Oregon Water Resources Department Water Right Services Division

Application for Extension of Time

	Application for an Extension of Time , Water Right Application G-13672, in Gibler)))	FINAL ORDER	
	Permit Information			
Application:	G-13672		-	
Permit:	G-12002		•	
Basin:	2C – Lower Willamette / Watermaster I	District 20		
Date of Priority:	April 25, 1994, for 0.1 cfs and November 29, 1994, for 0.144 cfs			
Source of Water:	two wells within Clackamas River Basin	ı		
Purpose or Use:	Irrigation of 19.74 acres, and agriculture	use		
Maximum Rate:	0.224 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 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 G-12002 was issued by the Department on December 22, 1995. The permit specified actual construction of the well to begin by December 22, 1996, completion of construction by October 1, 1997 and complete application of water to beneficial use by October 1, 1998. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2002. On January 18, 2019, Rhoda Gibler submitted an Application for Extension of Time for Permit G-12002. In accordance with OAR 690-315-0050(2), on March 12, 2019, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2024, and the time to fully apply water to beneficial use to October 1, 2024. The protest period closed April 25, 2019, in accordance with OAR 690-315-0060(1). No protest was filed.

Final Order: Permit G-12002

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated March 12, 2019.

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. Last Extension Condition

This may be the last extension of time granted for Permit G-12002. Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that diligence is shown during this extension period. In addition, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

2. 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.

continued on following page

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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-13672, Permit G-12002, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2002, to October 1, 2024. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2002, to October 1, 2024.

DATED: May 10, 2019

Dwight French

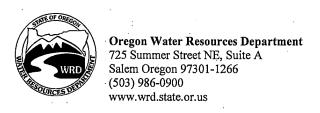
Water Right Services Division Administrator, for

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

Final Order: Permit G-12002



Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Rhoda Gibler			Aj	Application G-13672			Permit G-12002	
	:			D				

		Report for 2023	•
		ater than October 1, 2023	
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As a	uthorized in ORS 690-315-0050(6), this progres exercised in the development and		ligence is
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D		muary 18, 2019 and October 1, 2023	FINANCIAL
13			INVESTMENT
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	back of form if needed		
3.	(Examples: installed a meter, submitted was measurements, installed a fish screen, obtain the screen obtains a first screen of acres irrigated to date:	2 2 2	
4.	Total acres irrigated per well: Well 1 (CL. Provide the maximum rate, or duty if app		l use under this
	permit, if any, to date. Maximum rate used to date =cfs Maximum Rate per well: Well 1 Well 2	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 (acrefeet). Do not provide daily, monthly, or annual water volume totals.	· ·
FAII	OMPLETE REPORTS WILL BE RETURNED. A LURE TO SUBMIT THIS REPORT WILL I ENSION BEING DENIED.		
Signa	ature	Date	
Print	ed Name/Title		
Dilige	nce Shown	olic Noticed:	

Diligence Shown	☐ Yes ☐ No		Date Public Noticed:		
			For OWRD use only		
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Reviewed by:			Date:	·	