

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PINE RIDGE WINERY, DBA ARCHERY SUMMIT WINERY, BY ANDY HUMPHREY
PO BOX 85 (503) 864-4300
DUNDEE, OREGON 97115

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-83597

SOURCE OF WATER: RESERVOIR 2 CONSTRUCTED UNDER APPLICATION R-83596, AND AN UNNAMED STREAM, TRIBUTARIES OF HESS CREEK

PURPOSE OR USE: IRRIGATION OF 48.29 ACRES, SUPPLEMENTAL IRRIGATION OF 3.2 ACRES, AGRICULTURAL USE, MAINTENANCE OF A RESERVOIR CONSTRUCTED UNDER PERMIT R-12487 FOR FISH CULTURE AND WETLAND ENHANCEMENT

MAXIMUM RATE/VOLUME ALLOWED: *LIVE FLOW* - 0.724 CUBIC FOOT PER SECOND (CFS), BEING 0.644 CFS FOR IRRIGATION OR AGRICULTURE AND 0.08 CFS FOR FISH CULTURE AND WETLAND ENHANCEMENT; *STORED WATER* - NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 7.51 ACRE-FEET (AF), BEING 7.51 AF FOR IRRIGATION OR AGRICULTURE AND 7.51 AF FOR FISH CULTURE AND WETLAND ENHANCEMENT

PERIOD OF USE: *LIVE FLOW* - MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31 FOR IRRIGATION; SEPTEMBER 1 THROUGH JUNE 30 FOR AGRICULTURE, FISH CULTURE, AND WETLAND ENHANCEMENT; *STORED WATER* - MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION; YEAR ROUND FOR AGRICULTURAL USE, RESERVOIR MAINTENANCE FOR FISH CULTURE AND WETLAND ENHANCEMENT

DATE OF PRIORITY: NOVEMBER 6, 1997

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 27, T3S, R3W, W.M.; POD 1 - 880 FEET NORTH AND 380 FEET WEST; POD 2 - 460 FEET NORTH AND 340 FEET WEST BOTH FROM THE S 1/4 CORNER SECTION 27.

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 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 SW 1/4 2.33 ACRES, AG
SE 1/4 SW 1/4 23.02 ACRES, 3.2 ACRES SUPP, AG, FISH, WETLAND ENHANCE
SW 1/4 SE 1/4 13.09 ACRES, AG
SECTION 27

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NW 1/4 NE 1/4 4.59 ACRES, AG
NE 1/4 NW 1/4 5.26 ACRES, AG

SECTION 34
TOWNSHIP 3 SOUTH, RANGE 3 WEST, W.M.

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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area.

The use may be restricted if the quality of the source stream or downstream water decrease to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

STANDARD CONDITIONS

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

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.

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

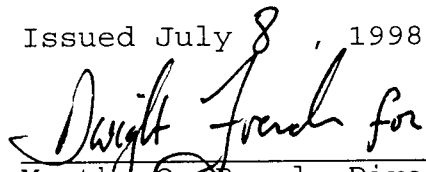
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

Actual construction work shall begin by May 28, 1999. Complete application of the water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued July 8, 1998



Martha O. Pagel, Director
Water Resources Department

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Basin 02

Water Resources Department
VOLUME 17 HESS CR & MISC
MGMT CODES 3BW

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DISTRICT 16