

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-15028

FINAL ORDER

Extension of Time for Permit Number G-13871
Permit Holder: Winderlea Vineyard & Winery

Permit Information

Application:	G-15028
Permit:	G-13871
Basin:	2 – Willamette / Watermaster District 16
Date of Priority:	September 7, 1999
Source of Water:	Two wells in Hess Creek Basin
Purpose of Use:	Irrigation and Agriculture on 18.0 Acres
Maximum Rate:	0.07 cubic feet per second (cfs)

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

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 G-13871 was issued by the Department on January 30, 2001. The permit called for complete application of water to beneficial use by October 1, 2004. On January 16, 2015, Winderlea Vineyard & Winery submitted to the Department an Application for Extension of Time for Permit G-13871. In accordance with OAR 690-315-0050(2), on March 3, 2015, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 30, 2020. The protest period closed April 17, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated March 3, 2015.

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

2. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020**. *A form is enclosed with this 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-15028, Permit G-13871, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2004 to October 30, 2020.

DATED: May 1, 2015



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 the Permit Extension Specialist at (503) 986-0825.
 - 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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Mailing List for Extension FO Copies

FO Date: May 1, 2015

Copies Mailed

Application: G-15028

By: _____

Permit: G-13871

On: _____

Original mailed to permit holder

Winderlea Vineyard & Winery
8905 NE Worden Hill Rd
Dundee, OR 97115

Copies sent to:

1. WRD - App. File G-15028/ Permit G-13871

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail - FO available in WRIS for review

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 16, Joel Plahn

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by _____ Date _____

CASEWORKER: CAC