

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

In the Matter of Application for Extension)
of Time for Transfer Application T-10923,)
Marion County) **FINAL ORDER APPROVING AN EXTENSION
OF TIME FOR A PERMANENT TRANSFER**

Applicant

SBE Inc.
11880 Lauren Lane
Newberg, OR 97132

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 17, 2021, the Department received an application for extension of time for Transfer Application T-10923. This is the second extension request.
2. On February 7, 2011, the Department signed an order, which was mailed on February 8, 2011, approving Transfer Application T-10923 to add five additional points of appropriation. The order was recorded in Special Order Volume 83, Pages 492-499. The order set a transfer completion date of October 1, 2016.
3. On October 21, 2016, the Department signed an order, which was mailed on October 28, 2016, approving an extension of time. The order was recorded in Special Order Volume 103, Pages 238-239. The order extended the transfer completion date to October 1, 2021.

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 previous extension, the applicant has completed construction on Well 5 and Well 6. Pumps and meters have been installed on Well 1, Well 3, Well 4, and Well 6. They have been connected to the irrigation system and are ready for use.
5. To fully complete the change, the applicant needs to rehabilitate Well 2, install pumps and meters on Well 2 and Well 5, and connect these two wells to the irrigation system.
6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2023. The applicant has requested more than one year based on the additional time they will need to complete the rehabilitation work on Well 2 and connect Well 2 and Well 5 to the irrigation system. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2023.

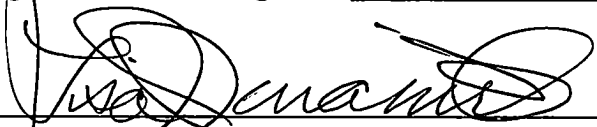
Conclusions of Law

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 previous extension order for Transfer Application T-10923.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-10923 shall be extended to **October 1, 2023**.

Signed at Salem, Oregon on OCT 11 2021



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

Mailing date: OCT 12 2021