Oregon Water Resources Department

Water Right Services Division

Water Rights Application Number R-87174

FINAL ORDER

Extension of Time for Permit Number R-14672
Permit Holder: Kenton Gregory

Permit Information

Application:

R-87174

Permit:

R-14672

Basin:

2 - Yamhill / Watermaster District 18

Date of Priority:

May 14, 2008

Source of Water:

Runoff and Unnamed Stream, a Tribuary to

Williams Canyon

Purpose of Use:

Multiple purpose

Maximum Rate/Volume:

8.0 acre feet

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 R-14672 was issued by the Department on Febuary 16, 2009. The permit called for completion of construction by February 16, 2014 and complete application of water to beneficial use by February 16, 2014. On December 10, 2013, Kenton Gregory submitted to the Department an Application for Extension of Time for Permit R-14672. In accordance with OAR

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690-315-0050(2), on September 30, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2024, and the time to apply water to full beneficial use to October 1, 2024. The protest period closed November 14, 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 September 30, 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 the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2018 and 2023. A form is 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 537.230,

Final Order: Permit R-14672

ORDER

The extension of time for Application R-87174, Permit R-14672, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from February 16, 2014 to October 1, 2024. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from February 16, 2014 to October 1, 2024.

DATED: November 21, 2014

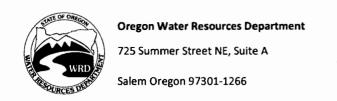
Dwight French

Water Right Services Division Administrator, for

Thomas M Byler Director,

Oregon Water Resources Department

- If you have any questions about statements contained in this document, please contact Permit Extension Specialist at (503) 986-0802.
- 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



Reviewed by:

Extension of Time Progress Reporting Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Kenton Gregory

Application R-87174

Permit R-14672

Progress Report Form for 2018

Report Due no later than October 1, 2018 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As auth	norized in ORS 690-315-0050(6), this progress report is required in order to ensure	e diligence is exercised in the development and perfections	
	nit R-14672. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTUI	AND THE RESERVE AS A STATE OF THE PROPERTY OF	
	ACCEPTED TO THE RELIGIOUS OF THE DEWEST DEVELOPED AND PARTY.		
2.	Describe actions to comply with terms and conditions of t	he 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, <u>made to date</u> .	Report the rate in the same units of	
	Maximum rate used to date =cfs (cubic feet per second)	measurement as specified in the permit, being	
	or Maximum rate used to date =gpm (gallons per minute)	cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide	
	or	daily, monthly or annual water volume	
	Acre Feet stored to date =AF		
INCOME	PLETE REORTS WILL BE RETURNED. AN ANSWER IS <u>REQUIRED</u> IN EACH ITEM.		
Signature		Date	
Drinte	ad Nama/Titla		
Printe	ed Name/Title		
For OWRD use only			
Diligence Shown ☐ Yes ☐ No Date Public Noticed:			