

OR
STATE

97038
ZIP

503-476-4482 & 503-434-4643
PHONE

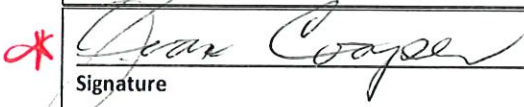
frankideane@gmail.com & pomonascion@gmail.com
E-MAIL ADDRESS

the permit holder of: Application Number - G-18288

Permit Number G-17786
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and water put to full beneficial use, which time now expires on Month: 5 Day: 9 Year: 2022, be extended to Month: 10 Day: 1 Year: 2028, ****extension of time may be approved for no more than two years from the date the final order is issued**** [Section 27, Chapter 282, Oregon Laws 2025]

I am the permit holder, and may apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.


Signature

April 17, 2026
Date

Joan Cooper
Printed Name

Property Owner/Permit Holder
Title

The agent below is authorized to represent the applicant in all matters relating to THIS application.

Permit Holder Initials

Authorized Agent (Print Agent Name)

Agent contact

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APR 17 2026
Salem, OR

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- **Statutory fee of \$1,170** Enclosed
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

MAIL COMPLETED APPLICATION

along with the Supporting documents and/ or evidence and correct fee to:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

GENERAL TIPS:

- Permit holders of municipal, quasi-municipal, or domestic water use permits **DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the amount of time necessary, not to exceed two years, to complete construction of the water project and/or to use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be the final extension of time authorized. ORS 537.230 & 630 [Section 27, Chapter 282, Oregon Laws 2025]
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began within the time specified in the permit and applicable statute, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).

Please see attached Exhibit A.

- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

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- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).

Please see attached Exhibit B.

- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may submit a Public Record Request to obtain any additional information available in the file.**

N/A

- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Please see photos of the meter (Photo #1) & ID tag (Photo #2), as well as a copy of our Water Usage Records (Exhibit C)

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these items.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

☒ Yes ☐ No

Date construction began Month: 10 **Day:** 24 **Year:** 2017

Type text here

Details of construction and attach documentation: _____

Skyles Drilling Inc began drilling on 10/24/2017 and completed the drilling on 11/29/2017. Please see Exhibit D. We had our preferred general contractor build a well house in May of 2018. Then we laid out the orchard and began installing the main lines and the five distinct valves which delineate the five sections of the 18-acre block for the fruit trees (A through E). Please see Exhibit E - color-coded map of the orchard which we followed to plant the sections based on the type of trees, e.g. Cider apple, summer apple, sweet apple, plums, pears etc. Then we began laying out some of the irrigation lines.

For Surface/Reservoir Permit

Has construction of the water system begun? ☐ Yes ☐ No

Date construction began Month: _____ **Day:** _____ **Year:** _____

Details of construction and attach documentation: _____

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OAR 690-315-0020(3)(A)(e)(A)

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
☒	Installation of a meter/totalizing flow meter	☒ Yes ☐ No	
☒	Submittal of annual water usage report	☐ Yes ☒ No	We have been measuring; Need to report. In compliance 2026
☒	Submittal of static water level measurements in the month required	☐ Yes ☒ No	Will be satisfied by 4/30/26
☐		☐ Yes ☐ No	
☒	Special well construction standards	☒ Yes ☐ No	11/29/2017
☐	Submittal of a monitoring plan	☐ Yes ☐ No	
☒	Well ID tag assigned and installed:	☒ Yes ☐ No	11/29/2017
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
Surface Water or Reservoir			
☒	Installation of a meter/ totalizing flow meter	☒ Yes ☐ No	March 2018
☐	Submittal of annual water use report	☐ Yes ☐ No	
☐	Installation of a fish screen	☐ Yes ☐ No	
☐	Installation of a fish by-pass device	☐ Yes ☐ No	
☐	Installation of a fish passage	☐ Yes ☐ No	
☐	Installation of an outlet gate/pipe/ conduit	☐ Yes ☐ No	
☐	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	☐ Yes ☐ No	
☐	Submit as-built plans and specification	☐ Yes ☐ No	
☐	Submittal of a letter from an engineer prior to storage	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	
☐	Other (Specify):	☐ Yes ☐ No	

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

We understand that the Static Water Level Measurement was to have been provided to you last month, March 2026. We are in the process of having the measurement taken; It is scheduled for Monday 4/13/2026. The reason for our non-compliance is that the founder of our organization has dementia, and because the permit is in her name, we never saw any notices or letters requesting information, measurement or logs. We are mortified that this issue is facing us currently and want to remedy the situation as soon as possible.

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. *Use chronological order. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)*

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
5/19/2017	Date the permit was signed - find date above signature on last page of permit.	
11/29/2017	The well was drilled. The meter was installed. Well tag attached	
05/2018	The well house was built.	
08/2018	Our 1-acre nursery, next to the barn, was fully irrigated by summer 2018	
	Every spring/summer since 2018, we have set up more and more dripline. By summer 2025, we had set up the dripline in 19 acres total.	
	Approximately \$75,000	
	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
4/13/2026	Static water level measurement	\$175
Total Cost for Chart-B		

* If exact cost is not known, you must provide your best estimate.

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4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. Use *chronological order*.

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
	"Extended To" date for complete application of water resulting from the most recent Final Order on Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: _____
(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date.

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. **For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):**

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = _____ cfs (cubic feet per second) or,

Maximum rate used to date = _____ gpm (gallons per minute) or,

Maximum volume of stored water used to date = _____ AF or,

Maximum volume stored annually to date = _____ AF

7. **For Ground Water Permit Extensions (e.g. G-XXXX):**

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well - - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
#1	#1	Yes ☒ No ☐	CLAC 73592	L127358	Yes ☒ No ☐	.08	Yes ☐ No ☒	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	-
Total instantaneous rate from all wells utilized under this permit								

8. Has a Permit Amendment Application been filed? Yes ☐ No ☒
If yes, identify Transfer No. T-_____

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[OAR 690-315-0020(3)(e)(C)]

9. For Irrigation and Nursery Use Permits Extensions

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: 19

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
2018	4.6	2022	19		
2019	8.2	2023	19		
2020	11.8	2024	19		
2021	13.6	2025	19		

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA) # 1 Acres 19

(POD/POA) # _____ Acres _____

(POD/POA) # _____ Acres _____

(POD/POA) # _____ Acres _____

[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
4/13/2026	Static water level measurement (a month late)	\$175
Every March Thereafter	Static water level measurement	\$175/year
Summer 2026	Annual Water Use Reporting. We will log the water use monthly, keep a record of the water use, and report it annually to the OWRD.	
2030 and beyond	It is possible that we will irrigate the other 20 acres for hay or another crop to offset some of our expenses.	
Year:	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: _____
(The total cost from CHART-E)

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[OAR 690-315-0020(3)(j)]

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: *(List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)* _____

TOC's President and engineer will begin logging the monthly water usage and reporting it annually to the OWRD. In addition we have hired Shiloh Water Systems to measure the static water level on Monday 4/13/2026. We will hire them annually every March to perform this operation.

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. *(Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)*

TOC was completely unaware of the permit conditions. Now that we know and we understand the requirements to maintain the water permit, we will regularly record the water log and report the usage annually. We will also have the water level measured annually. We believe we will need until the end of 2026 to prove that we are in compliance.

[OAR 690-315--0020(3)(l)]

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* _____

The cancellation of the Water Rights Permit will result in a total loss of our non-profit organization. TOC was established to preserve and share the genetic diversity of tree fruits in the temperate climate zone of the world. We have the largest collection of apple trees in the world and we continue to add heirloom varieties to our collection each year. TOC has received grants from \$10,000 to \$125,000 to build the fences, drill the well, install the irrigation, buy equipment, construct an annex (our working area in 1/3 of the barn), and allow us to maintain the orchard and support these and future endeavors consistent to our goals and mission. Our volunteers have dedicated days and days of their time throughout the years to assist us in grafting, pruning, laying out our irrigation, weeding and supporting us. TOC is an organization with high visibility. It garnered an episode of OPB's Oregon Field Guide, it garnered the attention of Cary Fowler, the founder of the Svalbard Seed Vault in the permafrost of Norway. He and his wife, Amy Goldman, were instrumental in providing the largest grants to the organization, notably for the well and the irrigation. The loss of this organization will not only be a loss for the community but also for the world of amateur and professional preservers of our fruits and heritage.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)* _____

There are no other reasonable alternatives for meeting our water use needs. The only other potential source of water is rainwater. We would never be able to collect enough water to irrigate the trees nor would we be able to disperse it throughout the acreage. In addition, there are no municipal sources of water in the area that are available.

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[OAR 690-315-0020(3)(h)]

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? (Explain in detail, including how much time did this delay the project; list dates.) _____

No, it was not. We were completely ignorant of these requirements.

[OAR 690-315-0020(3)(h)]

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. (Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events. Delays caused by business decisions are not considered unforeseen events) _____

Unfortunately, TOC did not complete the requirements necessary due entirely to the dementia of our founder, the property owner and permit holder, Joan Cooper. In the past four years or so, the other officers, her stepdaughters, and several volunteers have noticed a decline in Ms. Cooper's cognitive functions. In the past two years her capabilities and functions have significantly declined. We can attest that she is currently unable to process or describe her thoughts or answer simple questions coherently. Because the permit is in her name, all notices were sent to her and she did not follow up nor did she give them to us or let us know of the requirements. As a result, TOC was completely unaware that requirements had not been met. We are doing our best to pick up the pieces and provide you with all the data and information you need and require.

We know that Ms. Cooper will be signing this extension application, but we know that she wants to irrigate the trees. She is extremely confused, We are desperate to remedy the situation.

[OAR 690-315-0020(3)(h)]

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. (Provide supporting information for the reason(s) that best fits your circumstances.) _____

N/A because we were fully irrigating.

[OAR 690-315-0020(3)(m)(n)]

18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time. _____

Please see the response to #16 on this same page. Thank you.

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[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail) _____

TOC is a non-profit organization. All donations we receive assist us in fulfilling our mission and goals, maintaining the orchard, our equipment and everything else associated with the conservancy.

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?) _____

All the like-minded botanists, orchardists and apple growers in the US and other countries as well as all people who have donated, to our organization, whether \$100 or \$100,000, desire that our goal and mission will be accomplished on this property and are very much counting on our continued work in this field of study.

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Attach permit, and documentation to the application

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Save – Protect – Share

April 17, 2026

RE: Extension Application for Water Rights Permit #G-17786

EXHIBIT A

Dear Director of the Oregon Water Resources Department:

Our organization, Temperate Orchard Conservancy (TOC) is a 501(c)3. While the non-profit organization has paid for all the expenses related to the well and the irrigation on the property at 29438 S Molalla Avenue in Molalla (as well as every other improvement to the property except for the actual farmhouse improvements where the owner lives), the property owner put the Water Rights Permit in her own name, Joan Cooper.

In the past four years or so, the other officers of TOC, Ms. Cooper's stepdaughters and several volunteers, have noticed a decline in Ms. Cooper's cognitive functions. In the past two years her capabilities and functions have significantly declined. We can attest that in the past six months she has been unable to process or describe her thoughts or answer simple questions coherently. In addition, she has determined that the people nearest her are against her (because there are rules to follow) and she has become more friendly with, for example, the bank teller, the baker, the post office teller and the gardener. She has made some very disturbing decisions that have been a detriment to TOC and unbeknownst to her, to herself. Cancelling the Water Rights Permit is only one of such decisions.

Because the permit is Ms. Cooper's name, all notices were sent to her, and as a result, we were completely unaware that requirements had not been met and that the Permit had not been Proved Up. We are doing our best to pick up the pieces and provide you with all the data and information you need and require so that we can irrigate the trees that we have been grafting and planting for over 10 years.

Since we became aware of the situation, Ms. Cooper has been reported to the Oregon DOJ for fraud against TOC. We are overwhelmed and hope that you will allow TOC to continue to irrigate.

Sincerely,

Shaun Shepherd, President

Franki Baccellieri, Secretary/Treasurer

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APR 17 2026

Salem, OR

PO Box 529, Molalla OR 97038

AlmatyTOC@gmail.com

www.TemperateOrchardConservancy.org

**Application for
Extension of Time
for a Water Right Permit
(NON-Municipal/ NON-Quasi-
Municipal/ NON-Domestic)**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use. (The request cannot be approved for more than two years from the date of the extension.)

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well(s), *authorized by the permit*, began within 5 years of the date the permit was issued.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued.

The Department will also confirm that:

- 2) If required, a fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.**

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

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