

**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-9188, Jefferson County, Oregon )

FINAL ORDER APPROVING AN  
EXTENSION OF TIME

**Applicant**

COLUMBIA EMPIRE FARMS INC.  
(R-2 RANCH)  
31461 NE BELL ROAD  
SHERWOOD OR 97140

**Agent**

MARTHA O. PAGEL  
SCHWABE, WILLIAMSON, & WYATT PC  
1211 SW 5<sup>TH</sup> AVENUE SUTIE 1700  
PORTLAND OR 97204

**Findings of Fact**

1. On November 21, 2008, the Department received an application for extension of time for transfer of water right T-9188 from Columbia Empire Farms, Inc. (R-2 Ranch).
2. The Water Resources Department issued an order approving Transfer Application T-9188 in the name of Columbia Empire Farms, Inc. (R-2 Ranch), on July 12, 2004. The order was recorded in Special Order Volume 60, at Page 481. The order set a transfer completion date of October 1, 2005.
3. The applicant has completed all the changes authorized by the final order except for authorized points of diversion (POD 3). The other two authorized points of diversion were used in accordance with the transfer to irrigate the entire authorized place of use before the completion date.
4. To fully complete the change, it will be necessary for the applicant to convey 4400 feet of portable mainline to POD 3. The applicant did not use POD 3 within the terms of the transfer because it was not needed. The portable pipe is readily available on site as POD 3 is a back-up to POD 2. Maximum flexibility is desirable by the applicant, because the transfer represents a small component of a large and complex irrigation system.

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, 2009.

**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-9188.

**Now, therefore, it is ORDERED:**

The time for completion of beneficial use authorized by T-9188 shall be extended to October 1, 2009.

Dated at Salem, Oregon this 17<sup>th</sup> day of February, 2009

*William E. Freber*  
Phillip C. Ward, Director

Mailing date: FEB 25 2009