

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

In the Matter of Application for Extension)	FINAL ORDER APPROVING AN
of Time for Transfer Application T-12445,)	EXTENSION OF TIME
Marion County)	

Applicant

JB INSTANT LAWN
JENSEN FAMILY LLC
5289 BLUE GRASS LANE
SILVERTON, OR 97381

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 October 16, 2018, the Department received an application for extension of time for Transfer Application T-12445.
2. On July 31, 2017, the Department signed an order, which was mailed on August 4, 2017, approving Transfer Application T-12445. The order was recorded in Special Order Volume 105, Pages 402 - 405. The order set a transfer completion date of October 1, 2018.
3. Since the approval of the transfer, the applicant has installed Well 3, and applied water to beneficial use on 92.1 acres.
4. To fully complete the change, the applicant needs to apply water to beneficial use on the remaining 25 acres. The applicant may need to construct more points of appropriation to supply water at the full approved rate.

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.

5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2023. The applicant did not provide sufficient justification in the extension application to grant an extension for more than one year. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2020.

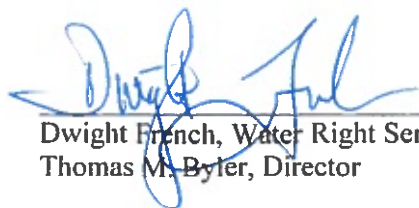
Conclusions of Law

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-12445.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12445 shall be extended to **October 1, 2020**.

Dated at Salem, Oregon this NOV 01 2018.



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

Mailing date: NOV 02 2018