Oregon Water Resources Department Water Right Services Division

Application for Extension of Time

for Permit G-13455	, Water Right Application G-14516, in Creek Ranches, LLC; Wayne Evans FINAL ORDER
	Permit Information
Application:	G-14516
Permit:	G-13455
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	May 12, 1997
Source of Water:	a well in Silver Creek Basin
Purpose or Use:	Irrigation of 109.0 acres and supplemental irrigation of 74.0 acres
Maximum Rate:	2.29 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-13455 was issued by the Department on August 12, 1998. The permit specified actual construction of the well to begin by May 28, 1999, and complete application of water to beneficial use by October 1, 2002. On May 6, 2020, Wayne Evans submitted an Application for Extension of Time for Permit G-13455. In accordance with OAR 690-315-0050(2), on April 6, 2021, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to March 31, 2022. The protest period closed May 21, 2021, 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 April 6, 2021.

Final Order: Permit G-13455

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 water user shall submit an Application for Permit Amendment requesting authorization of HARN 50194 as a point of appropriation under this permit within six months from the date of issuance of the Final Order on the Extension of Time.

If the required Permit Amendment is not submitted within the time required above, the extension of time will be terminated.

If authorization of HARN 50194 is not granted, the Extension of Time will be terminated.

2. Development Limitation

Development of Permit G-13455, and any subsequent permit issued resulting from a Permit Amendment is limited to a maximum rate of appropriation of 2.29 cfs of water from HARN 50194, being 1.24 cfs for irrigation of 99.0 acres, and 1.05 cfs for supplemental irrigation of 84.0 acres, as identified in the Claim of Beneficial Use submitted on November 8, 2018.

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-14516, Permit G-13455, 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, 2002, to March 31, 2022.

DATED: June 4, 2021

Dwight French

Water Right Services Division Administrator, for

Thomas M. Byler, Director

Oregon Water Resources Department

Final Order: Permit G-13455 Page 2 of 3

- 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-13455