

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 R-15048, Water Right Application R-87832) FINAL ORDER
in the name of Kelly or Barbara Bruun)

Permit Information

Application:	R-87832
Permit:	R-15048
Basin:	Deschutes / Watermaster District 11
Date of Priority:	August 9, 2012
Source of Water:	Newbill Creek, a tributary of Willow Creek
Storage Facility:	Newbill Creek Reservoir, an enlargement of Permit R-13317
Purpose or Use of the Stored Water:	Stored water for fish life, recreation, and wildlife
Maximum Volume:	122.55 acre-feet (AF)

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 R-15048 was issued by the Department on December 27, 2013. The permit specified construction was to be completed by and the permitted volume of water was to be stored within five years of the date of permit issuance, being December 27, 2018. On April 20, 2020, Kelly Bruun submitted an Application for Extension of Time for Permit R-15048. In accordance with OAR 690-315-0050(2), on June 29, 2021, the Department issued a Proposed Final Order proposing to extend the time to complete construction from December 27, 2018, to October 1, 2021, and the time to apply water to full beneficial use from December 27, 2018, to October 1,

2021. The protest period closed August 13, 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 in the Proposed Final Order dated June 29, 2021.

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 the following 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 R-87832, Permit R-15048, therefore, is approved. The deadline for completing construction is extended from December 27, 2018, to October 1, 2021. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from December 27, 2018, to October 1, 2021.

DATED: August 27, 2021



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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