

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-16753

Final Order
Extension of Time for Permit Number G-16321
Permit Holder: Gregory Kosmala

Permit Information

Application File G-16753 Permit G-16321

Basin: 2 – Willamette / Watermaster District 2

Date of Priority: November 15, 2006

Authorized Use of Water

Source of Water: Proposed Well 1 (LINN 58966) in Oak Creek Basin

Purpose of Use: Nursery Use on 5.14 Acres and Irrigation of 3.44 Acres

Maximum Rate: 0.33 Cubic Foot per Second (cfs), further limited to 0.04 cfs
for irrigation use on 3.44 acres

**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-16321 was issued by the Department on May 22, 2008. The permit called for complete application of water to beneficial use by October 1, October 1, 2012. On September 26, 2012, Gregory Kosmala submitted to the Department an Application for Extension of Time for Permit G-16321. In accordance with OAR 690-315-0050(2), on July 23, 2013, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2016. The protest period closed September 6, 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 July 23, 2013.

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-16753, Permit G-16321, 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, 2012 to October 1, 2016.

DATED: September 20, 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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