

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

Water Rights Application  
Number R-85899

**Final Order**

**Extension of Time for Permit Number R-13974  
Permit Holder: Bruce Fleming**

**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 R-13974 was issued by the Department on March 29, 2004. The permit called for the reservoir to be filled and complete application of the stored water to the use be made by October 1, 2008. Two permit extensions for Permit R-13974 have been granted by the Department. The most recent extension called for the reservoir to be filled and complete application of the stored water to the use be made by October 1, 2012. On July 17, 2012, Bruce Fleming submitted to the Department an Application for Extension of Time for Permit R-13974. In accordance with OAR 690-315-0050(2), on September 25, 2012, the Department issued a Proposed Final Order proposing to extend the time for the reservoir to be filled and complete application of the stored water to beneficial use. The protest period closed November 16, 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 September 25, 2012.

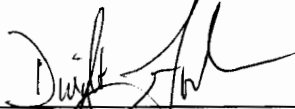
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.248 and OAR 690-315-0040(2).

**Order**

The extension of time for Application R-85899, Permit R-13974, therefore, is approved. The deadline for the reservoir to be filled and complete application of the stored water to the use within the terms and conditions of the permit is extended from October 1, 2012 to October 1, 2017.

DATED: January 29, 2013



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 Joan Smith at (503) 986-0898
  - 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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**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

**Extension of Time  
 Progress Reporting Form  
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Bruce Fleming

Application R-85899  
 Permit R-13974

**Report Due no later than October 1, 2017**

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

**Progress Report Form for 2017**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit R-13974

<b>INSERT DATES</b>	<b>LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS</b> For the period of time between <b>October 1, 2012</b> and <b>October 1, 2017</b>	<b>FINANCIAL INVESTMENT</b>

2. **Compliance with terms and conditions of the permit and/or previous extension.**

3. **Total number of acres irrigated to date = \_\_\_\_\_ (if applicable)**

4. **Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.**

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

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

Acre Feet stored to date = \_\_\_\_\_ AF

*Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.*

Signature \_\_\_\_\_ Date \_\_\_\_\_

<i>For OWRD use only</i>	
Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____
Reviewed by: _____	Date: _____

*For OWRD use only*

Diligence Shown     Yes    No

Date Public Noticed: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_