

**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-10866,) EXTENSION OF TIME
Douglas 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.

Applicants

KEN AND ANDREA PHIPPEN
262 WESTWOOD LANE
ROSEBURG, OR 97471

Applicants

STEVE AND VICTORIA SHELDON
1675 NW JENNIFER COURT
ROSEBURG, OR 97471

Findings of Fact

1. On September 6, 2011, the Department received an application for extension of time for transfer of water right T-10866 from Steve and Victoria Sheldon, applicants.
2. On June 25, 2010, the Water Resources Department issued an order approving Transfer Application T-10866 in the name of Jeremy and Tina Gargurevich and Ronald G. Frashour, Jr. The order was recorded in Special Order Volume 81, at Pages 250-254. The order set a transfer completion date of October 1, 2011.
3. On August 9, 2011, Jeremy and Tina Gargurevich's portion of T-10866 was assigned to Ken and Andrea Phippen.
4. On August 23, 2011, Ronald G. Frashour assigned his portion of T-10866 to Steve and Victoria Sheldon.
5. A new pump and pipe have been set up to deliver water to a pond for irrigation of 1.6 acres under the transfer.
6. To fully complete the change, it will be necessary for a "T" to be installed at the point on the 1.6 acres where water enters the Sheldons' property for irrigation, and an easement from the

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.

“T” to the remaining 0.6 acre to be trenched and piping installed. A more powerful pump may need to replace the one currently at the river.

7. Since the Sheldons purchased their portion of the transfer lands on August 18, 2011, they have not had sufficient time to complete the system and establish beneficial use before the original due date of October 1, 2011. The Sheldons have requested that the time for completion of beneficial use be extended to October 1, 2012.

Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicants have shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-10866 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-10866 shall be extended to October 1, 2012.

Dated at Salem, Oregon this 21 day of September, 2011



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

Mailing date: SEP 22 2011