

**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-9617, Baker County, Oregon )

FINAL ORDER APPROVING AN  
EXTENSION OF TIME

**Applicant**

Wyatt Agar  
Margaret Petty  
PO Box 215  
Huntington, Oregon 97907

**Findings of Fact**

1. On October 11, 2005, the Department received an application for extension of time for transfer of water right T-9617 from Wyatt Agar and Margaret Petty.
2. The Water Resources Department issued an order approving Transfer Application T-9617 in the name of Wyatt Agar and Margaret Petty on May 20, 2004. The order was recorded in Special Order Volume 60, at Page 91. The order set a transfer completion date of October 1, 2005.
3. The applicant has laid the pipe to deliver the water to the fields and the ditches have been made to spread it. The applicant had a meeting with Idaho Power on October 3, 2005 and the Army Corp. is now being contacted. Now that the meeting has taken place the applicant is ready to put the pump in the river and irrigate all acreage.
4. The landowner has requested that the time for completion of beneficial use be extended to October 1, 2006.

**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-9617.

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-9617 shall be extended to October 1, 2006.

Dated at Salem, Oregon this 15<sup>th</sup> day of October, 2005

  
\_\_\_\_\_  
For Phillip C. Ward, Director

Mailing date: OCT 18 2005