

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

In the Matter of Application for Extension )  
of Time for Transfer Application T-8249, ) FINAL ORDER APPROVING AN  
Linn County ) EXTENSION OF TIME

**Applicant**

ORCON, LLC  
DON HERB  
33080 RED BRIDGE RD  
SCIO, OR 97322

**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 10/30/2018, the Department received an application for extension of time for Transfer Application T-8249.
2. On June 17, 2004, the Department signed an order, which was mailed on June 23, 2004, approving Transfer Application T-8249. The order was recorded in Special Order Volume 60, Pages 347 - 349. The order set a transfer completion date of October 1, 2006.
3. Since the approval of the transfer, the applicant has beneficially used the water on a portion of the acres.
4. To fully complete the change, the applicant needs to beneficially use the water on the entire 10.1 acres.

**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, 2019. Consistent with OAR 690-380-6020, 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, 2019.

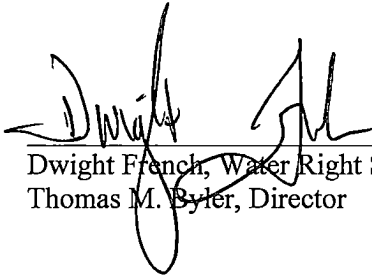
**Conclusions of Law**

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-8249.

**Now, therefore, it is ORDERED:**

The time for completion of the changes authorized by Transfer Application T-8249 shall be extended to **October 1, 2019**.

Dated at Salem, Oregon this NOV 15 2018.



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

Mailing date: NOV 16 2018