

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

In the Matter of Extension of Time) FINAL ORDER APPROVING AN
Application for Transfer T-10285,) EXTENSION OF TIME
Marion County)

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.

Transfer Applicant

Basil Michael Elias
3400 Portland Rd. NE
Salem, OR 97301

Findings of Fact

1. On September 10, 2013, the Department received an application for extension of time for water right transfer application T-10285 from Basil Michael Elias.
2. The Water Resources Department issued an order approving Transfer Application T-10285 in the name of Basil Michael Elias on November 5, 2010. The order was recorded in Special Order Volume 83, at Pages 30 - 34. The order set a transfer completion date of October 1, 2013.
3. The Department subsequently issued a superseding order to correct a scrivener's error in the place of use listing in the original order. This superseding and correcting order, issued on March 13, 2012, is recorded in Special Order Volume 87, Pages 184 – 188.
4. The applicant has collected bids from well drillers and continues to attempt to refinance properties to secure the necessary funds for the well drilling.
5. To fully complete the change, it will be necessary for the applicant to drill the approved point of appropriation and apply water from this well to beneficial use on the lands identified in Special Order Volume 87, Pages 184 - 188.
6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2016.

This is a final order in other than a 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 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.

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-10285 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-10285 shall be extended to October 1, 2016.

Dated at Salem, Oregon this 13 day of September, 2013.



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

Mailing date: SEP 25 2013