

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

In the Matter of Application for Extension) FINAL ORDER APPROVING AN
of Time for Transfer of Water Right) EXTENSION OF TIME
T-8988 Marion County, Oregon

Applicant

F. John Rissburger
22120 Butteville Road NE
Aurora, Oregon 97002

Findings of Fact

1. On September 27, 2007, the Department received an application for extension of time for transfer of water right from F. John Rissburger for Transfer application T-8988.
2. The Water Resources Department issued an order approving Transfer Application T-8988 on April 14, 2005. The order was recorded in Special Order Volume 64, at Page 162. The order set a transfer completion date of October 1, 2006.
3. The applicant has changed the cropping to in-ground nursery stock and conducted nursery operations. The applicant did not realize that a flow meter was needed for the well that only provided water to the shade houses and for domestic purposes for the out buildings and residence.
4. The applicant has to complete the installation of an in-line flow meter on Well #1, to comply with the order.
5. The applicant has requested that the time for completion be extended to October 1, 2008.

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-8988.

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.

Now, therefore, it is ORDERED:

The time for completion of the change in character of use authorized by T-8988, shall be extended to October 1, 2008.

Dated at Salem, Oregon this 29th day of October, 2007


for Phillip C. Ward, Director

Mailing date: NOV 01 2007