

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
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SECTION 24

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

Application G-13820

Water Resources Department

PERMIT G-15042

This permit expires in October 31, 2004. This permit may be renewed for additional periods of time, not to exceed five years each, if the Director finds the groundwater resource can probably support the continued use. This permit has been extended and you have until October 1, 2013 to complete development and make beneficial use. Within one year after completing beneficial use, but no later than October 1, 2014 you must submit a Final Proof Survey Map and Claim of Beneficial Use prepared by a Certified Water Rights Examiner.

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 appropriators 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 within 30 days, 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.

For the purpose of considering subsequent renewals or this permit, the Department will be using 417.0 feet below land surface as the reference static water level.

Failure to provide March static water level measurements will likely result in suspension of water use from the well(s) authorized under this permit, until compliance with the annual measurement is met.

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.

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, March 22, 2002.


Water Resources Department
Paul R. Cleary
Director

Application G-13820 Water Resources Department PERMIT G-15042
Basin 2 Volume 17, Spring Creek Valley & Misc. District 16
JKS MGMT.CODE 4IG, 4IR, 4LG AND 4LW