



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301
 (503) 986-0900
 www.wrd.state.or.us

Application for Extension of Time for a Water Right Permit

(Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

I, Windhurst Road Watering Corporation

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

the holder of: Application Number R-69708 Permit Number R-12928 [OAR 690-315-0020(3)(b)]

***A separate application must be submitted for each permit as per OAR 690-315-0020(2). ***

88860 Windhurst Lane
 MAILING ADDRESS

Bandon, Oregon, 97411
 CITY, STATE, ZIP

(541) 347-2295
 PHONE

NA
 E-MAIL ADDRESS

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X **do hereby request that** the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month 10 Day 1 Year 2014, be extended to October 30, Year 2019.

Please Note. If the permit **does** specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

and

do hereby request that the time to complete construction of the water system, which now expires on Month 10 Day 1 Year 2014, be extended to October 30, Year 2019

Sign after completing the entire application, questions 1-11.

I am the permit holder, or have attached to this application written authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension. I have completed the entire application.

Donny O. Hoge
 Signature

9/23/14
 Date

Printed Name/Title Chairman

MAIL COMPLETED and SIGNED APPLICATION with the \$575 STATUTORY FEE TO:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

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Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **\$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (using the link to the Water Rights Information System (WRIS)). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (copy fees will apply).
- **Documentation** which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is at the following link: <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.
- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.
- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).
- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

Questions to Complete this Application for Extension of Time

Please see the instruction sheet to help you answers these questions.

[OAR 690-315-0020(3)(d)]

1. **Did the “actual construction” of the water system/well drilling begin within the time specified in the permit?** Yes No N/A, if not specified in this permit

Date “actual construction” began is: 1960

Describe details of construction: Manicke reservoir #4 constructed

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[OAR 690-315-0020(3)(e)(A)]

2-A. Please Describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].

TIP: The instruction sheet explains which typical conditions must be addressed here.

Condition Number: Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.

CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied
		SEE ATTACHMENT A

2-B. If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-B

Condition Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
5	2014	INSTALL STAFF GAGES IN SCHERER AND HAGA PONDS AFTER 2014 HARVEST. A PORTION OF THE SCHERER FARM CHANGED HANDS TO BIG HORN OWL DURING THE LAST EXTENSION PERIOD. SCHERER HAS POSSESSION OF HAGA'S STAFF GAGES AND KNOWING OF APPLICATION FOR EXTENSION OF TIME WILL BE INSTALLING THEM AFTER THE 2014 HARVEST.

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[OAR 690-315-0020(3)(e)]

3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.

CHART-C (below) must be completed for all Application for Extension of Time requests. *Use chronological order.*

CHART-C

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
	SEE ATTACHMENT B	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and</i> PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER	COST*
	Date the permit was signed - find date above signature on last page of permit.	
	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW Complete if this is your first request for extension of time.	COST*
*Total Cost for Chart-C		

*** If exact cost is not known, please provide your best estimate.**

IF this is your first Application for an Extension of Time, write NA in Chart D below and proceed to question 4 at the bottom of this page.

3-B) Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the most recent extension period.

If this **is not** your 1st Application for Extension of Time request, fill out CHART-D below in addition to CHART-C above. *Use chronological order.*

CHART-D

DATE	LIST AND DESCRIBE WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD	COST*
2005	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
2009-2014	MANICKE- 50% COMPLETION OF EXTENSION TO ALL PONDS	\$10,000.00
2009-2014	SCHERER - COMPLETED RES. #7, PURCHASED STAFF GAGES AND WILL BE INSTALLED AFTER 2014 HARVEST SEASON	\$12,000.00
2009-2014	HAGA - PURCHASED STAFF GAGES AND WILL INSTALL AFTER 2014 HARVEST SEASON	\$10,000.00
2009-2014	RICHERT - WORKED ON CONSTRUCTION OF RES. #1 & #2, PURCHASED PUMPS AND PLUMBING	\$14,000.00
2014	FINAL ENGINEERING CERTIFICATION HAS BEEN COMPLETED	\$3,500.00
2014	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
DATE	LIST AND DESCRIBE WORK ACCOMPLISHED AFTER THE LAST EXPIRED EXTENSION PERIOD UP TO NOW	COST*
Total Cost of Chart-D		\$49,500.00

*** If exact cost is not known, please provide your best estimate.**

[OAR 690-315-0020(3)(f)]

4. Cost of project to date: \$1,780,050.00

(The total combined cost from CHART-C and CHART-D)

[OAR 690-315-0020(3)(e)(B)]

5. Provide evidence of the maximum rate (or duty, if applicable) of water actually diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

TIP: Report the rate used to date in the same units of measurement as specified in the permit. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

5-A) For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):

Maximum measured rate used to date = _____ cfs (cubic feet per second)

or

Maximum measured rate used to date = _____ gpm (gallons per minute)

or

Acre-feet stored to date = 614 AF

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5-B) For Ground Water Permit Extensions (e.g. G-XXXX):

TIP: Include information from ALL wells that pertain to this permit including wells not currently being used.

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CHART-E

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below)	Maximum measured rate used from this well - - under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
Total measured rate from all wells utilized under this permit								

5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a Permit Amendment Application been/be filed? Yes No

If a Permit Amendment Application has been filed: Transfer No. T-_____

Well # _____: Actual location: _____

Well #_____: Actual location: _____

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[OAR 690-315-0020(3)(e)(C)]

6. Provide the total number of acres actually irrigated to date under this permit (if any).

Surface Water Permits: I have applied water to _____ acres for irrigation to date.

Ground Water Permits: I have applied water to _____ acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well # _____ Acres _____ Well # _____ Acres _____

Well # _____ Acres _____ Well # _____ Acres _____

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[OAR 690-315-0020(3)(j)]

7. Provide a summary of future plans and a schedule to complete construction of the water system, and/or apply water to full beneficial use under the permit terms and conditions.

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
2014-2019	MANICKE - EXTENSION TO 50% OF PONDS TO FINISH	\$10,000.00
2014-2019	SCHERER - INSTALL STAFF GAGES AFTER 2014 HARVEST SEASON, ENLARGE RES. #1 & #2	\$10,000.00
2014-2019	HAGA - INSTALL STAFF GAGES AFTER 2014 HARVEST SEASON, COMPLETE BEE STING RES.	\$10,000.00
2014-2019	RICHERT - FINISH CONSTRUCTION OF RES. #1 & #2, INSTALL PUMPS AND PLUMBING	\$18,000.00
Year: 2019	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	Estimated remaining total cost to complete the water development: [OAR 690-315-0020(3)(g)]	\$48,000.00

[OAR 690-315-0020(3)(h)]

9. Describe the reasons why the water development was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

9-A) Is the project of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit? If yes, describe.

THIS IS A VERY LARGE AND EXPENSIVE PROJECT THAT WAS PLANNED TO BE PHASED IN OVER A LONGER PERIOD OF TIME THAN ALLOWED BY THE PERMIT.

9-B) Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

FINANCIAL RESOURCES ARE LIMITED DUE TO THE UNSTABLE PRICE OF CRANBERRIES. STILL RECOVERING FROM MARKET CRASH.

9-C) Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

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9-D) Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

ONE OF THE MAIN PARTNERS OF WINDHURST ROAD WATERING CORPORATION PASSED AWAY IN 2014.

[OAR 690-315-0020(3)(k)]

10. **Justify the time requested to complete the project and/or apply the water to full beneficial use.** Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time. Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

INSTALL STAFF GAGES IN SCHERER AND HAGA PONDS. MANICKE HAS 50% OF THE EXPANSION TO PONDS LEFT TO FINISH. SCHERER WILL BE INSTALLING STAFF GAGES AFTER THE 2014 HARVEST AND ENLARGING RESERVOIRS #1 & #2. A PORTION OF THE SCHERER FARM WAS SOLD TO BIG HORN OWL WHO IS A NEW OPERATOR AND NEEDS TIME TO ENLARGE SCHERER RESERVOIRS # 1 & #2. HAGA WILL INSTALL STAFF GAGES AFTER THE 2014 HARVEST AND WORK ON COMPLETING BEE STING RESERVOIR WHEN EQUIPMENT BECOMES AVAILABLE. THIS PROJECT WAS VERY LARGE AND EXPENSIVE AND WAS TO BE PHASED IN OVER A LONGER PERIOD OF TIME THAN THE PERMIT ALLOWED. FINANCIAL RESOURCES ARE LIMITED DUE TO THE UNSTABLE PRICE OF CRANBERRIES.

CWRE WILL BE MONITORING PROGRESS AND REQUESTING THAT THE PROJECT BE FINISHED WITHIN THE AMOUNT OF TIME REQUESTED.

- 11. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.**

WE ARE UNABLE TO SEPARATE COSTS FROM THIS PERMIT AN PERMIT S-53703. PLEASE CONSIDER BOTH PERMITS TOGETHER. CWRE WILL BE MONITORING PROGRESS TO ENSURE COMPLETION OF PROJECT IN A TIMELY MANNER.

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Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

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INSTRUCTIONS FOLLOW ON NEXT PAGE

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STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WINDHURST ROAD WATERING CORPORATION
PO BOX 503
BANDON, OREGON 97411

(541)347-3062

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-69708

SOURCE OF WATER: BILL CREEK, A TRIBUTARY OF BEAR CREEK

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 3, T29S, R14W, W.M.;
1030 FEET SOUTH AND 2480 FEET EAST FROM W1/4 CORNER SECTION 3

STORAGE FACILITIES: 23 RESERVOIRS BEING WINDHURST: HAGA 1,2,3,4; BEE STING; SCHERER 1,2,3,4,5,6,7,8; MANICKE 1,2,3,4; RICHERT 1,2,3,4,& 5

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT 53703 FOR CRANBERRY OPERATIONS.

VOLUME OF USE: 614 ACRE-FEET EACH YEAR, BEING 470 ACRE-FEET IN WINDHURST, 9.1 ACRE-FEET IN HAGA #1, 5.0 ACRE-FEET IN HAGA #2, 2.9 ACRE-FEET IN HAGA #3, 6.0 ACRE-FEET IN HAGA #4, 23.0 ACRE-FEET IN BEE STING, 1.4 ACRE-FEET IN SCHERER #1, 1.4 ACRE-FEET IN SCHERER #2, 5.6 ACRE-FEET IN SCHERER #3, 7.0 ACRE-FEET IN SCHERER #4, 1.5 ACRE-FEET IN SCHERER #5, 4.2 ACRE-FEET IN SCHERER #6, 7.7 ACRE-FEET IN SCHERER #7, 4.2 ACRE-FEET IN SCHERER #8, 9.1 ACRE-FEET IN MANICKE #1, 9.1 ACRE-FEET IN MANICKE #2, 9.1 ACRE-FEET IN MANICKE #3, 2.7 ACRE-FEET IN MANICKE #4, 5.6 ACRE-FEET IN RICHERT #1, 9.1 ACRE-FEET IN RICHERT #2, 9.1 ACRE-FEET IN RICHERT #3, 5.6 ACRE-FEET IN RICHERT #4, AND 5.6 ACRE-FEET IN RICHERT #5

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH MAY 31.

DATE OF PRIORITY: SEPTEMBER 6, 1988, FOR 100 ACRE-FEET AND JUNE 1, 1994, FOR 514 ACRE-FEET

INSTANTANEOUS DIVERSION RATE: THE MAXIMUM DIVERSION RATE FROM BILL CREEK AUTHORIZED UNDER THIS PERMIT, COMBINED WITH THE DIVERSION AUTHORIZED

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UNDER ANY PERMIT FOR APPLICATION S-69654, SHALL NOT EXCEED 2.75 CFS AND IS FURTHER LIMITED AS DESCRIBED BELOW:

- 1 Prior to any appropriation under this permit, the permittee shall install a staff gage downstream from the confluence of Bear Creek and Bill Creek and develop a medium flow rating curve for the range
- 2 10 cfs to 25 cfs. The staff gage shall be installed under the supervision of the District 19 watermaster at a suitable location within Section 34, Township 28 South, Range 14 West, W.M. and shall be accessible to ODFW and Water Resources staff. The staff gage and rating curve shall be maintained by the permittee to the satisfaction of the watermaster and shall at a minimum include two streamflow measurements per year. The rating curve and streamflow measurements shall be on file at the District 19 watermaster office and at the Water Resources Department in Salem.
- 3 Prior to any appropriation under this permit, the permittee shall also install a standardized weir and staff gage at the point of diversion. The weir shall be designed and installed to the satisfaction of the District 19 watermaster and the Coos-Coquille ODFW District Biologist. The weir shall be accessible to ODFW and Water Resources staff. The weir and staff gage shall be maintained by the permittee to the satisfaction of the watermaster. The weir shall not obstruct fish passage without providing a fishway to ensure adequate upstream and downstream passage for fish.

Appropriation of water under this permit, combined with the live flow diversion authorized under any permit for application S-69654, shall only occur when the flow on Bear Creek, as measured at the staff gage, exceeds 17 cfs. While appropriation is occurring under this permit, and any permit authorizing application S-69654, a flow of at least 17 cfs shall be maintained at the staff gage on Bear Creek. At no time shall the permittee, under this permit, in combination with any permit issued for application S-69654, divert more than 50% of the flow from Bill Creek, as measured at the weir, and at no time shall the combined diversions from this permit and any permit issued for S-69654 exceed 2.75 cfs. The permittee shall be responsible for monitoring streamflows so that these conditions are not violated.

The area submerged by the Windhurst Reservoir, when full, will be 23.0 acres and the maximum depth of water will be 24.0 feet. The maximum height of the dam shall not exceed 28.0 feet.

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The area submerged by the Haga Reservoir #1, when full, will be 2.6 acres and the maximum depth of water will be 9.0 feet. The maximum height of the dam shall not exceed 7.0 feet.

The area submerged by the Haga Reservoir #2, when full, will be 0.8 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 7.0 feet.

The area submerged by the Haga Reservoir #3, when full, will be 0.5 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 7.0 feet.

The area submerged by the Haga Reservoir #4, when full, will be 0.6 acre and the maximum depth of water will be 13.0 feet. The maximum height of the dam shall not exceed 7.0 feet.

The area submerged by the Bee Sting Reservoir, when full, will be 2.0 acres and the maximum depth of water will be 23.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

The area submerged by the Scherer Reservoir #1, when full, will be 0.4 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

The area submerged by the Scherer Reservoir #2, when full, will be 0.4 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

The area submerged by the Scherer Reservoir #3, when full, will be 0.9 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

The area submerged by the Scherer Reservoir #4, when full, will be 1.0 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

The area submerged by the Scherer Reservoir #5, when full, will be 0.5 acre and the maximum depth of water will be 8.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

The area submerged by the Scherer Reservoir #6, when full, will be 0.7 acre and the maximum depth of water will be 8.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

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The area submerged by the Scherer Reservoir #7, when full, will be 1.0 acre and the maximum depth of water will be 11.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

The area submerged by the Scherer Reservoir #8, when full, will be 0.5 acre and the maximum depth of water will be 12.0 feet. The maximum height of the dam shall not exceed 4.0 feet.

The area submerged by the Manicke Reservoir #1, when full, will be 1.1 acres and the maximum depth of water will be 11.5 feet. The maximum height of the dam shall not exceed 9.9 feet.

The area submerged by the Manicke Reservoir #2, when full, will be 1.0 acre and the maximum depth of water will be 12.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

The area submerged by the Manicke Reservoir #3, when full, will be 1.0 acre and the maximum depth of water will be 12.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

The area submerged by the Manicke Reservoir #4, when full, will be 0.3 acre and the maximum depth of water will be 10.5 feet. The maximum height of the dam shall not exceed 9.9 feet.

The area submerged by the Richert Reservoir #1, when full, will be 0.9 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 6.0 feet.

The area submerged by the Richert Reservoir #2, when full, will be 1.0 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 6.0 feet.

The area submerged by the Richert Reservoir #3, when full, will be 0.7 acre and the maximum depth of water will be 12.0 feet. The maximum height of the dam shall not exceed 6.0 feet.

The area submerged by the Richert Reservoir #4, when full, will be 0.7 acre and the maximum depth of water will be 11.0 feet. The maximum height of the dam shall not exceed 6.0 feet.

The area submerged by the Richert Reservoir #5, when full, will be 0.6 acre and the maximum depth of water will be 13.0 feet. The maximum height of the dam shall not exceed 6.0 feet.

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THE AREAS TO BE SUBMERGED BY THE RESERVOIR ARE LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 MANICKE #1
SECTION 32

NW 1/4 NW 1/4 MANICKE #2
SW 1/4 NW 1/4 MANICKE #2,3
SE 1/4 NW 1/4 MANICKE #4
SECTION 33

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

NW 1/4 SW 1/4 HAGA #1
SECTION 3

SW 1/4 NW 1/4 SCHERER #5
NE 1/4 SW 1/4 BEE STING
NW 1/4 SW 1/4 SCHERER #7,8
SW 1/4 SW 1/4 HAGA #4
SE 1/4 SW 1/4 HAGA #2,3, BEE STING
NE 1/4 SE 1/4 WINDHURST, HAGA #4
NW 1/4 SE 1/4 WINDHURST
SECTION 4

NE 1/4 NE 1/4 SCHERER #3
SW 1/4 NE 1/4 SCHERER #1
SE 1/4 NE 1/4 SCHERER #2,3,4
NE 1/4 SE 1/4 SCHERER #6
SECTION 5

NE 1/4 NE 1/4 RICHERT #2
NW 1/4 NE 1/4 RICHERT #1,3
SW 1/4 NE 1/4 RICHERT #5,4
SECTION 9

TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.

Measurement, recording and reporting conditions:

- A. ⁴ Before water use may begin under this permit, the permittee shall install a totalizing flow meter at the point of diversion. The permittee shall maintain the meter in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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B. The permittee shall allow the watermaster access to the meter; provided however, where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.

5 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in each reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

6 At the point of diversion from Bill Creek the permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The point of diversion works shall not obstruct fish passage without providing a fishway to ensure adequate upstream and downstream passage for fish. The required screens and, if necessary fishways, shall be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

7 The earthen dam, the resultant reservoir, and the emergency spillway, shall be constructed and maintained according to the approved plans and specifications on file with the Oregon Water Resources Dam Safety program.

No fill shall be placed until preparation of the foundation has been completed and examined in entirety by the engineer of record, or by the Water Resources Dam Safety Engineer, or both.

Any significant change in the approved design prior to or during construction shall be documented by the engineer of record in a letter to Dam Safety. All construction shall be performed under the supervision of a registered professional engineer licensed in Oregon.

No water shall be stored until the Water Resources Department receives written certification from the engineer of record that construction has been completed in accordance with the approved plans and specifications. If construction deviates from the approved design a set of reproducible asbuilt drawings, including a revised reservoir capacity graph/table, must accompany the engineer's written certification of completion.

8 The outlet gate shall be cycled at least once each year and shall be fully operational at all times.

9 Routine maintenance of the dam and all appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

Application R-69708 Water Resources Department

Permit R-12928

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The completed structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any significant modification, alteration, or rehabilitation of the dam, spillway or appurtenant structures.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

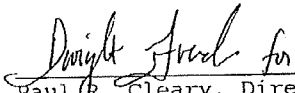
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2005.

Issued October 10, 2000


Paul R. Cleary, Director
Water Resources Department

Application R-69708 Water Resources Department
Basin 17 Volume 3 BEAR CREEK AND MISC

Permit R-12928
DISTRICT 19

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ATTACHMENT A

CHART - C

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST
1960	CONSTRUCT MAICKE RES. #4	\$5,000.00
1968	CONSTRUCT HAGA RES. #4	\$2,500.00
1969	CONSTRUCT RICHERT RES. #4	\$8,000.00
1971	CONSTRUCT SCHERER RES. #5 & #1	\$9,000.00
1972	CONSTRUCT RICHERT RES. #2	\$8,000.00
1975	CONSTRUCT SCHERER RES. #8, ENLARGE EXISTING RESERVOIR	\$7,000.00
1980	CONSTRUCT MANICKE RES. #1 & #2	\$15,000.00
1983	CONSTRUCT SCHERER RES. #6	\$8,500.00
1988	CONSTRUCT MANICKE RES. #3	\$10,000.00
1989	CONSTRUCT HAGA RES. #2	\$4,500.00
1990	CONSTRUCT SCHERER RES. #4 & RE-SAND BOGS	\$9,000.00
1993	CONSTRUCT HAGA RES. #3	\$6,000.00
1993	CONSTRUCT RICHERT RES. #3	\$15,000.00
1996	PARTIAL CONSTRUCTION OF BEE STING RES. (HAGA)	\$1,500.00
2000	CONSTRUCT SCHERER RES. #3	\$5,500.00
1998-2000	CONSTRUCT WINDHURST RES., INSTALL PIPING, WEIR, STAFF GAGES, METER	\$1,600,000.00

DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED AND PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER	COST
10/10/2000	THE PERMIT WAS SIGNED	
10/10/2001	THE PERMIT SPECIFIED "ACTUAL CONSTRUCTION WORK" SHALL BEGIN ("A-DATE")	
2001	INSTALL PUMP, ELECTRICAL & VALVES FOR WINDHURST RES.	\$12,050.00
2001	PARTIAL EXCAVATION OF HAGA RES.#1	\$4,000.00
10/01/2005	DATE THE PERMIT SPECIFIED COMPLETE APPLICATION OF WATER TO THE USE SHALL BE MADE ("C-DATE")	
	TOTAL COST FOR CHART - C	\$1,730,550.00

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ATTACHMENT A

CHART - A

CONDITION NUMBER	DATE SATISFIED	DESCRIBE HOW PERMIT CONDITION HAS BEEN SATISFIED
1	2000	STAFF GAGE INSTALLED ON BEAR CR. ON BRIDGE DOWNSTREAM FROM CONFLUENCE OF BILLS CR.
2	2009	MEASUREMENTS
3	2001	WEIR 7 STAFF GAGE INSTALLED AT POD FROM BILLS CR.
4	2001	TOTALIZING FLOW METER INSTALLED AT POD FROM BILLS CREEK, REPORTS SUBMITTED BEGINNING FEB. 2002
5	2002	STAFF GAGES INSTALLED IN MOST PONDS, INCLUDING WINDHURST RESERVOIR
6	2002	APPROVED FISH SCREEN INSTALLED AT POD FROM BILLS CREEK
7	2002	EARTHEN DAM COMPLETED WITH ENGINEERING CERTIFICATION. NEW CERTIFICATION
8	2001	OUTLET CYCLED YEARLY AND IS FULLY OPERATIONAL
9		ON GOING MAINTENANCE TO REMOVE TREES, BRUSH, AND DEBRIS AND REPAIR OF ANY SLUMPS, AREAS OF EROSION, OR DEFECTIVE EQUIPMENT

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ATTACHMENT B

CHART - C

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST
1960	CONSTRUCT MAICKE RES. #4	\$5,000.00
1968	CONSTRUCT HAGA RES. #4	\$2,500.00
1969	CONSTRUCT RICHERT RES. #4	\$8,000.00
1971	CONSTRUCT SCHERER RES. #5 & #1	\$9,000.00
1972	CONSTRUCT RICHERT RES. #2	\$8,000.00
1975	CONSTRUCT SCHERER RES. #8, ENLARGE EXISTING RESERVOIR	\$7,000.00
1980	CONSTRUCT MANICKE RES. #1 & #2	\$15,000.00
1983	CONSTRUCT SCHERER RES. #6	\$8,500.00
1988	CONSTRUCT MANICKE RES. #3	\$10,000.00
1989	CONSTRUCT HAGA RES. #2	\$4,500.00
1990	CONSTRUCT SCHERER RES. #4 & RE-SAND BOGS	\$9,000.00
1993	CONSTRUCT HAGA RES. #3	\$6,000.00
1993	CONSTRUCT RICHERT RES. #3	\$15,000.00
1996	PARTIAL CONSTRUCTION OF BEE STING RES. (HAGA)	\$1,500.00
2000	CONSTRUCT SCHERER RES. #3	\$5,500.00
1998-2000	CONSTRUCT WINDHURST RES., INSTALL PIPING, WEIR, STAFF GAGES, METER	\$1,600,000.00

DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED AND PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER	COST
10/10/2000	THE PERMIT WAS SIGNED	
10/10/2001	THE PERMIT SPECIFIED "ACTUAL CONSTRUCTION WORK" SHALL BEGIN ("A-DATE")	
2001	INSTALL PUMP, ELECTRICAL & VALVES FOR WINDHURST RES.	\$12,050.00
2001	PARTIAL EXCAVATION OF HAGA RES.#1	\$4,000.00
10/01/2005	DATE THE PERMIT SPECIFIED COMPLETE APPLICATION OF WATER TO THE USE SHALL BE MADE ("C-DATE")	
	TOTAL COST FOR CHART - C	\$1,730,550.00

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SEP 26 2014

SALEM, OR



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

September 29, 2014

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: R-69708 (Permit R-12928)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you are interested in having your application reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Mabelle Bamberger at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301
 (503) 986-0900
 www.wrd.state.or.us

Draft
sent by e-mail
reviewed
9-16-14
OWRP

Application for Extension of Time for a Water Right Permit
 (Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

I, Windhurst Road Watering Corporation

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

the holder of: Application Number R-69708 Permit Number R-12928 [OAR 690-315-0020(3)(b)]

***A separate application must be submitted for each permit as per OAR 690-315-0020(2). ***

P.O. BOX 503
 MAILING ADDRESS

97411
 CITY, STATE, ZIP

(541) 347-3062
 PHONE

 E-MAIL ADDRESS

X **do hereby request that** the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month 10 Day 1 Year 2014, be extended to October 30, Year 2019.

Please Note. If the permit **does** specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

and

do hereby request that the time to complete construction of the water system, which now expires on Month 10 Day 1 Year 2014, be extended to October 30, Year 2019

Sign after completing the entire application, questions 1-11.

I am the permit holder, or have attached to this application written authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension. I have completed the entire application.

 Signature

 Date

 Printed Name/Title

Questions to Complete this Application for Extension of Time

Please see the instruction sheet to help you answers these questions.

[OAR 690-315-0020(3)(d)]

1. **Did the “actual construction” of the water system/well drilling begin within the time specified in the permit?** Yes No N/A, if not specified in this permit

Date “actual construction” began is: 1960

Describe details of construction: Manicke reservoir #4 constructed

[OAR 690-315-0020(3)(e)]

3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.

CHART-C (below) must be completed for all Application for Extension of Time requests. *Use chronological order.*

CHART-C

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
	SEE ATTACHMENT B	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and</i> PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER	COST*
	Date the permit was signed - find date above signature on last page of permit.	
	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW Complete if this is your first request for extension of time.	COST*
*Total Cost for Chart-C		

*** If exact cost is not known, please provide your best estimate.**

(The total combined cost from CHART-C and CHART-D)

[OAR 690-315-0020(3)(e)(B)]

5. Provide evidence of the maximum rate (or duty, if applicable) of water actually diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

TIP: Report the rate used to date in the same units of measurement as specified in the permit. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

5-A) For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):

Maximum measured rate used to date = _____ cfs (cubic feet per second)

or

Maximum measured rate used to date = _____ gpm (gallons per minute)

or

Acre-feet stored to date = 614 AF

5-B) For Ground Water Permit Extensions (e.g. G-XXXX):

TIP: Include information from ALL wells that pertain to this permit including wells not currently being used.

CHART-E

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below)	Maximum measured rate used from this well - - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
Total measured rate from all wells utilized under this permit								

5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a Permit Amendment Application been/be filed? Yes No

If a Permit Amendment Application has been filed: Transfer No. T-_____

Well # _____: Actual location: _____

[OAR 690-315-0020(3)(e)(C)]

6. Provide the total number of acres actually irrigated to date under this permit (if any).

Surface Water Permits: I have applied water to _____ acres for irrigation to date.

Ground Water Permits: I have applied water to _____ acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well # _____ Acres _____ Well # _____ Acres _____

Well # _____ Acres _____ Well # _____ Acres _____

[OAR 690-315-0020(3)(j)]

7. Provide a summary of future plans and a schedule to complete construction of the water system, and/or apply water to full beneficial use under the permit terms and conditions.

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
2014-2019	MANICKE - EXTENSION TO 50% OF PONDS TO FINISH	\$10,000.00
2014-2019	SCHERER - INSTALL STAFF GAGES AFTER 2014 HARVEST SEASON, ENLARGE RES. #1 & #2	\$10,000.00
2014-2019	HAGA - INSTALL STAFF GAGES AFTER 2014 HARVEST SEASON, COMPLETE BEE STING RES.	\$10,000.00
2014-2019	RICHERT - FINISH CONSTRUCTION OF RES. #1 & #2, INSTALL PUMPS AND PLUMBING	\$18,000.00
Year: 2019	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	Estimated remaining total cost to complete the water development: [OAR 690-315-0020(3)(g)]	\$48,000.00

[OAR 690-315-0020(3)(h)]

9. Describe the reasons why the water development was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

9-A) Is the project of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit? If yes, describe.

CWRE WILL BE MONITORING PROGRESS AND REQUESTING THAT THE PROJECT BE FINISHED WITHIN THE AMOUNT OF TIME REQUESTED.

11. **Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.**

WE ARE UNABLE TO SEPARATE COSTS FROM THIS PERMIT AN PERMIT S-53703. PLEASE CONSIDER BOTH PERMITS TOGETHER. CWRE WILL BE MONITORING PROGRESS TO ENSURE COMPLETION OF PROJECT IN A TIMELY MANNER.

Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

ATTACHMENT A

CHART - A

CONDITION NUMBER	DATE SATISFIED	DESCRIBE HOW PERMIT CONDITION HAS BEEN SATISFIED
1	2000	STAFF GAGE INSTALLED ON BEAR CR. ON BRIDGE DOWNSTREAM FROM CONFLUENCE OF BILLS CR.
2	2009	MEASUREMENTS
3	2001	WEIR 7 STAFF GAGE INSTALLED AT POD FROM BILLS CR.
4	2001	TOTALIZING FLOW METER INSTALLED AT POD FROM BILLS CREEK, REPORTS SUBMITTED BEGINNING FEB. 2002
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8	2001	OUTLET CYCLED YEARLY AND IS FULLY OPERATIONAL
9		ON GOING MAINTENANCE TO REMOVE TREES, BRUSH, AND DEBRIS AND REPAIR OF ANY SLUMPS, AREAS OF EROSION, OR DEFECTIVE EQUIPMENT