

Oregon Water Resources Department

Water Right Services Division

Water Rights Application
Number G-12716

FINAL ORDER

Extension of Time for Permit Number G-17254
Permit Holder: Chaylon and Amber Shuffield

Permit Information

Application:	G-12716
Permit:	G-17254
Basin:	13 – Goose and Summer Lake / Watermaster District 12
Date of Priority:	November 25, 1991 for 0.45 cfs from Well 1 and Shuffield Well; February 4, 1994 for 1.55 cfs from Well 2 and Shuffield Well
Source of Water:	Three wells within the Summer Lake Basin
Purpose of Use:	Irrigation use on 160.0 Acres
Maximum Rate:	2.0 cubic feet per second (cfs), being 0.45 cfs from Well 1 and Shuffield Well, and 1.55 cfs from Well 2 and Shuffield Well

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-12903 was issued by the Department on October 28, 1996 and modified by Permit Amendment T-11758 on December 5, 2014 and a superseding Permit G-17254 was issued. The permit called for actual construction to begin by October 28, 1997, completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 30, 2025. On December 15, 2014, Chaylon and Amber Shuffield submitted to the Department an Application for Extension of Time for Permit G-

17254. In accordance with OAR 690-315-0050(2), on February 3, 2015, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2025, and the time to fully apply water to beneficial use to October 1, 2025. The protest period closed March 20, 2015, 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 February 3, 2015.

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:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020 and 2025. A form is enclosed with this 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.

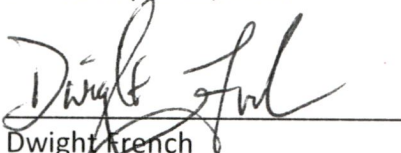
CONCLUSION OF LAW

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-12716, Permit G-17254, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1998 to October 30, 2025. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1999 to October 30, 2025.

DATED: April 10, 2015



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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Mailing List for Extension FO Copies

FO Date: April 10, 2015

Copies Mailed

Application: G-12716

By: KF

Permit: G-17254

On: 4/10/15

Original mailed to permit holder

Earnest and Dixie Shuffield

P.O. Box 85

Summer Lake, OR 97640

Chaylon and Amber Shuffield

P.O. Box 85

Summer Lake, OR 97640

Copies sent to:

1. WRD - App. File G-12716/ Permit G-17254

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail - FO available in WRIS for review

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 12, Brian Mayer

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by Cc Date 4-9-2015

CASEWORKER: MAB