

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-15044

**Final Order**  
**Extension of Time for Permit Number G-13860**

**Appeal Rights**

**This is a final order in other than contested case.** This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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**

The Department issued Permit G-13860 on November 30, 2000. The permit called for complete application of water to beneficial use by October 1, 2005. On September 28, 2005, J. Frank Schmidt & Son Co. submitted to the Department an Application for Extension of Time for Permit G-13860 (modified by Permit Amendments T-8788 and T-9839). In accordance with OAR 690-315-0050(2), on May 8, 2007, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2010. The protest period closed June 22, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

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:

**CONDITIONS**

**1. Measurement, Recording and Reporting Conditions**

- (1) The permit holder/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
  - a) A water level measurement shall be made each year during the period March 1 through March 31, beginning with the year **2008**.
  - b) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permit holder/appropriator.


- c) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- d) The permit holder/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

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-15044, Permit G-13860 (modified by Permit Amendments T-8788 and T-9839), therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to October 1, 2010. The deadline for applying water to full beneficial use is extended to October 1, 2010.

DATED: July 6, 2007

  
Dwight French, Administrator of  
Water Rights and Adjudications  
*for*  
Phillip C. Ward, Director

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- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
  - 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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