

**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-13144, Water Right Application G-14408, in	)	FINAL ORDER
the name of Joe Westerman - Managing member of Lusted	)	
Road Farms, LLC	)	

Permit Information

Application:	G-14408
Permit:	G-13144
Basin:	2C – Lower Willamette / Watermaster District 20
Date of Priority:	November 13, 1996
Source of Water:	A well in Lusted Creek Basin
Purpose or Use:	Irrigation of 35.6 acres and agricultural use
Maximum Rate:	0.445 cubic foot 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.

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-13144 was issued by the Department on June 18, 1997. The permit specified actual construction of the well to begin by June 18, 1998, and complete application of water to beneficial use by October 1, 2001. The most recent extension authorized complete application of water to beneficial use by October 1, 2011. On December 22, 2017, Joe Westerman - Managing member of Lusted Road Farms, LLC submitted an Application for Extension of Time for Permit G-13144. In accordance with OAR 690-315-0050(2), on February 20, 2018, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2022. The protest period closed April 6, 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 February 20, 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-14408, Permit G-13144, therefore, is approved. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2011, to October 1, 2022.

DATED: April 20, 2018



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 the Permit Extension Specialist at (503) 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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