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

Application for a Permit to Use
Groundwater

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

Form with fields for Applicant Name (Rob Wallace), Phone (541-855-0122), Cell (541-840-8953), Address (PO Box 906, Gold Hill), State (OR), Zip (97525), and E-mail (rob@delriovineyards.com).

Organization

Form with fields for Organization Name (Del Rio Vineyards, LLC), Phone (541-855-0122), Address (PO Box 906, Gold Hill), State (OR), Zip (97525), and E-mail (rob@delriovineyards.com).

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

Form with fields for Agent/Business Name (Hollie Cannon / Water Right Solutions, LLC), Phone, Address (3246 Hammer Street, Klamath Falls), State (OR), Zip (97603), and E-mail (h.k.cannon@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.

Applicant Signature (Handwritten signature)

Robert Wallace CEO
Print Name and Title if applicable

1-20-22
Date

Applicant Signature

Print Name and Title if applicable

Date

For Department Use: App. Number: _____

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.

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- 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. **SEE ATTACHED DEED**

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 #1	ROGUE RIVER	N/A	N/A

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).*

PLEASE SEE THE ATTACHED MEMO ABOUT THE LOCATION OF THE PROPOSED WELL AND DISTANCE TO SURFACE WATER.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 1.85 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 #1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	14	+1 TO 200		0 TO 200	NA	BASALT	500	831	443.7
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	10	200 TO 500	200 TO 500						
	<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_trsqg_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.

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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)
Supplemental Irrigation	April 1 – October 31	443.7

For irrigation use only:

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

Primary: Acres Supplemental: 147.9 Acres Nursery Use: Acres

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

C-92936

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 443.7

- 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

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

- Pump (give horsepower and type): 100 hp
- Other means (describe):

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The water from Well #1 will be injected into the existing system used to irrigate from the primary source. The existing irrigation system is over tree solid set sprinkler system. That system will be replaced with drip or micro sprinkler (the pear orchard will be pulled and replaced by vineyard).

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*)

Solid set micro sprinkler or drip irrigation

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 what is needed in a worst case scenario of drought (in the case of the intended supplemental irrigation of a vineyard). If the economics change and it is beneficial to grow pasture or hay, this is the amount of water needed.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: June 2023
- b) Date construction will be completed: May 2026
- c) Date beneficial water use will begin: May 2028

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: There will not be runoff because of the use of micro sprinkler or drip irrigation
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. **N/A** (no excavation or clearing of riparian or streamside areas will occur)

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: NA

Other state and federal permits or contracts required and to be obtained, if a water right permit is granted: It is not anticipated that any other State or Federal permits are required.

List: NA

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 Table Rock District Improvement Company	Address 11161 Table Rock Road	
City Central Point	State OR	Zip 97502

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

The water for primary water right (C 92936) is diverted from the Rogue River and carried in the Table Rock Canal.

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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

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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 503-986-0900.

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Attachment 2: Land Use Information Form

Land Use Information Form

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

Applicant

NAME ROB WALLACE, CEO/MANAGER OF DEL RIO VINEYARDS, LLC		PHONE (HM)	
PHONE (WK) 541-855-0122	CELL 541-840-8953	FAX 541-855-0122	
ADDRESS PO Box 906			
CITY GOLD HILL	STATE OR	ZIP 97525	E-MAIL* ROB@DELRIOVINEYARDS.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:
36 S	2W	11		All of Tax Lot 401		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Supplemental Irrigation
36 S	2W	11		All of Tax Lot 501		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Supplemental Irrigation
36 S	2W	11 & 14		All of Tax Lot 1801		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Supplemental Irrigation

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

Jackson 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: 443.7 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:

The existing pear orchard will be replaced with a vineyard. The irrigation system will be upgraded. This application intends to add a supplemental groundwater right to improve irrigation water security for the crop.



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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): 4.2.1 Vineyard Bragation
- 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
		<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: <u>Summer Williams</u>	TITLE: <u>Planner 1</u>
SIGNATURE: <u>[Signature]</u>	PHONE: <u>511-744-6907</u>
GOVERNMENT ENTITY: <u>Bedford County WV. Seneca</u>	DATE: <u>1/21/2022</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: Rob Wallace - Del Rio Vineyards, LLC

City or County: Jackson Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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After recording return to:
Del Rio Vineyards LLC
P.O. Box 906
Gold Hill, OR 97525

Until a change is requested all tax
statements shall be sent to the
following address:
Del Rio Vineyards LLC
P.O. Box 906
Gold Hill, OR 97525

File No.: 7161-3794619 (EV)
Date: July 30, 2021

THIS SPACE RE

Jackson County Official Records **2021-045817**
R-WD
Stn=21 SIMPSOHP 11/02/2021 04:16:21 PM
\$20.00 \$10.00 \$11.00 \$11.00 \$60.00 **\$112.00**

I, Christine Walker, County Clerk for Jackson County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.
Christine Walker - County Clerk

STATUTORY WARRANTY DEED

Wild River Orchards, Inc., an Oregon corporation, Grantor, conveys and warrants to **Del Rio Vineyards LLC, an Oregon limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

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

The true consideration for this conveyance is **\$2,500,000.00**. (Here comply with requirements of ORS 93.030)

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APN: 1-017338-8

Statutory Warranty Deed
- continued

File No.: 7161-3794619 (EV)

EXHIBIT A

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

PARCEL I:

BEGINNING AT THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 42, TOWNSHIP 36 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON; THENCE WEST, ALONG THE NORTH BOUNDARY OF SAID CLAIM, 29 CHAINS AND 76 LINKS; THENCE SOUTH, 53 CHAINS AND 71 LINKS; THENCE SOUTH 89° 45' EAST, ALONG THE SOUTH BOUNDARY OF SAID CLAIM, 29 CHAINS AND 76 LINKS, TO THE SOUTHEAST CORNER OF SAID CLAIM; THENCE NORTH, ON THE EAST BOUNDARY OF SAID CLAIM, 53 CHAINS AND 83 LINKS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PREMISES SOLD TO SCOTT V. DAVIS, DESCRIBED AS THE "SOUTH HALF OF THE EAST HALF" OF DONATION LAND CLAIM NO. 42, TOWNSHIP 36 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, TOGETHER WITH A STRIP OF LAND 25 FEET IN WIDTH, BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE EAST HALF OF SAID DONATION LAND CLAIM, AND RUNNING THENCE NORTH, TO AN INTERSECTION WITH THE ORIGINAL SOUTHWESTERLY RIGHT-OF-WAY LINE OF TABLE ROCK (COUNTY) ROAD.

ALSO, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT, TO-WIT: BEGINNING AT A CONCRETE MONUMENT WITH BRONZE DISC, LOCATED AT THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 42, TOWNSHIP 36 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON; THENCE ALONG THE NORTH BOUNDARY OF SAID CLAIM, SOUTH 89° 52' 35" WEST, 323.74 FEET; THENCE SOUTH 0° 25' 20" EAST, 264.11 FEET; THENCE SOUTH 37° 39' 30" EAST, 39.81 FEET; THENCE SOUTH 0° 52' EAST, 193.72 FEET; THENCE NORTH 89° 34' 20" EAST, 295.49 FEET, TO THE EAST BOUNDARY OF SAID CLAIM; THENCE NORTH 0° 06' 40" WEST, 487.80 FEET, TO THE POINT OF BEGINNING.

PARCEL II:

BEGINNING AT A CONCRETE MONUMENT WITH BRONZE DISK, LOCATED AT THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 42, TOWNSHIP 36 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON; THENCE ALONG THE WEST BOUNDARY OF DONATION LAND CLAIM NO. 38 AND THE WEST BOUNDARY OF DONATION LAND CLAIM NO. 37, SAID TOWNSHIP AND RANGE, NORTH 0° 01' 10" WEST, 1546.83 FEET, TO A 3/4" IRON PIN (FROM WHICH THE NORTHEAST CORNER OF GOVERNMENT LOT 12, IN SECTION 11, SAID TOWNSHIP AND RANGE, BEARS NORTH 0° 01' 10" WEST, 100.50 FEET); THENCE WEST, 358.80 FEET; THENCE NORTH 0° 01' 10" WEST, 99.73 FEET, TO THE CENTER LINE OF THE TABLE ROCK DISTRICT IMPROVEMENT COMPANY CANAL; THENCE ALONG THE AVERAGE CENTER LINE OF SAID CANAL, AS FOLLOWS: NORTH 69° 24' WEST, 54.02 FEET; NORTH 86° 26' 50" WEST, 267.19 FEET; NORTH 73° 35' 40" WEST, 84.47 FEET; NORTH 82° 24' 40" WEST, 273.87 FEET; SOUTH 76° 35' 30" WEST, 55.62 FEET; NORTH 76° 52' 30" WEST, 56.94 FEET; SOUTH 77° 17' 10" WEST, 138.32 FEET; NORTH

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APN: 1-017338-8

Statutory Warranty Deed
- continued

File No.: 7161-3794619 (EV)

82° 09' 40" WEST, 127.13 FEET; SOUTH 33° 25' 20" WEST, 152.19 FEET; SOUTH 46° 20' 20" WEST, 268.13 FEET; SOUTH 63° 42' 50" WEST, 118.59 FEET; SOUTH 83° 36' 40" WEST, 160.21 FEET; SOUTH 69° 44' WEST, 27.55 FEET; NORTH 88° 23' 30" WEST, 183.94 FEET; THENCE LEAVING SAID CANAL CENTER LINE, SOUTH 0° 10' 40" EAST, 465.35 FEET; THENCE SOUTH 30° 35' 10" WEST, 129.56 FEET; THENCE SOUTH 0° 34' 40" WEST, 45.71 FEET; THENCE SOUTH 11° 37' 30" EAST, 12.92 FEET; THENCE SOUTH 0° 18' 40" EAST, 167.05 FEET; THENCE SOUTH 88° 56' 30" EAST, 192.69 FEET; THENCE SOUTH 0° 16' 40" WEST, 540.74 FEET, TO THE NORTH BOUNDARY OF SAID DONATION LAND CLAIM NO. 42; THENCE ALONG SAID NORTH BOUNDARY, NORTH 89° 52' 35" EAST, 2024.00 FEET, TO THE POINT OF BEGINNING.

Oregon Water Resources Department
Groundwater Application

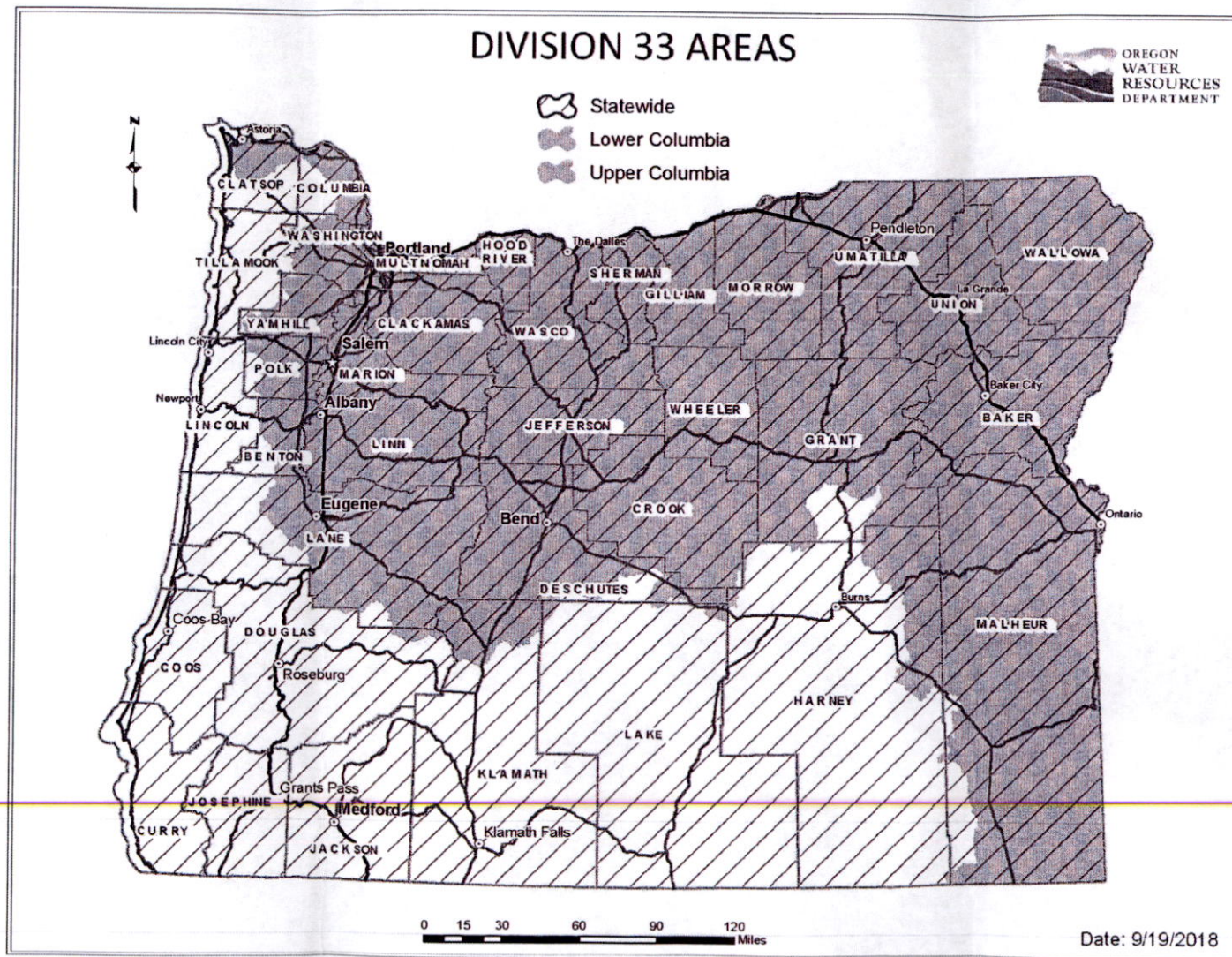
- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

Today's Date: Tuesday, January 18, 2022

Base Application Fee.		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1.85	\$820.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
	Subtotal:	\$2,390.00
Permit Recording Fee. ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$3,000.00

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Figure 1: Map of Division 33 Areas



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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 Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

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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

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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: \$ 3,000
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)

WATER RIGHT SOLUTIONS, LLC

3246 Hammer St
Klamath Falls, OR 97603
541-821-5848

hcannon@waterightsolutions.com

December 13, 2022

This is additional information for a groundwater right application submitted by Del Rio Vineyards, LLC. This application is supplemental to certificate 92936. The information listed below is in reference to the section of the permit application as listed.

Section 3: Well Development

Distance from Surface Water

The nearest naturally flowing surface water is the Rogue River which the nearest point on the river is approximately 1.2 miles. The USGW streams GIS layer shows a "water line" that is the Table Rock District Improvement Company (TRDIC) canal also called the Table Rock Canal. During the late winter and spring, the TRDIC diverts temperature control water from the Rogue River for certificates 42816, 42818 and 65102. The water so diverted flows along the Table Rock Canal and when not needed for temperature control the water is dumped in a drainage that crosses the Table Rock canal on the west side of the property subject to this groundwater application. The drainage (above the Table Rock Canal) does not flow water except during times of heavy winter precipitation. During the period when TRDIC is dumping the temperature control water, the drainage runs water, which is most of the time. The point being made is that the flow in the drainage is not natural flow and should not be considered for the Possible Surface Water Interference review. If there is any questions or concern, we would like the opportunity to have ODFW review and comment on the source of flow in this drainage.

Section 3: Well Development

The application asks for the anticipated construction of the well. This is very difficult to do because there are no wells in the area that are deep enough to identify what is underground at the site of the proposed well. Generally, wells drilled in the Rogue Valley take water from "claystone" or "sandstone" in very limited quantities. This proposed well is located at the foot of Upper Table Rock, which is a volcanic formation. Some of the nearby well logs show encountering basalt in the vicinity of 200 feet deep. None of the nearby wells are deeper than 300 feet and all encounter very limited flow. Apparently, the basalt formation at that depth is not fractured very much. This application anticipates that the basalt formation will be more fractured and yield the flow of water requested at a deeper depth. The information entered in the well construction table is only a guess.

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate