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-11024, Water Right Application G-11640, in the)	FINAL ORDER
name of Thomas A. MacDonald)	

Permit Information

Application:

G-11640

Permit:

G-17749

Basin:

13 – Goose and Summer Lakes / Watermaster District 12

Date of Priority:

April 7, 1987 for 10.0 cubic feet per second (cfs) for fish culture and

7.73 cfs for irrigation; and June 14, 1989 for 7.8 cfs for fish culture

Source of Water:

Nine wells in the Ana River Basin

Purpose or Use:

Fish culture, irrigation use of 50.1 acres and supplemental irrigation of

569.6 acres

Maximum Rate:

17.80 cfs, being 7.73 cfs for irrigation and 17.80 cfs for fish cultur

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Permit G-11024 was issued by the Department on April 30, 1990 and modified by Permit Amendment T-11749, Superseded Permit G-17749 was issued on March 17, 2017. The original permit specified actual construction of the well to begin by April 30, 1991, completion of construction by October 1, 1992, and complete application of water to beneficial use by October 1, 1993. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2016. On December 14, 2016, Thomas A. MacDonald submitted an Application for Extension of Time for Permit G-17749. In

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accordance with OAR 690-315-0050(2), on June 6, 2017, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2020, and the time to fully apply water to beneficial use to October 1, 2020. The protest period closed July 21, 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 of fact in the Proposed Final Order dated June 6, 2017.

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 condition.

LIMITATIONS AND CONDITIONS

1. <u>Last Extension Condition</u>

This is to be the last extension of time granted for Permit G-17749. Any future extensions of time requests shall be denied.

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-11640, Permit G-17749, therefore, is approved. The deadline for completing construction is extended from October 1, 2016, 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, 2016, to October 1, 2020.

DATED: July)28, 2017

Dwight/French

Water Right Services Division Administrator, for

Thomas M. Byler, Director

Oregon Water Resources Department

PLACED IN U.S. MAIL

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- If you have any questions about statements contained in this document, please contact the 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