

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

In the Matter of Application for Extension)
of Time for Transfer of Water Right)
Authorized by T-8775, Jackson County,)
Oregon)

FINAL ORDER APPROVING AN
EXTENSION OF TIME

Applicant

Joe Beitler
1510 East Main Street
Medford, Oregon 97504

Findings of Fact

1. On September 28, 2004, the Department received an application for extension of time for transfer of water right from Joe Beitler.
2. The Water Resources Department issued an order approving Transfer Application T-8775 on December 16, 2002. The order was recorded in Special Order Volume 56, at Page 2165. 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 has installed the headgate at the new point of diversion and the fish screens have been installed. The applicant has also submitted the plans and maps to the water right examiner.
4. The applicant requested an extension because they are unable to develop the point of diversion by the completion date. The applicant needs to acquire the last 800 feet of hand line. The hand line delivery has been delayed and therefore completion of the project has been delayed as well.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

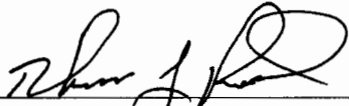
Conclusions of Law

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-8775.

Now, therefore, it is ORDERED:

The time for completion of the change in point of diversion, authorized by T-8775 shall be extended to October 1, 2005.

Dated at Salem, Oregon this 18th day of October, 2004


for Phillip C. Ward
Acting Director