

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

In the Matter of Application for Extension)
of Time for Transfer of Water Right) FINAL ORDER APPROVING AN
CW-43, Deschutes County, Oregon) EXTENSION OF TIME

Applicant

DESCHUTES RIVER RANCH GROUP, LLC
GARY BLAKE, MANAGING MEMBER
20210 SWALLEY ROAD
BEND OREGON 97701

SWALLEY IRRIGATION DISTRICT
PO BOX 5126
BEND OREGON 97708-5126

Findings of Fact

1. On October 1, 2009 the Deschutes River Ranch filed a request for an extension of time for transfer of a water right relative to Allocation of Conserved Water Application CW-43.
2. On September 11, 2007 the Department issued an order approving Allocation of Conserved Water Application CW-43. That order was recorded at Special Order Volume 73, pages 212 through 230. The order set October 1, 2008 as the deadline for completion of all changes and by which full beneficial use of the water must occur.
3. A portion of conservation project involved the transfer of existing rights to new lands. The Applicants diligently worked to perfect all of the required changes; however, due to severe economic hardship, the Applicants were not able to apply water to all of the new lands prior to the October 1, 2008 deadline.
4. To fully complete the change, it will be necessary for the applicant to install pipe lines and sprinklers for approximately 2.5 additional acres.

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.

5. 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 Department has determined that the Applicant has shown reasonable diligence to complete the conservation project within the time period established by the order approving Allocation of Conserved Water CW-43.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by CW-43 shall be extended to October 1, 2012.

Dated at Salem, Oregon this 12th day of November, 2009


Phillip C. Ward, Director *PCW*

Mailing date: DEC 15 2009