

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

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Applicant Information

NAME EARL LUMPKINS		JUN 22 2010		PHONE (HM) (503) 487-7828
PHONE (WK)	CELL		WATER RESOURCES DEPT SALEM OREGON	
ADDRESS 11951 NE FINN HILL LOOP				
CITY CARLTON	STATE OR	ZIP 97111	E-MAIL LUMPKINS2@GMAIL.COM	

Organization Information

NAME		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL	

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

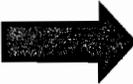
AGENT / BUSINESS NAME GREG OR MALIA KUPILLAS		PHONE (503) 632-5016		FAX (503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD				CELL
CITY MULINO	STATE OR	ZIP 97042	E-MAIL PHGGK@BCTONLINE.COM	

Note: Attach multiple copies as needed

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.

 Earl Lumpkins
Applicant Signature

Earl Lumpkins
Print Name and title if applicable

6/18/2010
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>6-17402</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

Not Applicable

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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	Hawn Creek	~1,320 feet	~190 feet
Proposed Well 2	Hawn Creek	~1,520 feet	~200 feet

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

None.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Marine Sediments

2007-17402

Total maximum rate requested: 30 gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following 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.

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)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YAMH 1930	<input type="checkbox"/>	6" casing 4" liner	-1 - 150 13 - 280	280 - 350	0 - 150	100 feet 11/16/92	Marine Sediments	350'	5	
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6" casing 4" liner	-1 - 150 13 - 280	280 - 350	0 - 150	NA	Marine Sediments	350'	TBD	
Total	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>								30	25
	<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.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 to October 31	25

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.

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: 16.9 Acres Supplemental: 0.0 Acres
 List the Permit or Certificate number of the underlying primary water right(s): NA

 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 25

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): Well 1: 1.5 Hp submersible; Well 2: 1.5 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. Water will be pumped from one or both wells and conveyed to a storage tank. Water will be pumped from the storage tank to places of use for drip irrigation.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Drip lines will be used.

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.

Drip irrigation will be used to apply only the amount of water needed to establish grape plants for a vineyard. There will be no excess runoff.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: None Acreage inundated by reservoir: <0.1 acre

Use(s): Temporary storage of ground water in a steel or concrete tank for irrigation of grape vines

Volume of Reservoir: 5,000 gallons Dam height (feet, if excavated, write "zero"): Zero

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
Irrigation of grape vines and an orchard	March 1 to October 31
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SECTION 8: PROJECT SCHEDULE

Date construction will begin: July 2010

Date construction will be completed: October 2011

Date beneficial water use will begin: March 2011.

SECTION 9: REMARKS

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

The well specifications for Proposed Well 2 are based on the construction of existing Well 1 (YAMH 1930). The actual well depth, seal depth, casing intervals, perforated intervals, etc. may vary according to actual conditions encountered in the field. The objective for the construction of Proposed Well 2 will be to complete a well that develops water from the same marine sediment aquifer. The applicant intends to use the two wells either individually or together, as needed.

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant(s): Earl Lumpkins

Mailing Address: 11951 NE Finn Hill Loop

City: Carlton

State: OR

Zip Code: 97111

Daytime Phone: (503) 487-7827

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>3S</u>	<u>4W</u>	<u>13</u>	_____	<u>3 4 24</u> <u>00500</u>	<u>EF-40 Zone</u> <u>Ag/Forestry Large Holding</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>3S</u>	<u>4W</u>	<u>24</u>	_____	<u>3 4 24</u> <u>00500</u>	<u>EF-40 Zone</u> <u>Ag/Forestry Large Holding</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Yamhill County

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SALEM, OREGON

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: 30
 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:

Water will be pumped from one or two wells and used for drip irrigation of grape vines and an orchard.

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. →

G-17402

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402 of the Yamhill Co. Zoning Ordinance
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JUN 22 2010	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	WATER RESOURCES DEPT SALEM, OREGON	<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: Kenneth P. Frisley Title: P. D. M.
 Signature: [Signature] Phone: 503 434-7516 Date: 6/18/2010
 Government Entity: Yamhill Co.

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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WATER RECORDS
SALES

GRANTOR'S NAME:
Randy L. Burdick and Deborah A. Burdick, as
tenants by the entirety
GRANTEE'S NAME:
The Earl and Margaret Lumpkins Revocable
Trust, Dated October 18, 2001
SEND TAX STATEMENTS TO:
The Earl and Margaret Lumpkins Revocable
Trust, Dated October 18, 2001
33410 NE Old Parrett Mountain Road
Newberg, OR 97132
AFTER RECORDING RETURN TO:
The Earl and Margaret Lumpkins Revocable
Trust, Dated October 18, 2001
11951 NE Finn Hill Loop
Carlton, OR 97111
Escrow No: 3626025885LPZ-TTPOR36
CODE 11.1
98744; R3424-00500
11951 NE Finn Hill Loop
Carlton, OR 97111

OFFICIAL YAMHILL COUNTY RECORDS
REBEKAH STERN DOLL, COUNTY CLERK



\$46.00

201004922 2:46:36 PM 4/16/2010

DMR-DDMR Cnt=1 Stn=3 SUSIE
\$10.00 \$10.00 \$11.00 \$15.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Randy L. Burdick and Deborah A. Burdick, as tenants by the entirety, Grantor, conveys and warrants to Earl D. Lumpkins, Trustee and Margaret Ann Lumpkins Trustee of The Earl and Margaret Lumpkins Revocable Trust, Dated October 18, 2001, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill, State of Oregon:

A tract of land in Sections 13 and 24, Township 3 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, and being part of the Alijah Hendricks Donation Land Claim No. 72 in said Township and Range, more particularly described as follows:

BEGINNING at an iron pipe set in County Road No. 216 and on the South line of Saima Garden Tracts, at a point that is North 5°37' East, 42.62 chains and North 76°22' West, 4031.73 feet from the Southeast corner of said Hendricks Claim; thence North 76°22' West, 629.68 feet to an iron pipe; thence South 3°48' West, 1308.82 feet to an iron pipe set on the North right of way line of County Market Road No. 1; thence South 78°24' East, 102.47 feet to an angle in said right of way; thence South 11°36' West, 40 feet to an angle in said right of way; thence South 78°24' East along said North right of way line, 597.85 feet to an iron pipe; thence North 00°53' East, 1337.73 feet to the point of beginning.

Subject to and excepting:

Premises herein has been zoned or classified for farm use, any disqualification will subject the premises to additional taxes and interest
Rights of the public to any portion of land lying within the area commonly known as Finn Hill Loop and Hendricks Road.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$607,000.00. (See ORS 93.030)

DATED: 4/14/10

3626025885LPZ

TICOR Title Insurance Company

CH-1462

Randy L. Burdick
Randy L. Burdick
Deborah A. Burdick
Deborah A. Burdick

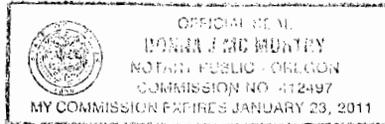
State of OREGON

COUNTY of Yamhill

This instrument was acknowledged before me on April 14, 2010

by Randy L. Burdick
Deborah A. Burdick

Donna J. Muntz, Notary Public - State of Oregon
My commission expires: January 23, 2011



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