

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

In the Matter of Extension of Time) FINAL ORDER APPROVING AN
Application for Transfer Application) EXTENSION OF TIME
T-10275, Marion County, Oregon)

Authority

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time for the completion of changes authorized under water right transfers.

Applicants

MARY SPADA, ARTHUR SPADA, DONALD FARM LLC
c/o A & R SPADA FARMS, ANGELO SPADA, MANAGER
PO BOX 157
SAINT PAUL, OR 97137

Findings of Fact

Background

1. On June 5, 2012, the Department received an application for extension of time for water right transfer T-10275 from Arthur Spada, representing the applicants.
2. The Water Resources Department issued an order approving Transfer Application T-10275, in the name of Mary B. Spada and Arthur Spada, Trustees of the Mary B. Spada Living Trust, and Arthur Spada and Mary B. Spada, Trustees of the Arthur Spada Living Trust, on September 16, 2008. The order was recorded in Special Order Volume 75, at Page 768. The order set a transfer completion date of October 1, 2009.
3. On June 5, 2012, the Water Resources Department approved an assignment of T-10275 to Mary Spada, Arthur Spada, Donald Farm, LLC, c/o A & R Spada Farms, Angelo Spada, Manager.
4. The applicants have completed two additional wells, but have been unable to fully complete the change by the deadline because of a misunderstanding about what the Department considered a "suitable measuring device".

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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. To fully complete the change, it will be necessary for the applicants to install two inline flow meters.
6. The applicants have requested that the time for completion of beneficial use be extended to October 1, 2013.

Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicants have shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-10275 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-10275 shall be extended to October 1, 2013.

Dated at Salem, Oregon this 16th day of July, 2012.

E. Timothy Wall for

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

Mailing date: JUL 27 2012