Oregon Water Resources Department Water Right Services Division

Application for Extension of Time

| In the Matter of the Applicat for Permit G-16379, Water F the name of Mike and Caroly | Light Application G-16956, in | .) | FINAL ORDER |
|--|--|------------|--------------------------|
| PROCESSION OF THE PROCESSION O | Permit Information | | |
| Application: | G-16956 | | |
| Permit: | G-16379 | | |
| Basin: | 5 – Deschutes / Watermaster Dis | trict 3 | |
| Date of Priority: | November 8, 2007 | | |
| Source of Water: | Well 1 (WASC 51079) and Well White River Basin | 2 in White | e River Basin within the |
| Purpose of Use: Maximum Rate: | Irrigation use on 119.0 Acres 1.49 cubic feet per second (cfs) | | |

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.

<u>Appeal Rights</u>

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-16379 was issued by the Department on September 4, 2008. The permit specified completion of construction complete application of water was to be made on or before October 1, 2012. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2017. On October 18, 2017, Mike and Carolyn Davis submitted an Application for Extension of Time for Permit G-16379. In accordance with OAR 690-315-0050(2), on November 28, 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 January 12, 2018, in accordance with OAR 690-315-0060(1). No protest was filed.

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FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated November 28, 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 conditions:

LIMITATIONS AND CONDITIONS

1. **Permit Amendment Condition**

The use of any water from Well 2 (WASC 52540) under Permit G-16379 is subject to this Condition. The permit holder shall submit an application for a permit amendment to change the location of Well 2 before any water is appropriated for irrigation under Permit G-16379. No water may be appropriated from Well 2 until a final order approving the change in the location of Well 2 has been issued by the Department.

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-16956, Permit G-16379, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2017, 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, 2017, to October 1, 2020.

DATED: January 19, 2018

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 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

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