

**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-11627, Water Right Application G-12589, in    )  
the name of Eagle Creek Golf Course    )

FINAL  
ORDER

**Permit Information**

Application:                   G-12589  
Permit:                        G-11627  
Basin:                         2C – Lower Willamette / Watermaster District 20  
Date of Priority:            June 24, 1991  
Source of Water:            three wells in Eagle Creek Basin  
Purpose of Use:             Irrigation use on 234.0 Acres  
Maximum Rate:             2.95 cfs, being 2.93 cfs for irrigation of 234.0 acres, 0.01 cfs for  
commercial use, and 0.01 cfs for recreation 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-11627 was issued by the Department on November 22, 1993. The permit specified actual construction of the well to begin by November 22, 1994, completion of construction by October 1, 1995 and complete application of water to beneficial use by October 1, 1996. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2007. On June 19, 2018, James G. Bastasch, owner and manager of Eagle Creek Golf Course submitted an Application for Extension of Time for Permit G-11627. In accordance with OAR 690-315-0050(2), on August 28, 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 October 12, 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 August 28, 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. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**. *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.

### 2. Last Extension Condition

This may be the last extension of time granted for Permit G-11627. Any future extensions of time request shall be denied, unless the Department has determined diligence is shown during this extension period. To show diligence, the permit holder must submit the Progress Report as required by the Checkpoint Condition above, which demonstrates, at minimum, one of the following benchmarks has been achieved on or before October 1, 2023, being the date the Progress Report is due. Failure to submit the Progress Report within 30-days of October 1, 2023, and/or failure to demonstrate diligence as required in this condition shall result in any future request for an extension of time to be denied. In addition to the requirements of this condition, for future extension requests, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

#### Benchmark 1:

To demonstrate diligence under Benchmark 1, the permit holder must submit a map prepared by a Certified Water Rights Examiner which illustrates development to the

beneficial use on an additional 100.0 acres of land as authorized under the terms and conditions of the permit or any subsequent permit amendment to change the place of use. The 100.0 acres of land must be in addition to the 66.45 acres that have been previously developed as illustrated in the map attached to the Application for Extension of Time submitted to the Department on June 19, 2018. A copy of this map is included in this proposed final order, and is referenced as Attachment "A".

Benchmark 2:

To demonstrate diligence under Benchmark 2, the permit holder must submit a report, certified by a Certified Water Rights Examiner, which demonstrates that beneficial use of a minimum of 2.0 cfs of water has been achieved as authorized under the terms and conditions of the permit or any subsequent permit amendment. The report must include documentation of the maximum rate of water put to beneficial use from each point of appropriation, the volume of water put to beneficial use from each point of appropriation, the nature of the use from each point of appropriation, and documentation of compliance with permit conditions from each point of appropriation.

### 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-12589, Permit G-11627, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2007, 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, 2007, to October 1, 2023.

DATED: October 26, 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 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
-



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

**Extension of Time  
 Progress Report Form  
 For Checkpoints**

**TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT**

Permit Holder: Eagle Creek Golf Course

Application G-12589

Permit G-11627

**Progress Report for 2023**

Report Due no later than October 1, 2023

**DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-11627.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 19, 2018 and October 1, 2023	FINANCIAL INVESTMENT

1. Describe actions to achieve compliance with conditions of the permit and/or previous extension. (Examples: installed a meter, submitted water usage reports, submitted static water level measurements, installed a fish screen, obtained approval for fish screen from ODFW etc.)

2. Total number of acres irrigated to date: \_\_\_\_\_ Primary  
 Total acres irrigated per well,  
 Well 1 \_\_\_\_\_ Well 2 \_\_\_\_\_ Well 3 \_\_\_\_\_  
 Additional Wells  
 Well \_\_\_\_\_ Well \_\_\_\_\_ Well \_\_\_\_\_

3. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, to date.

Maximum rate used to date = \_\_\_\_\_ cfs

Maximum Rate per well:

Well 1 \_\_\_\_\_ Well 2 \_\_\_\_\_ Well 3 \_\_\_\_\_

Additional Wells

Well \_\_\_\_\_ Well \_\_\_\_\_ Well \_\_\_\_\_

*Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly, or annual water volume totals.*

4. Provide the required documentation demonstrating compliance with the "Last Extension Condition" contained in the Final Order Dated October 26, 2018. (Condition and Benchmarks included on back of this Progress Report Form)

**Last Extension Condition**

This may be the last extension of time granted for Permit G-11627. Any future extensions of time request shall be denied, unless the Department has determined diligence is shown during this extension period. To show diligence, the permit holder must submit the Progress Report as required by the Checkpoint Condition above, which demonstrates, at minimum, one of the following benchmarks has been achieved on or before October 1, 2023, being the date the Progress Report is due. Failure to submit the Progress Report within 30-days of October 1, 2023, and/or failure to demonstrate diligence as required in this condition shall result in any future request for an extension of time to be denied. In addition to the requirements of this condition, for future extension requests, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

**Benchmark 1:**

To demonstrate diligence under Benchmark 1, the permit holder must submit a map prepared by a Certified Water Rights Examiner which illustrates development to the beneficial use on an additional 100.0 acres of land as authorized under the terms and conditions of the permit or any subsequent permit amendment to change the place of use. The 100.0 acres of land must be in addition to the 66.45 acres that have been previously developed as illustrated in the map attached to the Application for Extension of Time submitted to the Department on June 19, 2018. A copy of this map is included in this proposed final order, and is referenced as Attachment "A".

**Benchmark 2:**

To demonstrate diligence under Benchmark 2, the permit holder must submit a report, certified by a Certified Water Rights Examiner, which demonstrates that beneficial use of a minimum of 2.0 cfs of water has been achieved as authorized under the terms and conditions of the permit or any subsequent permit amendment. The report must include documentation of the maximum rate of water put to beneficial use from each point of appropriation, the volume of water put to beneficial use from each point of appropriation, the nature of the use from each point of appropriation, and documentation of compliance with permit conditions from each point of appropriation.

***INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.  
FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE  
EXTENSION BEING DENIED.***

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name/Title \_\_\_\_\_

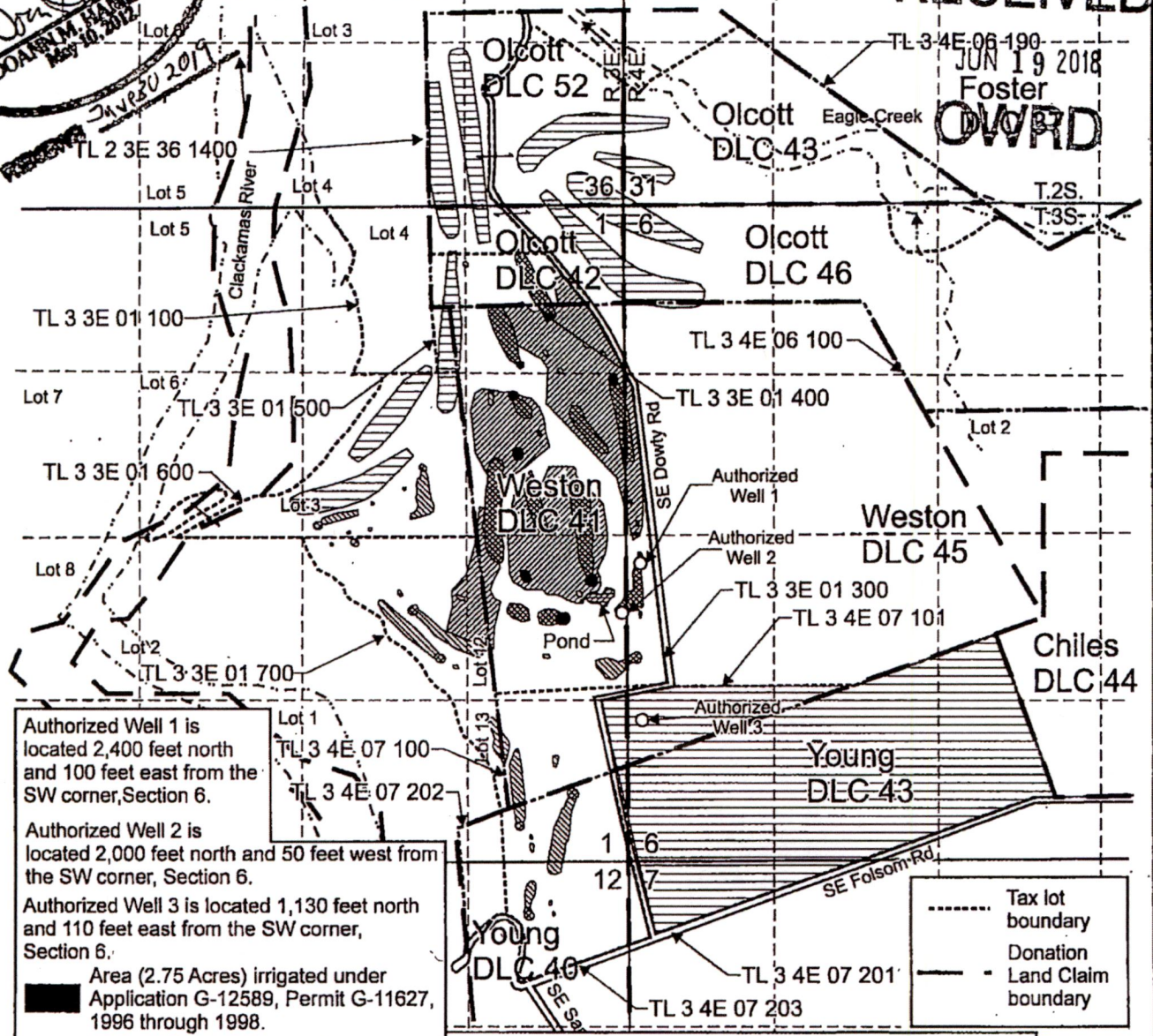
Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____ <i>For OWRD use only</i>
Reviewed by: _____	Date: _____

**T.2S. R.3E. Sec. 36, T.2S. R.4E. Sec. 31,  
T.3S. R.3E. Sec. 1 & 12, and  
T.3S. R.4E. Sec. 6 & 7, W.M.**

**RECEIVED**

*Central Water Rights Registrar*  
85513  
*DOAN M. HAMILTON*  
May 10, 2017

JUN 19 2018  
Foster  
**OWRD**



Authorized Well 1 is located 2,400 feet north and 100 feet east from the SW corner, Section 6.

Authorized Well 2 is located 2,000 feet north and 50 feet west from the SW corner, Section 6.

Authorized Well 3 is located 1,130 feet north and 110 feet east from the SW corner, Section 6.

Area (2.75 Acres) irrigated under Application G-12589, Permit G-11627, 1996 through 1998.

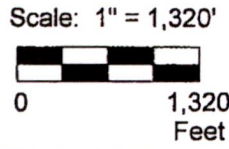
Area (10.0 Acres) irrigated under Application G-12589, Permit G-11627, 1999.

Area (43.2 Acres) irrigated under Application G-12589, Permit G-11627, 2004.

Area (10.5 Acres) irrigated under Application G-12589, Permit G-11627, 2006.

Area (167.55 Acres) not yet irrigated under Application G-12589, Permit G-11627.

----- Tax lot boundary  
- - - - - Donation  
- - - - - Land Claim boundary



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



**Extension Map**  
Application G-12589, Permit G-11627  
Eagle Creek Golf Course  
T.2S. R.3E. Sec. 36, T.2S R.4E. Sec. 31, T.3S. R.3E. Sec. 1 & 12  
and T.3S. R.4E. Sec. 6 & 7, W.M.

Eagle Creek Ext Map.cdr

Pacific Hydro-Geology Inc.

06/2018