



Cable Creek Ranch LLC

14312 Stenbock Way NE #F
Aurora, OR 97002
(503) 678-1090
(503) 678-6883 Fax

Butter Creek ▶▶ Pilot Rock, Oregon
Cable Creek ▶▶ Ukiah, Oregon

06/02/08

Oregon Water Resources Department:

We have already obtained a ground water permit G-16092 for the purpose of irrigation on 160 acres. We are applying to obtain a permit for additional period of use in order to irrigate from March 1 to May 31. The period of use under permit G-16092 is June 1 through September 1. After talking with the water master and personnel within the Oregon Water Resources Department, we have come to the conclusion that we need to apply for an additional permit. There should not be any layering of water rights since we are applying for a different period of use. Attached, is the application, maps and well log.

Thank you,

Michael T. Warn
Spin and Marty LLC
14312 Stenbock Way NE #F
Aurora, OR 97002

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JUN 20 2008

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Michael T. Warn / Manager
First Last

Mailing address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

Handwritten notes:
 P.O. Box
 Rock
 ADAM Green RANCH
 MA. AGENT
 501 ...

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: Spin and Marty LLC

Name and title of person applying: Michael T. Warn / Manager *KATHY*

Mailing address of organization: 14312 Stenbock Way N.E. #F
Aurora, OR 97002
City State Zip

Phone: 1-503-678-1090 *# 235*
Day Evening

*Fax: 1-503-678-1073 *E-Mail address: mike@managementwest.com

* Optional information

For Department Use		
App. No. _____	Permit No. _____	Date _____

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SALEM, OREGON**

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

Yes (Please check appropriate box below then skip to section 3 ("Ground water Development"))

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below.)

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 irrigated and/or domestic use only (ORS 274.040).

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.

List the names and mailing addresses of all affected landowners.

N/A

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Butter Creek

Distance from well(s) to nearest stream or lake: 1) less than 1 mile

2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) 150 ft.

2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Larry Burd Well Drilling

Address: 604 Highway 11, Pendleton OR 97801

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STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)

WELL I.D. # L 62830
 START CARD # 155596

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number 1
 Name Mike Warn
 Address 14312 Sten Beck Way
 City Aurora State OR Zip 97002

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 320 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds	
12"	0	18	Bentonite	0	18	12 SACKS	
6"	18	320					

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:
 Diameter From To Gauge Steel Plastic Welded Threaded
 Casing: 8" H2 18' .250
 Liner: _____
 Drive Shoe used Inside Outside None
 Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<u>75</u>		<u>320</u>	<u>1 hr.</u>
<u>30</u>		<u>220</u>	

Temperature of water 56° Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Umatilla Latitude _____ Longitude _____
 Township 1S N or S Range 30E E or W. WM.
 Section 17 SW 1/4 NE 1/4
 Tax Lot 1100 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 35454
Butter Cr. Rd Pilot Rock OR 97868

(10) STATIC WATER LEVEL:
110' ft. below land surface. Date 4-23-03
 Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 135'

From	To	Estimated Flow Rate	SWL
<u>135'</u>	<u>155'</u>	<u>25</u>	<u>110'</u>
<u>283'</u>	<u>290'</u>	<u>50</u>	<u>110'</u>

(12) WELL LOG:
 Ground Elevation _____

Material	From	To	SWL
Soil / Gravel	0	2	
Black Basalt	2	135	
Broken Brown	135	155	140
Black	155	240	
Brown Basalt	240	257	
Black	257	283	
Brown Basalt	283	290	100'
Black	290	320	

Date started 4-23-03 Completed 4-23-03
 (unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 Signed [Signature] WWC Number 1735 Date 4-23-03
 (bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 Signed [Signature] WWC Number 544 Date 4-23-03

IRRIGATION

**STATE OF OREGON
WATER SUPPLY WELL REPORT**
(as required by ORS 537.765)

WELL I.D. # L 62870
START CARD # 155597

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number ①
Name Mike Warn
Address 14312 Stenbock Way NE
City Aurora State OR Zip 97002

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 320 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL					
Diameter	From To	Material	From To	Sacks or pounds			
2"	0 12	Bentonite	0 12	15 SACKS			
8"	18 320						

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8"	+2	18	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Tele/pipe size	Casing	Liner
(This section is crossed out with a diagonal line)								

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
150 +		320'	1 hr.
150 +		220'	
30		100'	

Temperature of water 56 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Umatilla Latitude _____ Longitude _____
Township 15 N or S Range 30E E or W. WM.
Section 17 SW 1/4 NE 1/4
Tax Lot 1100 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 35454 Butler CR RD. Pilot Oak OR 97068

(10) STATIC WATER LEVEL:
41 ft. below land surface. Date 4-21-03
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 72'

From	To	Estimated Flow Rate	SWL
72	77	10	41
135	150	30	41
295	315	150+	41'

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Soil / Gravel	0	2	
Black Basalt	2	72	
Broken Brown	72	77	41
Black	77	135	
Broken Brown	135	150	41'
Black	150	245	
Brown Basalt	245	260	
Black	260	295	
Broken Brown	295	315	41'
Black Basalt	315	320	

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SALEM, OREGON

Date started 4-18-03 Completed 4-21-03

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Signed [Signature] WWC Number 1735 Date 4-21-03

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed [Signature] WWC Number 544 Date 4-21-03

Completion date: 4-21-03

Please provide a description of your well development. *(Attach additional sheets if needed.)*

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
62870	See well log	-----	-----	-----	-----	-----	-----	-----	-----

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

N/A

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
62870	See well log	Irrigation	375 gpm	1,564,088,480	see pump test

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1.0 cfs
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: March 1 - May 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 160 acres
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type): 50 hp submersible
- Other means (describe): _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):
Width _____ Depth _____
Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length):
Diameter 4" to pivots - 3" to P-85's Length 4"=~3,000 ft. - 3"=~1000 ft.
- Other (describe) _____

Ground Water/4

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SALEM, OREGON**

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? Center pivots and P-85 sprinkler heads.

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Using center pivot low pressure systems to minimize evaporation.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: 6/15/08

Proposed date construction will be completed: 8/15/08

Proposed date beneficial water use will begin: 8/1/08

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

The permit we are applying for is to irrigate from March 1 through May 31. We have already been granted a ground water permit to irrigate from June 1 through September 1, permit G-16092.

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**WATER RESOURCES DEPT
SALEM, OREGON**

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:



Signature of Applicant *(If more than one applicant, all must sign.)*

6/18/08
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 160 Acres

Secondary: 160 Acres

List the permit or certificate number of the primary water right: No. G-16092

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

1. Forage Full season Partial season (from: March 1 to May 31)

2. Full season Partial season (from: to)

3. Full season Partial season (from: to)

4. Full season Partial season (from: to)

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

3 acre-feet per acre acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

Daily during daytime hours Daily during nighttime hours

Two or three times weekly during daytime Two or three times weekly during nighttime

Weekly, during daytime hours Weekly, during nighttime hours

Other, explain:

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Last revision: October 31, 1996

JUN 20 2008

WATER RESOURCES DEPT SALEM, OREGON

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SPIN AND MARTY LLC
14312 STENBOCK WAY NE #F
AURORA, OR 97002

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16092

SOURCE OF WATER: WELL 62870 IN BUTTER CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 160.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: JUNE 1 THROUGH SEPTEMBER 1

DATE OF PRIORITY: SEPTEMBER 24, 2003

WELL LOCATION: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 17, T1S, R30E, W.M.; 875 FEET NORTH & 625 FEET EAST FROM C1/4 CORNER, SECTION 17

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 18.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 34.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 22.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.0 ACRES

SECTION 17

TOWNSHIP 1 SOUTH, RANGE 30 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured between **February 15 to March 15 of each year**. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department

approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

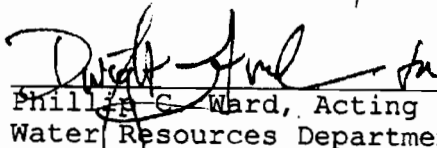
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued September 9, 2004


Phillip G. Ward, Acting Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Application G-16092 Water Resources Department
Basin 7 Volume 4A BUTTER CR
gaineyjw- WEEK 423

PERMIT G-15724
5

Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	OWNER: SPIN AND MARTY LLC 14312 STENBOCK WAY NE F AURORA, OR 97002	G16092	G15724				T10596 (Changes this right)	NC

[Help understanding and working with the Water Rights Information System](#)

Download: [Point of diversion data](#), [Place of use data](#), [Stakeholder data](#)

[Return to WRIS Query](#)

14312 Stenbock Way NE, 3F
Aurora, OR 97002
(503) 678-1090 / (503) 678-6883 Fax

Spin & Marty LLC

Fax

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WATER RESOURCES DEPT
SALEM, OREGON

To: Herb / Oregon Water Resource Dept. **From:** Kathi Kelso

Fax: 503-986-0901 **Pages:** 8 (including cover)

Phone: 503-986-0804 **Date:** 6/23/08

Re: Forms requested from Adam Green **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

Attached are the documents you requested from Adam Green for the water rights application for Spin & Marty:

- Land Use Information Form
- Deed with Legal description

If you have any question, please contact Adam Green at 541-443-2000.



Oregon Water Resources Department Land Use Information Form

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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Spin & Marty LLC.
 Mailing Address: 14312 Stenbock Way NE #F
 City: Aurora State: OR Zip: 97002 Day Phone: 541-443-2000

This application is related to a Measure 37 claim. Yes No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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:
1S.	30E.	16 & 17		1100	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Ag
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<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, or used. Umatilla 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 Exchange of Water
 Allocation of Conserved Water Limited Water Use License
 Permit Amendment or Ground Water Registration Modification

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 109.5 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: Application is for irrigation use from an existing well.

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SALEM, OREGON

Note to applicant: *If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.*

Receipt for Request for Land Use Information

State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1266

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 152.055

Land uses to be served by 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.

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SALEM, OREGON**

Name: Richard Jennings Title: Planner
 Signature: [Signature] Phone: 278-6249 Date: 7/13/07
 Government Entity: Umatilla 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: _____

Handwritten initials

374 0042

373 0715

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AUG 1 - 2000

UMATILLA COUNTY RECORDS



2000-3740042 1 of 7

AFTER RECORDING, RETURN TO:

PIONEER ESCROW 10-8880
P.O. BOX 1538
PENDLETON, OREGON 97801

RECEIVED

AUG - 7 2000

UMATILLA COUNTY RECORDS

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS TO BE SENT TO:

Spin and Marty, LLC
14312 Stenbock Way NE
Aurora, Oregon 97002

THE TRUE AND ACTUAL CONSIDERATION
FOR THIS CONVEYANCE IS THE TRADE
FOR LIKE KIND PROPERTY PURSUANT TO
IRC 1031.

State of Oregon }
County of Umatilla }
This instrument was received
and recorded on
08-01-00 at 3:15
In the record of document
code type DE-WD
Location R373-0715
Document number 2000-3730715
Fee 55.00
Office of County Records

Signature
Records Officer

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WATER RESOURCES DEPT
SALEM, OREGON

CORRECTION

STATUTORY WARRANTY DEED

Lazinka Ranch, Inc., Grantor, conveys and warrants to Spin and Marty, LLC, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof for a description of the real property referred to herein.

Subject to and excepting:

1. As disclosed by the tax rolls, the premises herein described have been zoned or classified for special use. At any time said land is disqualified for such use, said property will be subject to additional taxes and interest.
2. The property described herein consists of lands that are contiguous. Access to such lands may be through these adjoining lands. Rights of access to the lands are limited to those County Roads which abut or pass through the lands described herein and no representation is made that all lands and/or parts thereof have independent rights of access.
3. Reservations, including the terms and provisions thereof, contained in deed wherein Northern Pacific Railway Company is grantor and Kenneth G. Warner is grantee, recorded November 10, 1923, in Book 123, Page 56, Deed Records.
4. Reservations, including the terms and provisions thereof, contained in deed wherein Northern Pacific Railway Company is grantor and Kenneth G. Warner is grantee, recorded November 10, 1923, in Book 123, Page 57, Deed Records.
5. Reservations, including the terms and provisions thereof, contained in deed wherein Northern Pacific Railway Company is grantor and Kenneth G. Warner is grantee, recorded November 10, 1923, in Book 123, Page 58, Deed Records.

This Deed is being re-recorded to correct the legal description.

- Statutory Warranty Deed

PIONEER TITLE CO. 64710
126 SE Condit. Pend. OR, 97801

(12)



2000-3740042 2 of 7

Comment: Reservations shown at Paragraphs 3, 4 and 5 affect lands located in Sections 7, 9, 15, 17, 19, in Township 1 South, Range 30, and are as follows:

Reserving and excepting from said lands such as are now known or shall hereafter be ascertained to contain coal or iron; and the right of access to such reserved and excepted coal and iron lands for the purpose of exploring, developing and working the same; and the use of such surface ground; and the right of access herein reserved to be for the use and benefit of said party of the first part, its successors and assigns of the lands hereby excepted.

- 6. Mineral reservations, including the terms and provisions thereof, contained in United States Patent, recorded November 19, 1925, in Book 127, Page 64, Deed Records. Affects portion of lands in Sections 8 and 18, 1S-30.
- 7. Mineral reservations, including the terms and provisions thereof, contained in deed wherein Northern Pacific Railway Company is grantor and Aeran A. Cole is grantee, recorded January 4, 1918, in Book 101, Page 355, Deed Records. Affects portion of lands in Sections 8 and 18, 1S-30.
- 8. Access restrictions, including the terms and provisions thereof, contained in deed wherein Wayne Oliver Bowman, et al, are grantors and State of Oregon, by and through its State Highway Commission, is grantee, recorded February 11, 1953, in Book 209, Page 329, Deed Records. Affects lands in Sections 24, 25 and 26, 1S-30.
- 9. Right of way for electric transmission or distribution line, including the terms and provisions thereof, wherein Columbia Basin Electric Cooperative, Inc., is grantee, recorded September 9, 1980, in Microfilm R-70, Page 980, Office of County Records, Umatilla County, Oregon. Affects lands in Sections 9, 10, 16 and 17, 1S-30.
- 10. Right of way for electric transmission or distribution line, including the terms and provisions thereof, wherein Columbia Basin Electric Cooperative, Inc., is grantee, recorded September 9, 1980, in Microfilm R-70, Page 982, Office of County Records, Umatilla County, Oregon. Affects lands in Sections 16 and 17, 1S-30.
- 11. Right of way for electric transmission or distribution line, including the terms and provisions thereof, wherein Umatilla Electric Cooperative Association is grantee, recorded June 27, 1966, in Book 285, Page 173, Deed Records. Affects lands in Section 31, 2S-31, and Section 6, 3S-31.
- 12. Easement for underground telephone facilities, including the terms and provisions thereof, wherein Telephone Utilities, Inc., an Oregon corporation, is grantee, recorded November 21, 1980, in Microfilm R-73, Page 1404, Umatilla County, Oregon. Affects Sec. 31, 2S-31.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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WATER RESOURCES DEPT
SALEM, OREGON



2000-3740042 3 of 7

DATED this 31st day of July, 2000.

LAZINKA RANCH, INC.

By: Robert H. Lazinka
President

By: Sandra K. Lazinka
Secretary

STATE OF OREGON

County of Umatilla

) ss.

July 31st, 2000.

Personally appeared Robert H. Lazinka and Sandra K. Lazinka who, being sworn, stated that they are the president and secretary of Grantor corporation, and that this deed was voluntarily signed on behalf of the corporation by authority of its board of directors.

Before me:

Amy S. Freeman
Notary Public for Oregon
My Commission Expires: 11-19-08



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TRACT I: 2000-3740042 4 of 7

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WATER RESOURCES DEPT
SALEM, OREGON

TOWNSHIP 1 SOUTH, RANGE 30, E.W.M.

All that portion of the lands described as:

Section 5 : Southeast Quarter of the Southwest Quarter.

Section 6 : Southeast Quarter of the Southeast Quarter.

lying Southerly of a line described as Beginning at the Quarter corner common to Sections 5 and 8 of Township 1 South, Range 30 E.W.M., M., Umatilla County, Oregon; thence North 00° 23' 17" East, 364.01 feet; thence to a point on the line between said Sections 5 and 8, South 69° 43' 06" West, 1,041.90 feet; thence to the Southwest corner of said Section 5, North 89° 49' 59" West, 1,650.44 feet; thence North 87° 34' 48" West, 602.82 feet; thence South 21° 14' 43" West, 1,802.26 feet; thence South 00° 45' 17" West, 281.23 feet; thence North 85° 51' 34" East, 461.38 feet; thence South 67° 49' 11" East, 1,318.37 feet; thence South 01° 28' 22" West, 88.43 feet; thence South 26° 36' 13" East, 545.33 feet; thence South 41° 15' 37" East, 2,574.73 feet; thence South 28° 57' 55" East, 558.10 feet, to a point which lies South 00° 31' 43" East, 924.76 feet from the South Quarter corner of said Section 8, and the point of terminus for this line description.

Section 7: East Half of Northeast Quarter.
Northeast Quarter of Southeast Quarter.

Excepting therefrom that tract of land conveyed to Leslie R. Owen, et ux, by deed recorded in Document No. 2000-3680819, Office of County Records, Umatilla County, Oregon.

Section 8: North Half of the North Half.
Southeast Quarter of Northwest Quarter.
Northwest Quarter of Southeast Quarter.
East Half of Southeast Quarter.

All that portion of the lands described as:

Section 8 : Southwest Quarter of the Southeast Quarter.
Southwest Quarter of the Northwest Quarter.
Southwest Quarter.

Section 17: Northeast Quarter of the Northwest Quarter.

lying Easterly of a line described as Beginning at the Quarter corner common to Sections 5 and 8 of Township 1 South, Range 30 E.W.M., M., Umatilla County, Oregon; thence North 00° 23' 17" East, 364.01 feet; thence to a point on the line between said Sections 5 and 8, South 69° 43' 06" West, 1,041.90 feet; thence to the Southwest corner of said Section 5, North 89° 49' 59" West, 1,650.44 feet; thence North 87° 34' 48" West, 602.82 feet; thence South 21° 14' 43" West, 1,802.26 feet; thence South 00° 45' 17" West, 281.23 feet; thence North 85° 51' 34" East, 461.38 feet; thence South 67° 49' 11" East, 1,318.37 feet; thence South 01° 28' 22" West, 88.43 feet; thence South 26° 36' 13" East, 545.33 feet; thence South 41° 15' 37" East, 2,574.73 feet; thence South 28° 57' 55" East, 558.10 feet, to a point which lies South 00° 31' 43" East, 924.76 feet from the South Quarter corner of said Section 8, and the point of terminus for this line description.



2000-3740042 6 of 7

TRACT I: (continued)

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WATER RESOURCES DEPT
SALEM, OREGON

TOWNSHIP 1 SOUTH, RANGE 30-1/2, E.W.M.

Section 26: Lots 3 and 4.

TOWNSHIP 2 SOUTH, RANGE 30, E.W.M.

Section 2: Lots 3 and 4.
South Half of the Northwest Quarter.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Excepting therefrom any portion of the described lands lying within the County Roads and State Highway right of ways.

TRACT II:

TOWNSHIP 2 SOUTH, RANGE 31, E.W.M.

Section 31: East Half.
Southwest Quarter.

TOWNSHIP 3 SOUTH, RANGE 31, E.W.M.

Section 5: West Half of the Northwest Quarter.
Southwest Quarter.

Section 6: All, Excepting therefrom Lot 7.

Section 7: East Half of the Northwest Quarter.
Northeast Quarter of the Southwest Quarter.
Northeast Quarter.
North Half of the Southeast Quarter.

Section 8: Northwest Quarter.
North Half of the Southwest Quarter.

Section 8: Beginning at the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 8; thence South along the centerline of said Section 8 to the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 8; thence East along the North line of the Southwest Quarter of the Southeast Quarter of said Section 8 to the Northeast corner thereof; thence Northwesterly in a straight line to the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 8 and the point of beginning.

All being East of the Willamette Meridian, Umatilla County, Oregon.