

Application for a Permit to Use Ground Water



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

Water-Use Permit Application Processing

1. Completeness Determination

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

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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Revised 2/1/2012

Ground Water/1

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

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

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$2,500
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Other 618079

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Application for a Permit to Use Ground Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME EVAN KARP, CFO FOXGLOVE PROPERTIES LLC AND DOMAINE SERENE			PHONE (HM)
PHONE (WK) 503-846-4600	CELL		FAX
ADDRESS 6555 NE HILLTOP LANE			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL*

Organization Information

NAME FOXGLOVE PROPERTIES/DOMAINE SERENE VINEYARD		PHONE 503-846-4600	FAX
ADDRESS 6555 NE HILLTOP LANE			CELL
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL*

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

AGENT / BUSINESS NAME STUNTZNER ENGINEERING & FORESTRY		PHONE 503-357-5717	FAX 503-357-5698
ADDRESS 2137 19 TH AVENUE			CELL
CITY FOREST GROVE	STATE OR	ZIP 97116	E-MAIL* BILLFLATZ@STUNTZNER.COM

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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


Applicant Signature

EVAN KARP, CFO
Print Name and title if applicable

5/11/15
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>618079</u>	Permit No. _____	Date _____

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SECTION 2: PROPERTY OWNERSHIP

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

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- 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 irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

N/A

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well #7	Headwater of no-name creek, South-southeast of Well, tributary to Hess Creek and to the Willamette River.	1,571'	+192'
Well #7	Headwater of no-name creek, northeast of well, tributary to Millican Creek and to the Yamhill River.	2,564'	+220'
Well #7	Hess Creek, Northeast of well location, tributary of the Willamette River.	3,222'	+350'
Well #7	Headwater of no-name creek, Southwest of well location, tributary of Millican Creek and the Yamhill River.	3,682'	+480'
Well #7	Headwater of no-name creek, South-southwest of well location, tributary of Millican Creek and the Yamhill River.	3,814'	+320'
Well #7	Headwater of no-name creek, South-southeast of well location, tributary of the Willamette River.	4,039'	+350'
Well #7	Headwater of no-name creek, Southeast of well location, tributary of the Willamette River.	4,214'	+300'
Well #7	Headwater of no-name creek, Southwest of well location, tributary of the Yamhill River.	4,398'	+200'
Well #7	Headwater of no-name creek, Northwest of well location, tributary of Millican Creek and the Yamhill River.	4,907'	+460'

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

See attached well logs for wells # 1,2,3,4 and 5. Wells 1-4 are on this winery and well #5 is on the contiguous property to the east referred to as Triple Crown Winery by the owners.

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Revised 2/1/2012

Ground Water/5

SECTION 3: WELL DEVELOPMENT, CONTINUED

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

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
#7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	6"	50'	40'	50'	N/A	Unknown	375'	75gpm	40
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through Oct. 31	36 acre feet
Commercial	Year around when needed	4 acre feet

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

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

Primary: 65.1 Acres Supplemental: 6.9 Acres

List the Permit or Certificate number of the underlying primary water right(s): Permit S-54831

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 36 acre feet

NOTES:

This application includes 30.9 acres that has two existing primary water rights, certificates #87834 and #88371, the certified rate that these rights can pump is 0.27 cfs. The 30.9 acres at 1/80th cfs equals 0.39 cfs. This leaves a deficiency of 0.12 cfs or 53.9 gpm. For this reason, deficiency in rate, we are asking for an additional primary right for these acres. The area of new potential new plantings for this vineyard is 34.2 acres, we are asking for a primary water right for these acres. Total primary acres is 65.1 acres.

Permit S-54831 has 6.9 acres of primary rights on this vineyard, we are asking for 6.9 acres of supplemental water rights from well #7 on those acres. The source for this water is the Quarry Pond, Permit # R14968.

Permit S-54831 has supplemental water rights on the 30.9 acres mentioned above. The permit specifically states that it is allowed to be used before the primary ground water right to conserve the ground water.

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: N/A
 If the use is **mining**, describe what is being mined and the method(s) of extraction: N/A

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): Est. 4 hp submersible.
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Pump will be sized and installed in well given the final yield and static water level. The mainline pipe will be installed to the existing pump house to be routed to the irrigation system or the winery supply system. The irrigation mainline will be installed underground as the new vineyard grapes are planted.

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B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Drip for grapes. For landscaping the methods will be a mix of drip, shrub nozzles, impact and rotor sprinklers.

C. Conservation

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

We area asking for a duty of 0.5 foot per acre which is 1/5th the standard maximum. We consider this duty to be an absolute maximum for the irrigation needs. Most irrigation will be done with drip irrigation to avoid waste. The landscape irrigation is on an automatic timer and conservation is stressed by the owners to the landscape crew because high water use can result in low water quality at the winery.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

Note: There are no plans to store the water from this well in a reservoir. If at some date they decide to use the irrigation system already in the Quarry Pond it would be as 'overnight storage' only as a bulge and not storage in the reservoir.

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: N/A Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	N/A

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SECTION 8: PROJECT SCHEDULE

Date construction will begin: July 2015

Date construction will be completed: August 2020

Date beneficial water use will begin: August 2015

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name N/A	Address	
City	State	Zip

SECTION 10: REMARKS

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

The owners are applying for this well because they are now highly dependent on the water from Well #2 for the winery and if the well has mechanical problems or if the water quality is degraded on a dry year the winery could be disrupted. The owners have been working with a professional well driller and tried to locate the well to hopefully hit a separate aquifer to both supply irrigation to the new plantings and supply good fresh water source for the commercial use at the winery.

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SALEM, OR

G-12079

Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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Attachment Index

Item	#of pages	page #
Land Use Form	2	1
Deeds	8	3
Tax Map	1	11
Reduced scale replat of Breyman Orchards	2	12
Well Logs for wells 1-5	5	14
Calculations for deficiency in rate	1	19
Areas by Q-Q and water rights	1	20
Theoretical pump capacity calculation sheet	1	21
OWRD Fee calculation sheet	1	22

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SALEM, OR

G-1807P

Land Use Information Form



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

Applicant: William
First

Platz (Stuntzner Engineering & Forestry)
LMI
(Agent for owners: Foxglove Properties, LLC and Domaine Serene Winery.)

Mailing Address: 2137 19th Avenue

Forest Grove
City

OR
State

97116
Zip

Daytime Phone: 503-939-8381

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
3S	3W	33	ne / nw	300	EF-80	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Grapes
3S	3W	33	sw / nw	315	EF-80	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Grapes
3S	3W	33	nw / nw	316	EF-80	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Grapes / Com.
3S	3W	33	se / nw	318	EF-80	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Grapes
3S	3W	33	se / nw	319	EF-80	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Grapes

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

Yamhill County.

B. Description of Proposed Use

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

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

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

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

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

Briefly describe:

Application for ground water for supplemental irrigation of grapes and commercial use at winery.

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

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See bottom of Page 3. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402.02

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

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

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

Name: _____ Title: Stephanne Armstrong Associate Planner

Signature: [Signature] Phone: 503.434.7516 Date: 12/30/14

Government Entity: Washill County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: RECEIVED BY OWRD

GM0079

First American Title Company Of Oregon

TL-300

McMinnville Office
775 NE Evans Street
McMinnville, OR 97128
Tel (503) 472-4627
Fax (866) 800-7294
Email: FirstAmYam@firstam.com

Newberg Office
515 E. Hancock
Newberg, OR 97132
Tel (503) 538-7361
Fax (866) 800-7290
Email: FirstAmYam@firstam.com

METROSCAN PROPERTY PROFILE: YAMHILL COUNTY

Prepared For :
:
:
:
Prepared By : Donna Befus Date: 3/12/2015
Add Comments :
:
:
:

OWNERSHIP INFORMATION

Parcel Number : 83064 R:03W T:03S S:33 Q: QQ:
Ref Parcel : R3333 00300
Owner : Foxglove Properties LLC
Site Address : 7209 NE Breyman Orchards Rd Dayton 97114
Mail Address : 6555 NE Hilltop Ln Dayton Or 97114
Telephone : Owner Tenant
Legal : LOT 1 REPLAT OF PORTIONS OF BREYMAN
: ORCHARDS = 12.10 ACRES

SALES AND LOAN INFORMATION

Transferred : 05/27/2008 Loan Amount :
Document # : 9091 Multi-Parcel Lender :
Sale Price : \$1,600,000 Loan Type :
Deed Type : Warranty Interest Rate :
Prior Doc # : 9090

ASSESSMENT AND TAX INFORMATION

	RMV	MAV	TAXES	
Land	: \$285,384		Exempt Type :	
Structure	:		Levy Code:	8.3
Total	: \$285,384		14-15	Taxes : \$3,295.47
% Improved :			2013	Taxes : \$3,377.82
			2012	Taxes : \$3,198.71

Page 1 of 2

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

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First American Title Company Of Oregon

TE 300

McMinnville Office
775 NE Evans Street
McMinnville, OR 97128
Tel (503) 472-4627
Fax (866) - 800-7294
Email: FirstAmYam@firstam.com

Newberg Office
515 E. Hancock
Newberg, OR 97132
Tel (503) 538-7361
Fax (866) 800-7290
Email: FirstAmYam@firstam.com

METROSCAN PROPERTY PROFILE: YAMHILL COUNTY

Parcel Number:83064

PROPERTY CHARACTERISTICS

Bedrooms :	Building SqFt :	Lot Acres :	12.10
Bathrooms :	Living SqFt :	Lot SqFt :	527,076
FirePlace :	1stFloorSF :	Foundation :	
FirePlace2 :	2ndFloorSF :	Wall Material :	
Heat/AC :	2nd+FloorSF :	Roof Material :	
Heat/AC 2 :	Cellar SF :	Roof Shape :	
Dishwasher :	BsmtTotalSF :	Floor Cover :	
Hood/Fan :	Garage SqFt :	Floor Base :	
Microwave :	Garage Type :	Year Built :	
Garbage Disp :	Stat Class :		161 ONE STORY

Appliances

:
:
:
:
:

MH and Lot APNs

:
:
:
:
:
:

Mobile Home

ID Number :
Title :
Make :

Dimensions :
Skirt :

Farm Buildings

:
:
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:

Units

Page 2 of 2

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

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MAY 13 2015

SALEM, OR

G-18077

TL 300
TL 318
TL 319

RECORDING REQUESTED BY:

GRANTOR'S NAME:
David B. Kahn

GRANTEE'S NAME:
Foxglove Properties, LLP, a Minnesota Limited
Liability Partnership

SEND TAX STATEMENTS TO:
Foxglove Properties, LLP, a Minnesota Limited
Liability Partnership
6701 Evenstad Drive
Maple Grove, MN 55369

AFTER RECORDING RETURN TO:
Foxglove Properties, LLP, a Minnesota Limited
Liability Partnership
6701 Evenstad Drive
Maple Grove, MN 55369

Escrow No: 3626001557-TTPOR36

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK



\$31.00

200809091

4:03:49 PM 5/27/2008

DMR-DDMR Cnt=1 Str=3 SUSIE
\$10.00 \$10.00 \$11.00

Ticor Title Insurance Company

3626001557AC

3

STATUTORY WARRANTY DEED

David B. Kahn, Grantor, conveys and warrants to

Foxglove Properties, LLP, a Minnesota Limited Liability Partnership, a Minnesota Limited Liability Partnership, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill, State of Oregon:

Lots 1, 2 and 3, REPLAT OF PORTIONS OF BREYMAN ORCHARDS, County of Yamhill, State of Oregon.

Subject to and excepting:

Roadway, as set forth in Deed recorded June 3, 1936 in Book 111, Page 349; Easement as shown on the recorded plat.

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$1,600,000.00. (See ORS 93.030)

DATED: May 27, 2008

David B. Kahn by Erin A. Kahn
David B. Kahn His Atty in fact

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MAY 13 2015

SALEM, OR

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TL 300
TL 318
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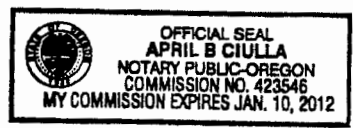
State of OREGON
County of WAMHILL

On this 27 day of MAY, 2008, before me personally appeared
EDWIN SHARER,

(proved to me on the basis of satisfactory evidence) (personally known to me) to be the person whose
name is subscribed to the within instrument (Type of
Document: WARRANTY DEED)

as the attorney in fact of: DAVID B. KAHN, and acknowledged that (he) (she) subscribed the name
of DAVID B. KAHN thereto as principal, and (his) (her) own name as attorney in fact.

April B. Ciulla
Notary Public - State of Oregon
My commission expires: 1/10/2012



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2/2 SALEM, OR

Gr-18079

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TL 315 + 316

1/3

MAY 13 2015

SALEM, OR

WARRANTY DEED (Statutory Form)

GRANTOR: Laurent-Perrier, U.S. Inc. a Delaware Corporation as to Parcel 1. Laurent-Perrier Estates of Oregon, Inc., a Delaware Corporation as to Parcel 2. CONVEYS AND WARRANTS TO Foxglove Properties, a Minnesota General Partnership. as Purchasers.

GRANTEE:

the following described real property free of encumbrances except as specifically set forth herein:

See Attached Legal Description hereby attached and made a part of this instrument.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true and actual consideration for this transfer stated in terms of dollars is \$ 525,000.00. However, if the actual consideration consists of or includes other property or other value given or promised, such other property or value was part of the / the whole of the (indicate which) consideration.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

GRANTOR: Laurent-Perrier, US., Inc, a Delaware Corporation as to Parcel 1 Laurent-Perrier Estates of Oregon, Inc., a Delaware Corporation as to Parcel 2

DATED: October 2, 1998

Signature of Officer:

Title of Officer:

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

Following address:

STATE OF OREGON CONSUL GENERAL OF PARIS Date: 06/18/98 Personally appeared JEAN CHRISTOPHE JOUFFRE, who being sworn, stated that he is the FINANCE CONTROLLER of grantor corporation and that this instrument was voluntarily signed and sealed on behalf of the corporation. Before Me Elizabeth Gourlay, Consul NOTARY PUBLIC FOR OREGON MY COMMISSION EXPIRES:

STATE OF OREGON CONSUL GENERAL OF PARIS Date: 06/18/98 Personally appeared JEAN CHRISTOPHE JOUFFRE, who being sworn, stated that he is the FINANCE CONTROLLER of grantor corporation and that this instrument was voluntarily signed and sealed on behalf of the corporation. Before Me Elizabeth Gourlay, Consul NOTARY PUBLIC FOR OREGON MY COMMISSION EXPIRES:

(DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

NOTARY SEAL

NOTARY SEAL

21-13618 R3333 0315 00316

14-98

G-1007

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MAY 13 2015

SALEM, OR

TL 315+316
2/3

EXHIBIT "A"

PARCEL 1:

A tract of land in the West Half of Section 33, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows:

Beginning at a point which bears South 06° 18' East 1655.80 feet from the Northwest corner of said Section 33, being on the West line of Breyman Orchard; thence running East 1319.88 feet; thence south 14° 38' 42" East 917.93 feet; thence South 44° 49' 57" East 215.87 feet; thence South 00° 02' 07" West 330.00 feet to the South line of Lot 54, Breyman Orchards; thence along the South line thereof, West 1033.00 feet; thence North 17° 37' East 180.00 feet; thence North 03° 22' West 373.56 feet; thence South 70° 59' West 614.46 feet; thence North 06° 18' West 1030.96 feet to the point of beginning.

TOGETHER WITH a non-exclusive 30 foot easement along the line of that property described in Bargain & Sale deed recorded in Film Volume 234, Page 400, Deed and Mortgage Records, Yamhill County, Oregon.

TOGETHER WITH a non-exclusive easement for road and utility purposes over the following described tract:

A strip of land 60 feet in width being 30 feet each side of the following described center line: Beginning at a point on the West line of County Road No. 82, that is West 50 feet and South 01° 05' West 257.4 feet from the Northeast corner of Lot 59, Breyman Orchards; thence West 444.43 feet; thence Northwesterly 301.58 feet along the arc of a 191 foot radius curve right through a central angle of 90° 28' (chord bears North 44° 45' West 271.21 feet); thence North 00° 28' East, 64.60 feet to the North line of Lot 58 in said Breyman Orchards.

PARCEL 2:

A tract of land in the West Half of Section 33, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows:

Beginning at a point which bears South 06° 18' East 210.30 feet from the Northwest corner of said Section 33; and running thence South 89° 18' East 964.80 feet; thence South 79° 34' East 149.44 feet; thence South 14° 38' 42" East 1455.14 feet; thence West 1319.88 feet; thence North 06° 18' West 1455.50 feet to the point of beginning.

TOGETHER WITH a non-exclusive easement for road and utility purposes over the following described tract:

A strip of land 60 feet in width being 30 feet each side of the following described center line: Beginning at a point on the West line of County Road No. 82, that is West 50 feet and South 01° 05' West 257.4 feet from the Northeast corner of Lot 59, Breyman Orchards; thence West 444.43 feet; thence Northwesterly 301.58 feet along the arc of a 191 foot radius curve right through a central angle of 90° 28' (chord bears North 44° 45' West 271.21 feet); thence North 00° 28' East, 64.60 feet to the North line of Lot 58 in said Breyman Orchards.

SUBJECT TO:

1. Taxes for the fiscal year 1998-99, a lien in an amount to be determined, but not yet payable.

2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in

86-41-14-98

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3/3

SALEM, OR

4. 30 foot non exclusive roadway easement along the East line of Parcel 1 as disclosed by instrument recorded July 19, 1989 in Film Volume 234, Page 400, Microfilm Records, Yamhill County, Oregon.

5. Covenants and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons.

Recorded: June 14, 1990 in Film Volume 244, Page 1246,
Microfilm Records of Yamhill County

Affects: Parcel 1

6. Covenants and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons.

Recorded: March 7, 1990 in Film Volume 241, Page 748,
Microfilm Records of Yamhill County

Affects: Parcel 2

Surrender, Termination and Cancellation of a portion of the above covenants and restrictions by instrument recorded July 8, 1997 as Instrument No. 199711014, Microfilm Records, Yamhill County, Oregon.

86-41-14-98

6-1807

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YAMH 1820H

Well #1

35/3w/336d

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

AUG 17 1992

PAGE 1 1820

(START CARD) #

34953

WATER RESOURCES DEPT.

(1) OWNER: SALEM, OREGON 1321 Name LAURENT-PERRIER CHAMPAGNE Address PO BOX 280 City DUNDEE State OR Zip 97115

(2) TYPE OF WORK: [X] New Well [] Deepen [] Recondition [] Abandon

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [X] Irrigation [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 23.5 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, SEAL Material, From, To, Amount sacks or pounds. Row 1: 10, 0, 38, CEMENT, 0, 38, 12 SAX. Row 2: 6, 38, 245.

How was seal placed: Method [] A [] B [X] C [] D [] E [] Other

Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 6, +2, 38, .25, [X], [], [X], []. Liner: 4, 0, 235, 160#, [], [X], [X], [].

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: [X] Perforations Method SAW [] Screens Type Material

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Row 1: 195, 235, 6", 80, [], [], [], [X].

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

Table with columns: Yield gal/min, Drawdown, Drill stem at, Time. Row 1: 25.00, [], 235, 1 hr.

Temperature of Water 53 Depth Artesian Flow Found Was a water analysis done? [] Yes [] No By whom Did any strata contain water not suitable for intended use? [] Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County YAMHILL Latitude Longitude Township 3 S N or S Range 3 W E or W. WM. Section 33 SE 1/4 NW 1/4 Tax Lot Lot Block Subdivision Street Address of Well (or nearest address) APPROX 6700 HILLTOP LN DAYTON, OR

(10) STATIC WATER LEVEL: 108 ft. below land surface. Date 08/13/92 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 158

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 158, 181, 5, 108. Row 2: 210, 220, 20, 108.

(12) WELL LOG: Ground elevation

Table with columns: Material, From, To, SWL. Rows: TOP SOIL (0-4), RED CLAY (4-12), DECAYED BASALT (12-31), MEDIUM HARD GRAY BASALT (31-158), LOOSE DECAYED BASALT (158-181), MEDIUM GRAY BASALT (181-206), HARD GRAY BASALT (206-210), LOOSE/CAVING BASALT (210-220), MEDIUM GRAY BASALT (220-235), TAN AND BLACK ASH (235-236), SOFT BASALT (236-245).

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Table with columns: Company Name, Address, Date, Location, Date. Row 1: BLUE WATER DRILLING CO., DAYTON, OR. 97114, MAY 13 2015, SALEM, OR, 08/11/92, 08/13/92.

Date started Completed

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed [Signature] WWC Number 1438 Date 08/13/92

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 417 Date 8-13-92

WELL #2
YAMH
51799

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OCT 11 1999
WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER: Well No. 1907
Name FOX GLOVE PROPERTIES
Address 14905 23RD AV N.
City MINNEAPOLIS St MN Zip 55447

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: DOMESTIC

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO Depth of Compl. Well 237 ft
Explosives used NO Type Amount
HOLE SEAL
Diam. From To Material From To Amount
10 0 39 BENTONITE CHIP 0 39 33 SAX
8 39 49 CEMENT W/GEL 39 49 12 SAX
6 49 375

Seal placement method A AND POURED
Backfill: from 237 ft to 375 ft Material CLEAN CUTTINGS
Gravel: from ___ ft to ___ ft Size _____

(6) CASING/LINER:
Dian. From To Gauge Material Connection
Casing 6 +1.5 49 .25 STEEL WELDED
Liner 4 0 237 SDR26 PLASTIC WELDED

Final Location of shoe(s) 49

(7) PERFORATIONS/SCREENS:
[X] Perf. Method ELECTRIC SAW
[] Screens Type Material
Slot Tele/pipe
From To Size Number Dian. Size Casing/liner
197 237 .1X7" 72 _____ LINER

(8) WELL TESTS: Minimum testing time is 1 hour
Test type AIR
Yield GPM Draw-down Drill stem at Time
60 _____ 300 1 hr.
60 _____ 230 4
60 _____ 360 1/2
Temperature of water 53 Depth Artesian Flow Found _____
Was water analysis done? NO By whom _____
Reason for water not suitable for use _____
Depth of strata _____

(9) LOCATION OF WELL by legal description:
County YAMHILL Lat. ' ' ' Long. ' ' '
Township 3 S Range 3 W WM.
Section 33 SE 1/4 NW 1/4
Tax Lot 316 Lot Block Subdiv
Street Address of Well (or nearest Address)
NYA, HILLTOP LANE DAYTON, OR

(10) STATIC WATER LEVEL:
83 ft. below land surface. Date 09/30/99
Artesian pressure _____ lb per square in. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 141
From To Est Flow Rate SWL
141 241 60 83

(12) WELL LOG:
Ground elevation 905
Material From To SWL
TOP SOIL W/COBBLES 0 3
LOOSE DECAYED BASALT MIXED W/RED CLAY 3 33
BASALT, MEDIUM GRAY 33 141
BASALT, DECAYED/VESICULAR 141 241 83
BASALT, MEDIUM TO HARD GRAY 241 303
BASALT, MEDIUM W/DECAY 303 341
BASALT, STEWED AND MIXED WITH SHALE 341 358
BASALT, HARD GRAY 358 361
CLAYSTONE, GRAY 361 375

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 868-7878
Date started 09/27/99 Completed 09/30/99

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

Signed _____ WWC Number _____
Date _____

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

Signed _____ WWC Number 1438
Date 09/30/99

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MAY 13 2015

SALEM, OR

G-18079

(1) OWNER: Well No. 2345
Name DOMAINE SERENE VINEYARD & WINERY
Address 6701 EVENSTAD DR.
City MAPLE GROVE St MN Zip 55369

(9) LOCATION OF WELL by legal description:
County YAMHILL Lat. ' ' ' Long. ' ' '
Township 3 S Range 3 W W.M.
Section 33 NE 1/4 NW 1/4
Tax Lot 316 Lot Block Subdivision
Street Address of Well (or nearest Address)
6555 NE HILLTOP LANE DAYTON, OR

WELL #3

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

(10) STATIC WATER LEVEL:
88 ft. below land surface. Date 01/28/05
Artesian pressure ___ lb per square in. Date ___

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO Depth of Compl. Well 302 ft
Explosives used NO Type Amount
HOLE SEAL
Dian. From To Material From To Amount
10 0 98 BENTONITE CHIP 0 50 25 SAX
8 98 143 ANNULAR BACFIL
6 143 302 W/BENTONITE CHI 50 96 20 SAX
CEMENT W/GEL 96 143 23 SAX
Seal placement method A AND POURED
Backfill: from ___ ft to ___ ft Material
Gravel: from ___ ft to ___ ft Size

(11) WATER BEARING ZONES:
Depth at which water was first found 210
From To Est Flow Rate SWL
210 279 6+ 88

(6) CASING/LINER:
Dian. From To Gauge Material Connection
Casing 6 +2 143 .25 STEEL WELDED
Liner 4 2 302 SDR26 PLASTIC WELDED
Final Location of shoe(s) 143

(12) WELL LOG:
Material Ground elevation 950
From To SWL
TOP SOIL 0 4
CLAY, BROWN/RED W/SMALL BOULDERS 4 12
BASALT, BRN DECAY W/CLAY AND BOULDERS 12 16
BASALT, BRN DECAY, OCC LOOSE 16 38
BASALT, BROWN LOOSE DECAY 38 41
BASALT, MEDIUM GRAY W/OCC BROWN 41 98
BASALT, BROWN LOOSE DECAY 98 109
BASALT, MEDIUM GRAY 109 172
BASALT, MEDIUM GRAY W/SOME BROWN DECAY 172 174
BASALT, MEDIUM GRAY 174 210
BASALT, SOFT GRAY 210 223 88
BASALT, SOFT GRAY W/SOME BROWN 223 227 88
BASALT, SOFT TO MEDIUM GRAY 227 249 88
BASALT, SOFT GRAY W/OCC CLAY, GRAY 249 279 88
CLAY, STIFF GRAY 279 302
BLUE WATER DRILLING CO. DAYTON, OR.
Date started 01/25/05 Completed 01/28/05

(7) PERFORATIONS/SCREENS:
[X] Perf. Method CIRCULAR SAW
[] Screens Type Material
Slot Tele/pipe
From To Size Number Dian. Size Casing/liner
242 262 .1X7" 40 _____ LINER
272 282 .1X7" 20 _____ LINER

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

(8) WELL TESTS: Minimum testing time is 1 hour
Test type AIR
Yield GPM Draw-down Drill stem at Time
6 _____ 300 1 hr.
6 _____ 280 2.5
Temperature of water 53F Depth Artesian Flow Found _____
Was water analysis done? YES By whom BLUE
Reason for water not suitable for use _____
Depth of strata _____

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed _____ WWC Number 1438
Date 02/02/05

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FEB 25 2005
WATER RESOURCES DEPT
SALEM, OREGON

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G-18077

MAY 13 2015

SALEM, OR

(1) OWNER: Well No. 2346
Name DOMAIN SERENE VINEYARD & WINERY
Address 6701 EVENSTAD DR.
City MAPLE GROVE St MN Zip 55396

(9) LOCATION OF WELL by legal description:
County YAMHILL Lat. ' ' ' Long. ' ' '
Township 3 S Range 3 W WM.
Section 33 NE 1/4 NW 1/4
Tax Lot 316 Lot Block Subdivision
Street Address of Well (or nearest Address)
6555 NE HILLTOP LANE DAYTON, OR

WELL #4

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

(10) STATIC WATER LEVEL:
89 ft. below land surface. Date 02/03/05
Artesian pressure ___ lb per square in. Date ___

(5) BORE HOLE CONSTRUCTION:

Special Construction	Approval NO	Depth of Compl. Well	229 ft
Explosives used	NO	Type	Amount
		HOLE SEAL	
Dian.	From	To	Material From To Amount
10	0	44	BENTONITE CHIP 0 41 30 SAX
8	44	158	CEMENT W/GEL 41 158 38 SAX
6	158	260	

(11) WATER BEARING ZONES:

Depth at which water was first found	195	From	To	Est Flow Rate	SWL
195	195	231	21	89	
___	___	___	___	___	___
___	___	___	___	___	___

Seal placement method A AND POURED
Backfill: from 231 ft to 260 ft Material CAVING SLOUGH
Gravel: from ___ ft to ___ ft Size ___

(12) WELL LOG:

Material	From	To	SWL
TOP SOIL W/COBBLES	0	5	
BASALT, LOOSE BROWN W/CLAY/COBBLES	5	20	
BASALT, LOOSE BROWN W/LOOSE GRAY	20	44	
BASALT, MEDIUM GRAY	44	52	
BASALT, HARD GRAY W/SOME BROWN	52	95	
BASALT, MEDIUM GRAY	95	105	
BASALT, HARD GRAY	105	122	
BASALT, LOOSE BROWN DECAY	122	139	
BASALT, MEDIUM GRAY	139	195	
BASALT, LOOSE DECAY BROWN, ROUGH	195	231	89
BASALT, BROKEN BROWN AND GRAY, ROUGH	231	251	
BASALT, GRAY/BROWN W/SOME CLAY STRATS	251	260	

(6) CASING/LINER:

Dian.	From	To	Gauge	Material	Connection
Casing 6	+2	158	.25	STEEL	WELDED
Liner 4	1	231	SDR26	PLASTIC	WELDED

Final Location of shoe(s) 158

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 868-7878
Date started 02/02/05 Completed 02/03/05

(7) PERFORATIONS/SCREENS:

Perf. Method	CIRCULAR SAW	Screens Type	Material			
From	To	Slot Size	Number	Dian.	Tele/pipe Size	Casing/liner
191	211	.1X7"	40			LINER
221	231	.1X7"	20			LINER

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

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

Yield GPM	Draw-down	Drill stem at	Time
21		260	1 hr.
21		225	2

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed *David P. Paysinger* WWC Number 1438
Date 02/05/05

Temperature of water 53F Depth Artesian Flow Found ___
Was water analysis done? YES By whom BLUE
Reason for water not suitable for use ___
Depth of strata ___

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FEB 25 2005
WATER RESOURCES DEPT
SALEM, OREGON

G-18077

YAMH 56417

WELL #5

State of Oregon
WATER WELL REPORT (as required by ORS 537.765)

Page 1 of 1

State Well ID L109555
Start Card / 1017943

(1) OWNER: Well No. 2768
Name PONGLOVE PROPERTIES LLP
Address 6555 NE HILLTOP LANE
City DAYTON St OR Zip 97114

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

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO Depth of Compl. Well 501 ft
Explosives used NO Type Amount
NOLE SEAL
Diam. From To Material From To Amount
10 0 301 BENTONITE CHIP 0 47 29 SAX
6 301 501 CEMENT 47 301 98 SAX

Seal placement method C AND POURED
Backfill: from ___ ft to ___ ft Material
Gravel: from ___ ft to ___ ft Size

(6) CASING/LINER:
Casing 6 Diam. From To Gauge Material Connection
6 +1.5 301 .25 STEEL WELDED
Liner 4 161 501 SCR40 PLASTIC THREADED
Final Location of shoe(s) 301 // SPLINE-LOC LINER

(7) PERFORATIONS/SCREENS:
[X] Perf. Method CIRCULAR SAW
[] Screens Type Material
From To Slot Size Number Diam. Size Casing/liner
462 480 .1X6" 38 _____ LINER
490 500 .1X6" 20 _____ LINER

(8) WELL TESTS: Minimum testing time is 1 hour
Test type AIR
Yield GPM Draw-down Drill stem at Time
50 _____ 500 1 hr.
50 _____ 485 5
Temperature of water 53F Depth Artesian Flow Found _____
Was water analysis done? NO By whom _____
Reason for water not suitable for use _____
Depth of strata _____

(9) LOCATION OF WELL by legal description:
County YAMHILL Lat. ' ' ' Long. ' ' '
Township 3 S Range 3 W NW.
Section 34 SW 1/4 NW 1/4
Tax Lot 320 Lot Block Subdivision
Street Address of Well (or nearest Address)
17350 NE TIMMONS LN DAYTON, OR

(10) STATIC WATER LEVEL:
212 ft. below land surface. Date 10/15/12
Artesian pressure _____ lb per square in. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 318
From To Est Flow Rate SWL
318 461 50 212

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 5
CLAY, RED/BROWN 5 68
CLAY, BROWN W/DECAYED BASALT 68 92
BASALT, GRAY 92 178
BASALT, GRAY W/SOME DECA 178 193
BASALT, GRAY VERY HARD 193 227
BASALT, GRAY W/SOME DECA 227 264
BASALT, GRAY VERY HARD 264 318
BASALT, MEDIUM GRAY W/FRACTURES 318 361 212
BASALT, GRAY VERY HARD W/FRACTURES 361 379 212
BASALT, BLACK TO GRAY SOFTER 379 383 212
BASALT, VERY HARD GRAY W/FRACTURES 383 461 212
BASALT, W/SOME GRN/BLU CLAYSTONE 461 489
BASALT, W/MORE GRN/BLU CLAYSTONE 489 501

DAVE PAYSINGER, bluewaterdrilling.com
(503) 868 7878
Date started 10/04/12 Completed 10/15/12

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

Signed _____ WWC Number _____
Date _____

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

Signed *David A. Paysinger* WWC Number 1438
Date 10/15/12

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SALEM, OR

Domaine Serene, Well #7

- * Existing Primary and Supplemental rates
- * Acres indicate only the overlap with this application.
- * Well yield shows certified max. rate.

		Well #	Acres	Well yield (cfs)
Application	G-13117	1	30.9	0.058
Permit	G-11841			
Certificate	87843			
Application	G-15136	2	30.9	0.149
Permit	G-13896	3		0.013
Certificate	88371	4		0.047

Total primary yield for Winery Hill Vineyard = 0.27 cfs

Total acres this applic. = 30.9

Total primary yield per OWRD 1/80/ac = 0.39 cfs

Deficiency in Rate = 0.12 cfs

Deficiency in Rate = 53.9 gpm

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SALEM, OR

G-1007

G-10079

Domaine Serene Winery Hill Well #7
 areas of new irrigation by 1/4-1/4

		New irrigation	Cert. 87843 Cert. 88371	Quary Pond Permit S-54831	Total Application primary supplemental	
NW/NW	P S	12.4 acres	5.0 acres	5.0 acres	17.4	
SW/NW	P S	0.3 acres	20.3 acres	20.3 acres	20.6	
SE/NW	P S	5.2 acres	5.6 acres	6.9 acres 5.6 acres	10.8	6.9
NE/NE	P S	16.3 acres			16.3	
Total		34.2 acres	30.9 acres	37.8 acres	65.1	6.9

Subtotal primary acres for deficiency in rate = 30.9
 Subtotal primary irrigation new for future planting = 34.2

Total primary irrigation acres for Well #7 application = 65.1

Total supplemental irrigation acres, primary is S-54831 = 6.9

Total primary and supplemental irrigation acres for Well #7 application = 72.0

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Pump Capacity Calculation Sheet

using Department designed formula:

$$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 4
Efficiency = 7.04
Lift = 150
PSI = 5

Domaine Serene Well #7
Theoretical pump sizing

Results Calculated

(hp)(efficiency) = 28.16
Head based on psi = 12.7
Total dynamic head = 162.7
(head + lift)

Pump Capacity = 0.17 cubic feet per second
Pump Capacity = 77.68 gallons per minute

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SALEM, OR

G-48079



Water Resources Department

Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

Today's Date: Wednesday, April 22, 2015

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,150.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	.17	\$300.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (I.e. number of wells) (include all injection wells, if applicable) **	3	\$600.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$450.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,500.00

[Return to Fee Calculator Options page](#)

[OWRD Fee Schedule](#)

Fee Calculator Version B20130709

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SALEM, OR

G-18079



TELEPHONE (503) 357-5717
CELL (503) 939-8381
FAX (503) 357-5698
billflatz@stuntzner.com

2137 19TH Avenue
FOREST GROVE, OREGON 97116

COOS BAY - FOREST GROVE - DALLAS

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

May 11, 2015

**SUBJECT: Application for groundwater water right,
Foxglove Properties, LLC / Domaine Serene Vineyards & Winery, Inc.**

To whom it may concern:

Please find enclosed our map, application, supplemental forms, supporting information and the fee to drill a well and use the water for irrigation and commercial use.

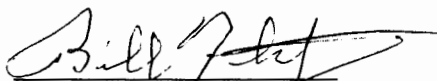
Evan Karp is the CFO for both Foxglove Properties, LLP. and Domaine Serene Vineyards and Winery Inc..

INDEX

Minimum Requirements Checklist.	P. <u>2</u>
Application for new well, groundwater right.	P. <u>3</u>
Paper map for reference	P. <u>11</u>
Paper map of nearest surface water	P. <u>12</u>
Attachment Information	
Land use information form.	P. <u>1</u>
Deeds.	P. <u>3</u>
Tax map for reference.	P. <u>11</u>
Reduced scale replat of Breyman Orchards	P. <u>12</u>
Well logs for wells 1-5	P. <u>14</u>
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OWRD Fee calculation printout	P. <u>22</u>

Please call if you have any questions or need any further information. I am available on my cell phone at most any time, 503-939-8381.

Sincerely,
Stuntzner Engineering & Forestry, LLC


Bill Flatz, PE, CWRE

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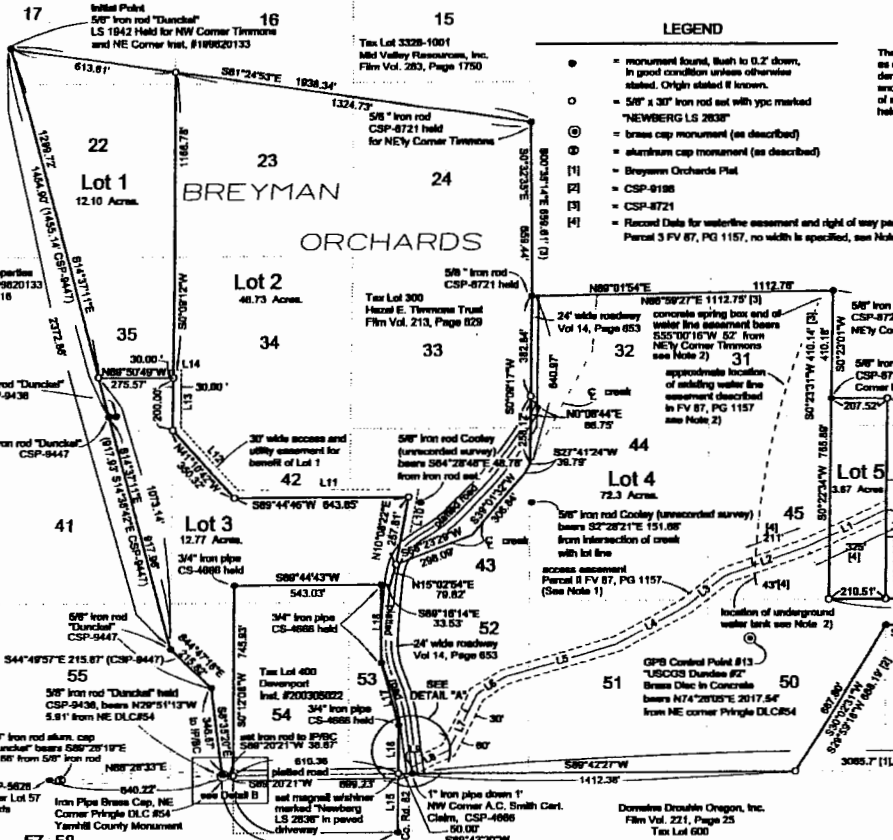
91-007-19

Received 10/6/04
County Surveyor

**REPLAT OF PORTIONS OF
BREYMAN ORCHARDS FOR:**

Hazel E. Timmons Trust

Location: Sections 33 and 34 T. 3 S., R. 3 W., WM.,
Yamhill County, OR
Tax Lot: 3333-300
Date: 18 May, 2004
Docket R-01-04



LEGEND

- = monument found, flush to 0.2" down. In good condition unless otherwise stated. Origin stated if known.
- = 5/8" x 3/8" iron rod set with ypc marked "NEWBERG LS 2838"
- ⊙ = brass cap monument (as described)
- ⊕ = aluminum cap monument (as described)
- ⊖ = Breyman Orchards Plat
- ⊗ = CSP-9198
- ⊘ = CSP-9186
- ⊙ = CSP-8721
- ⊚ = Razed Data for waterline assessment and right of way per Parcel 3 FV 87, PG 1157, no width is specified, see Note 2)

NARRATIVE

The purpose of this survey is to replat portions of Breyman Orchards Subdivision as described within the certificate as shown hereon. The basis of bearings was derived from GPS observations about Yamhill County GPS Control Point #13, and related the published convergence angle of -1° 48' 52". Found monuments of surveys CS-4888, 8447, 8721, 9198, and Yamhill County Claim corners were held as found.

NOTES

- 1) The assessment is described in Film Volume 87, Page 1157, Parcel 2, Yamhill County Deed Records, but the bearings have been changed in the line table to reflect typical surveying nomenclature.
- 2) This assessment is described in Film Volume 87, Page 1157, Parcel 3, Yamhill County Deed Records, no width is specified, distances call North 1° East 335' from the SW Corner of Lot 48; thence south-westerly along 80' access easement (see Note 1) S89° 58' 50" East approximately 427' to an existing buried water tank then follow the existing buried waterline between the water tank and spring box "source", the approximate location of said waterline was confirmed with the owner.

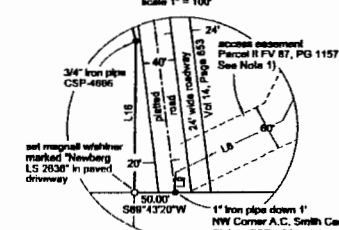
SURVEYOR'S CERTIFICATE

I, John Newberg, do hereby certify that I have correctly surveyed and marked with proper monuments the land shown hereon and the boundary of which is described as follows:

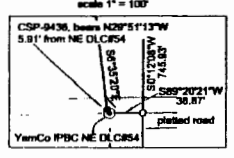
Beginning at a 5/8" iron rod with yellow plastic cap marked "Duncal LS 1942", said iron rod being set in Survey CSP-9447 as the northeast corner of that tract of land conveyed to Laurant-Parlier recorded in Instrument # 199820133, Yamhill County Deed Records; thence South 81° 24' 53" East 1938.34 feet along the south boundary of that tract of land conveyed to Mid-Valley Resources in Film Volume 233, Page 1750, Yamhill County Deed Records, to a 5/8" iron rod set in Survey CSP-8721; thence South 00° 32' 35" East 656.44 feet to a 5/8" iron rod set in Survey CSP-8721; thence North 86° 01' 54" East 1112.78 feet to a 5/8" iron rod set in Survey CSP-8721; thence South 00° 23' 01" West 410.18 feet to a 5/8" iron rod set in Survey CSP-8721; thence South 89° 42' 48" East 207.52 feet to a 5/8" iron rod set; thence South 00° 09' 12" West 763.77 feet to a 5/8" iron rod set; thence North 89° 42' 28" East 656.23 feet to an iron rod; thence North 0° 09' 12" East 757.11 feet to an iron rod set for the Northeast corner of Film Volume 87, Page 1157; thence South 89° 42' 48" East 662.78 feet to an iron rod set in CSP 8721 for the Northeast corner of Timmons; thence South 0° 16' 54" West 750.42 feet to an iron rod set in CSP-9198 as the Southeast corner of Timmons; thence South 89° 35' 57" West 556.73 feet to a 5/8" iron rod set in Survey CSP-9198; thence South 44° 39' 50" West 141.42 feet to a set 5/8" iron rod; thence South 89° 41' 33" West 659.99 feet to a 5/8" iron rod set in Survey CSP-9198; thence South 30° 02' 31" West 667.00 feet to a set 5/8" iron rod on the south boundary of Lot 50 Breyman Orchards Subdivision; thence South 89° 42' 27" West 1412.36 feet along the south boundary of said subdivision to a 1" iron pipe marking the Northeast corner of the A.C. Smith Cart. Claim set in Survey CSP-4666; thence South 89° 43' 20" West 50 feet to a set magrail and silver marked "Newberg LS 2838" at the westerly boundary of that tract of land described and recorded in Instrument #200305022 Yamhill County Deed Records (Development); thence North 00° 15' 03" East 190.00 feet along the east boundary of Development to a 3/4" iron pipe set in CSP-4666; thence North 14° 39' 09" West 251.87 feet to a 3/4" iron pipe set in CSP-4688; thence North 00° 20' 17" West 301.22 feet to an iron pipe set in Survey CSP-4666 at the Northeast corner of Development; thence South 89° 44' 43" West 543.03 feet along the north boundary of Development to an iron pipe set in CSP-4666; thence South 89° 12' 08" West 745.94 feet along the west boundary of Development to a set 5/8" iron rod on the south boundary of Lot 54 Breyman Orchards Subdivision; thence South 89° 20' 21" West 38.87 feet to an iron pipe and brass cap set at the Northeast Corner of the Pringle DLC #54; thence North 28° 51' 12" West 5.91 feet to a 5/8" iron rod set in Survey CSP-9436; thence North 66° 35' 20" West 346.07 feet to a 5/8" iron rod set in Survey CSP-9447; thence North 44° 47' 18" West 215.82 feet to a 5/8" iron rod set in Survey CSP-9447; thence North 11° 37' 11" West 2372.86 feet to the POINT OF BEGINNING.

John G. Newberg
John G. Newberg, PLS 2638

DETAIL "A"



DETAIL "B"



Line Table for 6' wide easement to benefit land described in FV 87, PG 1147

NUM	DISTANCE	BEARING
L1	325.00'	S84°39'59"W
L2	318.50'	S70°00'00"W
L3	181.75'	S51°50'00"W
L4	285.50'	S80°11'00"W
L5	430.67'	S72°40'00"W
L6	126.00'	S57°10'00"W
L7	245.83'	S25°00'00"W
L8	148.10'	S82°51'33"W
L9	26.00'	S1°00'00"W

Line Table for 30' wide easement (Easement and NonParty Margin) to benefit Lot 1

NUM	DISTANCE	BEARING
L10	178.11'	N10°08'22"E
L11	686.15'	S89°44'48"W
L12	325.60'	N41°10'42"W
L13	218.88'	N0°09'12"E
L14	30.00'	N89°50'48"W

Line Table for east boundary "Development" as located and record deed distances

NUM	DISTANCE	BEARING
L15	227.00'	N0°49'28"E
record	227.41'	N01°05"E
L16	198.00'	N0°15'03"E
record	196.00'	N0°28"E
L17	251.97'	N14°39'08"W
record	282.25'	N14°27"W
L18	301.22'	N0°20'17"W
record	301.01'	N0°02"W



REGISTERED PROFESSIONAL LAND SURVEYOR
John G. Newberg
JOHN G. NEWBERG
2638
Renewed 31 December 2004

Newberg Surveying, Inc.
1205 NE Evans
McMinnville, OR 97128
(503)-474-4742 (877)-237-1956 Cell
(503)-474-3752 Fax newberg@victkn.com

This is an exact copy of the Original Plat.

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SALEM, OR

G-10077

REPLAT OF PORTIONS OF
BREYMAN ORCHARDS FOR:

Hazel E. Timmons Trust

Location: Sections 33 and 34 T. 3 S., R. 3 W., WM.,
Yamhill County, OR
Tax Lot: 3333-300
Date: 18 May, 2004

DECLARATION

Know all men by these presents that the Hazel E. Timmons Trust, represented by Craig J. Timmons and Howard J. Timmons Jr. Trustees, declare they are the owners of the lands shown on the attached map and more particularly described in the Surveyor's Certificate and have caused said lands to be surveyed and have replatted portions of Breyman Orchards Subdivision into five lots, and are creating an access and utility easement to Lot 1 as shown hereon.

Craig J. Timmons *Howard J. Timmons Jr.*
Craig J. Timmons, Trustee Howard J. Timmons Jr., Trustee

APPROVALS:

Approved this 10th Day of June, 2004

William A. Allen
Yamhill County, Public Works Director

Approved this 6 Day of Oct., 2004

Korag Stern
Yamhill County Commissioner

Approved this 10th Day of June, 2004

Mark P. Smith
Yamhill County Surveyor

Approved this 6 Day of Oct., 2004

Nancy P. Stern
Yamhill County Commissioner

Approved this 18th Day of June, 2004

Tim B. Smith
Yamhill County, Planning Director

Approved this ___ Day of ___, 200__

not available
Yamhill County Commissioner

ACKNOWLEDGEMENT

State of Oregon)
) s.s.
County of Yamhill)

This is to certify that on this 4 day of June, 2004, before me, a notary public for the State of Oregon, in the County of Yamhill, did personally appear Craig J. Timmons, and Howard J. Timmons Jr. in the capacity shown in the above owner's statement and who are personally known to me to be the identical persons described in and who executed the above instrument and who acknowledged to me that they executed the same freely and voluntarily.

Sharon G. Dehner
Notary Public for the State of Oregon
My commission expires 4-6-05

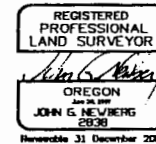


CERTIFICATE OF COUNTY CLERK

OFFICIAL YAMHILL COUNTY RECORDS
JIM COLEMAN, COUNTY CLERK
\$66.00
200420440 12:26:12 PM 10/06/2004
PR-PPR Crvl=1 Str=3 Bl=500

Pursuant to O.R.S. 82.095,
Taxes have been paid or bond
posted to this
date 6-30-05
Yamhill County Tax Collector

Approved this 6 Day of Oct., 2004
David Taylor
Yamhill County Assessor



Newberg Surveying, Inc.
1705 NE Evans
McMinnville, OR 97128
(503)-474-4742 (871)-237-1988 Cell
(503)-474-3732 Fax newberg@victrol.com

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