# OF THE STATE OF OREGON

In the Matter of a Request for an	)	FINAL ORDER APPROVING AN EXTENSION
Extension of Time for Completion of	)	OF TIME
Allocation of Conserved Water Application	)	
CW-117, Hood River County, Oregon	)	

## **Applicant**

East Fork Irrigation District 3500 Graves Road Hood River, OR. 97031 steve@efidhr.org

## Authority

Oregon Administrative Rules (OAR) 690-018-0050(4) establishes the criteria for an allocation of conserved water application.

OAR 690-018-0050(4)(i) specifies the Department shall determine the periods to be allowed for the applicants to file a notice of completion of the conservation measures and to request the allocation be finalized. The time allowed between filing the notice of completion of the conservation measures and requesting the allocation be finalized shall not exceed five years.

## **Findings of Fact**

- On May 12, 2022, Steve Pappas, District Manager for East Fork Irrigation District, filed a
  request for an extension of time to complete the conservation project described in
  Allocation of Conserved Water Application CW-117. Additional information to clarify the
  extension of time request was submitted by Steve Pappas via email communications dated
  May 13 and 16, 2022.
- 2. On April 23, 2021, the Department issued Special Order Volume 120, Pages 273-290, approving Allocation of Conserved Water Application CW-117. The Order required the Applicant to file a notice of completion of the conservation measures by April 30, 2022.

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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.

- 3. The Applicant has completed work on approximately 25 30% of the project, which includes designing above and below ground studies, surveying, mapping, and stormwater watershed planning, Phase 1 of the pipeline, and replaced several sub laterals including Thomsen line, part of the Crag rat line, Rasmussen line, and Kelly line.
- 4. Due to the increasing cost of materials, as well as an ongoing discussion regarding the stormwater and natural drainage with the County of Hood River, the original project completion date is no longer viable. The applicant is requesting for additional time to allow for inflation to slow and material costs to decrease. The applicant will also benefit from additional time should they need to apply for additional funding and finalize plans regarding the stormwater and drainage issues.
- 5. The Applicant has requested that the time for completion of the project approved by Allocation of Conserved Water Application CW-117 be extended until October 1, 2024. The Applicant is also requesting an extension of time to request finalization of the allocation to October 1, 2025.

#### **Conclusions of Law**

The Department has determined that the Applicant has shown reasonable diligence to complete the conservation project within the time period established by the Order Approving Allocation of Conserved Water CW-117.

#### Now, therefore, it is ORDERED:

The time for completion of the conservation project approved by Allocation of Conserved Water CW-117, shall be extended to October 1, 2024. The deadline for submitting the Request for Finalization shall be extended to October 1, 2025.

DATED JUN 0 3 2022

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for

THOMAS M. BYLER, DIRECTOR

Oregon Department of Water Resources

Mailing date: JUN 0 6 2022