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-13078,)	OF TIME FOR A PERMANENT TRANSFER
Deschutes County)	

Applicant

Cowan Family Trust Cynthia Cowan 17990 2nd Avenue Bend, OR 97703 cowan.cj@gmail.com

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 September 8, 2021, the Department received an application for extension of time for Transfer Application T-13078.
- 2. On August 1, 2019, the Department signed an order, which was mailed on August 2, 2019, approving Transfer Application T-13078 to change places of use. The order was recorded in Special Order Volume 113, Pages 790-793. The order set a transfer completion date of October 1, 2020.
- 3. Since the approval of the transfer, the applicant has installed all underground pipes and pump systems.

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 meters and connectors necessary to complete the system.
- 5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2031, which would be an eleven year extension. The applicant did not provide sufficient justification in the extension application to grant an extension for more than one year. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2023.

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-13078.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-13078 shall be extended to **October 1, 2023.**

Signed at Salem, Oregon	on NUV 1 U ZUZ1
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Lisa I. Jaramillo, fransfer THOMAS M. BYLER, DIRE	and Conservation Section Manager for CTOR
Oregon Water Resources	Department
Mailing date:	NOV 1 1 2021