

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

In the Matter of Application for Extension) FINAL ORDER APPROVING AN
of Time for Completion of Allocation of) EXTENSION OF TIME
Conserved Water Application CW-65)
Increment II, Umatilla County)

Applicant

Royal Columbia Farms
Greg Juul
P.O. Box 130
Hermiston, OR 97838

Applicant

Cold Springs Canyon LLC.
Paul Bracher
81891 Hwy 37
Pendleton, OR 97801

Agent

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Findings of Fact

1. On March 11, 2013, Greg Juul filed a request for an extension of time to complete the changes described in the Order Approving of Allocation of Conserved Water Application CW-65. Mr. Juul also the \$500.00 fee required by ORS 536.050(1)(k).
2. On November 17, 2011, the Department issued Special Order Volume 85, Pages 698 through 713, approving Allocation of Conserved Water Application CW-65. The Order required the Applicant to complete the approved changes and make full beneficial use of the water on or before October 1, 2012.

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.

3. The Order approving Allocation of Conserved Water Application CW-65 authorized the Applicant to divert water from the any of the following points of Diversion (PODs):

| Twp | Rng | Mer | Sec | Q-Q | Tax Lot | Measured Distances |
|-----|------|-----|-----|-------|---------|---|
| 5 N | 30 E | WM | 8 | NE NW | 200 | POD #1 (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17 |
| 5 N | 30 E | WM | 8 | SW NW | 200 | POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8 |
| 5 N | 30 E | WM | 7 | SE SW | 200 | POD #3: (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7 |

4. The Applicant has completed the following improvements to the irrigation system to deliver water from POD #2 to the new place of use. The irrigation system includes one 350-horse power and one 660-horse power booster pumping stations along with approximately 15,340 feet of 20" mainline and 3,320 feet of 16" mainline. The applicant has also completed the installation of 2,880 feet of 20" laterals, 5,980 feet of 16" laterals, 3,640 feet of 14" laterals, 6,300 ft of 10" laterals, 1,520 feet of 8" laterals, 5,390 feet of 6" laterals and 1690 feet of 4" pipelines. Additionally, the Applicant has installed two circle booster pumps and eight, center pivot irrigation machines.
5. The improvements completed by the application allowed the Applicant to irrigate 568.3 acres during the 2012 irrigation season.
6. Completion of the project will require installation of connecting pipes between POD #1 and POD #3.
7. The Applicant has diligently worked to complete work on the irrigation system. However, the Applicant will not be able to complete the remaining work until October 1, 2015.
8. The Applicant requests the time for complete application and full beneficial use of the water authorized in the Order approving Allocation of Conserved Water Application CW-65 be extended until October 1, 2015.

Conclusions of Law

Pursuant to OAR 690-380-6020, the Department has determined that the Applicant has shown reasonable diligence working toward full application the conserved water within the time period established by the Order Approving of Allocation of Conserved Water Application CW-65.

Now, therefore, it is ORDERED:

1. The time for complete application and full beneficial use of the water authorized in the order approving Allocation of Conserved Water Application CW-65 shall be extended until October 1, 2015.
2. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
3. When satisfactory proof of the completed changes is received, new certificates confirming the use of the conserved water on the new lands will be issued.

Dated at Salem, Oregon this 12 day of April 2013.



Dwight French, Water Rights Services Administrator for
Phillip C. Ward, Director

APR 18 2013
Mailing date: _____