

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

In the Matter of Extension of Time) FINAL ORDER APPROVING AN
Application for Transfer Application) EXTENSION OF TIME
T-9125, Umatilla County, Oregon)

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.

Applicant

JULIE LUKE
8438 W GAGE BLVD
KENNEWICK, WA 99336

Findings of Fact

Background

1. On April 9, 2012, the Department received an application for extension of time for water right transfer T-9125 from JULIE LUKE, the applicant.
2. The Water Resources Department issued an order approving Transfer Application T-9125, in the name of John Brogoitti, on July 30, 2004. The order was recorded in Special Order Volume 60, at Pages 871-876. The order set a transfer completion date of October 1, 2005.
3. On February 2, 2012, the Water Resources Department assigned the transfer to Julie Luke, the new landowner. Julie Luke is now the transfer applicant.
4. The original applicant, John Brogoitti, has initiated relocation of the point of diversion and irrigated most of the land, but evidently did not complete the changes by the deadline, and has subsequently passed away. The new landowner/applicant, Julie Luke, purchased the property in 2009 and recently became aware of the transfer. She has therefore been unable to fully complete the changes by the deadline.
5. To fully complete the changes, it will be necessary for the applicant to complete the relocation of the point of diversion, including installation of a flow meter and fish screen, and putting the water to full beneficial use under the terms of the T-9125 order.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

6. The applicant/landowner has requested that the time for completion of beneficial use be extended to October 1, 2013.

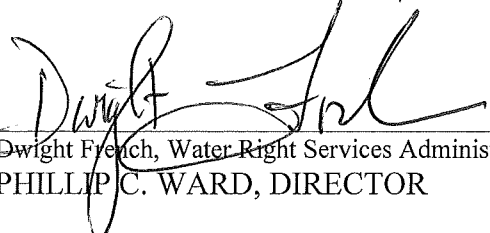
Conclusions of Law

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-9125 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-9125 shall be extended to October 1, 2013.

Dated at Salem, Oregon this 19 day of April, 2012.



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

Mailing date: APR 23 2012