

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number S-80161

Final Order
Extension of Time for Permit Number S-53270
Permit Holder: Robert J. Kolodny

Permit Information
Application File S-80161 Permit S-53270

Basin: 15 – Rogue / Watermaster District 13
Date of Priority: April 10, 1995

Authorized Use of Water

Source of Water:	Stored water from Lost Creek Reservoir, constructed under Permit R-8142, tributary to Rogue River
Purpose of Use:	Irrigation of 2.4 Acres
Maximum Rate:	7.2 acre-feet (AF)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.060 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Application History

Permit S-53270 was issued by the Department on October 17, 1997. The permit called for complete application of water to beneficial use by October 1, 2001. On October 15, 2012, Robert J. Kolodny submitted to the Department an Application for Extension of Time for Permit S-53270. In accordance with OAR 690-315-0050(2), on June 18, 2013, the Department issued a Proposed Final Order proposing to extend the time to complete construction and the time to apply water to full beneficial use to October 1, 2013. The protest period closed August 2, 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 June 18, 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 537.230, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application S-80161, Permit S-53270, therefore, is approved. The deadline for completing construction and for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2001 to October 1, 2013.

DATED: August 16, 2013



Dwight W. French
Administrator, Water Right Services Division
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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