

Application for a Permit to Use Groundwater



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME STEVE GIRARD FOR BENTON-LANE WINERY/HUNEEUS VINTNERS LLC			PHONE (HM)
PHONE (WK) 541-847-5792	CELL		FAX
ADDRESS PO Box 99			
CITY MONROE	STATE OR	ZIP 97456	E-MAIL* SAGWINO@GMAIL.COM

Organization

NAME		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL*

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

AGENT / BUSINESS NAME STEVEN I. RECCA		PHONE 541-688-8322	FAX 541-688-8087
ADDRESS 2535 B PRAIRIE ROAD		CELL 541-913-1304	
CITY EUGENE	STATE OR	ZIP 97402	E-MAIL* STEVERECCA@EGRASSOC.COM

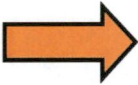
Note: Attach multiple copies as needed

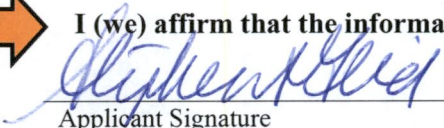
* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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.

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


Applicant Signature

Stephen A. Girard
Print Name and Title if applicable

12-5-19
Date

Applicant Signature

Print Name and Title if applicable

Date

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.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☒ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, 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).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. (*Attach additional sheets if necessary*).

The owner of the Winery (where water is to be used)

Huneus Vintners LLC
1040 Main St. Ste 204
Napa Valley, CA 94559

The Applicant is the owner of the vineyard (where the well is located)

Benton Lane LLC
PO Box 99
Monroe, OR 97456

Benton-Lane LLC has granted Huneus Vintners LLC an easement, maintenance agreement and water agreement.

Legal Description: 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.

See attachment.

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
L38279 WELL #1	UNNAMED POND	988 FT. N57.6 DEGREES W	19 FEET

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: 60GPM (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)
Well #1	☐	☒	L38279	☐	6"	+1-39' 4" LINER 0-205'	80-205'	0-39'	63.47' 10/5/18	BEDROCK	205'	66GPM	
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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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For Department Use: App. Number: 6-10093

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

☒ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

☐ Yes ☒ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

☒ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Industrial/Commercial Water will be used for wine production and bottling	Year Round	<1

For irrigation use only:

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

Primary: _____Acres Supplemental: _____Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

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

- 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 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)

- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): _____

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): 5hp submersible Grundfos45S50-998924049
☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Well L 38279 supplies water to a storage tank which supplies an underground distribution system for the adjacent vineyard. That system also extends to the winery.

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*)

Internal use in winery via conventional plumbing.

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*).

Well is equipped with a water meter. An additional water meter will be installed for the winery to document water usage in the winery. Water will be used for wine production and bottling. The winery has a WPCF 1400-A permit.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Well L38279 was constructed on 4/11/2000 and deepened on 9/14/2000. The existing water distribution system (Permit G-15300) used for irrigation of the vineyard will be utilized.
- Date construction will be completed: Already completed.
- Date beneficial water use will begin: As soon as permitted.

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: The water will be used inside of the winery building. Wastewater is disposed of under a WPCF 1400-A permit.
- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

No excavation or clearing of banks will be required.

Describe planned actions and additional permits required for project implementation: No additional permits.

- ☐ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: _____

SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	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*).

Benton-Lane Winery has a permit to appropriate groundwater from well L38279 to irrigate its vineyards. A Claim of Beneficial Use was submitted on 2/7/2019. Water from the same well will be used in the wine production and bottling process.

The winery is owned by Huneus Vintners LLC and the vineyard where the well is located is owned by Benton-Lane LLC. Benton-Lane LLC has granted an easement, maintenance agreement and water agreement to Huneus Vintners LLC. The agent for Huneus Vintners, Steve Girard, is also a member of the Benton-Lane LLC.

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Attachments

LUCS

Property Descriptions

Well Log

Map

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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.oregon.gov/OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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6-18893

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

Applicant

NAME STEVE GIRARD FOR BENTON-LANE WINERY/HUNEEUS VINTNERS LLC				PHONE (HM)	
PHONE (WK) 541-847-5792		CELL		FAX	
ADDRESS PO BOX 99					
CITY MONROE		STATE OR	ZIP 97456	E-MAIL* SAGWINO@GMAIL.COM	

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:
15	5	9	NWNE	700		☐ Diverted	☐ Conveyed	☒ Used	Winery Production
15	5	9	NWNW NENW NWNE	800		☒ Diverted	☒ Conveyed	☐ Used	
15	5	4	SWSW SESW	601		☐ Diverted	☒ Conveyed	☐ Used	

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

Benton 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 Groundwater Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Groundwater ☐ 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: Benton-Lane Winery located on Benton County Tax Lot 155090000700 is applying for a groundwater right. The Well (L38279) is located on tax lot 155090000800. Water is to be diverted using an existing irrigation system to move water to the Winery to be used for wine production and bottling.

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.

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): BCC 55.105(1).
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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 <u>Toby Lewis</u>		TITLE: <u>Associate Planner</u>
SIGNATURE <u>Toby Lewis</u>	PHONE: <u>541-766-6819</u>	DATE: <u>11/25/19</u>
GOVERNMENT ENTITY <u>Benton County</u>		

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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Tax Lot 155090000700

Location of Winery where water will be
used.

Owner Huneeus Vintners

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TITLE NO. 207983AM
ESCROW NO. EU17-3428
TAX ACCT. NO. 347053/400622/393373/420907
MAP/TAX LOT NO. 15S-05W-09 700 & 700A1

GRANTOR

BENTON-LANE, LLC
P.O. BOX 99
MONROE, OR 97456

GRANTEE

HUNEEUS VINTNERS LLC
1040 MAIN STREET, SUITE 204
NAPA VALLEY, CA 94559

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

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

BENTON COUNTY, OREGON **2018-566142**
DE-WD
Stn=51 MR **01/17/2018 11:24:30 AM**
\$20.00 \$11.00 \$10.00 \$22.00 \$20.00 **\$83.00**

I, James V. Morales, County Clerk for Benton County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

James V. Morales - County Clerk

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WARRANTY DEED -- STATUTORY FORM

**BENTON-LANE, LLC, an Oregon limited liability company, who acquired title as BENTON LANE, LLC,
Grantor,**

conveys and warrants to

HUNEEUS VINTNERS LLC, a Delaware limited liability company, Grantee,

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

Parcel 1, PARTITION PLAT NO. 93-26, Benton County, Oregon.

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:
Covenants, Conditions, Restrictions and Easements of record.

The true consideration for this conveyance is \$12,215,000.00.

WRD LTR

6-10093

Dated this 15th day of January, 2018.

BENTON-LANE, LLC, an Oregon limited liability company

BY: [Signature]
STEPHEN GIRARD, MEMBER

BY: _____
CAROL GIRARD, MEMBER

State of Oregon
County of Lane

This instrument was acknowledged before me on January 15, 2018 by STEPHEN GIRARD,
MEMBER OF BENTON-LANE, LLC, an Oregon limited liability company.

[Signature]
(Notary Public for Oregon)
My commission expires 9/12/21



State of California
County of _____

This instrument was acknowledged before me on _____, 2018 by CAROL GIRARD,
MEMBER OF BENTON-LANE, LLC, an Oregon limited liability company.

(Notary Public for California)
My commission expires _____

WRD LTR

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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document

State of California

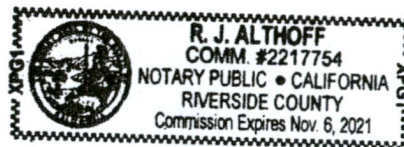
County of Riverside

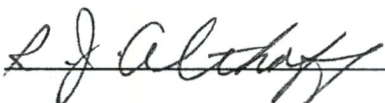
On January 13 2018 before me, R. J. Althoff, Notary Public, personally appeared Carol ~~Chant~~ Girard

Who proved to me on the basis of satisfactory evidence to be the person (s) whose name(s) 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(s) on the instrument the person(s) or the entity on behalf on which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.




R.J. Althoff, Notary Public

My Commission expires November 6, 2021

Phone: 760-668-9393

Email: rjalthoff@dc.rr.com

This Notary Certificate is attached to: Warranty Deed-Statutory Form

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Dated this 13 day of January, 2018.

BENTON-LANE, LLC, an Oregon limited liability company

BY: _____
STEPHEN GIRARD, MEMBER

BY: Carol Girard
CAROL GIRARD, MEMBER

State of Oregon
County of Lane

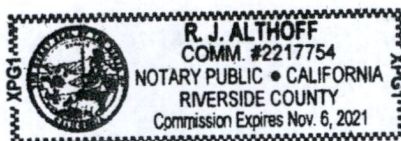
This instrument was acknowledged before me on _____, 2018 by STEPHEN GIRARD,
MEMBER OF BENTON-LANE, LLC, an Oregon limited liability company.

(Notary Public for Oregon)
My commission expires _____

State of California
County of Riverside

This instrument was acknowledged before me on January 13, 2018 by CAROL GIRARD,
MEMBER OF BENTON-LANE, LLC, an Oregon limited liability company.

R. J. Althoff
(Notary Public for California)
My commission expires Nov. 6, 2021



WRD LTR

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Tax Lot 155090000800

And

Tax Lot 155040000601

Well located on tax lot 800 (Parcel 2)

Water is conveyed on tax lot 601 (Parcel 1)

Owner Benton-Lane LLC

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M 275697-99

AFTER RECORDING RETURN TO:

UNTIL A CHANGE IS REQUESTED,
MAIL ALL TAX STATEMENTS TO:

✓ Michael W. Doyle
Doyle, Gartland, Nelson, McCleery & Wade, P.C.
44 Club Road, Suite 200
Eugene, OR 97401

Benton-Lane, LLC
23924 Territorial Hwy
Monroe, OR 97456

BARGAIN & SALE DEED

Doumard, a California general partnership, Grantor, grants, bargains, sells and conveys to Benton-Lane, LLC, an Oregon limited liability company, the following described real property:

See attached Exhibit A

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is other than money.

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DOUMARD

By: 

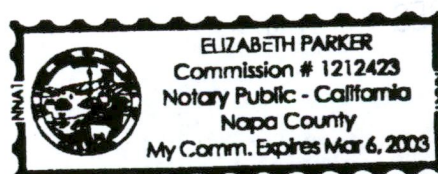
Name: Carl Doumani

Title: Partner

STATE OF CALIFORNIA)
County of Napa) ss.

Personally appeared Carl Doumani, _____ of Doumard, and acknowledged the foregoing instrument to be his/her voluntary act and deed this 1 day of September, 1999.


Notary Public for California



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Exhibit "A"

PARCEL I:

A parcel of land in Township 15 South, Range 5 West of the Willamette Meridian, Benton County, Oregon, being more particularly described as follows:

The South Half of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section 4.

SAVE AND EXCEPT the Westerly 748 feet of even width of said South half of the Southwest quarter of said Section 4.

ALSO SAVE AND EXCEPT any portion of the above described land which lies within the right-of-way of State Highway No. 13. (Territorial Highway).

TOGETHER WITH the following described portion of that tract conveyed to Doumard per M-131213-91, said Deed Records, lying in the North $\frac{1}{4}$ of Section 9, said Township and Range.

Beginning at a stone monument at the North $\frac{1}{4}$ corner of said Section 9; thence along the Section line North $89^{\circ}59'32''$ West 412.72 feet to a $\frac{5}{8}$ inch iron rod; thence leaving the Section line South $38^{\circ}17'04''$ East 4.92 feet to a $\frac{5}{8}$ inch iron rod; thence along the arc of a 172.00 foot radius curve left (long chord: South $65^{\circ}42'36''$ East 158.44 feet) 164.66 feet to a $\frac{5}{8}$ inch iron rod; thence North $86^{\circ}49'54''$ East 1,215.74 feet to the North line of said Section 9; thence along the Section line North $89^{\circ}53'30''$ West 948.63 feet to the point of beginning.

SAVE AND EXCEPT the following portion:

Beginning at a point on the South line of said Section 4, South $89^{\circ}53'30''$ East 948.63 feet from a stone at the $\frac{1}{4}$ corner of said Section 4; thence leaving said Section line North $86^{\circ}49'54''$ East 322.27 feet to a $\frac{5}{8}$ inch iron rod on the Westerly right-of-way line of State Highway No. 200 (Territorial Highway); thence along said right-of-way line South $0^{\circ}22'43''$ East 18.42 feet to the South line of said Section 4; thence along the Section line North $89^{\circ}53'30''$ West 321.90 feet to the point of beginning.

PARCEL II

Parcel 2, Partition Plat No. 93-26, Partition Plat Records of Benton County, Oregon

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PARCEL III

A parcel of land in Township 15 South, Range 5 West, Willamette Meridian, Benton County, Oregon, being more particularly described as follows:

The Westerly 748.00 feet of even width of the North half of the Northwest quarter of Section 9.

SAVE AND EXCEPT that portion of the above described land which lies South of the county line between Benton and Lane Counties.

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STATE OF OREGON } SS.
County of Benton } **270948**

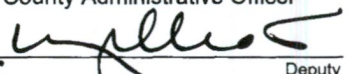
I hereby certify that the within instrument
was received for record

'99NOV01 PM 2:58

AND
ASSIGNED **M275697** 1999

In the microfilm records of said county

Witness My Hand and Seal of County Affixed
JOHN K. ANDERSON
County Administrative Officer

By 
45
15 Deputy

6-10093

Well Log

For

L38279

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Instructions for completing this report are on the last page of this form.

WELL I.D. # L 38279
START CARD # 128783

6-10093

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Well Development
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Project Schedule
- ☒ SECTION 8: Resource Protection
- ☒ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

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Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*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.
- ☒ Fees - Amount enclosed: \$ \$2,210.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ 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)

Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

6-10093