BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Application for Extension)	FINAL ORDER APPROVING AN EXTENSION
of Time for Transfer Application T-12699,)	OF TIME
Washington County)	

Applicant

Schlichting Century Farm LLC 6242 N Kerby Ave Portland, OR 97217-2501

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 February 5, 2021, the Department received an application for extension of time for Transfer Application T-12699.
- On May 16, 2019, the Department signed an order, which was mailed on May 17, 2019, approving Transfer Application T-12699. The order was recorded in Special Order Volume 113, Pages 123-128. The order set a transfer completion date of October 1, 2020.
- On June 13, 2019, the Department signed a correcting order, which was mailed on June 14, 2019, issued to correct the measured distances for the proposed point of diversion as listed on the original order described in Finding of Fact #2, above. The correcting order was recorded in Special Order Volume 113, Page 376.

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 met with the Oregon Department of Fish and Wildlife (ODFW) in June 2019 to review the planned use for the point of diversion, to meet ODFW requirements. The applicant also purchased an irrigation pump, installed and updated existing in-ground and above ground irrigation mainlines.
- 5. To fully complete the change, the applicant needs to install a flowmeter, and install an ODFW fish screen at the new point of diversion consistent with ODFW's design and construction standards and obtain written approval from ODFW.
- 6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2022. Consistent with OAR 690-380-6020, the Department will extend the transfer completion date to October 1, 2022.

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-12699.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12699 shall be extended to October 1, 2022.

MAR 1 g 2021

Signed at Salem, Oregon on	MAK R ZUZ1
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Lisa . Jaramillo, Transfer and Cons	servation Section Manager for
THOMAS M. BYLER, DIRECTOR	
Oregon Water Resources Departm	nent
MAR	1 9 2021
Mailing date:	