



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

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): Fox Farm Vineyard, LLC
First Last
 Mailing Address: 3580 Carmel Mountain Road #460
San Diego CA 92130
City State Zip
 Phone: unknown unknown unknown
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Paul Bergna, COO Foley Family Wines, Inc.
First Last
 Mailing Address: 10300 Chalk Hill Road
Healdsburg CA 95448
City State Zip
 Phone: unknown 707-933-3248
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Yamhill Township: 3S Range: 3W Section: 23, 24, 25, 26
 Tax Lot Number(s): T3S, R3W, SEC 23, TL 2900; SEC 25, TL 800 + 801
 Street address of water right property: 9605 NE Fox Farm Road, Dundee OR 97115
 Water Right Information (*attach copy of water right permit or certificate & final proof map*):
 Application #: S-71038 Permit #: S-51428 Certificate or Page #: 85054

Will all the lands associated with this water right be owned by the buyer? Yes No

Name of individual completing this form: Paul Bergna Phone: 707-933-3248

Signature: *Paul Bergna* Date: 9-3-15

Please be sure to attach a copy of your property deed or legal description of the property.

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Recorded by TICOR TITLE

Recording Requested by:
Chicago Title Insurance Company

RECORD AND RETURN TO:

Foley Family Wines, Inc.
Attn: Gregory S. Lane
10300 Chalk Hill Road
Healdsburg, CA 95448

Send Tax Statements to:

Foley Family Wines, Inc.
Attn: Omar Percich
10300 Chalk Hill Road
Healdsburg, CA 95448

Yamhill County Official Records	201403461
DMR-DDMR	
Stn=6 SUTTONS	03/31/2014 10:00:31 AM
8Pgs \$40.00 \$11.00 \$5.00 \$20.00	\$76.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

STATUTORY WARRANTY DEED

FOX FARM VINEYARD, LLC, A LIMITED LIABILITY COMPANY OF DELAWARE, who took title as FOX FARM VINEYARD, LLC, a Delaware limited liability company, Grantor, conveys and warrants to FOLEY FAMILY WINES, INC., a Delaware corporation, Grantee, described in the attached Exhibit A, free of encumbrances, except as specifically set forth on the attached Exhibit B:

The actual consideration consists of other value given which is the whole of the consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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SEP 08 2015

SALEM, OR

Dated this 26th day of March, 2014.

Fox Farm Vineyard, LLC,
a Delaware limited liability company

By: Kaweah Partners, LLC,
a Delaware limited liability company,
Member

By: 
Steven L. Black, Manager

By: Adana, LLC,
a Delaware limited liability company,
Member

By: _____
Paula M. Black, Manager

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SALEM, OR

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of San Diego

On 26 Mar 2014 before me, Linda Hrenko, Notary Public

personally appeared Steven L. Black

who proved to me on the basis of satisfactory evidence to be the person whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Linda Hrenko

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Statutory Warranty Deed

Document Date: 26 Mar 2014 Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Corporate Officer - Title(s):

Individual

Partner - Limited General

Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer's Name:

Corporate Officer - Title(s):

Individual

Partner - Limited General

Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER

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Dated this 26th day of March, 2014.

Fox Farm Vineyard, LLC,
a Delaware limited liability company

By: **Kaweah Partners, LLC,**
a Delaware limited liability company,
Member

By: _____
Steven L. Black, Manager

By: **Adana, LLC,**
a Delaware limited liability company,
Member

By: Paula M. Black
Paula M. Black, Manager

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SALEM, OR

STATE OF California)
) ss.
County of San Diego)

This instrument was acknowledged before me on this 26 day of March, 2014, by PAULA M. BLACK in her capacity as Manager of ADANA, LLC, a member of FOX FARM VINEYARD, LLC, A LIMITED LIABILITY COMPANY OF DELAWARE, and acknowledged that she is authorized on behalf of the company to execute the same.



Stephanie Del Rosario
NOTARY PUBLIC FOR CA
My Commission Expires: 11/02/14

STATE OF _____)
) ss.
County of _____)

This instrument was acknowledged before me on this ___ day of _____, 2014, by STEVEN L. BLACK in his capacity as Manager of KAWEAH PARTNERS, LLC, a member of FOX FARM VINEYARD, LLC, A LIMITED LIABILITY COMPANY OF DELAWARE, and acknowledged that he is authorized on behalf of the company to execute the same.

NOTARY PUBLIC FOR _____
My Commission Expires: _____

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SALEM, OR

**Exhibit A
Legal Description**

PARCEL I:

Lots 1 through 38 and Tracts 'A', 'B' and 'C', VINEYARDS AT DUNDEE SPRINGS, a duly filed plat in the County of Yamhill, State of Oregon, as set forth in Plat Recorded July 30, 2009, as Recording No. 200912460.

PARCEL II:

Parcel 1 of Partition Plat 2001-07, recorded February 22, 2001, in Records of Plats for Yamhill County, Oregon, as Instrument No. 200102502, Deed Records.

EXCEPTING THEREFROM that portion dedicated to Yamhill County, a political subdivision of the State of Oregon in that Dedication of Public Right of way, recorded July 16, 2009 as Document No. 200910555 and re-recorded July 16, 2009 as Document No. 200911569, Deed Records of Yamhill County, Oregon.

PARCEL III:

Parcel 2 of Partition Plat 2001-07, recorded February 22, 2001, in Records of Plats for Yamhill County, Oregon, as Instrument No. 200102502, Deed Records.

EXCEPTING THEREFROM that portion conveyed to Jeffrey A. Coffman and Tammy D. Coffman, husband and wife, by Quitclaim Deed recorded May 29, 2008 as Document No. 200809231, Yamhill County, Oregon.

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Exhibit B
Permitted Encumbrances

1. The Property Taxes for 2013-2014 are paid in full.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: the State of Oregon, by and through its Department of Transportation, Highway Division
Purpose: access restrictions and slope easement
Recording Date: March 29, 1949
Recording No: Book 152; Page 470
Affects: the area adjacent to Highway 99W (Tract 'B')
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Dundee
Purpose: Water main
Recording Date: February 15, 1973
Recording No: Film Volume 93, Page 129
Affects: Tract "B"
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Adjoining property owners
Purpose: underground distribution line
Recording Date: July 1, 1976
Recording No: Film Volume 113, Page 347
Affects: Lots 18, 19, 20, 21 and 22
5. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance

Recording Date: March 24, 2005
Recording No: 200505828
Affects: Lots 10 through and including 15 and Lot 24
6. Covenants, conditions, restrictions and Easements as shown on that certain plat of Vineyards at Dundee Springs

Recording Date: July 30, 2009
Recording No: 2009-12460

Reference is hereby made to said document for full particulars.

7. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: July 30, 2009
Recording No: 2009-12461

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

Granted to: Yamhill County Purpose: Storm Drainage Recording Date: July 8, 2009
Recording No: 200910553
Affects: Parcel II

Re-Recorded

Recording Date: July 16, 2009
Recording No.: 200911570

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

Granted to: Yamhill County
Purpose: Storm Drainage
Recording Date: July 8, 2009
Recording No: 200910554
Affects: Parcel II

Re-Recorded

Recording Date: July 16, 2009
Recording No.: 200911571

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