

**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-8876, Malheur County, Oregon)

Applicant

THOMAS HOPPER
5399 JOHN DAY HWY
JAMIESON, OR 97909

Receiving Landowner

ISRAEL RAY AKA MAVERICK RICKIE RAY
11140 CHICKEN DINNER ROAD
CALDWELL, ID 83607

Findings of Fact

1. The Water Resources Department issued an order approving Transfer Application T-8876 in the name of Thomas Hopper and the receiving landowner as Norman and Kathleen Rainwater, on November 22, 2004. The order was recorded in Special Order Volume 62, at Page 219. The order set a transfer completion date of October 1, 2006.
2. The Water Resources Department issued an assignment from Norman and Kathleen Rainwater to Shawn B. Swalling, on June 8, 2006. In January 2010 the property reverted back to Norman and Kathleen Rainwater due to a default in the contract with Shawn B. Swalling.
3. On August 13, 2010, the Department received an application for extension of time for transfer of water right T-8876 from the receiving landowners Norman and Kathleen Rainwater.
4. The Water Resources Department issued an assignment from Norman and Kathleen Rainwater to Israel Ray aka Maverick Rickie Ray, on April 28, 2011.
5. The receiving landowner has completed all changes authorized in the final order, however completion of the change was not accomplished within the time prescribed in the order.

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.

6. An extension of the time to complete the project is necessary for the receiving landowner to fully comply with the terms of the order approving the transfer.
7. The receiving landowner has requested that the time for completion of beneficial use be extended to October 1, 2011.

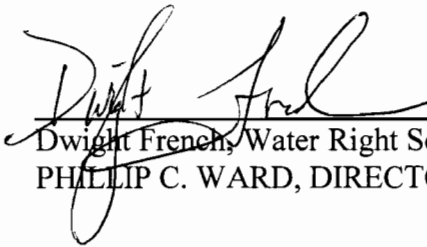
Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the receiving landowner has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-8876.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-8876 shall be extended to October 1, 2011.

Dated at Salem, Oregon this 4 day of May, 2011



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing date: MAY 05 2011