

**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 S-54361, Water Right Application S-86339 ) FINAL ORDER  
in the name of Richard M. and Katherine Rader )

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**Permit Information**

Application:	S-86339
Permit:	S-54361
Basin:	Umpqua / Watermaster District 15
Date of Priority:	October 1, 2011
Source of Water:	North Umpqua River, a tributary of Umpqua River
Purpose of Use:	domestic use expanded
Maximum Rate:	0.01 cubic foot per second (cfs)

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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

Permit S-54361 was issued by the Department on November 3, 2006. The permit specified complete application of water to beneficial use by, October 1, 2011. On January 10, 2022, Richard M. and Katherine Rader submitted an Application for Extension of Time for Permit S-54361. In accordance with OAR 690-315-0050(2), on June 21, 2022, the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use from October 1, 2011, to October 1, 2024. The protest period closed August 5, 2022, 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 21, 2022.

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 condition:

## LIMITATIONS AND CONDITIONS

1. **Water Use Condition**

If no water is applied to beneficial use under the terms and conditions of Permit S-54361 on or before October 1, 2024, this may be the be the last extension of time granted for Permit S-54361 Any future extensions of time request may be denied, unless the permit holder can provide the Department with evidence that beneficial use of the water, in compliance with the condition requiring the installation and approval of the required fish screen and by-pass devices, is shown during this extension period. In addition, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

## 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 S-86339, Permit S-54361, therefore, is approved subject to condition contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2011, to October 1, 2024.

DATED: August 26, 2022



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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)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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