

**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-12663,) OF TIME
Marion County)

Applicant

JLR LLC
PO BOX 588
380 S. PACIFIC HWY 99E
WOODBURN OR 97071

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 June 24, 2019, the Department received an application for extension of time for Transfer Application T-12663.
2. On September 24, 2018, the Department signed an order, which was mailed on September 25, 2018, approving Transfer Application T-12663. The order was recorded in Special Order Volume 109, Pages 460-463. The order set a transfer completion date of October 1, 2019.
3. Since the approval of the transfer, the applicant has scheduled construction of the well. The extension application included a letter from a well drilling company stating the applicant, JLR, LLC., submitted PO No. KB043019 for construction of a new well for the BrucePac facility in Woodburn, OR. The letter indicates due to other commitments that construction of the well will not likely begin until the spring or summer of 2020.

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. To fully complete the change, the applicant needs to construct an additional well as proposed in T-12663 and make beneficial use of the water.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2021. Consistent with OAR 690-380-6020, the applicant provided sufficient justification in the extension application to grant an extension for more than one year. Due the construction schedule of the well drilling company, the Department will extend the transfer completion date 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-12663.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12663 shall be extended to **October 1, 2021**.

Signed at Salem, Oregon on JUL 23 2019.


Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

JUL 24 2019

Mailing date: _____