

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

In the Matter of Application for Extension) FINAL ORDER APPROVING AN
of Time for Transfer of Water Right) EXTENSION OF TIME
T-9329, Douglas County, Oregon)

Applicant

ARDEN DEVELOPMENT
PO BOX D
RIDDLE OR 97469

Findings of Fact

1. On October 1, 2008, the Department received an application for extension of time for transfer of water right T-9329 from Arden Development.
2. The Water Resources Department issued an order approving Transfer Application T-9329 in the name of Arden Development, on May 11, 2007. The order was recorded in Special Order Volume 72, at Page 72. The order set a transfer completion date of October 1, 2008.
3. The applicant has completed diversion point number 7. Diversion points 5 and 6 are not complete; the steel pipe needs to be removed.
4. To fully complete the change, it will be necessary for the applicant to complete the removal of the remaining steel pipe from diversion points 5 and 6. The applicant also needs to install new pipe from diversion point 9 to the upper water tank. In the spring, a landowner was logging in the area of diversion point 9, and this fall the dry weather and fire danger delayed the installation of pipe from diversion point 9.
5. The landowner has requested that the time for completion of beneficial use be extended to October 1, 2009.

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-9329.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-9329 shall be extended to October 1, 2009.

Dated at Salem, Oregon this 15th day of October, 2008


v _____
Phillip C. Ward, Director

Mailing date: OCT 16 2008