



engineers · planners · surveyors
Hickman, Williams & Associates, Inc.

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JUL 12 2012

SALEM, OR

TRANSMITTAL

TO:	Oregon Water Resources Department	DATE:	7-11-12
ADDRESS:	725 Summer Street NE, Suite A Salem, OR 97301-1266 Attn: Jeana Eastman	PAGES:	Several
RE:	Groundwater Permit Application G-17566	FAX:	
		PROJECT #:	120603

BY CARRIER INDICATED WE ARE SENDING THE FOLLOWING:

Enclosed
 Fax
 Pickup
 Messenger
 US Mail
 FedEx / UPS

● Description:

- 1- Revised Page 6 including Section 4 and Section 5,
- 2- Revised Application Map (1 page),
- 3- Check in the amount of \$250 for the second use fee.

● Remarks:

We are requesting to amend the groundwater permit application originally received by OWRD on June 28, 2012 and subsequently assigned the file number G-17566. The amendment is necessary to allow the addition of a second use of the water in the existing RV Park. The first use, as requested in the original application will be for irrigation of the 9 acres of lawn in the RV Park. The second use, as requested in this amendment, will for the diversion and delivery of potable water to the 106 existing RV sites and the 2 existing clubhouses in the complex.

The requested volumes of water have been revised in Section 4 of the application. The Diversion and Conservation information provided in Sections 5.A and 5.C. respectively have also been updated to reflect the additional use.

The application map has also been revised to show the location of the 106 RV sites and 2 club houses.

Please contact us if you have any questions or need additional information.

Larry Kine, Applicant
541-280-4937

Matthew K. Steele, PE, WRE
541-389-9351

62930 O.B. Riley Road, Suite 100 ♦ Bend, OR 97701
Ph (541) 389-9351 ♦ FAX (541) 388-5416

If this box is checked, please acknowledge the receipt of this transmittal by signing below.
Please fax to 541-388-5416

Received by: _____
Date: _____

T.18S., R12E., W.M. SECTION 16

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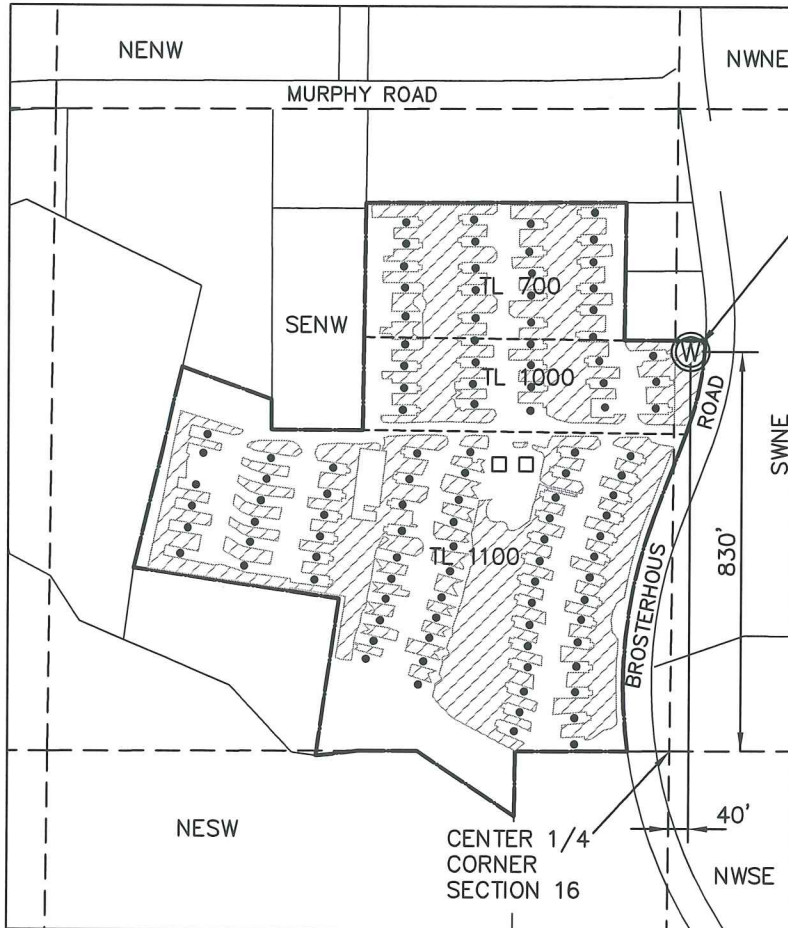
JUL 12 2012

LOCATED IN SE 1/4 NW 1/4 , AND THE SW 1/4 NE 1/4 OF SECTION 16,
TAX LOTS 18-12-16-B0-0700, 1000, AND 1100

SALEM, OR







SCALE: 1" = 400'



PROPOSED WELL

LEGEND

-  Proposed Well Location
-  Proposed Place of Use
-  Proposed POU - RV Site
-  Proposed POU - Clubhouse

Proposed Place of Use
Irrigation Areas

SE 1/4 NW 1/4 Section 16- 8.79 acres
SW 1/4 NE 1/4 Section 16- 0.21 acres

Total = 9.00 Acres

TL 700 - 1.90 acres
TL 1000 - 1.56 acres
TL 1100 - 5.54 acres

Total = 9.00 Acres

GROUNDWATER PERMIT
APPLICATION MAP
PROPERTY OWNER
CROWN VILLA, LLC
3465 N. PINES WAY, STE. 104
WILSON, WY 83014



PREPARED: DATE JULY 11, 2012 BY HICKMAN WILLIAMS & ASSOCIATES, INC.
62930 O.B. RILEY ROAD, STE. 100, BEND, OREGON, 97701
PHONE: 541-389-9351, FAX: 541-388-5416

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 15 through October 15	27.0
Commercial	January 1 through December 31	3.7

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: 9.0 Acres Supplemental: _____ Acres
 List the Permit or Certificate number of the underlying primary water right(s): _____
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 27.0

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: Commercial - 106 RV sites and 2 clubhouses
 If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

JUL 12 2012

Pump (give horsepower and type): 25 HP submersible

SALEM, OR

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The pump will operate on pressure demand. The irrigation cycles will be for 8 hours at night. The commercial domestic use will occur primarily during the other 16 hours of the day. The will pump be connected directly into the existing irrigation and potable water systems. A pressure tank will be used to reduce pump cycling during periods of low use or when there are leaks in the systems. The well head, pressure tank, and controls will be housed within a small masonry block building with a removable roof panel or sky light.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Existing high pressure (approximately 50 psi) sprinkler system.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

The volume of water requested is typical of the amount needed to sustain grass turf in Central Oregon and serve the domestic needs of the 106 space RV Park. The flow rate requested will allow for pumping during about 8 night hours. The night-time operation of the system will reduce waste due to evaporation. No pond will be introduced as a bulge in the system; therefore pond seepage losses will be avoided. The well will be sealed and the head protected within a building so as to prevent possible contamination of the aquifer. The potable water system and well will be protected with Backflow Prevention Devices (BPDs).

HWA

engineers · planners · surveyors
Hickman, Williams & Associates, Inc.

TRANSMITTAL

TO:	Oregon Water Resources Department	DATE:	6-26-12
ADDRESS:	725 Summer Street NE, Suite A Salem, OR 97301-1266	PAGES:	Several
		FAX:	
RE:	Groundwater Permit Application (Crown Villa RV Park)	PROJECT #:	120603

BY CARRIER INDICATED WE ARE SENDING THE FOLLOWING:

Enclosed Fax Pickup Messenger US Mail FedEx / UPS

● Description:

- 1- Completed and signed Groundwater Permit Application (form pages 3 thru 7),
- 2- Completed and signed Land Use Compatibility Statement (form pages 9 and 11),
- 3- Application Map (1 page),
- 4- Copy of Subject Property Deed (5 pages),
- 5- Copy of the applicable Deschutes County Tax Map,
- 6- Completed Minimum Requirements Checklist (form page 2),
- 7- Check in the amount of \$1250 for the application fee.

● Remarks:

Please contact me if you have any questions or need additional information.

Thank You,

Matthew K. Steele, PE, WRE
(541) 389-9351
matts@hwa-inc.org

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WATER RESOURCES DEPT
SALEM, OREGON



62930 O.B. Riley Road, Suite 100 ♦ Bend, OR 97701
Ph (541) 389-9351 ♦ FAX (541) 388-5416

If this box is checked, please acknowledge the receipt of this transmittal by signing below.
Please fax to 541-388-5416

Received by: _____

Date: _____

G-17566

Application for a Permit to Use Ground Water



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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

WATER RESOURCES DEPT

NAME LARRY KINE		PHONE (HM) SALEM, OREGON	
PHONE (WK) 541-617-1999	CELL 541-280-4937	FAX 541-617-1989	
ADDRESS 1133 NW WALL STREET, SUITE 1			
CITY BEND	STATE OR	ZIP 97701	E-MAIL* LARRYKINE@AOL.COM

Organization Information

NAME CROWN VILLA, LLC		PHONE	FAX
ADDRESS PMB 25218 OR 3465 N. PINES WAY, SUITE 104		CELL	
CITY WILSON	STATE WY	ZIP 83014	E-MAIL*

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

AGENT / BUSINESS NAME MATT STEELE, WRE - HICKMAN WILLIAMS & ASSOCIATES		PHONE 541-389-9351	FAX 541-388-5416
ADDRESS 62930 OB RILEY ROAD, SUITE 100		CELL 541-388-1192	
CITY BEND	STATE OR	ZIP 97701	E-MAIL* MATTS@HWA-INC.ORG

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate.

Applicant Signature

Larry Kine, Property Manager
Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17566</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

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

Yes

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

No

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

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	DESCHUTES RIVER	11,000 FEET	220 FEET

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

This will be a new well. The ground elevation at the proposed well head is approximately 3750 feet, NGVD 1929. The water surface elevation of the Deschutes River, at its closest point to the proposed well, is approximately 3530, NGVD 1929.

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WATER RESOURCES DEPT
SALEM, OREGON

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Deschutes River Basin

Total maximum rate requested: 145 gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

99266

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	12" 10"	0 to 30 30 to 450	340 to 450	0 to 30	340	Deschutes River Basin	450	145	27.0
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 15 through October 15	27.0

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

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

Primary: 9.0 Acres Supplemental: Acres

List the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 27.0

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

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 25 HP submersible

Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The pump will operate during 8 hour irrigation cycles (at night) and will pump directly into the existing irrigation system. A pressure tank will be used to reduce pump cycling during periods of low use or when there are leaks in the system. The well head, pressure tank, and controls will be housed within a small masonry block building with a removable roof panel or sky light.

B. Application Method

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

Existing high pressure (approximately 50 psi) sprinkler system.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

The volume of water requested is typical of the amount needed to sustain grass turf in Central Oregon. The flow rate requested will allow for pumping during about 8 night hours so the RV park lawns can be enjoyed by patrons during the day. The night-time operation of the system should also reduce waste due to evaporation. No pond will be introduced as a bulge in the system, therefore pond seepage losses will be avoided. The well will be sealed and the head protected within a building so as to prevent possible contamination of the aquifer. The City system is protected by an existing BPD at the master meter.

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SALEM, OREGON

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir). No water will be stored in a reservoir.

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): 0

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SALEM, OREGON

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Within two months of receiving a Groundwater Permit.

Date construction will be completed: Within one year of receiving a Groundwater Permit.

Date beneficial water use will begin: Within one year of receiving a Groundwater Permit.

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name Arnold Irrigation District	Address 19604 Buck Canyon Road	
City Bend	State Oregon	Zip 97702

SECTION 10: REMARKS

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

The subject property is within the boundaries of the Arnold Irrigation District (AID), but AID no longer maintains canals or pipes in the vicinity and is not interested in developing new infrastructure to enable a delivery of water. The irrigation system for the existing Crown Villa RV Park has historically been supplied with water by the Juniper Utility Company. The City of Bend has acquired Juniper Utility Company and has informed users the separate supply of irrigation water via Juniper will cease in 2013. The landowner representative and applicant are requesting a permit from the State to develop their own groundwater well and source of irrigation water supply.

GI-17566

Land Use Information Form



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

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WATER RESOURCES DEPT
SALEM, OREGON

Applicant: Larry Kine for Crown Villa, LLC
 First Last

Mailing Address: 1133 NW Wall Street, Suite 1

Bend
City

OR
State

97701
Zip

Daytime Phone: 541-280-4937

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
18S	12E	16	SE ¹ W	700	RS	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	RV Park
18S	12E	16	SE ¹ W	1000	RS	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	RV Park
18S	12E	16	SE ¹ W	1100	RS	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	RV Park
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

The City of Bend located in Deschutes County, Oregon

B. Description of Proposed Use

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

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

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

Estimated quantity of water needed: 135 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The irrigation system for the existing Crown Villa RV Park has historically been supplied with water by the Juniper Utility Company. The City of Bend has acquired Juniper Utility Company and has informed users the separate supply of irrigation water via Juniper will cease in 2013. The landowner representative and applicant are requesting a permit from the State to develop their own groundwater well and source of irrigation water supply.

Gr-17566

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 2.1. 3.5.2
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<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

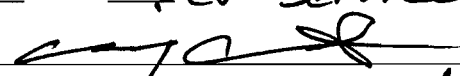
Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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WATER RESOURCES DEPT
SALEM, OREGON

Name: Craig Chenoweth Title: PCV Services Coordinator

Signature:  Phone: (541) 388-5563 Date: 6-22-12

Government Entity: City of Bend

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: _____

After recording return to:
First American Title
395 SW Bluff Drive, Suite 100
Bend, OR 97702



5
After recording return to:
Crown Villa, LLC
3465 N Pines Way, Ste 104 PMB
25218
Wilson, WY 83014

Until a change is requested all tax statements
shall be sent to the following address:
Crown Villa, LLC
3465 N Pines Way, Ste 104 PMB 25218
Wilson, WY 83014

68- File No.: 7061-1681820 (JRB)
Date: February 01, 2011

THIS SPACE RESERVED FOR RECORDER'S USE

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2011-07958



\$68.00

03/01/2011 11:25:32 AM

D-D Cnt=1 Str=1 BN
\$25.00 \$11.00 \$18.00 \$10.00 \$8.00

STATUTORY WARRANTY DEED

Lava Ridge, LLC, an Oregon limited liability company, Grantor, conveys and warrants to Crown Villa, LLC, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

The land referred to in this report is described in Exhibit A attached hereto.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$2,800,000.00**. (Here comply with requirements of ORS 93.030)

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WATER RESOURCES DEPT
SALEM, OREGON

G-17566

APN: 149789

Statutory Warranty Deed
- continued

File No.: 7061-1681820 (JRB)
Date: 02/01/2011

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

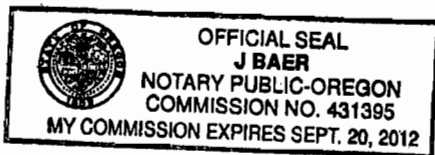
Dated this 25th day of February, 2011.


Lava Ridge, LLC, an Oregon limited liability company


By: Larry Kine, Member

STATE OF Oregon)
)ss.
County of Deschutes)

This instrument was acknowledged before me on this 25th day of February, 2011 by **Larry Kine as a member of Lava Ridge, LLC on behalf of the LLC.**




Notary Public for Oregon
My commission expires:

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JUN 8 2012

WATER RESOURCES DEPT
SALEM, OREGON

Q-17566

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1:

A TRACT OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, AS DESCRIBED:

COMMENCING AT THE NORTH ONE-QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 16; THENCE SOUTH 00° 32' 27" WEST ALONG THE NORTH-SOUTH CENTER SECTION LINE 1333.42 FEET TO THE CENTER NORTH ONE-SIXTEENTH CORNER; THENCE SOUTH 89° 48' 23" WEST, 651.19 FEET; THENCE SOUTH 00° 32' 36" WEST 195.00 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT FURTHER BEING A FIVE-EIGHT INCH IRON ROD; THENCE NORTH 89° 48' 23" EAST 543.36 FEET; THENCE SOUTH 00° 32' 26" WEST 285.71 FEET; THENCE SOUTH 89° 48' 08" WEST 543.36 FEET; THENCE NORTH 00° 32' 26" EAST 285.75 FEET TO THE POINT OF BEGINNING AND TERMINUS OF THIS DESCRIPTION.

PARCEL 2:

IN TOWNSHIP 18 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON:

SECTION 16: A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SAID SECTION 16; THENCE NORTH 0° 32' 26" EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SAID SECTION 16, 186.00 FEET TO A POINT; THENCE NORTH 89° 48' 08" EAST 715.62 FEET MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF BROSTERHOUS ROAD; THENCE SOUTHWESTERLY ALONG SAID LINE ALONG THE ARC OF 646.66 FOOT RADIUS CURVE RIGHT 190.5 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) OF SAID SECTION 16; THENCE SOUTH 89° 55' 55" WEST ALONG THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) 28.51 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) OF SAID SECTION 16; THENCE SOUTH 89° 48' 08" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SAID SECTION 16, 651.19 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SAID SECTION 16 AND THE TRUE POINT OF BEGINNING AND THE TERMINUS OF THIS DESCRIPTION.

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PARCEL 3:

A TRACT OF LAND LOCATED IN THE WEST ONE-HALF (W $\frac{1}{2}$) OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON; THE AFORESAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER OF SAID SECTION; THENCE NORTH 89° 47' 53" EAST ALONG THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 1953.55 FEET TO THE C-E-W 1/64 CORNER OF SAID SECTION; THENCE NORTH 00° 32' 26" EAST 666.75 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT BEING THE SE-NW 1/64 CORNER OF SECTION 16, SAID POINT FURTHER BEING THE SOUTHEAST CORNER TO THAT TRACT OF LAND RECORDED IN VOLUME 156, PAGE 9, DEED RECORDS, DESCHUTES COUNTY, OREGON; THENCE NORTH 89° 48' 08" EAST ALONG THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) OF SAID SECTION 16, 651.19 FEET TO THE C-S-N 1/64 CORNER OF SAID SECTION; THENCE NORTH 89° 55' 55" EAST ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) OF SAID SECTION 28.51 FEET TO A POINT OF THE WESTERLY RIGHT OF WAY LINE OF SIPCHEN COUNTY ROAD; THENCE ALONG SAID LINE ALONG THE ARC OF A 646.66 FOOT RADIUS CURVE RIGHT 12.61 FEET, THE CHORD OF WHICH BEARS SOUTH 20° 26' 55" WEST 12.61 FEET; THENCE SOUTH 21° 00' 22" WEST 460.28 FEET; THENCE ALONG THE ARC OF A 497.60 FOOT RADIUS CURVE LEFT 229.92 FEET; THE CHORD OF WHICH BEARS SOUTH 07° 46' 08" WEST 227.88 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 89° 47' 53" WEST ALONG THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 160.19 FEET; THENCE LEAVING SAID LINE SOUTH 00° 32' 18" WEST 135.97 FEET; THENCE NORTH 56° 13' 56" WEST 243.33 FEET TO A POINT ON SAID EAST-WEST CENTER SECTION LINE; THENCE SOUTH 89° 47' 53" WEST ALONG SAID LINE 122.04 FEET; THENCE LEAVING SAID LINE SOUTH 84° 09' 52" WEST 89.79 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND RECORDED IN VOLUME 192, PAGE 312, DEED RECORDS, DESCHUTES COUNTY, OREGON; THENCE NORTH 08° 09' 28" EAST ALONG THE EAST LINE OF SAID TRACT 329.64 FEET; THENCE NORTH 81° 50' 48" WEST ALONG THE NORTHERLY LINE OF SAID TRACT 435.03 FEET; THENCE LEAVING THE SAID LINE NORTH 33° 21' 02" EAST 344.62 FEET; THENCE DUE EAST 100.00 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND RECORDED IN VOLUME 156, PAGE 9, DEED RECORDS, DESCHUTES COUNTY, OREGON; THENCE DUE EAST ALONG THE SOUTHERLY LINE OF SAID TRACT 100.00 FEET TO THE POINT OF BEGINNING AND TERMINUS OF THIS DESCRIPTION.

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APN: 149789

Statutory Warranty Deed
- continued

File No.: 7061-1681820 (JRB)
Date: 02/01/2011

TOGETHER WITH A TRACT OF LAND LOCATED IN THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER ($W\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$) OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON; THE AFORESAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ONE-QUARTER ($W\frac{1}{4}$) CORNER OF SAID SECTION 16; THENCE NORTH $89^{\circ} 47' 53''$ EAST, ALONG THE EAST-WEST CENTER SECTION LINE OF SAID SECTION, 1953.55 FEET TO THE C-E-W $1/64$ CORNER OF SAID SECTION; THENCE NORTH $00^{\circ} 32' 26''$ EAST 666.75 FEET TO THE SE-NW- $1/64$ CORNER OF SAID SECTION; THENCE DUE WEST 190.00 FEET TO THE "TRUE POINT OF BEGINNING" FOR THIS DESCRIPTION, SAID POINT BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN VOLUME 156, PAGE 9, OF DEED RECORDS, OF DESCHUTES COUNTY; THENCE FOLLOWING THE WEST LINE OF THE LAST MENTIONED TRACT NORTH A DISTANCE OF 62.99 FEET; THENCE FOLLOWING AN EXISTING CHAINLINK FENCE LINE NORTH $70^{\circ} 28' 31''$ WEST A DISTANCE OF 201.13 FEET TO THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN VOLUME 198, PAGE 940, OF SAID DEED RECORDS; THENCE FOLLOWING THE EASTERLY LINE OF THE LAST MENTIONED TRACT SOUTH $13^{\circ} 26' 16''$ WEST A DISTANCE OF 429.85 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN VOLUME 192, PAGE 312 OF SAID DEED RECORDS; THENCE NORTH $33^{\circ} 21' 02''$ EAST A DISTANCE OF 344.62 FEET; THENCE EAST A DISTANCE OF 100.00 FEET TO THE "TRUE POINT OF BEGINNING" THE TERMINUS OF THIS DESCRIPTION.

TOGETHER WITH THAT PORTION INURED THERETO BY ORDINANCE RECORDED JANUARY 31, 2001 IN INSTRUMENT NO. 2001-4509, AND RERECORDED MAY 03, 2001 IN INSTRUMENT NO. 2001-20853 AND ALSO RERECORDED MAY 24, 2001 IN INSTRUMENT NO. 2001-24580.

Note: This legal description was created prior to January 01, 2008.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir *NA*
- SECTION 7: use of stored groundwater from the reservoir *NA*
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- 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. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$ *1250.00*
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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