

Application for a Permit to Store Water in a Reservoir

Alternate Review (ORS 537.409)



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

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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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME SHAUN KAJIWARA			PHONE (HM)	
PHONE (WK)	CELL		FAX	
ADDRESS 421 AVIATION BLVD.				
CITY SANTA ROSA	STATE CA	ZIP 95403	E-MAIL * SHAUNKAJ@GMAIL.COM	

Organization

NAME KAJIWARA FAMILY VINEYARDS			PHONE		FAX
ADDRESS 421 AVIATION BLVD.			CELL		
CITY SANTA ROSA	STATE CA	ZIP 95403	E-MAIL * SHAUNKAJ@GMAIL.COM		

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

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


Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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

	Shaun Kajiwara Member	7/19/21
Applicant Signature	Print Name and Title if applicable	Date
Applicant Signature	Print Name and Title if applicable	Date

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

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Reservoir name:	Bramble Hill Reservoir					
Source*:	Unnamed Tributary of Chehalem Creek	Tributary:	To Chehalem Creek			
County:	Yamhill					
Quantity:	9.1 Acre-Feet [length x width x depth / 43,560]					
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #	
	2S	3W	32	NE/NW	1700	
Maximum Height of Dam:	24 feet. If excavated write "zero feet."					

* 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, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose use

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: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: PROPERTY OWNERSHIP

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:

SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: in-stream or off channel?

Wetland: Is the project in a wetland? YES NO unknown

Existing: Is this an existing reservoir? YES NO
If YES, how long has it been in place? _____ years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? YES NO unknown
If YES, how much? _____ miles.

Existing: Have you been working with other agencies? YES NO

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

SECTION 6: WITHIN A DISTRICT

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

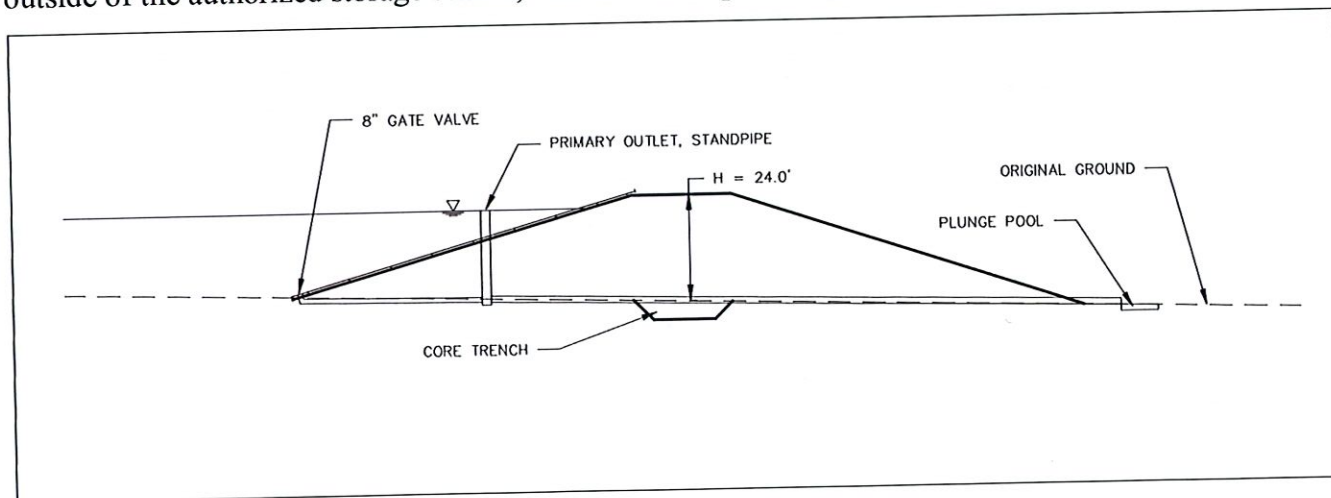
Irrigation District Name: N/A		Address: N/A	
City: N/A	State: N/A	Zip: N/A	

SECTION 7: DESCRIPTION

Provide a short 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 an earthen embankment dam, and stored water will be pumped from the reservoir directly to the irrigation system. Live flows will pass through the riser when water is at normal pool level. During summer months, or other times when reservoir is low, the gate valve will be cracked to pass live flow.

If the diversion involves a dam, use this space below 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).



Watermaster Alternate Reservoir Application Review Sheet

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 Water Resources 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))

Applicant's Name <u>Shaun Kajiwara 2S3W 32 NENW TL 1700</u>		
1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Explain:		
2. Can conditions be applied to mitigate the potential injury to existing water rights? <input type="checkbox"/> YES <input type="checkbox"/> NO Explain: <u>NA</u>		
3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
4. If yes, during what period? Beginning: <u>September 1</u> End: <u>July 31 (see chehalem WA)</u> Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c))		
5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Who:	Agency:	Date:
Who:	Agency:	Date:

Watermaster Name: Joel Plahn

Watermaster Signature: Joel Plahn Date: ~~12/29/2020~~

7-6-2021
JP

NOTE: This completed form must be returned to the applicant

Applicant Name: Kajiwara Family Vineyards

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: Shaun Kajiwara
 Address: 421 Aviation Blvd, Santa Rosa, CA 95403
 Phone/Email: 503-628-0950; shaunkaj@gmail.com
 Reservoir Name: Bramble Hill Reservoir
 Source: Unnamed stream
 Basin Name: Chehalem Creek
 Twp Rng Sec QQ: 2S 3W 32 NENW

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Volume (AF): 9.1 AF

- 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) 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 July 1-October 31 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

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)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

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.

ESA-listed fish (winter steelhead, spring Chinook Salmon) and sensitive species (Coastal Cutthroat Trout) are present in Chehalem Creek during the period of impact. Available information shows flows downstream in Chehalem Creek are currently wholly or partially below those essential to support the biological needs of an existing fishery resource during July-October 31. The proposed use may diminish physical habitat and alter the flow regime to which fish are naturally adapted, negatively affecting their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would impair or be detrimental to an existing fishery resource and/or their habitat without appropriate conditions and/or mitigation.

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)

See applicable conditions selected from "Menu of Conditions" on next page

Water is only available to support biologically necessary flows at the POD and/or downstream during November 1-June 30. ODFW recommends the season of use be restricted to coincide with this period or the proposed use be mitigated prior to issuance of a Proposed Final Order for any use outside of this period. Without appropriate mitigation and/or conditions, a further reduction in flow or alteration of habitat from the proposed water use outside this period will impair or be detrimental to an existing fishery resource. If the applicant is interested in pursuing mitigation, please contact ODFW for further information concerning appropriate conditions and a Mitigation Obligation consistent with the goals and standards of OAR 635-415-0025 (ODFW Habitat Mitigation Recommendations) to compensate for any potential impact from the proposed use. Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water through purchasing or transferring an existing water right.

ODFW Signature: 

Print Name: Jason Brandt

ODFW Title: SW Hydro Coordinator

Date: 7/8/21

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Revised 10/4/12; reformatted 5/12/20

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020

AUG 02 2021

Use this menu to identify appropriate conditions to be included in the permit:

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Agricultural Water Quality Management Area Rules: The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.

b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

b51a The period of use has been limited to November through June.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

Bypass Flows: Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:

- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
- 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.

Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.

The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.

Construction Activities: For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.

fence: The stream and its adjacent riparian area shall be fenced to exclude livestock.

fishpass: As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

fishself: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

fishapprove: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishdiv33: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or

Applicant Name: Kajiwara Family Vineyards
federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife

(ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishmay: Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

futile call: The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

In-Water or Riparian Construction: For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.

In-Water Work: Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of July 15-September 30 unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.

Live Flow: Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.

Off-Channel Stored Water Releases: The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

On-Channel Reservoir: The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.

riparian: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

Water Quality: All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not 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. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.

wq: The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

wetland: The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.

blv: Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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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

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Applicant: JAFF KEE
First Last

Mailing Address: 13642 N.W. RIVARVIEW DR.

PORTLAND OR 97231 Daytime Phone: 503-939-7939
City State Zip

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	1/4	Tax Lot#	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2S	3W	32	NW	1700,000	EF-40/AFLH	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	AG
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

YAMHILL COUNTY

B. Description of Proposed Use

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

- Permit to Use of 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: 9 AF 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:

BUILD RESERVOIR & STORE WATER FOR IRRIGATION & OTHER USES.

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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JUL 27 2020

YAMHILL COUNTY
PLANNING 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): 402.02 of the YCZO

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: Stephanie Armstrong Title: Associate Planner

Signature: [Signature] Phone: 503-434-7516 Date: 7/31/20

Government Entity: Yamhill County Approved 7/30/21 [Signature]

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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After recording return to:
Kajiwara Family Vineyard LLC
1000 Alexander Mountain Road
Geyserville, CA 95441

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

Kajiwara Family Vineyard LLC
1000 Alexander Mountain Road
Geyserville, CA 95441

File No.: 1032-2518595 (JMM)
Date: September 02, 2015

THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records	201517807
DMR-DDMR	11/10/2015 09:36:32 AM
Stn=12 CONFIRM	
2Pgs \$10.00 \$11.00 \$5.00 \$20.00	\$46.00
<p style="font-size: small;">I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.</p> <p style="text-align: right;">Brian Van Bergen - County Clerk</p>	

FIRST AMERICAN TITLE 2518595

STATUTORY WARRANTY DEED

Shelia R. January and Adam J. Zabinski, as tenants by the entirety, Grantor, conveys and warrants to **Kajiwara Family Vineyard 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:

A tract of land in Sections 29 and 32 in Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:


Beginning at the most Northerly corner of the John Marble Donation Land Claim; thence South 21° 09' East 171.0 feet to an iron rod and the TRUE POINT OF BEGINNING; thence North 89° 57' East 1549.4 feet to an iron rod; thence South 00° 25' 30" West 933.0 feet to an iron rod; thence South 89° 11' 30" West 1175.7 feet to an iron rod on the East line of said Marble Donation Land Claim; thence North 21° 09' West along said East line 1016.7 feet to the true point of beginning.

The true consideration for this conveyance is **\$865,000.00**. (Here comply with requirements of ORS 93.030)

Subject to: Real property taxes for the fiscal year in which this deed is recorded, a lien not yet payable; the assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land pursuant to O.R.S. 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment; the assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land becomes disqualified for such use under the statute, an additional tax or penalty may be imposed, and the rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

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 9th day of November, 2015.



 Shelia R. January



 Adam J. Zabinski

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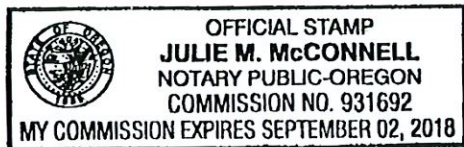
STATE OF Oregon)
)ss.
 County of Yamhill)

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This instrument was acknowledged before me on this 9th day of November, 2015
 by **Shelia R. January and Adam J. Zabinski.**



Notary Public for Oregon
 My commission expires: 9-2-2018



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RECORDED AT THE REQUEST OF
AND
AFTER RECORDING RETURN TO:

~~Kajiwara Family Vineyards~~
~~421 Aviation Blvd.~~
~~Santa Rosa CA 95403~~

Yamhill County Official Records	201509193
DMR-DDMR	06/30/2015 10:28:00 AM
Stn=10 CONFIRM	
3Pgs \$15.00 \$11.00 \$5.00 \$20.00	\$51.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

STATUTORY SPECIAL WARRANTY DEED

BRAMBLE HILL VINEYARD LLC, an Oregon limited liability company grantor ("Grantor"), conveys and specially warrants to **KAJIWARA FAMILY VINEYARDS, LLC**, a Delaware limited liability company, grantee ("Grantee"), the real property described on the attached Exhibit A, incorporated herein by this reference, free of encumbrances created or suffered by Grantor except as described on the attached Exhibit A.

The true and actual consideration is ONE MILLION TWO HUNDRED TWENTY-SEVEN THOUSAND DOLLARS (\$1,227,000).

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.

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

Kajiwara Family Vineyards, 421 Aviation Blvd., Santa Rosa CA 95403
Assessor's Property Tax Account Number(s): Map No.: R2332 01700 Property ID: 5103, Map No.: R2332 01600 Property ID: 5087.

Dated this 29 day of June, 2015.

GRANTOR:

BRAMBLE HILL VINEYARD LLC

By: Richard N. Berg
Name (printed): Richard N. Berg, Member

FIRST AMERICAN TITLE 2468117

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STATE OF OREGON)
) ss.
County of Yamhill)

This instrument was acknowledged before me on this 29 day of June, 2015
by RICHARD N. BERG, as member of BRAMBLE HILL VINEYARD LLC, an Oregon limited liability
company.



Michelle W. Gregor
Notary Public for Oregon
My Commission Expires: 5-15-17

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Exhibit A

Description of Property; Exceptions

That certain real property located in the County of Yamhill, State of Oregon described as follows:

PARCEL 1:

A tract of land in Section 32, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron rod set for the Southwest corner of U.S. Government Lot 1 in said Section 32; thence North 89°11'30" East along the South line of said Lot #1, a distance of 835.7 feet to a 5/8 inch iron rod set on the West line of that tract conveyed to Yamhill County, Oregon, by deed recorded July 6, 1937 in Book 112, Page 618, Deed Records; thence North 00°25'30" East along said West line 867.0 feet to a 5/8 inch iron rod; thence South 89°11'30" West 1175.7 feet to a 5/8 inch iron rod set on the West line of U.S. Government Lot #1; thence South 21°09' East along said West line 924.5 feet to the place of beginning.

EXCEPTING THEREFROM that portion conveyed to Roy L. Hacker, et ux, by deed recorded February 20, 1975 in Film Volume 104, Page 881, Deed and Mortgage Records.

PARCEL 2:

A tract of land in Section 32, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being part of that certain tract conveyed to Deonier by deed recorded in Film Volume 33, Page 350, Deed Records, and being more particularly described as follows:

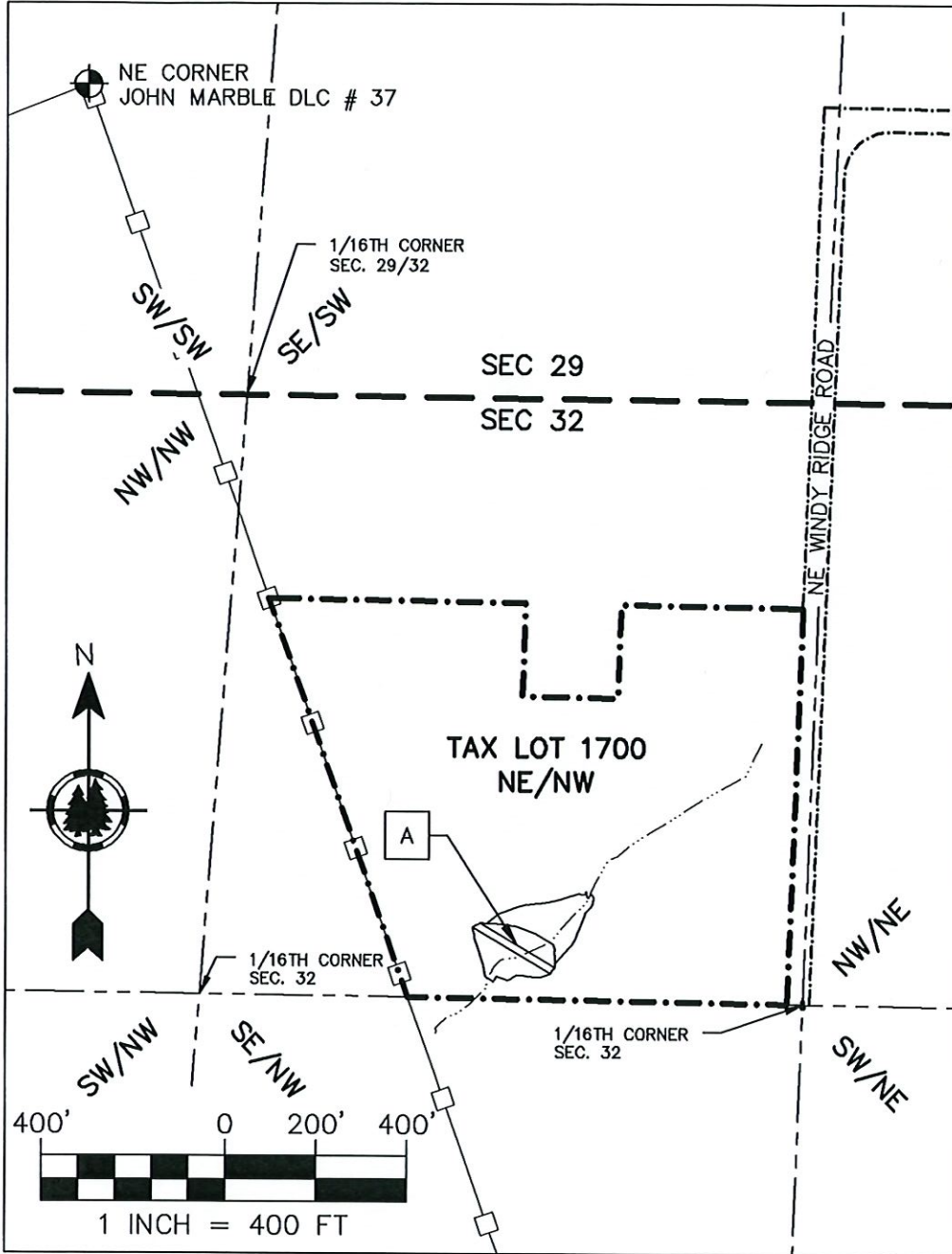
Commencing at an iron rod at the Southwest corner of said Deonier tract, said corner being in the East line of the John Marble Donation Land Claim and South 21°09' East 2112.2 feet from the Northeast corner thereof; thence North 21°09' West along said East line, 924.5 feet to an iron rod; thence North 89°11'30" East 775.7 feet to the TRUE point of beginning of the tract herein described; thence South 00°25'30" West 208.71 feet; thence South 89°11'30" West 208.71 feet; thence North 00°25'30" East 208.71 feet; thence North 89°11'30" East 208.71 feet to the TRUE point of beginning.

SUBJECT TO:

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
2. Those existing contracts approved by and assigned to Grantee in connection with the conveyance of the above property to Grantee.

WATER RIGHT APPLICATION MAP

T2S, R3W SECTION 32, TAX LOT 1700, YAMHILL COUNTY, W.M.



2318-B PACIFIC AVENUE
FOREST GROVE, OR 97116
TELEPHONE (503) 357-5717
FAX (503) 357-5698

PROPERTY ADDRESS:
19855 NE WINDY RIDGE RD.
NEWBERG, OR 97132

IN THE NAME OF:
SHAUN KAJIWARA
421 AVIATION BLVD.
SANTA ROSA, CA 95403

LEGEND:

SUBJECT PROPERTY	--- · · · · ·
PLSS SECTION LINE	-----
PLSS 1/4 1/4 SECTION LINE	- - - - -
JOHN MARBLE DLC # 37 LINE	□ ———
UNNAMED TRIBUTARY OF CHEHALEM CREEK	· · · · ·
MONUMENT AS NOTED	⊕

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A) POD: BRAMBLE HILL RESERVOIR RUNOFF AND STORAGE
THIS APPLICATION.
1,880' S AND 943' E FROM NE CORNER JOHN MARBLE DLC #37

MAP BASIS:
YAMHILL CO. TAX MAP 2 3 32
GOOGLE EARTH IMAGERY
SEF JOB # 320006
DATE 7/7/2021
DRAWING # PRELIM RESERVOIR I

NOTE: THIS MAP IS PRODUCED TO
INDICATE THE LOCATION OF A WATER
RIGHT. IT IS NOT INTENDED TO PROVIDE
INFORMATION RELATIVE TO THE THE
LOCATION OF PROPERTY LINES.



TELEPHONE (503) 357-5717
FAX (503) 357-5698
EMAIL: seades@stuntzner.com

2318-B Pacific Avenue
Forest Grove, Oregon 97116

COOS BAY • FOREST GROVE • DALLAS • JUNCTION CITY

Celebrating 50 Years of Service

July 30th, 2021

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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RE: New Application for a Permit to Store Water in a Reservoir

To Whom It May Concern:

An *Application for a Permit to Store Water in a Reservoir* has been completed. You will find the following enclosed:

1. A check in the amount of \$1,280.00 to pay the review fees for the *Application for a Permit to Store Water in a Reservoir*.
2. The completed and signed *Application for a Permit to Store Water in a Reservoir*.
3. Signed *Watermaster Alternate Reservoir Application Review Sheet*
4. Signed *ODFW Alternate Reservoir Application Review Sheet*
5. Signed *Land Use Information Form*.
6. Property Deed.
7. Water Right Application Map.

If you have any questions on this submitted material, please contact Seth Eades at 503-357-5717 or seades@stuntzner.com

Sincerely,

Seth Isom Eades, EIT

Stuntzner Engineering & Forestry, LLC.

**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: Wednesday, July 7, 2021

Base Application Fee.		\$410.00
Proposed Dam Height in feet.	24	
Proposed Reservoir volume in Acre Feet.	9.1	\$350.00
Subtotal:		\$760.00
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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,280.00

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