

# Oregon Water Resources Department

## Water Right Services Division

Water Rights Application  
Number G-14631

### FINAL ORDER

Extension of Time for Permit Number G-13757  
Permit Holder: James A. Bussmann

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	Permit Information
Application File:	G-14631
Permit:	G-13757
Basin:	17 – South Coast / Watermaster District 19
Date of Priority:	November 3, 1997
Source of Water:	A well in Summers Creek Basin
Purpose of Use:	Cranberry Use on 42.0 Acres
Maximum Rate:	0.25 cubic feet per second (cfs) for storage or cranberry use - up to 74.0 acre-feet (AF) storage volume each year

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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-13757 was issued by the Department on December 13, 1999. The permit called for complete application of water to beneficial use by October 1, 2004. On July 18, 2013, permit holder James A. Bussmann submitted to the Department an Application for Extension of Time for Permit G-13757. In accordance with OAR 690-315-0050(2), on June 3, 2014, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2018. The protest period closed on July 18, 2014, in accordance

with OAR 690-315-0060(1). No protest was filed.

## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated June 3, 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. Permit Amendment and Monitoring Plan

Within six months of the issuance of a Final Order approving an extension of time for Permit G-13757, the permit holder shall submit an Application for a Permit Amendment pursuant to ORS 537.211 requesting the authorization of the domestic well CURR 1579 (reconditioned as CURR 51091) for use under Permit G-13757. The permit holder shall also submit a plan to monitor and report the impact of water use under Permit G-13757 on water levels within the aquifer, as specified by the permit, within the same six month period. Failure to satisfy these conditions will disqualify the permit from any future extension of time.

2. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2017. A form will be enclosed with your 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).

## ORDER

The extension of time for Application G-14631, Permit G-13757, therefore, is approved subject to conditions contained herein. 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, 2018.

DATED: July 25, 2014

A handwritten signature in cursive script that reads "E. Timothy Wall" followed by a horizontal line and the word "for" written in a smaller, less distinct cursive script.

Dwight W. French  
Water Right Services Division Administrator, *for*  
DIRECTOR, Oregon Water Resources Department

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- 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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 Salem Oregon 97301-1266  
 (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: James A Bussmann

Application G-14631

Permit G-13757

**Progress Report for 2017**

Report Due no later than October 1, 2017

**DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-13757.

**FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.**

DATE	IS ALL WORK AS COMPLETED AND FINANCIAL IN THE PERMIT FOR THE PERIOD OF TIME COVERED BY 12, 2015, 2016, 2017?

**2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.**

**3. Total number of acres irrigated to date: \_\_\_\_\_ (NA if not applicable)**

**4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, to date.**

Maximum rate used to date = \_\_\_\_\_ cfs (cubic feet per second)

or

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute)

or

Acre Feet stored to date = \_\_\_\_\_ AF

*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, monthly or annual water volume totals.*

**INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.**

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name/Title \_\_\_\_\_

Diligence Shown	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____
		<i>For OWRD use only</i>
Reviewed by:		Date: _____