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 G-17522, Water Right Application G-17633, in the name of Grace Dinsdale)	FINAL ORDER
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Permit Information

Application:

G-17633

Permit:

G-17522

Basin:

2C - Lower Willamette / Watermaster District 18

Date of Priority:

March 6, 2013

Source of Water:

Well 2, Well 3, Well 4, and Well 5 in Dairy Creek Basin

Purpose of Use:

nursery use on 48.8 acres

Maximum Rate:

0.6 cubic foot per second(cfs)

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.

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 G-17205 was issued by the Department on May 9, 2014, and modified by Permit Amendment T-11955 on June 22, 2016. Superseding Permit G-17522 was issued on June 22, 2016, to reflect the changes. The permit specified completion of construction and complete application of water to beneficial use by May 9, 2019. On April 28, 2022, Grace Dinsdale submitted an Application for Extension of Time for Permit G-17522. 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 complete construction to October 1, 2027, and the time to fully apply water to beneficial use to October 1, 2027. The protest period closed August 5, 2022, in accordance with OAR 690-315-0060(1). No protest was filed.

Final Order: Permit G-17522

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact 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, 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, 2026. 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).

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ORDER

The extension of time for Application G-17633, Permit G-17522, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from May 9, 2019, to October 1, 2027. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from May 9, 2019, to October 1, 2027.

DATED: August 26, 2022

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) 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

Final Order: Permit G-17522



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem Oregon 97301-1266 (503) 986-0900 www.wrd.state.or.us

Extension of Time Progress Report Form For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

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Application G-17633

Permit G-17522

Progress Report for 2026

Report Due no later than October 1, 2026 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between April 28, 2022 and October 1, 2026	FINANCIAL INVESTMENT
2. Descr (Exam	form if needed libe actions to achieve compliance with conditions of the permit and/or previables: installed a meter, submitted water usage reports, submitted static water arements, installed a fish screen, obtained approval for fish screen from ODF	level
Total	number of nursery acres developed to date: acres per well, 2 (WASH 72562) Well 3 Well 4 Well 5	
perm Maxir Maxir	num Rate per well: (WASH 72562) Well 3 Well 4 Well 5 (gai (acr dail))	ort the rate in the same is of measurement as cified in the permit, being (cubic feet per second), gp llons per minute) or AF re-feet). Do not provide by, monthly, or annual er volume totals.
FAILURE T	E REPORTS WILL BE RETURNED. AN ANSWER IS <u>REQUIRED</u> IN EACH IT O SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUNDELING DENIED.	
Signature	Date	
	/Title	

Diligence Shown	☐ Yes ☐ No	Date Public Noticed: For OWRD use only	
Reviewed by:		Date:	