

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

In the Matter of Application for Extension)
of Time for Transfer Application T-12361,)
Marion County

FINAL ORDER APPROVING AN
EXTENSION OF TIME

Applicant

ROBERT W. GABRIEL TRUST
8474 HAZELGREEN RD NE
SALEM, OR 97381

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.

Findings of Fact

1. On September 14, 2018, the Department received an application for extension of time for Transfer Application T-12361.
2. On August 16, 2017, the Department signed an order, which was mailed on August 24, 2017, approving Transfer Application T-12361. The order was recorded in Special Order Volume 105, Pages 659 - 661. The order set a transfer completion date of October 1, 2018.
3. Since the approval of the transfer, the applicant has irrigated 18.5 acres from Wells 1 and 2, however, not at the full rate authorized in the transfer.
4. To fully complete the change, the applicant needs to complete the construction and development of Well 3 to make it ready for use.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2023. The applicant also states that they intend to have the well drilled by Spring

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.

2019. The applicant did not provide sufficient justification in the extension application to grant an extension for more than one year. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2020.

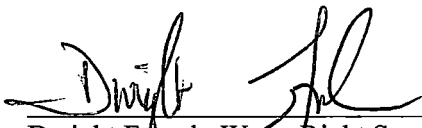
Conclusions of Law

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-12361.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12361 shall be extended to **October 1, 2020**.

Dated at Salem, Oregon this OCT 09 2018.



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

Mailing date: OCT 10 2018