

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LIN SHEN KOO
dba TEMPERANCE HILL VINEYARD
6020 BETHEL HEIGHTS ROAD NW
SALEM, OREGON 97304

503-581-3453

to use the waters of A WELL in the SPRING VALLEY CREEK BASIN for
IRRIGATION OF 144.7 ACRES.

This permit is issued approving Application G-13820. The date of
priority is SEPTEMBER 9, 1994. The use is limited to not more than
0.12 CUBIC FOOT PER SECOND, or its equivalent in case of rotation,
measured at the well.

The well is located as follows:

SE 1/4 NE 1/4, SECTION 23, T 6 S, R 4 W, W.M.; 178 FEET SOUTH AND
15 FEET EAST FROM THE SW CORNER OF THE NE 1/4, NE 1/4 OF SECTION 23.

The amount of water used for irrigation under this right, together
with the amount secured under any other right existing for the same
lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot
per second (or its equivalent) and 1.0 acre-feet for each acre
irrigated during the irrigation season of each year. The period of
allowed use is March 1 through October 31 for drip or equally
efficient irrigation.

The use shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

A description of the proposed place of use under this permit is as
follows:

NW 1/4 NE 1/4	38.2 ACRES
SW 1/4 NE 1/4	14.4 ACRES
SE 1/4 NE 1/4	28.4 ACRES
NE 1/4 NW 1/4	30.3 ACRES
NW 1/4 NW 1/4	28.2 ACRES

SECTION 23

NE 1/4 NE 1/4	5.2 ACRES
---------------	-----------

SECTION 24

TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

The well shall be constructed in accordance with the General Standards
for the Construction and Maintenance of Water Wells in Oregon. The
works shall be equipped with a usable access port, and may also include
an air line and pressure gauge adequate to determine water level
elevation in the well at all times.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee
shall install a meter or other suitable measuring device as
approved by the Director. The permittee shall maintain the
meter or measuring device in good working order, shall keep a
complete record of the amount of water used each month and
shall submit a report which includes the recorded water use
measurements to the Department annually or more frequently as
may be required by the Director. Further, the Director may
require the permittee to report general water use information,
including the place and nature of use of water under the
permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, ~~then use~~ of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be ~~regulated~~ until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior the ~~interferes~~ to jointly develop plans to mitigate interferences.

A static water level measurement is to be made and submitted before any use of water may commence at the well. Thereafter, the water user shall report a March static water level in the well(s) to the Groundwater/Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made and calculations detailed by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board or the permittee/appropriator. Measurements and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements.

Use of water from the well(s) shall not be allowed if the well(s) displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water level in the well(s) are those of the initial March report. That is the level from which the cited declines in (A), (B) and (C) above will be referenced.

This permit expires in five years from date of issuance. This permit may be extended for additional five year periods if the Director finds the groundwater resource can probably support the extended use.

Within two years of permit issuance, the permittee shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

Use of water from the well will be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before April 24, 1996, and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

~~By law, the land use associated with this water use must be in~~
compliance with statewide land-use goals and any local acknowledged
land-use plan.

The use of water shall be limited when it interferes with any prior
surface or ground water rights.

The Director finds that the proposed use(s) of water described by this
permit, as conditioned, will not impair or be detrimental to the public
interest.

Issued this date, April 24, 1995.

/s/ MARTHA O. PAGEL

BC 13

Water Resources Department
Martha O. Pagel
Director