

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

Water Rights Application
Number S-86647

FINAL ORDER

Extension of Time for Permit Number S-54428
Permit Holder: Trent Nistler

Permit Information

Application:	S-86647
Permit:	S-54428
Basin:	15 – Rogue / Watermaster District 13
Date of Priority:	July 31, 2006
Source of Water:	Tyler Reservoir, a tributary of Rock Creek
Purpose of Use:	Primary irrigation on 8.0 acres and supplemental irrigation on 7.2 Acres
Maximum Rate:	9.0 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-54428 was issued by the Department on November 11, 2007. The permit called for completion of construction by October 1, 2012, and complete application of water to beneficial use by October 1, 2012. On July 22, 2014, Trent Nistler submitted to the Department an Application for Extension of Time for Permit S-54428. In accordance with OAR 690-315-

0050(2), on August 26, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2016, and the time to apply water to full beneficial use to October 1, 2016. The protest period closed October 10, 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 August 26, 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-86647, Permit S-54428, therefore, is approved. The deadline for completing construction is extended from October 1, 2012 to October 1, 2016. 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: October 17, 2014



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler Director,
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Ann Reece at (503) 986-0834.
 - 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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