

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

In the Matter of Application for Extension)
of Time for Transfer Application T-11473,)
Umatilla County)

FINAL ORDER APPROVING AN
EXTENSION OF TIME

Applicant

FARMLAND RESERVE, INC.
C/O AGRI-NORTHWEST
6716 WEST RIO GRANDE AVE
KENNEWICK, WA 99336

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 (2) 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 September 13, 2012, the Department received an application for extension of time for Transfer Application T-11473.
2. On February 24, 2014, the Department signed an order, which was mailed on February 27, 214, approving Transfer Application T-11473. The order was recorded in Special Order Volume 91, Pages 849-854. The order set a transfer completion date of October 1, 2017.
3. Since the approval of the transfer, the applicant has installed the irrigation delivery system (underground pipe, pivot, utilities, etc.) and connected to the point of diversion. To date 91.35 acres out of the 127.65 acres involved in the transfer have been irrigated. The remaining 36.3 acres were not irrigated under this transfer because an insufficient amount of groundwater was allocated in Subarea H within the Stage Gulch Critical Ground Water Area in 2017. (See Special Order Volume 102, Pages 811-816.)

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 must apply water to beneficial use under this transfer on the remaining 36.3 acres.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2037. The Department is approving the request for longer than one year due to the uncertainty of water available for allocation within Subarea H within the Stage Gulch Critical Ground Water Area.

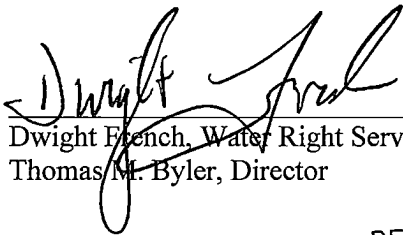
Conclusions of Law

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-11473.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-11473 shall be extended to **October 1, 2037**.

Dated at Salem, Oregon this 7 day of December, 2017.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director

DEC 20 2017

Mailing date: _____