

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-16263, Water Right Application G-16798,) FINAL ORDER
in the name of Louis Marks)

Permit Information

Application:	G-16798
Permit:	G-16263
Basin:	9 – Powder / Watermaster District 8
Date of Priority:	February 9, 2007
Source of Water:	Well 1 and Well 2 in Hutchinson Slough Basin
Purpose of Use:	Supplemental irrigation use on 478.0 Acres
Maximum Rate:	3.34 cubic feet 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-16263 was issued by the Department on December 10, 2007. The permit specified for completion of construction by October 1, 2012 and complete application of water to beneficial use by October 1, 2012. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2015, and placed a Last Extension Condition on the extension. The Final Order dated July 12, 2013, stated "this is to be the last extension of time granted for Permit G-16263, and any future extension of time requests will likely be denied." On September 28, 2015, Louis Marks submitted to the Department an Application for Extension of Time for Permit G-16263. In accordance with OAR 690-315-0050(2), on November 10, 2015, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2019, and the time to fully apply water to beneficial use to October 1, 2019. The protest period closed December 25, 2015, 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 November 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 the following conditions:

CONDITIONS

1. Final Extension Condition

This is to be the final extension of time granted for Permit G-16263. Any future extensions of time requests **will be denied**.

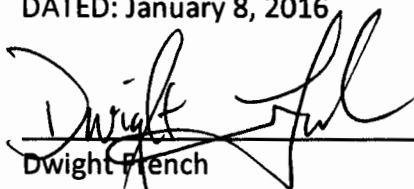
CONCLUSION OF LAW

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-16798, Permit G-16263, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2015 to October 1, 2019. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2015 to October 1, 2019.

DATED: January 8, 2016



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: January 8, 2016

Copies Mailed

Application: G-16798

By: _____

Permit: G-16263

On: _____

Original mailed to permit holder

Louis Marks
47740 Anthony Lakes Hwy
North Powder, OR 97867

Copies sent to:

1. WRD - App. File G-16798/ Permit G-16263
2. Bagett, Griffith, & Blackman
2006 Adams Ave
La Grande, OR 97850

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 8, Rick Lusk

CASEWORKER: CAC