

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

In the Matter of Extension of Time)
Application for Transfer Application)
T-8736, Wasco 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.

Applicant

RICHARD NEAL
4820 DAVIS CUTOFF
THE DALLES, OR 97058

Findings of Fact

Background

1. On August 20, 2012, the Department received an application for extension of time for water right transfer T-8736 from RICHARD NEAL, the transfer applicant.
2. The Water Resources Department issued an order approving Transfer Application T-8736, in the name of Richard Neal, on January 27, 2003. The order was recorded in Special Order Volume 57, at Page 64. The order set a transfer completion date of October 1, 2004.
3. The applicant has completed development of the additional point of diversion and beneficial use on 4.22 acres, but has been unable to fully complete the change by the deadline because 14.98 acres was leased instream under L-216 during 2002-2007 irrigation seasons. The applicant did not understand that in addition to developing the additional point of diversion and using it beneficially on some of the acres, using the new point of diversion for irrigation of the full place of use (19.2 acres) was required.
4. To fully complete the change, it will be necessary for the applicant to irrigate the remaining 14.98 acres from the new point of diversion.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2017, since those lands are being leased through October 31, 2016.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

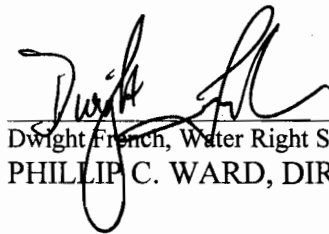
Conclusions of Law

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-8736 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-8736 shall be extended to October 1, 2017.

Dated at Salem, Oregon this 6 day of September, 2012.



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

Mailing date: SEP 11 2012