

**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-54463, Water Right Application S-86199 ) FINAL ORDER  
in the name of Ray C. Martin III on behalf of Beaverlake Nursery LLC )

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**Permit Information**

Application: S-86199  
Permit: S-54463  
Basin: Willamette / Watermaster District 20  
Date of Priority: March 10, 2005  
Source of Water: Upper Pond (Permit R-14453); Lower Pond (Permit R-14454); Pond 3  
(Permit R-14455); Pond 4 (Permit R-14456), Tributaries of Beaver Creek  
Purpose or Use: Nursery use on 21.4 Acres  
Maximum Volume: 36.4 acre-feet (AF) each year, being 9.1 AF each from Upper Pond,  
Lower Pond, Pond 3, and Pond 4

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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-54463 was issued by the Department on May 15, 2008. The most recent extension authorized complete application of water to beneficial use by October 1, 2016. On September 30, 2016, Ray C. Martin III, on behalf of Beaverlake Nursery LLC, submitted an Application for Extension of Time for Permit S-54463. In accordance with OAR 690-315-0050(2), on December 27, 2016, the Department issued a Proposed Final Order proposing to extend the time to apply

water to full beneficial use from October 1, 2016, to October 1, 2018. The protest period closed February 10, 2017, 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 December 20, 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 no additional conditions.

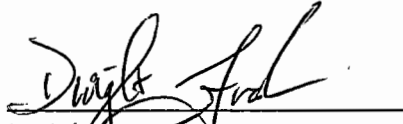
### **CONCLUSION OF LAW**

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-86199, Permit S-54463, therefore, is approved.

DATED: February 17, 2017



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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