

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

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 (www.oregon.gov/owrd/law). 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 \$200. 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 \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% 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 issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any permit conditions that the Department deems appropriate.

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Oregon Water Resources Department
725 Summer Street, Suite A
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www.wrd.state.or.us
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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

WATER RESOURCES DEPT
SALEM, OREGON

Applicant Information

NAME ARMSTRONG VINE, LLC C/O DOUGLAS ACKERMAN			PHONE (HM) (503) 789-3836		
PHONE (WK)		CELL		FAX	
ADDRESS 721 KENOLA COURT					
CITY LAKE OSWEGO	STATE OR	ZIP 97034	E-MAIL * VLADE@COMCAST.NET		

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 DOANN HAMILTON / PACIFIC HYDRO-GEOLOGY, INC.			PHONE (503) 632-5016		FAX (503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD					CELL (503) 349-6946
CITY MULINO	STATE OR	ZIP 97042	E-MAIL * PHGDMH@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 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

Douglas Ackerman
Print Name and title if applicable

1/24/14
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G17759</u>	Permit No. _____	Date _____

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SECTION 2: PROPERTY OWNERSHIP

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

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☒ 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*).

NA

You must provide the legal description of : 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well 1	Ayers Creek	2,700 feet	100 feet
Well 2	Ayers Creek	2,150 feet	160 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.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvium

Total maximum rate requested: 0.00389 cfs (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)
Well 1	☐	☒	YAMH 54924	☐	6 inch	0 to 55 feet	181 to 221 feet	0 to 50 feet	50.49 feet	Alluvium	240 feet	~1 gpm	39
Well 2	☐	☒	YAMH 54925	☐	6 inch	0 to 58 feet	420 to 460 feet	0 to 58 feet	76.34 feet	Alluvium	460 feet	~1 gpm	39
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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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Revised 2/1/2012

Ground Water/5

WR

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 to October 31	39

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: 15.6 Acres

Supplemental: NA 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: 39

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

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): 5 Hp (estimated) submersible pump

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

The ground water will be pumped from Well 1 (YAMH 54924) and Well 2 (YAMH 54925) using submersible pumps and conveyed through a 1-inch buried mainline to an above-ground storage tank having a volume of 5,000 gallons. Water will be pumped from the storage tank to the vineyard plots through a 1.5 inch buried mainlines for further distribution to the drip irrigation system.

B. Application Method

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

Drip irrigation of vineyard to get new grape replanting established.

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.

The use of a drip irrigation system for establishing new grapes will maximize efficiency. Existing flow meters will be used to measure the amount of water used. Best management practices will be followed to prevent impacts to surface waters and riparian habitat.

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SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIRWATER RESOURCES DEPT
SALEM, OREGON

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: NA Acreage inundated by reservoir: NAUse(s): NAVolume of Reservoir (acre-feet): NA Dam height (feet, if excavated, write "zero"): NA

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
NA	NA

SECTION 8: PROJECT SCHEDULEDate construction will begin: 2014Date construction will be completed: 2015Date beneficial water use will begin: 2018**SECTION 9: WITHIN A DISTRICT**

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

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

None.

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Land Use

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Information Form

WATER RESOURCES DEPT
SALEM, OREGON



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

Applicant: Armstrong Vine LLC c/o Douglas Ackerman

Mailing Address: 721 Kenola CT

Lake Oswego OR 97034

Daytime Phone: 503 789 3836

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35th	36th	4		2701		☒ Diverted	☒ Conveyed	☒ Used	irrigation
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Yamhill County

B. Description of Proposed Use

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

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or 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: 0.00389 ☒ 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:

Drip irrigation of vineyard for vine establishment

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.** WATER RESOURCES DEPT
SALEM, OREGON

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): EF 40 Exclusive Farm Use.
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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 Friday Title: Planning Div. Manager
 Signature: [Signature] Phone: 503 434-7516 Date: 1/24/2014
 Government Entity: Yamhill County

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: _____



\$31.00

00269117200700099830020029

200709983

2:21:06 PM 5/07/2007

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



Fidelity National Title
Company

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After Recording Return To:

Douglas Ackerman
721 Kenola Court
Lake Oswego, OR 97034

WATER RESOURCES DEPT
SALEM, OREGON

Send Tax Statements To:

Douglas Ackerman
721 Kenola Court
Lake Oswego, OR 97034

Title Order No. 21-30539
Escrow No. 21-30539
Tax Account No. R3304 02700
#68973

WARRANTY DEED

(ORS 93.850)

Steven J. Ahlberg and Terri E. Ahlberg, also known as Terri E. Brown Ahlberg, as tenants by the entirety, Grantor, conveys and warrants to ARMSTRONG VINE, LLC, an Oregon Limited Liability Company Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

This conveyance is made solely as an adjustment of common boundary between adjoining properties, and does not create a separate parcel that can be conveyed independently of adjacent land.

The true consideration for this conveyance is \$525,000.00.

Dated this 4 day of May, 07

Steven J. Ahlberg

Terri E. Ahlberg

State of OR, County of Yamhill)ss.

G-1778

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

This conveyance is made solely as an adjustment of common boundary between adjoining properties, and does not create a separate parcel that can be conveyed independently of adjacent land.

The true consideration for this conveyance is \$525,000.00.

Dated this 4 day of May, 07.

Steven J. Ahlberg
Steven J. Ahlberg

Terri E. Ahlberg
Terri E. Ahlberg

State of OR, County of Yamhill)ss.

This instrument was acknowledged before me on May 4, 2007
by Steven J. Ahlberg and Terri E. Ahlberg.

Carol C. Bechtold
Notary Public

My commission expires: 4/18/10



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SALEM, OREGON

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WATER RESOURCES DEPT
SALEM, OREGON

Title No. 21-30539

Escrow No. 21-30539

EXHIBIT 'A'

Legal Description:

A tract of land in Section 4, Township 3 South, Range 3 West, of the Willamette Meridian, Yamhill County, Oregon, being part of that tract of land described in deed to STEVEN J. AHLBERG and TERRI E. AHLBERG and recorded June 7, 1994 in Film Volume 310, Page 227, Yamhill County Deed Records, and being more particularly described as follows: Beginning at the Southeast corner of said AHLBERG tract which is on record as being 55.22 chains North and 20.20 chains West of the Southeast corner of the Lewis Rogers Donation Land Claim; thence North 00° 02' 21" East 898.69 feet along the East line of said tract to an iron rod; thence North 89° 57' 39" West 450.42 feet to an iron rod; thence North 00° 09' 31" West 236.33 feet to an iron rod; thence North 88° 41' 54" West 248.34 feet to an iron rod on the East margin of Lewis Rogers Lane; thence South 00° 36' 30" West 1148.06 feet along said East margin to the Southwest corner of said AHLBERG tract; thence North 89° 26' 00" East 710.96 feet to the point of beginning.

Subject to:

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm and/or Forest Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

Affidavit of Farm/Forest Use, including the terms and provisions thereof,

Recorded: July 2, 2003

Instrument No.: 200315911

Records of Yamhill County, Oregon.

G-17759

Yamhill County

Department of Planning and Development

525 NE 4th Street, McMinnville, Oregon 97128

Phone: (503) 434-7516 • Fax: (503) 434-7544 • TTY: 800-735-2900 • Website: www.co.yamhill.or.us/plan

Date: 1/24/2014

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Docket #(s):

Tax Lot #(s):

Douglas Ackerman

Armstrong Vine LLC

3304-2701

FOR:

Permit #(s):

PERMITS

Building Permits
 Plumbing Permits (Residential)
 Plumbing Permits (Commercial)
 Mechanical Permits
 Manufactured Home Placement Permits
 Electrical Permits
 Electrical - Master Permit Program

Zoning Compliance Fee (Ag Barn)
 Reinspection Fee
 Inspection Fee
 Demolition Permit
 Investigation Fee
 Plan Review (Building or Electrical)
 Administrative Schg

LAND USE

Agency Sign-Off
 Hearing
 Comprehensive Plan Amendment (PA, PAZ)
 Conditional Use (C, CTS, CTR, WRG)
 Orchard Sewer Hookup
 Zoning Approvals (Farm, Forest, Non-farm)
 Conditional Subdivision/Adjustments
 Miscellaneous Land Use Applications

AGCY
 ADDR
 APEAL
 *PDCP *PDPZ
 *PDCU MADJ CTS CTR *PDWR
 COSSD
 *PDFD *PDFT *PDNF
 *PDPA *PDSU L-MAJ L-MIN
 EXT *PDFP NCU NCU-R RR SIGN SU
 SDR TS V M-37

SEPTIC

Septic Permit
 Pump
 System Evaluation
 Inspection
 Plan Review (Commercial)
 Authorization

Existing System Evaluation
 Alternative System Evaluation
 Inspections
 Pump Truck Evaluation(s)

SOLID WASTE

Western Oregon Waste - Valley: Franchise
 Newberg Garbage: Franchise
 Newberg Transfer: Franchise
 Riverbend Landfill: Franchise/License
 Miscellaneous

FRACS (AKA City Sanitary)
 FRANG
 FRANT
 RBLL RBLR RBLB RBLG
 MISSW

MISCELLANEOUS

Photo Copies, Fax, P.I. Listing
 Public Works - County Maps
 Telephone

COPY PILST
 *PDRD
 TELBU TELME TELPR TELPC TELEL TELPL TELSW

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WATER RESOURCES DEPT
SALEM, OREGON

All items are received for collection
 ONLY and this receipt shall be
 cancelled for nonpayment of any item.

TOTAL
PAID69⁰⁰

BY:

W. Lane Foster

Cash

Credit Card

Ref#

Coin

Check #

Appr#

90030

6-17759

G-17759

G-7759