

Criteria for Evaluating an Application For an Extension of Time to Complete a Transfer



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The standards and procedures used by the Water Resources Department in evaluating applications for an extension of time to complete changes authorized under a transfer are described in Oregon Revised Statute (ORS) Chapter 540 and in Oregon Administrative Rules (OAR) Chapter 690, Division 380, and Division 385.

This is a summary, prepared by the Water Resources Department, of criteria and procedures that are generally applicable to applications for an extension of time to complete a transfer. The summary is necessarily general and may not specifically address every applicant's fact situation. The summary is intended as general guidance for applicants, and not as a substitute for reference to applicable statutes and rules.

Reviewing Transfer Extension Applications

In reviewing transfer extensions the Department considers the following criteria:

- A final order for a transfer has been issued.
- The application is complete and appropriate fees are submitted.
- The application is signed by the transfer applicant of record or an agent of the applicant.
- A determination can be made that reasonable diligence was shown in the original completion deadlines. Reasonable diligence includes, but is not limited to:
 - Purchase and installation of water delivery system
 - Expansion or restructuring of existing delivery system
 - Actual use of a portion of the water according to the terms of the transfer order.
 - For Municipal and Quasi-municipal and Group Domestic uses: a continued increase in population and number of service connections.
 - Compliance with conditions contained in the transfer order

Processing Transfer Extension Applications

- The application is reviewed by Department staff.
- A final order approving, modifying, or denying the request is issued.
- The final order is subject to a 60-day petition for reconsideration or judicial review.