

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit R-11498, Water Right Application R-72658) FINAL ORDER
in the name of Left Coast Cellars LLC, Conrad Koning,)
Jack and Cheri La Rue, and Johann Vineyards)

Permit Information

Application:	R-72658
Permit:	R-11498
Basin:	2 – Middle Willamette / Watermaster District 16
Date of Priority:	September 8, 1992
Source of Water:	Unnamed streams, tributaries of Ash Swale
Purpose of Use:	Stored water to be appropriated under Application S-72659, Permit S-51534, for irrigation, livestock water, and recreation
Maximum Volume:	218.2 Acre-Feet (AF), being 100.0 AF in Reservoir E, 100.0 AF in Reservoir F, 9.1 AF in Reservoir G, and 9.1 AF in Reservoir H

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 R-11498 was issued by the Department on August 12, 1994. The permit called for actual construction of the well to begin by August 12, 1995, completion of construction by October 1, 1996 and complete application of water to beneficial use by October 1, 1997. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 1999. On November 9, 2015, Luke McCollom, managing member of Left Coast Cellars LLC submitted to the Department an Application for Extension of Time for Permit R-11498. In accordance with OAR 690-315-0050(2), on December 22, 2015, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 1999 to October 1, 2020 and the time to apply water to full beneficial use from October 1, 1999 to October 1, 2020. The protest period closed February 5, 2016, 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 December 22, 2015.

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:

CONDITIONS

1. **Last Extension Condition**

This is to be the last extension of time granted for Permit G-11498. Any future extensions of time requests will be denied.

CONCLUSION OF LAW

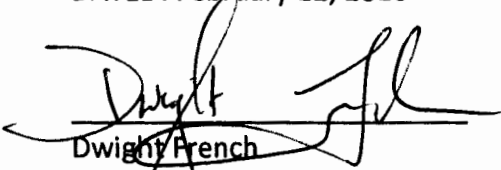
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

Continued on the following page

ORDER

The extension of time for Application R-72658, Permit R-11498, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1999 to October 1, 2020. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1999 to October 1, 2020.

DATED: February 12, 2016



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

-
- If you have any questions about statements contained in this document, please contact 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
-

Mailing List for Extension FO Copies

FO Date: February 12, 2016

Copies Mailed

Application: R-72658

By: _____

Permit: R-11498

On: _____

Original mailed to permit holder

Left Coast Cellars LLC
4225 N Pacific Highway-99W
Rickreall, OR 97371

Copies sent to:

1. WRD - App. File R-72658/ Permit R-11498

2. JOHANN VINEYARDS
4285 N PACIFIC HWY
RICKREAL, OR 97371

CONRAD KONING
5705 KINGSWAY
ANACORTES, WA 98221

JACK LA RUE
CHERI LA RUE
8312 CADE CIRCLE
HUNTINGTON BEACH, CA 92646

3. Stuntzner Engineering & Forestry LLC
Attn: Jeffrey Kee
2137 19th Ave
Forest Grove, OR 97116

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving notification via e-mail FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

5. WRD - Watermaster District 16, Joel Plahn

CASEWORKER: CAC