

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

In the Matter of Application for Extension)
of Time for Transfer Application T-11117,)
Jackson County)

FINAL ORDER APPROVING AN
EXTENSION OF TIME

Applicant

ROGER CARTER
PO BOX 237
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 (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 December 3, 2018, the Department received an application for extension of time for Transfer Application T-11117.
2. On November 29, 2010, the Department signed an order, which was mailed on December 1, 2010, approving Transfer Application T-11117. The order was recorded in Special Order Volume 83, Pages 123 - 127. The order set a transfer completion date of October 1, 2012.
3. On December 5, 2018, the Department received an assignment for Transfer Application T-11117 to be placed in the name of Roger Carter.
4. Since the approval of the transfer, the applicant has put water to beneficial use on 46.5 acres and began construction of a pump station to irrigate the remaining 25.3 acres.

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.

5. To fully complete the change, the applicant needs to complete construction of the pump station, install a pump, main line, sprinklers, and put water to beneficial use on the remaining 25.3 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, the applicant provided sufficient justification in the extension application to grant an extension for more than one year. 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-11117.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-11117 shall be extended to **October 1, 2020**.

Dated at Salem, Oregon this DEC 12 2018.



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

Mailing date: DEC 13 2018