

**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 S-51534, Water Right Application S-72659 ) FINAL ORDER  
in the name of Left Coast Cellars LLC, Conrad Koning, )  
Johann Vineyards, Jack and Cheri La Rue, and )  
Richard Brownrigg )

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**Permit Information**

Application:	S-72659
Permit:	S-51534
Basin:	3 – Middle Willamette / Watermaster District 17
Date of Priority:	September 8, 1993
Source of Water:	Reservoirs E, F, G, and H constructed under Application R-72658, Permit R-11498, a tributary of Ash Swale
Purpose of Use:	Irrigation of 300.2 Acres, Livestock Water
Maximum Volume:	Not more than 218.2 Acre-Feet (AF), being 100 AF each from Reservoirs E and F, and 9.1 AF each from Reservoirs G and H

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**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-51534 was issued by the Department on August 12, 1995. The permit called for actual construction 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, 2016, 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, 2016.

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**

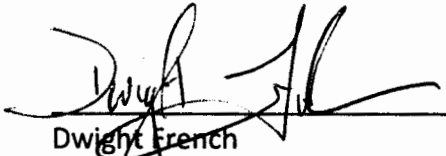
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

**Continued on the following page**

## ORDER

The extension of time for Application S-72659, Permit S-51534, 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

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- 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
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Mailing List for Extension FO Copies

FO Date: February 12, 2015

Copies Mailed

Application: S-72659

By: \_\_\_\_\_

Permit: S-51534

On: \_\_\_\_\_

Original mailed to permit holder

Left Coast Cellars LLC  
4226 N Pacific Highway-99W  
Rickreall, OR 97372

Copies sent to:

1. WRD - App. File S-72659/ Permit S-51534

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

RICHARD BROWNRIGG  
63430 OB RILEY RD  
BEND, OR 97701

3. Stuntzner Engineering & Forestry LLC  
Attn: Jeffrey Kee  
2137 19<sup>th</sup> 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 17, Joel Plahn

CASEWORKER: CAC