

# Oregon Water Resources Department

## Water Right Services Division

Water Rights Application  
Number R-84100

### FINAL ORDER

Extension of Time for Permit Number R-12770  
Permit Holder: Knapp Ranches Inc.

---

#### Permit Information

Application:	R-84100
Permit:	R-12770
Basin:	17 – South Coast / Watermaster District 19
Date of Priority:	February 4, 1999
Source of Water:	An unnamed stream, a tributary of Elk River
Purpose of Use:	Stored water to be appropriated under application S-84101 for irrigation and mining use
Maximum Volume:	100.0 (AF) each year from November 1 through April 30

---

**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 R-12770 was issued by the Department on January 31, 2000. The permit called for actual construction to begin by December 15, 2000, the reservoir was to be filled and complete application of the stored water to use was to be made on or before October 1, 2004. On April

18, 2014, Knapp Ranches Inc. submitted to the Department an Application for Extension of Time for Permit R-12770. In accordance with OAR 690-315-0050(2), on November 18, 2014, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 2004 to October 1, 2017 and the time to apply water to full beneficial use from October 1, 2004 to October 1, 2017. The protest period closed January 2, 2015, in accordance with OAR 690-315-0060(1). On January 2, 2015, WaterWatch of Oregon and Oregon Coast Alliance filed protests against the PFO. The Department received the permit holder's response to the protests on January 28, 2015. On June 4, 2015, the permit holder requested an administrative hold for additional time for the purpose of pursuing settlement discussion with the protestants. On November 25, 2015 the Department received the request for a second administrative hold. On March 31, 2016 the Department received a request from the permit holder to resume processing the application for an extension of time, with additional voluntary conditions from the permit holder. The permit holder requested the following language be added to permit R-12770:

1. The use of water for irrigation under Permit R-12770 is further limited to on ranch irrigation and shall not include irrigation for, related to, or supporting of golf course use or development.
2. The permittee shall demonstrate compliance with all permit conditions.

### **FINDINGS OF FACT**

Except as expressly stated herein, The Department adopts and incorporates by reference the findings in the Proposed Final Order dated November 18, 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 the following conditions:

### **CONDITIONS**

1. **Last Extension Condition**  
This is to be the last extension of time granted for Permit R-12770. Any future extensions of time requests will be denied.
2. **Permit Condition**
  - A. The use of water for irrigation under Permit G-12770 is further limited to on ranch irrigation and shall not include irrigation for, related to, or supporting of golf course use or development.
  - B. The permittee shall demonstrate compliance with all permit conditions.

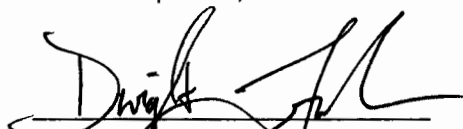
## CONCLUSION OF LAW

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 R-84100, Permit R-12770, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2004 to October 1, 2017. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2004 to October 1, 2017.

DATED: April 15, 2016



Dwight French  
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 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
-