

**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 S-54445, Water Right Application S-86808 ) FINAL ORDER  
in the name of Daniel and Elizabeth Withers )

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**Permit Information**

Application:	S-86808
Permit:	S-54445
Basin:	Goose and Summer Lakes / Watermaster District 12
Date of Priority:	March 15, 2007
Source of Water:	an unnamed stream, a tributary of Summer Lake
Purpose or Use:	supplemental irrigation use on 49.5 Acres
Maximum Rate:	1.24 cubic feet per second (cfs)

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**This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 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 S-54445 was issued by the Department on March 13, 2008. The permit specified completion of construction by October 1, 2012, and complete application of water to beneficial use by, October 1, 2012. On April 27, 2020, Daniel and Elizabeth Withers submitted an Application for Extension of Time for Permit S-54445. In accordance with OAR 690-315-0050(2), on June 23, 2020, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 2012, to October 1, 2020, and the time to apply water to full beneficial use from October 1, 2012, to October 1, 2020. The protest period closed August 7, 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 in the Proposed Final Order dated June 23, 2020.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

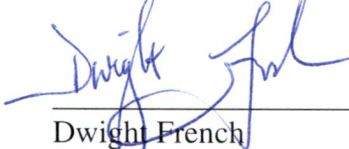
## CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

## ORDER

The extension of time for Application S-86808, Permit S-54445, therefore, is approved. The deadline for completing construction is extended from October 1, 2012, to October 1, 2020. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2012, to October 1, 2020.

DATED: December 18, 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 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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