

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		PHONE (HM)	
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization

NAME		PHONE		FAX
ARIEL PROPERTIES LLC, ATTN: EDWARD KERWIN		541-858-1003		
ADDRESS				CELL
3860 CRATER LAKE AVENUE				
CITY	STATE	ZIP	E-MAIL*	
MEDFORD	OR	97504	EKERWIN@ALLERGYASTHMASO.COM	

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

AGENT / BUSINESS NAME		PHONE		FAX
GSI WATER SOLUTIONS, INC., ATTN: ADAM SUSSMAN		541-257-9001		
ADDRESS				CELL
1600 SW WESTERN BLVD., SUITE 240				
CITY	STATE	ZIP	E-MAIL*	
CORVALLIS	OR	97333	ASUSSMAN@GSIWS.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.)

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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

Edward Kerwin, Managing Member

Print Name and Title if applicable

1/12/2022
Date



Water Solutions, Inc.

Via electronic mail

February 7, 2022

Alyssa Mucken
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Dear Ms. Mucken:

GSI Water Solutions, Inc. (GSI), is submitting the enclosed application for a permit to use groundwater for commercial use on behalf of Ariel Properties LLC. The applicant is requesting to use a total maximum rate of up to 0.04 cfs (18.5 gpm) from up to three proposed wells.

The permit application fee will be mailed to OWRD after we receive the temporary number for this application.

The fee was calculated as follows:

- \$1,570 – Base application fee
- \$410 – First cfs or fraction thereof (0.04 cfs requested)
- \$820 – Each additional well after the first (\$410 x 2)
- \$610 – Permit recording fee

Total = \$3,410

If you have any questions regarding this application, please contact me at 541-257-9001.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Sussman".

Adam Sussman
Principal Water Resources Consultant

Enclosure: Application for a Permit to Use Groundwater

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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).*

N/A

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. **Please see Attachment B**

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 1A	EMIGRANT CREEK	1,500 FT	100 FT
WELL 1B	WALKER CREEK	1,350	95 FT
WELL 1C	WALKER CREEK	1,350	115 FT

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).*

Three potential well locations are being proposed to provide flexibility, and the Applicant will produce a total of up to 18.5 gpm from one or more wells.

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 18.5 GPM (0.04 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 1A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	6-IN 4-IN (LINER)	0-40 +3-375	355-375	0-40	TBD	PAYNE CLIFFS FMTN	375'	18.5 ^A	29.9
WELL 1B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	6-IN 4-IN (LINER)	0-40 +3-440	420-440	0-40	TBD	PAYNE CLIFFS FMTN	440'	18.5 ^A	
WELL 1C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	6-IN 4-IN (LINER)	0-40 +3-460	440-460	0-40	TBD	PAYNE CLIFFS FMTN	460'	18.5 ^A	

* 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.

^A **The Applicant is requesting a total maximum rate of up to 18.5 gpm.**

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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.

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

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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:
N/A

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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)
Commercial	Jan. 1 – Dec. 31	29.9

For irrigation use only:

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

Primary: N/A Acres Supplemental: N/A Acres Nursery Use: N/A Acres

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

N/A

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

- If the use is **municipal or quasi-municipal**, attach **Form M – N/A**
- If the use is **domestic**, indicate the number of households: **N/A** (**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*): **N/A**

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): **Pumps for the well(s) will be selected during final design and construction. The Applicant anticipates using 2-5 hp submersible pumps.**
- Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **Groundwater will be pumped from up to three wells and conveyed via PVC piping to three 2,000-gallon water tanks, from which it will be used to supply commercial uses on the place of 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*)

N/A – for commercial use at a winery

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*).

Water will be measured at the well(s) if required by OWRD. Construction is not anticipated to occur near riparian or aquatic environments, and no discharge of contaminated water to surface water will occur. No adverse effects to public uses of surface waters are anticipated.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Within 5 years of permit issuance
- Date construction will be completed: Within 5 years of permit issuance
- Date beneficial water use will begin: Within 5 years of permit issuance

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SECTION 8: RESOURCE PROTECTION

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

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: **The proposed commercial use of water will not cause erosion or run-off of waste or chemical products.**

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. **N/A – Excavation or clearing of banks is not planned.**

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: **N/A**

Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: **N/A**

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 Talent Irrigation District	Address 104 West Valley View Road	
City Talent	State OR	Zip 97540

Note: The proposed place of use is located within Talent Irrigation District's service area, but the requested groundwater permit would neither be held nor served by the District.

SECTION 10: REMARKS

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

The Applicant is proposing to use groundwater for commercial purposes for a winery.

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439-22-00136-ZON

01/24/2022

Land Use Compatibility

39-2E-07-1400

ZONING: **Exclusive Farm Use**

RECORD NO: **439-22-00136-ZON**

PROCESS: **Type I Permit**

PROJECT NAME: **LUCS**

ASSIGNED STAFF:

RECEIVED DATE: **01/24/2022**

SITE ADDRESS: **100 BELLE FIORE LN**

Owners

ARIEL PROPERTIES LLC
3860 CRATER LAKE AVE
MEDFORD, OR 97504-9741

Record Detail Description

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Contacts

Ariel Properties, LLC, Attn: Edward Kerwin
3860 Crater Lake Avenue Medford, OR 97504

(541) 858-1003

Molly Monroe
1600 SW Western Blvd. Suite 240 Corvallis, OR 97333
mmonroe@gsiws.com
(541) 230-0578

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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 ground water 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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Land Use Information Form

Applicant(s): Ariel Properties LLC, Attn: Edward Kerwin

Mailing Address: 3860 Crater Lake Avenue

City: Medford

State: OR

Zip Code: 97504

Daytime Phone: 541-858-1003

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:
<u>39S</u>	<u>2E</u>	<u>7</u>	<u>NWNW</u>	<u>1400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Commercial</u>
<u>39S</u>	<u>2E</u>	<u>7</u>	<u>SWNW</u>	<u>1400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Commercial</u>
<u>39S</u>	<u>2E</u>	<u>7</u>	<u>NWSW</u>	<u>1400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Commercial</u>
<u>39S</u>	<u>1E</u>	<u>12</u>	<u>NENE</u>	<u>1400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Commercial</u>
<u>39S</u>	<u>1E</u>	<u>12</u>	<u>SENE</u>	<u>1400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Commercial</u>
<u>39S</u>	<u>1E</u>	<u>12</u>	<u>NESE</u>	<u>1400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Commercial</u>

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 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: 0.04 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 Applicant is proposing to use groundwater from up to three wells for commercial use at an existing winery.

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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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:	
439. SIT 2011-00021	4.2-1	<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: Francisco M Hernandez Title: Planner III
 Signature: [Signature] Phone: 341-774-6907 Date: 01-31-2022
 Government Entity: Jackson County Development Services

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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Attachment B
Legal Description

Application for Groundwater Permit – Ariel Properties LLC

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<input type="checkbox"/>	439-ELE2011-00641	KERWIN EDWARD KAREN	RELOCATE 100 AMP PANEL ON THE POOL HOUSE REDO OUTSIDE PANEL rep...	39-2E-07-1400	07/25/2011	Finalied
<input type="checkbox"/>	439-ELE2011-00613	KERWIN EDWARD KAREN	TEMPORARY POWER POLE FOR CONSTRUCTION FOUNDATION PERMIT FOR WINE...	39-2E-07-1400	07/18/2011	Finalied
<input type="checkbox"/>	439-ELE2011-00580	KERWIN EDWARD KAREN PETZINGER	SERVICE PANEL 1 CIRCUIT FOR GATE LIGHTS AND GFCI OUTLET GATE BUIL...	39-2E-07-1400	07/11/2011	Finalied
<input type="checkbox"/>	439-BLD2011-00344	KERWIN EDWARD KAREN	FOUNDATION 15607 FT ONLY FOR FUTURE WINERY Processing bulding...	39-2E-07-1400	06/24/2011	Finalied
<input checked="" type="checkbox"/>	439-SIT2011-00021	Winery Building	Winery Building	39-2E-07-1400	06/13/2011	Staff Approval

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EXHIBIT A

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

COMMENCING AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 39 SOUTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE ALONG THE WEST LINE OF SAID SECTION, SOUTH 0° 09' WEST 737.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 64° 50' WEST 73.72 FEET; THENCE SOUTH 79° 02' 15" WEST 186.60 FEET; THENCE SOUTH 87° 40' 35" WEST 132.83 FEET; THENCE NORTH 74° 20' 20" WEST 132.57 FEET; THENCE NORTH 37° 33' 15" WEST 119.45 FEET; THENCE NORTH 3° 03' 30" EAST 122.64 FEET; THENCE NORTH 9° 10' WEST 67.92 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF DEAD INDIAN MEMORIAL ROAD; THENCE ALONG SAID RIGHT OF WAY, ALONG THE ARC OF A 924.93 FOOT RADIUS CURVE TO THE LEFT (THE LONG CHORD OF WHICH BEARS SOUTH 80° 26' 50" WEST 30.00 FEET) 30.00 FEET; THENCE SOUTH 11° 21' 34" WEST 65.00 FEET; THENCE SOUTH 7° 43' 35" EAST 133.99 FEET; THENCE SOUTH 37° 33' 15" EAST 137.42 FEET; THENCE SOUTH 74° 20' 20" EAST 147.29 FEET; THENCE NORTH 87° 40' 35" EAST 139.88 FEET; THENCE NORTH 79° 02' 15" EAST 158.86 FEET; THENCE SOUTH 06° 44' 28" EAST 63.53 FEET; THENCE SOUTH 48° 24' 48" WEST 607.76 FEET; THENCE SOUTH 20° 41' 13" WEST 78.38 FEET; THENCE SOUTH 73° 19' EAST 56.10 FEET TO A 5/8" IRON PIN; THENCE SOUTH 13° 58' 48" WEST 355.67 FEET TO A 5/8" IRON PIN; THENCE SOUTH 78° 13' 24" EAST 108.80 FEET TO A 5/8" IRON PIN; THENCE SOUTH 9° 24' 54" EAST 691.36 FEET TO A 5/8" IRON PIN; THENCE SOUTH 4° 18' 39" EAST 213.94 FEET TO A 5/8" IRON PIN; THENCE SOUTH 23° 56' 30" EAST 411.92 FEET; THENCE SOUTH 28° 15' EAST 91.43 FEET; THENCE SOUTH 53° 30' EAST 258.00 FEET; THENCE NORTH 74° 10' EAST 43.90 FEET; THENCE NORTH 70° 35' EAST 468.27 FEET; THENCE NORTH 27° 47' EAST 190.43 FEET; THENCE NORTH 85° 36' 26" EAST 120.36 FEET TO A 5/8" IRON PIN; THENCE SOUTH 19° 12' 10" EAST 304.84 FEET TO A 5/8" IRON PIN; THENCE NORTH 87° 58' 44" EAST 542.93 FEET TO A 5/8" IRON PIN; THENCE NORTH 16° 31' 50" WEST 738.09 FEET TO A 5/8" IRON PIN; THENCE NORTH 50° 34' 28" WEST 248.48 FEET TO A 5/8" IRON PIN; THENCE NORTH 37° 57' 04" WEST 322.89 FEET TO A 5/8" IRON PIN; THENCE NORTH 27° 56' 29" WEST 316.36 FEET TO A 5/8" IRON PIN; THENCE NORTH 26° 36' 05" WEST 142.58 FEET TO A 5/8" IRON PIN; THENCE NORTH 08° 23' 33" WEST 147.42 FEET TO A 5/8" IRON PIN; THENCE NORTH 28° 14' 31" WEST 222.53 FEET; THENCE NORTH 59° 16' WEST 370.93 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 7; THENCE ALONG THE WEST LINE OF SAID SECTION 7, NORTH 0° 09' EAST 97.40 FEET TO A POINT OF BEGINNING.

NOTE: This Legal Description was created prior to January 01, 2008.

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Attachment C

Application Map

Application for Groundwater Permit – Ariel Properties LLC

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OWRD

From: Leah Cogan
To: Molly Monroe
Cc: Kim Grigsby
Subject: FW: Ariel Properties Permit Application
Date: Tuesday, February 8, 2022 9:44:33 AM
Attachments: image002.png

Hi Molly,

We've received the temporary application number for the Ariel Properties groundwater permit application and are ready to have the check mailed to OWRD. I believe this is the check for \$3,410 that you've been holding onto since mid-January.

Could you please mail the check along with the email below to OWRD? Kim would also like a final copy of the application (with the check) that we can forward to the client. The final application is in this folder [P:\Portland\930-Ariel Properties LLC\001- WR Consulting\GW Permit Applic\Final to OWRD](#) so if you could add the scan of the check to it, that would be great.

Thanks,

Leah Cogan
 Water Resources Analyst
 direct: 971.200.8529 | mobile: 541.272.9888
 GSI Water Solutions, Inc. | www.gsiws.com

From: OWRD Submit WR App* WRD [mailto:OWRD.SubmitWRApp@water.oregon.gov]
Sent: Tuesday, February 8, 2022 9:32 AM
To: Leah Cogan <lcogan@gsiws.com>; OWRD Submit WR App* WRD <OWRD.SubmitWRApp@water.oregon.gov>
Cc: Adam Sussman <asussman@gsiws.com>; Kim Grigsby <kgrigsby@gsiws.com>; FERRELL Judith A * WRD <Judith.A.FERRELL@water.oregon.gov>
Subject: RE: Ariel Properties Permit Application

Hi Leah, Judy is out today, so I thought I'd reply and let you know the fees have been calculated correctly (snip below) and the application is complete. I'll assign this a temporary application number of **AM-2**. Please mail along the check and we'll continue processing the application.

Thanks so much!
Alyssa

 Oregon Water Resources Department
Groundwater Application

 Main
  Help
 Return
  Contact Us

Today's Date: Tuesday, February 8, 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)	0.04	\$410.00
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) **	3	\$820.00
	Subtotal:	\$2,800.00
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.	Recalculate	
Estimated cost of Permit Application		\$3,410.00

Alyssa Mucken
 Water Rights Section Manager
 Oregon Water Resources Department
 725 Summer St NE Suite A, Salem OR 97301
 Cell: 503-871-6964
 Pronouns: she/her/hers
 Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Leah Cogan <lcogan@gsiws.com>
Sent: Monday, February 07, 2022 12:41 PM
To: OWRD Submit WR App* WRD <OWRD.SubmitWRApp@water.oregon.gov>
Cc: Adam Sussman <asussman@gsiws.com>; Kim Grigsby <kgrigsby@gsiws.com>

Subject: Ariel Properties Permit Application

Good afternoon,

GSI Water Solutions, Inc. is electronically submitting the attached application for a permit to use groundwater on behalf of Ariel Properties LLC. The permit application fee of \$3,410.00 will be mailed to OWRD after we receive a temporary number for this application. Please let me know if you have any questions.

Thank you,

Leah Cogan

Water Resources Analyst

direct: 971.200.8529 | mobile: 541.272.9888

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

GSI Water Solutions, Inc. | www.gsiws.com

pronouns: she, her

Please note: GSI is open for business, although most of us are working remotely. I can be reached by phone or email.

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MUCKEN Alyssa M * WRD

From: OWRD Submit WR App* WRD
Sent: Tuesday, February 08, 2022 9:32 AM
To: Leah Cogan; OWRD Submit WR App* WRD
Cc: Adam Sussman; Kim Grigsby; FERRELL Judith A * WRD
Subject: RE: Ariel Properties Permit Application

Hi Leah, Judy is out today, so I thought I'd reply and let you know the fees have been calculated correctly (snip below) and the application is complete. I'll assign this a temporary application number of **AM-2**. Please mail along the check and we'll continue processing the application.

Thanks so much!
Alyssa



Today's Date: Tuesday, February 8, 2022

Base Application Fee	
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.04
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) **	3
	exam = 2800
Permit Recording Fee. ***	610
* 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 recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	
Estimated cost of Permit Application	total = 3410

Alyssa Mucken
Water Rights Section Manager
Oregon Water Resources Department
725 Summer St NE Suite A, Salem OR 97301
Cell: 503-871-6964

Pronouns: she/her/hers

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Subject: Ariel Properties Permit Application

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Thank you,

Leah Cogan

Water Resources Analyst

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Please note: GSI is open for business, although most of us are working remotely. I can be reached by phone or email.

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Attachment A

Land Use Information Form

Application for Groundwater Permit – Ariel Properties LLC

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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. **Attachment A**
- 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. **Attachment B**
- Fees - Amount enclosed: **\$3,410**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items: **Attachment C**
 - 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 – **N/A**
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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