



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

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

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SALEM, OREGON

A. Individuals

Applicant: _____
First Last

Mailing address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: WIPLG1 LLC

Name and title of person applying: Ken Johnston **MANAGER/AGENT OR REPRESENTATIVE OF OWNER**

Mailing address of organization: 1410 Lakeside Court Suite 109

Yakima WA 98902
 City State Zip

Phone: 503-507-8414 503-873-0949
Day Evening

*Fax: 503-873-5257 *E-Mail address: ken@12thandmaplewineco.com

* Optional information

For Department Use		
App. No. _____	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

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

- Yes (Skip to section 3 "Ground water Development.")
- 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).

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

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 3

Name of nearest surface water body: Simpson Creek

Distance from well(s) to nearest stream or lake: 1) 0.79 miles

2) 0.80 miles 3) 0.35 miles 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 25

2) 20 3) 70 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Westerberg Well Drilling

Address: 36720 S. Kropf Road Molalla, OR 97038

Completion date: pending results, but hopefully approximately June 1st, 2008

Please provide a description of your well development. *(Attach additional sheets if needed.)*

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	10"	8-10" Steel	130'	TBD	100'	113'	132'	per OAR's	350-400'
2	10"	8-10" Steel	130'	TBD	100'	113'	132'	per OAR's	350-400'
3	10"	8-10" Steel	130'	TBD	100'	113'	132'	per OAR's	350-400'

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

not anticipated

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4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1-3	Basalt	Irrigation of Grapes	280 gpm	35.8 Million	280 gpm

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 0.6 cfs (280 gpm)
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: 3/1 to 10/31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 110
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

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A. Diversion

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

Pump (give horsepower and pump type): TBD

Other means (describe): _____

B. Transport

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

Pipe (give diameter and total length):

Diameter TBD Length TBD

Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Electric pumps and Drip Irrigation

Irrigation or land application method (check all that apply):

- Flood
- Drip
- Hand lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____
- High-pressure sprinkler
- Water cannons
- Wheel lines
- Low pressure sprinkler
- Center pivot system

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Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

We will use drip irrigation to apply water to the vines only where needed, and as efficiently as possible. We have onsite weather stations to help us calculate daily ET rates and measure soil moisture, and use instruments to measure leaf water potential during the growing season, in order to apply our deficit irrigation regime.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: 5/1/08

Proposed date construction will be completed: 6/1/08

Proposed date beneficial water use will begin: 8/1/08

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Our irrigation infrastructure design takes account of our ability to rotate our irrigation in blocks, and not an attempt to irrigate all 110 acres simultaneously. This allows our extraction rate to be as low as possible. The most important use of the water is in the development stage of the young vines, the first 3-4 years.

The nearest surface body of water is Simpson Creek, there is also a unnamed man-made pond. The line indicating a surface flow through our field is not correct, as seen from the aerial photo included that area is farmed.

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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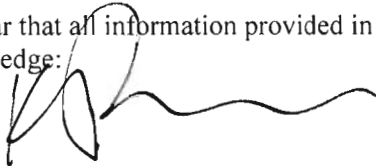
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9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



2/22/08
Date

Signature of Applicant *(If more than one applicant, all must sign.)*

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.



43
Oregon

Theodore R. Kulongoski, Governor

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SALEM, OREGON

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.



Oregon Water Resources Department
Land Use Information Form

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

Applicant Name: Ken Johnston for WIPLG1 LLC
Mailing Address: 1410 Lakeside Court Suite 109
City: Yakima State: WA Zip: 98902 Day Phone: 503-507-8414

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

A. Land and Location

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

Table with 8 columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use: (Agriculture). Rows include tax lots 00900 and 01300 with EFU plan designations.

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

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B. Description of Proposed Use

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

- [x] Permit to Use or Store Water [] Water-Right Transfer [] Exchange of Water
[] Allocation of Conserved Water [] Limited Water Use License
[] Permit Amendment or Ground Water Registration Modification

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

Estimated quantity of water needed: 280 [] cubic feet per second [x] gallons per minute [] acre-feet

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

Briefly describe: Land owner will be using drip irrigation to water a 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 below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

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

For Local Government Use Only

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

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

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Ch. 136, MCR20

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

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Name: LISA MULLIMAN Title: ASSOCIATE PLANNER
 Signature: Lisa Mulliman Phone: 5035855238 Date: 2-25-08
 Government Entity: Marion County Planning Division

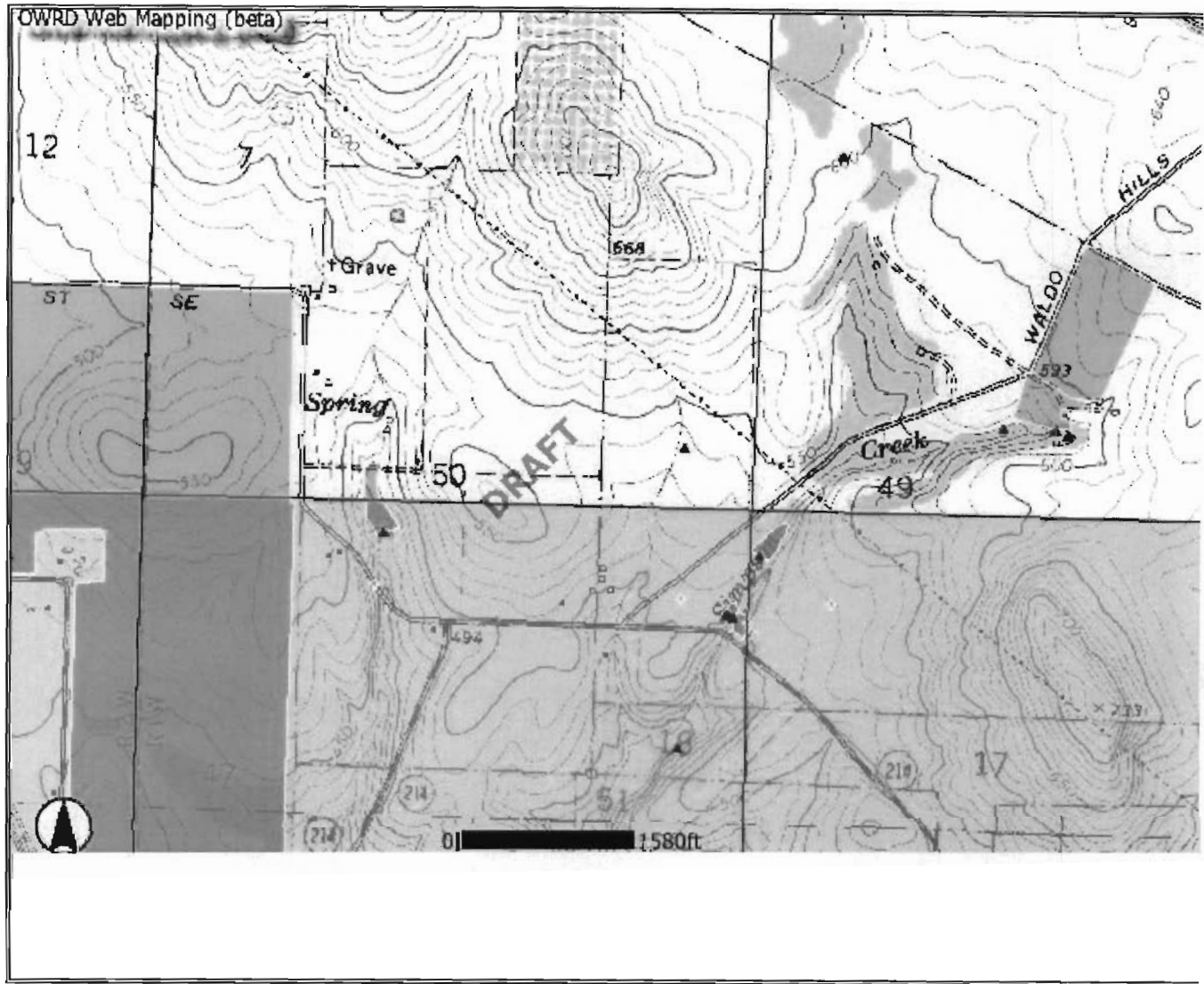
Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use 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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AERIAL PHOTO SHOWING PROPERLY BEING TREATED
w/ NO WATER FLOWING THROUGH

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SALEM, OREGON



Fidelity National Title Company of Oregon

1220 20th Street S.E. Suite 150 • Salem, OR 97302
(503) 370-9119 • FAX (503) 399-9309

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SALEM, OREGON

March 6, 2007

The Prudential Real Estate Professionals
Attn: Ben S. Johnston
c/o Ben S. Johnston
1220 20th Ave. SE
Salem, OR 97302

Order No.: 02-201154-22

We have enclosed 1 copy(s) of the Preliminary Report for our Order Number **02-201154-22**.
Please call us immediately if you have any questions or concerns.

Fidelity National Title Company



Fidelity National Title Company of Oregon

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WATER RESOURCES DEPT
SALEM, OREGON

PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Fidelity National Title Company** reports that it is prepared to issue, or cause to be issued, as of the specified date, a Policy or Policies of Title Insurance describing the land and the estate or interest described, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of the Policy forms.*

The printed Exceptions and Exclusions from the coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.


This report (and any supplements or amendments) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed.

The Policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a California corporation.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This report is for the exclusive use of the parties to the contemplated transaction, and the company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the company reserves the right to amend or supplement this preliminary report.


Countersigned



Fidelity National Title Company of Oregon

1220 20th Street S.E. Suite 150 • Salem, OR 97302
(503) 370-9119 • FAX (503) 399-9309

PRELIMINARY REPORT

ESCROW OFFICER: Jessica Mary
TITLE OFFICER: Patty Smith

ORDER NO.: 02-201154-22- A
Amended

TO: The Prudential Real Estate Professionals
ATTN: Ben S. Johnston
1220 20th Ave. SE
Salem, OR 97302

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OWNER/SELLER: Leonard Gisler & Kathleen Gisler
BUYER/BORROWER: Winemakers LLC

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PROPERTY ADDRESS: 9771 Jordan Rd. SE, Aumsville, OR 97325

EFFECTIVE DATE: February 22, 2007, 05:00 P.M.

1. The policy and endorsements to be issued and the related charges are:

	<u>AMOUNT</u>	<u>PREMIUM</u>
Owner's Standard	700,000.00	1,650.00
Government Service Charge		50.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS **VESTED IN:**

SEE EXHIBIT "TWO" ATTACHED HERETO AND MADE A PART HEREOF

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE COUNTY OF MARION, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "ONE" ATTACHED HERETO AND MADE A PART HEREOF

PS\PS 03/05/2007

EXHIBIT "TWO"

Leonard S. Gisler and Kathleen W. Gisler, Trustees or their successors in trust under the Leonard S. Gisler Living Trust dated December 9, 1999, and any amendments thereto, as to an undivided one-half interest

Kathleen W. Gisler and Leonard S. Gisler, Trustees, or their successors in trust under the Kathleen W. Gisler Living Trust dated December 9, 1999, and any amendments thereto, as to an undivided one-half interest

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EXHIBIT "ONE"

The North half of the Donation Land Claim of Gilliam H. Walker and Rhoda Walker, his wife, Claim No. 50, Notification No. 34, being part of Sections 7 and 18, in Township 8 South, Range 1 West of the Willamette Meridian, Marion County, Oregon.

SAVE AND EXCEPT any portion of the above described lands that may be described in the deed from W.W. Brooks and wife, to Abner Lewis, recorded in Volume 25, Page 653, Deed Records, Marion County, Oregon.

ALSO SAVE AND EXCEPT the 35 acres, a portion of the above described land which is conveyed by deed recorded in Volume 111, Page 452, Deed Records, Marion County, Oregon.

ALSO SAVE AND EXCEPT: Beginning at a point in the West line of the Gilliam H. Walker Donation Land Claim No. 50 in Township 8 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, which point of beginning is 3388.52 feet North from the Southwest corner of said Claim; and running thence North along the West line of said Claim, 160.00 feet to a point; thence East 272.25 feet to an iron rod; thence South 160.00 feet to an iron rod; thence West 272.25 feet to the point of beginning.

ALSO SAVE AND EXCEPT: Beginning at a point in the West line of the Gilliam H. Walker Donation Land Claim No. 50 in Township 8 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, which point is 2667.64 feet North of the Southwest corner of said Claim, said point of beginning also being the Southwest corner of that certain tract of land conveyed to Leonard Gisler and Kathleen Gisler by deed recorded in Volume 475, Page 789, Marion County Deed Records; and running thence South 89° 39' East along the South line of said Gisler tract, 1139.80 feet to an iron pipe; thence North 150.00 feet to an iron pipe; thence North 89° 39' West 1139.80 feet to a point in the West line of said Walker Claim; thence South 150.00 feet to the point of beginning.

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Order No. 02-201154-22

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AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records, 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.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession.
3. Easements, or claims of easements or encumbrances, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.
5. Any statutory liens for labor or material, including liens for contributions due to the State of Oregon for unemployment compensation and for worker's compensation, which have now gained or may gain priority over the lien of the insured deed of trust, which liens do not now appear of record.

SPECIFIC ITEMS AND EXCEPTIONS:

6. **The herein described property** has been classified for farm use, as disclosed by the tax roll. In the event of disqualification, said property may be subject to additional taxes and/or penalties.
7. **No search has been made** for financing statements filed in the office of the Secretary of State, or in any county other than the county in which the herein described land is located. No liability is assumed for any financing statement filed in the office of the County Clerk (Recorder) covering timber, crops, fixtures or contracts affecting said land if said land is not described by metes and bounds, recorded lot and block or under the rectangular survey system.
8. **No search has been made** for financing statements which are filed with the Secretary of State, and any matters which would otherwise be disclosed are expressly excluded from coverage.
9. The described premises are within the boundaries of Beaver Creek Water Control District and are subject to the statutory powers, including the power of assessment.

- 10. Any adverse claim based upon the assertion that:
 - a. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - b. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of unnamed creek, or has been formed by accretion to any such portion.

11. Rights of the public and governmental agencies in and to any portion of said land lying within the boundaries of streets, roads and highways.

12. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Portland General Electric
 Purpose: right of way
 Recorded: February 16, 1962, Book 554, Page 597

13. Any invalidity or defect in the title of the vestees in the event that the trust referred to herein is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the Trust Agreement.

If title is to be insured in the trustee(s) of a trust (or if their act is to be insured), this Company will require a copy of said Trust Agreement or a Trust Certification pursuant to ORS Chapter 128. The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

14. Leases and/or tenancies, if any.

15. Personal property taxes, if any.

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SALEM, OREGON

END OF ITEMS AND EXCEPTIONS

NOTES:

Note A. Please Note: We find no Mortgage's and/or Trust Deeds recorded for the herein described property. If this is incorrect, please contact the title department as soon as possible.

Note B. Property taxes for the fiscal year 2006-2007, paid.

Amount: \$697.85
 Account No.: R28123
 Map No.: 081W07 00900
 Affects:

Note C. Property taxes for the fiscal year 2006-2007, paid.

Amount: \$7.78
 Account No.: R28124
 Map No.: 081W07 00900

Note D. Property taxes for the fiscal year 2006-2007, paid.

Amount: \$70.22
Account No.: R28125
Map No.: 081W07 00900

Note E. There are no judgments of record against Winemakers, LLC, a Limited Liability Company.

Note F. There are no tax liens of record against Winemakers, LLC, a Limited Liability Company.

Note G. Note: According to the public records, there have been no deeds conveying the land described herein within a period of 36 months prior to the date of this report, except as follows:

Warranty Deed recorded June 8, 2000 in Reel 1695, Page 428, and re-recorded June 13, 2000 in Reel 1696, Page 478,

Grantor: Leonard Gisler and Kathleen Gisler
Grantee: Leonard S. Gisler and Kathleen W. Gisler, Trustees

Note H. YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. THESE CONSEQUENCES AFFECT YOUR RIGHTS AND OBLIGATIONS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT YET SEEN, PLEASE CONTACT THE ESCROW AGENT.

Note: Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.

Note I. Note: This report has been amended to remove one of the parcels.

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EXHIBIT A
AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92) and
AMERICAN LAND TITLE ASSOCIATION LEASEHOLD LOAN POLICY (10-17-92)
SCHEDULE OF EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
- Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy, or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid

value for the estate or interest insured by this policy.

- Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
- Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage, and is based upon usury or any consumer credit protection or truth in lending law.
- Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
- Any claim which arises out of the transaction creating the interest of the mortgage insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the interest of the insured mortgage being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the subordination of the interest of the insured mortgage as a result of the application of the doctrine of equitable subordination; or
(iii) the transaction creating the interest of the insured mortgage being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument of transfer; or
(b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92) AND
AMERICAN LAND TITLE ASSOCIATION LEASEHOLD OWNER'S POLICY (10-17-92)
SCHEDULE OF EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
- Defects, liens, encumbrances, adverse claims, or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;

- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy, or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
- Any claim which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
(ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
(a) to timely record the instrument of transfer; or
(b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above ALTA policy forms may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following General Exceptions:

SCHEDULE B
GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART 1

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records, 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.
- Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession.
- Easements, or claims of easements or encumbrances, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
- Any statutory liens for labor or material, including liens for contributions due to the State of Oregon for unemployment compensation and for worker's compensation, which have now gained or may gain priority over the lien of the insured deed of trust, which liens do not now appear of record.

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Fidelity National Financial Group of Companies' Privacy Statement

July 1, 2001

We recognize and respect the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use your non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

- From applications or other forms we receive from you or your authorized representative;
- From your transactions with, or from the services being performed by, us, our affiliates, or others;
- From our internet web sites;
- From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
- From consumer or other reporting agencies.

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

- to agents, brokers or representatives to provide you with services you have requested;
- to third-party contractors or service providers who provide services or perform marketing or other functions on our behalf; and
- to others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities of some of our affiliated companies is to record documents in the public domain. Such documents may contain your Personal Information.

Right to Access Your Personal Information and Ability to Correct Errors or Request Changes or Deletion

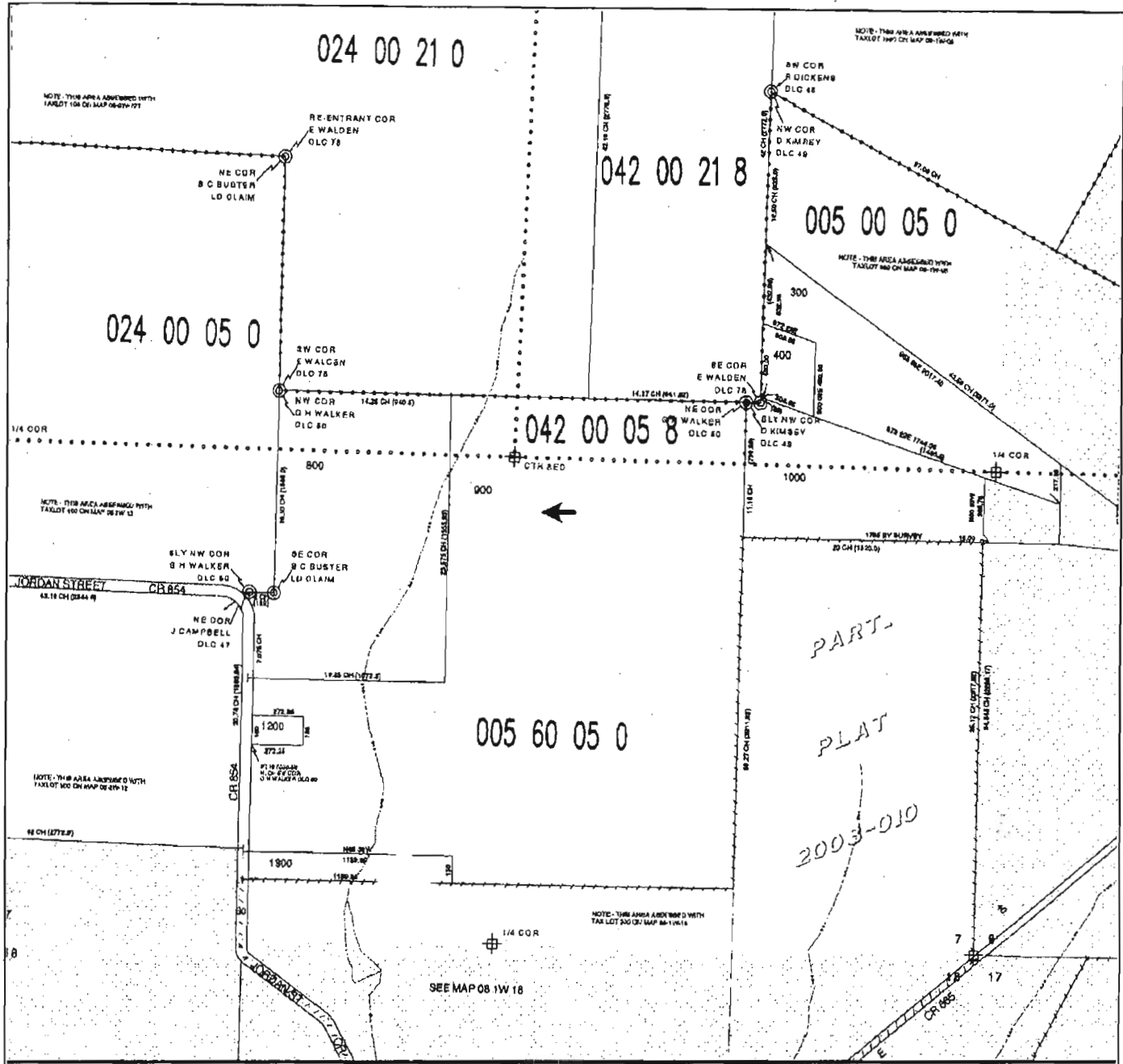
Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Multiple Products or Services

If we provide you with more than one financial product or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.



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MAP FURNISHED AS A CONVENIENCE BY FIDELITY NATIONAL TITLE COMPANY

This sketch is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



MAP # 081W07 01300

ELECTRIC TRANSMISSION LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That LEONARD GISLER and KATHLEEN GISLER

husband and wife

(hereinafter called "the Grantors," whether one or more than one), for and in consideration of the payment of the sum of one and no/100ths Dollars (\$1.00), the receipt of which is hereby acknowledged, hereby grant, sell and convey to Portland General Electric Company, an Oregon Corporation, (hereinafter called "the Grantee"), its successors and assigns, a perpetual easement and right of way over, under and across the following described parcel of land situated in Marion County, Oregon, being a strip of land 125 feet in width, extending 62.5 feet on each side of a center line more particularly described as follows:

Beginning at the northeast corner of the G. Walker D.L.C. No. 50, T8S, R1W, 1M4; thence South 1° 04' West 1302.5 feet to the true point of beginning of the center line to be herein described, which point is engineer's center line survey station 312+66.2 of the Portland General Electric Company transmission line right-of-way in the east line of the Grantors land; THENCE extending over, under, upon and across the land of the Grantors described in Volume 475, Page 789, Deed Records of Marion County, Oregon, North 50° 51' West 2033.2 feet to a point in the west line of the said land of the Grantors, which point is engineer's survey station 292+33 of the said transmission line right-of-way. All as shown on the print of Map EB 4475 attached hereto which by reference thereto is made a part hereof.

By the acceptance of this easement the Grantee agrees that the Grantors will be released from any liability for damages to the Grantee's wood poles used in the construction and operation of the proposed power line if said damage results from fire caused by Grantors annual burning of the hay residue remaining on the ground after harvesting of the grass seed.

TO HAVE AND TO HOLD the above described easement and right of way unto the Grantee, its successors and assigns, together with the present right to top, limb or fell all growing and dead trees and snags (said trees and snags hereinafter collectively called "danger trees") located on land owned by the Grantors, adjacent to the above described right of way, which danger trees will be determined by the Grantee. The consideration paid for this easement includes the value of all trees on the right of way and all danger trees adjacent to said right of way. In addition the Grantee shall have the future right to top, limb or fell all growing and dead trees and snags which shall in Grantee's estimation become danger trees in the future. In the event that Grantee exercises such future danger tree rights Grantee shall pay the owner of said future danger trees, their market value on the day they are cut, such payment to be made within a reasonable time after they have been so cut.

Said easement and right of way shall be for the following purposes, namely: the perpetual right to enter upon and to erect, maintain, repair, rebuild, operate and patrol electric power transmission lines, structures and appurtenant signal lines, including the right to erect such poles, towers, transmission structures, wires, cables, guys, supports and appurtenances as are necessary thereto, together with the present and future right to clear said right of way and keep the same clear of brush, timber, structures and fire hazards, including the right to restrict the growth of trees and brush on said right of way by the use of chemical sprays, provided however that pasture or cultivated lands shall not be sprayed and that fire hazards shall not be interpreted to include any growing crops other than trees and brush.

Grantors shall have the right to use the lands subject to the above described easement for all purposes not inconsistent with the uses and purposes herein set forth, except Grantors shall not build or erect any structure upon the right of way without the prior written consent of the Grantee.

It is hereby agreed by the Grantors that, (1) title to all brush, timber, or structures existing upon the right of way and to all present danger trees shall vest immediately in the Grantee; (2) all future danger trees cut pursuant to the terms hereof shall remain the property of the owner thereof on the date of their cutting.

The Grantors hereby acknowledge that the purchase price named herein is accepted by the Grantors as full compensation for all damages incidental to the exercise of any of said easements, loss of growing crops on right of way during construction, for guys and anchors extending beyond the right of way and danger tree rights, except payment for any future danger tree rights as defined hereinabove which may be exercised by the Grantee as provided hereinabove.

If the Grantee, its successors and assigns, shall fail to use said right of way for the purposes above mentioned for a continuous period of five years after construction of said power lines, then and in that event this right of way and easement shall terminate and all rights and privileges granted hereunder shall revert to the Grantors, their heirs and assigns.

The Grantors hereby warrant that they are possessed of a marketable title to the property covered by this easement, and have the right to grant the same.

The Grantors, for themselves and their heirs and assigns, covenant to and with the Grantee, its successors and assigns, that the Grantee, its successors and assigns, shall peaceably enjoy the rights and privileges herein granted.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed this 15th day of

February, 1962

Leonard Gisler (SEAL)
Leonard Gisler, 71

Kathleen Gisler (SEAL)
Kathleen Gisler

Kathleen Gisler (SEAL)
Kathleen Gisler

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500-111



STATE OF OREGON
County of Washington

On this 25th day of July, 1962, before me, the undersigned, a Notary Public in and for said County and State, personally appearing Edward Giesler and Mathias Giesler

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in this instrument first written.

Robert H. Sullivan
Notary Public for Oregon

My commission expires: March 25, 1963

STATE OF OREGON
County of _____

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____

to me known to be the individuals described in the foregoing instrument and who executed the foregoing instrument, and acknowledged that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in this instrument first written.

Notary Public for Oregon

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[Faint, mostly illegible text from the second notary form]

Notary Public for Oregon

(Grid) N N (True)

NE Cor. Gilliam Walker
D.L.C. No 50

North line of G. Walker
D.L.C. No 50

02+33

N50°51'W 2033.21

51°04'W 1302.5

62.5
CR/W

Leonard & Kathleen Gister
Volume 475, Page 739
Part of Gilliam Walker
D.L.C. No 50

312+66.2

East line of G. Walker
D.L.C. No 50

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Charles L. Hubby

PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON	
TO ACCOMPANY TRANSMISSION EASEMENT	
LEONARD & KATHLEEN GISLER SEC. 7, T8S, R1W, W.M. MARION COUNTY, OREGON	
PREPARED BY BYERGRUP & PARCEL AND ASSOCIATES, INC. SAN FRANCISCO, CALIFORNIA	
DATE Jan. 24, 1962	DR. <i>MLX</i>
SCALE 1" = 400'	CS. <i>242</i>
DWG NO.	EB 4475

Note: All bearings on
Oregon (Lambert) Grid
System, North Zone.