

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 S-54168, Water Right Application S-85723) FINAL ORDER
in the name of Joe and Cindi Stroble)

Permit Information

Application:	S-85723
Permit:	S-54168
Basin:	Rogue / Watermaster District 13
Date of Priority:	July 28, 2003
Source of Water:	Applegate Reservoir, Permit R-7810, a tributary of Rogue River
Purpose or Use:	Irrigation on 2.0 Acres
Maximum Volume:	5.0 acre-feet (AF) each year

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition 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 S-54168 was issued by the Department on March 10, 2005. The permit specified complete application of water to beneficial use by, October 1, 2009. On September 14, 2018, Joe Stroble submitted an Application for Extension of Time for Permit S-54168. In accordance with OAR 690-315-0050(2), on October 30, 2018, the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use from October 1, 2009, to October 1, 2020, subject to the condition requiring the permit holder to submit documentation of application for a contract to use water stored in Applegate Reservoir to the U.S. Bureau of Reclamation to the Department by December 14, 2018. The protest period closed December 14, 2018, in accordance with OAR 690-315-0060(1). No protest was filed.

On April 15, 2019, the Department received a copy of Water Service Contract Number 199E101985, with the U.S. Bureau of Reclamation for the use of 5.0 AF of stored water from Applegate Reservoir under Permit S-54168.

FINDINGS OF FACT

Except as expressly stated herein, The Department adopts and incorporates by reference the findings in the Proposed Final Order dated October 30, 2018. Modifications to the Proposed Final Order are shown as follows: additions are shown in underlined text; deletions are shown in ~~strikethrough~~ text.

12. Current Water Availability Analysis has determined that ~~no~~ water is currently available for use under Permit S-54168 as the ~~BOR Contract that secured the use of 5.0 AF of water from Applegate Reservoir has been canceled~~ subject to the terms and conditions of Water Service Contract number 199E101985, or a suitable replacement.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, 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 537.230, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application S-85723, Permit S-54168, 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, 2009, to October 1, 2020.

DATED: April 19, 2019


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 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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