

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-16280, Water Right Application G-16696, in) FINAL ORDER
the name of Christopher Xiong and Kia Lor)

Permit Information

Application: G-16696
Permit: G-16280
Basin: 2B – Middle Willamette / Watermaster District 16
Date of Priority: July 14, 2006
Source of Water: Well 1 (CLAC 10379) and Well 2 (CLAC 62685) in Bear Creek Basin
Purpose or Use: Irrigation use on 26.09 acres
Maximum Rate: 0.33 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-16280 was issued by the Department on January 17, 2008. The permit specified completion of construction and complete application of the water to beneficial use by October 1, 2012. On February 15, 2017, Christopher Xiong and Kia Lor submitted an Application for Extension of Time for Permit G-16280. In accordance with OAR 690-315-0050(2), on April 24, 2018, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2022, and the time to fully apply water to beneficial use to October 1, 2022. The protest period closed June 8, 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 April 24, 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 the following conditions:

LIMITATIONS AND CONDITIONS

1. **Water Use/Meter Installation Condition**

No water may be appropriated under Permit G-16280, from CLAC 62685 or CLAC 10379, until a totalizing flow meter has been installed. The permittee shall keep and maintain a record of the amount (volume) of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually.

2. **Last Extension Condition**

This may be the last extension of time granted for Permit G-16280. Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that a totalizing flow meter has been installed at each point of appropriation. In addition, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

CONCLUSION OF LAW

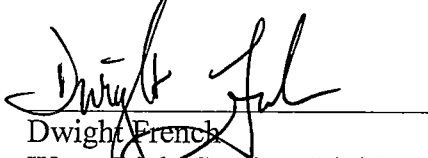
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

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ORDER

The extension of time for Application G-16696, Permit G-16280, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2012, 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, 2012, to October 1, 2022.

DATED: June 22, 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) 986-0802.
 - 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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