



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

November 15, 2004

Lin Shen Koo  
dba Temperance Hill Vinyard  
6020 Bethel Heights Road NW  
Salem, Oregon 97304

Reference File: G-13820, permit G-15777

Dear Permit Holder,

This letter is to advise you that the above referenced water permit **expired on October 31, 2004 and is being renewed as a regular permit, under permit number G-15777**. A review of this permit for renewal disclosed that your well does not develop water from the basalt aquifer that is listed in the Eola Hills Groundwater Limited Area rules. Instead your well apparently develops water from a sandstone aquifer below the basalt aquifer and is therefore not subject to the Groundwater Limited Area rules.

This permit will be allowed to move forward for a certificate of water right and the date for complete application of water will be October 1, 2013.

If you have any questions, please contact Jerry Sauter at 503-986-0817, my telephone number is 503-986-0819.

Sincerely,

Dwight French  
Water Rights Section Manager

cc: Bill Ferber, WM Dist. 16  
File

**This is a final order in other than contested case.**  
Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).



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 3.0 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

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-15777

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.

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.

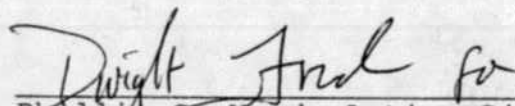
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

**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.**

Issued this date, November 18, 2004

  
Phillip C. Ward, Acting Director  
Water Resources Department

Application G-13820      Water Resources Department      PERMIT G-15777  
Basin 2      Volume 17, Spring Creek Valley & Misc.      District 16  
JKS      MGMT.CODE 4IG, 4IR, 4LG AND 4LW

