

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

In the Matter of Application for Extension )  
of Time for Transfer Application T-11843, )  
Umatilla County )

FINAL ORDER APPROVING AN  
EXTENSION OF TIME

**Applicant**

STEVE & PATRICIA MALCOM  
70831 SCHROEDER DR  
PENDLETON, OR 97801

**Applicant**

ROBERT & TRINA MERRIMAN  
4207 SW SHERIDAN  
PENDLETON, OR 97801

**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 November 29, 2018, the Department received an application for extension of time for Transfer Application T-11843.
2. On June 11, 2015, the Department signed an order, which was mailed on June 18, 2015, approving Transfer Application T-11843. The order was recorded in Special Order Volume 96, Pages 182 - 187. The order set a transfer completion date of October 1, 2018.
3. Since the approval of the transfer, the applicants Mr. and Mrs. Malcolm, have installed irrigation and beneficially watered the 3.3 acres on Tax Lot 501. Mr. and Mrs. Merriman recently purchased Tax Lot 502, and did not have time since the date of purchase to install a well (Proposed Well #2) and put water to beneficial use on 4.05 acres.
4. To fully complete the change, the applicants Mr. and Mrs. Merriman need to have a well drilled and put water to beneficial use on 4.05 acres on Tax Lot 502.

**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.

5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2019. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2020.

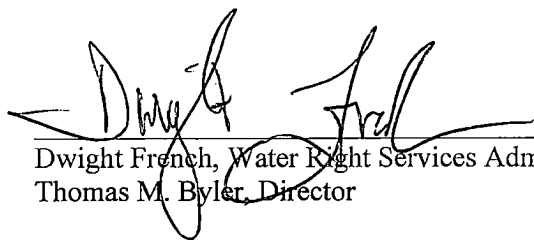
### Conclusions of Law

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-11843.

### Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-11843 shall be extended to **October 1, 2020**.

Dated at Salem, Oregon this DEC 11 2018.



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

Mailing date: DEC 12 2018