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-13496,)	OF TIME FOR A PERMANENT TRANSFER
Klamath County)	

Applicant

Aguila G-Boys LK 300 LLC Attn: Mark Ellsworth 18969 W. McDowell Rd. Buckeye, AZ 85396 mark.ellsworth@duncanfamilyfarms.net

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 September 26, 2022, the Department received an application for extension of time for Transfer Application T-13496.
- 2. On June 9, 2021, the Department signed an order, which was mailed on June 10, 2021, approving Transfer Application T-13496 to change places of use, point of appropriation, and add an additional point of appropriation. The order was recorded in Special Order Volume 120, Pages 767-772. The order set a transfer completion date of October 1, 2022.
- 3. Since the approval of the transfer, the applicant, Deborah Ann Wallace, has submitted a Claim of Beneficial Use for her portion of the Transfer. Receiving landowner, Aguila G-Boys

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.

LK 300 LLC, has used water from the approved additional points of appropriation Wells 3, 4, and 5.

- 4. To fully complete the change, the receiving landowner needs to drill and complete Well #6, including installing a flow meter.
- 5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2027. Consistent with OAR 690-380-6020(3), 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, 2027.

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-13496.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-13496 shall be extended to October 1, 2027.

Signed at Salem, Oregon on	OCT 3 1 2022
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Lisa J. Jaramillo Transfer and Co	onservation Section Manager for
DOUGLAS E. WOODCOCK, ACTI	
Oregon Water Resources Depart	rtment
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Mailing date:	