

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

In the Matter of Application for Extension)
of Time for Transfer of Water Right)
T-9344 Crook County, Oregon)

FINAL ORDER APPROVING AN
EXTENSION OF TIME

Applicant

Kenneth D. Werth
Janis A. Werth
2490 SW Williams Road
Powell Butte, Oregon 97753

Findings of Fact

1. On August 7, 2006, the Department received an application for extension of time for transfer of water right from Kenneth D. Werth.
2. The Water Resources Department issued an order approving Transfer Application T-9344 on July 26, 2004. The order was recorded in Special Order Volume 60, at Page 806. The order set a transfer completion date of October 1, 2005.
3. Unexpected high rainfall in May and June of 2005 created excessive weed growth on part of the property. This made it impossible for the applicant to establish the new seeding of grass until after the growth was burned off in November and December of 2005.
2. The applicant has installed the system and the water has now been beneficially applied to 79.8 acres. A Certified Water Rights Examiner has been scheduled to make a site visit to document beneficial use in August of 2006.
4. The applicant has requested that the time for completion be extended to October 1, 2006.

Conclusions of Law

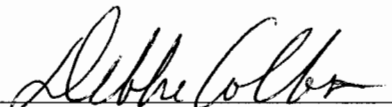
Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-9344.

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 point of appropriation, authorized by T-9344, shall be extended to October 1, 2006.

Dated at Salem, Oregon this 17th day of August, 2006


Phillip C. Ward, Director *PCW*

Mailing date: 8-25-06