



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

RECEIVED
 DEC 13 2019
 OWRD

Application for a Permit to
**Store Water
 in a Reservoir**
 (Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

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

1. APPLICANT INFORMATION

Applicant: Lucky Rooster Vineyards, LLC
First Last

Mailing Address: PO Box 710

Amity Oregon 97101
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail Address*: samuel@samuelrobertwinery.com

* 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.)

2. AGENT INFORMATION

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

Agent: Jeanne Boatwright
First Last

Mailing Address: Boatwright Engineering, Inc. 2613 12th Street SE

Salem Oregon 973002
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail Address*: jeanne@boatwrightengr.com

* 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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Coelho Family Reservoir

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.

Source: Run-off Tributary to: Unnamed Stream trib of Hoekstra Slough

C. County in which diversion occurs: Polk

App. No. <u>P-88786</u>	For Department Use Permit No. _____	Date _____
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D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
7S	5W	4	SE-SE	7.5.4 301
7S	5W	9	NE-NE	7.5.4 301
7S	5W	9	NW-NE	7.5.4 301

E. Dam: Maximum height of dam: 9.5 feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 30 Acre-feet = $\frac{\text{(Average Length)(Average Width)(Average Depth)}}{43,560}$

4. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose Use

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5. PROPERTY OWNERSHIP

Please provide a copy of the recorded deed(s).

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

Yes (please check appropriate box below then skip to section 5)

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

No (Please check the appropriate box below)

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

6. ENVIRONMENTAL IMPACT

- A. **Channel:** Is the reservoir: **Off Channel**
- B. **Wetland:** Is the project in a wetland? **No**
- C. **Existing:** Is this an existing reservoir? **No**
If yes, how long has it been in place? _____ years.
- D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? **No**
If yes, how much? _____ miles.
- E. **Partnerships:** Have you been working with other agencies? **No**
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

7. 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	Address	
City	State	Zip

8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

The dam will be earthfill with a culvert overflow at the west end of the dam. The drainage basin consists of 60 upland acres of farmland and forest. It is highly improbable that there will be any live flow outside of the authorized storage season as the source is run-off of rain and stormwater.

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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

See Attached Drawing for cross-section

9. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.


Applicant Signature

12-13-19
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

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Application #: R- Applicant's Name: Lucky Rooster Vineyards, LLC

1) Does the proposed reservoir have the potential to injure existing water rights? NO YES

Explain:

2) Can conditions be applied to mitigate the potential injury to existing water rights? NO YES

If YES, which conditions are recommended: NA

3) Did you meet with staff from another agency to discuss this application? NO YES

Who: Agency: Date:

Who: Agency: Date:

Watermaster printed name: Joel Plahn

Watermaster signature:  Date: 9/18/2019

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

NOTE: This completed form must be returned to the applicant

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Lucky Rooster Vineyards, LLC / PO Box 710 Amity, OR 97101 / 503-881-5116 / samuel@samuelrobertwinery.com

Reservoir Name: Coelho Family Reservoir Source: Run-off
Volume (AF): 30 Twp Rng Sec QQ: T7S R5W S4&9 Basin Name: Salt Creek/S Yamhill River
 in-channel
 off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

1) Is the proposed project and AO¹ off channel? YES NO*
(if yes then proceed to #4; if no then proceed to #2)

*Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon's fish passage laws.

2) Is the proposed project or AO located where NMF² are or were historically present?..... YES NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan?..... YES NO
b. Is there an ODFW-approved fish-passage waiver or exemption?..... YES NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... YES NO

Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

Any diversion or appropriation of water for storage during the period poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

- This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

Fish present near the location of the proposed use or otherwise potentially impacted by the proposed use include Winter Steelhead (ESA Threatened) and Cutthroat Trout (Sensitive Species).

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¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

P-20706

If **YES**, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

NO (explain)

YES (select from Menu of Conditions on next page)

The proposed pond would be located in the Salt Creek drainage. Salt Creek is limited for temperature and dissolved oxygen year-round, and is limited for additional water quality parameters including sedimentation and pH at various times of the year. Further reducing potential instream flows, particularly outside of the allowed storage period, and pond development may exacerbate these issues. To aid in the mitigation of these issues, ODFW has the following recommended conditions:

ODFW's Recommended Conditions:

- 1) **Wetland:** To protect beneficial uses, the Oregon Department of Fish and Wildlife recommends the applicant submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation. The offsite determination will identify waters of this state that are subject to regulation and authorization requirements of the Removal-Fill Law (ORS 196.800 to 196.990) that may be needed prior to disturbance or development of the point of diversion. The applicant can contact Mike DeBlasi (DSL) at 503-986-5226 for additional information.
- 2) **In-Water Work:** To protect beneficial uses, the Oregon Department of Fish and Wildlife (ODFW) recommends any in-water work related to development of the proposed use be conducted during July 15 – September 30 unless an alternate time period is approved by ODFW.
- 3) **Water Quality and Prohibited Activities:** The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water-quality standards. Permittee may not cause pollution of any waters of the state, or place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means, per ORS 468B.025(1). If the Department of Environmental Quality determines that pollution of waters of the state is occurring, DEQ shall notify OWRD of the violation and the water right may be restricted if the permittee fails to implement corrective actions as directed by the Department of Environmental Quality. The applicant should note that discharge of polluted stored water (e.g. warmed waters) into waterways should not occur.
- 4) The applicant should contact DEQ (Jenni Seven: 503-229-5886) to determine if a 1200 C permit is required for construction.

ODFW Signature:



Print Name: Jason Brandt

ODFW Title: SW Hydro Coordinator – Umpqua Date: 11/22/19

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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(s): **Lucky Rooster Vineyards, LLC**

Mailing Address: **PO Box 710**

City: **Amity**

State: **Oregon**

Zip Code: **97101**

Daytime Phone: **503.881.5116**

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:
7S	5W	4	SE-SE	301	AG/EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	FARMING
7S	5W	9	NE-NE	301	AG/EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	FARMING
7S	5W	9	NW-NE	301	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	FARMING

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

Polk 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: **30**
 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 **Multipurpose**

Briefly describe:

An off-channel reservoir to store water for multipurpose use. A permit application for a secondary water right for irrigation of a vineyard will be filed if the storage permit for this reservoir is issued.
Water will only be used for irrigation and/or agricultural use.

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.

See bottom of Page 3. →

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WR / FS

For Local Government Use Only

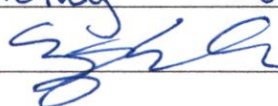
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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): PC20 136.030(A) "Farm Use / Irrigation"
- 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

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: Sidney Mulder Title: Planning Supervisor
 Signature:  Phone: 503.623.9237 Date: December 12, 2019
 Government Entity: Polk County Community Development

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

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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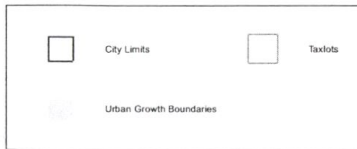
P-00706

Polk County Map



P-000706

APPROX
RES LOCATION



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Date: 12/12/2019

This map was produced from the Polk County geographic databases to support its governmental activities. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. The county is not responsible for any map errors, possible misuse, or misinterpretation. To report a map error, please call (503)623-0713.

GRANTOR:
Old Mac, LLC
625 Hawthorne Ave SE, Ste 100
Salem, OR 97301

GRANTEE:
Lucky Rooster Vineyards, LLC
P O Box 710
Amity, OR 97101

SEND TAX STATEMENTS TO:
Lucky Rooster Vineyards, LLC
P O Box 618
Amity, OR 97101

AFTER RECORDING RETURN TO:
Lucky Rooster Vineyards, LLC c
P O Box 618
Amity, OR 97101

Escrow No: 471812020634-TTMIDWIL20

Parcel 2, PP 2011-3, Dallas, OR 97338

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RECORDED IN POLK COUNTY Valerie Unger, County Clerk	2012-009064
	09/06/2012 02:10:02 PM
REC-WD Cnt=1 Str=7 V. UNGER	\$51.00
\$10.00 \$11.00 \$10.00 \$15.00 \$5.00	

STATUTORY WARRANTY DEED

Old Mac, LLC, An Oregon limited liability company, Grantor, conveys and warrants to

Lucky Rooster Vineyards, LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Polk, State of Oregon:

See EXHIBIT 'A' attached hereto and made a part hereof.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$518,000.00. (See ORS 93.030)

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: September 6, 2012

Old Mac, LLC

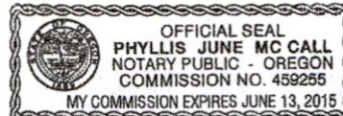
By: Patrick Carney
Patrick Carney, Managing Member

State of OREGON, County of Marion

This instrument was acknowledged before me on September 6, 2012 by Patrick Carney, Managing Member of Old Mac, LLC.

Amelall
Notary Public - State of Oregon
My commission expires: 6-13-2015

471812020634-TTMIDWIL20
Deed (Warranty-Statutory)



TICOR TITLE - 4718120202034

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EXHIBIT 'A'
Legal Description

Parcel 2 of Partition Plat No. 2011-0003, according to the official plat thereof, recorded February 17, 2011, Polk County, Oregon.

Together with an easement for roadway purposes, including the terms and provisions thereof, recorded November 6, 1945 in Book 122, Page 290, Deed Records, Polk County, Oregon.

Subject to and excepting:

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2012-13.

The Land has been classified as Farm, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

The Land has been classified as Forest, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Any rights, liens, claims or equities, if any, in favor of Polk Soil and Water Conservation District.

Any rights, liens, claims or equities, if any, in favor of Salt Creek Conservation District.

Any rights, liens, claims or equities, if any, in favor of Dallas Service District No. 2.
We find no unpaid assessments as of the date hereof.

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

Restrictions, but omitting restrictions, if any, 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 restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Partition Plat No. 2011-0003

Recording Date: February 17, 2011

Recording No: Volume 2011 Page 03

Fence encroachment as disclosed by recorded Partition Plat No. 2011-0003

A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$390,000.00

Dated: August 31, 2012

Trustor/Grantor: Old Mac, LLC

Trustee: Michael E. Knapp

Beneficiary: Eric L. Meurer, Trustee of the Eric Meurer Revocable Living Trust dated July 5, 2012

Recording Date: August 31, 2012

Recording No: 2012-008893

AMENDED ANNUAL REPORT



Corporation Division
www.filinginoregon.com

E-FILED
Apr 10, 2019
OREGON SECRETARY OF STATE

REGISTRY NUMBER

82267692

REGISTRATION DATE

05/15/2012

BUSINESS NAME

LUCKY ROOSTER VINEYARDS, LLC

BUSINESS ACTIVITY

VINEYARD PROPERTY

MAILING ADDRESS

PO BOX 710
AMITY OR 97101 USA

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

PRIMARY PLACE OF BUSINESS

106 W
AMITY OR 97101 USA

JURISDICTION

OREGON

REGISTERED AGENT

SAMUEL ROBERT COELHO

106 W THIRD ST
AMITY OR 97101 USA

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

MEMBER

SAMUEL ROBERT COELHO

PO BOX 710
AMITY OR 97101 USA

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R-00706



I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

SAMUEL ROBERT COELHO

TITLE

MANAGER

DATE SIGNED

04-10-2019

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ARTICLES OF ORGANIZATION



Corporation Division
www.filinginoregon.com

E-FILED
May 15, 2012
OREGON SECRETARY OF STATE

REGISTRY NUMBER

82267692

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

1. ENTITY NAME

LUCKY ROOSTER VINEYARDS, LLC

2. MAILING ADDRESS

PO BOX 710
AMITY OR 97101 USA

3. NAME & ADDRESS OF REGISTERED AGENT

SAMUEL ROBERT COELHO

108 N TRADE STREET
AMITY OR 97101 USA

4. ORGANIZERS

SAMUEL ROBERT COELHO

PO BOX 710
AMITY OR 97101 USA

5. DURATION

PERPETUAL

6. MANAGEMENT

This Limited Liability Company will be member-managed by one or more members

7. OPTIONAL PROVISIONS

The company elects to indemnify its members, managers, employees, agents for liability and related expenses under ORS 63.160.

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R-00706



By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

SAMUEL ROBERT COELHO

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RECEIVED

DEC 13 2019

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Lucky Rooster Vineyards LLCPO Box ~~#~~ 710, Amity, OR 97101Transaction Type: Alt-Res ApplicationFees Received: \$ 1,980.00 Cash Check:Check No. 1992Name(s) on Check: SAME AS ABOVEAddress on Check: SAME AS ABOVE

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Cory Middleton
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



RECEIVED

DEC 13 2019

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Lucky Rooster Vineyards LLC

PO Box ~~710~~ 710, Amity, OR 97101

Transaction Type: Alt-Res Application

Fees Received: \$ 1,980.00

Cash Check: Check No. 1992

Name(s) on Check: SAME AS ABOVE

Address on Check: SAME AS ABOVE

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Cory Middleton
(Name of OWRD staff)

Instructions for OWRD staff:

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**Oregon Water Resources Department
Alternate Reservoir Application**

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Monday, December 16, 2019

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	9.5	
Proposed Reservoir volume in Acre Feet.	30	\$1,050.00
Subtotal:		\$1,460.00
Permit Recording Fee. ***		\$520.00
*** 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		\$1,980.00

↑
JF



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

December 18, 2019

Dear Applicant:

The Oregon Water Resources Department has received your application to store water in a reservoir under the Alternate Review process. Your application has been assigned file number **R-88786**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Lisa Graham, Water Rights Specialist	Phone: 503-986-0808
	Email: elisabeth.a.graham@oregon.gov

A description of the steps that are used for processing an application to stored water in a reservoir are shown on the reverse side of this letter. Also included with this letter is a form to be completed by the Department of State Lands to determine if wetlands or other regulated water bodies (such as creeks) are in the project area.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

COPY

Judy Ferrell
Customer Service Representative
Oregon Water Resources Department

cc: File
Jeanne Boatwright, CWRE

Encl. - DSL Wetland Offsite Form

Water-Use Permit Application Processing Steps

Oregon Water Resources Department

Alternate Review Process for a Reservoir Applications:

After a completed application has been received by the Department, the Department must make public notice of the application within 60 days. Applications are noticed to the public every Tuesday and can be accessed from the Department's website: <https://www.oregon.gov/owrd>.

The Department does not notify individual, neighboring landowners of an application, unless they are identified in the application as affected landowners. The public notice is to ensure that any person may submit detailed information requesting the Department deny an application based upon whether the proposed use causes injury to existing water rights or poses a significant detrimental impact to an existing fishery resource. All comments must be submitted within 60 days of the public notice.

Following the 60-day public comment period, the Department can issue a Final Order. Alternate Reservoir applications typically take between 3-5 months to process, depending upon the number of pending applications in the queue.

The Department recommends applicants not schedule excavation work or otherwise expend financial resources until an ODFW fish passage plan and the alternate reservoir application have been approved. Also note that other permits may be required for any construction activities in waterways, wetlands, or riparian areas.