

Application for a Permit to Use
Groundwater

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MAY 17 2023
OWRD



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME ZENITH VINEYARD, LLC		PHONE (HM) 509-991-1119	
PHONE (WK)	CELL 503-991-1119	FAX	
ADDRESS 5657 ZENA RD. NW			
CITY SALEM	STATE OR	ZIP 97304	E-MAIL* TIM@ZENITHVINEYARD.COM

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL*

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

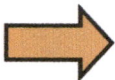
AGENT / BUSINESS NAME JD MCGEE, INC.		PHONE (541) 929-4336	FAX
ADDRESS 1215 MAIN ST.			CELL
CITY PHILOMATH	STATE OR	ZIP 97370	E-MAIL* JOHNMCGEE@JDMCGEE.COM

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate.

	Timothy S. Ramey, Manager	02/20/2023
Applicant Signature	Print Name and Title if applicable	Date
_____	_____	_____
Applicant Signature	Print Name and Title if applicable	Date

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SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

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Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	UNNAMED TRIBUTARY OF SPRING VALLEY CREEK	701'	65'

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L-127841	<input type="checkbox"/>	6"	1' TO 79'	85' TO 140'	0'-39'	67.80 3/10/2020	TERTIARY MARINE VOLCANIC & SEDIMENTARY ROCK	140.00'	30	8.25
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

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Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing

recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
IRRIGATION	APRIL 1 – OCTOBER 31	8.25

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: 3.3 Acres Supplemental: Acres Nursery Use: Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 8.25

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **Industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*):

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): unknown HP, submersible
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the well to a 2.1 acre reservoir (certificate 88883) and then will be pumped from the reservoir to an irrigation manifold that will convey water through buried mainline and to a drip irrigation system at the grape vine rows.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Drip emitters

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

The amount of water is requested to meet the demand of the crop from establishment to maturity. Irrigation will be monitored to ensure only water necessary for crop production is applied to the plants.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: February 8, 1996
- Date construction will be completed: February 16, 1996
- Date beneficial water use will begin: August 1, 2023

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: The irrigation system will be regulated to prevent runoff and if any chemical products are injected into the irrigation system, a back-flow prevention system will be used.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

** Superseded **

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
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SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: February 8, 1996
- b) Date construction will be completed: February 16, 1996
- c) Date beneficial water use will begin: April 1, 2022

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: The irrigation system will be regulated to prevent runoff and if any chemical products are injected into the irrigation system, a back-flow prevention system will be used.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: There will be no construction or clearing of streamside riparian areas.

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List:

SECTION 9: WITHIN A DISTRICT

- Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

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Land Use Information Form



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725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

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 groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

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Applicant

NAME ZENITH VINEYARD, LLC		PHONE (HM) 509-991-1119	
PHONE (WK)	CELL	FAX	
ADDRESS 5657 ZENA RD. NW			
CITY SALEM	STATE OR	ZIP 97304	E-MAIL* TIM@ZENITHVINEYARD.COM

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
6S	4W	23	SE-SW	803	FARM/FOREST	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIGATION
6S	4W	26	NW-NE	104	FARM/FOREST	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IRRIGATION
6S	4W	26	NW-NE	103	FARM/FOREST	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IRRIGATION
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Polk County

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
- Permit Amendment or Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 8.5 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Water from an existing well in tax lot 104 will be conveyed through tax lots 104 and 103 for the purpose of irrigating grape vines in the other tax lot.



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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PC20 138.040 (A) "Farm Use"
- Land uses to be served by the 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

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.

There may be wetlands on the property. The applicant should contact the Department of State Lands prior to any development in wetlands.

NAME <u>Michael Burns</u>		TITLE: <u>Assistant Planner</u>	
SIGNATURE <u>Michael C. Burns</u>	PHONE: <u>(503) 623-9237</u>	DATE: <u>4/20/2023</u>	
GOVERNMENT ENTITY <u>Polk County Community Development</u>			

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.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

POLK 50030
50030

WATER RESOURCES DE
SALEM, OREGON
6514 W 126th AD
82385
(START CARD) #

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number 1
Name Raymond & Patricia Connor
Address 5651 Zena Rd NW
City Salem State ore Zip 97304

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 140' ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL				
Diameter	From	To	Material	From	To	Sacks or pounds	
10"	0	40'	cement	35'	39'	1 Bag	
8"	40'	78'	Bentonite				
6"	79'	140'		55'	0	16 Bags	

How was seal placed: Method A B C D E
 Other filled to top with dry bentonite
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	1'	79'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 4"	3'	140'	160	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method saw cut
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
85'	140'	1/8	65'	6" TONS		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Pump Bailer Air Flowing Artesian
Yield gal/min 30 gpm Drawdown _____ Drill stem at 120' Time 1 hr.

Temperature of water 55° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Polk Latitude _____ Longitude _____
Township 6 S N or S Range 4 W E or W. WM.
Section 26 se 1/4 ne 1/4
Tax Lot 104 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 5651 Zena Rd Salem or 97304

(10) STATIC WATER LEVEL:
63' ft. below land surface. Date 2/16/96
Artesian pressure _____ lb. per square inch. Date _____

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

From	To	Estimated Flow Rate	SWL
83' 83'	120'	30 GPM	

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
soil	0	1	
brown clay	1	10	
Brown clay w/ weathered rock	10	50	
partly weathered rock	50	83	
gray sandstone	83	138	
Brown claystone	138	140	

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ROBINSON DRILLING
WELLS & PUMPS
4520 Dallas-Salem Hwy.
Salem, Ore. 97304
371-1844

Date started 2/8/96 Completed 2/16/96
(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 the best of my knowledge and belief.
WWC Number _____
Signed _____ 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.
WWC Number 1585
Signed [Signature] Date 2-20-96

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

Application for OWRD Well ID Number

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Do not complete if the well already has a Well Identification Number.

I. OWNER INFORMATION

Current Owner Name (please print): ZENITH VINEYARD LLC
Mailing Address: 5657 ZENA RD NW
City, State, Zip: SALEM OR 97304
Mail Well ID Tag to: [X] SAME AS ABOVE [] In Care Of (C/O)
Name & Address: (in person)
City, State, Zip:

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 6 (North / South) Range: 4 (East / West) Section: 26 55 1/4 of the NE 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): 104 County POLK
GPS Coordinates:
Street Address of Well, City: 5651 ZENA RD NW SALEM
If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Log, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): DOMESTIC, IRRIGATION
Date Well Constructed (or property built): 02/08/96 Total Well Depth: 140 Casing Diameter: 6"
Owner at time the well was constructed (if known): PAT O'CONNOR Well Log # (if known): POLK 50030
Other Information:

SUBMITTED BY (please print): TIMOTHY S RAMBY
PHONE: 503-991-1115 EMAIL &/or FAX: Tim@ZENITHVINEYARD.COM

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:

Received Date:

10-2-17

Well Log Number:

POLK 50030

Well Identification #:

L-127841

RECORDED IN POLK COUNTY
LINDA DAWSON, COUNTY CLERK

2002-018983

TAX LOT 103



\$36.00

00064114200200189830030038

12/13/2002 03:49:22 PM

REC-WD Cnt=1 Stn=1 A. CAPTAIN
\$15.00 \$10.00 \$11.00

Until a change is requested, all tax statements shall be sent to the following address:

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Tim Ramey
514 Morris Lane
Hinsdale IL 60521

Tim Ramey
514 Morris Lane
Hinsdale IL 60521

AmeriTitle 21857
109313

STATUTORY SPECIAL WARRANTY DEED

(ORS 93.855)

Raymond M. O'Connor, who took title as Raymond Manning O'Connor, Grantor, conveys and specially warrants to Belle Provenance Vineyard, LLC, an Oregon limited liability company, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See attached Exhibit "A"

SUBJECT TO:

- As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.
- Regulations, including levies, liens, assessments, rights of way and easements of the Polk Soil and Water Conservation District.
- An easement created by instrument, including the terms and provisions thereof, recorded April 28, 1966, Book 200, Page 325, in favor of Charles Bowles and Barbara Bowles for Access to Creek.
- An easement created by instrument, including the terms and provisions thereof, dated March 22, 1990, recorded June 6, 1990, BOR 233, Page 98, in favor of Pacific Northwest Bell Telephone Company for Underground Communications facilities.

and having tax account Nos.435680 and 425432.

The true and actual consideration paid for this transfer consists of other value given or promised, which is the whole consideration.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THE 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

103

CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. ORS 93.040(1)

DATED this 11 day of December, 2002.

Raymond M. O'Connor
Raymond M. O'Connor

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on December 11, 2002 by Raymond M. O'Connor.

Before me:

Stephanie M. Moore
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-19-2006



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2 of 3

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MAY 17 2023

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EXHIBIT "A"

Parcel 1:

Beginning at a point, which is 518.96 feet North 89°59'12" East and 826.90 feet South 35°12'56" East from the Northwest corner of Section 26, Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, said point being on the easterly right-of-way line of Zena Road (Market Road No. 2); thence South 85°33'48" East, 1,129.87 feet; thence North 0°01'23" West, 763.26 feet to a point on the North line of said section; thence North 89°59'12" East along said section line, 1,433.35 feet; thence South 29°51'49" West, 532.96 feet; thence South 2°27'17" East 589.05 feet; thence North 89°52'22" East, 1,153.12 feet; thence South 19°09'47" West, 1,526.67 feet to a point on the North right-of-way line of said Zena Road; thence North 89°51'56" West along said right-of-way line, 828.13 feet; thence North 86°36'52" West along said right-of-way line, 176.32 feet; thence along a spiral curve right (the chord of which bears North 85°25'42" West, 437.15 feet); thence along the arc of a 904.93 foot radius curve right (the chord of which bears North 62°32'26" West, 432.47 feet) a distance of 436.70 feet; thence along a spiral curve right (the chord of which bears North 39°39'10" West, 437.15 feet); thence North 35°12'56" West along said right-of-way line, 1,506.55 feet to the point of beginning, together with all water rights of Grantor relating or appurtenant thereto.

Together with a non-exclusive easement, 40.00 feet in width (in common with the Grantors and others), which is more particularly described, as follows:

Beginning at a point on the South line of Section 23, in Township 6 South, Range 4 West of the Willamette Meridian, Polk County, Oregon, said point being 381.93 feet westerly of the southeast corner of said Section 23; thence South 19°09'47" West, 2,636.70 feet to an iron pipe on the North line of Zena Road; thence North 89°51'56" West, 42.32 feet to an iron rod; thence North 19°09'47" East, 1,526.67 feet to an iron rod; thence North 19°09'47" East, 1,110.04 feet to the South line of said Section 23; thence North 89°58'37" East, 42.36 feet to the point of beginning.

Parcel 2:

Beginning at a point, which is 926.88 feet North 89°59'12" East from the North one-quarter corner of Section 26, in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, said point being on the North line of said Section; thence North 89°59'12" East, 398.12 feet to an iron rod; thence South 09°17'26" West, 820.06 feet to an iron rod; thence South 34°34'10" West, 292.35 feet to an iron rod; thence South 89°52'22" West, 340.00 feet to an iron rod; thence North 02°27'17" West, 589.05 feet; thence North 29°51'49" East, 532.96 feet to the point of beginning, together with all water rights of Grantor relating or appurtenant thereto.

TAX LOT 104

TICOR TITLE

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2008-012071



\$41.00

00205403200800120710030031

10/03/2008 02:32:10 PM

REC-BS Cnt=1 Str=1 K. WILLIAMS
\$15.00 \$10.00 \$11.00 \$5.00



TICOR TITLE

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100829264

After Recording Return To:
Zenith Vineyard, LLC
5657 Zena Road, NW
Salem OR 97304

Send Tax Statements To:
Zenith Vineyard, LLC
5657 Zena Road, NW
Salem OR 97304

Title Order No. 200829264
Escrow No. 200829264
Tax Account No. A#435680 6S-
4W-26-104

BARGAIN AND SALE DEED

(ORS 93.860)

Belle Provenance Vineyard, LLC, now known as Zenith Vineyard, LLC, an Oregon Limited Liability Company, Grantor, conveys to Zenith Vineyard, LLC, a Limited Liability Company, Grantee, the following described real property:

See Exhibit 'A' attached hereto and by reference made a part hereof.

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. 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.

The true consideration for this conveyance is THE PURPOSE OF THIS DOCUMENT IS TO AMEND THE NAME OF THE LIMITED LIABILITY COMPANY AS PER STATE OF OREGON, SECRETARY OF STATE, CORPORATION DIVISION RECORDS..

Dated this 2nd day of October, 2008.

ZENITH VINEYARD, LLC (FORMERLY BELLE PROVENANCE VINEYARD, LLC)

By: Timothy S. Ramey, Member

ZENITH VINEYARD, LLC (FORMERLY BELLE PROVENANCE VINEYARD, LLC)

By: Kari S. Ramey, Member

ZENITH VINEYARD, LLC (FORMERLY BELLE PROVENANCE VINEYARD, LLC)

By: Mark Vlossak, President of St. Innocent, LTD, Member

1/3

Title No. 200829264

Escrow No. 200829264

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State of OR, County of Marion)ss.

This instrument was acknowledged before me on October 2, 2008
by Timothy S. Ramey, as Member, of Zenith Vinyard, LLC, formerly Belle Provenance Vineyard,
LLC.

P McCall
Notary Public My commission expires: 7-19-2011



State of OR, County of Marion)ss.

This instrument was acknowledged before me on October 2, 2008
by Kari S. Ramey, as Member, of Zenith Vineyard, LLC, formerly Belle Provenance Vineyard,
LLC.

P McCall
Notary Public My commission expires: 7-19-2011



State of OR, County of Marion)ss.

This instrument was acknowledged before me on October 2, 2008
by Mark Vlossak, as President of St. Innocent, Ltd, Member of Zenith Vineyard, LLC, of Zenith
Vineyard LLC, formerly Belle Provenance Vineyard, LLC.

P McCall
Notary Public My commission expires: 7-19-2011



Title No. 200829264

Escrow No. 200829264

EXHIBIT 'A'

Legal Description:

Beginning at a point which is 926.86 feet North 89° 59' 12" East from the North one-quarter corner of Section 26, in Township 6 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon, said point being on the North line of said Section; thence North 89° 59' 12" East 398.12 feet to an iron rod; thence South 09° 17' 26" West 820.06 feet to an iron rod; thence South 34° 34' 10" West 292.35 feet to an iron rod; thence South 89° 52' 22" West 340.00 feet to an iron rod; thence North 02° 27' 17" West 589.05 feet; thence North 29° 51' 49" East 532.96 feet to the point of beginning, in Polk County, Oregon.

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WARRANTY DEED

DATED AS OF: April 14, 2004

AMONG: HERMANN HATZFELDT GRANTOR
900 SW Fifth Avenue, STE 2600
Portland, OR 97204-1268

AND: BELLE PROVENANCE VINEYARD, LLC GRANTEE
5657 Zena Road NW
Salem, OR 97304

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OWRD

Grantor (s) hereby grant, bargain, sell, warrant and convey to Grantee (s) and Grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of Polk and State of Oregon, to wit:

SEE EXHIBITS A AND B, MADE A PART HEREOF BY THIS REFERENCE

SUBJECT TO: All those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any, and the Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$1.00 and other valuables.

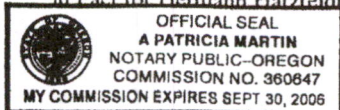
GRANTOR:

T.R. Pancoast, Attorney-in-Fact
By *Terry Pancoast*
Terry Pancoast, Attorney in Fact for Hermann Hatzfeldt

STATE OF OREGON

County of *Washington*

This instrument was acknowledged before me on April 14, 2004, by Terry Pancoast, Attorney in Fact for Hermann Hatzfeldt



A. Patricia Martin
Notary Public for Oregon
My Commission Expires: *9/30/06*

Return to: (AND TAXES)
Belle Provenance Vineyard, LLC
5657 Zena Road NW
Salem, OR 97304

RECORDED IN POLK COUNTY 2004-005872
Valerie Unger, County Clerk



00105282200400058720030033

04/16/2004 03:30:38 PM

\$36.00

REC-WD Cnt=1 Stn=1 A. CAPTAIN
\$15.00 \$10.00 \$11.00

113



J&R SURVEYORS

Ronald H. Schulson, L.S.

Phone 623-4003

P.O. Box 418 • DALLAS, OREGON 97338

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EXHIBIT A

Beginning at the One-quarter corner common the Sections 23 and 26 in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon:

thence North 89°59'50" West along the South line of said Section 23, 506.51 feet;

thence North 00°00'10" East, 330.00 feet;

thence South 89°59'50" East parallel with the South line of said Section 23, 505.49 feet to an iron rod on the East line of the Southwest One-quarter of said Section 23;

thence South 00°10'28" East, 330.00 feet to the point of beginning.

CONTAINING 3.83 acres of land more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

9-05-03

Ronald H. Schulson

OREGON
JULY 14, 1970
RONALD H. SCHULSON
1090

LIC. RENEWAL 6-30-2004

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EXHIBIT B

ACCESS EASEMENT

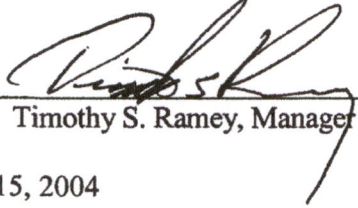
In partial consideration of the real property transfer (described in EXHIBIT A) dated April 14, 2004 between Hermann Hatzfeldt, hereinafter called "Zena", and Belle Provenance Vineyard, LLC, hereinafter called "Belle", Belle grants to Zena:

An access easement, 20 feet wide, along the south side of the section line boundary between Section 23 T6S, R4W and Section 26 T6S, R4W in Polk County Oregon where tax lot 103, Section 26, T6S, R4W shares a common property line with tax lot 801, Section 23, T6S, R4W. The easement shall be for agricultural and logging vehicles only and shall not allow passage of vehicles or equipment in the winter months defined as November through April 15th unless special permission is granted by Belle on a case by case basis. Belle will maintain the access roadway, however, no warranty of passage due to muddy conditions is offered. Belle shall have the right to fence the common boundary, provided that two twelve foot wide access gates are installed at locations chosen by Zena. Any subsequent change in access through said fence line shall be at Zena's expense. Any damage to the roadway or fence caused by Zena shall be promptly repaired at Zena's expense.

Granted:

**Belle Provenance Vineyard, LLC, an
Oregon Limited Liability Company**

By: _____


Timothy S. Ramey, Manager

April 15, 2004

Oregon Water Resources Department Groundwater Application

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Tuesday, May 9, 2023

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	.04	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	0	
Subtotal:		\$1,980.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,590.00

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Water-Use Permit Application Processing

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1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

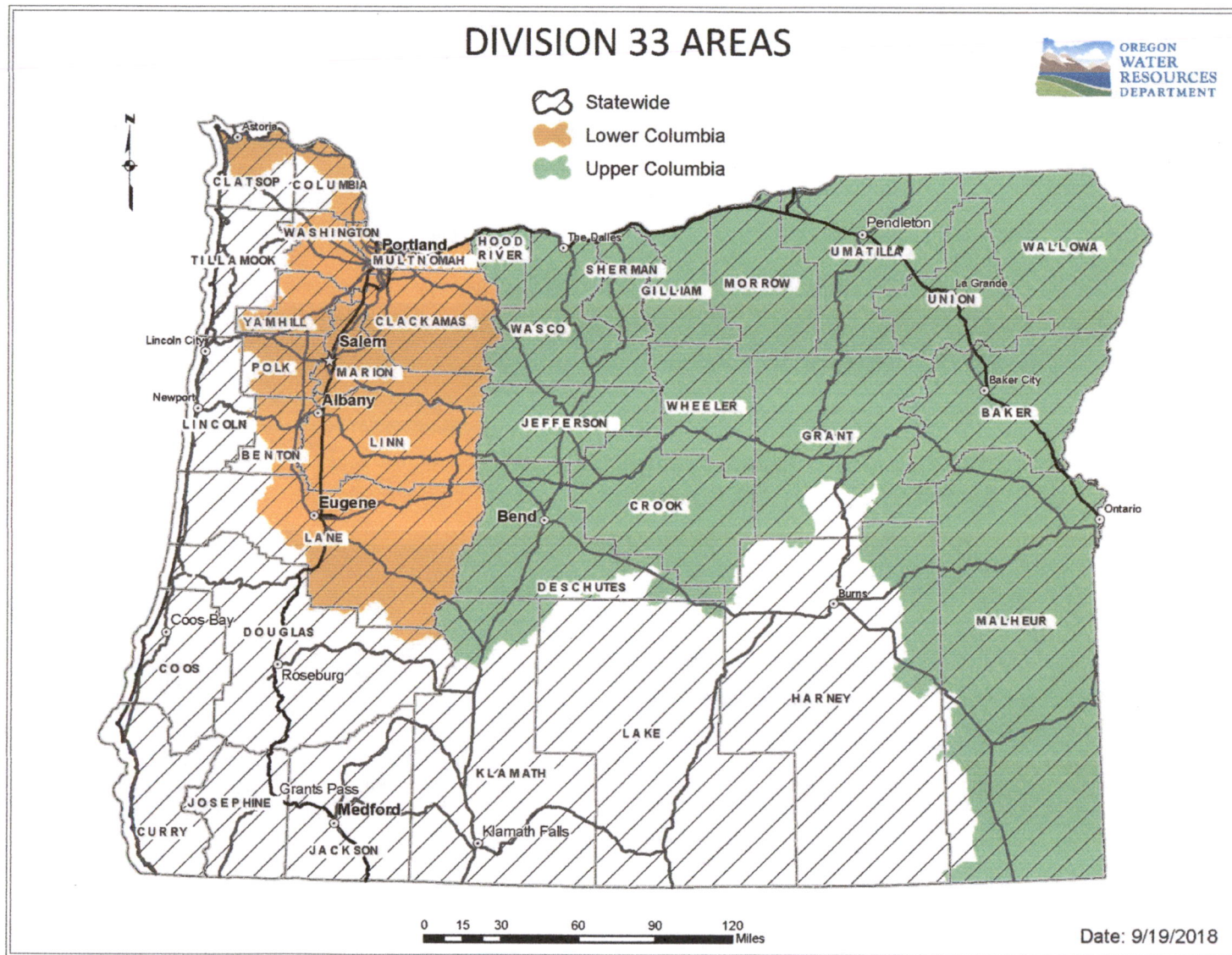
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Figure 1: Map of Division 33 Areas



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MAY 17 2023
OWRPD

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/