

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

Water Rights Application
Number S-86199

Final Order

**Extension of Time for Permit Number S-54463
Permit Holder: Beaverlake Nursery, LLC.**

Permit Information

Application File S-86199 Permit S-54463
Basin: 2 – Willamette / Watermaster District 20
Date of Priority: March 10, 2005

Authorized Use of Water

Source of Water: Upper Pond (Permit R-14453), Lower Pond (Permit R-14454), Pond 3 (Permit R-14455), and Pond 4 (Permit R-14456), tributaries of Beaver Creek
Purpose of Use: Nursery Use on 21.4 Acres
Maximum Volume: 36.4 Acre Feet (AF)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

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 S-54463 was issued by the Department on May 15, 2008. The permit called for complete application of water to beneficial use by October 1, 2012. On January 4, 2013, Beaverlake Nursery, LLC., submitted to the Department an Application for Extension of Time for Permit S-

54463. In accordance with OAR 690-315-0050(2), on September 24, 2013, the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use to October 1, 2016. The protest period closed November 8, 2013, in accordance with OAR 690-315-0060(1). No protest was filed.

Findings of Fact

The Department adopts and incorporates by reference the findings in the Proposed Final Order dated September 24, 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 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-86199, Permit S-54463, 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: March 21, 2014


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 Steven Parrett 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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