

**Oregon Water Resources Department**  
**Water Right Services Division**

Water Rights Application  
Number G-13645

**Final Order**  
**Extension of Time for Permit Number G-12896**  
**Permit Holder: King Estate Winery Inc.**

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**Permit Information**

**Application File G-13645 Permit G-12896**

Basin: 2 – Willamette / Watermaster District 2

Date of Priority: March 17, 1994

**Authorized Use of Water**

Source of Water: Five wells and a sump/reservoir in North Fork Siuslaw  
River Basin within the Mid Coast Basin

Purpose of Use: Agricultural Use, Irrigation of 412 Acres, Industrial Use.

Maximum Rate: Not to exceed a cumulative total of 1.27 Cubic Feet per  
Second (cfs) at any one time for Irrigation, Agricultural Use  
and Industrial Use.

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**This Extension of Time request is being processed in accordance with  
Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative  
Rule Chapter 690, Division 315**

**Application History**

Permit G-12896 was issued by the Department on October 28, 1996. The permit called for completion of construction by October 1998, and complete application of water to beneficial use by October 1, 1999. On March 11, 2013, King Estate Winery Inc. submitted to the Department an Application for Extension of Time for Permit G-12896. In accordance with OAR 690-315-0050(2), on June 18, 2013, the Department issued a Proposed Final Order proposing to extend the time to complete construction and to fully apply water to beneficial use to October 1, 2020. The protest period closed August 2, 2013, in accordance with OAR 690-315-0060(1). No protest was filed.

**Findings of Fact**

Except as expressly stated herein, The Department adopts and incorporates by reference the

findings of fact in the Proposed Final Order dated June 18, 2013.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

## **CONDITIONS**

### **1. Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2015. *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;
- (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.

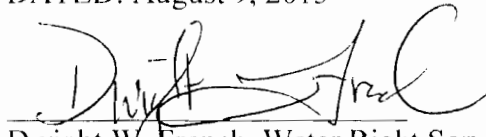
## **CONCLUSION OF LAW**

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application G-13645, Permit G-12896, therefore, is approved subject to conditions contained herein. The deadline for completing construction and applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2010 to October 1, 2020.

DATED: August 9, 2013



Dwight W. French, Water Right Services Administrator, *for*  
PHILLIP C. WARD, DIRECTOR

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- If you have any questions about statements contained in this document, please contact Craig Kohanek at (503) 986-0823.
  - 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
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 (503) 986-0900  
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**Extension of Time  
 Progress Report Form  
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: King Estate Winery Inc.  
 G-13645

Application

Permit G-12896

Report Due no later than October 1, 2015  
 DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

**Progress Report Form for 2015**

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 G-12896. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2010 and October 1, 2015	FINANCIAL INVESTMENT

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

3. Total number of acres irrigated to date= \_\_\_\_\_ (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 stored to date = \_\_\_\_\_ 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.*

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM. USE N/A FOR ITEM 3 IF THE USE IS NOT IRRIGATION.

Signature \_\_\_\_\_ Date \_\_\_\_\_