

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

	arriola
12th Avenue Ea	
Oregon	<u>97918</u>
n/a	
*Email Address:	n/a
rships joint stock companies co	operatives, public and municipal corporation
n/a	
2506 12th Av	enue East
<u> Oregon</u>	97918
	n/a
*Email Address:	n/a
For Department Use	
1	*Email Address: 2506 12th Av Oregon Work *Email Address: The state of the stat

Last Updated: 6/26/2008

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STATE OF OREGON MACH MAR 30 1992 WATER WELL REPORT 2725 (as required by ORS 537.765)

(START CARD) # 79875

(1) OWNER: Well Number: 978.05	(9) LOCATION OF WELL by legal description:
Name Joseph L Arriola	County Malheur Latitude Longitude
Address 2506-12 HVE East	Township 16 5 Nor S, Range 113 E Eor W. W.M.
City Vale State OF Zip 97918	Section 13 SW 4 SW4
(2) TYPE OF WORK:	Tax Lot Block Subdivision
New Well Deepen Recondition Abandon	Street Address of Well (or nearest address) 2506 12 HVe E
(3) DRILL METHOD	Vole, OK
Rotary Air Rotary Mud Cable	(10) STATIC WATER LEVEL:
Other	17-10 ft. below land surface. Date 3-6-90
(4) PROPOSED USE:	Artesian pressure Ib. per square inch. Date
☐ Domestic ☐ Community ☐ Industrial ☐ Irrigation ☐ Thermal ☐ Injection ☐ Other	(11) WATER BEARING ZONES:
(5) BORE HOLE CONSTRUCTION:	Depth at which water was first found
Special Construction approval Yes No Depth of Completed Well 70 ft.	From To Estimated Flow Rate SWL
Yes No L	27 36 17-1
Explosives used Type Amount	
HOLE SEAL Amount	
Diameter From To Material From To sacks or pounds 16 0 27 Cement 0 18 22	
12 0 70 grout	(12) WELL LOG: Ground elevation
	Material From To SWL
	Sandy Cossoil 04
How was seal placed: Method 🔲 A 🔲 B 🔯 C 🗍 D 🗎 E	Brown clay 427
Other	large clean grave 27 36 17-
Backfill placed from ft. to 77 ft. Material	Brown Clay 36 37
Gravel placed from 18 ft. to 2 ft. Size of gravel	Blue clay 37 60 17-1
(6) CASING/LINER:	V
Diameter, From To Gauge Steel Plastic Welded Threaded Casing 12 +1 43 350 12 1	
Casing: 75 75 75 75 75 75 75 75 75 75 75 75 75	
Liner:	
Final location of shoe(s) 43 #F	
	<u> </u>
(7) PERFORATIONS/SCREENS:	
Perforations Method touch	DECEIVED
Screens Type Material	RECEIVED
From To size Number Diameter size Casing Liner	0.0000
From To size, Number Diameter size, Casing Liner	OCT 0 3 2008
	WATER RESOURCES DEPT.
	SALEM, OREGON
	7-20-02
	Date started 3-6-72 Completed 3-6-72
(8) WELL TESTS: Minimum testing time is 1 hour	(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 well construction
Pump Bailer Air Artesian	standards. Materials used and information reported above are true to my bes-
Yield gal/min Drawdown Drill stem at Time	knowledge and belief. WWC Number
350 18 pt 42 1hr.	Signed Date
14 hrs	
Temperature of water 59 8 Donth Attesian Flow Found	(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment
Depth Artesian Flow Found	work performed on this well during the construction dates reported above. all
Was a water analysis done?	work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and
Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other	
Depth of strata:	Signed Jon M 7 WWC Number 1485 Date 3-25-92

SECOND COPY - CONSTRUCTOR

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT

THIRD COPY - CUSTOMER

9809C 3/88

2. PROPERTY OWNERSHIP

	72 TV 2 2 2 2
C Yes (Please check appropriate box below then skip to see	ction 3 'Ground Water Development')
There are no encumbrances	
This land is encumbered by easements, rights of wa (please provide a copy of the recorded deed(s))	ay, roads or other encumbrances
▼ No (Please check the appropriate box below)	
☑ I have a recorded easement or written authorization	n permitting access.
☐ I do not currently have written authorization or eas	sement permitting access.
Written authorization or an easement is not necessa	ary, because the only affected
lands I do not own are state-owned submersible lan irrigated and/or domestic use only (ORS 274.040).	• • • • • • • • • • • • • • • • • • • •
You must provide the legal description of: (1) the property from property crossed by the proposed ditch, canal or other work, as depicted on the map.	
List the names and mailing addresses of all affected landowne	
aaron arriola: 2445 12th Ave	c E, Vale, Oregon 97918
Joseph Arriola: 2506 12th Ave	E, Vale, Oregon 97918
3. GROUND WATER D	EVELOPMENT
A. Well Information	
Number of well(s):	
Name of nearest surface water body: Willow	Crook
Distance from well(s) to nearest stream or lake:	<u> </u>
1) 2770 ft from Willow (ree 2) 3490 ft from Willow (ree) 3	3080 ft from Willow (rock
If distance from surface water is less than one mile, indicate exwell head:	elevation difference between nearest surface water and
1) 2) 3)) 4)
B. Well Characteristics Wells must be constructed according to standards set by the Department the well is already constructed, please enclose a copy of the well conswell with this application. Identify each well with a number corresponsection 4 of the form. If the well has not been constructed, or if you describe the set of th	nstructor's log and the well ID number, if available, for each anding to the wells designated on the map and proceed to
Well(s) will be constructed by:	
See attached Well Logs	
Mailing Address: See affached w	rell logs
City	atc DECENTED Zip
Ground Water	RECEIVED Zip
S. Suria // ale/	OCT 0.3.2008

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Completion Date:	See	attached	Well Log	S

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
				- 1	رباء				
			Gee.	AH	1005				
			\	Dell					

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.

\sim		****
C	Artesia	n Flows

If your wat	ter well is	s flowing	artesian.	describe	vour water	control	and	conserv	ation	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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Ground Water/3

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)	
1	Malheur Basin	Irrigation	56.5 gpm	14272,000 gal.	450 gpm	
a	Malheur Basin	Irrigation	56.5 gpm	16,272,000gal.	530 gpm	
3	Malheur Basin	Irrigation	56.5 gpm	16,272,000 gal.	290 gpm	
		9		_	•	

3	Malheur	Basin	Irrigation	56.5 gpm	16,272,000 gal.	290 gpm
			9			
C. Maxim	um Rate of Us	se Requeste	ed	<u> </u>	·	
			rate of water that will led on this amount.)	be used?	0.38 cfs	
D. Period Indicate the (For seasons)	of Use ne time of year al uses like irriga	you propos	e to use the water: es when water use would	February begin and end, e	.g. March 1-Octob	Sept. 15t
E. Acreage						
-			indicate the total applied or used:	50 acr	<u>(5</u> _	
(This numb	er should be cons	sistent with y	our application map.)			
		:	5. WATER MANAGE	EMENT		
A. Diversio	n					
What methor	od will you use	to divert wa	ater from the source?			
⊠ Pu	mp (give horse	power and p	oump type): well#1:	10hp Turb	ine; Well#2	: 10hp Turbine; Well#3:1
∡ otl	ner means (desc	ribe): <i>A 11</i>	3WELLS Pump u	unter to a	sump. A	40hp sump pump the
B. Transpo	ort	P.	imps water to a	buried 8"	PUC pipe who	ch reduces to a 6"
How will	you transport v	vater to you	r place of use?			
	Ditch or canal	(give avera	ge width and depth):			
Width			Depth			
Is the dite	ch or canal to be	e lined?	Yes No			RECEIVED
	Pipe (give diam	eter and to	al length):		w	OCT 0 3 2008 ATER RESOURCES DEPT
Diamete	r 8" 1	PVC_	Length 2630	Ft		ATER RESOURCES DEPT, SALEM, OREGON
\mathbf{X}	ther, describe:	6" P	VC : IZIO Ft.			

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

reference the specific application question you are addressing.

Hand lines will initially be used to apply water. Eventually the owner(s) want to place a Pivot to irrigate with. Irrigation or land application method (check all that apply): ☐ Flood High pressure sprinkler Low pressure sprinkler Center pivot system ☐ Drip ☐ Water Cannons ☐ Wheel Lines Mand Lines Siphon tubes or gated pipe with furrows other, describe: Distribution method Direct pipe from source Open Canal E. Conservation What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet. Hand lines / sprinkler irrigation will be used for conservation of water us. drip irrigation because the the owners already own the hand lines and are eventually , hopeful to use a center pivot system. 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: Feb. 15+ 2609 Proposed date construction will be completed: Feb. 14th 2009 Feb. 15th 2009 Proposed date beneficial water use will begin: 7. REMARKS If you would like to clarify any information you have provided in the application, please do so here and

The owner of the ground where the water is to be applied is awon arricla. His Father, Joe Arriola owns the ground where the 3 existing wells are located. Only one of the three well logs is attached because the other two were not on the web-site.

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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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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.)

9-25-08 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.

WRD on the web:

www.wrd.state.or.us

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SALEM, OREGON



Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

	ner 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: Acres
	Secondary: Acres
	List the permit or certificate number of the primary water right: No. No.
2. Please list the anticip partial season:	ated crops you will grow and whether you will be irrigating them for a full or
1. Alfalfa	ञ्च Full season □ Partial season (from:to)
2	□ Full season □ Partial season (from:to)
3	
l	□ Full season □ Partial season (from:to)
3. Indicate the maximum	n total number of acre-feet you expect to use in an irrigation season:
	/50 acre-feet
(1 acre-foot equal	ls 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)
I. How will you schedule	e your applications of water? Will you be applying water in the evenings,
twice a week, daily?	
Daily during d	aytime hours Maily during nighttime hours
Two or three t during dayting	during nighttime
□ Weekly, during	g daytime hours
☐ Other, explain:_	WATER RESOURCES SALEM, OREGO!



Oregon Water Resources Department <u>Land Use Information Form</u>

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: <u>Qaron Qrriola</u>

	-					que Eas			
	City: <u>り</u>	<u>ale</u>			State: _	OR Zij	: <u>9791</u>	8 Day Phone: <u>(541)</u>) 473-4061
	This an	nlication	is relate	d to a M	leasure 37 c	laim. ГYe	: E No		
	r mo up	prication	15 TOTALO	u 10 u 14	icusure 37 c	141111. 1 10.	K. 140		
ΔΙα	nd and L	ocation							
<u> A. Lu</u>	ilo allo L	.ocatioi	<u>.</u>						
Please	include t	he follow	ing info	rmation	for all tax l	ots where wa	ater will be o	diverted (taken from its sour	rce), conveyed
								irrigation districts may sub	ostitute existing ar
propos	sed service	e-area bo	undaries	for the	tax-lot info	rmation requ	ested below	.	
	Township	Range	Section	1/4 1/4	Tax Lot#		nation (e.g. ential/RR-5)	Water to be:	Proposed Land Use:
	165	43E	24	MINE	8500	Kulai Kesiu	chual/KK-3)	□ Diverted □ Conveyed ■U:	
	165	43E	24		8500			□ Diverted □ Conveyed ■Us	sed
								☐ Diverted ☐ Conveyed ☐ Us	
								☐ Diverted ☐ Conveyed ☐ Us	sed
Туре о	RPermit	t to Use o	or Store 'Conserve	Water d Water	□ W	rces Departm Vater-Right T imited Wate stration Moo	ransfer Use Licens	☐ Exchange of Water	
_					-				
Source	of water:	□ Res	ervoir/Po	ond	X Ground W	ater	☐ Surface W	/ater (name)	
Estima	ted quanti	ity of wa	ter neede	ed: <u>[</u>	50	🗆 cubic	feet per seco	ond 🗆 gallons per minute	Xacre-feet
Intende	ed use of v		(Irrigati Munici		☐ Commerci		□ Industrial □ Instream	☐ Domestic for	household(s)
Briefly	describe:	A	pprop	ciale	Gran	مط سه	.ter t	o irrigate 50	acres
	of F	armo	.ble	60	ound.				
								vhile you wait, please have	
represe	entative si	gn the re	ceipt bei	low and	include it w	nth the appli	cation filed	with the Water Resources L	epartment.

Receipt for Request for Land Use Information

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

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SALEM, OREGON

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 propri	osed water uses (including proposed o	construction)	are allowed outright	or are not
	ve plan. Cite applicable ordinance sec			. land
approvals as listed in the table b already been obtained. Record	osed water uses (including proposed of elow. (Please attach documentation of of Action/land-use decision and accor- ed but all appeal periods have not e	of applicable npanying fin	land-use approvals w dings are sufficient.)	
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	i-Use Approval:]
conditional use permits, etc.)		☐ Obtained	☐ Being pursued	1
	-	☐ Denied ☐ Obtained ☐ Denied	☐ Not being pursued ☐ Being pursued ☐ Not being pursued	_
		☐ Obtained	☐ Being pursued	1
		☐ Denied ☐ Obtained	☐ Not being pursued ☐ Being pursued	-
		☐ Denied	☐ Not being pursued	_
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued	
Name: Bill Lawrence Signature: Bill Lawrence Government Entity: Malheu	Title: ASS 1 Phone: Syl-47	Plan 13-51X5	Date: 9/2	-108
Note to local government representative: If you sign the receipt, you will have 30 day Land Use Information Form or WRD may p local comprehensive plans.	ys from the Water Resources Departn	ient's notice (date to return the con	npleted patible with
Receip	t for Request for Land Use In	formation	14	RECEIVED
Annicant name				OCT 0 3 2008
Applicant name:			W	HATER RESOURCES DEPT SALEM, OREGON
City or County:	Staff contact:			
Signature:	Phone:		_ Date:	

Prepared by: YTURRI ROSE LLP PO Box "S" Ontario, OR 97914 INSTRUMENT NO 2006
Page Loi Pages

RECORDER'S INFORMATION:

Until a change is requested, all tax statements shall be sent to:
Aaron J. and Angela Arriola

2506 - 12th Avenue East Vale, OR 97918

After recording return to: Yturri Rose LLP P.O. Box S Ontario, OR 97914 Inst. P.b. 2005- 956
I certify that the within Instrument of writing was received for record on the day of Setting 20 05 at 11:21 O'clock A. M. FEE #26.
STATE OF OREGON, County of Malheur DEBORAH R. DeLONG

County Clerk

BARGAIN AND SALE DEED

Aaron J. Arriola and Angela Marie Gressley Arriola, Grantors, convey to Aaron J. Arriola and Angela Marie Gressley Arriola, Grantees, the following described real property:

Nep 1643 TL 8500

Land in County of Malheur, State of Oregon, described as follows:

Township 16 S., Range 43 E., W.M.:

Section 13: E½SW¼ and the South 2 feet of the W½SE¼.

Section 24: W½NE¼, SE¼NE¼ and that portion of the NE¼SE¼ lying Northeasterly of the Reclamation Ditch right of way.

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.

The true consideration for this conveyance is: Consolidation of tax lots following ECEWED adjustment.

Dated this 25 day of January, 2005.

OCT 20 2008

WATER RESOURCES DEPT SALEM, OREGON

Aaron J. Arriela

Angela Marie Gressley Arriola

BARGAIN AND SALE DEED - Page 1 of 2 386004/d1/25Jan05/jab

1643 A Mil a change is requested, all tax Prepared by: YTURRI, ROSE, BURGHAM, EBERT & BENT JOSEPH L. ARRICLA 1643D 2506 - 12th Avenue East Vale, OR 97918 P.O. Box S Ontario, OR 97914 700 PAGE LOF 3 PAGES After recording return to: Joseph & Sheryl Arriola 2506 - 12th Avenue East WARRANTY DEED Vale, OR 97918

BETTIE JANE NORWOOD O'NEAL, aka Betty Norwood Davis, aka Betty Jane Norwood, aka Betty J. Norwood, aka Betty Norwood O'Neal; and JOHN EARL O'NEAL and MARY ELIZABETH O'NEAL, husband and wife; and MOLLYE NORWOOD O'NEAL and TOM GUNDELFINGER O'NEAL, wife and husband, Grantors, convey and warrant to JOHEPH L. ARRIOLA and SHERYL J. ARRIOLA, hisband and wife, Grantees, the following described real property free of encumbrances except as specifically set forth berein;

Land in Malheur County, Orogon, as follows:
In Twp. 16 S., R. 43 E., W.M.;
Sec. 13: WESWk,
EXCEPTING THEREPROM parcels conveyed to the

Sec. 14: All that portion of the Shaw and of the SENSWA lying Northeasterly of the Willow trees and South of the following dascribed line: Commencing at the Southeast corner of

Std. 14;
thence North along the East boundary,
421 feet to the POINT OF BEGINNING;
thence N. 82°22' W., along the centocline of
an existing road to a point on the West
boundary of the SE%, said point being
770.9 feet North of the Southwest corner

of the SEK;

thenco N. 82°22' w., to a point on the East
boundary of that certain lateral described
in Book 46, Page 96, Dued Records, and
Point of Termination.

Sec. 23: All that portion of the NANE lying North and

East of Willow Creek,
EXCEPTING THEREFROM parcel conveyed to the
United States of America by Deed recorded
Aug. 27, 1940, Book 45, Page 95, Deed
Records, for drain right of way.

NWINNE, PLNNE, SUBJECT TO existing County Road rights of way. Sec. 24:

(Exceptions on next page)

WARRANTY DEED

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INSTRUMENT OS - U424 PROE 2 OF 3 PAGES

SUBJECT TO AS DISCLOSED by the tax roll the premises herein described have been coned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.

CHARGES AND ASSESSMENTS of the Vale-Oregon Irrigation District and any and all matters pertaining thereto.

RIGHTS of the Public in and to the State Highway and County Road rights

RIGHTS of the Public in and to the State Bighway and County Road rights of way.

MINERALS RESERVED by Eastern Oregon Land Company as to a full interest therein, in Deed rocorded Aug. 20, 1927, Book 28, Page 474, Deed Records, and all rights of the said party and its successors in interest, as owners thereof. (Covers the WisWk of Sec. 13)

EASEMENTS, including the terms and provisions thereof, in favor of Idaho Power Company, a corporation, recorded July 11, 1984, Instrument Nos. 84-122422 and 84-122423, Deed Records, covering lands in Secs. 14 and 15.

ROAD EASEMENT located in Sec. 14, Twp. 16 S., R. 43 E., W.N. This easement shall be 15 feet wide and shall run on the entire South side of the following described boundary line: Beginning at a point on the West boundary line of Sec. 13, 421 feet North of the Southeast corner of said Sec. 14, thence North 82'22' West continuing to a point of intersection with Willow Creek. The purpose of this casement shall be for ingress and egress of motor vehicles and general ingress and agress.

PUMP, PIPELINE AND DRAIN DITCH EASEMENT, in favor of Yl Farms, Inc., located in Sec. 13, Twp. 16 S., R. 43 E., W.N. This easement shall be 40 feet in width and shall begin in the NW45Wk of Sec. 13, and shall continue southward along the West side of Sec. 13 to approximately the Northwest corner of the SW45Wk. The purpose of said easement shall be for the use and maintenance of a pump, existing drain ditch (sump) and pipelino.

STATEMENT PURSUANT TO CHAPTER 718, OREGON LAWS 1983: THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A GUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true consideration for this conveyance is: \$416,538.5)

Dated this 12th day of Pebruary, 1985.

WARRANTY DEED

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Water Sharing Agreement (Arriola – Arriola)

OCT 0 3 2008 WATER RESOURCES DEPT. SALEM, OREGON

Date:

September 23, 2008.

Between:

Joseph L. Arriola and Sheryl J. Arriola, husband and wife ("Landlord")

And:

Aaron J. Arriola and Angela Marie Gressley Arriola, husband and wife

("Tenant")

Recitals:

Α. Landlord owns those certain ground water wells licensed and used for irrigation purposes and located on Landlords' property, the locations and licenses of which are more particularly described on Exhibit 1 (the "Wells.")

- В. Tenant owns the adjoining real property, and utilizes a portion of the real property for irrigated cropland, the location of the irrigated portion of Tenant's real property is more particularly described on Exhibit 2 (the "Tenant Land.")
- C. Landlord wishes to lease to and share irrigation water from the Wells with Tenant for use on the Tenant Land, and Tenant wishes to lease from and share irrigation water with Landlord for application on Tenant Land. Landlord and Tenant wish to place their agreement regarding the lease and share agreement in writing (the "Agreement.")

Agreement:

- 1. Incorporation of Recitals. The above recitals are hereby agreed to be true and incorporated as though fully set out here.
- 2. Water Share and Lease. Landlord hereby agrees to allow Tenant to use the irrigation water pumped from the Wells to irrigated Tenant Land, in exchange for the following rent of ONE THOUSAND DOLLARS AND NO CENTS (\$1,000.00) per calendar year and Tenant's payment of the pumping charges on the Wells when the irrigation water from the Wells is used for Tenant Land. The cash rent shall be payable on or before March 1 of each year during the term of the Agreement. To the extent Tenant does not use all the irrigation water allowed from the Wells, Landlord shall retain the right to use the irrigation water concurrently or sequentially. During the term of the Agreement, Tenant's use shall take priority over Landlord's.
- 3. Term. The Agreement shall begin September 23, 2008 and expire at the end of the calendar year. If either Tenant or Landlord give notice to the other of the intent to terminate the Agreement within thirty (30) days of expiration of the term, the Agreement shall terminate and be of no further force or effect. However, if neither Tenant nor Landlord give the required notice of termination, the Agreement shall automatically renew for the next calendar year.

Water Sharing Agreement (Arriola – Arriola) - Page 1 of 4

OCT 0 3 2008 WATER RESOURCES DEPT. SALEM, OREGON

- 4. As Is. Tenant makes the Agreement regarding the irrigation water AS IS, with no representations or warranties regarding the nature, extent, legality, or content of the irrigation water contained in the Wells or how long the Wells may retain irrigation water, its quality, or any other aspect of the water.
- 5. Maintenance and Repair. Tenant and Landlord shall share the maintenance and repair of the Wells and all appurtenances thereto prorata with the use each has placed on the Wells in the preceding year. Decision-making regarding what maintenance and repair need be made shall be retained by Landlord.
- 6. Entry. The Tenant, their agents and designees shall have reasonable access to the Wells and Landlord's access road to the Wells for the sole purpose of using the Wells pursuant to the terms of this Agreement. The Tenant shall indemnify and hold the Landlord harmless from any loss, damage, or claim arising out of the Tenant's access to the Wells across Landlord's property. Landlord shall retain all obligations to maintain access to the Wells in the same condition as at present.
- 7. Assignment. Tenant shall not have the right to assign their rights and obligations under this Agreement without prior written consent of Landlord, which consent shall be given only at the sole and unfettered discretion of Landlord.
- 8. Partial Invalidity. If any term or provision of this Agreement or the application to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each such term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 9. Walvers. No waiver of any breach of any covenant or provision contained here shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision here contained. No extension of time for performance of any obligation or act shall be deemed an extension of the time for performance of any other obligation or act.
- 10. Successors and Assigns. This Agreement shall be binding on and shall inure to the benefit of the permitted successors and assigns of the parties to it.
- 11. Attorney Fees. If a party to this Agreement brings any action or suit against another party to this Agreement by reason of any breach of any of the covenants, agreements, or provisions on the part of the other party arising out of this Agreement, then the prevailing party shall be entitled to have and recover from the other party all costs and expenses of the action or suit, including actual attorney fees, at trial and on appeal.

Water Sharing Agreement (Arriola - Arriola) - Page 2 of 4

- 12. **Entire Agreement.** This Agreement (including any exhibits attached to it) is the final expression of, and contains the entire agreement between, the parties with respect to the subject matter of the Agreement and supersedes all prior understandings with respect to it.
- 13. **Time of Essence.** The Landlord and the Tenant hereby acknowledge and agree that time is strictly of the essence with respect to each and every term, condition, obligation, and provision.
- 14. **Governing Law.** The parties acknowledge that this Agreement has been negotiated and entered into in the state of Oregon. The parties expressly agree that this Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the state of Oregon.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year written above.

Landlord:

Joseph L. Arriola

Shervi J. Arriola

STATE OF OREGON) ss.

County of Malheur

On this <u>25</u> day of September, 2008, before me personally appeared Joseph L. Arriola and Sheryl J. Arriola, husband and wife, who being duly sworn acknowledged the foregoing instrument to be their voluntary act and deed, respectively.

OFFICIAL SEAL
GINGER NOLAND
NOTARY PUBLIC-OREGON
COMMISSION NO. 399934
MY COMMISSION EXPIRES NOVEMBER 28, 2009

Notary Public for Oregon

My commission expires: Nov. 28, 2001

Tenant:

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OCT 0 3 2008

WATER RESOURCES DEPT. SALEM, OREGON Aarony J. Articla

ngela Marie Gressley Arriola

J. A. SA M. A

Water Sharing Agreement (Arriola - Arriola) - Page 3 of 4

STATE OF OREGON)) ss.	
County of Malheur)	
and Sheryl J. Arriola, instrument to be their vo	husband and wife, wh	Notary Public for Oregon My commission expires: No. 28, 2009
STATE OF OREGON County of Malheur)) ss.)	
	being duly sworn ack	08, before me personally appeared Angela Marie nowledged the foregoing instrument to be their
		Notary Public for Oregon My commission expires:

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Water Sharing Agreement (Arriola - Arriola) - Page 4 of 4

	Groundwater			
•				

3. Point of diversion/appropriation location:

(DLC, Government Lot, ¼ ¼, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
NW1/4, SW1/4, Sec. 13, T 16S, R43E	Well # 1 1740 ft. N. & 20 ft. E. of SW Cor. Sec. 13
NW1/4, SW1/4, Sec. 13, T 16S, R43E	Well # 2 1950 ft. N. & 850 ft. E. of SW Cor. Sec. 13
NW1/4, SW1/4, Sec. 13, T 16S, R43E	Well #3 1140 ft. N. & 980 ft. E. of SW Cor. Sec. 13

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WATER RESOURCES DEPT.
SALEM, OREGON

Exhibit/ Water Sharing Agmt. Page lof 1



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.

pplicant Nar				arrie	100		
ailing Addre	ess:	Ĝ	1445	lath A	hvenue East	<u> </u>	
ty:	Uak	و		State:	OR Zip: 979	118 Day Phone: (5	<u> 341) 473 - 406</u> 1
Land and I	_ocatior	<u>1</u>					
ase include	the follo	wing inf	formatio	n for all ta	x lots where water w	ill be diverted (taken fro	m its source), conve
ansported), o	r used. A	pplicant	s for mu	ınicipal use	, or irrigation uses wit	hin irrigation districts ma	
posed servic	e-area bo	oundaries	s for the	tax-lot info	rmation requested belo	ow.	
Township	Range	Section	1/4 1/4	Tax Lot#	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
165	438	13	MUZEN	Sice		Diverted Conveyed	Used irrigation
165	43E	13	SWSW	5166		Diverted Conveyed	Used , correction
165	43E	24	MUNIA	8366		☐ Diverted ☐ Conveyed	Used irrigation
t all counties Description					o be diverted, conveye	d, or used	
t all counties	and citie	es where	water is	proposed to	o be diverted, conveye		- Jensen
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Receipt for Request for Land Use Information

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

G-17117

Date:

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 b	elow and provide the requested	d information
		ed water uses (including proposed con plan. Cite applicable ordinance secti	nstruction) are allowed outright or are not on(s):
,	approvals as listed in the table beloalready been obtained. Record of		
	Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional use permits at:)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:
	conditional-use permits, etc.)		Obtained Being pursued
			Denied Not being pursued
			Obtained Being pursued
			Denied Not being pursued
			Obtained Being pursued
			Denied Not being pursued
			Obtained Being pursued
			☐ Denied ☐ Not being pursued
			Obtained Being pursued
			Denied Not being pursued
			MAR 2 5 2009 WATER RESOURCES DEPT
Name:	Jan D Beal	Title: Pana	SALEM, OREGON
 Signature	ent Entity: Malhaus	Phone: <u>541-4</u>	73-5185 Date: 3-20-09
Note to l If you sig Land Use	ocal government representatives on the receipt, you will have 30 day	vs from the Water Resources Departm	he receipt below and return it to the applicant. nent's notice date to return the completed the proposed use of water is compatible with
		t for Request for Land Use In	formation
Applican	t name:		
City or C	ounty:	Staff contact:	

Signature:



CK3, LLC

CIVIL-STRUCTURAL-ELECTRICAL ENGINEERING-SURVEYING & PLANNING 368 SW 5TH AVENUE, ONTARIO, OR 97914

23 June 2009

RE: Application for a Permit to Use Ground Water Aaron Arriola, & Joe Arriola, Vale, Oregon

Dear Ms. McAleer,

I am sending this letter, as directed by Aaron & Joe Arriola, to amend the previous application and map for the use of ground water. The amendment is to use 0.38 cfs from one existing well vs. three existing wells as previously desired. The proposed well is a deeper well than the former three. The revised map is attached as Exhibit A, and the well log & pump test are attached as Exhibits B & C, respectively.

Respectfully submitted,

Stewart R. Edwards

Certified Water Rights Examiner # 36234WRE

Cc: Aaron Arriola, Joe Arriola

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JUN 29 2009

WATER RESOURCES DEPT SALEM, OREGON

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765) Instructions for completing this report are on the last page of this form. (1) LAND OWNER Well Number Address City (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 WNo Depth of Completed Well Explosives used Type Yes No Type. HOLE Material How was seal placed: Method \square B \Box C \Box E Hother Trom Surtace Backfill placed from _ft. to_ Material ft. Gravel placed from ft. to_ ft. Size of gravel (6) CASING/LINER: Gauge Steel Welded Threaded Plastic 4 Liner: \Box Drive Shoe used Inside Outside None
Final location of shoe(s) Final location of shoe(s)_ (7) PERFORATIONS/SCREENS: ☐ Perforations Method ☐ Screens Туре Material Tele/pipe Slot From To Number Diameter Casing Liner size size (8) WELL TESTS: Minimum testing time is 1 hour Flowing Pump ☐ Bailer ☐ Air ☐ Artesian Drill stem at Yield gal∕min Drawdown Time 50 I hr. 2wsTemperature of water Depth Artesian Flow Found Was a water analysis done? ☐ Yes By whom Did any strata contain water not suitable for intended use? ☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other. Depth of strata:

WELL I.D. # L_ START CARD #	72898
START CARD #	167010

(9) LOCATION O	FWELL by lega	i description:	ongitude		,
County 11 to 11	Latitude N or S Range	1/35	ongitude		-
Section 34	Nors Rang	NE	E or w.	WM.	
Tax Lot <u>201</u>		I I ' / I	ubdivision_		-
Street Address of	Well (or nearest addre	uss) Tale	, OR	779	18
(10) STATIC WAT	ER LEVEL: elow land surface.		Date 8	- <= r	· ·
Artesian pressure _		samasa inah	,	ي-ر	25
(11) WATER BEAL		square men	Date		-
Depth at which water		75 H		•	
From	To	Estimated I	Now Pote	SWL	1
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	710	1 009	-pm	0.5	-
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(12) WELL LOC:		!		' 	
(12) WELL LOG: Grou	and Elevation				
Mate	rial	From	To	SWL	1
Sandy	Bu Clay	0	20	 	1
Bluec	lace	20	75	1	
Sand & Blue	CALLINIX	75	110	65	
Blue d	acs	110	125		
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WATER RESO	URCES DEPT	MATE	R RESO	IRCES	DEPT
SALEM, C	REGON		SALEM, C		
			DALEW, Y	IILUU	
Date started 7-3	20-05 Cor	npleted 8	2-5-0	7 =	
(unbonded) Water Well					
I certify that the work ment of this well is in con- standards. Materials used knowledge and belief.	mpliance with Orego	n water supply we orted above are tr	ell constructi ue to the bes	on t of my	
Sinned		_	nber		
Signed			ate		
(bonded) Water Well Co					
l accept responsibility performed on this well do performed during this tim construction standards. T	iring the construction ne is in compliance w	dates reported al with Oregon water	bove. All wor supply well	rk	
Signed	m Fif	WWC Num	oate 9	-1-0	5

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JUN 29 2009

Oregon Water Resources Department PUMP TEST FORM COVER SHEET

		ORM COVER SHEET	
WATER RESOURCES DEPT		Well Location:	
SALEM, Name: AARO	N ARRIOLA	Township:16 S Range:43	E
Address: <u>2506</u>	<u>3 12TH AVE EAST</u>	Section: 24 1/4: SE 1/16 NE 1/	
County: MALI		Well depth: 125.0 Date drilled: 8/05/	
City: <u>VALE</u>	State: OR Zip: 9 791	% Owners well no. (if any): <u>72898</u>	
Original owner	(from well log): AARON ARRIOL	POD ID:	
Water Right In			
Application: _	Permit:	Certificate:	
	ed on more than one water right?	Yes If yes, list additional water right	s below:
	Permit:	Certificate:	
Application:	Permit:	Certificate:	
Pump Test:	46	144.11.0	
	d by: JON M.FIFE	Well Owner?//	Ø∟□Yes
	LLOWCREEK IRRIGATION INC 2 JOHN DAY HWY	Date of Test: 5	-21-09
City: VALE	State: OR	Zip: 979/8	
Daytime phone	541-473-2803		
•		nure for more information): Flow meter	
Method of wate	er-level measurement (pick one or o	enter other method used): Electric tape	
Length of air lin		Electric tape	
	ck one or enter other method used)	Cubmanible	
Was the numn	test conducted during normal use	of the well? Yes Note: NO	
	_		- 111
Are you aware	test or within 24 hours prior to the	or stock wells, pumping within 1000 feet of the	e tested
		proximate pumping rate of each. If possible,	indicate if
	ed on or off during the test:		molecute ii
,			
is there a lake	stream or other surface water had	y within ¼ mile of the tested well? Yes	If yes give
is tricic a lake,	Stream of other surface water bod		
approximate di	stance from the well and approximate	ate elevation difference between the surface	water and
	stance from the well and approxima	ate elevation difference between the surface	water and
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JUN 29 2009

Oregon Water Resources Department

WATER RESOURCES DEPT SALEM, OREGON

PUMP TEST DATA SHEET

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Application:	Permit:	Certificate:	Pod_ld:

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

<u> </u>		Drav	vdown	Data				Reco	very D	ata	
Date	Time	Time Since Pump Started (minutes)		Depth to Water Below Land Surface	Comments	Date	Time	Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments
5-21-0	8:00	0	68-7	68-7		5-21-09	12:02	a	75	75	
	8:02	a	73	73	100gpm		12:04	4	73	73	
	8:04	4	76	76	Sandy		12:06	la	72	72	
	8:06	6	80	80	,		12:08	8_	71	71	_
	83:08	8	80				12:10	10	70-6	70-6	
	8:10	10	79	79	360		12:15	15	70	70	
	8:15	20	84	86	250 gpm sandy		12:20	30	69-4	69-4	
	8:25	25	92	92		5-21-09	12:30	30	69-9	69	
	8130	30	92	92	Sandy	7 31-01	12,30	30	6.7	00 1	
	8:45	45	91	91	Junay						
	9:00	60	90	90	3009PM						
	9:45	75	90	90	Sandy						
	9:30	90	91	91							
	9:45	105	91	91			_				
	10:00	190	92	92	300 gpm						
	10315	135	92	92	V -						,
	10:30	150	9/	91							
	10:45	165	91	91							
	11100	190	91-6 91	91-6	300 g pm						
	11:15	210	91-2	91-2	Clearing						
	11:45	225	91-1	91-1							
5-21-09		240	91.0	91	300gpm						
3 31 01	14100	- ACC-10	110		Clearing						
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Additional forms can be obtained from our web site at: http://www.wrd.state.or.us

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