

# Oregon Water Resources Department

## Water Right Services Division

Water Rights Application  
Number S-73734

### FINAL ORDER

Extension of Time for Permit Number S-52993  
Permit Holder: Sea Wind Farms, Inc.

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#### Permit Information

Application:	S-73734
Permit:	S-52993
Basin:	17 – South Coast / Watermaster District 19
Date of Priority:	October 13, 1993
Source of Water:	Mill Creek and five unnamed reservoirs, constructed under Permit R-12095, tributaries of Floras Lake
Purpose of Use:	Primary cranberry operation on 16.0 acres and supplemental cranberry operations on 30.2 acres
Maximum Rate/Volume:	2.0 cubic foot per second (cfs) live flow from Mill Creek, and 45.0 acre-feet (AF) per year from stored water, being 9.0 AF each from reservoirs 1, 2, 3, 4, and 5

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**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-52993 was issued by the Department on January 31, 1997. The permit called for actual construction to begin by January 1, 1998, completion of construction by October 1, 1999, and complete application of water to beneficial use by October 1, 2000. On September 15, 2014, Sea Wind Farms, Inc. submitted to the Department an Application for Extension of Time for Permit S-52993. In accordance with OAR 690-315-0050(2), on November 4, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 1999 to October 30, 2016, and the time to apply water to full beneficial use from October 1, 2000 to October 30, 2016. The protest period closed December 19, 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 November 4, 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-73734, Permit S-52993, therefore, is approved. The deadline for completing construction is extended from October 1, 1999 to October 30, 2016. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2000 to October 30, 2016.

DATED: December 26, 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 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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