

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

In the Matter of Application for Extension)
of Time for Transfer Application T-10882,)
Washington County)

FINAL ORDER APPROVING AN
EXTENSION OF TIME

Applicant

HILLSBORO LANDFILL, INC.
3205 SE MINTER BRIDGE ROAD
HILLSBORO, OR 97123

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 November 16, 2017, the Department received an application for extension of time for Transfer Application T-10882. On December 7, 2017, the applicant amended their application by email.
2. On March 26, 2012, the Department signed an order, which was mailed on March 29, 2012, approving Transfer Application T-10882. The order was recorded in Special Order Volume 87, Pages 214-217. The order set a transfer completion date of October 1, 2013.
3. Since the approval of the transfer, the applicant has made some beneficial use of water for industrial purposes. They have made static water level measurements and submitted reports to OWRD. Water use from the wells has also been metered and recorded. However, the required measurements and reporting were not accomplished prior to October 1, 2013.

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 make additional improvements to the distribution system in order to make full beneficial use of water.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2019. The Department is approving the request for longer than one year to allow the facility to make the necessary improvements.

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-10882.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-10882 shall be extended to **October 1, 2019**.

Dated at Salem, Oregon this 19 day of December, 2017.



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

DEC 28 2017

Mailing date: _____