

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

In the Matter of Application for Extension     )  
of Time for Transfer Application T-12078,     )  
Marion County                                     )

FINAL ORDER APPROVING AN  
EXTENSION OF TIME

**Applicant**

FESSLER FAMILY LLC  
13009 MCKEE SCHOOL ROAD  
WOODBURN, OR 97071

**Authority**

Oregon Administrative Rules (OAR) 690-380-5140(2) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time to complete a transfer as authorized by a final order issued under OAR Division 380.

OAR 690-380-6020 (2) establishes that extensions are granted for one year, from October 1 to October 1 of each year.

**Findings of Fact**

1. On August 27, 2018, the Department received an application for extension of time for Transfer Application T-12078.
2. On April 26, 2016, the Department signed an order, which was mailed on May 3, 2016, approving Transfer Application T-12078. The order was recorded in Special Order Volume 100, Pages 319 - 328. The order set a transfer completion date of October 1, 2017.
3. Since the approval of the transfer, the applicant has constructed a well, including its pump, pipe connections and meter installation.
4. To fully complete the change, the applicant must install totalizing flow meters at all other points of appropriation (new and existing). Once full beneficial use is made, the applicant shall submit a Claim of Beneficial Use prepared by a Certified Water Right Examiner.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2019.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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.

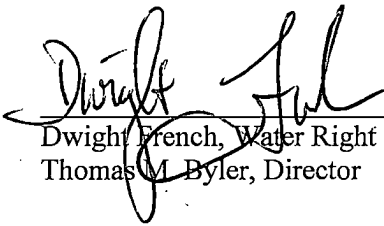
**Conclusions of Law**

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-12078.

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

The time for completion of the changes authorized by Transfer Application T-12078 shall be extended to **October 1, 2019**.

Dated at Salem, Oregon this SEP 19 2018.



Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director

Mailing date: SEP 20 2018