

**CLAIM OF  
BENEFICIAL USE  
for Surface Water Permits  
claiming more than 0.1 cfs**



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

**A fee of \$230 must accompany this form for permits  
with priority dates of July 9, 1987, or later.**

**A separate form shall be completed for each permit.**

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:  
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Go to “Resources for Water Right Examiners (CWRE)” Page  
<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>  
The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert “NA.” **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

“Section 8” of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see  
<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

**SECTION 1  
GENERAL INFORMATION**

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**1. File Information:**

APPLICATION # <b>S-86459</b>	PERMIT # <b>S-55403</b>	PERMIT AMENDMENT # <b>T-12963</b>
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**2. Property Owner (current owner information):**

APPLICANT/BUSINESS NAME <b>Left Coast Cellars, LLC ATTN: Taylor Pfaff</b>		PHONE NO. <b>503-999-3762</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>4225 N Pacific Hwy</b>			
CITY <b>Rickreall</b>	STATE <b>OR</b>	ZIP <b>97371</b>	E-MAIL

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each permit holder of record must sign this form.***

**3. Permit or holder of record (this may, or may not, be the current property owner):**

PERMIT HOLDER OF RECORD <b>Left Coast Cellars, LLC</b>			
ADDRESS <b>4225 N Pacific Hwy.</b>			
CITY <b>Rickreall</b>	STATE <b>OR</b>	ZIP <b>97371</b>	

ADDITIONAL PERMIT HOLDER OF RECORD <b>Robert Lange Trust*</b>			
ADDRESS <b>4205 N Pacific Hwy</b>			
CITY <b>Rickreall</b>	STATE <b>OR</b>	ZIP <b>97371</b>	

**\*A request to assign the permit from Vicki Brownrigg Revocable Trust to Robert Lange Trust, and to remove the Larue Family Trust from the permit is included in this application.**

**9/28/22**

**4. Date of Site Inspection:**

**5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Taylor Pfaff</b>	<b>9/28/22</b>	<b>Left Coast Cellars, LLC - CEO</b>
<b>Keith Roberts</b>	<b>9/28/22</b>	<b>Robert Lange Trust – Trustee</b>

**6. County:**

**Polk**

**7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):**

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OWNER OF RECORD <b>N/A</b>		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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**SECTION 2  
SIGNATURES**

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CWRE Statement, Seal and Signature

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The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



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CWRE NAME <b>Robyn Cook</b>		PHONE NO. <b>971.200.8505</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>GSI Water Solutions, Inc., 55 SW Yamhill St, Suite 300</b>			
CITY <b>Portland</b>	STATE <b>OR</b>	ZIP <b>97204</b>	E-MAIL <b>rcook@gsiws.com</b>

Permit Holder of Record Signature or Acknowledgement

*Each permit holder of record must sign this form in the space provided below.*

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	<b>Taylor Pfaff</b>	<b>CEO - Left Coast Cellars, LLC</b>	<b>12/20/2022</b>
	<b>Keith Roberts</b>	<b>Trustee - Robert Lange Trust</b>	<b>12/16/22</b>

**SECTION 3  
CLAIM DESCRIPTION**

**1. Point of diversion name or number:**

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
Reservoir E North
Reservoir E South

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**2. Point of diversion source and tributary:**

POD NAME OR NUMBER	SOURCE	TRIBUTARY
Reservoir E North	Reservoir E	Ash Swale
Reservoir E South	Reservoir E	Ash Swale

**3. Developed use(s), period of use, and rate for each use:**

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Reservoir E North	Irrigation	Vines, Peppers, Hemp, Pasture, Landscape	March 1-October 31	39.76 AF
Reservoir E South				
<b>Total Quantity of Water Used</b>				<b>39.76 AF</b>

\*Permit amendment T-12963 added Reservoir E South to the Permit as an additional point of diversion (see Attachment A). A correcting final order was issued for this permit amendment on September 30, 2022. Prior to issuance of this permit amendment, all acres that are currently being irrigated from both Reservoir E North and Reservoir E South were irrigated from Reservoir E North.

**4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the place of use:**

**Reservoir E North:** Water is pumped from Reservoir E using a 40 HP Arkal pump and is conveyed to the irrigation system through 3 and 4 inch buried PVC mainlines. The irrigation system is set up in blocks, with vines and other crops. The northern portion of the property is irrigated directly from the mainlines with 1.5 and 2 inch emitter lines and drip emitters. To irrigate the southern portion of the property, water is conveyed through a mainline to six 5,000 gallon storage tanks, which act as bulges in the system. Water is pumped from the holding tanks using a 25 HP Arkal booster pump. The southern portion of the property is also irrigated using 1.5 and 2 inch emitter lines and drip emitters. In addition to the drip emitters, a mobile lay flat rain bird sprinkler is used to irrigate as needed within the place of use.

**Reservoir E South:** Water is pumped from Reservoir E South using a 10 HP Baldor pump and is conveyed through 2.5 inch buried PVC mainline to a pump house. From the pump house, water is pumped using a 3 HP Baldor booster pump, and conveyed to the place of use through buried sprinkler chains. The place of use is then irrigated using sprinklers.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLOT), and Quarter-Quarters (QQ).

**5. Variations:**

Was the use developed differently from what was authorized by the permit, or permit amendment final order? If yes, describe below.

**YES NO**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

**-The location descriptions of Reservoir E North (Reservoir E) and Reservoir E South (POD #5 – RES 'E' S. Side) have been updated based on GPS locations to better represent the actual locations of these points of diversion.**

**-The permit allowed 8 points of diversion. The water user only developed two of these points.**

**6. Claim Summary:**

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Reservoir E North	91.0 AF	0.47	39.76 AF	Irrigation	195.8	195.8
Reservoir E South		0.24				

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**SECTION 4**  
**SYSTEM DESCRIPTION**

Are there multiple PODs?

YES    **NO**

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

The information in this section pertains to all POAs, except where explicitly made to a specific POA.

**A. Place of Use**

1. Is the right for municipal use?

**YES**    NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
6S	4W	WM	31	SESW	-	-	Irrigation	10.4	-
6S	4W	WM	31	SWSE	-	-	Irrigation	1.3	-
7S	4W	WM	5	NWNW	-	-	Irrigation	3.9	-
7S	4W	WM	5	SWNW	-	-	Irrigation	5.0	-
7S	4W	WM	6	NENE	-	-	Irrigation	3.2	-
7S	4W	WM	6	NWNE	-	-	Irrigation	3.1	-
7S	4W	WM	6	SWNE	-	-	Irrigation	11.9	-
7S	4W	WM	6	SENE	-	-	Irrigation	4.0	-
7S	4W	WM	6	NENW	-	-	Irrigation	39.3	-
7S	4W	WM	6	NWNW	-	-	Irrigation	1.2	-
7S	4W	WM	6	SWNW	-	-	Irrigation	0.3	-
7S	4W	WM	6	SENW	-	-	Irrigation	37.8	-
7S	4W	WM	6	NESW	-	38	Irrigation	5.2	-
7S	4W	WM	6	NESE	-	38	Irrigation	1.0	-
7S	4W	WM	6	NWSE	-	38	Irrigation	11.6	-
7S	4W	WM	6	SWSE	-	38	Irrigation	37.1	-
7S	4W	WM	6	SESE	-	38	Irrigation	14.3	-
7S	4W	WM	6	SESW	-	38	Irrigation	5.2	-
<b>Total Acres Irrigated</b>								<b>195.8</b>	<b>-</b>

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

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1. Is a pump used?

YES NO

If "NO" items 2 through item 6 may be deleted.

2. Pump Information:

POU	MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Reservoir E North	Arkal	2"5k	1905816	Submersible	6in	4in
Reservoir E South	Baldor	N/A	N/A	Submersible	4in	3in

3. Motor Information:

	MANUFACTURER	HORSEPOWER
Reservoir E North	Arkal	40
Reservoir E South	Baldor	10

4. Theoretical Pump Capacity:

POD	HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
Reservoir E North	40	122	Component of operating pressure	250	0.47
Reservoir E South	10	50		150	0.24

5. Provide pump calculations:

See Attachment D – Pump Calculations

6. Measured Pump Capacity (using meter if meter was present and system was operating):

POD	INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Reservoir E North	Not Observed			
Reservoir E South	Not Observed			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 13 may be deleted.

8. Mainline Information:

POD	MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
Reservoir E North	3 and 4 inch	30,349ft	PVC	Buried
Reservoir E South	2.5 inch		PVC	Buried

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**9. Lateral or Handline Information:**

POD	LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
Reservoir E North	1.5 and 2 inch	N/A	PVC	Buried
Reservoir E South	N/A – Sprinkler system			

**10. Sprinkler Information:**

POD	SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Reservoir E North	3in	110	75	1	1	0.17
Reservoir E South	N/A	85	8	525	30	0.10

Reminder: For sprinkler output determination use the reference information at the end of this document.

**11. Drip Emmitter Information:**

POD	SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
Reservoir E North	Unknown	20	0.01	198,706	29,942	0.67
Reservoir E South	N/A					

**12. Drip Tape Information:**

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
N/A					

**13. Pivot Information:**

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

**C. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank  
Bulge in System / Reservoir

YES NO

YES NO

Complete appropriate table(s), unused table may be deleted. Table 3 was deleted.

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**2. Storage Tank:**

	MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Reservoir E North	Polyurethane	30,000 (5,000 gal tank x 6)	Above
Reservoir E South	(None)	(None)	(None)

**D. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

**1. Does the system involve a gravity flow pipe?**

YES NO

*If "NO", items 2 through 4 relating to this section may be deleted. Items 2 through 4 were deleted.*

**E. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

**1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?**

YES NO

*If "NO", items 2 through 4 relating to this section may be deleted. Items 2 through 4 were deleted.*

**F. Additional notes or comments related to the system:**

None

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**SECTION 5  
CONDITIONS**

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

**1. Time Limits:**

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	<b>September 30, 2022</b>	-	-
BEGIN CONSTRUCTION (A)	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
COMPLETE CONSTRUCTION (B)	<b>10/1/2023</b>	<b>September, 2019</b>	<b>Construction of water system completed.</b>
COMPLETE APPLICATION OF WATER (C)	<b>10/1/2023</b>	<b>September 30, 2022</b>	<b>Meter installed and water put to beneficial use.</b>

\* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

**2. Is there an extension final order(s)?** YES NO

*If "NO", items a and b relating to this section may be deleted.*

a. Did the Extension Final Order require the submittal of Progress Reports? YES NO

*If "NO", item b relating to this section may be deleted.*

b. Were the Progress Reports submitted? YES NO

*If the reports have not been submitted, attach a copy of the reports if available.*

**3. Measurement Conditions:**

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? YES NO

*If "NO", items b through f relating to this section may be deleted.*

**Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.**

b. Has a meter been installed? YES NO

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c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Reservoir E North	Seametrics	052019004664	Working	12,070,757	6/6/2019*
Reservoir E South	McCrometer	964947	Working	7,075,810	Unknown

\*This is a replacement meter. The original meter was installed in 2003.

If a meter has been installed, items d through f relating to this section may be deleted. Items d through f were deleted.

4. Recording and reporting conditions:

a. Is the water user required to report the water use to the Department? YES NO

If "NO", item b relating to this section may be deleted. Item b was deleted.

5. Fish Screening:

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES NO

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? YES NO  
(See Attachment C)

c. When was the fish screening installed?

DATE	BY WHOM
9/1/2022	Stettler Supply Company

Reminder: If the permit was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? N/A

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted?

**N/A**

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.**

**6. By-pass Devices:**

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

**YES   NO**

*If "NO", items b and c relating to this section may be deleted. Items b and c were deleted.*

**Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.**

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**7. Other conditions required by permit, permit amendment final order, or extension final order:**

- a. Was the water user required to restore the riparian area if it was disturbed?      **YES**    **NO**
- b. Was a fishway required?      **YES**    **NO**
- c. Was submittal of a water management and conservation plan required?      **YES**    **NO**
- d. Other conditions?      **YES**    **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

**SECTION 6  
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
<b>Attachment A</b>	<b>Permit S-55403, Extension of Time Final Order, Progress Report, and Permit Amendment T-12963 Final Order</b>
<b>Attachment B</b>	<b>COBU Map</b>
<b>Attachment C</b>	<b>ODFW Fish Screen Approval</b>
<b>Attachment D</b>	<b>Pump Calculations</b>
<b>Attachment E</b>	<b>Request for Assignment</b>

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## SECTION 7

### CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

**The points of diversion, place of use, and irrigation system were visited during the site inspection. The location of the points of diversion and the extent of the place of use and irrigation system were located using aerial imagery (Google Earth, October 2022), a handheld GPS, and a field survey completed during the site inspection. The map was created using Geographic Information System (GIS) software and spatial datasets obtained from Polk County, ESRI, Oregon Water Resources Department (OWRD), the Bureau of Land Management (BLM), and United States Geological Survey. Additional data and information specific to the use water of under the water right described in this Claim of Beneficial Use report were obtained from the water right holders.**

#### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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## **Attachment A**

Permit S-55403, Permit Amendment Final Order, Extension Final  
Order, and Extension Progress Report

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Claim of Beneficial Use Report  
Left Coast Cellars, LLC



STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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THIS PERMIT IS HEREBY ISSUED TO

LEFT COAST CELLARS LLC  
PO BOX 219  
RICKREALL, OR 97371

VICKI BROWNRIGG REVOCABLE TRUST  
63430 OB RILEY RD  
BEND, OR 97701

LARUE FAMILY TRUST  
JACK & CHERI LARUE  
PO BOX 137  
RICKREALL, OR 97371

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This superseding permit is issued to describe amendments for a change in places of use and additional points of diversion proposed under Permit Amendment Application T-12963 and approved by Special Order Volume 122, Page 810 entered April 11, 2022, and a correcting order approved by Special Order Volume 125, Page 807, entered SEP 30 2022, and to describe an extension of time for complete application of water approved June 16, 2017, and to describe assignments to new permittees approved December 8, 2010. This permit supersedes Permit S-55250.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-86459

SOURCE OF WATER: RESERVOIR E. N. SIDE, PERMIT R-11498; RESERVOIR I, PERMIT R-14300; RESERVOIR J, PERMIT R-14301; RESERVOIR K, PERMIT R-14302, RESERVOIR L, PERMIT R-14303; AND RESERVOIR M, PERMIT R-14304; ALL TRIBUTARIES OF ASH SWALE

PURPOSE OR USE: IRRIGATION OF 195.8 ACRES

MAXIMUM VOLUME: 91.0 ACRE FEET (AF) EACH YEAR, BEING 52.5 AF FROM RESERVOIR E; 4.5 AF FROM RESERVOIR I; 9.0 AF FROM RESERVOIR J; 10.0 AF FROM RESERVOIR K; 8.0 AF FROM RESERVOIR L; AND 7.0 AF FROM RESERVOIR M

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 8, 2005

DAM LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	5	SW NW	RESERVOIR E - 1990 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF SECTION 5
7 S	4 W	WM	6	NE NE	RESERVOIR L -640 FEET SOUTH AND 1103 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NE	RESERVOIR M -945 FEET SOUTH AND 808 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NW NE	RESERVOIR K -270 FEET SOUTH AND 1354 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NW	RESERVOIR I -1115 FEET SOUTH AND 3673 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NW	RESERVOIR J - 717 FEET SOUTH AND 2685 FEET WEST FROM THE NE CORNER OF SECTION 6

POINT OF DIVERSION LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	5	SW NW	RESERVOIR E - 1990 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF SECTION 5
7 S	4 W	WM	6	SE NE	POD #5 - RES. 'E' S.SIDE- 1800 FEET SOUTH AND 350 FEET WEST FROM THE NE CORNER OF SECTION 6

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION						
Twp	Rng	Mer	Sec	DLC	Q-Q	Acres
6 S	4 W	WM	31		SE SW	10.4
6 S	4 W	WM	31		SW SE	1.3
7 S	4 W	WM	5		NW NW	3.9
7 S	4 W	WM	5		SW NW	5.0
7 S	4 W	WM	6		NE NE	3.2
7 S	4 W	WM	6		NW NE	3.1
7 S	4 W	WM	6		SW NE	11.9
7 S	4 W	WM	6		SE NE	4.0
7 S	4 W	WM	6		NE NW	39.3
7 S	4 W	WM	6		NW NW	1.2
7 S	4 W	WM	6		SW NW	0.3
7 S	4 W	WM	6		SE NW	37.8
7 S	4 W	WM	6		NE SW	3.6
7 S	4 W	WM	6	38	NE SE	1.0
7 S	4 W	WM	6	38	NW SE	11.6
7 S	4 W	WM	6	38	SW SE	37.1
7 S	4 W	WM	6	38	SE SE	14.3
7 S	4 W	WM	6	38	NE SW	1.6
7 S	4 W	WM	6	38	SE SW	5.2
Total						195.8

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Permit Amendment T-12963 Conditions:

The combined quantity of water diverted at the new additional point of diversion (POD #5 – RES. 'E' – S.SIDE), together with that diverted at the old points of diversion (RESERVOIR E) shall not exceed the quantity of water lawfully available at the original points of diversion (RESERVOIR E).

The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

Water shall be acquired from the same surface water source as the original points of diversion (RESERVOIR E).

The former place of use shall no longer be irrigated as part of Permit S-55250.

Extension of Time Conditions:

Permit Amendment Condition

The use of any water outside of the authorized POU under S-54692 is subject to this condition.

The permit holder shall submit an application for a permit amendment within six months of issuance of a Final Order to approve this Extension of Time. Use of water under permit S-54692 on lands not authorized shall be discontinued until such a time that a Permit Amendment authorizing the POU is approved.

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2020.

- a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the

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Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250

- b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Original Permit Conditions:

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at the point of diversion at Reservoir "E". The permittee shall maintain the meter in good working order.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

STANDARD CONDITIONS

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

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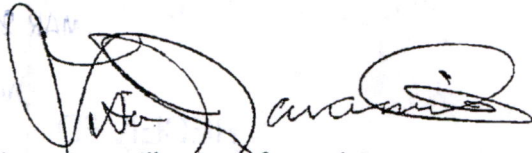
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The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Completion of construction and application of the water was to be made on or before December 27, 2015. By Extension of Time Final Order dated June 16, 2017, the completion of construction and application of water was extended to on or before October 1, 2023. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued SEP 30 2022



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

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

In the Matter of Permits S-55249 and )  
55250 issued with Special Order Volume )  
122, Page 810 for Permit Amendment ) **CORRECTING FINAL ORDER**  
T-12963, Polk County )

**Authority**

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of diversion and/or place of use authorized under an existing water right permit.

**Applicants**

LEFT COAST CELLARS LLC  
PO BOX 219  
RICKREALL, OR 97371

VICKI BROWNRIGG REVOCABLE TRUST  
63430 OB RILEY RD  
BEND, OR 97701

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LARUE FAMILY TRUST  
JACK & CHERI LARUE  
PO BOX 137  
RICKREALL, OR 97371

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**Findings of Fact**

1. On April 19, 2022, The Department issued a Final Order and Superseding Permits S-55249 and S-55250, for additional points of diversion and changes in places of use, proposed under Permit Amendment T-12963 and approved by Special Order Volume 122, Page 810.
2. The Final Order and Superseding Permit S-55249 (Original Permit S-51534) contained several errors in the table describing the proposed additional points of diversion and the proposed place of use:

Under Permit S-51534, Permit Amendment Application T-12963 proposes additional points of diversion approximately 0.1 to 0.3 mile from the existing points of diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	6	NE NE	POD #9 - 640 FEET SOUTH AND 1105 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NE	POD #10 - 945 FEET SOUTH AND 810 FEET WEST FROM THE NE CORNER OF SECTION 6

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 and OAR 690-01-0005 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.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	6	NW NE	POD #8 - 270 FEET SOUTH AND 1354 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	SW NE	POD #5 - 1800 FEET SOUTH AND 350 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NW	POD #6 - 1090 FEET SOUTH AND 3730 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NW	POD #7 - 717 FEET SOUTH AND 2685 FEET WEST FROM THE NE CORNER OF SECTION 6

Under Permit S-51534, Permit Amendment Application T-12963 proposes to change the place of use as follows:

IRRIGATION AND LIVESTOCK							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	POD
6 S	4 W	WM	31	SW NW		13.6	1,5-10
6 S	4 W	WM	31	SW SW		10.9	1,5-10
6 S	4 W	WM	31	SE SW		0.8	1,5-10
6 S	4 W	WM	31	NE SE		1.2	2
6 S	4 W	WM	31	NW SE		12.3	2
6 S	4 W	WM	31	SW SE		12.2	2
6 S	4 W	WM	31	SW SE		0.8	1,5-10
6 S	4 W	WM	31	SE SE		2.3	2
7 S	4 W	WM	6	NW NE		1.2	1,5-10
7 S	4 W	WM	6	SW NE		9.1	1,5-10
7 S	4 W	WM	6	SE NE		8.5	1,5-10
7 S	4 W	WM	6	NE NW		0.7	1,5-10
7 S	4 W	WM	6	NE SE	38	1.9	1,5-10
7 S	4 W	WM	6	NW SE	38	1.8	1,5-10
Total							77.3

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IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
6 S	4 W	WM	31	NW SW	29.2	1,5-10
6 S	4 W	WM	31	SW SW	24.3	1,5-10
Total					53.5	

3. The correct descriptions for the additional points of diversion and proposed place of use under Permit 51534 (Superseding Permit S-55403) are described below:

Under Permit S-51534, Permit Amendment Application T-12963 proposes additional points of diversion approximately 0.1 to 0.3 mile from the existing points of diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	6	NE NE	POD #9 - RES. L - 640 FEET SOUTH AND 1105 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NE	POD #10 - RES. M - 945 FEET SOUTH AND 810 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NW NE	POD #8 - RES. K - 270 FEET SOUTH AND 1354 FEET WEST FROM THE NE CORNER OF SECTION 6

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	6	SW NE	POD #5 – RES. E, S. SIDE - 1800 FEET SOUTH AND 350 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NW	POD #6 – RES. I - 1090 FEET SOUTH AND 3730 FEET WEST FROM THE NE CORNER OF SECTION 6
7 S	4 W	WM	6	NE NW	POD #7 – RES. J - 717 FEET SOUTH AND 2685 FEET WEST FROM THE NE CORNER OF SECTION 6

Under Permit S-51534, Permit Amendment Application T-12963 also proposes to change the place of use as follows:

IRRIGATION AND LIVESTOCK						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
6 S	4 W	WM	31	NE SE	21.1	1-4
6 S	4 W	WM	31	NE SE	1.2	2
6 S	4 W	WM	31	NW SE	12.3	2
6 S	4 W	WM	31	SW SE	23.0	1-4
6 S	4 W	WM	31	SW SE	12.2	2
6 S	4 W	WM	31	SW SE	0.8	1,5-10
6 S	4 W	WM	31	SE SE	2.3	2
6 S	4 W	WM	31	SW SW	10.9	1,5-10
6 S	4 W	WM	31	SE SW	0.8	1,5-10
6 S	4 W	WM	31	SW NW	13.6	1,5-10
7 S	4 W	WM	5	NW NW	2.3	1-4
7 S	4 W	WM	5	SW NW	9.9	1-4
7 S	4 W	WM	6	NE NE	30.3	1-4
7 S	4 W	WM	6	NW NE	34.1	1-4
7 S	4 W	WM	6	NW NE	1.2	1,5-10
7 S	4 W	WM	6	SE NE	7.5	1-4
7 S	4 W	WM	6	SE NE	8.5	1,5-10
7 S	4 W	WM	6	SW NE	9.1	1,5-10
7 S	4 W	WM	6	NE NW	0.7	1,5-10
7 S	4 W	WM	6	NE SE	1.9	1,5-10
7 S	4 W	WM	6	NW SE	1.8	1,5-10
Total					205.5	

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IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
6 S	4 W	WM	31	SE NE	2.9	1-4
6 S	4 W	WM	31	NW SE	0.8	1-4
6 S	4 W	WM	31	SE SE	31.3	1-4
6 S	4 W	WM	31	NW SW	29.2	1,5-10
6 S	4 W	WM	31	SW SW	24.3	1,5-10
7 S	4 W	WM	6	SW NE	6.2	1-4
Total					94.7	



4. The Final Order and Superseding Permit S-55250 (Original Permit S-54692) contained several errors in the tables describing the proposed additional point of diversion and the change in place of use:

Under Permit S-54692, Permit Amendment Application T-12963 proposes an additional point of diversion between 0.1 to 0.7 mile from the existing points of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	6	SE NE	POD #5 - 1800 FEET SOUTH AND 350 FEET WEST FROM THE NE CORNER OF SECTION 6

Under Permit S-54692, Permit Amendment Application T-12963 also proposes to change the place of use as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	DLC	Q-Q	Acres
6 S	4 W	WM	31		SE SW	10.4
6 S	4 W	WM	31		SW SE	1.3
7 S	4 W	WM	5		SW NW	0.5
7 S	4 W	WM	6		NE NE	3.2
7 S	4 W	WM	6		NW NE	3.1
7 S	4 W	WM	6		SW NE	11.9
7 S	4 W	WM	6		SE NE	4.0
7 S	4 W	WM	6		NE NW	39.3
7 S	4 W	WM	6		NW NW	5.1
7 S	4 W	WM	6		SW NW	4.8
7 S	4 W	WM	6		SE NW	37.8
7 S	4 W	WM	6		NE SW	3.6
7 S	4 W	WM	6		NW SE	8.3
7 S	4 W	WM	6	38	NE SE	1.0
7 S	4 W	WM	6	38	NW SE	3.3
7 S	4 W	WM	6	38	SW SE	37.1
7 S	4 W	WM	6	38	SE SE	14.3
7 S	4 W	WM	6	38	NE SW	1.6
7 S	4 W	WM	6	38	SE SW	5.2
Total						195.8

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5. The correct description for the additional point of diversion and proposed place of use under Permit S-54692 (Superseding Permit S-55403) are described below:

Under Permit S-54692 Permit Amendment Application T-12963 proposes an additional point of diversion approximately 0.1 to 0.7 mile from the existing points of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	6	SE NE	POD #5 - RES. 'E' S.SIDE- 1800 FEET SOUTH AND 350 FEET WEST FROM THE NE CORNER OF SECTION 6

Under Permit S-54692, Permit Amendment Application T-12963 also proposes to change the place of use as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	DLC	Q-Q	Acres
6 S	4 W	WM	31		SE SW	10.4
6 S	4 W	WM	31		SW SE	1.3
7 S	4 W	WM	5		NW NW	3.9
7 S	4 W	WM	5		SW NW	5.0
7 S	4 W	WM	6		NE NE	3.2
7 S	4 W	WM	6		NW NE	3.1
7 S	4 W	WM	6		SW NE	11.9
7 S	4 W	WM	6		SE NE	4.0
7 S	4 W	WM	6		NE NW	39.3
7 S	4 W	WM	6		NW NW	1.2
7 S	4 W	WM	6		SW NW	0.3
7 S	4 W	WM	6		SE NW	37.8
7 S	4 W	WM	6		NE SW	3.6
7 S	4 W	WM	6	38	NE SE	1.0
7 S	4 W	WM	6	38	NW SE	11.6
7 S	4 W	WM	6	38	SW SE	37.1
7 S	4 W	WM	6	38	SE SE	14.3
7 S	4 W	WM	6		NE SW	1.6
7 S	4 W	WM	6		SE SW	5.2
Total						195.8

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6. Condition #4 language approved under Special Order Volume 122, Page 810 for Permit Amendment T-12963, is clarified to better identify each additional point of diversion as follows:

The combined quantity of water diverted at the new additional points of diversion (POD #5 – RES. E - N. SIDE, POD #6- RES. I, POD #7- RES. J, POD #8 – RES. K, POD #9 – RES. L, and POD #10 – RES. M), together with that diverted at the old points of diversion (RESERVOIR E, RESERVOIR F, RESERVOIR G, and RESERVOIR H), shall not exceed the quantity of water lawfully available at the original points of diversion (RESERVOIR E, RESERVOIR F, RESERVOIR G, and RESERVOIR H).

7. Condition #5 language approved under Special Order Volume 122, Page 810 for Permit Amendment T-12963, is clarified to better identify each additional point of diversion as follows:

The combined quantity of water diverted at the new additional point of diversion (POD #5 – RES. 'E' – S. SIDE), together with that diverted at the old points of diversion (RESERVOIR E, RESERVOIR I, RESERVOIR J, RESERVOIR K, RESERVOIR L, and RESERVOIR M), shall not exceed the quantity of water lawfully available at the original points of diversion (RESERVOIR E, RESERVOIR I, RESERVOIR J, RESERVOIR K, RESERVOIR L, and RESERVOIR M).

- Superseding Permit S-55249 did not include the Extension of Time Condition from the Extension of Time final order approved November 5, 2021.
- The correct Extension of Time condition under Permit S-55249 (original Permit S-51534) is described below:

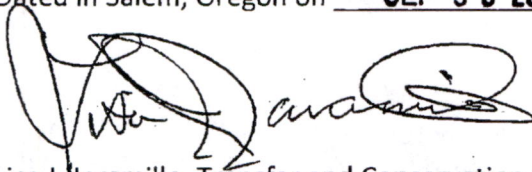
Extension of Time Conditions:

This shall be the last extension of time granted for Permit S-51534. Any future extensions of time request will be denied

**Now, therefore, it is ORDERED:**

- Permit S-55402, in the name of LEFT COAST CELLARS, LLC, LARUE FAMILY TRUST, and VICKI BROWNRIGG REVOCABLE TRUST, is issued to replace Permit S-55249 (Original Permit S-51534) and incorporates the corrections approved by this order. Permit S-55249, in the name of LEFT COAST CELLARS, LLC, LARUE FAMILY TRUST, and VICKI BROWNRIGG REVOCABLE TRUST, is no longer of any force or effect.
- Permit S-55403, in the name of LEFT COAST CELLARS, LLC, LARUE FAMILY TRUST, and VICKI BROWNRIGG REVOCABLE TRUST, is issued to replace Permit S-55250 (Original Permit S-54692) and incorporates the corrections approved by this order. Permit S-55250, in the name of LEFT COAST CELLARS, LLC, LARUE FAMILY TRUST, and VICKI BROWNRIGG REVOCABLE TRUST, is no longer of any force or effect.
- All other terms and conditions of Permit Special Order Volume 122, Page 810 remain the same.

Dated in Salem, Oregon on SEP 30 2022



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

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Water Right Services Division**

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**Application for Extension of Time**

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In the Matter of the Application for an Extension of Time )  
for Permit S-54692, Water Right Application S-86459 ) FINAL ORDER  
in the name of Left Coast Cellars, LLC )

**Permit Information**

Application: S-86459  
Permit: S-54692  
Basin: Middle Willamette / Watermaster District 16  
Date of Priority: November 8, 2005  
Source of Water: Reservoir E, Permit R-11498; Reservoir I, Permit R-14300; Reservoir J, Permit R-14301; Reservoir K, Permit R-14302; Reservoir L, Permit R-14303; and Reservoir M, Permit R-14304; all tributaries of Ash Swale  
Purpose or Use: Irrigation of 195.8 acres  
Maximum Volume: 91.0 Acre Feet (AF) each year, being 52.5 AF from Reservoir E; 4.5 AF from Reservoir I; 9.0 AF from Reservoir J; 10.0 AF from Reservoir K; 8.0 AF from Reservoir L; and 7.0 AF from Reservoir M

**This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.**

**Appeal Rights**

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.

**Application History**

Permit S-54692 was issued by the Department on December 27, 2010. The permit specified completion of construction by December 27, 2015, and complete application of water to beneficial use by December 27, 2015. On March 14, 2017, Luke McCollom, manager and owner

of Left Coast Cellars, LLC, submitted an Application for Extension of Time for Permit S-54692. In accordance with OAR 690-315-0050(2), on April 25, 2017, the Department issued a Proposed Final Order proposing to extend the time to complete construction from December 27, 2015, to October 1, 2023, and the time to apply water to full beneficial use from December 27, 2015, to October 1, 2023. The protest period closed June 9, 2017, in accordance with OAR 690-315-0060(1). No protest was filed.

## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings in the Proposed Final Order dated April 25, 2017.

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

## LIMITATIONS AND CONDITIONS

1. **Permit Amendment Condition**

The use of any water outside of the authorized POU under S-54692 is subject to this condition.

The permit holder shall submit an application for a permit amendment within six months of issuance of a Final Order to approve this Extension of Time. Use of water under permit S-54692 on lands not authorized shall be discontinued until such a time that a Permit Amendment authorizing the POU is approved.

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2. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020. A form will be enclosed with your Final Order.**

(a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250

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(b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

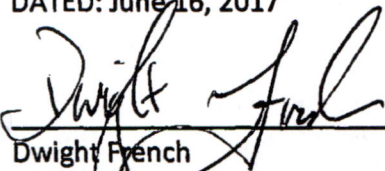
### CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

### ORDER

The extension of time for Application S-86459, Permit S-54692, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from December 27, 2015, to October 1, 2023. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from December 27, 2015, to October 1, 2023.

DATED: June 16, 2017



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Permit Extension Specialist at (503) 986-986-0802.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

**Extension of Time  
 Progress Report Form  
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Left Coast Cellars, LLC  
 Larue Family Trust  
 Robert Lange Trust

Application S-86459  
 Permit S-55403

Report Due no later than October 1,

**Progress Report Form**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2021 and October 1, 2022	FINANCIAL INVESTMENT
9/29/2022	Fish Screen instillation on new POD on Reservoir E	\$3,498.88
9/30/2022	Water use reporting for new POD on Reservoir E	\$50
10/1/2021	Annual water use reporting on existing POD on Reservoir E and Reservoir F	\$100
01/03/2022	Irrigation supplies from Cascade for annual maintenance of drip irrigation	\$496
07/05/2022	Electrical repair on main breaker for primary pump on Reservoir E	\$427.53
07/31/2022	Supplies to repair breaks in main lines servicing vineyards	\$720
09/01/2022	Purchase of rain bird style sprinkler to irrigate non-vineyard areas of estate	\$1,903.96
Full period	Cost of labor for work performed directly related to irrigation	\$4,379.25

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date= 195.8 (if applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum rate used to date = \_\_\_\_\_ cfs (cubic feet per second), or

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute), or

Acre Feet used to date = 39.76 AF

*Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.*

Signature \_\_\_\_\_

Date 9/30/2022

*a*  
*Jay's Plaff*

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## **Attachment B**

**Claim of Beneficial Use Map**

**Claim of Beneficial Use Report**

**Left Coast Cellars, LLC**

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## **Attachment C**

Fish Screen Approval

Claim of Beneficial Use Report

Left Coast Cellars, LLC



# Oregon

Kate Brown., Governor

Department of Fish and Wildlife  
The Dalles Screen Shop  
3561 Klindt Drive  
The Dalles, OR 97058  
(541) 296-8026  
FAX (541) 296-7889  
odfw.com

September 30, 2022



Attn. Taylor Pfaff  
Left Coast Cellars, LLC  
Po Box 219  
Rickreall, OR 97371

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RE: Transfer T-12963

To whom it may concern,

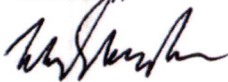
Oregon Department of Fish and Wildlife has reviewed the fish screen associated with your point of diversion located a Reservoir E, transfer T-12963. This site was inspected virtually with photos submitted by the landowner.

The fish screen that is in use at this point of diversion is a Sure-flo SCS4 self-cleaning fish screen. This model of self-cleaning screen, when installed and maintained properly is capable of screening up to 0.57 cfs or 259 gpm, while protecting all age classes of native fish present from entrapment and impingement. ODFW concludes that this screen will meet current state and federal fish screening criteria set forth by National Marine Fisheries Service for a maximum withdraw rate of .57 cfs (259 gpm) under transfer T-12963. A by-pass device is not required at this point of diversion as this is an end of pipe screen.

This approval is contingent on the following: the screen is installed prior to any withdraw of water, the screen is installed so that the effective screen area is submerged during operation, and the screen is regularly inspected and maintained to ensure it remains in working order, including removing debris as necessary, and the screen is annually inspected when it is not in use.

If there are any questions regarding the approval of the screen for transfer T-12963, please call me at 541-967-2162.

Sincerely,

 9/30/2022

Toby Schuyler

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## **Attachment D**

Pump Calculations

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Claim of Beneficial Use Report

Left Coast Cellars, LLC

Reservoir E North

### Pump Capacity Calculation Sheet

using Department designed formula:

$$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

#### Data Entry (fill in underlined blanks)

---

HP = 40  
Efficiency = 6.61  
Lift = 250  
PSI = 122 \*observed system pressure

---

#### Results Calculated

---

(hp)(efficiency) = 264.4  
Head based on psi = 309.9  
Total dynamic head = 559.9  
(head + lift)

**Pump Capacity = 0.47 feet per second**

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Reservoir E South

### Pump Capacity Calculation Sheet

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

#### Data Entry (fill in underlined blanks)

---

HP = 10  
Efficiency = 6.61  
Lift = 150  
PSI = 50 \*observed system pressure

---

#### Results Calculated

---

(hp)(efficiency) = 66.1  
Head based on psi = 127.0  
Total dynamic head = 277.0  
(head + lift)

**Pump Capacity = 0.24 feet per second**

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## Attachment E

Assignment Form

Claim of Beneficial Use Report

Left Coast Cellars, LLC



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January 3, 2023

Gerry Clark  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271

RE: Claim of Beneficial Use for Permit S-55403 (Application S-86459)

Gerry:

On behalf of Left Coast Cellars, LLC (one of the three permit holders of record), please find enclosed a Claim of Beneficial Use report for Permit S-55403.

Please do not hesitate to contact me at 541-753-0933 with questions about the enclosed COBU.

Sincerely,

A handwritten signature in blue ink that reads "Zach Pike-Urlacher".

Zach Pike-Urlacher  
Water Resources Consultant

A handwritten signature in blue ink that reads "Robyn Cook".

Robyn Cook, RG, PG, CWRE  
Supervising Hydrologist

Enclosures:

Claim of Beneficial Use for Permit S-55403 and \$230 fee  
Assignment for Permit S-55403 and \$120 fee