

**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-12939,) OF TIME FOR A DISTRICT PERMANENT
Deschutes County) TRANSFER

Applicant

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE, SUITE 1
BEND, OR 97701

Authority

Oregon Administrative Rules (OAR) 690-385-7000 (3) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-385-7200 establishes an application process and criteria for the review of extensions of time to complete a district transfer as authorized by a final order issued under OAR Division 385.

OAR 690-385-7200 (5) establishes that the Department may grant extensions for a 12 month time period, from October 1 to October 1. Extensions may be granted for longer time periods if the applicant can justify the need for a longer period of time by submission of pertinent evidence.

Findings of Fact

1. On October 3, 2019 the Department received a completed application for extension of time for Transfer Application T-12939.
2. The Department signed an order approving Transfer Application T-12939 on September 26, 2018, which was mailed on September 27, 2018. The order was recorded in Special Order Volume 109, Pages 503-505. The order set a transfer completion date of October 1, 2019.
3. Since the approval of the transfer, the applicant has been pursuing approval from Deschutes County for development of ten parcels that will receive irrigation water under the place of use changes approved in T-12939.

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 receive approval from Deschutes County for the development of the 10 parcels, construct the irrigation system, and put water to beneficial use. The applicant estimates the project will take five years to complete.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2024. Consistent with OAR 690-385-7200 (5), the applicant provided sufficient justification in the extension application to grant an extension for more than one year. Due to governmental delays and the scope of the project, the Department will extend the transfer completion date to October 1, 2024.

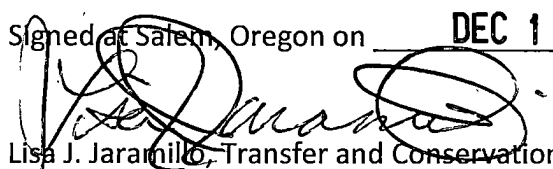
Conclusions of Law

Pursuant to OAR 690-385-7200, 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-12939.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12939 shall be extended to **October 1, 2024**.

Signed at Salem, Oregon on DEC 13 2019


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

Mailing date: DEC 17 2019