

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-17304, Water Right Application G-17748, in the)
name of Matt McElligott)

**FINAL ORDER
TO DENY**

Permit Information

Application: G-17748
Permit: G-17304
Basin: 9 – Powder / Watermaster District 8
Date of Priority: January 2, 2014
Source of Water: Well 1 and Well Option 2 in Warm Springs Creek Basin
Maximum Rate 2.33 cubic feet per second (cfs), being 0.16 cfs for primary irrigation of
and Use: 9.4 acres, and 2.17 cfs for supplemental irrigation of 130.55 acres

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-17304 was issued by the Department on October 23, 2014. The permit specified completion of construction and application of water was to be made within five years of the date of permit issuance, being October 23, 2019. On December 12, 2019, the permit holder submitted to the Department an Application for Extension of Time for Permit G-17304. In accordance with OAR 690-315-0050(2), on January 21, 2020, the Department issued a Proposed Final Order proposing to deny the time to complete and the time to fully apply water to beneficial use to October 1, 2029. The protest period closed March 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 January 21, 2020.


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 not be extended.

CONCLUSION OF LAW

The applicant has not 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-17748, Permit G-17304, therefore, denied.
DATED: March 13, 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 (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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