

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE STATE OF OREGON**

In the Matter of Application for Extension) FINAL ORDER APPROVING AN EXTENSION
of Time for Transfer Application T-7086,) OF TIME
Douglas County)

Applicant

Fort Vannoy Irrigation District (FVID)
Attn : Herman Baertschiger, Jr. Manager
665 Hunt Lane
Grants Pass, OR 97526
hb@hbcompany.net

Authority

Oregon Administrative Rules (OAR) 690-380-5140(2) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time to complete a transfer as authorized by a final order issued under OAR Division 380.

OAR 690-380-6020 (3) establishes that extensions are granted for one year, from October 1 to October 1 of each year. Extensions may be granted for longer time if the applicant can justify the need for a longer period of time by submission of pertinent evidence.

Findings of Fact

1. On October 7, 2019, the Department received an application for extension of time for Transfer Application T-7086.
2. On January 27, 2015, the Department issued an order, which was mailed on January 30, 2015, approving Transfer Application T-7086. The order was recorded in Special Order Volume 93, Pages 1156-1162. The order set a transfer completion date of October 1, 2016.
3. Since the approval of the transfer, the transfer holder of record has established six of the eight approved points of diversion, installed appropriate fish screening and irrigated all but 7.0 acres of the approved place of use.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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 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.

4. To fully complete the change, the applicant needs to install the pump, fish screen, and flow meter at the remaining points of diversion, have the fish screens inspected by ODFW, report water usage from each new point of diversion, and irrigate the remaining 7.0 acres.
5. The applicant has requested the time for completion of beneficial use be extended to October 1, 2024. Consistent with OAR 690-380-6020, the applicant provided sufficient justification in the extension application to grant an extension for more than one year by explaining one property owner had encountered significant fiscal concerns that were a result of a natural disaster (fire).

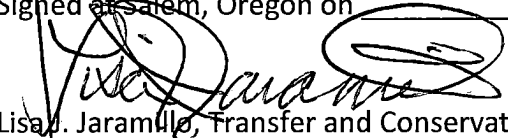
Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-7086.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-7086 shall be extended to **October 1, 2024**.

Signed at Salem, Oregon on OCT 14 2019


Lisa J. Jaramilla, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: OCT 15 2019