

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit G-16291,)	FINAL ORDER
Clackamas County)	APPROVING ASSIGNMENT OF WATER
)	RIGHT PERMIT AND ISSUANCE OF
)	REPLACEMENT WATER RIGHT PERMITS

Authority

ORS 537.225 establishes the process in which a water right permit holder may submit a request for full or partial assignment of a water right permit and issuance of replacement permits. OAR Chapter 690, Division 325 establishes the requirements and procedures to be used by the Department to evaluate an application by a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use to assign all or part of the water right permit and to issue replacement permits to reflect an assignment from the current permit holder to one or more additional permit holders.

Applicant

SHORTLAND GOLF CLUB
C/O MIKE FRITZ
16842 ALDER CIRCLE
LAKE OSWEGO, OR 97034

Findings of Fact

Background

1. On May 15, 2023, SHORTLAND GOLF CLUB c/o MIKE FRITZ filed an application for partial assignment of Water Right Permit G-16291 and requested issuance of replacement permits. The Department assigned the application number T-14244.
2. On July 30, 2013, the Department approved an extension of time for complete application of water to October 1, 2032.
3. The Applicant identified the following landowner within the authorized place of use, who is not participating in the request for assignment: Sandelie Golf Club Inc. c/o Keith Kaiser.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. Notice of the application for the assignment of the water right permit and request for issuance of replacement water right permits was published in the Department's weekly notice on August 22, 2023, pursuant to ORS 537.325(3)(e) and OAR 690-325-0080. No comments were filed in response to the notice. In addition, the Department provided copies of the draft Proposed Final Order, draft replacement permits, the application, map, and existing water right permit to each owner of land upon which the water right permit is appurtenant.
5. On December 18, 2023, the Department issued a Proposed Final Order considering any comments received, and sent a copy to the applicant, each owner of land upon which the water right permit is appurtenant. Notice of the Proposed Final Order was published in the Department's weekly notice on December 19, 2023. No protests were filed in response to the notice.

6. The Permit to be modified and assigned is as follows:

Permit: G-16291 in the name of SANDELIE GOLF CLUB INC
Use: IRRIGATION USE on 162.6 ACRES
Priority Date: July 20, 2005
Quantity: 406.5 ACRE FEET PER YEAR, FURTHER LIMITED TO AN INSTANTANEOUS RATE OF 2.0 CUBIC FEET PER SECOND
Rate/Duty: 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 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	1 E	WM	16	SW NW	WELL 1 (CLAC 9317) - 2050 FEET SOUTH AND 1560 FEET WEST FROM THE N 1/4 CORNER OF SECTION 16
3 S	1 E	WM	16	NE SW	WELL 2 (CLAC 9316) - 3780 FEET SOUTH AND 360 FEET WEST FROM THE N 1/4 CORNER OF SECTION 16

Authorized Place of Use:

IRRIGATION USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	1 E	WM	16	NE NW	30.9
3 S	1 E	WM	16	SW NW	39.8
3 S	1 E	WM	16	SE NW	30.7
3 S	1 E	WM	16	NE SW	21.2
3 S	1 E	WM	16	NW SW	38.6
3 S	1 E	WM	16	SW SW	1.4
Total					162.6

7. The Applicants request Permit G-16291 be split and replacement permits be issued as follows:

PERMIT A: SHORTLAND GOLF CLUB LLC C/O MIKE FRITZ:

Use: IRRIGATION USE on 30.9 ACRES
Priority Date: July 20, 2005
Quantity: 77.25 ACRE FEET PER YEAR, FURTHER LIMITED TO AN INSTANTANEOUS RATE OF 0.4 CUBIC FOOT PER SECOND
Rate/Duty: 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 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL 1 (CLAC 9317) and WELL 2 (CLAC 9316) in WILLAMETTE RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	1 E	WM	16	SW NW	WELL 1 (CLAC 9317) - 2050 FEET SOUTH AND 1560 FEET WEST FROM THE N 1/4 CORNER OF SECTION 16
3 S	1 E	WM	16	NE SW	WELL 2 (CLAC 9316) - 3780 FEET SOUTH AND 360 FEET WEST FROM THE N 1/4 CORNER OF SECTION 16

Authorized Place of Use:

IRRIGATION USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	1 E	WM	16	NE NW	30.9

PERMIT B: SANDELIE GOLF CLUB INC:

Use: IRRIGATION USE on 131.7 ACRES
Priority Date: July 20, 2005
Quantity: 329.25 ACRE FEET PER YEAR, FURTHER LIMITED TO AN INSTANTANEOUS RATE OF 1.6 CUBIC FEET PER SECOND
Rate/Duty: 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 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL 1 (CLAC 9317) and WELL 2 (CLAC 9316) in WILLAMETTE RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	1 E	WM	16	SW NW	WELL 1 (CLAC 9317) - 2050 FEET SOUTH AND 1560 FEET WEST FROM THE N 1/4 CORNER OF SECTION 16
3 S	1 E	WM	16	NE SW	WELL 2 (CLAC 9316) - 3780 FEET SOUTH AND 360 FEET WEST FROM THE N 1/4 CORNER OF SECTION 16

Authorized Place of Use:

IRRIGATION USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	1 E	WM	16	SW NW	39.8
3 S	1 E	WM	16	SE NW	30.7
3 S	1 E	WM	16	NE SW	21.2
3 S	1 E	WM	16	NW SW	38.6
3 S	1 E	WM	16	SW SW	1.4
Total					131.7

Split a Permit Review Criteria

8. The Department has verified the mailing address of each owner of the authorized place of use identified on the map contained in the application as follows:

Name and Address	Acres	Proportionate Rate	Twp	Rng	Mer	Sec	Q-Q	Tax Lot
SANDELIE GOLF CLUB INC 28333 SW MOUNTAIN RD WEST LINN, OR 97068	131.7	1.6 CFS	3 S	1 E	WM	16	MULTIPLE	400, 500, 1200 & 1300
SHORTLAND GOLF CLUB AKA SHORTYS GOLF COURSE LLC C/O MIKE FRITZ 16842 ALDER CIRCLE LAKE OSWEGO, OR 97034	30.9	0.4 CFS	3 S	1 E	WM	16		100 & 1100

9. The deed supplied with the application, matches the property proposed for assignment.
10. The applicant affirmed the most recent water use under the permit has been exercised within the relevant terms and conditions of the water right permit.
11. The assignment and issuance of replacement permits would not result in injury to other water right holders.
12. The assignment and issuance of replacement permits would not result in enlargement of the permit.
13. The assignment and issuance of replacement permits does not alter any other terms of Permit G-16291.

Conclusions of Law

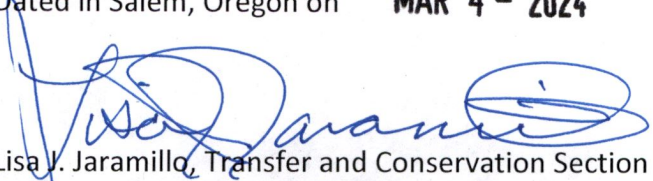
The assignment and issuance of replacement permits proposed by Application T-14244 are consistent with the requirements of ORS 537.225 and OAR Chapter 690, Division 325.

Now, therefore, it is ORDERED:

1. The assignment and issuance of replacement permits proposed by Application T-14244 are approved.

2. Permit G-18861, in the name of SHORTLAND GOLF CLUB LLC C/O MIKE FRITZ, and Permit G-18862 in the name of SANDELIE GOLF CLUB INC are issued to supersede Permit G-16291. Permit G-16291 is no longer of any force or affect.
3. All other terms and conditions under Permit G-16291, previous extensions of time are incorporated into Permits G-18861 and G-18862

Dated in Salem, Oregon on **MAR 4 - 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR,
Oregon Water Resources Department

Mailing date: **MAR 5 - 2024**