

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-12646, Water Right Application G-12997,) FINAL ORDER
in the name of Northwest Farm Credit Services, FLCA, and)
Clancy R. Roth, Bar DR Land and Cattle, LLC, and)
Stephen F. Roth)

Permit Information

Application:	G-12997
Permit:	G-12646
Basin:	5 – Deschutes / Watermaster District 11
Date of Priority:	June 23, 1992
Source of Water:	A well within the Deschutes Basin
Purpose of Use:	Irrigation of 381.0 acres
Maximum Rate:	4.76 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-12646 was issued by the Department on July 31, 1996. The permit called for actual construction of the well to begin by July 31, 1997, completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. On December 30, 2015, Stephen F. Roth submitted to the Department an Application for Extension of Time for Permit G-12646. In accordance with OAR 690-315-0050(2), on February 16, 2016, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2017, and the time to fully apply water to beneficial use to October 1, 2017. The protest period closed April 1, 2016, 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 February 16, 2016.

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. Well Reconstruction Condition

No water shall be appropriated under the terms of Permit G-12646 until Well (DESC 1707) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department. Specifically, the well shall be reconstructed and sealed to a minimum depth of 88 feet.

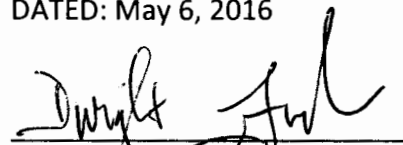
CONCLUSION OF LAW

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-12997, Permit G-12646, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to from October 1, 1998 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, 1999 to October 1, 2017.

DATED: May 6, 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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