

Application for a Permit to Store Water in a Reservoir

Alternate Review (ORS 537.409)



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

You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>FARMS</i> COROLLARY WINES, LLC DAN DIEPHOUSE, MANAGER		PHONE (HM)	
PHONE (WK) 616.318.3474	CELL	FAX	
MAILING ADDRESS 379 SW 7 TH STREET			
CITY DUNDEE	STATE OR	ZIP 97115	E-MAIL * DAN@COROLLARYWINES.COM

Organization

NAME		PHONE	FAX
MAILING 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 JEANNE BOATWRIGHT		PHONE 503.363.9225	FAX
MAILING ADDRESS BOATWRIGHT ENGINEERING, INC. 2613 12 TH STREET SE			CELL
CITY SALEM	STATE OR	ZIP 9730	E-MAIL * 2(ZIP CODE LAST NUMBER) JEANNE@BOATWRIGHTENGR.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 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 legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. 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.

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

<i>[Signature]</i>	Dan Diephouse, manager of LLC	Oct 21, 2023
Applicant Signature	Print Name and Title if applicable	Date
Applicant Signature	Print Name and Title if applicable	Date

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	Corollary Wines Reservoir				
Source*:	Diffuse Runoff	Tributary:	Ash Swale		
County:	Yamhill				
Quantity:	8.5 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	5S	4W	34	SE-SW	2100
Maximum Height of Dam:	24 feet. If excavated write "zero feet."				

* Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose

NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses, which may include stock water, fish and wildlife, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

Yes (please check appropriate box below then skip to section 5)

There are no encumbrances

This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

No (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

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 irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

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SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: in-stream or off channel?

Wetland: Is the project in a wetland? YES NO unknown

Existing: Is this an existing reservoir? YES NO

If YES, how long has it been in place? _____ years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? YES NO unknown

If YES, how much? _____ miles.

Existing: Have you been working with other agencies? YES NO

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

SECTION 6: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name:		Address:	
City:	State:	Zip:	

SECTION 7: DESCRIPTION

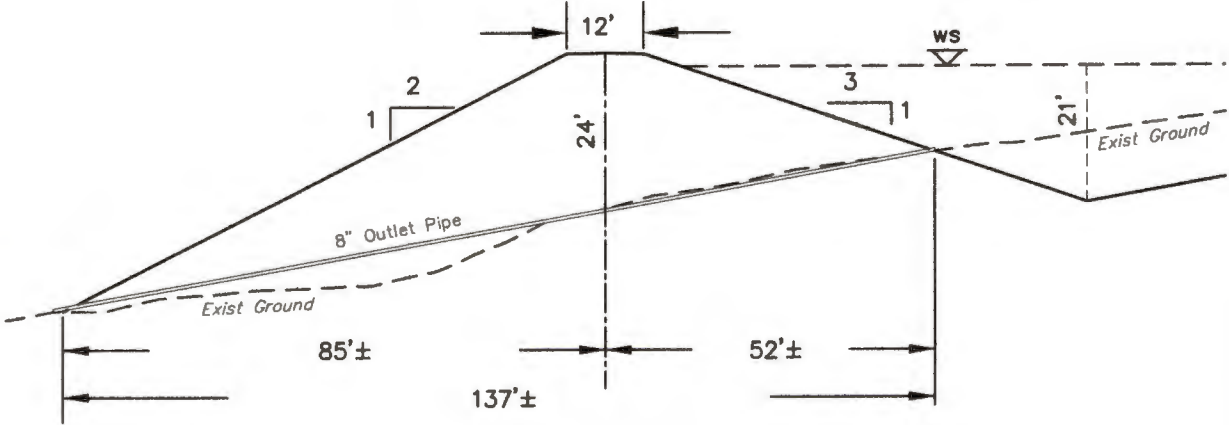
Provide a short description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

Diffuse surface runoff will collect directly into the reservoir. Any live flow outside of the authorized storage season will be passed by opening the outlet drain.

NOTE: YOUR FORMAT DOES NOT ALLOW TEXT, SKETCHES, OR DRAWINGS TO BE ENTERED IN THE SPACE BELOW. FOR ITEM BELOW - SEE ATTACHED PLAN SHEETS.

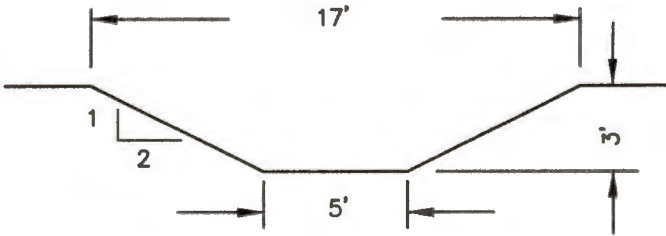
If the diversion involves a dam, use this space below for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

Corollary Farms, LLC.



DAM SECTION

SCALE: 1" = 30'



SPILLWAY CROSS SECTION

NTS

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Watermaster Alternate Reservoir Application Review Sheet

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the Water Resources Department provides public notice, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

Applicant's Name Corallery Wines LLC 5S 4W Sec 34 TL 2100		
1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Explain:		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input type="checkbox"/> YES <input type="checkbox"/> NO Explain: NA		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
4. If yes, during what period? Beginning: 11/1 End: 6/30 Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Who:	Agency:	Date:
Who:	Agency:	Date:

Watermaster Name: Joel Plahn

Watermaster Signature: Joel Plahn Date: 9/5/2023

Digitally signed by Joel Plahn
DN: C=US, OU=District 22 Watermaster,
O=Water Resources Department, CN=Joel
Plahn, E=jc.plahn@water.oregon.gov
Reason: I am the author of this document
Location: [] District 22 Watermaster
Date: 2023.09.05 11:40:19 -0700
Foxit PDF Editor Version: 11.2.8

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: Corollary Wines, LLC

Address: 379 SW 7th Street, Dundee, OR 97115

Phone/Email: (616)318-3474, dan@corollarywines.com

Reservoir Name: N/A Volume (AF): 8.5

Source: Diffuse Runoff > Ash

Basin Name: Willamette in-channel

Twp Rng Sec QQ: 5S-4W-34SESW off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) staff.

1) Is the proposed project and AO¹ off channel?..... YES* NO
(if yes then proceed to #4; if no then proceed to #2)

**Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon’s fish passage laws.*

2) Is the proposed project or AO located where NMF² are or were historically present?..... YES NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

a. Is there an ODFW-approved fish-passage plan?..... YES NO

b. Is there an ODFW-approved fish-passage waiver or exemption?..... YES NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be “Yes” to move forward with the application. If responses to 3(a) and 3(b) are “No”, then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... YES NO
Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

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Any diversion or appropriation of water for storage during the period May 1st through October 31st poses a significant detrimental impact to existing fishery resources. *(For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)* If NMF fish are present at the project site or point

of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

ESA-listed fish (Spring Chinook, Winter Steelhead), sensitive species (Coho, Coastal Cutthroat), and other game fish (Pacific Lamprey) are present in South Yamhill River and/or Salt Creek during the period of impact. Instream flows to fulfill MF163 for aquatic life are not being met partially or wholly during the period of impact. In addition, ODFW has identified biologically necessary flows not captured in an instream water right (e.g., flows in a Basin Investigation Report, Persistence Flow Determination, Seasonally Varying Flow prescription, or other flow analysis) that would benefit fishery resources at the Point of Diversion or downstream.

In addition to existing instream water rights and pending instream water right applications, ODFW recommends the following biologically necessary flows be available at the mouth of Salt Creek to protect public uses:

Salt Creek at the Mouth

JAN	52.58 cfs	APR	52.58 cfs	JUL	14.73 cfs	OCT	21.38 cfs
FEB	52.58 cfs	MAY	52.58 cfs	AUG	12.22 cfs	NOV	52.58 cfs
MAR	52.58 cfs	JUN	44.09 cfs	SEP	12.63 cfs	DEC	52.58 cfs

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Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during May 1st – November 30th. In addition, ODFW reviewed the available information (Total Maximum Daily Loads for the Yamhill River) regarding water quality impairment and determined that a TMDL exists for the Yamhill Watershed for phosphorus and an instream water right for pollution abatement is established. Consequently, ODFW recommends that because the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion that the water use be restricted to the period of May 1st – October 31st.

Because of these reasons, the proposed use will diminish water quality, physical habitat, and/or alter the flow regime to which fish are naturally adapted. These changes will negatively affect their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would result in a significant detrimental impact to an existing fishery resource without appropriate conditions and/or mitigation.

Impairment to Fishery Resource	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity												
Water Quality												

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

NO (explain) YES (select from Menu of Conditions on next page)

See applicable conditions selected from "Menu of Conditions" on next page

describe Mitigation Obligation here, if applicable

Jorden Smith

Digitally signed by Jorden
Smith
Date: 2023.09.15 11:04:58
-07'00'

ODFW Signature: _____

Print Name: Jorden Smith

ODFW Title: East Region Hydro & Water Rights Coordinator

Date: 09/15/2023

NOTE: This completed form must be returned to the applicant.

Revised 10/4/12; reformatted 5/12/20

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020, March 25, 2021

Use this menu to identify appropriate conditions to be included in the permit:

- Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- b51a** The period of use has been limited to December through April.
- b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.
- blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.
- Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
 - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.
- The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.
- fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.
- fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and

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Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

- Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting live fish in Oregon shall have a Fish Transport Permit (FTP) issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without an FTP approved by ODFW. As part of the FTP permitting process, the permittee may be required to screen the inlet and outlet of the reservoir to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the reservoir.
- futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.
- wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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Land Use Information Form

Applicant(s): **Corollary Wines, LLC**

Mailing Address: **379 SW 7th Street**

City: **Dundee**

State: **Oregon** Zip Code: **97115**

Daytime Phone: **616.318.3474**

dan@corollarywines.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:
5S	4W	34	SE-SW	2100	AFLH/AF-40	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	FARMING

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

Yamhill

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 Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) **Diffuse Runoff**

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 **Multipurpose**

Briefly describe:

If a reservoir permit is issued by WRD, a second permit will be obtained to use the water out of the reservoir for irrigation and agricultural use on the surrounding, on-site, vineyard.

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

See bottom of Page 3. →

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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 403.02 A

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.

Name: Tiffany Willis Title: Associate Planner

Signature: Tiffany Willis Phone: 503.434.7516 Date: 10/10/2023

Government Entity: **Yamhill County Planning and Development Department**

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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After recording return to:
Corollary Farms LLC
379 Southwest 7th Street
Dundee, OR 97115

Until a change is requested all tax
statements shall be sent to the
following address:
Corollary Farms LLC
379 Southwest 7th Street
Dundee, OR 97115

File No.: 7032-3934293 (RC)
Date: April 20, 2022

THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records **202210646**
DMR-DDMR
Stn=3 SUTTONS **08/02/2022 01:17:01 PM**
11Pgs \$55.00 \$11.00 \$5.00 \$60.00 **\$131.00**

I, Keri Hinton, County Clerk for Yamhill County, Oregon, certify that
the instrument identified herein was recorded in the Clerk records.

Keri Hinton - County Clerk

STATUTORY WARRANTY DEED

**Dan B. Hornberger and Lois E. Hornberger, Co-Trustees of the Hornberger Family Trust under
agreement dated July 8, 2020;
David L. Johnson;
Rodney D. Johnson;
Brian W. Johnson;**
all as tenants in common, Grantor, conveys and warrants to **Corollary Farms LLC, an Oregon
limited liability company**, Grantee, the following described real property free of liens and
encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

See Exceptions attached hereto as Exhibit B and by this reference incorporated herein.

The true consideration for this conveyance is **\$1,100,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN 3934293-HB

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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.

Dated this 26 day of July, 2022

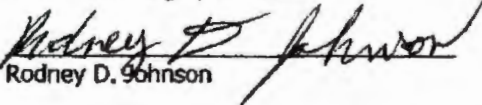
Lois E. Hornberger and Dan B. Hornberger, Co-Trustees of The Hornberger Family Trust dated July 8, 2020

David L. Johnson

Brian W. Johnson

Lois E. Hornberger, Co-Trustee

Dan v Hornberger, Co-Trustee


Rodney D. Johnson

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.

Dated this 27 day of July, 2022.

Lois E. Hornberger and Dan B. Hornberger, Co-Trustees of The Hornberger Family Trust dated July 8, 2020

Lois E. Hornberger
Lois E. Hornberger, Co-Trustee

Dan B. Hornberger
Dan B. Hornberger, Co-Trustee

Rodney D. Johnson
Rodney D. Johnson

David L. Johnson
David L. Johnson

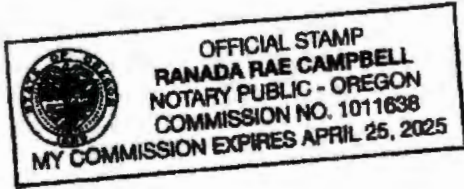
Brian W. Johnson
Brian W. Johnson

RECEIVED
OCT 25 2023
OWRD

STATE OF Oregon

County of ~~Yamhill~~ Washington

This instrument was acknowledged before me on this 27 day of July, 2022
by Lois E. Hornberger and Dan B. Hornberger as Co-Trustee's of Hornberger Family Trust dated July 8,
2020, on behalf of the Trust .



Ranada Rae Campbell

Notary Public for Oregon
My commission expires: 4-25-2025

STATE OF Oregon

County of _____)
)ss.
)

This instrument was acknowledged before me on this _____ day of _____, 20____
by **Rodney D. Johnson** .

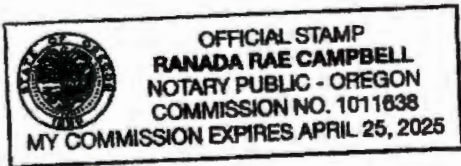
/

Notary Public for Oregon
My commission expires:

STATE OF Oregon

County of Washington

This instrument was acknowledged before me on this 27 day of July, 2022
by **Brian W. Johnson**.



Ranada Rae Campbell

Notary Public for Oregon
My commission expires: 4-25-2025

STATE OF Oregon)
)ss.
County of Yamhill)

This instrument was acknowledged before me on this ____ day of _____, 20____
by Lois E. Hornberger and Dan B. Hornberger as Co-Trustee's of Hornberger Family Trust dated July 8,
2020, on behalf of the Trust .

Notary Public for Oregon
My commission expires:

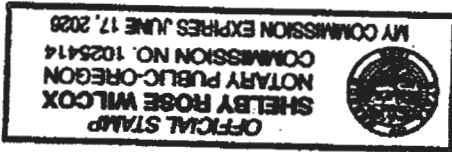
STATE OF Oregon)
)ss.
County of Deschutes)

This instrument was acknowledged before me on this 26 day of July, 2022
by **Rodney D. Johnson** .

[Signature]

Notary Public for Oregon
My commission expires:

06/17/22



STATE OF Oregon)
)ss.
County of)

This instrument was acknowledged before me on this ____ day of _____, 20____
by **Brian W. Johnson**.

Notary Public for Oregon
My commission expires:

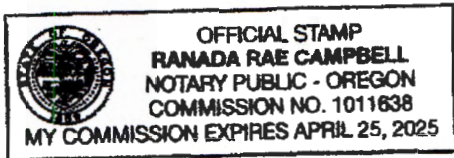
RECEIVED
OCT 25 2023
OWRD

STATE OF Oregon)

County of Washington)ss.

This instrument was acknowledged before me on this 27 day of July, 2022
by **David L. Johnson**.

Ranada Rae Campbell



Notary Public for Oregon
My commission expires: 4-25-2025

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

TRACT A:

PARCEL 1:

TRACT 1, SEA-WOOD ACRES, IN YAMHILL COUNTY, OREGON

PARCEL 2:

THE SOUTH ONE-HALF OF TRACT 4, SEA-WOOD ACRES, IN YAMHILL COUNTY, OREGON.

TRACT B:

PARCEL 1:

A PART OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE AT THE SOUTHEAST CORNER OF THE SOLOMON ALLEN DONATION LAND CLAIM, NOTIFICATION NO. 1254, CLAIM NO. 47; THENCE NORTH 89°50' EAST ALONG FIRST STANDARD PARALLEL SOUTH, 23.930 CHAINS TO A STAKE AND PILE OF STONES AT SOUTHEAST CORNER OF WEST HALF OF THURMAN CLAIM AND SOUTHWEST CORNER OF LOT NO. 1, SEA-WOOD ACRES, FROM WHICH AN OAK 15 INCHES IN DIAMETER BEARS NORTH 8° 30' EAST 39 LINKS AND AN OAK 15 INCHES IN DIAMETER BEARS NORTH 32° 30' WEST 50 LINKS; THENCE NORTH 20' EAST ALONG DIVISION LINE 12.401 CHAINS TO IRON PIPE FROM WHICH AN OAK 10 INCHES IN DIAMETER BEARS SOUTH 63° WEST 20 LINKS AND A FIR 6 INCHES IN DIAMETER BEARS NORTH 84° WEST 15 LINKS; THENCE WEST 24.251 CHAINS TO IRON PIPE ON THE EAST LINE OF SOLOMON ALLEN CLAIM, FROM WHICH AN OAK 3 INCHES IN DIAMETER BEARS SOUTH 24° EAST 14 LINKS AND A FIR 12 INCHES IN DIAMETER BEARS NORTH 22° EAST 63-1/2 LINKS; THENCE SOUTH 1° 09' EAST ALONG THE EAST LINE OF ALLEN CLAIM 12.473 CHAINS TO BEGINNING.

PARCEL 2:

PART OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF AND 12.401 CHAINS NORTH OF THE SOUTHWEST CORNER OF TRACT 1, SEA-WOOD ACRES IN YAMHILL COUNTY, OREGON; THENCE WEST 376 FEET; THENCE NORTH PARALLEL WITH WEST LINE OF SAID TRACT 1, 1.759 CHAINS; THENCE EAST 376 FEET TO THE NORTHWEST CORNER OF SAID TRACT 1; THENCE SOUTH ALONG THE WEST LINE OF SAID TRACT 1, A DISTANCE OF 1.759 CHAINS TO THE PLACE OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

TRACT C:

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A TRACT OF LAND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, COUNTY OF YAMHILL, STATE OF OREGON, BEING ALL OF TRACT 2, TOGETHER WITH THE NORTH 60.00 FEET OF TRACT 3, TOGETHER WITH A 40.00 FOOT WIDE PARCEL OF LAND IN TRACT 21, "SEA-WOOD ACRES", A DULY RECORDED PLAT IN YAMHILL COUNTY PLAT RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "CASWELLHERTEL 503-644-3179" SET ON THE WEST LINE OF SAID TRACT 3, WHICH POINT BEARS SOUTH 00°36'25" WEST 60.00 FEET FROM THE NORTHWEST CORNER THEREOF; THENCE FOLLOWING THE WEST LINE OF SAID TRACT 3, SOUTH 00°36'25" WEST A DISTANCE OF 874.97 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "CASWELLHERTEL 503-644-3179" AT THE SOUTHWEST CORNER THEREOF; THENCE FOLLOWING THE SOUTH LINE OF TRACT 2, SAID "SEA-WOOD ACRES", NORTH 89°09'25" WEST A DISTANCE OF 463.78 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE FOLLOWING THE WEST LINE OF SAID TRACT 2, NORTH 00°42'38" EAST, A DISTANCE OF 933.02 FEET TO THE NORTHWEST CORNER THEREOF; THENCE FOLLOWING THE NORTH LINE OF SAID TRACT 2 AND THE NORTH LINE OF SAID TRACT 3, SOUTH 89°24'19" EAST A DISTANCE OF 924.18 FEET TO THE SOUTHWESTERLY CORNER OF A 40.00 FOOT WIDE RESERVED PARCEL OF LAND, DESCRIBED IN FILM VOLUME 154 PAGE 544, YAMHILL COUNTY DEED RECORDS; THENCE FOLLOWING THE WESTERLY LINE OF SAID PARCEL NORTH 26°09'20" EAST A DISTANCE OF 224.97 FEET, TO THE MOST NORTHERLY CORNER OF SAID 40.00 FOOT WIDE RESERVED PARCEL; THENCE RUNNING PERPENDICULAR TO SAID WESTERLY LINE SOUTH 63°50'40" EAST A DISTANCE OF 40.00 FEET TO A POINT; THENCE RUNNING PARALLEL WITH THE WESTERLY LINE OF SAID 40.00 FOOT WIDE RESERVED PARCEL, SOUTH 26°09'20" WEST A DISTANCE OF 205.64 FEET TO THE NORTHEAST CORNER OF TRACT 3 SAID "SEA-WOOD ACRES"; THENCE FOLLOWING THE EAST LINE OF SAID TRACT 3, SOUTH 00°30'14" WEST A DISTANCE OF 60.00 FEET; THENCE RUNNING PARALLEL WITH THE NORTH LINE OF SAID TRACT 3, NORTH 89°24'19" WEST A DISTANCE OF 462.20 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
2. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
3. Taxes for the fiscal year 2022-2023 a lien due, but not yet payable.
4. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land pursuant to O.R.S. 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment.
5. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
6. Easement, including terms and provisions contained therein:

Recording Information: June 2, 1926 in Book 94, Page 271, Deed Records

7. Easement, including terms and provisions contained therein:

Recording Information: September 26, 1928 in Book 99, Page 542, Deed Records

8. An easement reserved in a deed, including the terms and provisions thereof;

Recorded: January 31, 1951 in Volume 160, Page 464, Deed Records

From: Clarence L. Webber and Sadie G. Webber, his wife, and Paul R. Hendricks and Vivian Hendricks, his wife

To: Eugene S. Schroeder

For: right of way

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9. Easement, including terms and provisions contained therein:

Recording Information: June 31, 1951 in Volume 160, Page 466, Deed Records
 In Favor of: Clarence L. Webber and Paul R. Hendricks
 For: right of way

10. An easement reserved in a deed, including the terms and provisions thereof;

Recorded: October 07, 1975, Film Volume 108; Page 899, Deed and Mortgage Records
 From: Del Casteel
 To: Victor B. & Pamela C. Casteel
 For: roadway access

11. INTENTIONALLY DELETED

12. An easement reserved in a deed, including the terms and provisions thereof;

Recorded: March 16, 2022, Instrument No. 202203952, Deed and Mortgage Records;
 From: David L Johnson, Rodney D Johnson, Brian W Johnson, Dan B. Homberger and Lois E. Homberger, Co-Trustees of the Homberger Family Trust under agreement dated July 8, 2020
 To: James M. Carr and Debra L. Carr, Trustees of the Carr Family Revocable Living Trust, dated September 18, 2009

For: road and utility purposes

13. Roadway and Utility Easement Agreement and the terms and conditions thereof:

Between: David L Johnson, Rodney D Johnson, Brian W Johnson, Dan B. Hornberger and Lois E. Hornberger, Co-Trustees of the Hornberger Family Trust under agreement dated July 8, 2020

And: David L Johnson, Rodney D Johnson, Brian W Johnson, Dan B. Hornberger and Lois E. Hornberger, Co-Trustees of the Hornberger Family Trust under agreement dated July 8, 2020

Recording Information: March 16, 2022, Instrument No. 202203953, Deed and Mortgage Records

14. Unrecorded leases or periodic tenancies, if any.

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AMENDED ANNUAL REPORT



Corporation Division
www.filinginoregon.com

E-FILED
Dec 08, 2022
OREGON SECRETARY OF STATE

REGISTRY NUMBER

128470093

REGISTRATION DATE

01/19/2017

BUSINESS NAME

COROLLARY WINES LLC

BUSINESS

WINERY

MAILING ADDRESS

379 SW 7TH ST
DUNDEE OR 97115 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

6451 NE HILLTOP LN
DAYTON OR 97114 USA

JURISDICTION

OREGON

REGISTERED AGENT

JEANNE FELDKAMP

379 SW 7TH ST
DUNDEE OR 97115 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

DANIEL DIEPHOUSE

379 SW 7TH ST
DUNDEE OR 97115 USA

MEMBER

JEANNE FELDKAMP

379 SW 7TH ST
DUNDEE OR 97115 USA

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I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

JEANNE FELDKAMP

TITLE

MEMBER

DATE

12-08-2022

ARTICLES OF ORGANIZATION



Corporation Division
www.filinginoregon.com

E-FILED
Jul 01, 2022
OREGON SECRETARY OF STATE

REGISTRY NUMBER

198818990

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

1. ENTITY NAME

COROLLARY FARMS LLC

2. MAILING ADDRESS

379 SW 7TH ST
DUNDEE OR 97115 USA

3. PRINCIPAL PLACE OF BUSINESS

379 SW 7TH ST
DUNDEE OR 97115 USA

4. NAME & ADDRESS OF REGISTERED AGENT

JEANNE FELDKAMP

379 SW 7TH ST
DUNDEE OR 97115 USA

5. ORGANIZERS

JEANNE FELDKAMP

379 SW 7TH ST
DUNDEE OR 97115 USA

DANIEL DIEPHOUSE

379 SW 7TH ST
DUNDEE OR 97115 USA

6. INDIVIDUALS WITH DIRECT KNOWLEDGE

JEANNE FELDKAMP

379 SW 7TH ST
DUNDEE OR 97115 USA

DANIEL DIEPHOUSE

379 SW 7TH ST
DUNDEE OR 97115 USA

7. INITIAL MEMBERS/MANAGERS

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MEMBER

JEANNE FELDKAMP

379 SW 7TH ST
DUNDEE OR 97115 USA

MEMBER

DANIEL DIEPHOUSE

379 SW 7TH ST
DUNDEE OR 97115 USA

8. DURATION

PERPETUAL

9. MANAGEMENT

This Limited Liability Company will be member-managed by one or more members

10. OPTIONAL PROVISIONS

The company elects to indemnify its members, managers, employees, agents for liability and related expenses under ORS 63.160 to 63.170.

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

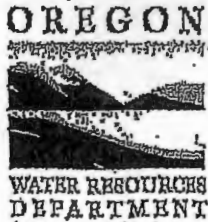
JEANNE FELDKAMP

TITLE

ORGANIZER

DATE

07-01-2022



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OCT 25 2023
OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Corollary Farms / Dan Diephouse

379 SW 7th St, Dundee OR 97115

Transaction Type: Reservoir

Fees Received: \$ 1459.00

Cash Check: Check No. 114

Name(s) on Check: Same as above

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie Lavien
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submittal in the Safe slot.