

**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-9373, Linn County, Oregon)	

Applicant

City of Albany, Oregon
333 Broadalbin Street SW
Albany, Oregon 97321

Findings of Fact

1. On April 5, 2006, the Department received an application for extension of time for transfer of water right T-9373 from Mark Yeager for City of Albany, Oregon.
2. The Water Resources Department issued an order approving Transfer Application T-9373 in the name of City of Albany, on August 26, 2005. The order was recorded in Special Order Volume 66, at Page 127. The order set a transfer completion date of October 1, 2006.
3. The applicant has collected the survey data for the six sites and the project is currently in the design phase.
4. To fully complete the change, it will be necessary for the applicant to complete the design, obtain the permits, obtain the easements, and complete the construction.
5. The landowner has requested that the time for completion of beneficial use be extended to October 1, 2007.

Conclusions of Law

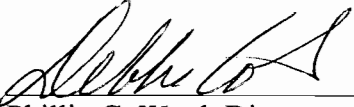
Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-9373.

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.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-9373 shall be extended to October 1, 2007.

Dated at Salem, Oregon this 20th day of April, 2006


for Phillip C. Ward, Director

APR 25 2006

Mailing date: _____