

**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        |
| Authorized by T-9287, Marion County,       | ) |                          |
| Oregon                                     | ) |                          |

**Applicant**

D & D Frank Family LLC  
Drawer 79  
Mill City, OR 97360

**Findings of Fact**

1. On September 13, 2004, the Department received an application for extension of time for transfer of water right from Dennis Frank of D & D Frank Family LLC.
2. The Water Resources Department issued an order approving Transfer Application T-9287 on April 23, 2003. The order was recorded in Special Order Volume 57, at Page 503. The order set a transfer completion date of October 1, 2004, and the date for submission of a claim of beneficial use as October 1, 2005.
3. The applicant requested an extension because they are unable to develop the additional point of appropriation by the completion date. A pump must be installed in Well #6 and piped into the irrigation system. The Department's ground water section has a water stage recorder installed in Well #6 and has requested that the well not be used for as long as possible to allow continued monitoring. This has delayed use of Well #6.
4. The applicant has constructed both Wells #6 and #7. A pump has been installed in Well #7 and it is piped into the irrigation system. The applicant requests an extension until October 1, 2008, to complete construction.

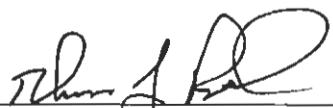
**Conclusions of Law**

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-9287.

**Now, therefore, it is ORDERED:**

The time for completion of the changes in point of diversion and place of use and character of use, authorized by T-9287 shall be extended to October 1, 2008.

Dated at Salem, Oregon this 21<sup>st</sup> day of September, 2004

  
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for Phillip C. Ward  
Acting Director