

**Oregon Water Resources Department
Water Right Services Division**

Water Rights Application
Number G-12766

**Final Order
Extension of Time for Permit Number G-12446
Permit Holder: Ken & Dianne Buscher**

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 G-12446 was issued by the Department on July 31, 1996. The permit called for completion of construction by October 1, 1997, and complete application of water to beneficial use by October 1, 2000. On June 29, 2006, the Department issued an order approving the extension of Permit G-12446, to October 1, 2006. On September 22, 2011, Ken & Dianne Buscher submitted to the Department an Application for Extension of Time for Permit G-12446. In accordance with OAR 690-315-0050(2), on February 14, 2012, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2014 and the time to fully apply water to beneficial use to October 1, 2014. The protest period closed March 30, 2012, in accordance with OAR 690-315-0060(1). No protest was filed.

The Department adopts and incorporates by reference the Proposed Final Order dated February 14, 2012.

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 condition:

CONDITION

1. Last Extension Condition

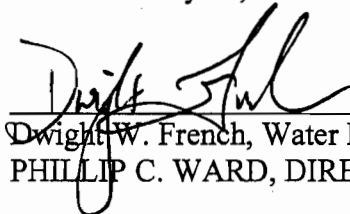
This is to be the last extension of time granted for Permit G-12446. Any future extensions of time requests will be denied.

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-12766, Permit G-12446, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to from October 1, 2006 to October 1, 2014. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2006 to October 1, 2014.

DATED: May 24, 2012


Dwight W. French, Water Right Services 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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