

**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-8057, Deschutes County, Oregon

Applicant

William Kane, Brian Cam
Wayne Marshall
PO Box 441
Eagle Point, Oregon 97524

Findings of Fact

1. On December 1, 2005, the Department received an application for extension of time for transfer of water right from William Kane, Brian Cam, and Wayne Marshall.
2. The Water Resources Department issued an order approving Transfer Application T-8057 on May 20, 2003. The order was recorded in Special Order Volume 56, at Page 324. The order set a transfer completion date of October 1, 2003.
3. The Water Resources Department issued an order approving an extension of time dated October 13, 2003. The order was recorded in Special Order Volume 58, at Page 154. The order set a transfer completion date of October 1, 2004.
4. The applicant has installed the pump, meter, mainline and ditch and water has been applied to the ground for a total area of 37.8 acres. The applicant did not have approval on the fish screen from the Department of Fish & Wildlife. Therefore, the pump and motor were removed. The new pump, motor and approved fish screen will be installed for the 2006 irrigation season.
5. The applicant has requested that the time for completion be extended again, to October 1, 2006.

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.

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 and extension of time approving Transfer Application T-8057.

Now, therefore, it is ORDERED:

The time for completion of the change in point of diversion, place of use and an additional point of diversion, authorized by T-8057, shall be extended to October 1, 2006.

Dated at Salem, Oregon this 15th day of December, 2005

for Debbie Colby
Phillip C. Ward, Director

Mailing date: 12-20-2005