

**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 S-53072, Water Right Application S-70477 ) FINAL ORDER  
in the name of Eric Pond and Northwest Farm Credit Services, FLCA )

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**Permit Information**

Application:	S-70477
Permit:	S-53072
Basin:	Middle Willamette / Watermaster District 16
Date of Priority:	July 13, 1990
Source of Water:	Yamhill River, tributary of Willamette River
Purpose of Use:	Irrigation of 72.1 acres and frost protection on 5.0 acres
Maximum Rate:	0.90 cubic feet per second (cfs) , being 0.90 for irrigation and 0.75 cfs for frost protection)

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**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 S-53072 was issued by the Department on February 5, 1997. The permit specified actual construction was to begin by February 5, 1998, construction of the water system was to be completed by October 1, 1999, and complete application of water was to be made on or before October 1, 2000. The most recent extension authorized completion of construction and

complete application of water to beneficial use by October 1, 2003. On January 29, 2016, Eric Pond submitted an Application for Extension of Time for Permit S-53072. In accordance with OAR 690-315-0050(2), on May 17, 2016, the Department issued a Proposed Final Order proposing to extend the time to complete construction from 2000 or 2003 to October 1, 2020 and the time to apply water to full beneficial use from 2000 or 2003 to October 1, 2020. The protest period closed July 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 in the Proposed Final Order dated May 17, 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 S-70477, Permit S-53072, therefore, is approved. The deadline for completing construction is extended from October 1, 2003 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, 2003 to October 1, 2020.

DATED: July 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 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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