Oregon Water Resources Department Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)	FINAL
for Permit G-16930, Water Right Application G-17397, in)	ORDER
the name of Carland Family Trust)	UKDEK

Permit Information

Application:

G-17397

Permit:

G-16930

Basin:

14 – Klamath / Watermaster District 17

Date of Priority:

June 4, 2010

Source of Water:

Well 1 in Klamath River Basin

Purpose of Use:

supplemental irrigation of 351.9 Acres

Maximum Rate:

4.40 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 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-16930 was issued by the Department on June 14, 2012. The permit specified completion of construction and complete application of water to beneficial use was to be completed within five years from the date of permit issuance, being June 14, 2017. On August 20, 2019, Dale Carland, trustee for Carland Family Trust submitted an Application for Extension of Time for Permit G-16930. In accordance with OAR 690-315-0050(2), on November 5, 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 December 22, 2019, 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 November 5, 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 condition:

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.

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).

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ORDER

The extension of time for Application G-17397, Permit G-16930, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from June 14, 2017, to October 1, 2024. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from June 14, 2017, to October 1, 2024.

DATED: January 3, 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 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

Final Order: Permit G-16930



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: Carland Family Trust

Application G-17397

Permit G-16930

Progress Report for 2023

Report Due no later than October 1, 2023
DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As author	DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE D rized in ORS 690-315-0050(6), this progress report is required in ord exercised in the development and perfections of Permit G-1	er to ensure diligence is		
DATE	LIST ALL WORK ACCOMPLISHED and FINANCIAL INV	ESTMENTS FINANCIAL		
Use back	s of form if needed			
(<i>E m</i> 3. T	escribe actions to achieve compliance with conditions of the pern Examples: installed a meter, submitted water usage reports, submitted easurements, installed a fish screen, obtained approval for fish screen otal number of acres irrigated to date: Supplementalotal acres irrigated per well,	ed static water level		
p o M	$\begin{array}{ll} \text{Iaximum Rate used to date} = \phantom{aaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaaa$	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		
W	/ell 1	provide daily, monthly, or annual water volume totals		
FAILUR	PLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRE RE TO SUBMIT THIS REPORT WILL MOST LIKELY RESUL SION BEING DENIED.			
Signature	Date			
Printed N	Jame/Title			

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