

**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 R-12604, Water Right Application R-70332)FINAL ORDER
in the name of U. S. Fremont National Forest)

Permit Information

Application:	R-70332
Permit:	R-12604
Basin:	14 – Klamath / Watermaster District 17
Date of Priority:	May 3, 1990
Source of Water:	A natural drainage area, tributaries of Lapham Creek
Storage Facility:	Upper Pit Reservoir
Purpose of Use:	Recreation, fish life, wildlife, and wetland enhancement
Maximum Volume:	122.0 acre-feet (AF)

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 final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition 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-12604 was issued by the Department on October 28, 1996. The permit called for actual construction to begin by October 28, 1997, completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. On December 21, 2015, U. S. Fremont National Forest submitted to the Department an Application for Extension of Time for Permit R-12604. In accordance with OAR 690-315-0050(2), on February 2, 2016, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 1998 to October 1, 2020 and the time to apply water to full

beneficial use from October 1, 1999 to October 1, 2020. The protest period closed March 18, 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 in the Proposed Final Order dated February 2, 2016.

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 no additional conditions.

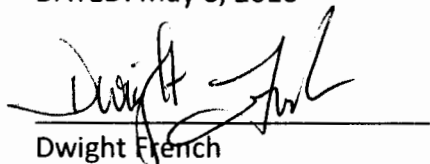
CONCLUSION OF LAW

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-70332, Permit R-12604, therefore, is approved. The deadline for completing construction is extended from October 1, 1998 to October 1, 2020. 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, 2020.

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 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
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