

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time ) FINAL  
for Permit R-14080, Water Right Application R-85194 ) ORDER  
in the name of Jonnie Justesen and Fred Justesen ) DENIAL

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**Permit Information**

Application: R-85194  
Permit: R-14080  
Basin: Deschutes / Watermaster District 3  
Date of Priority: June 13, 2002  
Source of Water: an unnamed stream, tributary of Threemile Creek  
Storage Facility: Justesen #1  
Purpose of Use: to be appropriated under Application S-85195, Permit S-54136,  
for storage for supplemental irrigation of 130.2 acres, aquatic  
life, wildlife and recreation  
Maximum Volume: 280 acre-feet (AF)

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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**

On November 12, 2004, Permit R-14080 was issued by the Department. The permit called the reservoir to be filled and complete application of water was to be made on or before October 1, 2009. The most recent extension authorized complete application of water to beneficial use by October 1, 2013. On August 18, 2021, Jonnie Justesen and Fred Justesen submitted an Application for Extension of Time for Permit R-14080. In accordance with OAR 690-315-

0050(2), on October 26, 2021, the Department issued a Proposed Final Order proposing to deny the time to apply water to full beneficial use from October 1, 2013 to October 1, 2024. The protest period closed December 10, 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 October 26, 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 not be extended.

### **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-85194, Permit R-14080, therefore, is Denied.

DATED: January 8, 2022



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) 986-979-3213.
  - 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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