

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

Water Rights Application  
Number G-13084

**Superseding Final Order**

**FINAL ORDER**

Extension of Time for Permit Number G-12913  
Permit Holder: Joe Hitz

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**Permit Information**

Application:	G-13084
Permit:	G-12913
Basin:	2 – Middle Willamette / Watermaster District 16
Date of Priority:	August 20, 1992
Source of Water:	One well in Butte Creek Basin
Purpose of Use:	Irrigation of 44.6 acres and Supplemental irrigation of 19.5 acres
Maximum Rate:	0.641 cubic feet per second (cfs), being 0.244 cfs for supplemental irrigation of 19.5 acres and 0.557 cfs for irrigation of 44.6 acres

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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-12913 was issued by the Department on October 28, 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 February 2, 2015, Joe Hitz submitted to the Department an Application for Extension of Time for Permit G-12913. In accordance with OAR 690-315-

0050(2), on March 10, 2015, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 30, 2015. The protest period closed April 24, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

Based on the continued evaluation, the Department discovered the following scrivener's errors in the Proposed Final Order issued March 10, 2015 and the Final Order issued May 1, 2015:

1. The Proposed Final Order proposed to extend the time to apply water to full beneficial use to October 30, 2015. The Final Order extended the time to apply water to full beneficial use to October 30, 2015. This superseding Final Order is being issued to correct the scrivener's error and make this the Final Order.

### **FINDINGS OF FACT**

Except as expressly stated herein, the Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated March 10, 2015.

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 additional 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-13084, Permit G-12913, therefore, is approved. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1999 to October 30, 2020.

DATED: May 14, 2015



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) 986-0825.
  - 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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Mailing List for Extension FO Copies

FO Date: May 14, 2015

Copies Mailed

Application: G-13084

By: \_\_\_\_\_

Permit: G-12913

On: \_\_\_\_\_

Original mailed to permit holder

Joe Hitz  
13639 Wilco Hwy  
Woodburn, OR 97071

Copies sent to:

1. WRD - App. File G-13084/ Permit G-12913
2. PACIFIC HYDRO-GEOLOGY INC.  
MALIA KUPILLAS  
18487 S VALLEY VISTA RD  
MULINO, OR 97042

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving notification via e-mail - FO available in WRIS for review  
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 16, Joel Plahn

CASEWORKER: CAC