

**Application for Extension of Time for a Water Right Permit
(NON-Municipal/NON Quasi-Municipal water Use)**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) A required fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water.** An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

Instructions are in Attachment A.

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TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
***A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).***

I, Jim McDonald

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

PO 187

ADDRESS

Denio

CITY

NV

STATE

89404

ZIP

775-421-8296; 775-304-8296

PHONE

desertdesignhelen@yahoo.com

E-MAIL ADDRESS

the permit holder of:

Application Number G-17407

Permit Number G-16833

[OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:



complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on **Month:** February **Day:** 14 **Year:** 2016, be extended to October 1, 2027, [OAR 690-315-0020(3)(i)]

and/or the time in which to:



apply water to full beneficial use under the terms and conditions of the permit, which time now expires on **Month:** February **Day:** 14 **Year:** 2016, be extended to October 1, 2027. [OAR 690-315-0020(3)(i)]

I am the permit holder, or have written authorization from the permit holder (attached to this Application for Extension of Time), to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

James M McDonald
Signature

1-29-17
Date

James M McDonald
Printed Name

Owner
Title

Helen D. Scott-McDonald

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Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$575.
- Signature page (Second page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

**MAIL COMPLETED APPLICATION
along with the Supporting documents and/ or evidence**

\$575 STATUTORY FEE TO:

**Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301**



GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS, available at the following link:
http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each item on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

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- An Application for an Extension of Time will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> (using the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these items.

1. Beginning Construction within required deadlines. OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

☒ Yes ☐ No

Date construction began Month: March **Day:** 20 **Year:** 1991

Details of construction and attach documentation: Well HARN 1880 constructed in 1991. Pivot installed after permit approved

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2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
☒	Installation of a meter/totalizing flow meter	☒ Yes ☐ No	2011
☒	Submittal of annual water usage report	☒ Yes ☐ No	2013, 2014, 2015, 2016

2b. If you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

All conditions complied with.

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[OAR 690-315-0020(3)(e)]

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. *Use chronological order.* (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

CHART-B

WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>		
DATE		COST*
1991	Well Constructed	\$75,000
WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER List work/actions done during the permitted time period.</i>		
DATE		COST*
February 11, 2011	Date the permit was signed - find date above signature on last page of permit.	
2011	Installed Pivot	\$25,000
2015	Upgrade wheel drive on pivot	\$10,000

2015	Electrical Transformer and service box Upgrade	\$10,000
February 14, 2016	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
Total Cost for Chart-B		\$120,000

* If exact cost is not known, you must provide your best estimate.

4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. *Use chronological order.*

CHART-C

DATE	WORK ACCOMPLISHED <u>DURING</u> THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
DATE	WORK ACCOMPLISHED <u>AFTER</u> THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		NA

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: \$120,000

(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. ~~For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):~~

~~TIP: Report the rate in the same units of measurement as specified in the permit.~~

~~Maximum rate used to date = _____ cfs (cubic feet per second) or,~~

~~Maximum rate used to date = _____ gpm (gallons per minute) or,~~

~~Acre-feet stored to date = _____ AF~~

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7. For Ground Water Permit Extensions (e.g. G-16833):

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well - - under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
Well	Well 1	Yes ☒ No ☐	HARN 1880		Yes ☒ No ☐	250 gpm	Yes ☐ No ☒	-
Total instantaneous rate from all wells utilized under this permit						250 gpm		

8. Has a Permit Amendment Application been filed? Yes ☐ No ☒

If yes, identify Transfer No. T-_____

Has the Permit Amendment been approved? Yes ☐ No ☐

If yes, on what date was the Permit Amendment approved? _____

[OAR 690-315-0020(3)(e)(C)]

9. For Irrigation and Nursery Use Permits Extensions

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: 33

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
2011	33	2013	33	2015	33
2012	33	2014	33	2016	33

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)# HARN 1880 Acres 33

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[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
By 2027	Recondition the Well or construct new well	\$150,000
By 2027	Replace Pivot	\$150,000
Year: 2027	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$300,000

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: \$300,000

(The total cost from CHART-E)

+ 350 acre to work and reseed ~~\$35,000~~ JP

[OAR 690-315-0020(3)(j)]

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)

Permit conditions have been met, need additional time to apply water to the additional acres and to develop the full rate. The costs to develop a new well or recondition the existing will need to be absorbed over a number of years. We will continue to make efficiency improvements and develop additional acres until such a time when we can afford the expense of upgrading the entire system and to fully complete development. Once we can invest in the upgrades, we will seek authorization of a new well, and upon approval, apply water to beneficial use from the newly authorized well.

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. (Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)

The cost to upgrade the well and install a new pivot is high, and income from the property has been just enough to make payments on the property. We are making improvement annually in an attempt to continue development of the water right.

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[OAR 690-315--0020(3)(l)]

14a. Will a denial of the extension result in undue hardship? (Describe the hardship and the effects.)

A denial will reduce the future potential of the income from the property and reduce the value of the land.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? (Explain in detail)

No surface water available nearby that is not already allocated to other water uses.

[OAR 690-315-0020(3)(h)]

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? (Explain in detail, including how much time did this delay the project; list dates.)

none

[OAR 690-315-0020(3)(h)]

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. (Explain in detail what the unforeseen events were and how much time was spent addressing the unforeseen events.)

Well did not produce the water necessary to efficiently irrigate the entirety of the land authorized under the permit. We purchased the property five years ago, and did not discover the well did not produce sufficient yield to irrigate the full acres in the permit until we started to irrigate. we have attempted to work with the existing system, making improvements, in hope to make it work. We need more time to attempt additional upgrades and reconfigurations to irrigate the entirety of the land authorized. Hopefully with additional upgrades, we will generate the revenue necessary to install the new well and pivot.

[OAR 690-315-0020(3)(h)]

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. (Provide supporting information for the reason(s) that best fits your circumstances.)

Financial restraints prevented improving the well and pivot. We purchased the property five years ago, and did not discover the well did not produce sufficient yield to irrigate the full acres in the permit until we started to irrigate. we have attempted to work with the existing system, making improvements, in hope to make it work. We need more time to attempt additional upgrades and reconfigurations to irrigate the entirety of the land authorized. Hopefully with additional upgrades, we will generate the revenue necessary to install the new well and pivot.

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[OAR 690-315-0020(3)(m)(n)]

18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

I experienced a severe injury while operating the ranch which resulted in a medivac, stoppage of my heart and resuscitation, and long term hospitalization.

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail)

Yes. We would not pursue the lifestyle if we did not believe we could make a living.

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?)

Long term economics of purchasing feed for the stock will generate a higher cost of producing beef which would be passed to consumers.

Attach permit, and documentation to the application

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EXHIBIT "A-1"

WATER RIGHTS & IRRIGATION EQUIPMENT
McDonald

All fixtures (including trade fixtures), supplies, equipment and inventory used for the production of water on the Real Property or for the irrigation or drainage thereof, whether now owned or hereafter acquired, and whether now existing or hereafter arising, and all proceeds (including insurance proceeds) from the sale or other disposition of any of such Property. Said fixtures, supplies, equipment and inventory include, but are not limited to, the following:

Water rights:

<u>Permit #:</u>	<u>Cert #:</u>	<u>Source:</u>	<u>Priority:</u>	<u>Diversion Amt:</u>	<u>Acres:</u>
23509	44595	Rincon Crk	03/14/1955	2.5 cfs	P - 116.8
G-51329	82702	Groundwater North Well	06/28/1982	510 gpm	P - 10.0 S - 81.0
51326	87692	Oregon End Reservoir	06/28/1990	205 Ac-Ft	S - 111.8
G-13008		Groundwater (Well)	01/18/1996	1.5 cfs	P - 115.0 S - 5.0
G-16833		Groundwater (Well for pivot)	07/19/2010	2.0 cfs	P - 119.3 <u>S - 6.3</u>
			Total Water Rights:		P - 246.1 S - 111.8

Irrigation Equipment:

Well #1: Pump & motor, unknown submersible, 40 hp, no plate or serial number
Well #2: Pump & motor, unknown submersible, 10 hp, no plate or serial number
Well #3: Pump & motor, unknown submersible, 40 hp, no plate or serial number
5 tower Gifford Hill 360 pivot with impact sprinklers and end gun, model #065-2226-869, SN 37-011-011278
2 - 1/4 mile Western wheel lines with 4" torque tube, 5' wheels and self-leveling impact sprinklers
1 - 1/4 mile Wade Rain wheel line with 4" torque tube, 5' wheels and self-leveling impact sprinklers

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Scale: 1" = 660'
Tax Lot 200

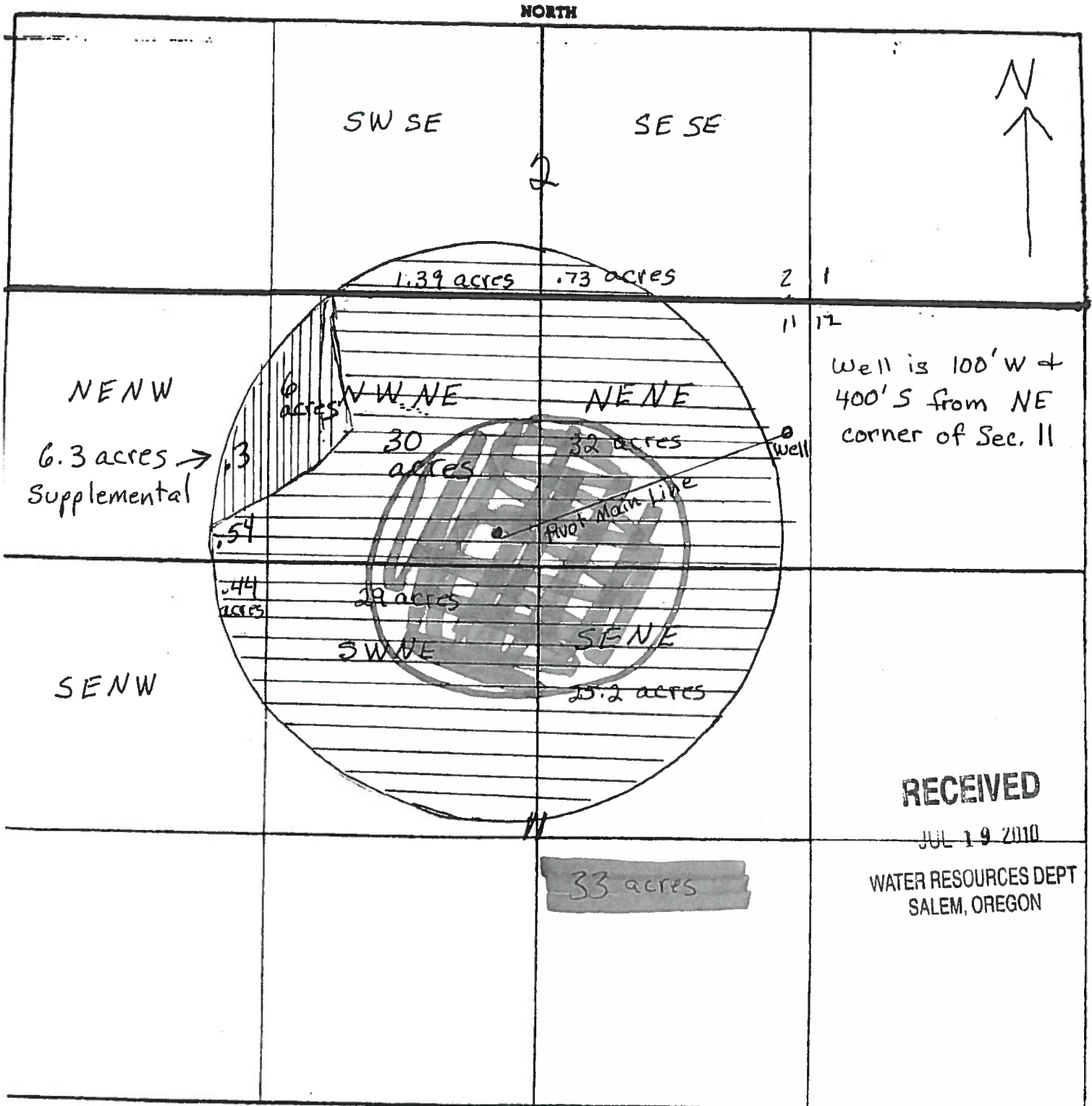
SECTION PLAT

Section 11 & 2

Township 41 S

Range 33 E

County of Harney State of Oregon



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WATER RESOURCES DEPT
SALEM, OREGON

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