

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

In the Matter of Application for Extension)
of Time for Transfer Application T-8735,)
Lake County) **FINAL ORDER APPROVING AN EXTENSION
OF TIME**

Applicant

CHURCH FAMILY FARMS, INC.
BUCKLEY D. CHURCH II
PO BOX 751
CHRISTMAS VALLEY, OR 97641

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 January 14, 2019, the Department received an application for extension of time for Transfer Application T-8735. The applicant's agent provided additional information on January 24, 2019.
2. On November 9, 2001, the Department issued an order approving Transfer Application T-8735. The order was recorded in Special Order Volume 55, Pages 1248-1251. The order set a transfer completion date of October 1, 2003.
3. On February 13, 2015, the Department signed an order, which was mailed on February 17, 2019 approving an extension of time. The order was recorded in Special Order Volume 95, Pages 61-62. 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.

4. Since the approval of the transfer, the applicant has irrigated an additional 6.7 acres in the NE Corner of the NWNW, Section 32, Township 26 South, Range 18 East, W.M from the authorized well.
5. To fully complete the change, the applicant needs to irrigate an additional 5.1 acres in the southern portion of the NWNW, Section 32, Township 26 South, Range 18 East, W.M from the authorized well. It has been irrigated from a closer, but unauthorized well for irrigation at this specific place of use. The applicant intends to transfer the point of appropriation after making beneficial use from the authorized well on these 5.1 acres.
6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2020. 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-8735.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-8735 shall be extended to **October 1, 2020**.

Dated at Salem, Oregon on JAN 30 2019.



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

Mailing date: JAN 31 2019