

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

In the Matter of Application for Extension)
of Time for Transfer of Water Right)
T-4738, Crook County, Oregon)

FINAL ORDER APPROVING AN
EXTENSION OF TIME

Applicant

OREGON RANCHING COMPANY
TWIN-BUTTES RANCH, C/O RICK DELAMARTER
62400 SE PAULINA HIGHWAY
POST, OREGON 97752

Findings of Fact

1. The Water Resources Department issued an order approving Transfer Application T-4738 in the name of Ned and Dan Severance on November 23, 1981. The order was recorded in Special Order Volume 35, at Page 374. The order set a transfer completion date of October 1, 1983.
2. On March 16, 2010, the Department issued a water right certificate 86119 confirming the changes in water right transfer application T-4738.
3. On May 14, 2010, the Department received a request for reconsideration of water right certificate 86119. On June 17, 2010 a final order was issued to reconsider and withdraw water right certificate 86119.
4. The Water Resources Department issued an assignment from Ned and Dan Severance to Oregon Ranching Company, Twin-Buttes Ranch c/o Rick Delamarter, on November 4, 2010.
5. On November 2, 2010, the Department received an application for extension of time for transfer of water right T-4738 from Oregon Ranching Company, Twin-Buttes Ranch c/o Rick Delamarter.
6. The new proposed point of diversion was operational and a portion of the new place of use was irrigated. However due to conflicting information, the extent of the irrigation done in 1983 is unknown.

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.

7. To fully complete the change, it will be necessary for the applicant to complete beneficial use of the remaining 61 acres and hire a Certified Water Right Examiner to inspect the new place of use and submit a Claim of Beneficial Use Report.
8. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2012.

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-4738.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-4738 shall be extended to October 1, 2012.

Dated at Salem, Oregon this 23 day of November, 2010


Dwight French for
PHILLIP C. WARD, DIRECTOR

Mailing date: NOV 30 2010