Oregon Water Resources Department

Water Right Services Division

Water Rights Application Number G-12485

FINAL ORDER

Extension of Time for Permit Number G-12033

Permit Holder: Cameron Koehn and Rachel Koehn, Northwest Farm Credit Services PCA

Permit Information

Application File:

G-12485

Permit:

G-12033

Basin:

12 – Malheur Lake / Watermaster District 10

Date of Priority:

April 15, 1991

Source of Water:

Well 2 and Well 5 within the Silvies River Basin

Purpose of Use:

Irrigation of 206.0 Acres

Maximum Rate:

2.58 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

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 G-12033 was issued by the Department on December 13, 1995. The permit called for completion of construction by October 1, 1997, and complete application of water to beneficial use by October 1, 1998. On March 4, 2013, Cameron Koehn and Rachel Koehn submitted to the Department an Application for Extension of Time for Permit G-12033. In accordance with OAR 690-315-0050(2), on May 20, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2022, and the time to fully apply water to beneficial use to October 1, 2022. The protest period closed, in accordance with OAR 690-315-0060(1). No protest was filed.

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FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated May 20, 2014.

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 the following conditions:

CONDITIONS

1. <u>Last Extension Condition</u>

This is to be the last extension of time granted for Permit G-12033. Any future extension of time requests will be denied.

2. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2017. A form is enclosed with this Final Order.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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).

Final Order: Permit G-12033

ORDER

The extension of time for Application G-12485, Permit G-12033, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1997, to October 1, 2022. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1998, to October 1, 2022.

DATED: July 25, 2014

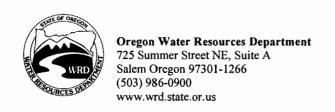
Dwight W. French

Water Right Services Division Administrator, for DIRECTOR, Oregon Water Resources Department

Timothy Way for

- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist 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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Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Cameron Koehn and Rachel Koehn Application G-12485 Permit G-12033

Progress Report for 2017

Report Due no later than October 1, 2017 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

	horized in ORS 690-315-0050(6), this popment and perfections of Permit G-12	progress report is required in order to ensure diligent 2033.	ce is exercised in the
	RE TO SUBMIT THIS REPORT WILL MO	ST LIKELY RESULT IN ANY FUTURE EXTENSION BEING VARORONAPHISHER PROPERTY AND A PROPERTY OF THE	The Tally and the
2.	Describe actions to achieve c	ompliance with conditions of the permit ar	nd/or previous extension.
3 . 4 .		ed to date:(NA if not applicable) or duty if applicable, of water diverted for b	peneficial use under this
	permit, if any, to date. Maximum rate used to date = or Maximum rate used to date = or Acre Feet stored to date =	cfs (cubic feet per second) gpm (gallons per minute)	Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily,
Signature			monthly or annual water volume totals.
Printe	ed Name/Title	,	
Dilige	ence Shown	Date Public Noticed: For OWRD use only	
Reviev	wed by:	Date:	