

# 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 RED HILLS FARM LLC		PHONE (HM)	
PHONE (WK)	CELL (503) 864-3404		FAX
ADDRESS 15505 NE STOLLER RD.			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL *

**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 WILL MCGILL SURVEYING LLC		PHONE (503) 510-3026		FAX
ADDRESS 15333 PLETZER RD. SE			CELL (503) 931-0210	
CITY TURNER	STATE OR	ZIP 97392	E-MAIL* WILLMCGILL.SURVEYING@GMAIL.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.



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

W. Marschall  
Applicant Signature

Wayne Marschall, Manager  
Print Name and Title if applicable

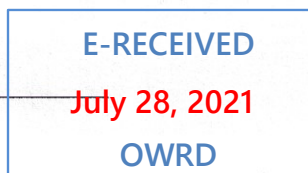
07/06/2021  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name and Title if applicable

\_\_\_\_\_  
Date

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**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).*

**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.

**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
WELL 8	YAMHILL RIVER	6150'	210'

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

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**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested:** 0.134 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

**The table below must be completed for each source to be evaluated or the application will be returned.** If this is an existing well, the information may be found on the applicable well log. *(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 8	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YAMH 53274	<input type="checkbox"/>	6"	+2-260'	240-255'	0-39' 39-80'	62' 2/5/03	BASALT	264'	60	
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.  
 \*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.  
 \*\*\* Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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**SECTION 4: 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/](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

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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:

\_\_\_\_\_

**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	Year-Round	40

**For irrigation use only:**

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

Primary: \_\_\_\_\_Acres                      Supplemental: \_\_\_\_\_Acres

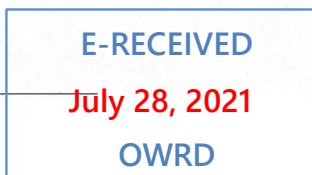
If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

\_\_\_\_\_

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.)

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- 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

### A. Diversion and Conveyance

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

- Pump (give horsepower and type): 5 HP Submersible  
 Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. 5 HP Submersible pump conveys water via 2" PVC line to treatment and into two concrete storage tanks before use.

### 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*)

Plumbed to tasting room and other buildings.

### C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

The amount of water requested is needed for the proposed use. An efficient system is installed and will be carefully monitored to prevent waste or damage.

## SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Existing system
- Date construction will be completed: Existing system
- Date beneficial water use will begin: Upon permit issuance

## 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: Water quality will be monitored and equipment kept in good operating condition to avoid run-off or waste.
- 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.  
Describe planned actions and additional permits required for project implementation: No clearing or excavation necessary.

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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*).

This application is to authorize use of Well 8 for the tasting room facility and other buildings in the complex. The use of Well 8 is being required by Oregon Health Authority to improve water quality in facilities. The industrial use for these facilities were originally authorized on Well 4 under Permit G-13083.

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## 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

#### 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](http://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)

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WATER RESOURCES DEPT.  
SALEM, OREGON

(1) OWNER: Well No. 2187  
Name STOLLER VINEYARDS  
Address 15909 NE MCDUGALL RD  
City DAYTON St OR Zip 97114

(9) LOCATION OF WELL by legal description:  
County YAMHILL Lat. ' ' ' Long. ' ' '  
Township 4 S Range 3 W RM.  
Section 9 NW 1/4 SW 1/4  
Tax Lot 100 Lot Block Subdivision  
Street Address of Well (or nearest Address)  
15909 NE MCDUGALL RD DAYTON, OR

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: FARM

(10) STATIC WATER LEVEL:  
62 ft. below land surface. Date 02/05/03  
Artesian pressure \_\_\_\_\_ lb per square in. Date \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 264 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Diam. From To Material From To Amount  
10 0 80 BENTONITE CHIP 0 39 26 SAX  
8 80 260 CEMENT W/GEL 39 80 12 SAX  
6 260 264

(11) WATER BEARING ZONES:  
Depth at which water was first found 169  
From To Est Flow Rate SWL  
169 259 60 62

Seal placement method C AND POURED  
Backfill: from \_\_\_\_\_ ft to \_\_\_\_\_ ft Material \_\_\_\_\_  
Gravel: from \_\_\_\_\_ ft to \_\_\_\_\_ ft Size \_\_\_\_\_

(12) WELL LOG:  
Ground elevation \_\_\_\_\_  
Material From To SWL  
TOP SOIL 0 6  
CLAY, RED 6 29  
CLAY, BROWN 29 34  
SANDSTONE BROWN, STEWED W/BASALT, DECAYED 34 71  
BASALT, MEDIUM GRAY 71 169  
BASALT, VESICULAR DECAY AND MEDIUM GRAY 169 259 62  
CLAY, GRAY MARINE 259 264

(6) CASING/LINER:  
Diam. From To Gauge Material Connection  
Casing 6 +2 260 .25 STEEL WELDED

Liner \_\_\_\_\_

Final Location of shoe(s) 6X10 TRAP @ 80'

(7) PERFORATIONS/SCREENS:  
 Perf. Method DH PERFORATOR  
 Screens Type Material  
Slot Tele/pipe  
From To Size Number Diam. Size Casing/liner  
240 255 .2X1" 198 \_\_\_\_\_ CASING

DAVE PAYSINGER, BLUE WATER DRILLING CO.  
(503) 868-7878  
Date started 01/31/03 Completed 02/05/03

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR  
Yield GPM Draw-down Drill stem at Time  
60 \_\_\_\_\_ 255 1 hr.  
60 \_\_\_\_\_ 235 1

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

Temperature of water 53F Depth Artesian Flow Found \_\_\_\_\_  
Was water analysis done? YES By whom BWD  
Reason for water not suitable for use \_\_\_\_\_  
Depth of strata \_\_\_\_\_

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed *David S. Paysinger* WWC Number 1438  
Date 02/05/03

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That William H. Stoller, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Red Hills Farm, L.L.C., an Oregon limited liability company hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill, State of Oregon, described as follows, to-wit:

See attached Exhibit "A"

To Have and to Hold the same unto said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1,584,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

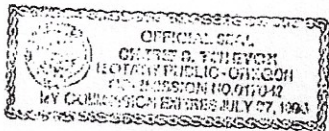
In Witness Whereof, the grantor has executed this instrument this 7 day of March, 1995; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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 30.910.

William H. Stoller  
William H. Stoller

STATE OF Oregon )  
County of Multnomah ) ss.

BE IT REMEMBERED, that on this 7<sup>th</sup> day of March, 1995, William H. Stoller personally appeared before me, a Notary Public in and for said County and State, and acknowledged to me that they executed the foregoing instrument freely and voluntarily.



Charles Teneyck  
Notary Public for Oregon  
My commission expires: 7/27/96

Grantor -  
William H. Stoller  
621 SW Morrison, Suite 500  
Portland, OR 97205

Grantee -  
Red Hills Farm, L.L.C.  
621 SW Morrison, Suite 500  
Portland, OR 97205

After recording return to:  
Red Hills Farm, L.L.C.  
621 SW Morrison, Suite 500  
Portland, OR 97205

This Space Reserved for Recorder's Use

Recorded in Official Yamhill County Records  
CHARLES STERN, COUNTY CLERK

55.00

199502864 12:58pm 03/08/95

001 10002512 10 04  
1 0 D08 5 25.00 10.00 20.00 0.00 0.00 0.00

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EXHIBIT "A"

PARCEL I:

Being a part of the John Bird Donation Land Claim in Sections 5 and 8, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, further described as follows, to-wit:

BEGINNING at a point 700 feet East of the Northeast corner of Lot 5 of County Survey No. 1300 said point being West 1841 feet and South 10' West, 19.56 chains from the Northeast corner of the John Bird Donation Land Claim in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon; thence South 16' 50' West, 2640 feet, more or less to a 30 inch oak tree in a fence corner; thence South 16' 50' West to the center of County Road No. 84; thence East along the center of the County road to the East line of the John Bird Donation Land Claim; thence North 15' East along the Donation Land Claim line to the Northwest corner of Parcel IV in instrument recorded December 19, 1961 in Film Volume 20, Page 306, Yamhill County Deed Records; thence Westerly to the Point of Beginning.

EXCEPTING THEREFROM that tract conveyed to John W. Stoller and Joann Stoller, husband and wife, by Deed recorded October 1, 1974 in Film Volume 102, Page 737, Deed Records.

PARCEL II:

A tract of land in Section 5 of Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon described as follows:

BEGINNING at the Northwest corner of that tract of land conveyed from Stoller to Stoller by deed recorded in Film Volume 199, Page 628, Yamhill County Deed Records, said corner is on record as being East 700 feet from the Northeast corner of Lot 5 of CS-1300; thence North 15' 29' 40" East 406.95 feet to an existing fence corner post; thence South 68' 33' 30" East 407.42 feet along said fence; thence South 69' 09' East 239.62 feet along said fence; thence South 70' 04' East 391.84 feet along said fence to a corner post; thence South 70' 36' East 61.95 feet to a steel fence post; thence South 74' 18' East 542.54 feet to an iron rod at the Northeast corner of said Stoller tract; thence North 85' 04' 40" West 1667.14 feet to the Point of Beginning.

(continued)

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Exhibit "A" (continued)

PARCEL III:

A tract of land in Section 5 of Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

BEGINNING at the Northwest corner of that tract of land conveyed from Stoller to Stoller by Deed recorded in Film Volume 199, Page 620, Yamhill County Deed Records, said corner is on record as being East 700 feet from the Northeast corner of Lot 5 of County Survey 1300; thence North 15° 29' 40" East 406.95 feet to an existing fence corner post; thence North 78° 20' West 17.96 feet to an existing fence corner post; thence South 16° 49' West 425.18 feet along an existing fence line; thence South 16° 26' 30" West 1110.19 feet along said fence to an iron rod at the Southeast corner of Tract #145 of CSP-4352-1, thence South 80° 02' 30" East 26.42 feet to the West line of said Stoller tract; thence North 16° 30' East 1126.90 feet to the Point of Beginning.

Tax Lot No. 4305-100

YCT&E 131330

(continued)

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EXHIBIT "A" (continued)

PARCEL I:

Part of the James Watt Donation Land Claim in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

BEGINNING at the Northwest corner of the Hanna Morris Claim No. 42, which point is the Northwest corner of U.S. Government Lot 8 of Section 4, said Township and Range; thence South along the West line of said Morris Claim, 27.17 chains to the North line of tract conveyed by Harvey Stoller to Ruth Stoller by deed recorded June 2, 1940 in Book 140, Page 761, Deed Records; thence West along said North line, 19.04 chains to angle corner; thence South 15° West, 19.75 chains to County Road; thence West 46 links to East line of said John Bird Donation Land Claim; thence North 15° East along the East line of said Bird Claim to a point due West of the place of beginning; thence East to the place of beginning. (Tax Lot No. 4304-2200)

PARCEL II:

Being a part of the James Watt Donation Land Claim, Notification No. 1036, Claim No. 41, and a part of the James Watt and wife Certificate Claim in Sections 4, 5, 8 and 9 in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at an iron pipe at the Southwest corner of the said James Watt Donation Land Claim No. 41, thence North 15° East 15.20 chains along line of the James Watt and John Bird Claims and in the County Road now there, thence East 0.46 of a chain; thence North 15° East 20.452 chains parallel to the line of Watt and Bird Claims, to iron pipe, thence North 89° 17' East 19.217 chains, thence North 1° West 26.09 chains; thence North 80° 27' East 17.530 chains; thence South 21° East 60.53 chains to the Northerly margin of present McDougall Road (Old 99W) 80 foot right-of-way, thence North 80° 42' West 4.86 chains, following Northerly margin of said highway, thence North 80° 17' West 37.893 chains following Northerly margin of said highway, thence South 0.613 chains to the center of old county road and former highway, thence North 80° 17' West 4.323 chains to the place of beginning.

EXCEPTING THEREFROM the following from above Parcels I and II

Beginning at the Southwest corner of said Watt Donation Land Claim, thence North 15° East 2100 feet along the West line of said Watt Donation Land Claim; thence East 650 feet to the True Point of Beginning; thence North 650 feet; thence East 600 feet; thence South 650 feet; thence West 600 feet to the TRUE POINT OF BEGINNING.

(continued)

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PARCEL III:

BEING a part of the James Watt Donation Land Claim, Notification No. 1036, Claim No. 41, and a part of the James Watt and wife Certificate Claim in Sections 4, 5, 8 and 9 in Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at the Southwest corner of said Watt Donation Land Claim, thence North 15° East 2100 feet along the West line of said Watt Donation Land Claim; thence East 650 feet to the True Point of Beginning; thence North 650 feet; thence East 600 feet; thence South 650 feet; thence West 600 feet to the True Point of Beginning.

Tax Lot No. 4304-2200  
4308-100

YCT6E 131339

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# AMENDED ANNUAL REPORT



Corporation Division  
[www.filinginoregon.com](http://www.filinginoregon.com)

E-FILED  
Jan 14, 2021

OREGON SECRETARY OF STATE

**REGISTRY NUMBER**

44340982

**REGISTRATION DATE**

02/16/1995

**BUSINESS NAME**

RED HILLS FARM, L.L.C.

**BUSINESS ACTIVITY**

DOMESTIC LIMITED LIABILITY COMPANY

**MAILING ADDRESS**

7401 SW WASHO CT STE 200  
TUALATIN OR 97062 USA

**TYPE**

DOMESTIC LIMITED LIABILITY COMPANY

**PRIMARY PLACE OF BUSINESS**

16161 NE MCDUGALL RD  
DAYTON OR 97114 USA

**JURISDICTION**

OREGON

**REGISTERED AGENT**

17198011 - THE STOLLER GROUP, INC.

7401 SW WASHO CT STE 200  
TUALATIN OR 97062 USA

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

**MEMBER**

17198011 - THE STOLLER GROUP, INC.

7401 SW WASHO CT STE 200  
TUALATIN OR 97062 USA

**MEMBER**

WILLIAM H. STOLLER TRUST

7401 SW WASHO CT STE 200  
TUALATIN OR 97062 USA

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**MANAGER**

WAYNE MARSCHALL

7401 SW WASHO CT STE 200

TUALATIN OR 97062 USA

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**

WAYNE MARSCHALL

**TITLE**

AUTHORIZED AGENT

**DATE SIGNED**

01-14-2021

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**DURABLE SPECIAL POWER OF ATTORNEY**

I, **William H. Stoller**, Trustee of the **William H. Stoller Trust** created on **July 26, 1990** and amended and restated on **July 21, 2015** (the "Trust), and pursuant to Section 8.2 and 8.11 of the Trust, do hereby make, constitute and appoint **Wayne Marschall**, President and Chief Financial Officer of **The Stoller Group, Inc.**, as my Agent and attorney in fact (my "Agent"), with full power and authority for me and in my behalf and on behalf of the Trust established by me and for my benefit, to take any actions reasonably necessary relating to assets of the Trust as I might do if personally present, whether such acts are expressly hereinabove enumerated or not, and I hereby ratify and confirm each and every act and thing which my said Agent may do by virtue of this power of attorney.

This power of attorney and authorization shall continue in full force and effect, notwithstanding that I may become legally disabled or incompetent, until revocation thereof signed by me has been recorded in the county where this power of attorney has been recorded.

I have signed this power of attorney this 20th day of November, 2020.

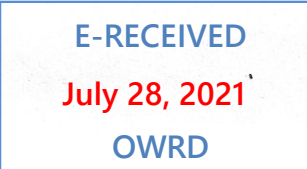
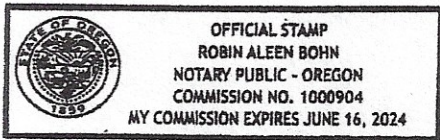
**WILLIAM H. STOLLER TRUST**  
**DATED JULY 21, 2015**

By: *William H. Stoller*  
**William H. Stoller, Trustee**

STATE OF OREGON            )  
  ) ss.  
County of Washington    )

On this 20th day of November, 2020, before me personally appeared **William H. Stoller, Trustee of the William H. Stoller Trust as amended and restated July 21, 2015** and acknowledged to me that he executed this power of attorney freely and voluntarily.

**Robin Aleen Bohn** *Robin Aleen Bohn*  
Notary Public for Oregon  
My commission expires: June 16, 2024



**SIGNATURE OF AGENT**

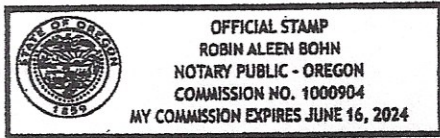
Agent acknowledges that the following is Agent's signature:




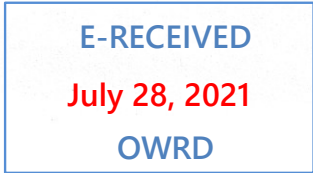
\_\_\_\_\_  
**Wayne Marschall**

STATE OF OREGON            )  
  ) ss.  
County of Washington    )

On this 20th day of November, 2020, **Wayne Marschall**, personally appeared before me and acknowledged to me that he executed this power of attorney, freely and voluntarily, as the above-named Agent.



**Robin Aleen Bohn**   
Notary Public for Oregon  
My commission expires: June 16, 2024



**DURABLE SPECIAL POWER OF ATTORNEY**

I, **William H. Stoller**, do hereby make, constitute and appoint **Wayne Marschall**, President of **The Stoller Group, Inc.**, as my Agent and attorney in fact (my "Agent"), with full power and authority for me and in my behalf, to take any actions reasonably necessary as I might do if personally present, whether such acts are expressly hereinabove enumerated or not, and I hereby ratify and confirm each and every act and thing which my said Agent may do by virtue of this power of attorney.

This power of attorney and authorization shall continue in full force and effect, notwithstanding that I may become legally disabled or incompetent, until revocation thereof signed by me has been delivered to my Agent.

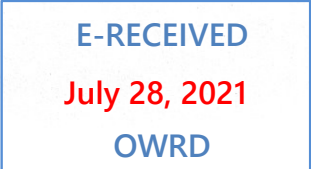
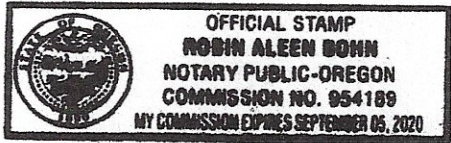
I have signed this power of attorney this 8<sup>th</sup> day of October, 2018.

*WHS*  
William H. Stoller

STATE OF Oregon            )  
  ) ss.  
County of Washington    )

On this 8<sup>th</sup> day of October, 2018, before me personally appeared **William H. Stoller**, and acknowledged to me that he executed this power of attorney freely and voluntarily.

*Robin Aleen Bonn*  
Notary Public of *Washington County*  
My commission expires: *Sept. 05, 2020*



SIGNATURE OF AGENT

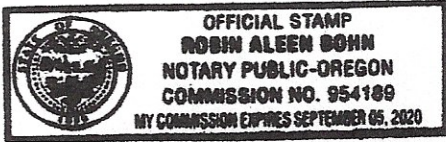
Agent acknowledges that the following is Agent's signature:

Wayne Marschall  
Wayne Marschall

STATE OF OREGON            )  
  ) ss.  
County of Washington        )

On this 5<sup>th</sup> day of October, 2018, **Wayne Marschall**, personally appeared before me and acknowledged to me that he executed this power of attorney, freely and voluntarily, as the above-named Agent.

Robin Aleen Bohn  
Notary Public of Oregon  
My commission expires: Sept. 05, 2020



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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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July 28, 2021

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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

**Applicant**

NAME RED HILLS FARM LLC		PHONE (HM)	
PHONE (WK)	CELL (503) 864-3404	FAX	
ADDRESS 15505 NE STOLLER RD.			
CITY DAYTON	STATE OR	ZIP 97114	E-MAIL*

**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:
4S	3W	9	NWNW	100		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Winery Tasting Room
4S	3W	9	SWNW	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Winery Tasting Room
4S	3W	8	NENE SWNE	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Winery Tasting Room
						<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 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: 0.134  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:

*It is proposed to use Well 8 to supply water to the tasting room and other facilities.*



**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.

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**July 28, 2021**  
**OWRD**

## 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): \_\_\_\_\_.
- 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:	
CONDITIONAL USE/SITE DESIGN REVIEW FOR WINERY/TASTING ROOM	C-15-11/502-14-11 9620 402:1101	<input checked="" 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 <i>LANCE WOODS</i>	TITLE: <i>ASSOCIATE PLANNER</i>
SIGNATURE <i>[Signature]</i>	PHONE: <i>508-474-7516</i>
GOVERNMENT ENTITY <i>TAMM HILL CO. PLANNING</i>	DATE: <i>7/13/2021</i>

**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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**July 28, 2021**  
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