

STATE OF OREGON
COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LEFT COAST CELLARS, LLC
4225 N PACIFIC HWY
RICKREALL, OR, 97371

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

APPLICATION FILE NUMBER: S-86459

SOURCE OF WATER: RESERVOIR E, PERMIT R-11498; RESERVOIR I, PERMIT R-14300; RESERVOIR J, PERMIT R-14301; RESERVOIR K, PERMIT R-14302, RESERVOIR L, PERMIT R-14303; AND RESERVOIR M, PERMIT R-14304; ALL TRIBUTARIES OF ASH SWALE

PURPOSE OR USE: IRRIGATION OF 195.8 ACRES

MAXIMUM VOLUME: 91.0 ACRE FEET (AF) EACH YEAR, BEING 52.5 AF FROM RESERVOIR E; 4.5 AF FROM RESERVOIR I; 9.0 AF FROM RESERVOIR J; 10.0 AF FROM RESERVOIR K; 8.0 AF FROM RESERVOIR L; AND 7.0 AF FROM RESERVOIR M

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 8, 2005

DAM LOCATIONS:

RESERVOIR E - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 5, T7S, R4W, W.M.; 1990 FEET SOUTH & 40 FEET EAST FROM NW CORNER, SECTION 5

RESERVOIR I - NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 6, T7S, R4W, W.M.; 1115 FEET SOUTH & 3673 FEET WEST FROM NE CORNER, SECTION 6

RESERVOIR J - NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 6, T7S, R4W, W.M.; 717 FEET SOUTH & 2685 FEET WEST FROM NE CORNER, SECTION 6

RESERVOIR K - NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 6, T7S, R4W, W.M.; 270 FEET SOUTH & 1354 FEET WEST FROM NE CORNER, SECTION 6

RESERVOIR L - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 6, T7S, R4W, W.M.; 640 FEET SOUTH & 1103 FEET WEST FROM NE CORNER, SECTION 6

RESERVOIR M - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 6, T7S, R4W, W.M.; 945 FEET SOUTH & 808 FEET WEST FROM NE CORNER, SECTION 6

POINT OF DIVERSION LOCATION:

RESERVOIR E - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 5, T7S, R4W, W.M.; 1990 FEET SOUTH & 40 FEET EAST FROM NW CORNER, SECTION 5

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.9 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.9 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.2 ACRES

SECTION 31

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

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.9 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES

SECTION 5

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 29.7 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 16.2 ACRES

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 12.9 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.5 ACRES

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.1 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.8 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37.8 ACRES

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.6 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.3 ACRES

SECTION 6

TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at the point of diversion at Reservoir "E". The permittee shall maintain the meter in good working order.
- B. The permittee shall allow the watermaster access to the meter; provided however, where the meter 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.

STANDARD CONDITIONS

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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 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.

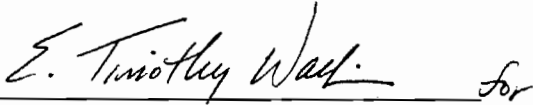
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued December 27, 2010

 *for*

Phillip C. Ward, Director
Water Resources Department