## **Oregon Water Resources Department**

**Water Right Services Division** 

Water Rights Application Number G-14855

## FINAL ORDER

Extension of Time for Permit Number G-13711
Permit Holder: Alpine Land Inc.; James A. Briggs

#### **Permit Information**

Application:

G-14855

Permit:

G-13711

Basin:

9 - Powder / Watermaster District 8

Date of Priority:

October 16, 1998

Source of Water:

A well in Powder River Basin

Purpose of Use:

Group Domestic for 10 Households

Maximum Rate:

0.03 cubic foot per second (cfs)

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-13711 was issued by the Department on July 30, 1999. The permit called for actual construction of the well to begin by May 14, 2000, and complete application of water to beneficial use by October 1, 2003. On May 11, 2015, Alpine Land Inc.; James A. Briggs submitted to the Department an Application for Extension of Time for Permit G-13711. In accordance with OAR 690-315-0050(2), on June 23, 2015, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 30, 2030. The protest period closed August 7, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

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### FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated June 23, 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 the following conditions:

## CONDITIONS

## 1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2019, 2024, and 2029. A form is enclosed with this 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 537.630, 539.010(5) and OAR 690-315-0040(2).

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### ORDER

The extension of time for Application G-14855, Permit G-13711, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2003 to October 30, 2030.

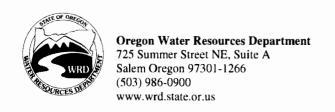
DATED: August 14, 2015

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 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



Extension of Time Progress Report Form For Checkpoints

## TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Alpine Land Inc.; James A. Briggs

Application G-14855

Permit G-

13711

## **Progress Report for 2019**

Report Due no later than October 1, 2019
DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-13711.

FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

Ď	ATES		ACCOMPLISHED and FINANCIAL INVESTMENTS time between May 11, 2015 and October 1, 201	FINANCIAL INVESTMENT
2.	Describ	e actions to achieve co	ompliance with conditions of the permit and/o	r previous extension.
3. 4.	Total number of acres irrigated to date:(NA if not applicable)  Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this			
	Maximu	if any, to date. Im rate used to date =	cfs (cubic feet per second)	Report the rate in the same
	or Maximu	ım rate used to date =	gpm (gallons per minute)	units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per
NCOMPLETE REPORTS WILL BE RETURNED. AN		ORTS WILL BE RETURNED.	AN ANSWER IS <u>REQUIRED</u> IN EACH ITEM.	minute) or AF (acre-feet).  Do not provide daily,  monthly or annual water
Signature			Date	volume totals.
Printe	ed Name/	Title		
Dilige	nce Shown	□ Yes □ No	Date Public Noticed:  For OWRD use only	_
Reviewed by:			Date:	

# **Mailing List for Extension FO Copies**

Final Order: Permit G-13711

FO Date: August 14, 2015	Copies Mailed				
Application: G-14855	By:				
Permit: G-13711	On:				
Original mailed to permit holder					
Alpine Land Inc.; James A. Briggs 12597 Zoe Road Watford City, ND 58854					
Copies sent to:					
1. WRD - App. File G-14855/ Permit G-13711					
2. LELAND L MYERS					
PO BOX 99					
SUMPTER, OR 97877					
Fee paid as specified under ORS 536.050 to receive copy:					
3. None					
Receiving notification via e-mail - FO available in WRI (DONE BY EXTENSION SPECIALIST)	S for review				
4. WRD - Watermaster District 8, Rick Lusk					
If Progress Reports are included: (Done by extension Specialist) Add record to Progress Report tracking sheet.xls Done: byDate					
CASEWORKER: CAC					

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