

**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-9067, Yamhill 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

R & B KAUER PROPERTIES LLC
7325 SE AMITY-DAYTON HWY
AMITY, OR 97101

Findings of Fact

Background

1. On April 11, 2012, the Department received an application for extension of time for water right transfer T-9067 from Dave Kauer, of R & B Kauer Properties, LLC, the applicant.
2. The Water Resources Department issued an order approving Transfer Application T-9067, in the name of R & B Kauer Properties, LLC, on February 24, 2006. The order was recorded in Special Order Volume 68, at Pages 101-104. The order set a transfer completion date of October 1, 2007.
3. The applicant has completed installing Well 3, purchasing a pump and motor, installing a meter of Well 3 and putting the water to use, but has been unable to fully complete the changes by the deadline because of not understanding that a meter was also required to be installed on Well 2.
4. To fully complete the change, it will be necessary for the applicant to install a meter at Well 2.
5. The landowner has requested that the time for completion of beneficial use be extended to October 1, 2013.

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.

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-9067 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-9067 shall be extended to October 1, 2013.

Dated at Salem, Oregon this 18 day of April, 2012.



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

Mailing date: APR 23 2012