

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

In the Matter of Application for Extension)
of Time for Transfer of Water Right) FINAL ORDER APPROVING AN
T-9942, Morrow County, Oregon) EXTENSION OF TIME

Applicant

ANDY AND ANDREA FLETCHER
PO BOX 404
LEXINGTON, OR 97839

Findings of Fact

1. The Water Resources Department issued an order approving Transfer Application T-9942 in the name of Andy and Andrea Fletcher, on December 3, 2006. The order was recorded in Special Order Volume 70, at Page 693. The order set a transfer completion date of October 1, 2008.
2. On September 18, 2009, the Department received an application for extension of time for transfer of water right T-9942 from Andy and Andrea Fletcher.
3. The applicant has obtained a right of way agreement with the neighbor and planned the mainline replacement construction with the Natural Resource Conservation Service.
4. The applicant needs to replace the old mainline and prepare the pumping station under the guidance of the Watermaster. The applicant must also install the fish screen while working with the Oregon Department of Fish and Wildlife.
5. Completion of the change was not accomplished within the time prescribed on the order. An extension of the time to complete the project is necessary for the applicant to fully comply with the terms of the order approving the transfer.
6. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2010.

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.

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-9942.

Now, therefore, it is ORDERED:

The time for completion of beneficial use authorized by T-9942 shall be extended to October 1, 2010.

Dated at Salem, Oregon this 23rd day of September, 2009


Phillip C. Ward, Director *pc*

Mailing date: SEP 24 2009