Oregon Water Resources Department Water Right Services Division

Application for Extension of Time

In the Matter of the for Permit G-165 the name of Shave	32, Water Right A)	FINAL ORDER	
		Permit Information	OR COMPLETE	
Application:	G-17110			

Application: Permit:

G-17110 G-16532

Basin:

8 – Grande Ronde / Watermaster District 6

Date of Priority:

September 2, 2008

Source of Water:

A well in Grande Ronde River Basin

Purpose or Use:

Irrigation use on 164.6 acres

Maximum Rate:

2.05 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.

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-16532 was issued by the Department on July 2, 2009. The permit specified completion of construction and complete application of water to beneficial use by July 2, 2014. On June 14, 2018, Shawn Bingaman submitted an Application for Extension of Time for Permit G-16532. In accordance with OAR 690-315-0050(2), on July 31, 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 September 14, 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 July 31, 2018.

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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 condition:

LIMITATIONS AND CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2022. A form will be enclosed with your Final Order.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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-17110, Permit G-16532, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from July 2, 2014, to October 1, 2023. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from July 2, 2014, to October 1, 2023.

DATED: September 21, 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 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

Final Order: Permit G-16532



Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Perm	iit Holder: Snawn Bingman	Application G-1/110	Permit G-16532
As a	DO NOT SUBMIT uthorized in ORS 690-315-0050(6), the exercised in the develop	oment and perfections of Permit G-	DUE DATE der to ensure diligence is 16532.
D	ATES For the period of time	MPLISHED and FINANCIAL IN between June 14, 2018 and Octob	er 1, 2022 INVESTMENT
		•)
 3. 	Describe actions to achieve comp (Examples: installed a meter, submeasurements, installed a fish scr Total number of acres irrigated to Well 1	mitted water usage reports, submi reen, obtained approval for fish sc	tted static water level
4.	Provide the maximum rate, or dupermit, if any, to date. Maximum rate used to date = Maximum Rate per well: Well 1		Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gp (gallons per minute) or AF (acre-feet). Do not provide daily, monthly, or annual water volume totals.

EXTENSION BEING DENIED.

Signature ______ Date _____

Printed Name/Title ______

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS <u>REQUIRED</u> IN EACH ITEM.

FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE

Diligence Shown	☐ Yes ☐ No	Date Public Notic For OWRD us		
Reviewed by:		Date:	 	