

**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-17766, Water Right Application G-16790, in) FINAL ORDER
the name of Ash Grove Cement Company)

Permit Information

Application: G-16790
Permit: G-17766
Basin: 9 – Powder / Watermaster District 8
Date of Priority: February 5, 2007
Source of Water: Well 3 (BAKE 1474), Well 4, Well 5, Well 6, Well 7, Well 8, Well 9,
Well 10, Well 11, and proposed Well 12, in Burnt River Basin
Purpose or Use: Mining; Industrial Use
Maximum Rate: 0.66 cubic foot per second (cfs), being 0.22 cfs from each well

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-16250 was issued by the Department on November 29, 2007. The permit specified completion of construction and complete application of water to beneficial use by October 1, 2012. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2017. Permit G-16250 was modified by three permit amendments, the most recent being Permit Amendment T-12572. Permit Amendment T-12572 was approved on April 17, 2017, and superceding Permit G-17766 was issued to reflect the changes. Permit G-17766 authorizes the use of up to 0.66 cfs of water from Well 3, Well4, Well 5, Well 6, Well 7, Well 8, Well 9, Well 10, Well 11, and Well 12, for mining and industrial use. On November 27, 2017, Ash Grove Cement Company submitted an Application for Extension of Time for Permit G-17766. In accordance with OAR 690-315-0050(2), on January 16, 2018, the

Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2023, and the time to fully apply water to beneficial use to October 1, 2023. The protest period closed March 2, 2018, 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 January 16, 2018.

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 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-16790, Permit G-17766, therefore, is approved. The deadline for completing construction is extended from October 1, 2017, to October 1, 2023. 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, 2023.

DATED: March 16, 2018



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

-
- 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
-