

T-10421

T-10421

PERMIT AMENDMENT

Name Ken Wright Cellars <sup>Assigned</sup>  
Attn: Ken Wright  
Address PO Box 190  
Carlton OR 97111  
503 852-7070

Change in APOA  
Date Filed 6-28-07  
Initial notice date 7-3-07  
DPD issued date \_\_\_\_\_  
PD issued date \_\_\_\_\_  
PD notice date \_\_\_\_\_  
Date of FO 12-12-08 Vol 76 Page 946

C-Date 10-1-07 <sup>Ext. to 10-1-2012</sup>  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_

Assignments: 12/12/2012 ABBOTT HOLDCO. LLC  
3750 PARIS PIKE  
LEXINGTON KY 40511

Irrigation District N/A

Agent Eric Orstadt, Stuntzner Engineering & Forestry  
2137 19th Ave. Forest Grove OR 97116 503 357-5717 503 357-5798 Fax

CWRE Same as Agent  
CC's list \_\_\_\_\_

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Well  
Trib. of Hawn Creek  
Use Ir County Yamhill  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres 103.73  
Name of ditch \_\_\_\_\_  
App # 615577 Per # 615281 Cert # \_\_\_\_\_ PR Date 2001  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
<u>6/28/07</u>	<u>350.00</u>	<u>88391</u>
<u>12/21/12</u>	<u>75.00</u>	<u>107618</u>

FEES REFUNDED		
Date	Amount	Receipt#

- Oversized map - Location

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **107618**

INVOICE # \_\_\_\_\_

RECEIVED FROM: <u>Western Title Escrow</u>	APPLICATION <u>G-15577</u>
BY: _____	PERMIT _____
CASH: <input type="checkbox"/>	TRANSFER <u>T-10421</u>
CHECK.# <u>4000504</u> <input checked="" type="checkbox"/>	TOTAL REC'D \$ <u>75.00</u>
OTHER: (IDENTIFY) <input type="checkbox"/>	

<b>1083 TREASURY</b>	<b>4170 WRD MISC CASH ACCT</b>
0407 COPIES	\$ _____
OTHER: (IDENTIFY)	\$ _____
0243 I/S Lease	0244 Muni Water Mgmt. Plan
0245 Cons. Water	

**RECEIVED  
OVER THE COUNTER**

<b>4270 WRD OPERATING ACCT</b>	
MISCELLANEOUS	
0407 COPY & TAPE FEES	\$ _____
0410 RESEARCH FEES	\$ _____
0408 MISC REVENUE: (IDENTIFY)	\$ <u>75.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY)	\$ _____
0240 EXTENSION OF TIME	\$ _____
WATER RIGHTS:	
0201 SURFACE WATER	EXAM FEE \$ _____
0203 GROUND WATER	0202 \$ _____
0205 TRANSFER	0204 \$ _____
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____
LANDOWNER'S PERMIT	0219 \$ _____
OTHER (IDENTIFY)	0220 \$ _____

<b>0536 TREASURY</b>	<b>0437 WELL CONST. START FEE</b>
0211 WELL CONST START FEE	\$ _____
0210 MONITORING WELLS	\$ _____
OTHER (IDENTIFY)	CARD # _____
	CARD # _____

<b>0607 TREASURY</b>	<b>0467 HYDRO ACTIVITY</b>	LIC NUMBER
0233 POWER LICENSE FEE (FW/WRD)		\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)		\$ _____
HYDRO APPLICATION		\$ _____

<b>TREASURY</b>	<b>OTHER / RDX</b>
FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

RECEIPT: **107618** DATED: 12/21/12 BY: J. Skaug

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **88391**

INVOICE # \_\_\_\_\_

RECEIVED FROM: <u>Ken Wright Cellars</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER <u>T-10421</u>
CASH: <input type="checkbox"/> CHECK.# <u>20865</u> OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D \$ <u>600.00</u>

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES	\$
OTHER: (IDENTIFY) _____	\$
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____	

**4270 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b> <u>PCA 46111</u>	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$ <u>250.00</u>
<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>
0201 SURFACE WATER	\$
0203 GROUND WATER	\$
0205 TRANSFER	\$ <u>350.00</u>
<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>
0218 WELL DRILL CONSTRUCTOR	\$
LANDOWNER'S PERMIT	\$
OTHER (IDENTIFY) _____	

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY) _____		

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD)	\$
0231 HYDRO LICENSE FEE (FWWRD)	\$
HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

FUND _____ TITLE _____	
OBJ. CODE _____ VENDOR # _____	
DESCRIPTION _____	\$

RECEIPT: **88391** DATED: 6/28/07 BY: Diana Duchi

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

file

RECEIVED

DEC 21 2012

WATER RESOURCES DEPT  
SALEM, OREGON



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301  
(503) 986-0900  
www.wrd.state.or.us

# Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Ken Wright, personally and as President of Ken Wright Cellars Co.  
*(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)*

PO Box 190 Carlton OR 97111 (503) 852-7070  
*(Mailing Address) (City) (State) (Zip) (Phone #)*

- hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; *(You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)*
- hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # G-15577; Permit # G-15281; Transfer # T-10421  
-OR-

License # \_\_\_\_\_; GR Statement # \_\_\_\_\_; GR Certificate of Registration # \_\_\_\_\_

As filed in the office of the Water Resources Director, to:

Abbott Holdco, LLC  
*(Name of New Owner)*

3750 Paris Pike Lexington KY 40511 (859) 293-9259  
*(Mailing Address) (City) (State) (Zip) (Phone #)*

**Note:** If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 19<sup>th</sup> day of December, 2012.

Applicant/Permit Holder \_\_\_\_\_  
Applicant/Permit Holder \_\_\_\_\_

ASS/GM/S  
12/21/2012

**DO NOT WRITE IN THIS BOX**

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.  
Fee receipt # 10760  
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$75.



# Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department  
North Mall Office Building  
725 Summer St. NE, Suite A  
Salem, OR 97301  
Phone 503-986-0900  
FAX 503-986-0904  
www.wrd.state.or.us

December 21, 2012

Western Title and Escrow  
1215 NE Baker Street  
McMinnville, Oregon 97128

Reference: transfer T-10421

The assignment from Ken Wright Cellars to Abbott Holdco, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Abbott Holdco, LLC as the transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 107618 covering the recording fee is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Receipt 107618

cc: Watermaster 16  
Ken Wright  
Abbott Holdco, LLC  
Data Center, OWRD (cover letter & request)  
OWRD Transfers  
Hydrographics  
File





Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Certificate of Water Right Ownership Update

## NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

*Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.*

## PROPERTY SELLER INFORMATION

Applicant(s): Ken Wright Ken Wright Cellars  
First Last  
 Mailing Address: PO Box 190  
Carlton OR 97111  
City State Zip  
 Phone: 503-852-7070  
Home Work Other

## PROPERTY BUYER INFORMATION

Applicant(s): Abbott Holdco, LLC  
First Last  
 Mailing Address: 3750 Paris Pike  
Lexington KY 40511  
City State Zip  
 Phone: 859-293-9259  
Home Work Other

## PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Yamhill Township: 3S Range: 4W Section: 24

Tax Lot Number(s): 1700

Street address of water right property: 11111 NE Bayliss Road, Carlton, OR 97111

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: G-15577 Permit #: G-15281 Certificate or Page #: \_\_\_\_\_

Will all the lands associated with this water right be owned by the buyer?  Yes  No

Name of individual completing this form: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: [Signature] Date: 12/19/12

*Please be sure to attach a copy of your property deed or legal description of the property.*

**RECEIVED**

DEC 21 2012



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

July 2, 2007

KEN WRIGHT CELLARS  
PO BOX 190  
CARLTON OR 97111

Reference: Permit Amendment T- 10421

On June 28, 2007 we received your request for permit amendment. The application was accompanied by \$350.00. Our receipt 88391 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until we issue a final order approving the application.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #16  
Groundwater  
Eric Urstadt, Agent

enclosure



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

**Notice of Application for  
Water Right Transfer, Temporary Transfer, or Permit Amendment  
07/03/2007**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: Yamhill  
Transfer: T -10421  
Water Right: Permit:G 15281 \*  
Priority Date: 2001  
Name: KEN WRIGHT CELLARS  
Address: PO BOX 190; CARLTON OR 97111  
Change: APOA  
Source: A WELL > HAWN CREEK  
Authorized APOA: T3S R4W 24,25  
Proposed APOA: T3S R4W 24

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Application for Permit Amendment or Ground Water Registration Modification

COPY

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF APPLICATION

Please check **one** of the following:

- Permit Amendment       Ground Water Registration Modification

## 2. APPLICANT INFORMATION

Name: KEN WRIGHT CELLARS  
First Last

Address: P. O. Box 190  
CARLTON OR 97111  
City State Zip

Phone: 503-852-7070  
Home Work Other

Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

## 3. AGENT INFORMATION

*(The agent listed is authorized to represent the applicant in all matters relating to this application.)*

Name: ERIC URSTADT, STUNTZNER ENGINEERING & FORESTRY  
First Last

Address: 2137 19<sup>TH</sup> AVENUE  
FOREST GROVE OR 97116  
City State Zip

Phone: \_\_\_\_\_ 503-357-5717  
Home Work Other

Fax: 503-357-5798 E-Mail address: ericurstadt@stuntzner.com

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JUN 28 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

- If an agent is listed above, please check **one** of the following:
  - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**
  - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

**Permit Amendments**

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**Ground Water Registration Modifications**

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED**

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.)  <input checked="" type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.)  <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input type="checkbox"/> <b>All of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at the current authorized location will be discontinued.)  <input type="checkbox"/> <b>Only a <u>portion</u> of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p><b>Change existing authorized use to the following proposed <u>new</u> use:</b></p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): Wells 1-3 did not provide needed capacity,  
and a fourth well was drilled.

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SALEM, OREGON  
FS

**5. CURRENT PERMIT OR REGISTRATION INFORMATION**

Permit or Registration to be Amended/Modified (check and complete one of the following):

<input checked="" type="checkbox"/> Permit to be Amended:	<u>G-15281</u> Permit Number	<u>Oct. 1, 2007</u> Current Completion Date of Permit
<input type="checkbox"/> Ground Water Registration to be Modified:	_____ Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: Ken Wright Cellars
- County: Yamhill
- Authorized Use(s) to be affected by this Amendment/Modification: Irrigation

- Priority Date(s): Aug. 8, 2001

*If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: \_\_\_\_\_  
Hawn Creek Basin

Tributary to: Hawn Creek

*If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For an application proposing a Change in Place of Use or Character of Use:**

- Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified?  Yes  No  N/A -No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: N/A

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- The following information **must be provided** only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A								

- Does the permit/registration being amended/modified involve a ground water source(s)?  
 Yes       No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

**or**

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									
								<b>RECEIVED</b>	
								JUN 28 2007	

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**6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION**

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Point(s) of Diversion or Appropriation:** (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
YAMH 52360	3S	4W	WM	24	SW SE	200	800 FT WEST AND 450 FT NORTH OF NW CORNER DLC #77 (JAMAS GREEN)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

If "No", describe the anticipated construction for the proposed well(s) in the following table:

**Construction of Proposed Point(s) of Appropriation or Well(s):**

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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WATER RESOURCES DEPT  
SALEM, OREGON

1 10421



**7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS**

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district?  Yes  No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification?  Yes  No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency?  Yes  No

*If "Yes", for any of the above, list the name and mailing address of the district and/or agency:*

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. PERMIT HOLDER OF RECORD**

*This section is to be completed only for Permit Amendment applications.*

*N/A – This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record?  Yes  No

*If "No", the applicant must either:*

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

*or*

B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

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SALEM, OREGON FS

9. LAND OWNERSHIP

*If for a Permit Amendment proposing a Change in Place of Use:*

- Does the permit holder of record own or control the land **TO** which the place of use is being moved?  Yes  No

*If "No", the owner of the land **TO** which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment.*

- Check one of the following:
  - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

*If for a Ground Water Registration Modification:*

- Does the applicant own the lands **FROM** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

Names of Current Landowner(s): \_\_\_\_\_

First

Last

Address: \_\_\_\_\_

City

State

Zip

- Does the applicant own the lands **TO** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

Names of Receiving Landowner(s): \_\_\_\_\_

First

Last

Address: \_\_\_\_\_

City

State

Zip

- Check one of the following:
  - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

10421

## 10. ATTACHMENTS

*Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.*

<p><b>Map:</b></p> <p><input checked="" type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need <b>not</b> be prepared by a Certified Water Right Examiner.</p> <p><b>Land Use Information Form:</b></p> <p><input checked="" type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not required if <b>all</b> of the following are met:</p> <ul style="list-style-type: none"><li>❶ In EFU zone or irrigation district;</li><li>❷ Change in place of use only;</li><li>❸ No structural changes needed, including diversion works, delivery facilities, other structures; <i>and</i></li><li>❹ Irrigation only.</li></ul> <p><b>Water Well Reports/Well Logs:</b></p> <p><input checked="" type="checkbox"/> The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does <b>not</b> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <b>not</b> required.</p>	<p><b>Fees:</b></p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at <a href="http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a> or call (503) 986-0900.</p> <p><b><u>For Permit Amendments Only...</u></b></p> <p><b>Request for Assignment:</b></p> <p><input type="checkbox"/> Enclosed. The applicant is <b>NOT</b> the permit holder of record and needs to be assigned to the permit; <b>OR</b> the landowner of the proposed place of use is <b>NOT</b> the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: <a href="http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a> ; <b>or</b></i></p> <p><input checked="" type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; <b>OR</b> the applicant is <i>not</i> the permit holder of record but <b>is</b> supplying an Affidavit of Consent from the permit holder.</p> <p><b>Affidavit of Consent:</b></p> <p><input type="checkbox"/> Enclosed. Because the applicant is <b>NOT</b> the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; <i>or</i></p> <p><input checked="" type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
---	---

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**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**11. SIGNATURES**

- For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

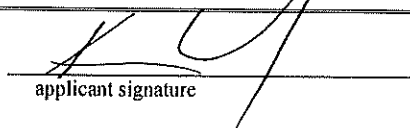
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
  - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
  - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

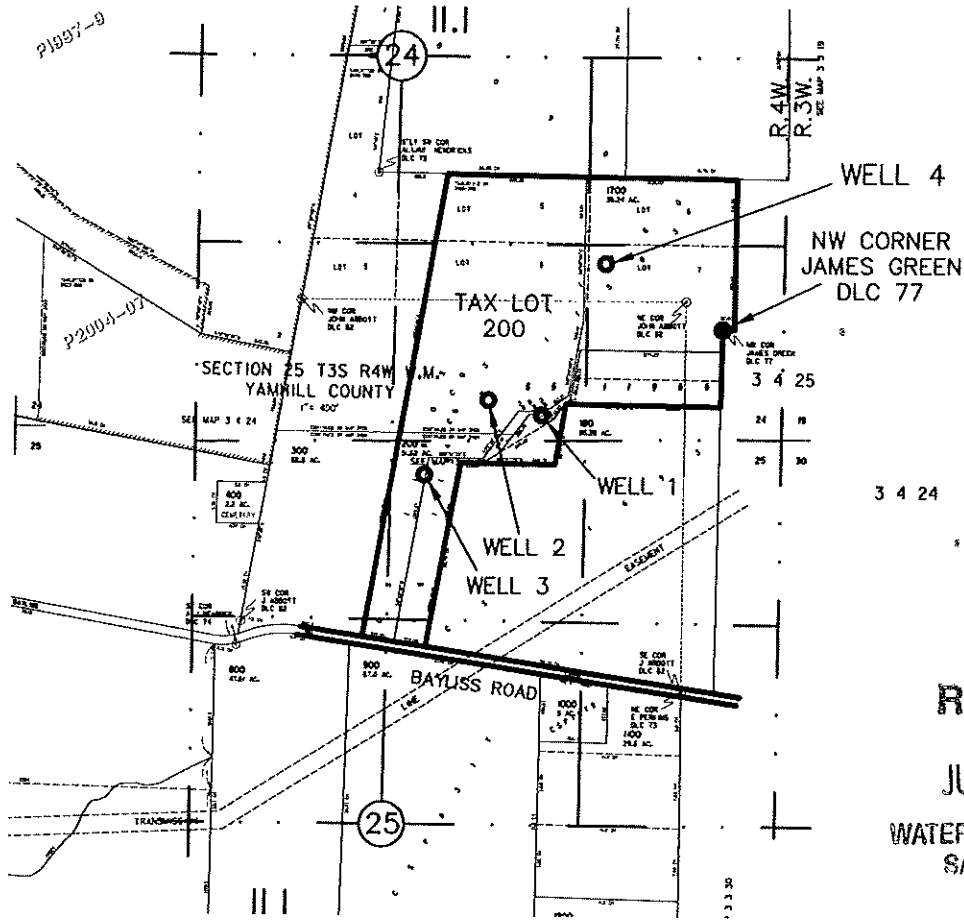
 applicant signature	Ken Wright name (print)	6.26.07 date
 applicant signature	 name (print)	 date

110421

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# PERMIT AMENDMENT MAP

## T.3S. R.4W. SEC. 24 AND 25



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WELL 1 (YAMH 52363) IS LOCATED 1240 FEET WEST AND 600 FEET SOUTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

WELL 2 (YAMH 52360) IS LOCATED 1620 FEET WEST AND 500 FEET SOUTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

WELL 3 (YAMH 52362) IS LOCATED 12050 FEET WEST AND 1010 FEET SOUTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

SUBJECT OF PERMIT AMENDMENT WELL 4 (YAMH 52360) IS LOCATED 800 FEET WEST AND 450 FEET NORTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

UNDER APPLICATION No. G 15577 , PERMIT No. G 15281  
 LOCATED IN THE SOUTH OF THE NW CORNER SECTION 24 & 25, T3S, R4W, WM.  
 YAMHILL COUNTY, OREGON

MAP BASE:  
 TAX MAP S24/25 T3S R4W,  
 APPLICATION MAP, AND SKETCH  
 PROVIDED BY KEN WRIGHT SHOWING  
 WELL 4 LOCATION.

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

**Stuntzner**  
 Engineering  
 & Forestry, LLC

COOS BAY • FOREST GROVE • BROOKINGS

**Stuntzner Engineering & Forestry, LLC**

ENGINEERING • LAND SURVEYING • FORESTRY  
 PLANNING • WATER RIGHTS

2137 19TH AVENUE  
 FOREST GROVE, OREGON 97116

TEL: (503) 357-5717  
 FAX: (503) 357-5698  
 E-MAIL: INFO@STUNTZNER.COM

PROJECT: 3072067 KENWRIGHTCELLARS DATE: 6-22-07  
 DRAWING No.: 3072067 KWC WR.dwg DRAWN BY: C. VAN BUREN

10421

(1) OWNER: Well No. 1998  
Name DAVE GROOTERS  
Address 20500 SW EAGLE POINT RD  
City McMinnville St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 185 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Diam. From To Material From To Amount  
10 0 19 BENTONITE CHIP 0 19 12 SAX  
6 19 185  
Seal placement method POURED/PROBED  
Backfill: from \_\_\_ ft to \_\_\_ ft Material  
Gravel: from \_\_\_ ft to \_\_\_ ft Size

(6) CASING/LINER:  
Diam. From To Gauge Material Connection  
Casing 6 +1 19 .25 STEEL WELDED  
Liner 4 0 185 SDR26 PLASTIC WELDED  
Final Location of shoe(s) 19

(7) PERFORATIONS/SCREENS:  
 Perf. Method ELECTRIC SAW  
 Screens Type Material  
Slot Tele/pipe  
From To Size Number Diam. Size Casing/liner  
45 65 .1X7" 36 LINER  
165 185 .1X7" 36 LINER

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR  
Yield GPM Draw-down Drill stem Time  
9 \_\_\_\_\_ at 185 1 hr.  
9 \_\_\_\_\_ at 185 2  
Temperature of water 54 Depth Artesian Flow Found \_\_\_\_\_  
Was water analysis done? NO By whom \_\_\_\_\_  
Reason for water not suitable for use \_\_\_\_\_  
Depth of strata \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 3 S Range 4 W NM.  
Section 24 SW 1/4 SE 1/4  
Tax Lot R3425 Lot 200 Block Subdivision  
Street Address of Well (or nearest Address)  
WYA, NE BAYLISS RD CARLTON, OR

(10) STATIC WATER LEVEL:  
32 ft. below land surface. Date 09/15/00  
Artesian pressure \_\_\_\_\_ lb per square in. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 38  
From To Est Flow Rate SWL  
38 179 9.09 32

(12) WELL LOG:  
Material Ground elevation From To SWL  
TOP SOIL 0 3  
CLAY, RED/BROWN SANDY 3 13  
SANDSTONE, GRAY, COARSE 13 38  
SANDSTONE, GRAY, COARSE, OCC HARD LAYERS 38 179 32  
SILTSTONE, GRAY, SOFT 179 185

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878

WATER RESOURCES DEP  
SALEM, OREGON

Date started 09/15/00 Completed 09/15/00

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed *David L. Paysinger* WWC Number 1438  
Date 09/15/00

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10421

(1) OWNER: Well No. 2000  
Name DAVE GROOTERS  
Address 20500 SW EAGLE POINT RD  
City MCMINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 200 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Dian. From To Material From To Amount  
10 0 19 BENTONITE CHIP 0 19 12 SAX  
6 19 200

Seal placement method POURED/PROBED  
Backfill: from \_\_\_ ft to \_\_\_ ft Material  
Gravel: from \_\_\_ ft to \_\_\_ ft Size

(6) CASING/LINER:  
Dian. From To Gauge Material Connection  
Casing 6 +1 19 .25 STEEL WELDED

Liner 4 0 200 SDR26 PLASTIC WELDED

Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:  
 Perf. Method ELECTRIC SAW  
 Screens Type Material  
Slot  
From To Size Number Dian. Size Casing/liner  
40 60 .1X7" 36 \_\_\_\_\_ LINER  
180 200 .1X7" 36 \_\_\_\_\_ LINER

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR

Yield GPM	Draw-down	Drill stem at	Time
7	_____	200	1 hr.
6	_____	200	2

Temperature of water 54 Depth Artesian Flow Found \_\_\_\_\_  
Was water analysis done? YES By whom OWNER  
Reason for water not suitable for use \_\_\_\_\_  
Depth of strata \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 3 S Range 4 W WY.  
Section 25 NW 1/4 NE 1/4  
Tax Lot R3424 Lot 1600 Block Subdivision  
Street Address of Well (or nearest Address)  
NVA, NE BAYLISS RD CARLTON, OR

(10) STATIC WATER LEVEL:  
24 ft. below land surface. Date 09/18/00  
Artesian pressure \_\_\_\_\_ lb per square in. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 44  
From To Est Flow Rate SWL  
44 51 3-4 24  
145 146 2-3 24

(12) WELL LOG:  
Material Ground elevation From To SWL  
TOP SOIL 0 4  
CLAY, RED/BROWN, SANDY 4 13  
SANDSTONE, GRAY 13 44  
SANDSTONE, HARD/COARSE, SOME FRACTURING 44 51 24  
SANDSTONE, HARD/FINE 51 144  
SANDSTONE, VERY HARD/FINE 144 146 24  
CLAYSTONE, HARD GRAY 146 161  
SILTSTONE, HARD GRAY 161 181  
CLAYSTONE, SOFT GRAY 181 200

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878  
Date started 09/18/00 Completed 09/18/00

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed *David S. Paysinger* WWC Number 1438  
Date 09/18/00

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10421

(1) OWNER: Well No. 2001  
Name DAVE GROOTERS  
Address 20500 SW EAGLE POINT RD  
City MCMINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 375 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Dian. From To Material From To Amount  
10 0 21 BENTONITE CHIP 0 21 13 SAX  
6 21 375

Seal placement method POURED/PROBED  
Backfill: from \_\_\_ ft to \_\_\_ ft Material  
Gravel: from \_\_\_ ft to \_\_\_ ft Size

(6) CASING/LINER:  
Dian. From To Gauge Material Connection  
Casing 6 +2 28 .25 STEEL WELDED

Liner 4 0 375 SDR26 PLASTIC WELDED

Final Location of shoe(s) 28

(7) PERFORATIONS/SCREENS:  
 Perf. Method ELECTRIC SAW  
 Screens Type Material  
Slot Tele/pipe  
From To Size Number Dian. Size Casing/liner  
75 95 .1X7" 36 \_\_\_\_\_ LINER  
215 235 " " \_\_\_\_\_ LINER  
355 375 " " \_\_\_\_\_ LINER

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR  
Yield GPM Draw-down Drill stem at Time  
3.5 \_\_\_\_\_ 375 1 hr.  
3.5 \_\_\_\_\_ 300 4

Temperature of water 54F Depth Artesian Flow Found \_\_\_\_\_  
Was water analysis done? NO By whom \_\_\_\_\_  
Reason for water not suitable for use \_\_\_\_\_  
Depth of strata \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 3 S Range 4 W WM.  
Section 24 SW 1/4 SE 1/4  
Tax Lot R3425 Lot 200 Block Subdivision  
Street Address of Well (or nearest Address)  
MYA, NE BAYLISS RD CARLTON, OR

(10) STATIC WATER LEVEL:  
72 ft. below land surface. Date 09/19/00  
Artesian pressure \_\_\_\_\_ lb per square in. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 43  
From To Est Flow Rate SWL  
75 77 TRACE 72  
219 224 3-3.5 72

(12) WELL LOG:  
Material Ground elevation From To SWL  
TOP SOIL 0 3  
CLAY, RED/BROWN 3 13  
SANDSTONE, GRAY/COARSE 13 219  
SILTSTONE, HARD GRAY, STRATIPIED 219 224 72  
SANDSTONE, FINE, GRAY W/OCC HARD STRATS 224 289  
SILTSTONE, HARD GRAY 289 296  
SANDSTONE, HARD GRAY 296 352  
CLAYSTONE, BROWN/HARD 352 360  
SILTSTONE, GRAY 360 366  
CLAYSTONE, GRAY/SOFT/OILY 366 375

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878

Date started 09/18/00 Completed 09/19/00

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed *David H. Paysinger* WWC Number 1438  
Date 09/19/00

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WATER RESOURCES DEPT  
SALEM, OREGON

[ 1042 ]

(1) OWNER: Well No. 2360  
Name CGW LLC.  
Address POB 190  
City CARLTON St OR Zip 97111

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: DOMESTIC

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 360 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Diam. From To Material From To Amount  
10 0 98 BENTONITE CHIP 0 23 12 SAX  
6 98 360 CEMENT W/GEL 23 98 18 SAX  
Seal placement method C AND POURED  
Backfill: from \_\_\_ ft to \_\_\_ ft Material  
Gravel: from 135 ft to 360 ft Size 6X9 SAND

(6) CASING/LINER:  
Diam. From To Gauge Material Connection  
Casing 6 +2 98 .25 STEEL WELDED  
Liner 4 2 360 SDR26 PLASTIC WELDED  
Final Location of shoe(s) 98

(7) PERFORATIONS/SCREENS:  
[ ] Perf. Method  
[X] Screens Type MACH SLOT Material PVC  
Slot Tele/pipe  
From To Size Number Dian. Size Casing/liner  
150 190 40 \_\_\_ 4" PS \_\_\_ LINER  
270 284 40 \_\_\_ 4" PS \_\_\_ LINER  
344 360 40 \_\_\_ 4" PS \_\_\_ LINER

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR  
Yield GPM Draw-down Drill stem at Time  
19 \_\_\_ 360 1 hr.  
19 \_\_\_ 343 1  
Temperature of water 54F Depth Artesian Flow Found \_\_\_  
Was water analysis done? YES By whom BLUE  
Reason for water not suitable for use MINERAL/MUDDY  
Depth of strata 70

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 3 S Range 4 W WM.  
Section 24 SE 1/4 SE 1/4  
Tax Lot 1700 Lot Block Subdivision  
Street Address of Well (or nearest Address)  
11111 NE BAYLISS RD CARLTON, OR

(10) STATIC WATER LEVEL:  
101 ft. below land surface. Date 04/22/05  
Artesian pressure \_\_\_ lb per square in. Date \_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 70  
From To Est Flow Rate SWL  
70 72 TRACE NM  
155 342 19 101

(12) WELL LOG:  
Ground elevation 455  
Material From To SWL  
TOP SOIL 0 4  
CLAY, RED SANDY 4 28  
CLAY, RED/BROWN SANDY 28 75  
SANDSTONE, RED/BROWN WEATHERED 75 86  
SANDSTONE, GRAY 86 139  
SANDSTONE, GRAY W/HARD STRATS AND  
OCC STRATS OF HARD COMPACTED SAND 139 281 101  
SILTSTONE, BROWN/GRAY, THIN LAYER @ 281 281 101  
SANDSTONE, GRAY SOFTER W/OCC HARD STRATS 281 342 101  
SANDSTONE, GRAY SOFTER, FINER/DIRTIER 342 360

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878  
Date started 04/21/05 Completed 04/22/05

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed *David L. Paysinger* WWC Number 1438  
Date 04/23/05

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ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT SECOND COPY - CONSTRUCTOR THIRD COPY - CUSTOMER 9809C 10/91

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WATER RESOURCES DEPT  
SALEM, OREGON

10421

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KEN WRIGHT; KEN WRIGHT CELLARS  
PO BOX 190  
CARLTON, OREGON 97111

(503) 852-7070

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

APPLICATION FILE NUMBER: G-15577

SOURCE OF WATER: THREE WELLS IN HAWN CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 103.73 ACRES

MAXIMUM RATE: NOT TO EXCEED 0.067 CUBIC FOOT PER SECOND (30 GALLONS PER MINUTE) COMBINED FROM THE THREE WELLS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 8, 2001

WELL LOCATIONS:

- WELL 1 - SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R4W, W.M.; 600 FEET SOUTH & 1240 FEET WEST FROM NW CORNER, W JAMES GREEN DLC 77
- WELL 2 - SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 24, T3S, R4W, W.M.; 500 FEET SOUTH & 1620 FEET WEST FROM NW CORNER, W JAMES GREEN DLC 77
- WELL 3 - NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 25, T3S, R4W, W.M.; 1010 FEET SOUTH & 2050 FEET WEST FROM NW CORNER, W JAMES GREEN DLC 77

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:

NE ¼ SE ¼ 12.35 ACRES  
NW ¼ SE ¼ 12.35 ACRES  
SW ¼ SE ¼ 33.86 ACRES  
SE ¼ SE ¼ 26.81 ACRES  
SECTION 24

NW ¼ NE ¼ 12.71 ACRES  
SW ¼ NE ¼ 1.06 ACRES  
NE ¼ NW ¼ 3.53 ACRES  
SE ¼ NW ¼ 1.06 ACRES  
SECTION 25

TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. 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.

The combined withdrawal from three wells shall not exceed 30 gallons per minute (0.067 cfs).

**STANDARD CONDITIONS**

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.

The wells 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.

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

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.

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 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.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 December 20, 2002

  
Paul R. Cleary, Director  
Water Resources Department

**REAL ESTATE TRANSACTIONS:** Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

**CULTURAL RESOURCES PROTECTION LAWS:** Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

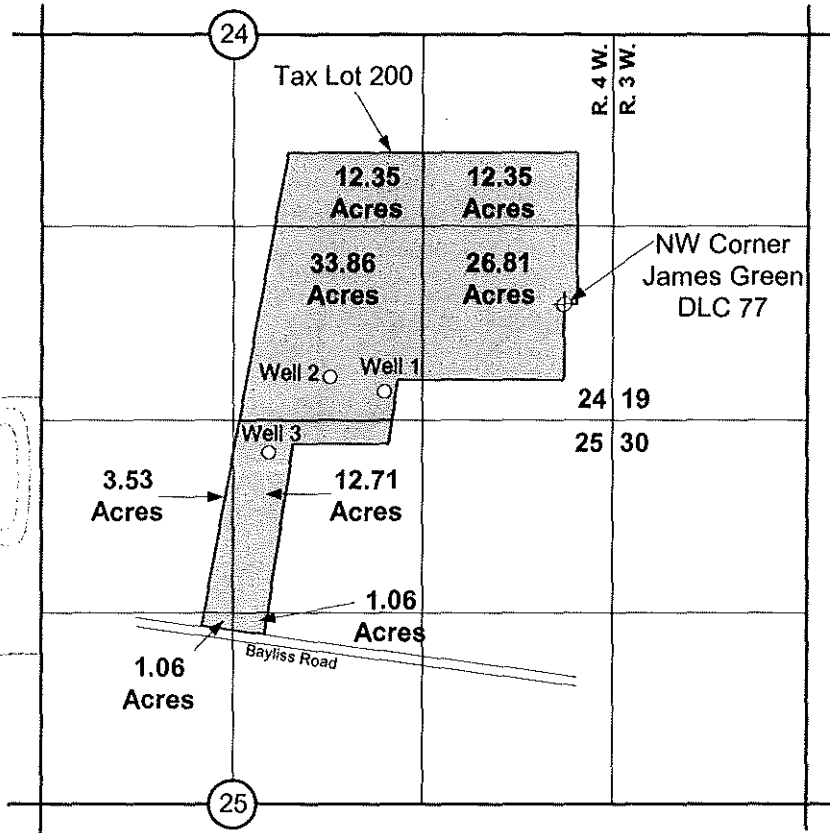
Application G-15577  
Basin 02  
KL

Water Resources Department  
Volume 12A YAMHILL R MISC

PERMIT G-15281  
District 16

# T.3S. R.4W. Sec. 24 and 25


Application G15577  
Permit G15281



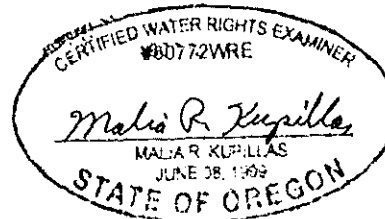
Well 1 (YAMH 52363) is located 1240 feet west and 600 feet south of the NW corner W. James Green DLC No. 77.

Well 2 (YAMH 52360) is located 1620 feet west and 500 feet south of the NW corner W. James Green DLC No. 77.

Well 3 (YAMH 52362) is located 2050 feet west and 1010 feet south of the NW corner W. James Green DLC No. 77.

 Area to be irrigated

Scale: 1" = 1,320'



EXPIRATION DATE: 6/30/03

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



Pacific Hydro-Geology Inc.

Permit Application Map for Groundwater Rights

CGW, L.L.C.  
T.3S. R.4W. Sec. 24 and 25, TL 200

# MEMO

February 24, 2009

TO: File G-15577 and T-10421

FROM:  Mike McCord, District 16 Watermaster

RE: Measuring Device Requirement

On or about January 22, 2009 I spoke with Mark Gould of Ken Wright Cellars. The question he asked me dealt with the measuring device condition for Transfer 10421. This transfer required that a measuring device be installed for POA number 4 which was added as a result of this transfer. The original permit ( G-15281) did not require that measuring devices be installed prior to the use of water. Instead, it states generally that they may be required in the future.

Mr. Gould informed me today that a measuring device has been installed on the main distribution line that is fed from all four wells authorized by the permit and transfer. If it is verified during the FPS that the device is installed and operational I believe that condition of the transfer has been satisfied. I also believe this would satisfy the measuring device condition on the permit should it be ordered in the future.



# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

December 31, 2008

KEN WRIGHT CELLARS  
ATTN: KEN WRIGHT  
PO BOX 190  
CARLTON OR 97111

Reference: Permit Amendment Transfer 10421

Enclosed is a copy of the order approving your Permit Amendment transfer application.

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE CONDITIONS OUTLINED IN THE ORDER. All other terms and conditions of the permit remain the same.

If you have any questions, please call the Transfer Section, (503)986-0900.

Sincerely,

Sarah Henderson  
Executive Support

cc: Watermaster #16  
Eric Ustadt, Agent

Enclosure



**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	¼ ¼	Location
3 S	4 W	WM	24	SW SE	Well 1 – 600 feet South and 1240 feet West from the NW corner of the W. James Green DLC 77
3 S	4 W	WM	24	SW SE	Well 2 – 500 feet South and 1620 feet West from the NW corner of W. James Green DLC 77
3 S	4 W	WM	25	NW NE	Well 3 – 1010 feet South and 2050 feet West from the NW corner of W. James Green DLC 77

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
3 S	4 W	WM	24	NE SE	12.35
3 S	4 W	WM	24	NW SE	12.35
3 S	4 W	WM	24	SW SE	33.86
3 S	4 W	WM	24	SE SE	26.81
3 S	4 W	WM	25	NW NE	12.71
3 S	4 W	WM	25	SW NE	1.06
3 S	4 W	WM	25	NE NW	3.53
3 S	4 W	WM	25	SE NW	1.06
<b>TOTAL:</b>					<b>103.73</b>

- Application T-10421 proposes to add a point of appropriation to the permit which is located between approximately 1125 feet and 1925 feet northeast from the original points of appropriation and is described as follows:

Twp	Rng	Mer	Sec	¼ ¼	Tax Lot	Location
3 S	4 W	WM	24	SW SE	200	Well 4 – 450 feet North and 800 feet West from the NW corner of W. James Green DLC 77

- Notice of the application for the permit amendment was published in the Department's weekly notice on July 3, 2007, and in the *News-Register* newspaper on October 28, November 4 and November 11, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
- The change would not result in injury to other water rights.
- If conditioned to limit the combined quantity of water appropriated at the proposed well and the original authorized wells to that quantity of water lawfully available at the original authorized wells, the change will not enlarge the permit.
- The change does not alter any other terms of the permit.

**Conclusions of Law**

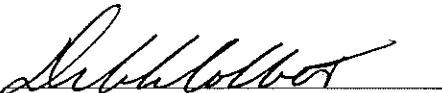
The additional point of appropriation proposed by Permit Amendment Application T-10421 is consistent with the requirements of ORS 537.211.

**Now, therefore, it is ORDERED:**

The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. Prior to diverting water from the new point of appropriation, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted from the new point of appropriation. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
3. Water shall be acquired from the same ground water source as the original points of appropriation.
4. All other terms and conditions of Permit G-15281 remain the same.
5. Permit G-15281, in the name of Ken Wright; Ken Wright Cellars, is amended as described herein.

Dated at Salem, Oregon this 12<sup>th</sup> day of December, 2008.

  
Phillip C. Ward, Director

Mailing Date: DEC 01 2009

## Permit Amendment Checklist

Permit Amendment: **T-10421**

Transfer Specialist: **Lisa Jaramillo**

Permit Amendment Type: **APOA**

Applicant Name/Address: Ken Wright Cellars, PO Box 190, Carlton, OR 97111

*Attn: Ken Wright*

Agent Name/Address: Eric Urstadt, Stuntzner Eng. & Forestry, 2137 19<sup>th</sup> Ave., Forest Grove, OR 97116

CWRE Name/Number: **NONE**

Rec Landowner Name/Address: **NONE**

Irr. District Name/Address: **NONE**

Affected Govt's Name/Address: Yamhill County

Commentors Name/Address: **NONE**

### Permits Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Permit "C" Date
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>G-15577</b>	<b>G-15281</b>	<b>October 1, 2012</b>

### Key Dates & Initial Actions

Rec'd: 6-28-07	Proposed Action: APOA	
Fees Pd: 350.00	WM District: 16	ODFW District: N/A
Initial Notice: 7-3-07	WM Review sent: 7-2-07	ODFW Review sent: N/A
Acknowledgement Letter Sent: <input checked="" type="checkbox"/>		GW Review sent: 7-2-07

### Processing Dates & Actions

Deficiency Contacts: _____	Newspaper Publication Required? <b>YES</b> <del>NO</del>
	Affidavit of Publication Due: _____
Affidavit of Publication Rec'd: <b>11-21-08</b>	Affidavit Reminder Sent: _____
Last Day Published: <b>11-11-2008</b>	
Reminder Deadline:	

### Final Order

- Electronic Files uploaded       File Assigned/ ModPod updated  
 Newspaper Notice Cover letter       Fee Refund Due  
 Newspaper Notice

<del><b>Draft Order Review (Optional)</b></del>	<b>Final Order Review (Salem)</b>
<del>Reviewer: _____</del>	Reviewer: <b>[Signature]</b> <b>12-11-08</b>
<del>Date: _____</del>	Date: _____
<del>Coordinator: _____</del>	Coordinator: _____
<del>Date: _____</del>	Date: _____

Comments/Special Issues: Proposed Well is located between 1125 and 1925 feet NE from existing wells. Newspaper Notice **REQUIRED**.

\* **Conditioned to limit combined quantity of water from New & Orig Wells to no more than was allowed for the Orig Wells.**

Special Order Volume: Vol: **76**, Pages **946**      Final Order Signature Date: **12-12-08**

Notice of FO e-mailed to processors: **Lisa**

“EXHIBIT A”

# News-Register

KEEPING YOU CONNECTED

611 NE Third Street • (503) 472-5114 • www.NewsRegister.com

## AFFIDAVIT OF PUBLICATION

STATE OF OREGON } ss.  
County of Yamhill

I, Roxanne Aki, being first duly sworn, depose and say that I am the Legal Clerk, of the NEWS-REGISTER, a newspaper of general circulation as defined by O.R.S. 193.010 and O.R.S. 193.020 published three times each week at McMinnville, County of Yamhill, State of Oregon, and that the Ken Wright Cellars – Public Notice – Notice of Permit Amendment T-10421 – a printed copy of which is here to annexed and marked Exhibit “A”, was Published in the Entire Issue of said issue(s) Tuesday 10/28, 11/4, 11/11, 2008.

Subscribed and sworn before me this Friday, November 14, 2008.

Roxanne Aki

Eleanor P. Williams

Notary Public for Oregon  
My Commission Expires 08/23/11

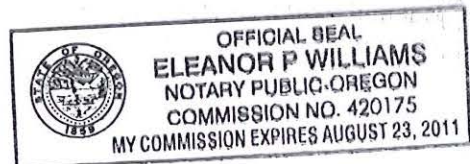
RECEIVED

NOV 21 2008

WATER RESOURCES DEPT  
SALEM, OREGON

### Notice of Permit Amendment T-10421

T-10421 filed by Ken Wright Cellars, PO Box 190, Carlton, OR 97111, proposes an additional point of appropriation under Permit G-15281. The permit allows the use of 0.067 cfs (priority date August 8, 2001) from three wells in Sec. 24 and 25, T 3S, R 4W, W.M. (Hawn Creek Basin) for irrigation in Sec. 24 and 25. The applicant proposes to add a point of appropriation (Sec. 24, T3S, R4W, W.M.) located between approximately 1125 feet and 1925 feet northeast from the original points of appropriation. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is November 11, 2008.





November 19, 2008

Lisa Jaramillo  
Water Resources Department  
North Mall Office Bldg  
725 Summer St. NE, Ste. A  
Salem, OR 97301-1266

Dear Ms. Jaramillo:

Enclosed please find the Affidavit of Publication for the notice of the permit amendment. Thank you for your patience while we obtained it. We appreciate all your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Angela Rhoads', is written in a cursive style.

Angela Rhoads  
Ken Wright Cellars  
PO Box 190  
Carlton, OR 97111  
503-852-7070  
angela@kenwrightcellars.com

RECEIVED  
NOV 21 2008  
WATER RESOURCES DEPT  
SALEM, OREGON



# Oregon

Theodore R. Kulongoski, Governor

T-10421

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

July 30, 2008

Attn:  
Ken  
Wright  
on all correspondence

KEN WRIGHT CELLARS  
PO BOX 190  
CARLTON, OR 97111

REFERENCE: Permit Amendment Application T-10421

Enclosed, please find a *draft* Final Order regarding Permit Amendment Application T-10421. The document reflects the Department's conclusion that, based on the information currently available, the permit amendment will be approved. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the permit amendment.

Additionally, because the new point of appropriation (well) is more than ¼ mile from the authorized points of appropriation, the applicant is responsible for publishing notice of the permit amendment in a local newspaper having a general circulation in the area of the water use permit. The permit amendment notice must be published in a local newspaper in the general area of the permit (newspapers with statewide circulation such as the Capital Press, Journal of Commerce, etc. do not qualify). **The notice must be published at least once a week for three consecutive weeks.** A copy of the required notice is enclosed for your use. Please have the newspaper insert the appropriate final date of publication in the place indicated in the notice.

**After publication, the Department needs to receive an affidavit specifying the dates the notice was published.** Please request the affidavit of publication from the newspaper following publication and send it to me, Lisa Jaramillo, at the address at the top of the page. The affidavit of publication should be submitted to the Department by **Monday, September 15, 2008**.

Payment of the cost of publication is your responsibility; please contact the Water Resources Department.

Upon receipt of the affidavit, processing will continue on the permit application.

Please feel free to contact me at 503-986-0880 or [Lisa.J.Jaramillo@odfw.org](mailto:Lisa.J.Jaramillo@odfw.org)

Sincerely,

Lisa J. Jaramillo  
Transfer Specialist  
Field Services Division

cc: T-10421  
Mike McCord, Watermaster District #16  
Eric Urstadt, Stuntzner Engineering & Forestry, 2137 19<sup>th</sup> Avenue, Forest Grove, OR 97116

9-12-08  
Spoke w/ Ken Wright  
RE: Newspaper Notice.  
He had not seen my  
July 30, 2008 draft FO.  
So sent him a copy  
today 9-12-08.  
- Allowing more time to  
get newspaper notice done.  
- check status 10-15-08.  
- Lisa J.

enc



### Notice of Permit Amendment T-10421

T-10421 filed by Ken Wright Cellars, PO Box 190, Carlton, OR 97111, proposes an additional point of appropriation under Permit G-15281. The permit allows the use of 0.067 cfs (priority date August 8, 2001) from three wells in Sec. 24 and 25, T 3S, R 4W, W.M. (Hawn Creek Basin) for irrigation in Sec. 24 and 25. The applicant proposes to add a point of appropriation (Sec. 24, T3S, R4W, W.M.) located between approximately 1125 feet and 1925 feet northeast from the original points of appropriation. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is *[DATE OF LAST PUBLICATION]*.

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Permit Amendment            )    DRAFT FINAL ORDER  
T-10421, Yamhill County                    )    APPROVING AN ADDITIONAL  
  )    POINT OF APPROPRIATION

**Authority**

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

KEN WRIGHT CELLARS  
PO BOX 190  
CARLTON, OR 97111

**Findings of Fact**

**Background**

1. On June 28, 2007, Ken Wright of Ken Wright Cellars filed an application to add a point of appropriation under Permit G-15281 (Application G-15577). The Department assigned the application number T-10421.

2. The permit to be amended is as follows:

- Permit:** G-15281 (Application G-15577), in the name of KEN WRIGHT; KEN WRIGHT CELLARS
- Use:** IRRIGATION of 103.73 ACRES
- Priority Date:** AUGUST 8, 2001
- Source:** THREE WELLS in the HAWN CREEK BASIN
- Quantity:** NOT TO EXCEED A COMBINED TOTAL OF 0.067 CUBIC FOOT PER SECOND (CFS), or 30.0 gallons per minute, FROM THE THREE WELLS
- Rate/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre (or its equivalent) for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

**Date of Complete Application of Water:**    October 1, 2012

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	¼ ¼	Location
3 S	4 W	WM	24	SW SE	<b>Well 1</b> – 600 feet South and 1240 feet West from the NW corner of the W. James Green DLC 77
3 S	4 W	WM	24	SW SE	<b>Well 2</b> – 500 feet South and 1620 feet West from the NW corner of W. James Green DLC 77
3 S	4 W	WM	25	NW NE	<b>Well 3</b> – 1010 feet South and 2050 feet West from the NW corner of W. James Green DLC 77

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
3 S	4 W	WM	24	NE SE	12.35
3 S	4 W	WM	24	NW SE	12.35
3 S	4 W	WM	24	SW SE	33.86
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3 S	4 W	WM	25	SW NE	1.06
3 S	4 W	WM	25	NE NW	3.53
3 S	4 W	WM	25	SE NW	1.06
<b>TOTAL:</b>					<b>103.73</b>

- Application T-10421 proposes to add a point of appropriation to the permit which is located between approximately 1125 feet and 1925 feet northeast from the original points of appropriation and is described as follows:

Twp	Rng	Mer	Sec	¼ ¼	Tax Lot	Location
3 S	4 W	WM	24	SW SE	200	<b>Well 4</b> – 450 feet North and 800 feet West from the NW corner of W. James Green DLC 77

- Notice of the application for the permit amendment was published in the Department's weekly notice on July 3, 2007, and in the \_\_\_\_\_ newspaper on \_\_\_\_\_ and \_\_\_\_\_, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
- The change would not result in injury to other water rights.
- If conditioned to limit the combined quantity of water appropriated at the proposed well and the original authorized wells to that quantity of water lawfully available at the original authorized wells, the change will not enlarge the permit.
- The change does not alter any other terms of the permit.

## Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-10421 is consistent with the requirements of ORS 537.211.

### Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. Prior to diverting water, the water user shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring devices as required by the Department.
3. Water shall be acquired from the same ground water source as the original points of appropriation.
4. All other terms and conditions of Permit G-15281 remain the same.
5. Permit G-15281, in the name of Ken Wright; Ken Wright Cellars, is amended as described herein.

Dated at Salem, Oregon this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**DRAFT**

\_\_\_\_\_  
Phillip C. Ward, Director

*Mailing Date:* \_\_\_\_\_

*Kim Branch  
per Amen*



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271  
(503) 986-0900  
www.wrd.state.or.us

## Watermaster Review Form: Water Right Transfer

Transfer Application: T-10421

Review Due Date: 8/1/07

Applicant Name: Ken Wright Cellars

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Mlm

Date of Review: Jul. 17, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?  
 Yes  No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: \_\_\_\_\_
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights?  Yes  No Generally characterize the frequency of any regulation or explain why regulation has not occurred: \_\_\_\_\_
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right?  If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: \_\_\_\_\_
4. Are there upstream water rights that would be affected by the proposed change?  
 Yes  No If "Yes", describe how the rights would be affected and list the rights most affected: \_\_\_\_\_
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach?  If you check the box, describe and, if possible, estimate the losses: NA
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?  
 Yes  No If "Yes", explain: \_\_\_\_\_
7. For POU changes, would the original place of use continue to receive water from the same source?  Yes  No  N/A If "Yes", explain: \_\_\_\_\_
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?  Yes  No If "Yes", explain: \_\_\_\_\_
9. Are there other issues not identified through the above questions?  Yes  No If "Yes", explain: \_\_\_\_\_
10. What alternatives may be available for addressing any issues identified above: \_\_\_\_\_

11. Have headgate notices been issued for the source that serves the right?  Yes  No
12. What water control and measurement conditions should be included in the transfer:

<b>Measurement Devices</b>	<input checked="" type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

*Interoffice Memorandum*

July 11, 2008

**To:** Water Rights  
**From:** Josh Hackett  
**Subject:** Ground Water Review of Permit Amendment T-10421

**Findings**

The additional POA (YAMH 54089) will produce from the same aquifer as the authorized points of appropriation.

The transfer is unlikely to result in injury to existing rights.

**Discussion**

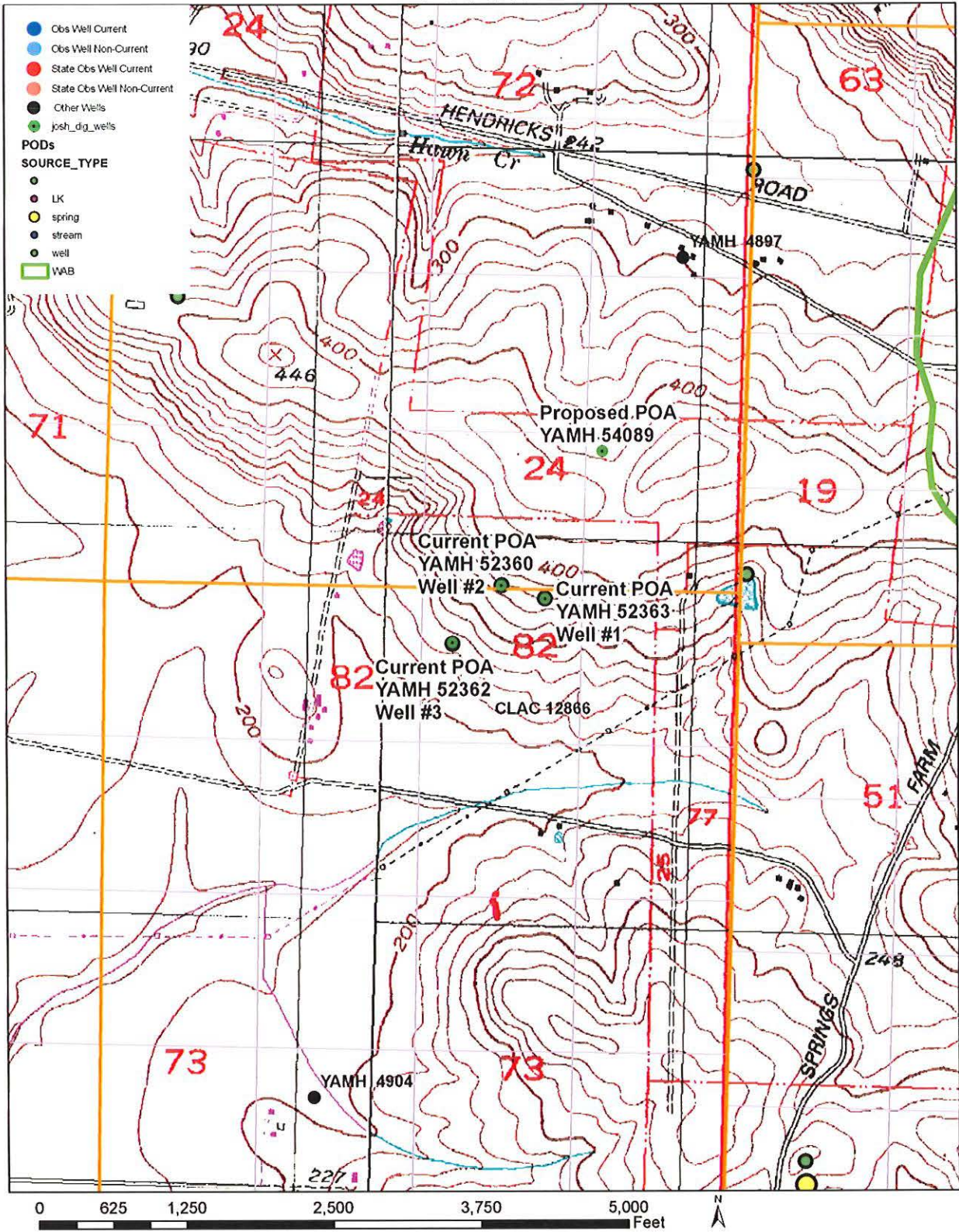
This application proposes an addition of a point of appropriation (POA) to permit G-15281. Wells YAMH 52363, YAMH 52360, and YAMH 52362 are the authorized points of appropriation on permit G-15281. The applicant is requesting an amendment to add a fourth POA (YAMH 54089) to the permit. The current POAs (YAMH 52363, YAMH 52360, and YAMH 52362) are 375, 185, and 200 feet deep and produce from Tertiary marine sediments.

The proposed POA (YAMH 54089) is 360 feet deep and also produces from Tertiary marine sediments. YAMH 54089 is located approximately 1/4 mile from the current POAs.

Because YAMH 54089 is in close proximity to, and produces from the same aquifer as, the current POAs, this permit amendment is not likely to result in injury to existing water rights.

# Well Location Map

T-10421





# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

### INTEROFFICE MEMO

TO: TRANSFER SECTION DATE: 7-3-07

FROM: X WATERMASTER, DISTRICT # \_\_\_\_\_  
GROUNDWATER SECTION

(SIGNATURE) [Signature] date signed 7/11/08

SUBJECT: PERMIT AMENDMENT # 10421

A change in: POU POD APOA of water.

In the name(s) of Ken Wright Cellars

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

\*The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The existing right may not be valid because \_\_\_\_\_  
\_\_\_\_\_

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) \_\_\_\_\_

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- \_\_\_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .
- \_\_\_\_\_ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

July 2, 2007

KEN WRIGHT CELLARS  
PO BOX 190  
CARLTON OR 97111

Reference: Permit Amendment T- 10421

On June 28, 2007 we received your request for permit amendment. The application was accompanied by \$350.00. Our receipt 88391 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until we issue a final order approving the application.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #16  
Groundwater  
Eric Urstadt, Agent

enclosure

# **ORIGINALS**

**Transfer Application and Map**

**Amendments/Revisions to Appl & Map**

**Receipt**

**Deed or Lot Book Report**

**Notarized Consent**

**Evidence of Use Affidavit**

**Land Use Information Form**

**Lien Holder Notification *(if applicable)***

**Report of Ownership and Lien Info *(if applicable)***

**&**

**Other Supporting Documentation**



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF APPLICATION

Please check **one** of the following:

- Permit Amendment       Ground Water Registration Modification

## 2. APPLICANT INFORMATION

Name: KEN WRIGHT CELLARS  
First Last

Address: P. O. Box 190

CARLTON OR 97111  
City State Zip

Phone: 503-852-7070  
Home Work Other

Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

## 3. AGENT INFORMATION

*(The agent listed is authorized to represent the applicant in all matters relating to this application.)*

Name: ERIC URSTADT, STUNTZNER ENGINEERING & FORESTRY  
First Last

Address: 2137 19<sup>TH</sup> AVENUE

FOREST GROVE OR 97116  
City State Zip

Phone: 503-357-5717  
Home Work Other

Fax: 503-357-5798 E-Mail address: ericurstadt@stuntzner.com

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- If an agent is listed above, please check **one** of the following:
  - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**
  - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

**Permit Amendments**

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**Ground Water Registration Modifications**

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED**

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the amendment or modification.)  <input checked="" type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.)  <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.)	<input type="checkbox"/> <b>All of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at the current authorized location will be discontinued.)  <input type="checkbox"/> <b>Only a portion of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p><b>Change existing authorized use to the following proposed <u>new</u> use:</b></p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): Wells 1-3 did not provide needed capacity,  
and a fourth well was drilled.

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**5. CURRENT PERMIT OR REGISTRATION INFORMATION**

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

<input checked="" type="checkbox"/>	Permit to be Amended:	<u>G-15281</u> <small>Permit Number</small>	<u>Oct. 1, 2007</u> <small>Current Completion Date of Permit</small>
<input type="checkbox"/>	Ground Water Registration to be Modified:	_____ <small>Ground Water Registration Number</small>	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: Ken Wright Cellars
- County: Yamhill
- Authorized Use(s) to be affected by this Amendment/Modification: Irrigation

- Priority Date(s): Aug. 8, 2001

*If there are **multiple Priority Dates** identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: \_\_\_\_\_  
Hawn Creek Basin

Tributary to: Hawn Creek

*If there are **multiple Sources** listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For an application proposing a Change in Place of Use or Character of Use:**

- Are there any other “Layered” Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified?  Yes  No  N/A -No Change in Use or Place of Use

If “Yes”, pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other “layered” water uses subject to transfer **must either change concurrently or be cancelled**, except as provided in OAR 690-380-2240(5).

- Remarks: N/A

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- The following information **must be provided only** for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A								

- Does the permit/registration being amended/modified involve a ground water source(s)?
  - Yes
  - No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

**or**

- B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A									
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**6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION**

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Point(s) of Diversion or Appropriation:** (i.e., the "TO" point(s) of diversion/appropriation)  
 (NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
YAMH 52360	3S	4W	WM	24	SW SE	200	800 FT WEST AND 450 FT NORTH OF NW CORNER DLC # 77 (JAMAS GREEN)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

If "No", describe the anticipated construction for the proposed well(s) in the following table:

**Construction of Proposed Point(s) of Appropriation or Well(s):**

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A										

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**7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS**

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district?  Yes  No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification?  Yes  No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency?  Yes  No

*If "Yes", for any of the above, list the name and mailing address of the district and/or agency:*

N/A

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- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

N/A

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**8. PERMIT HOLDER OF RECORD**

*This section is to be completed only for Permit Amendment applications.*

*N/A – This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record?  Yes  No

*If "No", the applicant must either:*

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

**or**

B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

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9. LAND OWNERSHIP

**If for a Permit Amendment proposing a Change in Place of Use:**

- Does the permit holder of record own or control the land **TO** which the place of use is being moved?  Yes  No

*If "No", the owner of the land **TO** which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment.*

- Check one of the following:
  - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

**If for a Ground Water Registration Modification:**

- Does the applicant own the lands **FROM** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

Names of Current Landowner(s): \_\_\_\_\_

First

Last

Address: \_\_\_\_\_

City

State

Zip

- Does the applicant own the lands **TO** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

Names of Receiving Landowner(s): \_\_\_\_\_

First

Last

Address: \_\_\_\_\_

City

State

Zip

- Check one of the following:
  - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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## 10. ATTACHMENTS

*Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.*

### Map:

- A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

### Land Use Information Form:

- Enclosed; *or*
- Not required if **all** of the following are met:
- ① In EFU zone or irrigation district;
  - ② Change in place of use only;
  - ③ No structural changes needed, including diversion works, delivery facilities, other structures; *and*
  - ④ Irrigation only.

### Water Well Reports/Well Logs:

- The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

### Fees:

- Amount enclosed: \$ \_\_\_\_\_  
See the Department's Fee Schedule at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) or call (503) 986-0900.

### For Permit Amendments Only...

#### Request for Assignment:

- Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.  
*The Request for Assignment form is available online at: [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) ; **or***
- N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is *not* the permit holder of record but *is* supplying an Affidavit of Consent from the permit holder.

#### Affidavit of Consent:

- Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; *or*
- N/A. Not required because the applicant is the permit holder of record.

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**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**11. SIGNATURES**

- **For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:**

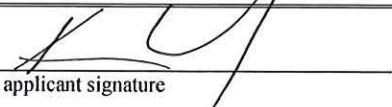
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is **not both** the person named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then **either** of the following must be provided:
  - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; **or**
  - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- **For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.**

 applicant signature	Ken Wright name (print)	6.26.07 date
 applicant signature	 name (print)	 date

110421

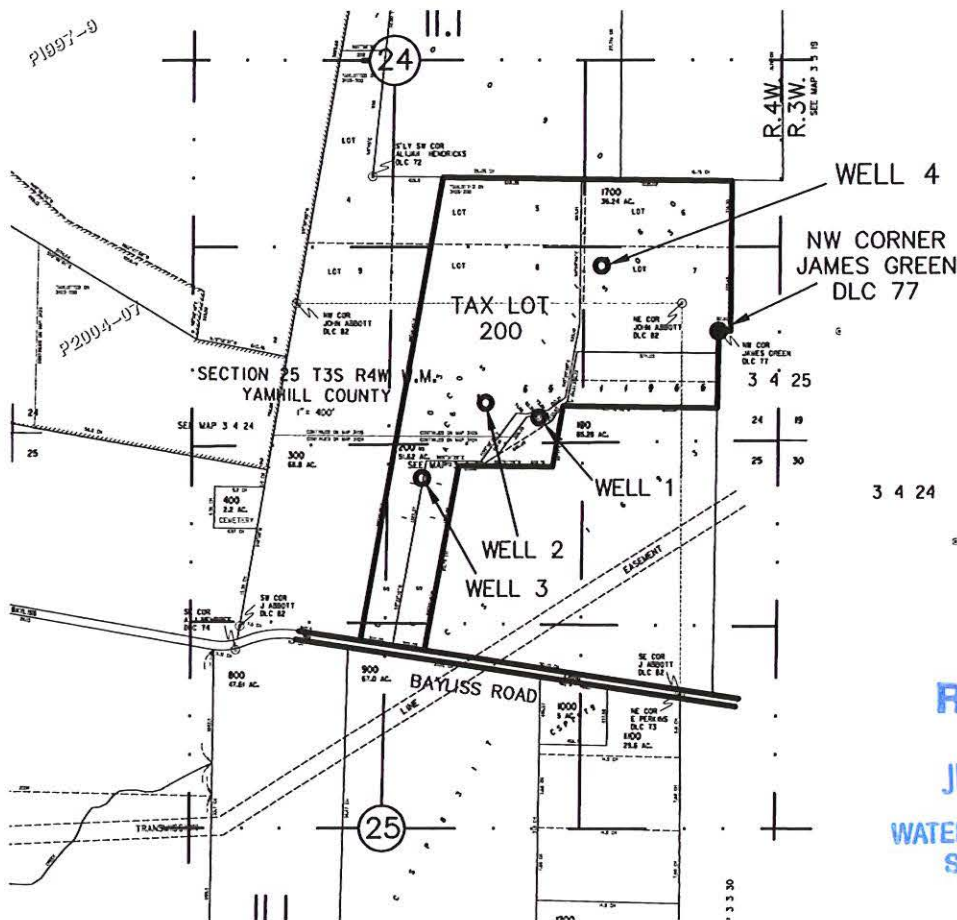
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# PERMIT AMENDMENT MAP

## T.3S. R.4W. SEC. 24 AND 25



WELL 1 (YAMH 52363) IS LOCATED 1240 FEET WEST AND 600 FEET SOUTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

WELL 2 (YAMH 52360) IS LOCATED 1620 FEET WEST AND 500 FEET SOUTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

WELL 3 (YAMH 52362) IS LOCATED 12050 FEET WEST AND 1010 FEET SOUTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

SUBJECT OF PERMIT AMENDMENT WELL 4 (YAMH 52360) IS LOCATED 800 FEET WEST AND 450 FEET NORTH OF THE NW CORNER W. JAMES GREEN DLC No. 77.

UNDER APPLICATION No. G 15577 , PERMIT No. G 15281  
LOCATED IN THE SOUTH OF THE NW CORNER SECTION 24 & 25, T3S, R4W, WM.  
YAMHILL COUNTY, OREGON

MAP BASE:  
TAX MAP S24/25 T3S R4W,  
APPLICATION MAP, AND SKETCH  
PROVIDED BY KEN WRIGHT SHOWING  
WELL 4 LOCATION.

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



**Stuntzner Engineering & Forestry, LLC**  
ENGINEERING • LAND SURVEYING • FORESTRY  
PLANNING • WATER RIGHTS

COOS BAY • FOREST GROVE • BROOKINGS

2137 19TH AVENUE  
FOREST GROVE, OREGON 97116

TEL: (503) 357-5717  
FAX: (503) 357-5698  
E-MAIL: INFO@STUNTZNER.COM

PROJECT: 3072067 KENWRIGHTCELLARS DATE: 6-22-07  
DRAWING No.: 3072067 KWC WR.dwg DRAWN BY: C. VAN BUREN

T 10421

(1) OWNER: Well No. 1998  
Name DAVE GROOTERS  
Address 20500 SW EAGLE POINT RD  
City MCMINNVILLE St OR Zip 97128

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 3 S Range 4 W MN.  
Section 24 SW 1/4 SE 1/4  
Tax Lot R3425 Lot 200 Block Subdivision  
Street Address of Well (or nearest Address)  
MYA, WE BAYLISS RD CARLTON, OR

(2) TYPE OF WORK: NEW WELL  
(3) DRILL METHOD: ROTARY AIR  
(4) PROPOSED USE: IRRIGATION

(10) STATIC WATER LEVEL:  
32 ft. below land surface. Date 09/15/00  
Artesian pressure \_\_\_ lb per square in. Date \_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 185 ft  
Explosives used NO Type Amount

HOLE		SEAL		Amount	
Diam.	From To	Material	From To		
10	0 19	BENTONITE CHIP	0 19	12	SAX
6	19 185				

(11) WATER BEARING ZONES:  
Depth at which water was first found 38

From	To	Est Flow Rate	SWL
38	179	9.09	32
___	___	___	___
___	___	___	___

Seal placement method POURED/PROBED  
Backfill: from \_\_\_ ft to \_\_\_ ft Material  
Gravel: from \_\_\_ ft to \_\_\_ ft Size

(12) WELL LOG:

Material	Ground elevation		SWL
	From	To	
TOP SOIL	0	3	
CLAY, RED/BROWN SANDY	3	13	
SANDSTONE, GRAY, COARSE	13	38	
SANDSTONE, GRAY, COARSE, OCC HARD LAYERS	38	179	32
SILTSTONE, GRAY, SOFT	179	185	

(6) CASING/LINER:

Casing	Diam.	From To	Gauge	Material	Connection
6	4	+1 19	.25	STBBL	WELDED

Liner	Diam.	From To	Material	Connection
4	4	0 185	SDR26 PLASTIC	WELDED

Final Location of shoe(s) 19

(7) PERFORATIONS/SCREENS:

From	To	Slot Size	Number	Diam.	Material	Tele/pipe Size	Casing/liner
45	65	.1X7"	36				LINER
165	185	.1X7"	36				LINER

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878  
Date started 09/15/00 Completed 09/15/00

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(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR

Yield GPM	Draw-down	Drill stem at	Time
9		185	1 hr.
9		185	2

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

Temperature of water 54 Depth Artesian Flow Found \_\_\_  
Was water analysis done? NO By whom \_\_\_  
Reason for water not suitable for use \_\_\_  
Depth of strata \_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed *David P. Paysinger* WWC Number 1438  
Date 09/15/00

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OCT 13 2000

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SALEM, OREGON

T 10421

(1) OWNER: Well No. 2000  
Name DAVE GROOTERS  
Address 20500 SW EAGLE POINT RD  
City MCMINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL  
(3) DRILL METHOD: ROTARY AIR  
(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 200 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Dian. From To Material From To Amount  
10 0 19 BENTONITE CHIP 0 19 12 SAX  
6 19 200

Seal placement method POURED/PROBED  
Backfill: from \_\_\_ ft to \_\_\_ ft Material  
Gravel: from \_\_\_ ft to \_\_\_ ft Size

(6) CASING/LINER:  
Dian. From To Gauge Material Connection  
Casing 6 +1 19 .25 STEEL WELDED  
Liner 4 0 200 SDR26 PLASTIC WELDED  
Final Location of shoe(s) NO SHOE

(7) PERFORATIONS/SCREENS:  
 Perf. Method ELECTRIC SAW  
 Screens Type Material  
Slot Tele/pipe  
From To Size Number Dian. Size Casing/liner  
40 60 .1X7" 36 \_\_\_\_\_ LINER  
180 200 .1X7" 36 \_\_\_\_\_ LINER

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR  
Yield GPM Draw-down Drill stem at Time  
7 \_\_\_\_\_ 200 1 hr.  
6 \_\_\_\_\_ 200 2  
Temperature of water 54 Depth Artesian Flow Found \_\_\_\_\_  
Was water analysis done? YES By whom OWNER  
Reason for water not suitable for use \_\_\_\_\_  
Depth of strata \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 3 S Range 4 W WN.  
Section 25 NW 1/4 NE 1/4  
Tax Lot R3424 Lot 1600 Block Subdivision  
Street Address of Well (or nearest Address)  
NYA, NE BAYLISS RD CARLTON, OR

(10) STATIC WATER LEVEL:  
24 ft. below land surface. Date 09/18/00  
Artesian pressure \_\_\_\_\_ lb per square in. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 44  
From To Est Flow Rate SWL  
44 51 3-4 24  
145 146 2-3 24

(12) WELL LOG:  
Material Ground elevation From To SWL  
TOP SOIL 0 4  
CLAY, RED/BROWN, SANDY 4 13  
SANDSTONE, GRAY 13 44  
SANDSTONE, HARD/COARSE, SOME FRACTURING 44 51 24  
SANDSTONE, HARD/FINE 51 144  
SANDSTONE, VERY HARD/FINE 144 146 24  
CLAYSTONE, HARD GRAY 146 161  
SILTSTONE, HARD GRAY 161 181  
CLAYSTONE, SOFT GRAY 181 200

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878

Date started 09/18/00 Completed 09/18/00

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed *David S. Paysinger* WWC Number 1438  
Date 09/18/00

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SALEM, OREGON

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JUN 28 2007

WATER RESOURCES DEPT  
SALEM, OREGON

T 10421

(1) OWNER: Well No. 2001  
Name DAVE GROOTERS  
Address 20500 SW EAGLE POINT RD  
City MCMINNVILLE St OR Zip 97128

(2) TYPE OF WORK: NEW WELL  
(3) DRILL METHOD: ROTARY AIR  
(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 375 ft  
Explosives used NO Type \_\_\_\_\_ Amount \_\_\_\_\_  
HOLE SEAL  
Diam. From To Material From To Amount  
10 0 21 BENTONITE CHIP 0 21 13 SAX  
6 21 375 \_\_\_\_\_  
Seal placement method POURED/PROBED  
Backfill: from \_\_\_\_\_ ft to \_\_\_\_\_ ft Material \_\_\_\_\_  
Gravel: from \_\_\_\_\_ ft to \_\_\_\_\_ ft Size \_\_\_\_\_

(6) CASING/LINER:  
Diam. From To Gauge Material Connection  
Casing 6 +2 28 .25 STEEL WELDED  
Liner 4 0 375 SDR26 PLASTIC WELDED  
Final Location of shoe(s) 28

(7) PERFORATIONS/SCREENS:  
 Perf. Method ELECTRIC SAW  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_  
Slot Tele/pipe  
From To Size Number Diam. Size Casing/liner  
75 95 .1X7" 36 \_\_\_\_\_ LINER  
215 235 " " \_\_\_\_\_ LINER  
355 375 " " \_\_\_\_\_ LINER

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR  
Yield GPM Draw-down Drill stem at Time  
3.5 \_\_\_\_\_ 375 1 hr.  
3.5 \_\_\_\_\_ 300 4  
Temperature of water 54P Depth Artesian Flow Found \_\_\_\_\_  
Was water analysis done? NO By whom \_\_\_\_\_  
Reason for water not suitable for use \_\_\_\_\_  
Depth of strata \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 3 S Range 4 W MM.  
Section 24 SW 1/4 SE 1/4  
Tax Lot R3425 Lot 200 Block Subdivision  
Street Address of Well (or nearest Address)  
NYA, NE BAYLISS RD CARLTON, OR

(10) STATIC WATER LEVEL:  
72 ft. below land surface. Date 09/19/00  
Artesian pressure \_\_\_\_\_ lb per square in. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 43  
From To Est Flow Rate SWL  
75 77 TRACE 72  
219 224 3-3.5 72

(12) WELL LOG:  
Material Ground elevation From To SWL  
TOP SOIL 0 3  
CLAY, RED/BROWN 3 13  
SANDSTONE, GRAY/COARSE 13 219  
SILTSTONE, HARD GRAY, STRATIPIED 219 224 72  
SANDSTONE, FINE, GRAY W/OCC HARD STRATS 224 289  
SILTSTONE, HARD GRAY 289 296  
SANDSTONE, HARD GRAY 296 352  
CLAYSTONE, BROWN/HARD 352 360  
SILTSTONE, GRAY 360 366  
CLAYSTONE, GRAY/SOFT/OILY 366 375

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878  
Date started 09/18/00 Completed 09/19/00

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed *David A. Paysinger* WWC Number 1438  
Date 09/19/00

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SALEM, OREGON

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JUN 28 2007

WATER RESOURCES DEPT  
SALEM, OREGON

10421





TELEPHONE (503) 357-5717  
FAX (503) 357-5698  
EMAIL: stevepierce@stuntzner.com

2137 19<sup>th</sup> Avenue  
Forest Grove, OR 97116

**COOS BAY - FOREST GROVE - DALLAS - BROOKINGS**

June 26, 2007

Oregon Water Resources  
Water Rights Application Section  
725 Summer Street NE Suite A  
Salem, OR 97301-1271

To whom it may concern:

Enclosed is a packet of information regarding applications for a:

1. Extension of Time, and
2. Permit Amendment,

Note that we are the applicant's representative for these water rights applications. **Please send correspondence (or at least copies of correspondence) regarding this application to:**

**Eric Urstadt**  
2137 19<sup>th</sup> Avenue  
Forest Grove, OR 97116  
503-357-5717  
503-357-5698 (fax)

The following items are enclosed and labeled in the following order:

1. Land Use Information Form
2. Application for Permit Amendment.
3. Application for Extension of Time for water right permit
4. Permit Amendment Map
5. Permit G-15577 and map
6. Well logs for all four wells
7. Tax assessor map of Sections 25 and 24, T3S, R4W, WM
8. various survey data showing property line adjustments
9. Check for application fees:
  - Permit Amendment: \$350 for one change
  - Extension of Time: \$250
  - **Total Check: \$350 + \$250 = \$600**

Sincerely,  
Stuntzner Engineering & Forestry, LLC

Eric Urstadt, PE, PLS, CWRE

**RECEIVED**

**JUN 28 2007**

**WATER RESOURCES DEPT  
SALEM, OREGON**



Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: KEN WRIGHT CELLARS
Mailing Address: PO Box 190
City: CARLTON State: OR Zip: 97111 Day Phone: 503-852-7070

This application is related to a Measure 37 claim. [ ] Yes [X] No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Table with 8 columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use: (IRR). Includes handwritten entries for tax lots 700 and 1700.

List all counties and cities where water is proposed to be diverted, conveyed, or used. YAN HILL

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water, Water-Right Transfer, Exchange of Water, Allocation of Conserved Water, Limited Water Use License, Permit Amendment or Ground Water Registration Modification (checked)

Source of water: [ ] Reservoir/Pond [X] Ground Water [ ] Surface Water (name)

Estimated quantity of water needed: .067 [X] cubic feet per second [ ] gallons per minute [ ] acre-feet

Intended use of water: [X] Irrigation [ ] Commercial [ ] Industrial [ ] Domestic for household(s)
[ ] Municipal [ ] Quasi-municipal [ ] Instream [ ] Other

Briefly describe: REQUEST TO ADD A NEW WELL TO GET CLOSER TO PERMITTED WATER FLOW.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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JUN 28 2007
WATER RESOURCES DEPT
SALEM, OREGON

10421

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402 YCZO

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)  
**If approvals have been obtained but all appeal periods have not ended, check "Being pursued".**

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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Name: Stephanie Armstrong Title: Assistant Planner  
 Signature: [Signature] Phone: 503-434-7511 Date: 6-26-07  
 Government Entity: Yamhill County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**RECEIVED**

**JUN 28 2007**

**WATER RESOURCES DEPT  
SALEM, OREGON**

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

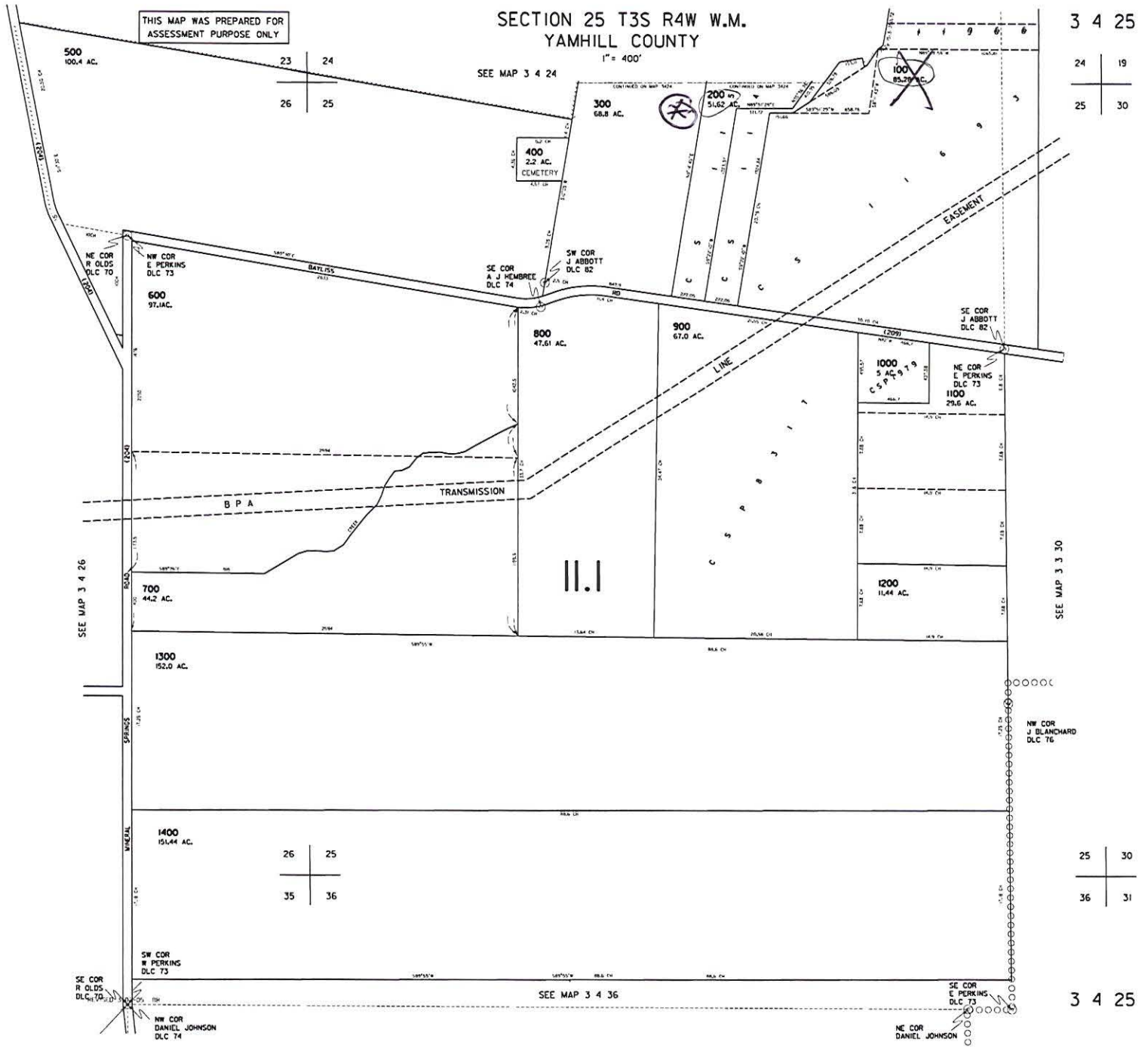
10421

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WATER RESOURCES DEPT  
SALEM, OREGON

JUN 28 2007

RECEIVED



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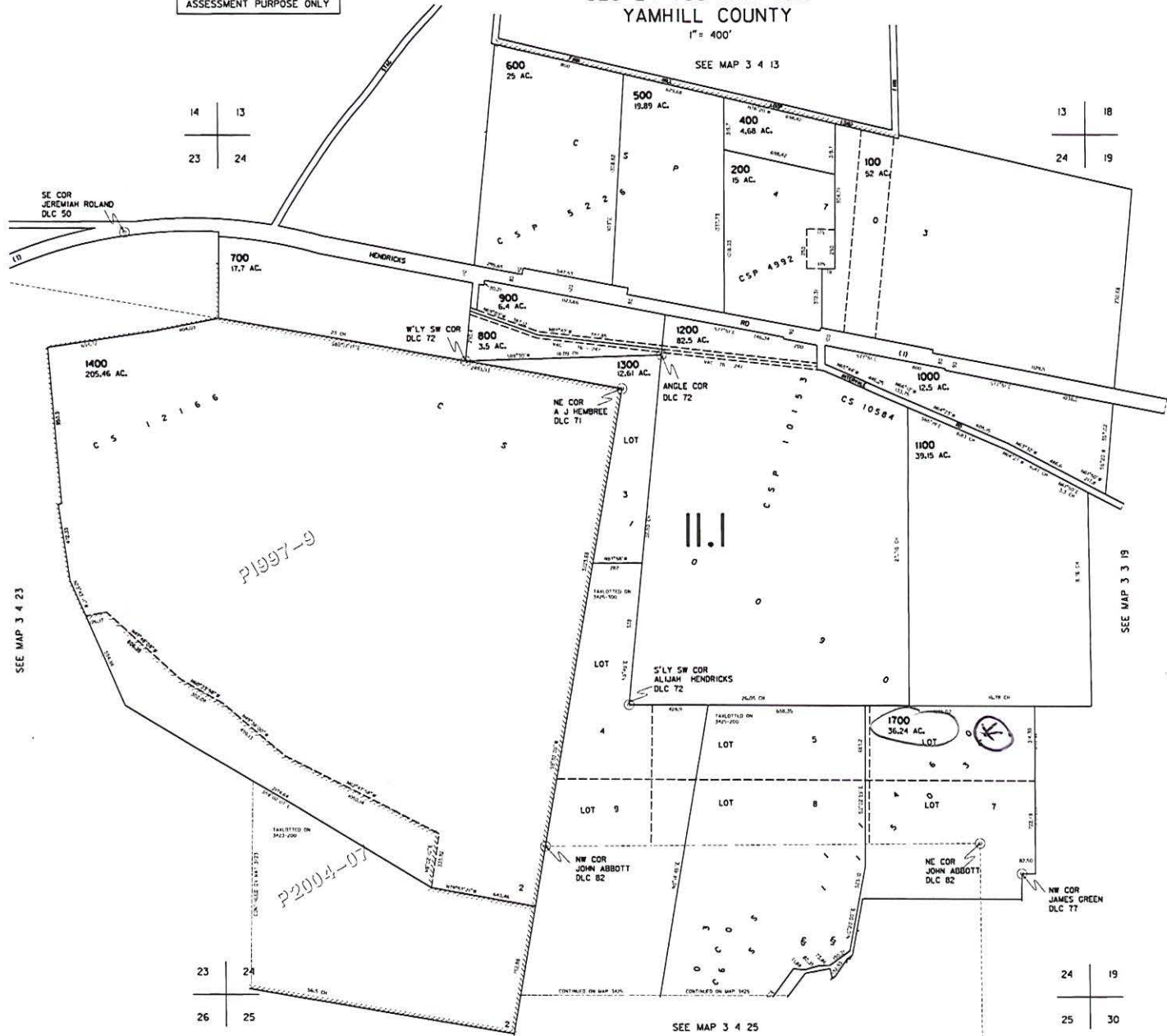
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SEC 24 T3S R4W W.M.  
YAMHILL COUNTY

1" = 400'

3 4 24

CANCELLED  
300  
1500  
1600



REVISED 4-7-06 TH

24 | 19  
25 | 30

3 4 24

WATER RESOURCES DEPT  
SALEM, OREGON

JUN 28 2007

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12/03/04

CS-11966

PROPERTY LINE ADJUSTMENT SURVEY  
 FOR  
**KEN WRIGHT CELLARS**  
 IN THE SE 1/4 OF SECTION 24 & NE 1/4 OF SECTION 25  
 TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.  
 YAMHILL COUNTY, OREGON  
 MONUMENTS SET NOVEMBER 22, 2004

LEGEND

- = Found Monument as noted, flush with ground surface and in good condition unless otherwise noted
- = Set 5/8"x30" Iron Rod with Yellow Plastic Cap Marked "AZIMUTH SURVEYING"
- ( ) = Data of Record
- | | = Data Computed from one or more Record Sources as noted
- [ ] = Surveyor, File Number for survey in which monument probably originated
- I.P. = Iron Pipe
- I.R. = Iron Rod
- I.B. = Iron Bar
- G.L.O. = General Land Office
- x-x- = Fence

SCALE : 1" = 200'

Note:  
 All found monuments from Surveys CS 11460, CS 11503, and CS 11693 bear yellow plastic caps marked "Azimuth Surveying".

This survey was made to monument the proposed adjustment of several segments of the property line between the tract of land conveyed to CGW LLC, (Tract 2) described in deed Document No. 200117546 and the C.G.W. LLC tract described in Document No. 200117900 as modified by Document No. 200402589. William Shull surveyed the boundaries of these tracts in May 2001 (CS 11460) and in August 2001 (CS 11503). A proposed adjustment surveyed by William Shull (CS 11693) was brought to completion by deed recorded in Document No. 200402589. Monuments from those prior surveys were held for the existing property lines; the proposed property lines were monumented as shown. Except for newly measured lines, courses shown on this survey are the same as those on William Shull's prior surveys.

SO MAR VINYARD, LLC  
 DOCUMENT NO 200117547  
 51.62 ACRES

CGW LLC  
 DOCUMENT NO 200117546  
 TRACT 2  
 36.24 ACRES AFTER ADJUSTMENTS

CGW LLC  
 DOCUMENT NO 200117900  
 85.28 ACRES AFTER ADJUSTMENTS

NW CORNER JAMES CHEN  
 DONATION LAND CLAIM NO. 77  
 3" BRASS DISK IN A 1" I.P.

7' x 9" STONE, [CS 57-C]  
 "CS" AND "57C" SCRIBED  
 ON WEST FACE

EAST LINE OF  
 ABBOTT DLC

WEST LINE OF  
 GREEN DLC NO 77

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
*James S. Hepler*  
 OREGON  
 JULY 25, 1990  
 JAMES S. HEPLER  
 2451  
 EXPIRES 6-30-05

SW CORNER JOHN ABBOTT  
 DONATION LAND CLAIM NO. 82  
 3" BRASS DISK IN A 1" I.P.

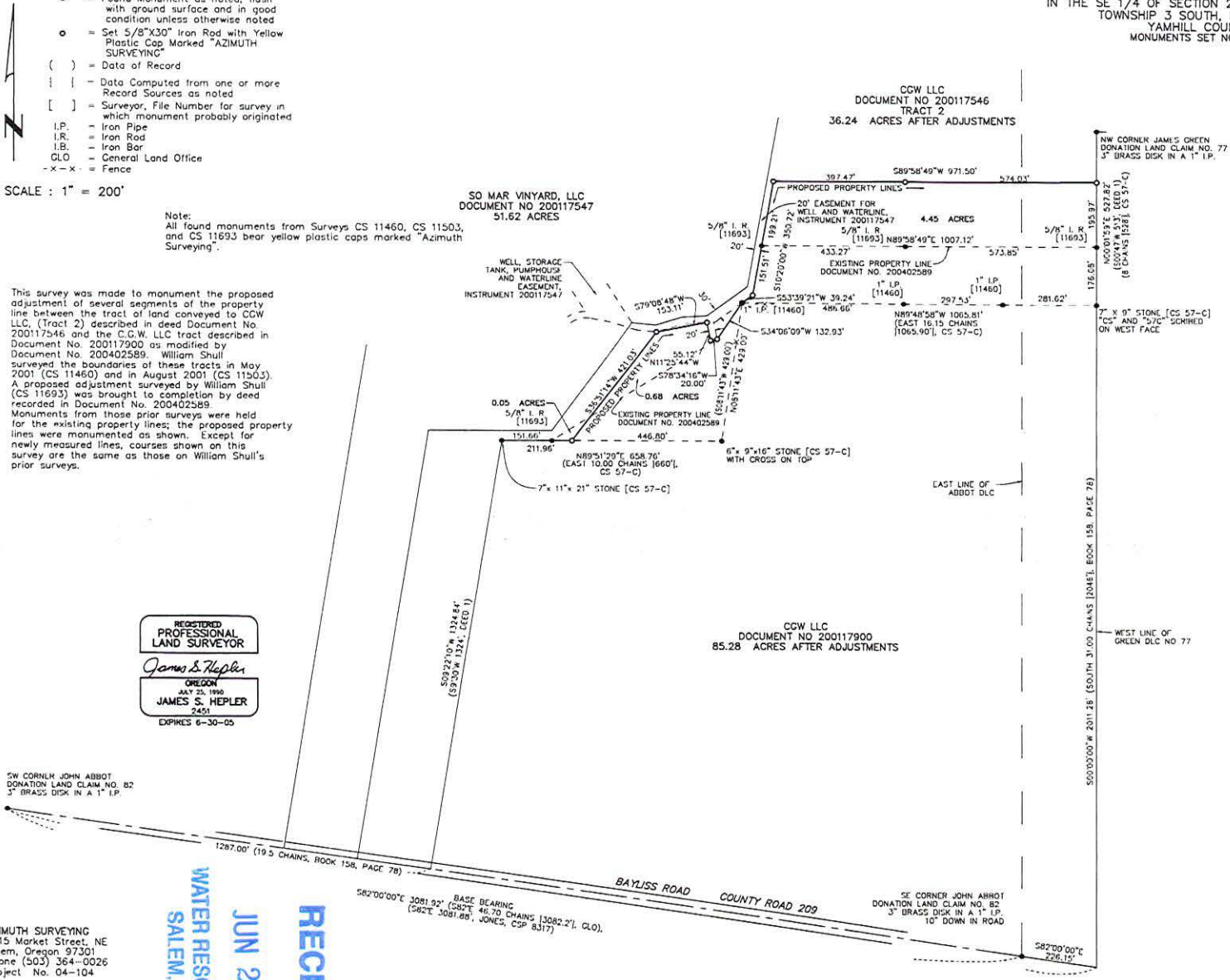
SE CORNER JOHN ABBOTT  
 DONATION LAND CLAIM NO. 82  
 3" BRASS DISK IN A 1" I.P.  
 10' DOWN IN ROAD

BASE BEARING  
 S82°00'00"E 3081.92' (CH2T 46.70 CHAINS [3082.2'] G.L.O.)  
 (S262° 3081.88', JONES, CSP 8317)

AZIMUTH SURVEYING  
 2015 Market Street, NE  
 Salem, Oregon 97301  
 Phone (503) 364-0026  
 Project No. 04-104

RECEIVED  
 JUN 28 2007  
 WATER RESOURCES DEPT  
 SALEM, OREGON

T 10421



CS-11693

LINE ADJUSTMENT for KEN WRIGHT CELLARS  
 in the SE 1/4 of SECTION 24, and the NE 1/4 of SECTION 25,  
 T. 3 S., R. 4 W., W.M.

YAMHILL COUNTY, OREGON  
 MONUMENTS SET DECEMBER 26, 2002

LEGEND

- = Found Monument as noted, flush with ground surface and in good condition unless otherwise noted
- = Set 5/8"x30" Iron Rod with Yellow Plastic Cap, Marked "AZMUTH SURVEYING"
- ( ) = Date of Record
- [ ] = Data Computed from one or more Record Sources as noted
- [ ] = CSP number for survey in which monument probably originated
- I.P. = Iron Pipe
- I.R. = Iron Rod
- I.B. = Iron Bar
- GLO = General Land Office



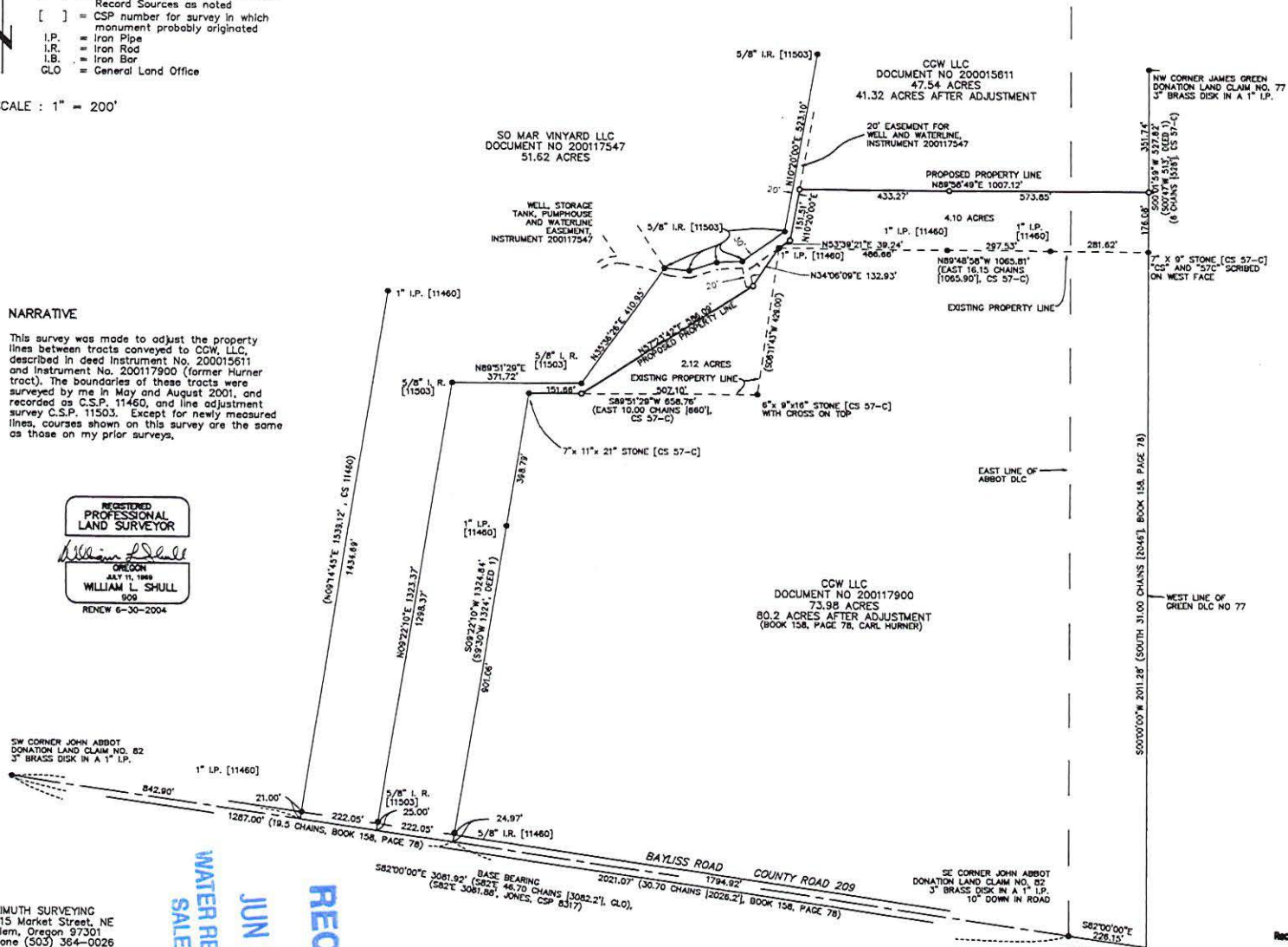
SCALE: 1" = 200'

110421

NARRATIVE

This survey was made to adjust the property lines between tracts conveyed to CW, LLC, described in deed Instrument No. 200015611 and Instrument No. 200117900 (former Hurner tract). The boundaries of these tracts were surveyed by me in May and August 2001, and recorded as C.S.P. 11460, and line adjustment survey C.S.P. 11503. Except for newly measured lines, courses shown on this survey are the same as those on my prior surveys.

REGISTERED PROFESSIONAL LAND SURVEYOR  
*William L. Shull*  
 OREGON  
 847.11.1989  
 WILLIAM L. SHULL  
 909  
 RENEW 6-30-2004



AZMUTH SURVEYING  
 2015 Market Street, NE  
 Salem, Oregon 97301  
 Phone (503) 364-0026  
 Project No. 02-137

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 JUN 28 2007  
 WATER RESOURCES DEPT  
 SALEM, OREGON

Received 01-22-03  
 County Surveyor

PARTITION?

LINE ADJUSTMENT for KEN WRIGHT CELLARS  
 in the SE 1/4 of SECTION 24, and the NE 1/4 of SECTION 25,  
 T. 3 S., R. 4 W., W.M.  
 and the SW 1/4 of SECTION 19  
 T. 3 S., R. 3 W., W.M.  
 YAMHILL COUNTY, OREGON  
 MONUMENTS SET AUGUST 28, 2001

Received 10-10-01  
 County Surveyor

LEGEND

- = Found Monument as noted, flush with ground surface and in good condition unless otherwise noted
- = Set 5/8"x30" Iron Rod with Yellow Plastic Cap Marked "AZIMUTH SURVEYING"
- ( ) = Data of Record
- [ ] = Data Computed from one or more Record Sources as noted
- [ ] = File number for survey in which monument probably originated
- I.P. = Iron Pipe
- I.R. = Iron Rod
- I.B. = Iron Bar
- CLO = General Land Office

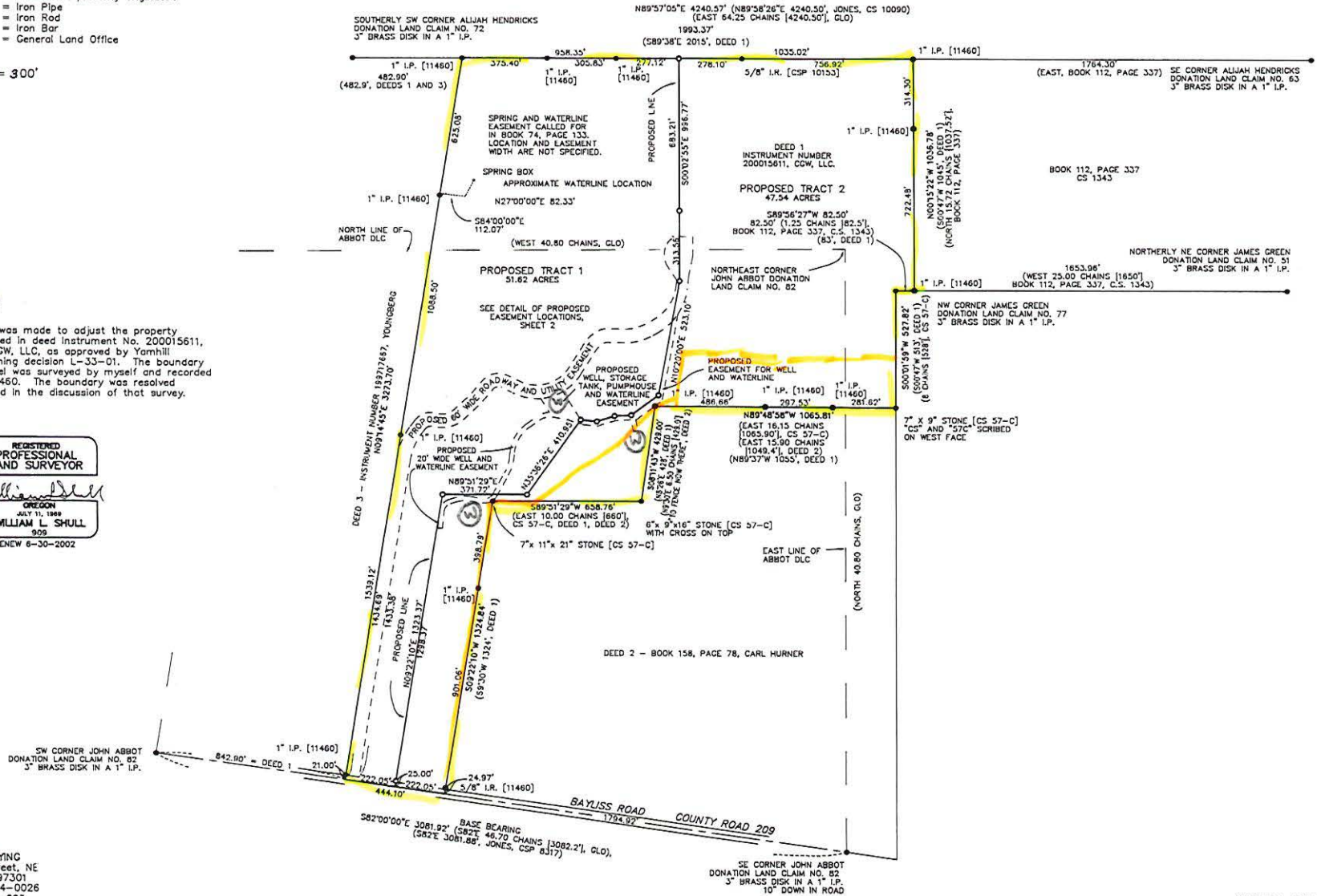
SCALE : 1" = 300'

NARRATIVE

This survey was made to adjust the property lines described in deed instrument No. 200015611, owned by CDW, LLC, as approved by Yamhill County Planning decision L-33-01. The boundary of this parcel was surveyed by myself and recorded as C.S.P. 11460. The boundary was resolved and explained in the discussion of that survey.

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
  
 WILLIAM L. SHULL  
 JULY 11, 1989  
 905  
 RENEW 6-30-2002

RECEIVED  
 JUN 28 2007  
 WATER RESOURCES DEPT  
 SALEM, OREGON



AZIMUTH SURVEYING  
 2015 Market Street, NE  
 Salem, Oregon 97301  
 Phone (503) 364-0026  
 Project No. 01-093

LEGEND

- = Found Monument as noted, flush with ground surface and in good condition unless otherwise noted
- = Set 5/8"X30" Iron Rod with Yellow Plastic Cap Marked "AZIMUTH SURVEYING"
- ( ) = Data of Record
- [ ] = Data Computed from one or more Record Sources as noted
- [ ] = File number for survey in which monument probably originated
- I.P. = Iron Pipe
- I.R. = Iron Rod
- I.B. = Iron Bar
- GLO = General Land Office

SCALE 1" = 100'

LINE ADJUSTMENT for KEN WRIGHT CELLARS  
 in the SE 1/4 of SECTION 24, and the NE 1/4 of SECTION 25,  
 T. 3 S., R. 4 W., W.M.  
 and the SW 1/4 of SECTION 19  
 T. 3 S., R. 3 W., W.M.  
 YAMHILL COUNTY, OREGON  
 MONUMENTS SET AUGUST 28, 2001

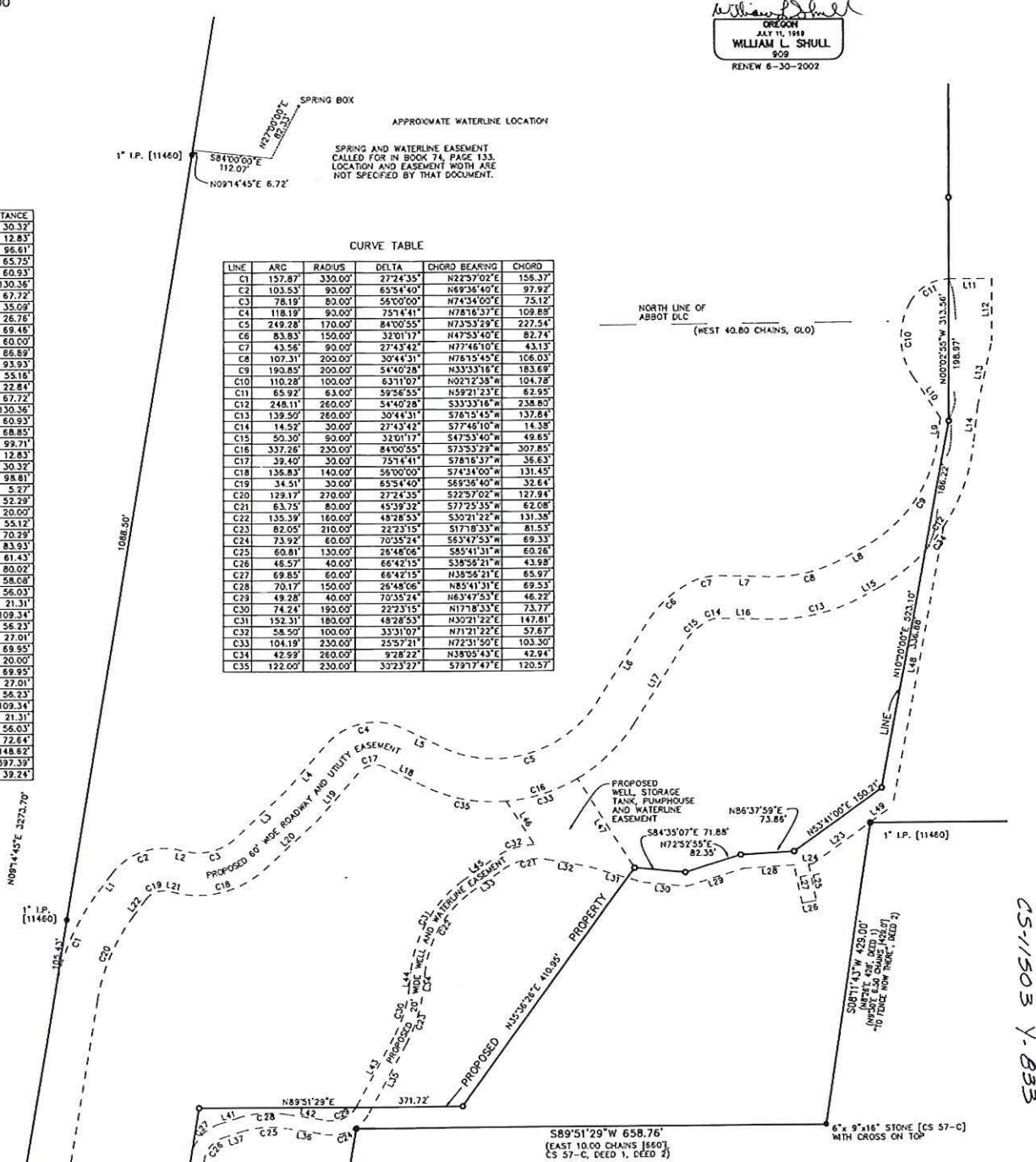
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
 OREGON  
 JULY 11, 1919  
 WILLIAM L. SHULL  
 809  
 RENEW 6-30-2002

LINE TABLE

LINE	BEARING	DISTANCE
L1	N35°39'20"E	30.57
L2	S77°28'00"E	12.83
L3	N45°34'00"E	56.61
L4	N40°39'16"E	65.75
L5	S64°06'03"E	60.93
L6	N31°53'02"E	130.36
L7	S89°21'59"E	67.72
L8	N69°53'30"E	35.09
L9	N05°13'02"E	26.78
L10	N33°48'12"W	69.48
L11	N89°57'05"E	60.00
L12	S00°02'55"E	66.89
L13	S12°00'11"W	93.93
L14	S05°13'02"W	55.16
L15	S50°53'30"W	22.84
L16	N88°21'59"W	67.72
L17	S31°33'02"W	130.36
L18	N64°06'03"W	60.93
L19	S40°39'16"W	68.85
L20	S46°34'00"W	99.71
L21	N77°28'00"W	12.83
L22	S36°39'20"W	30.57
L23	S53°41'39"W	98.81
L24	S86°37'59"W	5.27
L25	S11°29'44"W	52.29
L26	N78°34'16"E	20.00
L27	N11°23'44"W	55.12
L28	S86°37'59"W	70.29
L29	S72°52'55"W	83.93
L30	N84°35'07"W	61.43
L31	N73°11'56"W	80.02
L32	N79°44'39"W	58.08
L33	S54°35'49"W	56.03
L34	S66°06'55"W	21.31
L35	S28°30'11"W	109.34
L36	N80°54'26"W	56.23
L37	S72°17'29"W	27.01
L38	S05°35'14"W	69.95
L39	N8°24'45"W	20.00
L40	N03°35'14"E	69.95
L41	N72°17'29"E	27.01
L42	S80°54'26"E	56.23
L43	N28°30'11"E	109.34
L44	N06°05'55"E	21.31
L45	N54°35'49"E	56.03
L46	N33°03'00"E	72.64
L47	S32°02'00"E	148.62
L48	S10°20'00"W	397.39
L49	S53°32'21"W	39.24

CURVE TABLE

LINE	ARC	RADIUS	DELTA	CHORD BEARING	CHORD
C1	157.87	330.00	272°35'	N22°57'02"E	155.37
C2	103.53	93.00	65°24'40"	N69°36'40"E	97.92
C3	78.19	80.00	56°00'00"	N74°34'00"E	75.12
C4	118.19	93.00	75°14'41"	N78°16'37"E	109.88
C5	249.28	170.00	84°00'55"	N73°53'29"E	227.54
C6	83.83	150.00	32°01'17"	N47°53'40"E	82.74
C7	43.56	90.00	27°43'42"	N77°46'10"E	43.13
C8	107.31	200.00	30°44'31"	N76°15'45"E	106.03
C9	190.85	200.00	54°40'28"	N33°33'16"E	183.69
C10	110.28	100.00	63°11'07"	N02°12'38"W	104.78
C11	65.92	63.00	59°56'55"	N59°21'23"E	62.95
C12	248.11	260.00	54°40'28"	S33°33'16"W	238.80
C13	139.50	260.00	30°44'31"	S78°51'45"W	137.84
C14	14.52	30.00	27°43'42"	S77°46'10"W	14.38
C15	50.30	90.00	32°01'17"	S47°53'40"W	49.85
C16	337.26	230.00	84°00'55"	S73°53'29"W	307.85
C17	39.40	39.00	75°14'41"	S78°16'37"W	36.63
C18	136.83	140.00	56°00'00"	S74°34'00"W	131.45
C19	34.51	30.00	65°24'40"	S69°36'40"W	32.84
C20	129.17	270.00	27°43'42"	S22°57'02"W	127.94
C21	63.75	80.00	45°39'32"	S77°25'35"W	62.08
C22	135.39	160.00	48°28'53"	S30°21'22"W	131.35
C23	82.05	210.00	22°23'15"	S17°18'33"W	81.53
C24	73.92	60.00	70°35'24"	S63°47'53"W	69.33
C25	60.81	150.00	28°48'06"	S85°41'31"W	60.26
C26	48.57	40.00	66°42'15"	S38°58'21"W	43.98
C27	69.85	60.00	66°42'15"	N35°58'21"E	65.97
C28	70.17	150.00	28°48'06"	N85°41'31"E	69.53
C29	49.28	40.00	70°35'24"	N63°47'53"E	46.22
C30	74.24	190.00	22°23'15"	N17°18'33"E	73.77
C31	152.31	180.00	48°28'53"	N30°21'22"E	147.81
C32	58.50	100.00	33°31'07"	N71°21'22"E	57.67
C33	104.19	230.00	25°57'21"	N72°31'50"E	103.30
C34	42.59	260.00	9°28'22"	N38°05'43"E	42.94
C35	122.00	230.00	33°23'22"	S79°17'47"E	120.57



CS-11503 Y-B33

AZIMUTH SURVEYING  
 2015 Market Street, NE  
 Salem, Oregon 97301  
 Phone (503) 364-0026  
 Project No. 01-093

Received 10-10-01  
 County Surveyor

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 JUN 28 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

SHEET 2 OF 2

10421

BOUNDARY SURVEY FOR KEN WRIGHT CELLARS IN THE NE 1/4 OF SECTION 25, AND THE SE 1/4 OF SECTION 24, T 3 S, R 4 W, W.M. YAMHILL COUNTY, OREGON MAY 16, 2001

REGISTERED PROFESSIONAL LAND SURVEYOR William L. Shull OREGON JULY 15, 1988 WILLIAM L. SHULL 909 RENEW 6-30-2002

SOUTHERLY SW CORNER ALLIAH HENDRICKS DONATION LAND CLAIM NO. 72 3" BRASS DISK IN A 1" I.P.

DEED 3 - INSTRUMENT NUMBER 199712667, YOUNGBERG

DISCUSSION

This survey was made to locate and mark the boundaries of that property described in deed instrument No. 200015611, the CGW tract.

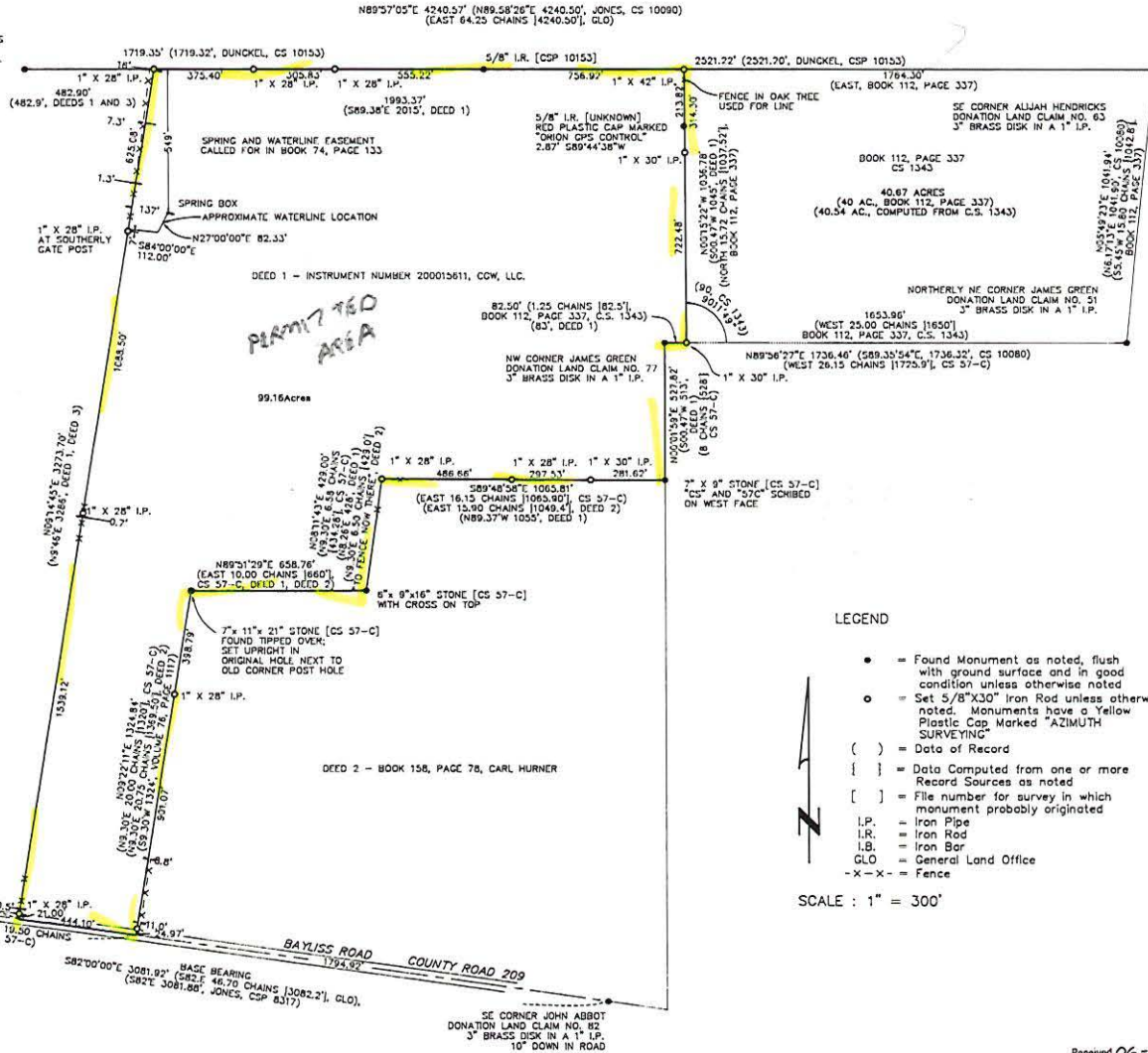
To establish the west line, I located the northwest and southwest corners of the Claim corners unambiguously stated in various deeds.

The south line of the property is along the south line of the John Abbot Donation Land Claim, as monumented. The north line of the property is along the south line of the Elijah Hendricks Donation Land Claim, as monumented, with the northwest corner being 482.90 feet East of the most southerly southwest corner of that Claim, as called for by the deeds.

I treated the Branson survey (C.S. 1343) of March 1895, done for G. M. Perkins, as being the original location of the most-easterly east line of the CGW tract and the west line of the Laughlin tract. Deed 1's distance from the northwest corner to the northeast corner of the CGW tract would put the northeast corner about 22 feet East of the currently occupied corner, and would make the bearing on this east line closer to that deed. But, using the occupied line agrees much more closely with the Laughlin deed for bearing on this east line, and more closely matches the record angle on its south end from the Branson survey. As the CGW deed acknowledges the Laughlin deed to the East as being senior, and the Laughlin deed cites its north line's being the north line of the George M. Perkins parcel, I believe that the occupation line most closely matches the line surveyed by Branson. I therefore re-established and monumented the northerly east line along the long-standing occupation line.

The remaining east lines of the CGW tract were based on the 1883 survey by J. C. Cooper, County Surveyor (C.S. 57-C). This survey created the existing lines of the Hurner tract (Book 158, Page 78), which the CGW deed recognizes as being senior. There are substantial differences between the CGW and Hurner deeds and C.S. 57-C. None of these documents can be taken in their entirety and be compatible with the occupied lines. Dimensions given in the CGW deed on four of the lines are surprisingly close to the occupied lines adjacent with the Hurner parcel, but vary substantially on the remaining lines. Original corner monuments, or their replacements, were held where found on these lines. Where missing, I have chosen the dimensions of each line that most closely reflect their respective occupied lines.

AZIMUTH SURVEYING 2015 Market Street, NE Salem, Oregon 97301 Phone (503) 364-0026 Project No. 01-028



LEGEND

- = Found Monument as noted, flush with ground surface and in good condition unless otherwise noted
○ = Set 5/8"X30" Iron Rod unless otherwise noted. Monuments have a Yellow Plastic Cap Marked "AZIMUTH SURVEYING"
( ) = Data of Record
{ } = Data Computed from one or more Record Sources as noted
[ ] = File number for survey in which monument probably originated
I.P. = Iron Pipe
I.R. = Iron Rod
I.B. = Iron Bar
GLO = General Land Office
-X-X-X = Fence

SCALE : 1" = 300'

J 10421

WATER RESOURCES DEPT SALEM, OREGON

JUN 28 2007

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Received 06-28-01 County Surveyor

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DEC 21 2012  
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SALEM, OREGON

<b>Grantor</b>
CGW, LLC, an Oregon Limited Liability Company Attn: Ken W. Wright P.O. Box 190 Carlton, OR 97111
<b>Grantee</b>
Abbott Holdco, LLC, a Delaware limited liability company Attn: Matthew I. Lutz 3750 Paris Pike Lesington, KY 40511
Until a change is requested, all tax statements shall be sent to the following address:
Abbott Holdco, LLC, a Delaware limited liability company Attn: Matthew I. Lutz 3750 Paris Pike Lesington, KY 40511

Reserved for Recorder's Use

**STATUTORY BARGAIN AND SALE DEED**

CGW, LLC, an Oregon Limited Liability Company, Grantor(s) conveys to Abbott Holdco, LLC, a Delaware limited liability company, Grantee the following described real property:

**SEE ATTACHED EXHIBIT "A"**

Account: 520783  
Map & Tax Lot: R342401700

The true consideration for this conveyance is \$1,300,000.00. (Here comply with requirements of ORS 93.030.)

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

Executed this 19<sup>th</sup> day of December, 2012  
CGW, LLC, an Oregon Limited Liability Company  
By: Ken W. Wright  
Its Member

State of Oregon, County of Yamhill ) ss.

This instrument was acknowledged before me on this 19 day of December, 2012 by Ken W. Wright, as Member of CGW, LLC, an Oregon Limited Liability Company

Notary Public for Oregon  
My commission expires: 6/26/15



**EXHIBIT "A"**

**PARCEL 1:**

Beginning at a point which is 1064.95 feet South 82°00'00" East from the Southwest corner of the John Abbot Donation Land Claim Number 82 in Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; and running thence North 09°22'10" East 1323.37 feet to an iron rod; thence North 89°51'29" East 371.72 feet to an iron rod that is 30 feet Northerly of the North line of that tract of land conveyed to Carl Hurner and Ronald Hurner by deed recorded in Book 158, Page 73, Deed Records of Yamhill County, Oregon; thence North 35°36'26" East 410.95 feet to an iron rod; thence South 84°35'07" East 71.88 feet to an iron rod; thence North 72°52'55" East 82.35 feet to an iron rod; thence North 86°37'59" East 73.86 feet to an iron rod; thence North 53°41'00" East 150.21 feet to an iron rod; thence North 10°20'00" East 523.10 feet to an iron rod; thence North 00°02'55" West 996.77 feet to an iron rod on the South line of the Alijah Hendricks Donation Land Claim Number 72 in said Township and Range; thence North 89°57'05" East along the South line of said Hendricks Donation Land Claim 1035.02 feet to an iron pipe at the Northwest corner of that tract of land conveyed to Stanford A. Laughlin and Grace L. Laughlin by deed recorded in Book 112, Page 337, Deed Records of Yamhill County, Oregon; thence South 00°15'22" East along said Laughlin West line, a distance of 1036.78 feet to an iron pipe on the North line of the James Green Donation Land Claim Number 51; thence South 89°56'27" West 82.50 feet to the Northwest corner of said Green Donation Land Claim; thence South 00°01'59" West 527.82 feet to a stone at the Northeast corner of said tract of land conveyed to Carl Hurner and Ronald Hurner; thence North 89°48'58" West along the North line of said Hurner tract, a distance of 1065.81 feet to an iron pipe; thence South 08°11'43" West 429.00 feet to a stone; thence South 89°51'29" West 658.76 feet to a stone; thence South 09°22'10" West along the West line of said Hurner tract, a distance of 1324.84 feet to the South line of said Abbott Donation Land Claim; thence North 82°00'00" West 222.05 feet to the point of beginning.

**EXCEPTING THEREFROM:**

Beginning at an iron rod which is 1287.00 feet South 82°00'00" East and 1324.84 feet North 09°22'10" East and 151.66 feet North 89°51'29" East from the Southwest corner of the John Abbott Donation Land Claim No. 82 in Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and running thence North 57°23'42" East 586.09 feet to an iron rod; thence North 34°06'09" East 132.93 feet to an iron pipe at the Northerly Northwest corner of that tract of land conveyed to Carl Hurner and Ronald Hurner by deed recorded in Book 158, Page 78, Deed Records of Yamhill County, Oregon; thence South 08°11'43" West along said Hurner tract a distance of 429.00 feet to a stone; thence South 89°51'29" West along said Hurner tract a distance of 507.10 feet to the point of beginning.

**ALSO EXCEPTING THEREFROM:**

Beginning at an iron pipe which is 1287.00 feet South 82°00'00" East and 1324.84 feet North 09°22'10" East and 658.76 feet North 89°51'29" East and 429.00 feet North 08°11'43" East from the Southwest corner of the John Abbott Donation Land Claim No. 82 in Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, said point being the Northerly Northwest corner of that tract of land conveyed to Carl Hurner and Ronald Hurner by deed recorded in Book 158, Page 78, Deed Records of Yamhill County, Oregon; thence North 53°39'21" East 39.24 feet to an iron rod; thence North 10°20'00" East 151.51 feet to an iron rod; thence North 89°58'49" East 1007.12 feet to an iron rod on the West line of the James Green Donation Land Claim No. 77 in said Township and Range; thence South 00°01'59" West along the West line of said Green Donation Land Claim, a distance of 176.08 feet to a stone at the Northeast corner of said Hurner tract; thence North 89°48'58" West 1065.81 feet to the point of beginning.

**ALSO EXCEPTING THEREFROM:**

Beginning at a point on the Northwest line of the tract of land described as the 2-acre triangular piece in Document No. 200424072, Yamhill County Records, which is 1287.00 feet South 82°00'00" East and 1324.84 feet North 09°22'10" East and 211.96 feet North 89°51'29" East and 92.25 feet North 36°51'14" East from the Southwest corner of the John Abbott Donation Land Claim No. 82 in Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and

running thence North 36°51'14" East, a distance of 328.78 feet to a 5/8" iron rod; thence North 79°08'48" East, a distance of 153.11 feet to a 5/8" iron rod; thence South 11°25'44" East, a distance of 55.12 feet to a 5/8" iron rod; thence North 78°34'16" East, a distance of 20.00 feet to a 5/8" iron rod; thence South 57°23'42" West, a distance of 448.83 feet to the point of beginning.

**ALSO EXCEPTING THEREFROM:**

Beginning at a 5/8" iron rod at the Northeast corner of the tract of land described as the 4-acre rectangle piece in Document No. 200424072, Yamhill County Records, and which iron rod is located 351.74 feet South 00°01'59" West from the Northwest corner of the James Green Donation Land Claim No. 77 in Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and running thence South 89°58'49" West along the North line of said tract, a distance of 1007.12 feet to a 5/8" iron rod; thence North 10°20'00" East, a distance of 199.21 feet to a 5/8" iron rod; thence North 89°58'49" East, a distance of 971.50 feet to a 5/8" iron rod on the West line of said Green Donation Land Claim; thence South 00°01'59" West along the West line of said Green Donation Land Claim, a distance of 195.97 feet to the point of beginning.

**PARCEL 2:**

Beginning at an iron rod that is 1287.00 feet South 82°00'00" East and 1324.84 feet North 09°22'10" East and 151.66 feet North 89°51'29" East from the Southwest corner of the John Abbott Donation Land Claim No. 82 in Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and running thence North 89°51'29" East, a distance of 60.30 feet to a 5/8" iron rod; thence North 36°51'14" East, a distance of 92.25 feet to the Northwest line of the tract of land described as the "2-acre triangular piece" in Document No. 200424072, Yamhill County Records; thence South 57°23'42" West along said Northwest line, a distance of 137.26 feet to the point of beginning.

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DEC 21 2012

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