

**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-63 )  
Increment II, Umatilla County )

**Applicant**

Mike Hawman  
84917 HWY 37  
Hermiston, OR 97838  
hawman@eotnet.net

**Applicant**

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

**Agent**

Dale G. VanSchoiack, PE  
DGV Consulting, PLLC  
2141 South Lyle, Kennewick, WA 99337  
dalevs@frontier.com

**Findings of Fact**

1. On March 11, 2013, Mike Hawman filed a request for an extension of time to complete the changes described in the order Finalizing Increment II of Allocation of Conserved Water Application CW-63. Mr. Hawman also the \$500.00 fee required by ORS 536.050(1)(k).
2. On May 2, 2011, the Department issued Special Order Volume 83, Pages 1107 through 1114, Finalizing Increment II of Allocation of Conserved Water Application CW-63. 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.

- The order Finalizing Increment II of Allocation of Conserved Water Application CW-63 authorized the Applicant to divert water from the any of the following points of diversion (PODs):

Twtp	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

- The Applicant has completed installation of a irrigation distribution 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 2,530 feet and of 10" laterals, 6,600 feet of 8" laterals and 830 feet of 6" pipelines to service five new circular irrigation machines. A total of 364.0 acres were irrigated during the 2012 irrigation season.
- Completion of the project will require installation of connecting pipes between POD #1 and POD #3.
- 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.
- The Applicant requests the time for complete application and full beneficial use of the water authorized in the order Finalizing Increment II of Allocation of Conserved Water Application CW-63 be extended until October 1, 2015.

### Conclusions of Law

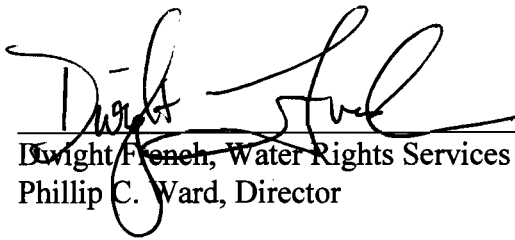
Pursuant to OAR 690-380-6020, the Department has determined that the Applicant has shown reasonable diligence working toward full application the conserved water within the time period established by the Order Finalizing Increment II of Allocation of Conserved Water Application CW-63.

### Now, therefore, it is ORDERED:

- The time for complete application and full beneficial use of the water authorized in the Order Finalizing Increment II of Allocation of Conserved Water Application CW-63 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: \_\_\_\_\_