Application for a Permit to Use

Groundwater

Revised 6/1/2017



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

WR

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information				
NAME X NOVO, LLC % CRAIG WILLIAMS, MA	NACED			PHONE (HM)
PHONE (WK)		LL		FAX
707-479-1233	CE	LL		FAX
ADDRESS				
2265 BOYSEN LANE				
CITY	STATE	ZIP	E-MAIL*	
ST HELENA	CA	94574	CWILLIAMS@NETV	WIZ.NET
Organization Information				
NAME			PHONE	FAX
X NOVO, LLC % CRAIG WILLIAMS, MA	NAGER		707-479-1233	
ADDRESS				CELL
2265 BOYSEN LANE				
CITY	STATE	ZIP	E-MAIL*	
ST HELENA	CA	94574	CWILLIAMS@NETV	VIZ.NET
A 47.0 d ===================================	• .			
Agent Information – The agent is authorize	d to repre	sent the ap		
AGENT / BUSINESS NAME			PHONE	FAX
JEANNE BOATWRIGHT			503-363-9225	
ADDRESS POATURE ENGINEERING INC. 2612	13mm Cmr	nnm CE		CELL
BOATWRIGHT ENGINEERING, INC. 2613	12TH STI		E-MAIL*	
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	1	1		CHTENCH COM
SALEM	OR	97302	JEANNE@BOATWRIG	e from the Department
SALEM	OR	97302	JEANNE@BOATWRIG	e from the Department
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Ground Water/3

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).
	None

<u>You must provide the legal description of</u>: 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

			HAN 1 MILE:
WELL NO.	NAME OF NEAREST SURFACE WATER	DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELLHEAD
1	Harvey Creek	770'	+180'

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).



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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 0.12 cfs (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. (<u>If a well log is available, please submit it in addition to completing the table</u>.) 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.

-										PRO	OPOSED 1	USE	
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)	SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	\boxtimes		NA		6"	300'	500'-550'	300'	NA	Columbia River Basalt	550'	54	0.45
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^{*} 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)
Vineyard Irrigation	March 1- October 31	0.45

For irrigation use only: Please indicate the number of primary and supplemental acres to be irrigated (must m	natch map).
Primary: 7.0 Acres Supplemental: 0 Acres	
If you listed supplemental acres, list the Permit or Certificate number of the underlying	ng primary water right(s):
Indicate the maximum total number of acre-feet you expect to use in an irrigation sea	ason: 0.45
• If the use is municipal or quasi-municipal, attach Form M	
If the use is domestic , indicate the number of households:	
Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5 industrial or commercial purpose are exempt from permitting requirements.	5,000 gallons per day for a single
• If the use is mining , describe what is being mined and the method(s) of extract necessary):	ion (attach additional sheets if
SECTION 5: WATER MANAGEMENT	
A. Diversion and Conveyance What equipment will you use to pump water from your well(s)?	RECEIVED
☑ Pump (give horsepower and type): Submersible, Hp to be determined	SEP 25 2017
☐ Other means (describe):	-OWRD
Provide a description of the proposed means of diversion, construction, and opera works and conveyance of water. Well with submersible pump, buried distribution lines (size to be determined)	

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (attach additional sheets if necessary)

Drip irrigation applicator at each vine.

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 (attach additional sheets if necessary).

The amount of water requested will supply each vine with a maximum of 10 gallons of water per year. Drip application will prevent waste and runoff. Totalizing flow meter will be installed. No aquatic life, riparian habitat, surface waters, or public use of surface waters will be affected as there is none on site and no water will run off-site.

Revised 6/4/2017

Ground Water/6

SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

Reservoir name:	Acreage inundated by reservoir:
Use(s):	
Volume of Reservoir (acre-feet): Dan	n height (feet, if excavated, write "zero"):
Note: If the dam height is greater than or equal to 10 sengineered plans and specifications must be approved	0' above land surface AND the reservoir will store 92 acre feet or model prior to storage of water.
SECTION 7: USE OF STORED GROUNDWA	TER FROM THE RESERVOIR
If you would like to use stored groundwater from treproduce this section for each reservoir).	the reservoir, complete this section (if more than one reservoir,
Annual volume (acre-feet):	
USE OF STORED GROUNDWATER	PERIOD OF USE
NA	
SECTION 8: PROJECT SCHEDULE	
Date construction will begin:	Permit Date
Date construction will be completed:	Permit Date + 2 years
Date beneficial water use will begin:	Permit Date + 1 month
SECTION 9: WITHIN A DISTRICT	
Check here if the point of diversion or place of district.	use are located within or served by an irrigation or other water
Irrigation District Name	Address
City	State Zip
SECTION 10: REMARKS	
	provided in the application (attach additional sheets if necessary)

SEP 25 2017

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

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* •		2265 BG	YSEN LA	NE ST HEL	ENA, CA 94574 Dayt	ime Phone:	707-479-12	233	
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	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:	· · · · · · · · · · · · · · · · · · ·	Proposed Lan Use:
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14 - 15 -	1					Diverted	☐ Conveyed	Used	
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itended u	se of wate	== ~		Commerci		□ De	omestic for _	hous	ehold(s)
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APPLICA	oplicant: I	f the Land U	se Inform	nation Form c	annot be completed wh	ile you wait.	, please have	e a local	government
APPLICA ote to appresentati	oplicant: I	f the Land U	se Inform	nation Form c		ile you wait	, please have	e a local	government (ater Resource

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.

(e.g., plan ameno	Approval Needed	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lar	nd-Use Approval:
conditional-use	se permits, etc.)	Policies & Ordinance Section References	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
			Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
* ,			☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
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		ial land-use concerns or make recomme ter below, or on a separate sheet.	ndations to the	ne Water Resources
			ndations to the	ne Water Resources
			ndations to the	E PLANNER
e: LANCE		ter below, or on a separate sheet.	OCIAT	E PLANNER Date: 9/25/2
e: LANCE	s proposed use of wat	Title:	OCIAT	PLANNER Date: 9/25/2



After recording return to: X Novo LLC 1551 Oak Avenue St. Helena, CA 94574

Until a change is requested all tax statements shall be sent to the following address: X Novo LLC 1551 Oak Avenue St. Helena, CA 94574

File No.: 1031-2065647 (AC) Date: April 02, 2013

THIS SPACE RESERVED FOR RECORDER'S USE

OFFICIAL YAMHILL COUNTY RECORDS BRIAN VAN BERGEN, COUNTY CLERK

201306447



\$41.00

04/30/2013 11:12:40 AM

DMR-DDMR Cnt=1 Stn=2 ANITA \$10.00 \$5.00 \$11.00 \$15.00

STATUTORY WARRANTY DEED

Joseph P. McLaughlin, Jr., Grantor, conveys and warrants to X Novo LLC, an Oregon limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

Lots 42 and 43, DUNDEE ORCHARD HOMES NO. 2, Yamhill County, Oregon.

Subject to:

Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is \$355,000.00. (Here comply with requirements of ORS 93.030)

RECEIVED SEP 25 2017

Page 1 of 2

COMMISSION NO. 464385 MY COMMISSION EXPIRES JANUARY 10, 2016

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

Dated this _26_ day of	april , 20/3.	
Joseph P. McLaughlin Jr.	Mis	
STATE OF Oregon))ss.	
County of Yamhill)	,
This instrument was acknowledge by Joseph P. McLaughlin, Jr. .	ed before me on this <u>ale</u> day of <u>APRIL</u>	, 20 <u>.[3</u>
	Upl B. Culle	
OFFICIAL SEAL APRIL B CIULLA NOTARY PUBLIC-OREGON	Notary Public for Oregon My commission expires: 1/10/2016	

RECEIVED

SEP 25 2017

Application for a Permit to Use

Groundwater



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 \$260. 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 <u>public notice</u> of the application in the weekly notice published by the Department at <u>www.oregon.gov/owrd</u>. 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 \$410 for the applicant and \$810 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 RFO If the application is approved, a permit is issued that specifies the details of the authorized use and any terms improved conditions that the Department deems appropriate.

SEP 25 2017





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.

\boxtimes	SECTION 1: applicant information and signature	
\boxtimes	SECTION 2: property ownership	
\boxtimes	SECTION 3: well development	
\boxtimes	SECTION 4: water use	
\boxtimes	SECTION 5: water management	
	SECTION 6: storage of groundwater in a reservoir	
	SECTION 7: use of stored groundwater from the reservoir	
\boxtimes	SECTION 8: project schedule	
\boxtimes	SECTION 9: within a district	
	SECTION 10: remarks	_
	Attachments:	
\boxtimes	Land Use Information Form with approval and signature of local Planning Department (must be an original) or signed receipt	
\boxtimes	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.	
\boxtimes	Fees - Amount enclosed: \$2,210.00 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:	-
\boxtimes	Permanent quality and drawn in ink	-
\boxtimes	Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)	
\boxtimes	North Directional Symbol SEP 2 5 2017	1
\boxtimes	Township, Range, Section, Quarter/Quarter, Tax Lots	
\boxtimes	Reference corner on map OWRD	
\boxtimes	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.	
\boxtimes	Indicate the area of use by Quarter/Quarter and tax lot clearly identified	
\boxtimes	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)	

Today's Date: Monday, September 25, 2017

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1	\$350.00
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) **	o	
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)	o	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$520.00
* 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		\$2,210.00

OWRD	Fee	Sche	dule
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1	Fee Calculator Version B20170117	

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