

**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 of Water Right) EXTENSION OF TIME
T-10677, Washington County, Oregon)

Applicant

MARK UNGER
33640 SW UNGER ROAD
CORNELIUS, OR 97113

Findings of Fact

1. The Water Resources Department issued an order approving Transfer Application T-10677 in the name of Marc Unger, on September 15, 2009. The order was recorded in Special Order Volume 78, at Page 906. The order set a transfer completion date of October 1, 2010.
2. On April 1, 2011, the Department received an application for extension of time for transfer of water right T-10677 from Marc Unger.
3. The applicant has worked with Ernst Irrigation to develop an irrigation system for blueberries on the place of use. The data indicated that more water than was approved in the order would be needed to promote the growth of the blueberries. The applicant has applied for additional water with the Water Resources Department. Construction on the irrigation system cannot be started until the new application for water right is approved or denied. The approval and or denial of the new water right application will determine which of the systems will be put in place.
4. To fully complete the change, it will be necessary for the applicant to wait for the approval and or denial of the new water right application and then install the irrigation system, irrigate, and beneficially use the water allowed.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2013.

<p>This is a final order in other than 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 either 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.</p>

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-10677.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-10677 shall be extended to October 1, 2013.

Dated at Salem, Oregon this 15 day of April, 2011



Dwight French, Water Right Services Administrator, for
PHILIP C. WARD, DIRECTOR

Mailing date: APR 19 2011