

Oregon Water Resources Department

Water Right Services Division

Water Rights Application
Number S-70936

FINAL ORDER

Extension of Time for Permit Number S-52459
Permit Holder: James Osterman

Permit Information

Application File:	S-70936
Permit:	S-52459
Basin:	2 – Willamette / Watermaster District 20
Date of Priority:	November 26, 1990
Source of Water:	An unnamed stream and Clear Creek, Tributaries to Clackamas River, and Steeplechase Reservoir, constructed under Permit R-11855
Purpose of Use:	Supplemental nursery operations on 69.8 Acres
Maximum Rate:	0.056 cubic feet per second (cfs) from an unnamed stream, 0.557 cfs from Clear Creek, and 8.4 acre-feet (AF) from storage

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-52459 was issued by the Department on July 8, 1996. The permit called for completion of construction by October 1, 1998, and complete application of water to beneficial use by October 1, 1999. On March 19, 2013, James Osterman submitted to the Department an Application for Extension of Time for Permit S-52459. 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, 2017, and the time to apply water to full beneficial use to October 1, 2017. The protest period closed July 4, 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 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, 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-70936, Permit S-52459, therefore, is approved. The deadline for completing construction is extended from October 1, 2008, to October 1, 2017. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2008, to October 1, 2017.

DATED: July 25, 2014

A handwritten signature in cursive script, appearing to read "D. Timothy Wall" followed by "for".

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 Extensions 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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