

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

In the Matter of Extension of Time) **FINAL ORDER APPROVING AN**
Application for Transfer Application) **EXTENSION OF TIME**
T-10481, Deschutes County)

Authority

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time for the completion of changes authorized under water right transfers.

Applicant

CARL E. BERG
PO BOX 1030
SISTERS, OR 97759

Findings of Fact

1. On April 6, 2015, the Department received an application for a second extension of time for water right Transfer Application T-10481 from Carl E. Berg, the receiving land owner identified in the transfer applicant.
2. The Water Resources Department issued an order approving Transfer Application T-10481 and recorded it in Special Order Volume 78, at Page 898 - 901. The order set a transfer completion date of October 1, 2010.
3. On September 9, 2010, the Department issued an order extending the completion date to October 1, 2015. This extension approval was record in the records of the Department at Volume 81, Pages 852 – 853.
4. Since approval of the transfer, the receiving land owner has marked the property lines and has cleared the land to which the water will be applied.
5. To fully complete the change it will be necessary for the receiving land owner to install an irrigation system, install a totalizing flow and apply water to 4.72 acres of land.
6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2020.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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 previous orders extending the completion date for Transfer Application T-10481 and the requested time is reasonable.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-10481 shall be extended to October 1, 2020.

Dated at Salem, Oregon this 26 day of May, 2015.



Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR

Mailing date: MAY 27 2015