

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

In the Matter of Application for Extension )  
of Time for Transfer of Water Right )      FINAL ORDER APPROVING AN  
T-9811, Clackamas County, Oregon )      EXTENSION OF TIME

**Applicant**

LEO GENTRY  
PO BOX 645  
GRESHAM, OR 97030

**Findings of Fact**

1. The Water Resources Department issued an order approving Transfer Application T-9811 in the name of Leo Gentry, Wholesale Nursery, Inc. on December 20, 2006. The order was recorded in Special Order Volume 70, at Page 762. The order set a transfer completion date of October 1, 2008.
2. On February 12, 2010, the Department received an application for extension of time for transfer of water right T-9811 from Leo Gentry.
3. The applicant has constructed Well #3, installed a pump and connected Well #3 to the existing irrigation system. Well #3 have been used together with the existing wells for irrigation.
4. To fully complete the change, it will be necessary for the applicant to construct Well #4 and/or Well #5. Also install pumps in the wells and connect the wells to the existing irrigation system. The applicant has faced financial limitations.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2020. However, extensions for water right transfer applications are generally granted for one year or up to five years if the application shows the need for a longer period of time and pertinent evidence is submitted or transfers involving municipal or quasi-municipal use. Therefore, a more reasonable time would be October 1, 2015.

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.

**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-9811.

**Now, therefore, it is ORDERED:**

The time for completion of beneficial use authorized by T-9811 shall be extended to October 1, 2015.

Dated at Salem, Oregon this 24<sup>th</sup> day of February, 2010

  
for Phillip C. Ward, Director

Mailing date: FEB 26 2010