

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

Water Rights Application
Number G-15056

**Final Order
Extension of Time for Permit Number G-13833
Permit Holder: Willamette Nurseries**

Permit Information

Application File G-15056 Permit G-13833

Basin: 2 – Willamette / Watermaster District 16

Date of Priority: October 26, 1999

Authorized Use of Water

Source of Water: A Well in Rock Creek Basin

Purpose of Use: Irrigation of 18.85 Acres

Maximum Rate: 0.236 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-13833 was issued by the Department on August 15, 2000, and modified by Permit Amendment T-9545 on September 13, 2004. The permit called for complete application of water to beneficial use by October 1, 2004. On April 13, 2012, Willamette Nurseries submitted to the Department an Application for Extension of Time for Permit G-13833. In accordance with OAR 690-315-0050(2), on May 28, 2013, the Department issued a Proposed Final Order, proposing to extend the time to fully apply water to beneficial use to October 1, 2014. The protest period closed July 12, 2013, in accordance with OAR 690-315-0060(1). No protest was filed.

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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 May 28, 2013, with the following modifications to correct for scrivener's errors:

- a. Finding of Fact 10 is corrected as follows (additions are shown in "underline" text, deletions are shown in "~~strikethrough~~" text):

Since the issuance of Permit G-13833 on August 15, 2000, a maximum rate of 0.2 cfs of water has been appropriated from the well for irrigation of 18 acres. ~~This exceeds the amount of water for irrigation use authorized under this permit.~~ The authorized amount of water for ~~commercial~~ irrigation use is 0.236 cfs.

- b. The second sentence in Finding of Fact 15 is corrected as follows (additions are shown in "underline" text, deletions are shown in "~~strikethrough~~" text):

The point of appropriation for Permit G-13833, located within the Rock Creek Basin is not located within a limited or critical ground water area.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, 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-15056, Permit G-13833, 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, 2004 to October 1, 2014.

DATED: July 30, 2013


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 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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