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-15405, Water Right Application G-15495, in the name of William Bowman Revocable Living Trust, and Criss Duncan	)))	FINAL ORDER REJECTING APPLICATION

Permit Information

Application:	G-15495
Permit:	G-15405
Basin:	14 – Klamath / Watermaster District 17
Date of Priority:	May 10, 2001
Source of Water:	a well in Lost River Basin
Purpose or Use:	supplemental irrigation of 172.2 acres
Maximum Rate:	2.15 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 in other than contested case 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 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.

FINDINGS OF FACT

1. On May 1, 2003, Permit G-15405 was issued by the Department. The permit authorizes the use of up to 2.15 cfs of water from a well in Lost River Basin for supplemental irrigation of 172.2 acres. The permit specified complete application of water was to be made on or before October 1, 2007.

2. On July 28, 2022, William Bowman, trustee of the William Bowman Revocable Living Trust, 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-15405 be extended from October 1, 2007, to October 1, 2025.

3. On October 25, 2022, the Department issued a proposed final order proposing to extend the time to apply water to beneficial use under Permit G-15405 from October 1, 2007, to October 1, 2014 ("PFO").

4. On December 9, 2022, William Bowman filed a timely protest of the PFO.

5. On April 25, 2023, William Bowman and Chris Duncan filed a claim of beneficial use for Permit G-15405 ("COBU").

6. Based on the COBU, on January 26, 2024, the Department issued Water Right Certificate 97571 confirming the right to the use of water perfected under the terms of Permit G-15405.

7. Under OAR Chapter 690, Division 315, the Department may approve an extension of time for completion of an appropriation under a permit to appropriate groundwater.

8. Under ORS 537.630, when the holder of a permit to appropriate groundwater completes the appropriation authorized by the permit, the permit holder must submit a claim of beneficial use to the Department. If the claim of beneficial use shows to the Department's satisfaction that the appropriation has been perfected in accordance with the provisions of ORS 537.505 to 537.795 and 537.992, the Department issues a groundwater right certificate.

9. A municipality, as "municipality" is defined at ORS 537.260(4), may partially perfect an appropriation authorized by a municipal water use permit without loss of the unperfected portion of the permit. ORS 537.260(4); OAR 690-320-0040. Partial perfection is not available for permit holders that are not municipalities or for permits that are not for municipal use. *See id.* For permit holders that are not municipalities and permits for other than municipal uses, issuance of a water right certificate marks the end of the development process. After a water right certificate is issued, any unperfected portion of the underlying permit is lost and may no longer be perfected.

10. Permit G-15405 does not authorize use of water for municipal use.

11. Neither William Bowman, the William Bowman Revocable Living Trust, nor Chris Duncan are a municipality as "municipality" is defined in ORS 537.260(4).

CONCLUSIONS OF LAW

1. Permit G-15405 is not eligible for an extension of time under ORS 537.630.

   Explanation: Due to the Department's issuance Water Right Certificate 97571, any unperfected portion of Permit G-15405 is lost, and no further development or appropriation may occur under the permit. The purpose of an extension of time under

ORS 537.630 is to provide additional time to complete the appropriation authorized by a groundwater right permit. Where no further development or appropriation may occur, there is no basis for requesting or approving an extension of time.

2. Because Permit G-15405 is not eligible for an extension of time, William Bownan, Trustee of the William Bowman Revocable Living Trust's July 28, 2022 application for an extension of time for Permit G-15405 should be rejected.

FINAL ORDER

William Bownan, Trustee of the William Bowman Revocable Living Trust's July 28, 2022 application for an extension of time for Permit G-15405 is hereby rejected.

DATED: October 16, 2026

Katherine Ratcliffe, Administrator,
Water Right Services Division
for Ivan Gall, Director
Oregon Water Resources Department