

**APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON**

I, Donald W. Giddings
NAME

P. o. Box 999 Pacific City Or. 97135
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. S-72364 Permit No. 53237, do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 2001, be extended to October 1, 2022,

and/or the time in which to:

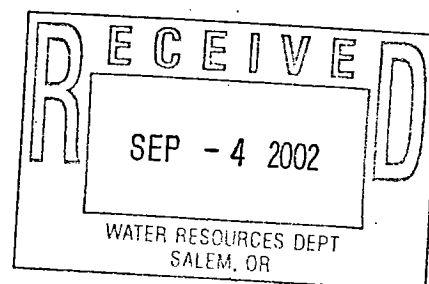
accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2001, be extended to October 1, 2022.

NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1. Did water system construction/well drilling begin within the time specified in the permit?
 Yes No
2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit?
 Yes No



- A Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

Use not completed. IN 1992/1993 WILLIAM MYERS ORIGINAL APPLICANT OF THIS PERMIT STARTED CONSTRUCTION AT DIVERSION POINT. 1997 W.M. MYERS SURRENDERED U.S. FOREST SER. PERMIT 1999 AND BY AGREEMENT WITH U.S. FOREST SER. DISTRICT HIS CONSTRUCTION AND BRING SITE BACK TO ORIGINAL CONDITION.

- B If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

The original development plans were abandoned and the permit (William Myers) was assigned to Sidney Fisher. Fisher assigned his rights to the current applicant on August 23, 2002 and the current applicant needs additional time to put the water to beneficial use.

3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

- A Within the past year or, if a prior extension was authorized, during the last permit extension period:

Applicant obtained the subject permit rights on Aug. 23, 2002 and has not had sufficient time to plan and construct the improvements to put the water to beneficial use.

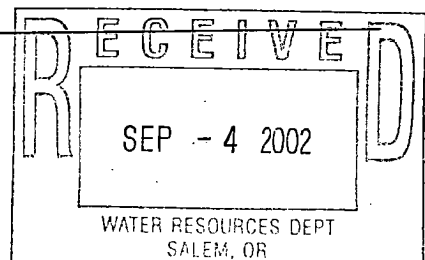
Application is pending for an additional 119 residential lots.

- B Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

Applicant has applied for tentative plan approval for 119 additional lots and has spent \$180,000 + for land clearing, etc and \$100,000 + in professional fees.

- C I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated):

Current applicant has not had sufficient time to plan, construct and use improvements that place the water into beneficial use.



Approx

4. Cost of project to date \$5000. Estimated remaining cost to complete the project \$30,000.

5. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A The project is of a size and scope that the original intent was to phase it in over a period longer than the time frames allowed in the permit.

The original applicant, William Myers was unable to complete his original plans for full water use and assigned his permit rights to Sidney Fisher. Current applicant acquired Sidney Fisher's rights on Aug. 23, 2002, and now needs additional time to place water into beneficial use.

B Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized time frames.

Original applicant, William Myers did not have the financial resources to construct the proposed development.

C Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

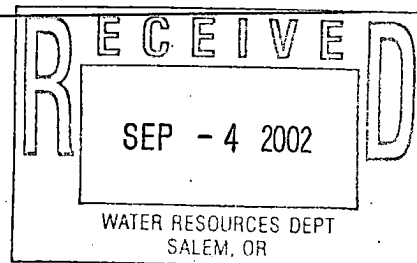
Not applicable

D Acts of God or other unforeseen events delayed full development of the water system and use of water.

Sandlake Road Slide and subsequent need for additional geo hazard studies have delayed development plans and development options.

6. Please identify the economic market or markets to which beneficial use of water under the permit is responding.

Applicant is providing additional residential and recreational options for the community.



A Has there been any change in this market since the permit was issued?

Development of the first 24 lots of "Nantucket Shores" has proven a strong demand for residential lots in the community. Applicant has had discussions for a golf course in the area of proposed use.

B Have these changes, if any, affected the economic feasibility of your project?

A strong demand for residential housing has been proven.

7. Are there other present competing demands for water in your community?

No.

A Has there been any change in these demands for water since the permit was issued?

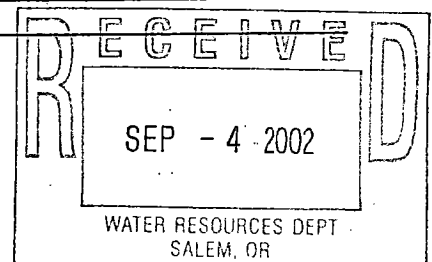
No.

B Are you aware of alternative sources of water that may be able to satisfy the competing demands?

Not applicable

C Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community?

No.



8. Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project?

Yes.

9. If the extension request is denied, is the current level of water use economically feasible?

No, there will not be sufficient water to complete the full proposed water needed.

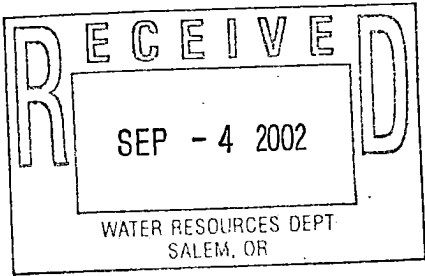
I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Donald W. Holdings
Signature

9-3-02
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310



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reviscd: June 21, 1999