

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-15165

Final Order
Extension of Time for Permit Number G-14026
Permit Holder: Whitby Brothers Land & Livestock, LLC.

Permit Information

Application File G-15165 Permit G-14026

Basin: 12 – Malheur Lake / Watermaster District 10

Date of Priority: June 5, 2000

Authorized Use of Water

Source of Water: Three wells in Malheur Lake Basin

Purpose of Use: Irrigation of 528.0 Acres

Maximum Rate: 6.60 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**

Application History

Permit G-14026 was issued by the Department on July 9, 2001 to C and C Bar Ranch. On April 19, 2007, the permit was assigned to Walden L. Holmgren, Holmgren Dairy, LLC., and on November 21, assigned to Northwest Farm Credit Services, FLCA, and Whitby Brothers Land & Livestock, LLC. The permit called for complete application of water to beneficial use by October 1, 2005. On February 27, 2012, Whitby Brothers Land & Livestock, LLC., submitted to the Department an Application for Extension of Time for Permit G-14026. In accordance with OAR 690-315-0050(2), on April 23, 2013, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2017. The protest period closed June 7, 2013, in accordance with OAR 690-315-0060(1). No protest was filed.

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.

Findings of Fact

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated April 23, 2013.

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.

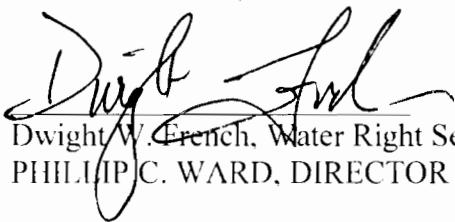
CONCLUSION OF LAW

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-15165, Permit G-14026, therefore, is approved. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2005 to October 1, 2017.

DATED: June 14, 2013



Dwight W. French, Water Right Services Administrator, *for*
PHILIP C. WARD, DIRECTOR

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- If you have any questions about statements contained in this document, please contact Michele McAleer at (503) 986-0825.
 - 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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