

**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-10118, Marion County, Oregon)

Applicant

Eder Brothers Inc.
11690 Hook Road NE
Mount Angel, Oregon 97362

Findings of Fact

1. On October 17, 2007, the Department received an application for extension of time for transfer of water right T-10118 from Eder Brothers Inc.
2. The Water Resources Department issued an order approving Transfer Application T-10118 in the name of Eder Brothers Inc., on September 7, 2006. The order was recorded in Special Order Volume 70, at Page 173. The order set a transfer completion date of October 1, 2007.
3. The applicant has drilled the new well and capped the well at the top. The applicant has also irrigated 145.55 total acres of land.
4. To fully complete the change, it will be necessary for the applicant to supply and complete the electrical power meter base, pump, column, and discharge with the water meter and the mainline.
5. The landowner has requested that the time for completion of beneficial use be extended to October 1, 2009.

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-10118.

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 beneficial use authorized by T-10118 shall be extended to October 1, 2009.

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


for Phillip C. Ward, Director

Mailing date: NOV 01 2007