

**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-13253 (modified by Permit Amendment T-8746), Water) **FINAL**
Right Application G-14292, in the name of MDB Farms, LLC) **ORDER**

Permit Information

Application: G-14292
Permit: G-13253
Basin: 8 – Grande Ronde / Watermaster District 6
Date of Priority: April 8, 1996
Source of Water: Well #5, Well #6, and Well #7, in the Grande Ronde River Basin
Purpose or Use: Irrigation 672.88 acres
Maximum Rate: 8.0 cubic feet per second (cfs), being 4.0 cfs from Well #5 and Well #7 combined, and 4.0 cfs from Well #6

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-13253 was issued by the Department on November 11, 1997, and modified by Permit Amendment T-8746 on July 13, 2001. The permit specified actual construction of the well to begin by November 11, 1998, and complete application of water to beneficial use by October 1, 2001. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2010. On October 7, 2019, Steven DeLashmutt, manager of MDB Farms, LLC, submitted an Application for Extension of Time for Permit G-13253. In accordance with OAR 690-315-0050(2), on November 19, 2019, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2024. The protest period closed January 6, 2020, 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 19, 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. Permit Amendment Condition

The use of any water from New Well #6 (UNIO 52449) under Permit G-13253 is subject to this Condition.

No water may be appropriated from UNIO 52449, under Permit G-13253 unless authorized by Permit Amendment.

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-14292, Permit G-13253, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2010, to October 1, 2024.

DATED: January 17, 2020



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 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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