

**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-11579, Water Right Application R-71828 ) FINAL ORDER  
in the name of Mary Anne Puhl )

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**Permit Information**

Application: R-71828  
Permit: R-11579  
Basin: South Coast / Watermaster District 19  
Date of Priority: September 10, 1991 for 49.28 Acre-Feet (AF) and  
August 11, 1994 for 137.92 AF  
Source of Water: Camp Creek, Bull Creek, and surface runoff, tributaries  
of Elk River  
Storage Facility: Bull Creek Reservoir 1, Bull Creek Reservoir 2,  
Eastside Recovery Pond, Sandpit Recovery Pond,  
Camp Creek Reservoir 2, Westside Recovery Pond 1,  
and Westside Recovery Pond 2  
Purpose or Use: Cranberry use  
Maximum Volume: 187.2 AF; being 5.81 AF in Bull Creek Reservoir 1;  
14.3 AF in Bull Creek Reservoir 2; 6.69 AF in East  
Side Recovery Pond; 6.0 AF in Sand Pit Recovery  
Pond; 136.0 AF in Camp Creek Reservoir 2; 9.2 AF in  
West Side Recovery Pond 1; and 9.2 AF in West Side  
Recovery Pond 2

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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 R-11579 was issued by the Department on November 8, 1995. The permit specified actual construction to begin by November 8, 1996, completion of construction by October 1, 1997, and complete application of water to beneficial use by October 1, 1998. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 1999. On June 29, 2017, Mary Anne Puhl submitted an Application for Extension of Time for Permit R-11579. In accordance with OAR 690-315-0050(2), on September 5, 2017, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 1999, to October 1, 2022, and the time to apply water to full beneficial use from October 1, 1999, to October 1, 2022. The protest period closed October 20, 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 September 5, 2017.

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 the following conditions:

### **LIMITATIONS AND CONDITIONS**

1. **Last Extension Condition**

This is to be the last extension of time granted for Permit R-11579. 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 537.230, 539.010(5) and OAR 690-315-0040(2).

## ORDER

The extension of time for Application R-71828, Permit R-11579, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1997, to October 1, 2022. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1998, to October 1, 2022.

DATED: October 27, 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) 986-986-0825.
  - 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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