

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number S-32892

Final Order
Extension of Time for Permit Number S-28984
Permit Holder: Michael Tyrholm & Diane L. Cross-Tyrholm
Trustees of the Michael and Diane Tyrholm Trust

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 either file 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 S-28984 was issued by the Department on November 15, 1963. The permit called for completion of construction by October 1, 1965 and complete application of water to beneficial use by October 1, 1966. On May 5, 2011, Michael Tyrholm & Diane L. Cross-Tyrholm-Trustees of the Michael and Diane Tyrholm Trust submitted to the Department an Application for Extension of Time for Permit S-28984. In accordance with OAR 690-315-0050(2), on September 20, 2011, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2013 and the time to apply water to full beneficial use to October 1, 2013. The protest period closed November 4, 2011, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department adopts and incorporates by reference the Proposed Final Order dated September 20, 2011.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following additional condition:

CONDITION

Last Extension Condition

This is to be the last extension of time granted for Permit G-28984. Any future extensions of time requests will be denied.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application S-32892, Permit S-28984, therefore, is approved. The deadline for completing construction is extended from October 1, 1973 to October 1, 2013. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1973 to October 1, 2013.

DATED: February 3, 2012



Dwight French
Water Right Services Division Administrator, *for*
PHILLIP C. WARD, DIRECTOR

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- If you have any questions about statements contained in this document, please contact Jerry Gainey at (503) 986-0812.
 - 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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