Oregon Water Resources Department Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time

	H Pelfrey and Lynnia Woods	ORDER
	Permit Information	
Application:	G-17087	
Permit:	G-16560	
Basin:	2C – Lower Willamette / Watermaster District 20	
Date of Priority:	July 30, 2008	
Source of Water:	Well 1 and Well 2 in Fairview Creek Basin	

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.

commercial uses and irrigation use on 1.75 acres

0.033 cubic foot per second (cfs), not to exceed 0.022 cfs for irrigation use

Appeal Rights

Purpose or Use:

Maximum Rate:

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-16560 was issued by the Department on August 17, 2009. The permit specified completion of construction and application of water to beneficial use by August 17, 2014. On February 16, 2021, Henry H Pelfrey and Lynnia Woods submitted an Application for Extension of Time for Permit G-16560. In accordance with OAR 690-315-0050(2), on May 5, 2021, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2026, and the time to fully apply water to beneficial use to October 1, 2026. The protest period closed June 18, 2021, in accordance with OAR 690-315-0060(1). No protest was filed.

Final Order: Permit G-16560

FINAL

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated May 5, 2021.

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 condition:

LIMITATIONS AND CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2024. A form will be enclosed with your Final Order.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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).

continued on following page

Final Order: Permit G-16560 Page 2 of 3

ORDER

The extension of time for Application G-17087, Permit G-16560, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from August 17, 2014, to October 1, 2026. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from August 17, 2014, to October 1, 2026.

DATED: July 1, 2021

Dwight French

Water Right Services Division Administrator, for

Thomas M. Byler, Director

Oregon Water Resources Department

- 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



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem Oregon 97301-1266 (503) 986-0900

Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

	Henry H Pel	frey and Lynnia Woods	Application G-17087	Permit G-
16560				
As authorized i	n ORS 690-3	Progress Report Report Due no later than NOT SUBMIT PRIOR TO 30 II 15-0050(6), this progress report in the development and perfection	October 1, 2024 DAYS BEFORE DUE DATE t is required in order to ensure	diligence is
		in the development and perfective VORK ACCOMPLISHED and		S FINANCIAL
DATES	For the pe	riod of time between February 1	6, 2021 and October 1, 2024	INVESTMENT
Use back of for	• • • • • • • • • • • • • • • • • • • •			
(Examp measure) 3. Total n Total ac Well 1 4. Provide permit,	oles: installed ements, insta umber of ac cres irrigate Well e the maxima if any, to da	2um rate, or duty if applicable, te.	e reports, submitted static was proval for fish screen from Ol Primary	ter level DFW etc.)
	um rate used um Rate per v	to date =cfs well:		units of measurement as specified in the permit, being cfs (cubic feet per second), gpn
Well 1	Well	2		(gallons per minute) or AF (acre-feet). Do not provide daily, monthly, or annual
	SUBMIT T	VILL BE RETURNED. AN ANS HIS REPORT WILL MOST NIED.	TER IS RECORDED IN LITE	water volume totals.
Signature			Date	
Printed Name/1	Γitle			
Diligence Shown	☐ Yes ☐ 1	No Date Public Notic For OWRD us		
Paviawad by:		Por OW KD us	е опц	