

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

In the Matter of Extension of Time)
Application for Transfer T-8644,)
Hood River County, Oregon)

FINAL ORDER APPROVING AN
EXTENSION OF TIME

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

Sal D'Auria & Deborah Neft
2823 SW Rutland Terrace
Portland, Oregon 97205

Findings of Fact

1. On October 3, 2011, the Department received an application for extension of time for water right transfer T-8644 from Sal D'Auria and Deborah Neft, applicants.
2. The Water Resources Department issued an order in the names of Elizabeth Brady and John H. Jacobson, approving Transfer Application T-8644 on May 16, 2005. The order was recorded in Special Order Volume 64, at Page 425. The order set a transfer completion date of October 1, 2006.
3. On February 28, 2007, an assignment from Elizabeth Brady and John Jacobson to Sal D'Auria and Deborah Neft (new applicants) was approved.
4. The applicants reconstructed the point of diversion #4 for all transfer areas of use. The delivery system was developed according to the terms of the order. 18.81 of the 23.7 acres were irrigated by October 1, 2006.
5. The Water Resources Department issued an order approving an extension of time dated March 15, 2007. The order was recorded in Special Order Volume 71, at Pages 351-352. The order set a transfer completion date of October 1, 2011, in order to allow time for 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.

applicants to complete the development of 4.89 acres of orchard in the NESE, Section 4, Township 1 South, Range 10 East; 2.6 acres to be developed from Certificate 24395 and 2.29 acres from Certificate 24396, and to complete domestic use under Certificate 38235.

6. By October 1, 2011, the applicants completed installation of irrigation piping and valves and a micro-sprinkler system. However, the project has proceeded more slowly than expected due to higher costs than anticipated. Unfortunately, the Certified Water Right Examiner (CWRE) who had been working with the applicants passed away unexpectedly.
7. To fully complete the change, it will be necessary for the applicants to find a new CWRE to verify the work completed and to identify any additional work that may be necessary to fully complete beneficial use under the terms of the order, in preparation for submitting a Claim of Beneficial Use.
8. The applicants have requested that the time for completion of beneficial use be again extended, to October 1, 2016.

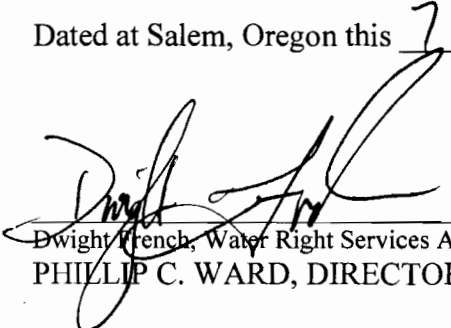
Conclusions of Law

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-8644 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-8644 shall be extended to October 1, 2016.

Dated at Salem, Oregon this 7 day of October, 2011


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

Mailing date: OCT 11 2011