

Oregon Water Resources Department

Water Right Services Division

Water Rights Application
Number G-16973

FINAL ORDER

Extension of Time for Permit Number G-16407
Permit Holder: Zachary Sword

Permit Information

G-16973	
Permit:	G-16407
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	November 30, 2007
Source of Water:	Well 1 (HARN 51378) and Well 2 in Malheur Lake Basin
Purpose of Use:	Irrigation use on 263.9 Acres
Maximum Rate:	3.3 cubic feet per second (cfs), being 1.3 cfs from well 1 (HARN 51378 and 2.0 cfs from Well 2

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-16407 was issued by the Department on November 28, 2008. The permit called for completion of construction by October 1, 2013 and complete application of water to beneficial use by October 1, 2013. On May 29, 2014, Zachary Sword submitted to the Department an Application for Extension of Time for Permit G-16407. In accordance with OAR 690-315-0050(2), on October 21, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2018, and the time to fully apply water to beneficial use to October 1, 2018. The protest period closed December 5, 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 October 21, 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 no further conditions:

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-16973, Permit G-16407, therefore, is approved. The deadline for completing construction is extended to from October 1, 2013 to October 1, 2018. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2013 to October 1, 2018.

DATED: December 12, 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 the 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
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