

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

In the Matter of Application for Extension)
of Time for Transfer Application T-8527,) **FINAL ORDER APPROVING AN**
Benton County) **EXTENSION OF TIME**

Applicant

CITY OF PHILOMATH
C/O CHRIS WORKMAN
PO BOX 400
PHILOMATH, OR 97370

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. The Department issued an order approving Transfer Application T-8527 on March 31, 2006. The order was recorded in Special Order Volume 68, Pages 234-240. The order set a transfer completion date of October 1, 2011.
1. On July 13, 2011, the Department issued a final order, recorded in Special Order Volume 84, Pages 736-737, extending the completion date of the authorized change to October 1, 2016.
2. On December 8, 2016, the Department received an application for extension of time for Transfer Application T-8527.
3. The City anticipated an increase in population and added service connections to the municipal system, conducted fire suppression improvements, and engaged in engineering and consultation in the time allowed for completion of the changes.
4. The City was unable to complete the changes in the time allowed due to financial restraints and a smaller population increase than anticipated.
5. To complete the change, the City must complete infrastructure improvements and add more service connections to the municipal system as the City's population increases.

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.

6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2021.

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-8527.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-8527 shall be extended to October 1, 2021.

Dated at Salem, Oregon this 5 day of January, 2017.


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

Mailing date: ~~JAN 10 2016~~ JAN 10 2017