

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

In the Matter of Application for Extension) FINAL ORDER APPROVING AN
of Time for Transfer Application) EXTENSION OF TIME
T-10960, Jackson County

Applicant

CITY OF EAGLE POINT
PO BOX 779
EAGLE POINT, OR 97524

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. 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 September 4, 2018, the Department received an application for extension of time for Transfer Application T-10960.
2. On December 30, 2010, the Department signed an order, which was mailed on January 6, 2011, approving Transfer Application T-10960. The order was recorded in Special Order Volume 83, Pages 299 - 317. The order set a transfer completion date of October 1, 2016.
3. Since the approval of the transfer, the applicant has connected the pipeline to the additional point of diversion, added pump stations, water tanks, and a distribution system. The applicant has spent five million dollars on the water system improvements since 2010.
4. To fully complete the change, the applicant is waiting for the Medford Water Commission to have the ability to pump the full capacity of all water rights that share the point of diversion approved in T-10960. The applicant states that the Medford Water Commission is in the

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.

planning stages for expanding the capacity at the additional point of diversion to be able to supply all water rights at that authorized point of diversion. Until then, the applicant cannot demonstrate beneficial use of water as authorized under T-10960.

5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2030. The Department is approving the request for longer than one year due to the length of time it may take the Duff Treatment Plant to be able to provide the total amount of water to all of the users so that the applicant can demonstrate full beneficial use of water as authorized under the transfer.

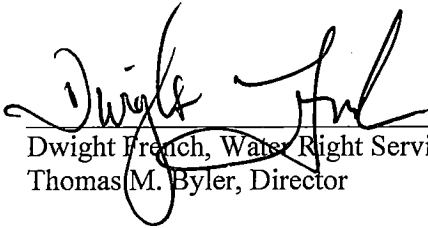
Conclusions of Law

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-10960.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-10960 shall be extended to **October 1, 2030**.

Dated at Salem, Oregon this SEP 19 2018.



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

Mailing date: SEP 20 2018