

BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

BENTON COUNTY

ORDER APPROVING EXTENSION OF)
TIME LIMITS FOR PERMIT 50147)

Permit 50147 was issued to Bruce and Thelma Hamm on December 31, 1987. The permit granted the right to the use of 56 gallons of water per minute from Woods Creek for the irrigation of 10 acres. The priority date is August 28, 1987.

Under the terms of the permit, a substantial beginning of construction of the water system was to have been made by December 31, 1988. An adequate water system was to have been on hand by October 1, 1989 and water used to the fullest extent intended by October 1, 1990.

The Director received the Notice of Beginning of Construction from Bruce Hamm on January 25, 1989. Although reminder notices were sent on October 18, 1989, October 25, 1990, and July 5, 1991, the Director was not advised as to the progress of the project.

Because of the death of Bruce Hamm and the sale of the property, additional lands have not been irrigated since October 1, 1990. Mary Brittin bought the property in the summer of 1991. An assignment of the permit from Thelma Hamm to Mary Brittin was executed on October 22, 1991.

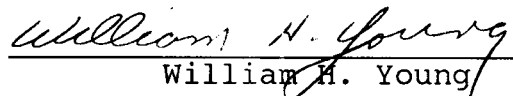
Mary Brittin submitted an application requesting an extension of time limits for completion of construction and use of water to October 1, 1992. The information shows three to five acres had been irrigated within the terms of the permit with a portable irrigation system. She has purchased sufficient irrigation pipe and plans to have the balance of the project irrigated in 1992.

For good cause shown, the Director may extend the time limits of a permit. It is always hard to judge whether or not the user has prudently proceeded with the work required to complete the project. However, it is hereby **ORDERED** the time limits to complete construction of the water system and use water are extended to October 1, 1992.

The Director may specify standards for measuring further diligence in developing a water use allowed by a permit. Therefore, if the project is not completed within this time frame, no further extensions will be granted unless both of the following conditions are met:

1. Adequate irrigation equipment is to be on site.
2. At least 8 acres of the project are to be beneficially irrigated.

WITNESS the signature of the Water Resources Director, affixed November 12, 1991.



William H. Young

NOTICE: You are entitled to judicial review of this order, pursuant to ORS 536.075. Such a review may be obtained by filing a petition within 60 days from the service (date of mailing) of this order. The petition is to be filed with the circuit court in the county in which all or part of the property affected by the order is situated.