

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G 13645

Final Order
Extension of Time for Permit Number G 12896

Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

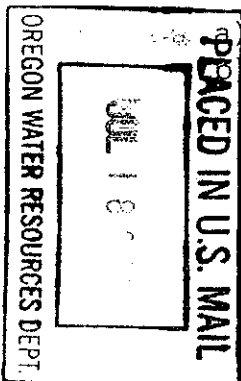
Application History

On SEPTEMBER 29, 1999, KING ESTATE WINERY, INC. submitted an application to the Department for an extension of time for permit number G 12896. The Department issued Permit number G 12896 on OCTOBER 28, 1996. The permit called for completion of construction of the water development project by October 1, 1998 and complete application of water to the full beneficial use by October 1, 1999. In accordance with OAR 690-320-0010(8), on FEBRUARY 22, 2000, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2010, and/or the time to fully apply water to beneficial use to October 1, 2010.

At time of issuance of the PFO the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

The permittee must submit a written progress report to the Department by October 1 of the years 2004 and 2009,. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

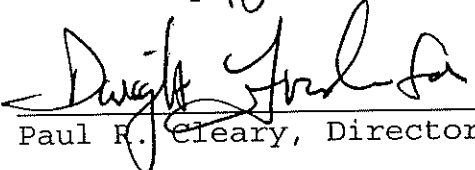
The amount of construction completed;
The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;



Order

The extension of time for Application G 13645, Permit Number G 12896, therefore, is approved. The deadline for completing construction is extended to October 1, 2010. The deadline for applying water to full beneficial use is extended to October 1, 2010.

DATED July 18 , 2000


Paul R. Cleary, Director



Oregon

Theodore R. Kulongoski, Governor

CERTIFIED LETTER
Return Receipt Requested

Water Resources Department

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

August 31, 2004

KING ESTATE WINERY INC.
80854 TERRITORIAL HWY
EUGENE OR 97405

REFERENCE: Application File #G-13645 (Permit #G-12896)
Reminder of Progress Report Due

Dear Permit Holder:

On July 18, 2000, the Department issued a Final Order approving an Extension of Time for Permit #G-12896. The Final Order extended the time in which to complete construction of the water system from October 1, 1998, to October 1, 2010, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-12896 from October 1, 1999, to October 1, 2010.

The Final Order approving the Extension of Time also included the following condition in accordance with OAR 690-315-0050(6)(a) that requires:

The permittee must submit a written progress report to the Department by October 1 of the years 2004 and 2009. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or ORS 537.410 to 537.450. Within one year after cancellation, the permittee must submit a Claim of Beneficial Use and Final Proof Survey, pursuant to ORS 537.230 and 537.250, for the portion of the permit developed as of October 1, 2004.