

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

In the Matter of Application for Extension)
of Time for Transfer Application T-8178,)
Yamhill County)

FINAL ORDER APPROVING AN EXTENSION
OF TIME FOR A PERMANENT TRANSFER

Applicant

City of Lafayette
c/o Preston Polasek
PO Box 55
Lafayette, OR 97127
prestonp@ci.lafayette.or.us

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. An extension for up to five years may be granted for transfers involving municipal or quasi-municipal use. 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 July 8, 2021, the Department received an application for extension of time for Transfer Application T-8178.
2. On March 23, 1999, the Department issued an order, approving Transfer Application T-8178 to add four additional points of appropriation. The order was recorded in Special Order Volume 53, Pages 459-462. The order set a transfer completion date of October 1, 2004.
3. Since the approval of the transfer, the applicant installed a flow meter on each of the four wells prior to the transfer completion date.

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 increase pumping capability on one of the wells to enable City use the maximum authorized rate under the transfer.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2026. It has been almost 22 years from the issuance of the final order for T-8178 to the date the current extension application was filed. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2026.

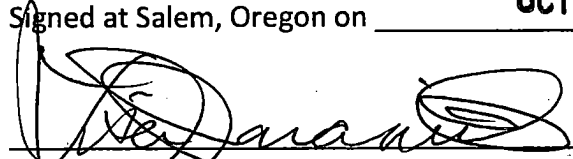
Conclusions of Law

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-8178.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-8178 shall be extended to **October 1, 2026**.

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