

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated September 15, 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 **August 5, 2020**. *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).

ORDER

The extension of time for Application G-15936, Permit G-15670, 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, 2008 to October 1, 2020.

DATED: November 6, 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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Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Van Meter and Son Nursery Inc.

Application G-15936

Permit G-15670

Progress Report for 2020

Report Due no later than August 5, 2020

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-15670.

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

| DATES | LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between August 5, 2015 and August 5, 2020 | FINANCIAL INVESTMENT |
|-------|--|----------------------|
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2. Describe actions to achieve compliance with conditions of the 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, to date.

Maximum rate used to date = _____ cfs (cubic feet per second)

or

Maximum rate used to date = _____ gpm (gallons per minute)

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature _____ Date _____

Printed Name/Title _____

| | |
|--|--|
| Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No | Date Public Noticed: _____ <i>For OWRD use only</i> |
| Reviewed by: _____ | Date: _____ |

Mailing List for Extension FO Copies

FO Date: November 6, 2015

Copies Mailed

Application: G-15936

By: _____

Permit: G-15670

On: _____

Original mailed to permit holder

Van Meter and Son Nursery Inc.
9720 SE 362nd Ave
Boring, OR 97009

Copies sent to:

1. WRD - App. File G-15936/ Permit G-15670
2. Schroeder Law Offices, P.C.
1915 NE Cesar E. Chavez Blvd
Portland, OR 97212

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 20, Amy Kim

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by _____ Date _____

CASEWORKER: CAC