

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

In the Matter of Application for Extension     )  
of Time for Transfer Application T-8527,     )  
Benton County                                     )

FINAL ORDER APPROVING AN EXTENSION  
OF TIME FOR A PERMANENT TRANSFER

**Applicant**

CITY OF PHILOMATH  
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**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. An extension for up to five years may be granted for transfers involving municipal or quasi-municipal use. 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 March 31, 2006, the Department signed an order, which was mailed on April 7, 2006, approving Transfer Application T-8527 to change character of use and place of use. The order was recorded in Special Order Volume 68, Pages 234-240. The order set a transfer completion date of October 1, 2011.
2. On July 13, 2011, the Department signed an order, which was mailed on July 14, 2011, approving an extension of time. The order was recorded in Special Order Volume 84, Pages 736-737. The order extended the transfer completion date to October 1, 2016.

**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.

3. On January 5, 2017, the Department signed an order, which was mailed on January 10, 2017, approving a second extension of time. The order was recorded in Special Order Volume 103, Pages 694-695. The order extended the transfer completion date to October 1, 2021.
4. On June 13, 2022, the Department received an application for the third extension of time for Transfer Application T-8527.
5. Since the approval of the transfer, the applicant has used the full rate of water authorized under transfer T-8527 for municipal use.
6. To fully complete the change, the applicant needs to make some minor infrastructure modifications, including the installation of a new in-line flow meter.
7. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2023. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2023.

**Conclusions of Law**

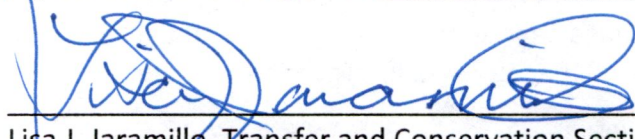
Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-8527.

**Now, therefore, it is ORDERED:**

The time for completion of the changes authorized by Transfer Application T-8527 shall be extended to **October 1, 2023**.

**JUL 14 2022**

Signed at Salem, Oregon on \_\_\_\_\_.



\_\_\_\_\_  
Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

**JUL 15 2022**

Mailing date: \_\_\_\_\_