

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

In the Matter of Application for Extension )  
of Time for Transfer Application T-10205, ) FINAL ORDER APPROVING AN  
Deschutes County ) EXTENSION OF TIME

**Applicant**

AVION WATER COMPANY, INC.  
C/O JASON WICK  
60813 PARRELL RD  
BEND, OR 97702

**Authority**

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time for the completion of changes authorized under water right transfer applications.

**Findings of Fact**

1. On July 27, 2017, the Department received an application for extension of time for Transfer Application T-10205.
2. The Department issued an order approving Transfer Application T-10205 on November 13, 2006. The order was recorded in Special Order Volume 70, Pages 460-585. The order set a transfer completion date of October 1, 2017.
3. Since the approval of the transfer, the applicant has appropriated groundwater from all the authorized and additional points of appropriation. Avion has continued to invest in its delivery system to establish new service connections, increasing the number of connections from 9,824 in 2006 to 17,784 at the present time. Population estimates have grown from 25,051 to 45,355 within the same timeframe.
4. To fully complete the change, the applicant needs to deliver water to the northeastern portion of the proposed place of use. The 2008 economic recession slowed the development of this northeastern service area.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2027.

**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.

**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-10205.

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

The time for completion of the changes authorized by Transfer Application T-10205 shall be extended to **October 1, 2027**.

Dated at Salem, Oregon this 9 day of August, 2017.

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

Mailing date: AUG 17 2017