

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

In the Matter of Application for Extension)
of Time for Transfer Application T-11326,)
Umatilla County)

FINAL ORDER APPROVING AN
EXTENSION OF TIME FOR A
DISTRICT PERMANENT TRANSFER

Applicant

HERMISTON IRRIGATION DISTRICT
366 E. HURLBURT AVE.
HERMISTON, OR 97838

Authority

Oregon Administrative Rules (OAR) 690-385-7000(3) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-385-7200 establishes an application process and criteria for the review of extensions of time to complete a district transfer as authorized by a final order issued under OAR Division 385.

OAR 690-380-7200 (5) establishes that the Department may grant extensions for a 12 month time period, from October 1 to October 1. Extensions may be granted for longer time periods if the applicant can justify the need for a longer period of time by submission of pertinent evidence.

Findings of Fact

1. On September 25, 2017, the Department received an application for extension of time for Transfer Application T-11326.
2. The Department issued an order approving Transfer Application T-11326 on June 1, 2012. The order was recorded in Special Order Volume 87, Pages 696-699. The order set a transfer completion date of October 1, 2013.
3. The Water Resources Department approved an extension of time on January 29, 2015. The order was recorded in Special Order Volume 93 at Pages 1197-1198. The order set a transfer completion date of October 1, 2015.
4. During the most recent extension period, the applicant did not receive the needed easement from Union Pacific Railroad in order to bring electricity to the property.

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. To fully complete the change, the applicant needs to put water to beneficial use on all 45.35 acres. To date, only 42.51 of the transferred acres have been irrigated.
6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2018.

Conclusions of Law

Pursuant to OAR 690-385-7200, 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-11326.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-11326 shall be extended to **October 1, 2018**.

Dated at Salem, Oregon this 3 day of November, 2017.



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

Mailing date: NOV 08 2017