Application for a Permit to

For Department Use: App. Number: __

Store Water in a Reservoir



Oregon Water Resources Department 725 Summer Street NE, Suite A

Salem, Oregon 97301-1266 503-986-0900 www.oregon.gov/OWRD

(Standard Review)

You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

pplicant				
NAME				PHONE (HM)
RED HILLS FARM, LLC CON	TACT: JASO	N Tosch		
PHONE (WK)	CELL			FAX
971.545.0044	503.7	726.6603		
MAILING ADDRESS				
7401 SW Washo Court, Suite 200				
CITY	STATE	ZIP	E-MAIL *	
Tualatin	Oregon	97062	jason@stollerwineg	group.com
Organization				
NAME			PHONE	FAX
MAILING ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL *	
Cit i	SIMIE	Lir	LIVIAL	
Noort The court is the desired			l	liti
Agent – The agent is authorized to repres AGENT / BUSINESS NAME	ent the app	licant in al		
Jeanne Boatwright, Boatwright E	aginooring	r Inc	PHONE 503.363.9225	FAX
MAILING ADDRESS	igineering	3, 1110.	303.303.3223	CELL
2613 12 th Street SE				CELE
	STATE	ZIP	E-MAIL *	L
	Oregon	97302		
Salem		3/302	i leanne@boatwright	tengr.com
	Oregon	37302	jeanne@boatwright	tengr.com
Note: Attach multiple copies as needed				
Note: Attach multiple copies as needed By providing an e-mail address, consent	is given to r	eceive all c		Department electronically. (Pap
lote: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will als	is given to re so be mailed	eceive all o		
Note: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will als	is given to re so be mailed	eceive all od.) nd:	correspondence from the	Department electronically. (Pap
Note: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will also by my signature below I confirm that I am asking to use water specifica Evaluation of this application will	is given to re so be mailed I understa Ily as descri be based or	eceive all od.) nd: bed in this n informati	correspondence from the application.	Department electronically. (Pap Received by ${\sf APR}~2.6$ 2
Note: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will also by my signature below I confirm that I am asking to use water specifica Evaluation of this application will	is given to roso be mailed I understal Ily as describe based or	eceive all od.) nd: bed in this n informati	correspondence from the application.	Department electronically. (Pap Received by ${\sf APR}~{f 2}~{f 6}~{\it 2}$ ation packet.
Note: Attach multiple copies as needed By providing an e-mail address, consent copies of the final order documents will also be signature below I confirm that I am asking to use water specifica Evaluation of this application will I cannot legally store water until to the Department encourages all a	is given to ro so be mailed I understa Ily as descri be based or the Water Ro pplicants to	eceive all od.) nd: bed in this in informatiesources D wait for a	correspondence from the application. Department issues a permit permit to be issued before	Department electronically. (Pap Received by APR 26 2 ation packet. It to me. Enter Salem, Common packet of any
Note: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will also be a signature below I confirm that I am asking to use water specifica Evaluation of this application will I cannot legally store water until to the Department encourages all a proposed diversion. Acceptance of	is given to reso be mailed I understand Ily as descripte be based or the Water Repplicants to of this applic	eceive all c d.) nd: bed in this n informati esources D wait for a cation does	application. on provided in the application appartment issues a permit permit to be issued before a not guarantee a permit v	Department electronically. (Pap Received by APR 26 2 ation packet. It to me. Ealem, Ce beginning construction of any will be issued.
Note: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will also by my signature below I confirm that I am asking to use water specifica Evaluation of this application will I cannot legally store water until the Department encourages all a proposed diversion. Acceptance of If I begin construction prior to the	is given to reso be mailed I understand Ily as describe based or the Water Repplicants to of this applicance of	eceive all c d.) nd: bed in this n informati esources D wait for a cation does	application. on provided in the application appartment issues a permit permit to be issued before a not guarantee a permit v	Department electronically. (Pap Received by APR 26 2 ation packet. It to me. Ealem, Ce beginning construction of any will be issued.
lote: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will also by my signature below I confirm that I am asking to use water specifica Evaluation of this application will I cannot legally store water until to The Department encourages all a proposed diversion. Acceptance of If I begin construction prior to the If I get a permit, I must not waste	is given to reso be mailed I understat Ily as descri be based or the Water Re pplicants to of this applic e issuance of water.	eceive all c d.) nd: bed in this n informati esources D wait for a cation does f a permit,	application. ion provided in the application provided in the application permit to be issued before a not guarantee a permit will assume all risks association.	Department electronically. (Paper Received by APR 26 2 ation packet. It to me. Salem, Ce beginning construction of any will be issued. ed with my actions.
Note: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will also by my signature below I confirm that I am asking to use water specification will I cannot legally store water until the confirming application will the confirming application of the confirming application will the confirming application will be confirmed as the confirmed as the confirmed as the confirming application will be confirmed as the	is given to reso be mailed I understantilly as describe based or the Water Repplicants to of this applicants to the water of water.	eceive all od.) nd: bed in this informatice esources Diwait for a cation does fapermit,	application. ion provided in the application provided in the application permit to be issued before a not guarantee a permit will assume all risks association the permit, the permit, the permit, the permit will application the permit will be permit.	Department electronically. (Paper Received by APR 26 2 ation packet. It to me. Salem, Ce beginning construction of any will be issued. ed with my actions.
Note: Attach multiple copies as needed By providing an e-mail address, consent opies of the final order documents will also by my signature below I confirm that I am asking to use water specificate Evaluation of this application will I cannot legally store water until the Department encourages all a proposed diversion. Acceptance of the If I begin construction prior to the If I get a permit, I must not waste If development of the water use in the series of the series of the series.	is given to reso be mailed lly as describe based or the Water Repplicants to of this application water.	eceive all cd.) nd: bed in this informaticesources E wait for a cation does f a permit, ding to the comprehe	application. ion provided in the application pepartment issues a permit to be issued before not guarantee a permit values associated terms of the permit, the pensive land use plans.	Department electronically. (Paper Received by APR 262 ation packet. It to me. Salem, Ce beginning construction of any will be issued. Bed with my actions.
Note: Attach multiple copies as needed By providing an e-mail address, consent copies of the final order documents will also be a signature below I confirm that I am asking to use water specification will I cannot legally store water until the confirm that the proposed diversion. Acceptance of the lift get a permit, I must not wastethe lift development of the water use in the water use must be compatible.	is given to reso be mailed lly as describe based or the Water Repplicants to of this application water.	eceive all cd.) nd: bed in this informaticesources E wait for a cation does f a permit, ding to the comprehe	application. ion provided in the application pepartment issues a permit to be issued before not guarantee a permit values associated terms of the permit, the pensive land use plans.	Department electronically. (Paper Received by APR 262 ation packet. It to me. Salem, Ce beginning construction of any will be issued. Bed with my actions.
Note: Attach multiple copies as needed By providing an e-mail address, consent copies of the final order documents will also by my signature below I confirm that I am asking to use water specifica Evaluation of this application will I cannot legally store water until the Department encourages all a proposed diversion. Acceptance of If I begin construction prior to the If I get a permit, I must not waste If development of the water use if the water use if the Department issues a pwater to which they are entitled.	is given to reso be mailed I understal Ily as describe based or the Water Repplicants to of this applicants to exist is suance of water. s not accorde with local ermit, I may	eceive all cd.) nd: bed in this n informati esources D wait for a cation does f a permit, ding to the comprehe y have to si	application. ion provided in the application provided in the application permit to be issued before not guarantee a permit values associated terms of the permit, the pensive land use plans. top using water to allow s	Department electronically. (Pap Received by APR 26 2 ation packet. it to me. Salem. Ce beginning construction of any will be issued. ed with my actions. Dermit can be cancelled. enior water right holders to get
Note: Attach multiple copies as needed By providing an e-mail address, consent copies of the final order documents will also be a signature below I confirm that I am asking to use water specifica Evaluation of this application will I cannot legally store water until to the Department encourages all a proposed diversion. Acceptance of If I begin construction prior to the If I get a permit, I must not waste If development of the water use if the water use must be compatible. Even if the Department issues a proposed water to which they are entitled. I (we) affirm that the information of	is given to reso be mailed I understal Ily as describe based or the Water Repplicants to of this applicants to exist is suance of water. s not accorde with local ermit, I may	eceive all cd.) nd: bed in this n informati esources D wait for a cation does f a permit, ding to the comprehe y have to si	application. ion provided in the application provided in the application permit to be issued before not guarantee a permit values associated terms of the permit, the pensive land use plans. top using water to allow s	Department electronically. (Paper Received by APR 262 ation packet. It to me. Salem Compared to be beginning construction of any will be issued. Be with my actions. Description of the concelled. Be according to get a serior water right holders to get
Note: Attach multiple copies as needed By providing an e-mail address, consent copies of the final order documents will also by my signature below I confirm that I am asking to use water specifica Evaluation of this application will I cannot legally store water until the Department encourages all a proposed diversion. Acceptance of If I begin construction prior to the If I get a permit, I must not waste If development of the water use if the Water use must be compatible. Even if the Department issues a proposed water to which they are entitled.	is given to reso be mailed lly as describe based or the Water Repplicants to of this applicants applicants are water. Is not accorded with local ermit, I may contained in the solution of the local ermit, I may contained in the solution of the local ermit, I may contained in the solution of the local ermit.	eceive all cd.) nd: bed in this n informati esources D wait for a cation does f a permit, ding to the comprehe y have to so	application. ion provided in the application provided in the application permit to be issued before not guarantee a permit values associated terms of the permit, the pensive land use plans. top using water to allow s	Department electronically. (Pap Received by APR 26 2 ation packet. it to me. Salem. Ce beginning construction of any will be issued. ed with my actions. Dermit can be cancelled. enior water right holders to get urate.

Store Water – Page 1 Rev. 07-21

YES, there are no encumbrances. YES, the land is encumbered by easements, rights of	way, roads or other encumbrances.
-	easement permitting access. essary, because the only affected lands I do not own are is for irrigation and/or domestic use only (ORS 274.040)
Affected Landowners: List the names and mailing address by the applicant and that are crossed by the proposed disobtained written authorization or an easement from the NONE	ch, canal or other work, even if the applicant has
Legal Description: You must provide the legal descripti diverted, (2) any property crossed by the proposed ditch, water is to be used as depicted on the map.	
SECTION 2 SOURCE OF WATER	APR 26 2024
SECTION 3: SOURCE OF WATER	AFR 20 2024
A. Reservoir Name: Stoller Reservoir (Dam Safety Fil	e – S-84) Salem, OR
A. Reservoir Name: Stoller Reservoir (Dam Safety Fil B. Source: Provide the name of the water body or other softhe stream or lake it flows into. Indicate if source is ru	source from which water will be diverted, and the name
B. Source: Provide the name of the water body or other s	source from which water will be diverted, and the name
B. Source: Provide the name of the water body or other softhe stream or lake it flows into. Indicate if source is ru	source from which water will be diverted, and the name n-off, seepage, or an unnamed stream or spring.
B. Source: Provide the name of the water body or other softhe stream or lake it flows into. Indicate if source is rule. Source 1: Runoff	source from which water will be diverted, and the name n-off, seepage, or an unnamed stream or spring.
B. Source: Provide the name of the water body or other soft the stream or lake it flows into. Indicate if source is rule Source 1: Runoff TRSQQ of POD: T4S, R3W, Sec 9, NE-NW	source from which water will be diverted, and the name n-off, seepage, or an unnamed stream or spring. Tributary to: Yamhill River

SECTION 2: PROPERTY OWNERSHIP

For Department Use: App. Number: _____

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.

To answer the following questions, refer to the map shown on <u>Attachment 3</u> or the link below to determine whether the proposed point of diversion (POD) 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 POD 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 POD is located, please call the customer service desk at (503) 986-0900.

Up	per Co	olumbia -	OAR	690-033-	0115	thru -0130
----	--------	-----------	-----	----------	------	------------

Is the POD 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

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,

- I understand that the proposed use does <u>not</u> involve appropriation of direct streamflow during the time period April 15 to September 30, <u>except as provided in OAR 690-033-0140</u>.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon 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 prior to diversion or use of water under any permit issued pursuant to this application.

Received by OWRD

APR 26 2024

	he POD located in an area where the Lower Columbia rules apply? Yes No	
the or o	es, you are notified that that the Water Resources Department will determine, by recolumbia River Basin Fish and Wildlife Program, and regional restoration programs endangered fish species, in coordination with state and federal agencies, as appropriposed use is detrimental to the protection or recovery of a threatened or endanger ether the use can be conditioned or mitigated to avoid the detriment.	applicable to threatened riate, whether the
fed Res	permit is issued, it will likely contain conditions to ensure the water use complies we eral water quality standards; and water use measurement, recording and reporting sources Department. The application may be denied, or if appropriate, mitigation for obtain approval of the proposed use.	required by the Water
_	es, provide the following information (the information must be provided with the ansidered complete).	application to be
	Yes \boxtimes No The proposed use is for more than one cubic foot per second (448.8 gg) iject to the requirements of OAR 690, Division 86 (Water Management and Conserv	
	If yes, provide a description of the measures to be taken to assure reasonably	efficient water use:
<u>Sta</u>	tewide - OAR 690-033-0330 thru -0340	
ls t	he POD located in an area where the Statewide rules apply?	
\boxtimes	Yes No	
Del rec fish tha	es, the Water Resources Department will determine whether the proposed use will dangered, threatened or sensitive fish species are located. If so, the Water Resource partment of Fish and Wildlife, Department of Environmental Quality, and the Department conditions required to achieve "no loss of essential habitat of threatened a species," or "no net loss of essential habitat of sensitive (S) fish species." If condition the meet the standards of no loss of essential T&E fish habitat or no net loss of essential recommend denial of the application unless they conclude that the propose species.	es Department, tment of Agriculture will and endangered (T&E) ons cannot be identified ial S fish habitat, the
SE	CTION 5: WATER USE	
		Received by OWRD
a)	The use of the impounded water will be: Irrigation	
b)	The amount of water to be stored is: An additional 30.1 acre-feet.	APR 26 2024
	The existing reservoir holds 29.9 AF. 29.9 AF + 30.1 AF = 60.0 AF total	Salem, OR
c)	The area submerged by the reservoir, when filled, will be an additional 1.1 acres.	
	The existing reservoir submerges 2.7 acres. 2.7 ac + 1.5 ac = 4.2 TOTAL AC	RES

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

SECTION 6: DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be **25.2** feet above streambed or ground surface at the centerline of the crest of the dam. **The Dam is existing and will not be altered.**

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including 1) dam height, 2) width, 3) crest width, 4) surface area and 5) preliminary fish passage design.

As-built dam plans (3 pages) prepared by design engineer, W. Richard Verboort, PE, with survey field data collected by Leland A. Macdonald, PLS, are on file in the Dam Safety Records, File S-84, a copy of which is attached. No fish passage is required. See Item 7.c., below

Note: If your dam height is greater than or equal to 10.0' above land surface **AND** your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved by the Department' Dam Safety Section prior to storage of water.

The dam will be (check one): 🔀 Earthfill	Concrete	Flash board	Other Existing dam is earthfill.
If "other," provide the description:			

SECTION 7: PRIMARY OUTLET WORKS

- a) Describe the location and the dimensions of the outlet conduit through the dam:

 NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

 12" outlet gate w/12" dia concrete encased CMP nine which transitions to a 24" dia concrete encased.
 - 12" outlet gate w/12" dia. concrete encased CMP pipe which transitions to a 24" dia. concrete encased CMP pipe at the vertical 36" dia. trickle tube. From there, a 24" dia. concrete encased CMP extends to a riprap plunge pool at the toe of the face of the dam. All concrete encased pipes also have concrete cut-off collars. The pipe alignment is at the centerline cross section of the dam structure.
- b) How and when will the outlet be operated?
 Cycled annually. Opened for: out-of-storage-season bypass, as needed; during reservoir maintenance; or, upon suspected imminent dam failure.
- c) If ODFW has determined fish are present in the stream, how do you propose to protect fish through the outlet conduit (the conduit does not constitute fish passage)?
 A letter, dated June 21, 2004, from Gary Galovich, Acting Fish Passage Coordinator for ODFW, authorized a fish passage exemption for the existing dam. No alterations will be made to the dam structure. The only alteration is the pool being excavated for additional storage. Therefore, the exemption is still valid.

Received by OWRD

SECTION 8: EMERGENCY SPILLWAY

APR 26 2024

- a) Describe the location and the dimensions of the spillway channel. Salem, OR
 The emergency spillway is located at the west end of the dam structure. The base is 15 feet wide with 2:1 side slopes. The reservoir also has a 36" dia. trickle tube connected to the outlet conduit downstream of the outlet gate.
- b) How will the emergency spillway be designed to prevent erosion?

 The existing spillway will not be altered. It has established and maintained vegetation and is at a 1% slope, which will not scour or erode. The primary storm outflow is through the 36" dia. trickle tube, which can pass up to 42.7 cfs. During a 100-year storm event, the grassy spillway will accommodate the remaining 3.1 cfs portion of the storm. The depth of water at the crest of the spillway, during that storm, will be less than 1.25 inches.

Store	Water	Page	
-------	-------	------------------------	--

c) What is the maximum design flow for the spillway? (Should be able to handle high flow events. 10-year flood events? 50-year flood events?)
 Per the as-built plans, the spillway, in combination with the trickle tube, can pass a 100-year storm event.

SECTION 9: WATER QUALITY

- a) Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream. The reservoir pool has an existing aeration system with 5 aerators which will be reinstalled following the proposed excavation. The upgradient perimeter of the pond is planted with well-established grass and shrub cover providing a buffer that is a minimum of 25' wide. After excavation for the new storage area, the perimeter will be replanted in a similar manner with grass and/or other appropriate vegetation. The upgradient vineyard is irrigated with drip emitters. The only water that will be passed downstream will be cool-season storm overflow.
- b) Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination. The upgradient perimeter of the pond is planted with well-established grass and shrub cover providing a buffer that is a minimum of 25' wide. Upon completion of the excavation work, a similar vegetated barrier will be planted. Application of water on the adjacent vineyard is by drip irrigation.
- c) Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream.

The water in the reservoir is not expected to be contaminated given the vegetated buffer and no surface runoff from irrigation practices. The single annual maintenance activity would be cycling the outlet gate, which is done in as short a period of time as possible.

SECTION 10: PROJECT SCHEDULE (List Month and Year)

- a) Proposed date construction work will begin: August 2024, or the August following the permit date. (Fish passage approval is necessary prior to construction.)
- b) Proposed date construction work will be completed: October 2024, or the October following commencement of construction.
- c) Proposed date water use will be completed: Permit date + 5 years

Received by OWRD

SE	CTION 11: WITHIN A DISTRICT		APR 26 2024
	Check here if the point of diversion or place of use are water district.	located within or are served	Salem, OR by an irrigation or other
	Irrigation District Name	Address	
	City	State	Zip

SECTION 12: REMARKS

Use this space to clarify any information you have provided in the application.

The Project Schedule is dependent on the Permit issuance date and the construction window left in that year. The reservoir will have to be drained and dried in order to start the construction – that usually pushes the work to late summer or early fall.

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

NAME Red Hills Farm, LLC	Contac	ct: Jason	Tosch PHONE 503.72	5.6603
MAILING ADDRESS 7401 SW Washo Court, S	Suite 200	No. of the last of		
CITY	STATE	ZIP	EMAIL	
Tualatin	Oregon	97062	jason@stollerwinegroup.con	1

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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
					SEE ATTACHED SHEET	Diverted	☐ Conveyed	Used	
,					(please initial)	Diverted	☐ Conveyed	Used	
					2.1. 1000 2.1. 101 2.1. 101	Diverted	☐ Conveyed	Used	48 7
						Diverted	☐ Conveyed	Used	

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

Yamhill County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. <u>Description of Proposed Use</u>
Type of application to be filed with the Oregon Water Resources Department:
☑ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification ☐ Limited Water Use License ☐ Exchange of Water ☐ Allocation of Conserved Water
Source of water: Reservoir/Pond Ground Water Surface Water (name) Surface Run-off
Estimated quantity of water needed: 30.1
Intended use of water:
Briefly describe:
The pool of the existing Stoller Reservoir is being enlarged to increase storage volume. No alterations to the dam structure will be made.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 2 and include it with the application filed with the Oregon Water Resources Department.

See Page 2 ->

Received by OWRD

APR 26 2024 Last Revised: 10/2023

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 into	rmation	
regulated by your comprehensive plan	d water use(s), including proposed construction. Cite applicable ordinance section(s): 402	of the y	amhill Co.
□ Lond wood to be sound by the surrous	d water use(s), including proposed construction	os irviga	ben
	(Please attach documentation of applicable la		
	on/land-use decision and accompanying findin have not ended, check "Being Pursued."	gs are sufficier	it.) if approvais nave
Type of Land-Use Approval Needed			
(e.g., plan amendments, rezones,	Cite Most Significant, Applicable Plan Policies	Land-	Use Approval:
conditional-use permits, etc.)	& Ordinance Section References	Land	ose Approvai.
		Obtained	☐ Being Pursued
		Denied	☐ Not Being Pursued
		Obtained	☐ Being Pursued
		Denied	☐ Not Being Pursued
		Obtained	☐ Being Pursued
		Denied	☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued☐ Not Being Pursued
Name: Kenneth ? Friday	Title:	D.	
Signature: Youth L. J.	Date: 4/2	5/2024	
Governmental Entity: Yamhill County Pl	anning & Development Department Ph	one: 503.434.	7516
Receipt Ackr	nowledging Request for Land Use Info	rmation	
Note to Local Government Representative	9:	A MARKET CO.	
	the applicant. For new water right applications	only, if you are	unable to complete
	ay complete this receipt and return it to the app		
	blic Notice of the application to submit the comp		
	ase note while OWRD can accept a signed receip		
for a new permit to use or store water, a c	ompleted Land Use Information Form is required	for all other a	pplications.
Applicant Name:			No process of the contract of
Staff Name:	Title:		
Staff Signature:	Date:		
Governmental Entity:	Phone:		

Received by OWRD

A. Land and Location

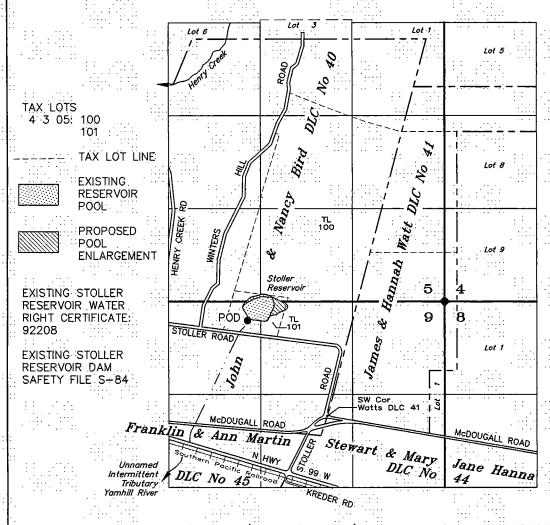
Planning Official's Initials



Township	Range	Section	1/4 1/4	Tax Lot#	Plan Designation (e.g. Rural Residential / RR-5)			Water to be:		Proposed Lan Use
45	3W	5	SE-SW	100	AFLH/EF-80		Diverted	Conveyed	Used	Farming
45	3W	5	SW-SE	100	AFLH/EF-80		Diverted	Conveyed	Used	Farming
45	3W	9	NW-NE	100	AFLH/EF-80		Diverted	Conveyed	Used	Farming
45	3W	5	SE-SW	101	AFLH/EF-80		Diverted	Conveyed	Used	Farming
45	3W	5	SW-SE	101	AFLH/EF-80		Diverted	Conveyed	Used	
							Diverted	Conveyed	Used	Farming
45	3W	9	NW-NE	101	AFLH/EF-80	-				Farming
45	3W	9	NE-NW	101	AFLH/EF-80		Diverted	Conveyed	Used	Farming
						_	Diverted	Conveyed	Used	
						_	Diverted	Conveyed	Used	
				<u> </u>			Diverted Diverted	Conveyed	Used Used	
				-	-	_	Diverted	☐ Conveyed ☐ Conveyed	Used	
							Diverted	Conveyed	Used	-
							Diverted	Conveyed	Used	
						=	Diverted	Conveyed	Used	
						=	Diverted	Conveyed	Used	
						=	Diverted	Conveyed	Used	
			107	<u> </u>			Diverted	Conveyed	Used	
			-			_	Diverted	Conveyed	Used	
		511211			1111111111111	_	Diverted	Conveyed	Used	7 7 7 7 7
1,7721	-		1 1111				Diverted	Conveyed	Used	
				1.2			Diverted	Conveyed	Used	
		1					Diverted	Conveyed	Used	
		I SAKE THE		140,111			Diverted	Conveyed	Used	
			1 - 249				Diverted	Conveyed	Used	
- III			4-135	1			Diverted	Conveyed	Used	
		The second		h land the same			Diverted	Conveyed	Used	
			n i i i i i i i i i i i i i i i i i i i		Age 1 f f f f f f f f f f f f f f f f f f		Diverted	Conveyed	Used	
1111					1.1		Diverted	☐ Conveyed	Used	
							Diverted	Conveyed	Used	110
							Diverted	☐ Conveyed	☐ Used	1 M 1
		111		ede a coll			Diverted	☐ Conveyed	☐ Used	1111
			1111	2004	1 2 2	-	Diverted	Conveyed	Used	
			1111 1112	- lils:		=	Diverted	Conveyed	Used	
		111111111111111111111111111111111111111					Diverted	Conveyed	Used	h tiệt i
	1 11				1.1111111111111111111111111111111111111	_		Conveyed	Used	
71 11 1	-				in a garage			Conveyed	Used	
1 1 1 1 1 1			1 1 1 1 1 2				Diverted	Conveyed	Used	
	11						Diverted	Conveyed	Used	
				1			Diverted Diverted	☐ Conveyed ☐ Conveyed	Used Used	
	-						Diverted	Conveyed	Used	
		17.7					Diverted	Conveyed	Used	
		11,00	70 L	Received by	OWRD		Diverted	Conveyed	Used	
		- 4 -				_	Diverted	Conveyed	Used	
				APR 26 2	2024		Diverted	Conveyed	Used	
	1	11/1		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			Diverted	Conveyed	Used	5/4
			A 25. 1	Salem, C)R	-	Diverted	Conveyed	Used	
100				,			Diverted	Conveyed	Used	
1111	1.1.	× 2.00					Diverted	Conveyed	Used	
							Diverted	Conveyed	☐ Used	C. 72

T4S, R3W, W.M.

YAMHILL COUNTY, OREGON



POD DAM: 1314.5' NORTH & 1106.0' WEST OF SW COR WATT DLC No.: 41

APPLICATION FOR A PERMIT TO STORE WATER IN A RESERVOIR

Application No.	. :	:	<u> </u>	_ Permit No	:	_

Red Hills Farm, LLC

April 22, 2024 SCALE 1" = 1320

NOTE: This map is not intended to provide legal dimensions or locations of property ownership lines.



RENEWAL DATE: 12-31-25

After recording, return to (File No. 4-00004) Jamieson Law Firm Attn: Eric W. Jamieson 2121 Front Street NE Salem, OR 97301

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

Stoller Vineyards, Inc. PO Box 189 Dayton, OR 97114

OFFICIAL YAMHILL COUNTY RECORDS BRIAN VAN BERGEN, COUNTY CLERK

201812986



\$91.00

DMR-DDMR Cnt=1 Stn=3 SUTTONS

\$15.00 \$5.00 \$11.00 \$60.00

STATUTORY WARRANTY DEED

(ORS 93.850)

William H. Stoller, Grantor, conveys and warrants to Red Hills Farm, L.L.C., an Oregon limited liability company, Grantee, the following described real property situated in Yamhill County, State of Oregon, free of encumbrances except as specifically set forth herein:

See attached Exhibit "A"

The true and actual consideration for this transfer in terms of dollars is \$0; however, the true and actual consideration consists, in whole or part, of other property or value given. This transfer is intended as a tax-free contribution to an entity owned by Grantor.

SUBJECT TO:

- Proceedings by a public agency which may result in taxes or assessments or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- Easements, liens, encumbrances, interests, or claims thereof which are not shown by the public records; any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose and which are not shown by the public records.
- The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets, highways, or right-of ways.

Received by OWRD

APR 26 2024

5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water, whether or not shown by the public records.

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 28th day of August, 2018.

Wayne Marschall, Power of Attorney for

William H. Stoller

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on August <u>28</u>, 2018, by Wayne Marschall as Power of Attorney for William H. Stoller, Grantor.

OFFICIAL STAMP
ROSM ALEEN BOHN
NOTARY PUBLIC-OREGON
COMMISSION NO. 954189
NY COMMISSION EXPRESS SEPTEMEN US, 2020

NOTARY PUBLIC FOR OREGON

My Commission Expires: September 05, 2020

Received by OWRD

APR 26 2024

EXHIBIT A

A tract of land in Section 5 and Section 8, Township 4 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, being part of Parcel 3 as described in deed recorded in Film Volume 74, Page 166, Yamhill County Deed Records and being more particularly described as follows:

BEGINNING at the Southwest corner of said Parcel 3, said corner being in the center of County Road No. 84; thence North 16° 10' East along the West line of said Parcel 3 a distance of 592.0 feet (passing an iron rod at 30 feet) to an iron rod; thence South 82° 45' East parallel to said County Road, 775.0 feet to an iron rod; thence South 16° 10' West, parallel to the West line of said Parcel 3 a distance of 592 feet to the center of County Road No. 84; thence North 82° 45' West along said Road, 775 feet to the POINT OF BEGINNING.

Tax Lot No. 4305-101

Received by OWRD APR 26 2024

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS. That William H. Stoller, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Red Hills Farm, L.L.C., an Oregon limited liability company hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill, State of Oregon, described as follows, to-wit:

See stacked Exhibit "A"

To have and to Hold the same unto said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that 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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1.584.000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 7 day of <u>Maxue</u>, 19 <u>75</u>; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THE 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 THE 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 30.910.

www.H. Stoller

Received by OWRD

APR 26 2024

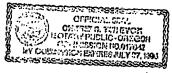
Salem, OR

STATE OF Oregon

) ss.

County of Mulinomali

BEIT REMEMBERED, that on this 7th day of March, 195, william H Stallen personally appeared before me, a Notary Public in and for said County and State, and scknowledged to me that they executed the foregoing instrument freely and voluntarily.



Grantor -William H. Stoller 621 SW Morrison, Suite 500 Portland, OR 97205

Grantee -Red Hills Farm, L.L.C. 621 SW Morrison, Suite 500 Poulland, OR 97205

After recording return to: Red Hills Farm, L.L.C. 621 SW Morrison, Suite 500 Portland, OR 97205 Cheira Seneyak

Notary Public for Oregon

My commission expires: 7/27/96

This Space Reserved for Recorder's Use

Recorded in Official Yamhili County Records CHARLES STERN, COUNTY CLERK

199502864 12:58pm 03/08/95

001 10002512 10 04 1 0 D08 5 25.00 10.00 20.00 0.00 0.00 0.00

15

NUEKEU

EXILIBIT "A"

fighter term of a con-

PARCEL I:

Being a part of the John Bird Donation Land Claim in Sections 5 and 8, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, further described as follows, to-wit:

BEGINNING at a point 700 feet East of the Northeast corner of Lot 5 of County Survey No. 1300 said point being West 1841 feet and South 10° West, 19.56 chains from the Northeast corner of the John Bird Donation Land Claim in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon; thence South 16° 50' West, 2640 feet, more or less to a 30 inch oak tree in a fence corner; thence South 16° 50' West to the center of County Road No. 84; thence East along the center of the County Road No. 84; thence East along John Bird Donation Land Claim; thence North 15° East along the Donation Land Claim line to the Northwest corner of Parcel IV in instrument recorded December 19, 1961 in Film Volume 20, Page 306, Yamhill County Deed Records; thence Westerly to the Point of Beginning.

EXCEPTING THEREFROM that tract conveyed to John W. Stoller and Joann Stoller, husband and wife, by Deed recorded October 1, 1974 in Film Volume 102, Page 737, Deed Records.

PARCEL II:

A tract of land in Section 5 of Township 4 South, Range 3 West of the Willamette Moridian in Yamhill County, Oregon described as follows:

DEGINNING at the Northwest corner of that tract of land conveyed from Stoller to Stoller by deed recorded in Film Volume 199, Page 620, Yambill County Deed Records, said corner is on record as being East 700 feet from the Northeast corner of Lot 5 of CS-1300; thence North 15° 29° 40° East 406.95 feet to an existing fence corner post; thence South 60° 33′ 30° East 407.42 feet along said fence; thence South 60° 09° East 239.62 feet along said fence; thence South 70° 04′ East 391.84 feet along said fence to a corner post; thence South 70° 36′ East 61.95 feet to a steel fence post; thence South 70° 16′ East 542.54 feet to an iron rod at the Northeast corner of said Stoller tract; thence North 85° 04′ 40° West 1667.14 feet to the Point of Beginning.

(continued)

APR 26 2024 2/5

Exhibit "A" (continued)

PARCEL III:

A tract of land in Section 5 of Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

BEGINNING at the Northwest corner of that tract of land conveyed from Stoller to Stoller by Deed recorded in Film Volume 199, Page 628, Yamhill County Deed Records, Said corner is on record as being East 700 feet from the Northeast corner of Lot 5 of County Survey 1300; thence North 15° 29' 40° East 406.95 feet to an existing fence corner post; thence North 16° 29' West 17.96 feet to an existing fonce corner post; thence South 16° 49' West 425.18 feet along an existing fence line; thence South 16° 26' 30° West 1110.19 feet along said fence to an iron rod at the Southeast corner of Tract 4145 of CSF-4352-1, thence South 80° 02' 30° East 26.42 feet to the West line of said Stoller tract; thence North 16° 30' East 1126.90 feet to the Point of Beginning.

Tax Lot No. 4305-100

YCT&E 131330

Received by OWRD

APR 26 2024

Salem, OR

(continued)

EXHIBIT "A" (contintued)

PARCEL II

Part of the James Watt Donation Land Claim in Township 4 Scuth, Range 3 West of the Hillamette Meridian in Yambill County, Oregon, described as follows:

医红色性性多点的 医阿拉伯氏 化氯化甲基甲基甲基

DECIMING at the Northwest corner of the Hanna Morris Claim No. 42, DEGINNING at the Northwest corner of the Hanna Morris Claim No. 42, which point is the Northwest corner of U.S. Government Lot 8 of Section 4, said Township and Range; thence South along the West line of said Morris Claim, 27.17 chains to the North line of tract conveyed by Harvey Stoller to Ruth Stoller by deed recorded June 2, 1948 in Book 140, Page 761, Deed Records; thence West along said North line, 19.04 chains to angle corner; thence Jouti. 15° West, 19.75 chains to County Road; thence West 46 links to East line of said John Bird Donation Road; thence West 46 links to East line of said John Bird Donation Claim; thence North 15° East along the East line of said Bird Claim to a point due West of the place of beginning; thence East to Claim to a point due West of the place of beginning; thence East to the place of beginning. (Tax Lot No. 4304-2200)

PARCEL II:

Being a part of the James Watt Donation Land Claim, Notification No. 1036, Claim No. 41, and a part of the James Watt and wife Certificate Claim in Sections 4, 5, 0 and 9 in Township 4 South, Range 3 West of Claim in Sections 4, 5, 0 and 9 in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at an iron pipe at the Southwest corner of the said James Watt Donation Land Claim No. 41, thonce North 15° East 15.20 chaims along line of the James Watt and John Bird Claims and in the County Road now there, thence East 0.46 of a chain; thence North 15° East 20.452 chains thence East 0.46 of a chain; thence North 15° East 20.452 chains thence East 0.45 of a chain; thence North 1° West 26.09 chains; North 89° 17' East 19.217 chains, thence North 1° West 26.09 chains; thence North 80° 27' East 17.530 chains; thence South 21' East 60.53 thence North 80° 27' East 17.530 chains; thence South 21' East 60.53 chains to the Northerly margin of present McDougall Road (01d 99W) chains to the Northerly margin of said highway, thence North 80° 17' West 37.093 chains following Northerly margin of said highway, thence South 0.613 chains to the center of old county road and former highway, thence thorth 80° 17' West 4.323 chains to the place of beginning.

EXCEPTING THEREFROM the following from above Parcels I and II

Reginning at the Southwest corner of said Watt Donation Land Claim, thence North 15° East 2100 feet along the West line of said Watt Donation Land Claim; thence East 650 feet to the True Point of Deglining; thence North 650 feet; thence East 600 feet; thence South 650 feet; thence West 600 feet to the TRUE POINT OF BEGINNING.

(continued)

PARCEL III:

BEING a part of the Jones Watt Donation Land Claim, Notification No. 1036, Claim No. 41, and a part of the James Watt and wife Certificate Claim in Sections 4, 5, 0 and 9 in Town.hip 4 South, Range 3 West of the Willamotte Heridian in Yamhill County, Oregon, and beginning at the Southwest corner of said Watt Donation Land Claim, thouse North 15° East 2100 feet along the West line of unid Watt Donation Land Claim; thouse East 650 feet to the True Point of Deginning; thence North 650 feet; thence East 600 feet; theree South 650 feet; thouse West 600 feet to the True Point of Deginning.

ing the first the second of the second second of the secon

Tax Lot No. 4304-2200 4308-100

YCT4E 131239



Depairment of Fish and Wildlife

Fish Division

406 Cherry Avenue NE

Salem, OR 97303

(503) 947-6200

Fax (503) 947-6202

TTY (503) 947-6339

www.dfw.state.or.us



June 21: 2004

Mike Haverkate Red Hills Farm, LLC 15909 NE McDougal Road Dayton, Oregon 97114

Dear Mr. Haverkate:

The application (# E-04-0003; cover sheet attached) for a fish passage exemption for your proposed dam located in Yamhill County on an unnamed tributary of the Yamhill River has been approved by the Department pursuant to ORS 509.585(9)(a)(C) and OAR 635-412-0025(4)(c) and (10)(a)(i). Therefore, you do not have to provide fish passage at this dam. Please keep a copy of this approval letter with the attachment as a record of the exemption. Let me know if you have any questions and we appreciate that you have addressed fish passage requirements at this site.

Sincerely,

Sary Chilopolich

Acting Fush Passage Coordinator

de Tom Said

Received by OWRD

APR 26 2024

Dick

From:

"Thomas Stahl" <Thomas.Stahl@DFW.STATE.OR.US>

To:

<verboort@earthlink.net>

Cc:

"Gary Galovich" <gary.m.galovich@DFW.STATE.OR.US>; <wadepatsym@msn.com>

Sent:

Friday, May 21, 2004 5:42 PM

Subject:

Re: Wade Miller Wildlife Reservoir - fish Passage Exemption

Dick.

For your information, we have decided not to include the drain-tiling by Wade as part of the exemption because there are policy issues associated with drain tiles and fish passage that still need to be worked out. Also, if an exemption should have been obtained (which we are unsure of at this time), it should be a separate application from the dam's since it is a separate artificial obstruction.

With respect to the distance for the Red Hills application, we have determined that, until policy issues with respect to drain tiles are worked out, the 1500' of drain tile should not be included in the stream distance because there is no stream to speak of here. Therefore it will not need to go to the Commission for a decision.

Although there are policy issues that ODFW may need to work out in the future, we are comfortable with the above direction because we feel both of these sites clearly qualify for an exemption (i.e., there is no benefit to providing fish passage).

Tom

>>> "Dick" <<u>verboort@earthlink.net</u>> 05/20/2004 9:38:16 PM >>> Tom,

Thanks for the return email. Hope the 2-1/2 weeks was for vacation or some

interesting training or similar issue.

Regarding the Wade Miller project. Did you notice on page 3 of the narrative under the "new drain line" that the new line basically was a repair job and hooked into an existing line that had been there since about

or before the early 60's (it was a clay tile line). That line ran clear down

to the county road ditch for an outlet. Please let me know if you have any

questions or you can get in touch with Mr. Miller by e-mail. I will cc him

on this so that you have his address.

Please let me know if there is anything else I can provide.

Received by OWRD

APR 26 2024

Salem, OR

RECEIVED

APR 06 2007

WATER RESOURCES DEPT SALEM, OREGON-



Dick

From:

"Gary Galovich" <gary.m.galovich@DFW.STATE.OR.US>

To:

"Larry Trosi" <LTrosi@aol.com>; "John Borden" <jeborden@attbi.com>; "Rob Schab"

<rob_schab@cbnbh2o.com>; "Mark Mouser" <MarkMou@co.clackamas.or.us>; "Robert Beal"

<bobb@coid.org>; "Sharon Sawdey" <Sharon.Sawdey@hdrinc.com>; "Steve Mason"

<wsc@jeffnet.org>; <Jeff-Bash@or.nacdnet.org>; <Yamhill-swcd@or.nacdnet.org>; "William"

Lovelace" <flyfish@oregontrail.net>; "Richard Craven" <rcraven@teleport.com>

Sent:

Monday, May 17, 2004 12:20 PM

Subject:

Fish Passage Exemption Comment Opportunity

The Oregon Department of Fish and Wildlife (ODFW) is seeking comment on a request to forego the fish passage requirement at a dam and reservoir proposed for construction on an un-named tributary of the Yamhill River in Yamhill County. Comments are due by June 8, 2004.

Artificial obstructions must provide upstream and downstream passage for native migratory fish when they undergo construction, have a fundamental change in permit status, or are abandoned. A proposal submitted by Red Hills Farm, LLC to construct a reservoir on a stream have "triggered" the fish passage requirement. In certain situations such as this one, ODFW may exempt an artificial obstruction from the statutory requirement to provide fish passage if passage would provide no appreciable benefit to native migratory fish.

The un-named, seasonal stream is a tributary of the Yamhill River located approximately 1.25 miles east of the community of Lafayette. It was determined to have historically provided habitat for native migratory fish, primarily steelhead and cutthroat trout, but none are expected to currently be present as it has been greatly impacted by intensive land use. Sections of the stream have been channelized or drain-tiled and a dam and several culvert crossings located downstream of the proposed reservoir currently present obstacles to fish passage.

The Department has made an initial determination that there would be no appreciable benefit to providing passage at the proposed dam. Therefore, unless public comment is provided that would affect the Department's determination, the exemption request will be approved. The exemption application and the Department's benefit analysis may be obtained from the Department if you would like more information regarding this exemption request. Please provide written comments or requests for further information to me at:

Gary Galovich
Acting Fish Passage Coordinator
Oregon Department of Fish & Wildlife
3406 Cherry Avenue NE
Salem, Oregon 97303

or by email to: Gary.M.Galovich@state.or.us

After the comment period closes a final decision regarding the exemption request will be made.

Received by OWRD

APR 26 2024

AMENDED ANNUAL REPORT



E-FILED Aug 29, 2023

OREGON SECRETARY OF STATE

REGISTRY NUMBER

17198011

REGISTRATION DATE

10/12/1983

BUSINESS NAME

THE STOLLER GROUP, INC.

BUSINESS

DOMESTIC BUSINESS CORPORATION

MAILING ADDRESS

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA

TYPE

DOMESTIC BUSINESS CORPORATION

PRIMARY PLACE OF BUSINESS

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA

JURISDICTION

OREGON

REGISTERED AGENT

WAYNE MARSCHALL

7401 SW WASHO CT STE 200

TUALATIN OR 97062 USA

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

PRESIDENT

WAYNE MARSCHALL

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA

SECRETARY

WAYNE MARSCHALL

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA Received by OWRD

APR 26 2024

OREGON SECRETARY OF STATE

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, directors, employees or agents of the corporation 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

WAYNE MARSCHALL

TITLE

AUTHORIZED AGENT

DATE

08-29-2023

APR 2 6 2024 Salem, OR

DURABLE SPECIAL POWER OF ATTORNEY

I, William H. Stoller, do hereby make, constitute and appoint Wayne Marschall, President of The Stoller Group, Inc., as my Agent and attorney in fact (my "Agent"), with full power and authority for me and in my behalf, to take any actions reasonably necessary as I might do if personally present, whether such acts are expressly hereinabove enumerated or not, and I hereby ratify and confirm each and every act and thing which my said Agent may do by virtue of this power of attorney.

This power of attorney and authorization shall continue in full force and effect, notwithstanding that I may become legally disabled or incompetent, until revocation thereof signed by me has been delivered to my Agent.

I have signed this power of attorney this 8th day of October, 2018.

William H. Stoller

STATE OF Oregon) ss.
County of Washington)

On this 8th day of October, 2018, before me personally appeared William H. Stoller, and acknowledged to me that he executed this power of attorney freely and voluntarily.

OFFICIAL STAMP

ROPIN ALEEN BOMN

NOTARY PUBLIC-OREGON

COMMISSION NO. 954 1889

HYCOMESSON COMPASSEPTEMBRIS, 2020

Notary Public of <u>What works</u> County My commission expires: <u>Jest 05, 20</u>20

Received by OWRD

APR 26 2024

SIGNATURE OF AGENT

Agent acknowledges that the following is Agent's signature:

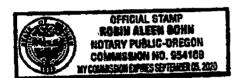
Wayne Marschall

STATE OF OREGON

) ss.

County of Washington

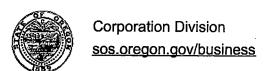
On this 5th day of October, 2018, Wayne Marschall, personally appeared before me and acknowledged to me that he executed this power of attorney, freely and voluntarily, as the above-named Agent.



Notary Public of Oregon
My commission expires:

APR 26 2024 Salem, OR

AMENDED ANNUAL REPORT



E-FILED Jan 02, 2024 OREGON SECRETARY OF STATE

REGISTRY NUMBER

44340982

REGISTRATION DATE

02/16/1995

BUSINESS NAME

RED HILLS FARM, LLC

BUSINESS ACTIVITY

DOMESTIC LIMITED LIABILITY COMPANY

MAILING ADDRESS

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

16161 NE MCDOUGALL RD DAYTON OR 97114 USA

JURISDICTION

OREGON

REGISTERED AGENT

17198011 - THE STOLLER GROUP, INC.

7401 SW WASHO CT STE 200

TUALATIN OR 97062 USA

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

MEMBER

WILLIAM H. STOLLER TRUST

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA

MEMBER

17198011 - THE STOLLER GROUP, INC.

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA Received by OWRD

APR 26 2024



MANAGER

WAYNE MARSCHALL

7401 SW WASHO CT STE 200 TUALATIN OR 97062 USA

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

WAYNE MARSCHALL

TITLE

AUTHORIZED AGENT

DATE

01-02-2024

Received by OWRD

APR 26 2024

DURABLE SPECIAL POWER OF ATTORNEY

I, William H. Stoller, Trustee of the William H. Stoller Trust created on July 26, 1990 and amended and restated on July 21, 2015 (the "Trust), and pursuant to Section 8.2 and 8.11 of the Trust, do hereby make, constitute and appoint Wayne Marschall, President and Chief Financial Officer of The Stoller Group, Inc., as my Agent and attorney in fact (my "Agent"), with full power and authority for me and in my behalf and on behalf of the Trust established by me and for my benefit, to take any actions reasonably necessary relating to assets of the Trust as I might do if personally present, whether such acts are expressly hereinabove enumerated or not, and I hereby ratify and confirm each and every act and thing which my said Agent may do by virtue of this power of attorney.

This power of attorney and authorization shall continue in full force and effect, notwithstanding that I may become legally disabled or incompetent, until revocation thereof signed by me has been recorded in the county where this power of attorney has been recorded.

I have signed this power of attorney this 20th day of November, 2020.

WILLIAM H. STOLLER TRUST DATED JULY 21, 2015

By: William H. Stoller, Trustee

STATE OF OREGON)

County of Washington)

On this <u>20th</u> day of November, 2020, before me personally appeared William H. Stoller, Trustee of the William H. Stoller Trust as amended and restated July 21, 2015 and acknowledged to me that he executed this power of attorney freely and voluntarily.

OFFICIAL STAMP
ROBIN ALEEN BOHN
NOTARY PUBLIC - OREGON
COMMISSION NO. 1000904
MY COMMISSION EXPIRES JUNE 16, 2024

Robin Aleen Bohn

Notary Public for Oregon

My commission expires: June 16, 2024

Received by OWRD

APR **26** 2024

SIGNATURE OF AGENT

Agent acknowledges that the following is Agent's signature:

W. Munch

Wayne Marschall

STATE OF OREGON

) ss.

County of Washington

On this <u>20th</u> day of November, 2020, Wayne Marschall, personally appeared before me and acknowledged to me that he executed this power of attorney, freely and voluntarily, as the above-named Agent.

OFFICIAL STAMP

ROBIN ALEEN BOHN

NOTARY PUBLIC - OREGON

COMMISSION NO. 1000904

MY COMMISSION EXPIRES JUNE 16, 2024

Robin Aleen Bohn

Notary Public for Oregon

My commission expires: June 16, 2024

Received by OWRD

APR 26 2024



Received by OWRD

APR 26 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Red Hills From LLC contact &
7401 SW Washo Court Suite 200 Tos
Transaction Type: Store Water in Reservoir
Fees Received: \$ 2,535.46
☐ Cash ☐ Check; Check No. 620317
Name(s) on Check: Stoller Family Estate
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: (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 submission (application/other document) in the top drawer of filing cabinet.

Minimum Requirements Checklist

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

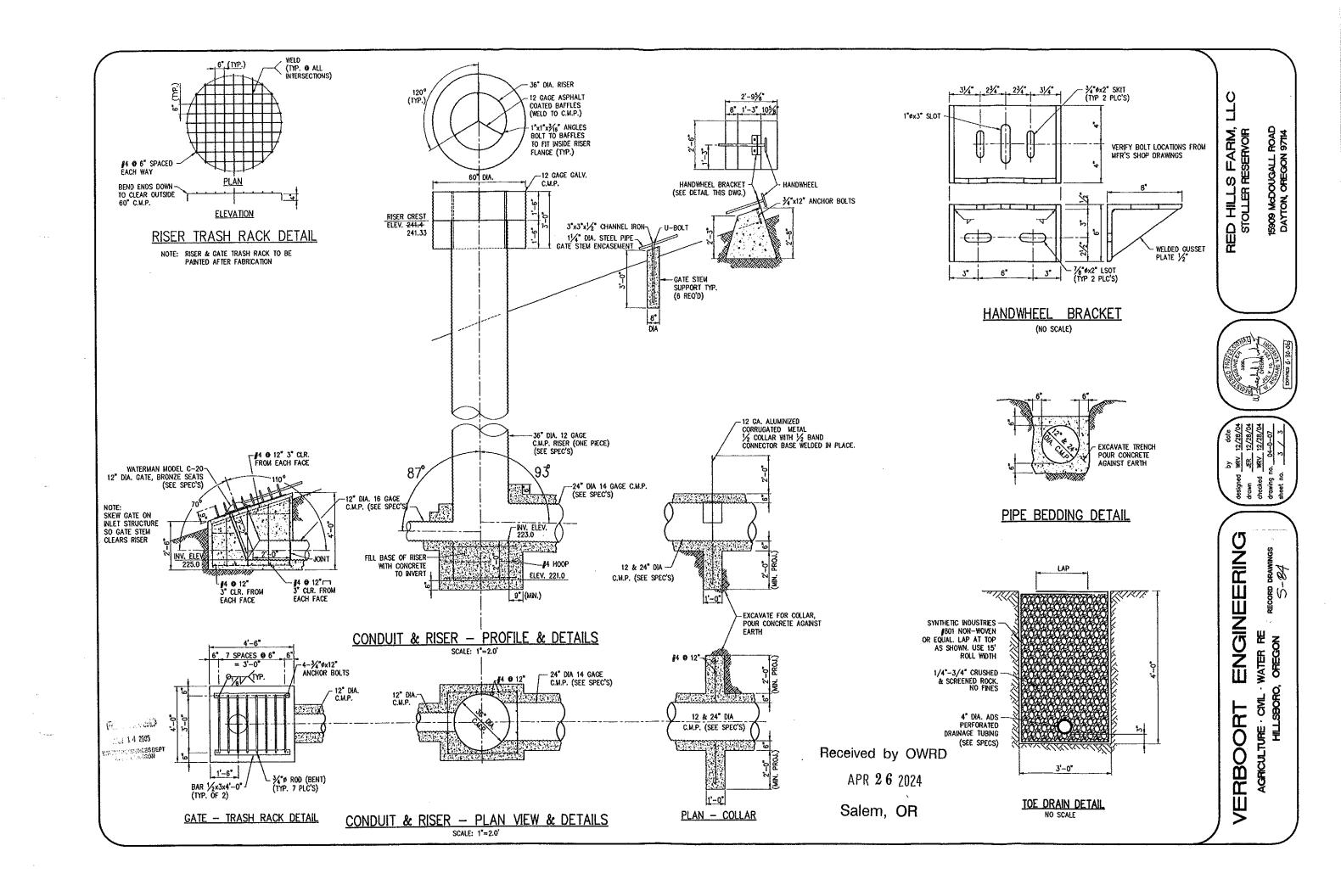
Include this checklist with the application

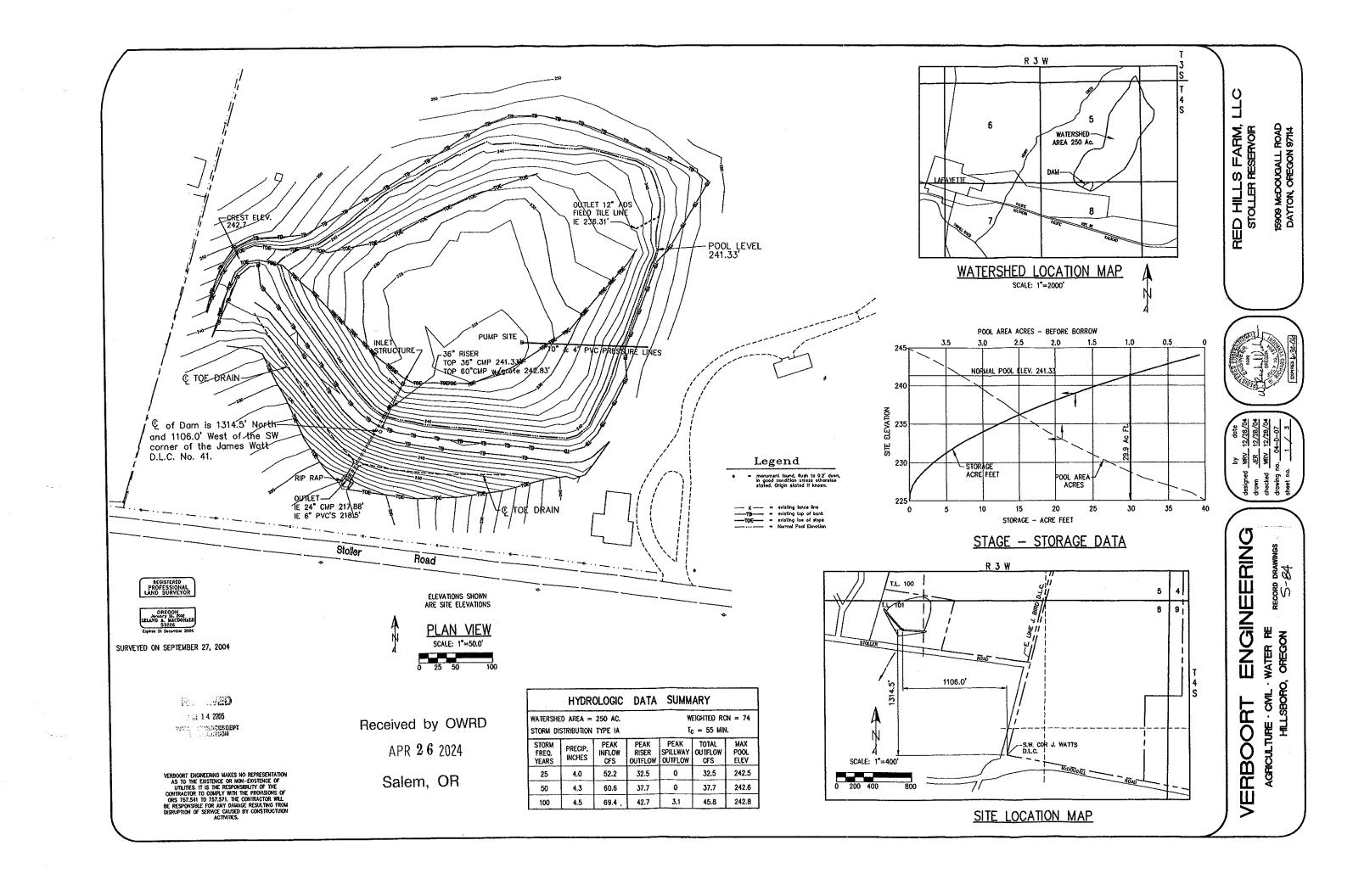
Check that each of the following sections are completed. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

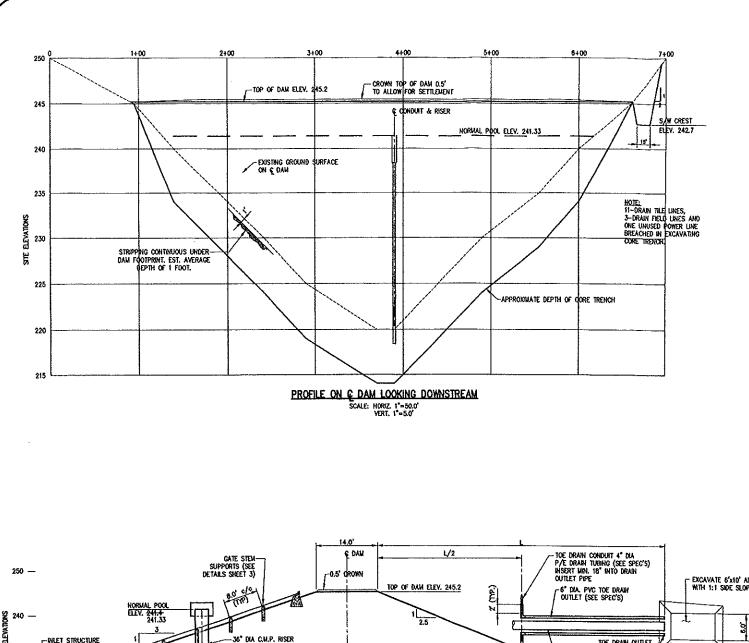
Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

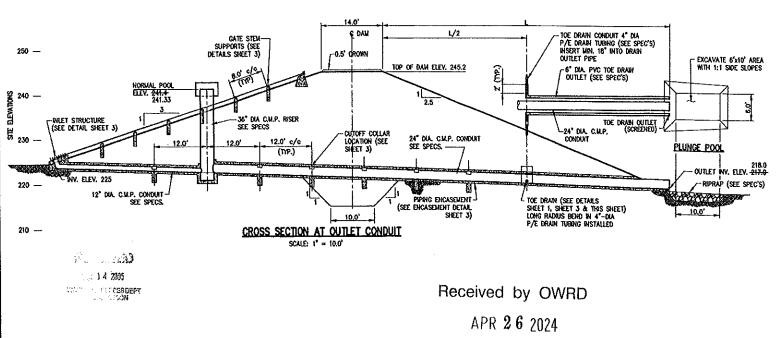
\times	SECTION	1: Applicant Information and Signature	
\times	SECTION	2: Property Ownership	
\boxtimes	SECTION	3: Source of Water	
\boxtimes	SECTION		n
\boxtimes	SECTION		
\boxtimes	SECTION		
\boxtimes	SECTION	,	
$\stackrel{\triangle}{\rightarrow}$	SECTION		
	SECTION SECTION		
$\stackrel{\triangle}{\neg}$	SECTION	•	
$\stackrel{\triangle}{\nabla}$	SECTION		
	SECTION	12. Remarks	
Inc	lude the fo	ollowing additional items:	
\boxtimes	Land Use or signed	Information Form with approval and signature of local planning department (<i>must</i> receipt.	be an original)
\boxtimes	crossed b	he legal description of: (1) the property from which the water is to be diverted, (2) by the proposed ditch, canal or other work, and (3) any property on which the wate on the map.	
\times	Fees - Am	nount enclosed: \$ 2535.40	
	See the D	Department's Fee Schedule at <u>www.oregon.gov/owrd</u> or call (503) 986-0900.	
\times	Map that	includes the following items:	ceived by OWRD
			APR 26 2024
	\boxtimes	Map must be prepared by a Certified Water Rights Examiner	711 1 2 0 2027
	\boxtimes	Permanent quality and drawn in ink	Salem, OR
	\boxtimes	Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)	,
	\bowtie	North directional symbol	
	\boxtimes	Township, Range, Section, Quarter/Quarter, Tax Lots	
		Reference public-land survey corner on map	
	\boxtimes	Location of each dam by reference to a recognized public land survey corner (distanorth/south and east/west)	ances
	\boxtimes	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 p supplemental irrigation, or nursery	rimary irrigation,
		Location of main canals, ditches, pipelines or flumes (if well is outside of the area	of use)

Store Water - Page 7

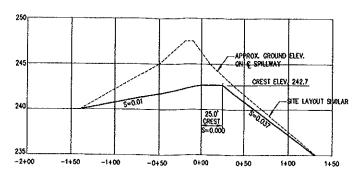




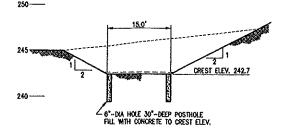




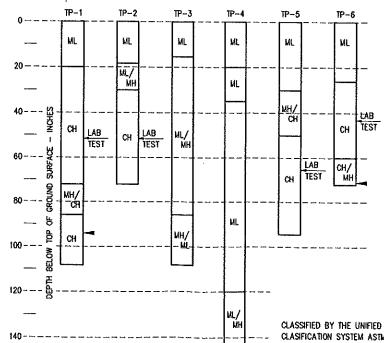
Salem, OR



PROFILE ON C OF EMERGENCY SPILLWAY SCALE: HORIZ. 1"=50.0" VERT, 1"=5.0"



CROSS SECTION OF SPILLWAY



DENOTES SEEPAGE INTO TEST PIT ON 03/06/03

CLASIFICATION SYSTEM ASTM D-2487.

CLASSIFICATIONS ARE GEOLOGISTS FIELD CLASIFICATION OR FROM LABORATORY TEST DATA WHER AVAILABLE. A COMPLETE COPY OF THE GEOLOGISTS REPORT AND LAB TEST DATA IS AVAILABLE BY REQUEST THROUGH VERBOORT ENGINEERING.

LOG OF TEST PITS

FC RED HILLS FARM, STOLLER RESERVOIR

15909 McDOUGALL ROAD DAYTON, OPEGON 97114

DRAWIN 84

WATER RES

ENGINEERING AGRICULTURE · CIVIL · · I HILLSBORO, VERBOORT