

# Application for Permanent Water Right Transfer



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

## Part 1 of 5 – Minimum Requirements Checklist

**This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd fee calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate:50575**  
Please include a separate Part 5 for each water right. (See instructions on page 6)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

**Attachments:**

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability

(For Staff Use Only)

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete
Other/Explanation _____	
Staff: _____	Date: ____/____/____

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## Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see [http://apps.wrd.state.or.us/apps/wr/cwre\\_license\\_view/](http://apps.wrd.state.or.us/apps/wr/cwre_license_view/). CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »	2	\$1,090
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3	\$0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$410 (4b)</u> Add line 4a to line 4b and enter »	4	<i>mark 10/14/24</i> <u>\$480</u>
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.148 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.852 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$410, then enter on line 5 »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1,570
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »	7	\$0
8	Subtract line 7 from line 6 » <b>Transfer Fee:</b>	8	<b>\$1,570</b>

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each water right involved as follows:
  - Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs ( $x 45 ac = 0.56 cfs$ ).
  - If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
- Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each “on the ground” acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i> Multiply line 2b by \$480 and enter »	2	
		3	NA

Part 4 of 5 – Applicant Information and Signature

Applicant Information

**SUPERSEDING**

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OWRD TACS**

APPLICANT/BUSINESS NAME <b>Shortland Golf Club AKA Shorty's Golf Course LLC c/o Mike Fritz</b>		PHONE NO. <b>503-969-1771</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>16842 Alder Circle</b>			FAX NO.
CITY <b>Lake Oswego</b>	STATE <b>OR</b>	ZIP <b>97034</b>	E-MAIL <b>MW.Fritz22@gmail.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

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

AGENT/BUSINESS NAME <b>Doann Hamilton / Pacific Hydro-Geology, Inc.</b>		PHONE NO. <b>(503) 632-5016</b>	ADDITIONAL CONTACT NO. <b>(503) 349-6946 (cell)</b>
ADDRESS <b>18487 S. Valley Vista Road</b>			FAX NO. <b>(503) 632-5983</b>
CITY <b>Mulino</b>	STATE <b>OR</b>	ZIP <b>97042</b>	E-MAIL <b>phgdmh@gmail.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**We recently purchased TL 100 and 1100 and we are working on designing the new golf course within these tax lots according to our new layout and adding one additional well located on our property.**  
*MRK 10/14/24*  
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

**Check One Box**

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

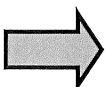
**By my signature below, I confirm that I understand:**

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Wilsonville Spokesman.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

**SUPERSEDING**

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





# Part 4 of 5 – Applicant Information and Signature

## Applicant Information

APPLICANT/BUSINESS NAME <b>Shortland Golf Club AKA Shorty's Golf Course LLC c/o Mike Fritz</b>		PHONE NO. <b>503-969-1771</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>16842 Alder Circle</b>			FAX NO.
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**We recently purchased TL 100 and 1100 and we are working on designing the new golf course within these tax lots according to our new layout and adding two additional wells located on our property.**

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

### Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
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**By my signature below, I confirm that I understand:**

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

	Michael W. Fritz	10/7/2023
Applicant Signature	Print Name (and Title if applicable)	Date

Applicant Signature	Print Name (and Title if applicable)	Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No\*

*\*If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold?  Yes  No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
NA				
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS		
NA			
CITY	STATE	ZIP	

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS		
NA			
CITY	STATE	ZIP	

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14377 -

# SUPERSEDING

T-14377 Revised 11/9/24 MKK

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>Clackamas Co. Department of Transportation and Development, Planning Division</b>		ADDRESS <b>150 Beaver Creek Road</b>	
CITY <b>Oregon City</b>	STATE <b>Oregon</b>	ZIP <b>97045</b>	

## Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 50575

Received by OWRD

### Description of Water Delivery System

OCT 10 2024

System capacity: 0.64 cfs cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

Salem, OR

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Per the previous land owner, the system is the same as when Permit G-6433 was proven up. Per the claim on that water right: Water is pumped from Well 1 (CLAC 9317) using a 20 Hp submersible pump to convey water through a buried 6 inch PVC pipe into two 4 inch PVC buried mainlines. Water is pumped from Well 2 (CLAC 9324) using a 75 Hp turbine pump to convey water through the two 4 inch PVC buried mainlines. The 4 inch mainlines run down the middle of each fairway with 2 inch PVC buried laterals circling the greens and tees. Well 1 also can pump into a pond and then be re-pumped using a 25 Hp centrifugal pump through 4 inch PVC buried mainline.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 9317	3	S	1	E	16	SW	NW	Lot 500	2,050 feet south and 1,560 feet west from the N ¼ corner, Section 16.
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 9316, 9324	3	S	1	E	16	NE	SW	Lot 500	3,780 feet south and 360 feet west from the N ¼ corner, Section 16.
Pond Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	3	S	1	E	16	NE	NW	Lot 1100	1,045 feet south and 660 feet west from the N ¼ corner, Section 16.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 50575**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
3	S	1	E 16 NE NW	100, 1100	NA	11.8	IR	Wells 1 & 2	4-25-1975	APOA, POA, POU	3	S	1	E 16 NE NW	100, 1100	NA	11.8	IR	Well 1 and Pond Well	4-25-1975		
TOTAL ACRES:						11.8					TOTAL ACRES:						11.8					

**Additional remarks: The well specifications given in the table below are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the same basalt aquifer as used by Well 1 and Well 2.**

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*T-14377 revised MRK 10/9/24*

OCT 10 2024

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Salem, OR

# SUPERSEDING

Certificate # **50575**

**For Place of Use or Character of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: **G-16291.**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **NA**;  
Surface water primary Certificate # **NA**.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

OCT 10 2024

Identify the primary certificate to be cancelled. Certificate # **NA**

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:** Salem, OR

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department's web page at:

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	CLAC 9317	See Well Log CLAC 9317							Not less than full rate of water right
Well 2	Yes	CLAC 9316, 9324	See Well Logs CLAC 9317, 9324							
Pond Well	No	NA	Estimated 290 to 1000 feet	8-inch	0 to 5 feet into basalt	Estimated 0 to 5-feet into basalt	TBD	NA	Basalt	

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>Clackamas Co. Department of Transportation and Development, Planning Division</b>		ADDRESS <b>150 Beaver Creek Road</b>	
CITY <b>Oregon City</b>	STATE <b>Oregon</b>	ZIP <b>97045</b>	

### Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

**CERTIFICATE # 50575**

**RECEIVED**

JAN 4 2024

#### Description of Water Delivery System

System capacity: **0.64 cfs** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Per the previous land owner, the system is the same as when Permit G-6433 was proven up. Per the claim on that water right: Water is pumped from Well 1 (CLAC 9317) using a 20 Hp submersible pump to convey water through a buried 6 inch PVC pipe into two 4 inch PVC buried mainlines. Water is pumped from Well 2 (CLAC 9324) using a 75 Hp turbine pump to convey water through the two 4 inch PVC buried mainlines. The 4 inch mainlines run down the middle of each fairway with 2 inch PVC buried laterals circling the greens and tees. Well 1 also can pump into a pond and then be re-pumped using a 25 Hp centrifugal pump through 4 inch PVC buried mainline.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 9317	3	S	1	E	16	SW	NW	Lot 500	2,050 feet south and 1,560 feet west from the N ¼ corner, Section 16.
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 9316, 9324	3	S	1	E	16	NE	SW	Lot 500	3,780 feet south and 360 feet west from the N ¼ corner, Section 16.
Club House Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	Un-numbered, CLAC 52192	3	S	1	E	16	NE	NW	Lot 100	105 feet south and 115 feet west from the N ¼ corner, Section 16.
Shop Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	3	S	1	E	16	NE	NW	Lot 1100	785 feet south and 510 feet west from the N ¼ corner, Section 16.

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Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                    | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input type="checkbox"/> Character of Use (USE)                           | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                         | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)             | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water<br>POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 50575**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
3	S	1	E 16 NE NW	100, 1100	NA	11.8	IR	Wells 1 & 2	4-25-1975	APOA, POA, POU	3	S	1	E 16 NE NW	100, 1100	NA	11.8	IR	Wells: 1, Club House and Shop	4-25-1975	
TOTAL ACRES:						11.8					TOTAL ACRES:						11.8				

Additional remarks: The well specifications given in the table below are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the basalt aquifer.

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**For Place of Use or Character of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: G-16291.

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # NA

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**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department’s web page at:

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	CLAC 9317	See Well Log CLAC 9317							Not less than full rate of water right
Well 2	Yes	CLAC 9316, 9324	See Well Logs CLAC 9317, 9324							
Proposed Club House Well	Yes	Un-numbered, CLAC 52192	See attached older well log that does not have a number and the deepening of that well CLAC 52192							
Proposed Shop Well	No	NA	650 feet	8 inch	0 to 350 feet	0 to 75 feet	TBD	NA	Basalt	

# Application for Water Right Transfer

## Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon )  
 ) ss

County of CLACKAMAS

I, KEITH KAISER, in my capacity as PREVIOUS OWNER AND OPERATOR,

mailing address 3030 SW ADVANCE RD, WILSONVILLE, OR 97070

telephone number (503) 539-4493, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation                       Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_\_; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
50575	3	S	1	E	WM	16	NE	NW	Lot 100 and 1100	11.8

OR

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

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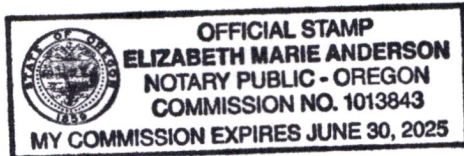
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]  
Signature of Affiant

11-7-23  
Date

Signed and sworn to (or affirmed) before me this 7 day of 11, 2023.



[Signature]  
Notary Public for Oregon

My Commission Expires: June 30, 2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number





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# Land Use Information Form



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.oregon.gov/OWRD

Applicant(s): Shortland Golf Club AKS Shorty's Golf Course LLC c/o Mike Fritz

Mailing Address: 16842 Alder Circle

City: Lake Oswego

State: OR

Zip Code: 97034

Daytime Phone: 503-969-1771

## 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:
<u>3S</u>	<u>1E</u>	<u>16BA</u>	_____	<u>100</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>3S</u>	<u>1E</u>	<u>16BA</u>	_____	<u>1100</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>3S</u>	<u>1E</u>	<u>16B</u>	_____	<u>500</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>IR</u>

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

Clackamas County

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.148   
 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:

This Land Use Information Form is to accompany a water right transfer application that proposes to change the place of use and add two additional point of appropriation (well) to a portion of an existing water right (Certificate 55075).

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

See bottom of Page 3. →

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## For Local Government Use Only

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

**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): \_\_\_\_\_
- 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:	
Z0038-E & Z0373-23-MOD (NCU) (MODIFICATION)	REFER TO ATTACHED LU'S	<input checked="" 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.

Name: ANNABELLE LIND Title: PLANNER II

Signature: [Signature] Phone: 503-742-4500 Date: 12/28/23

Government Entity: CLACKAMAS COUNTY - PLANNING & ZONING

**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: \_\_\_\_\_

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Clackamas County Official Records  
Sherry Hall, County Clerk

2022-051765

09/23/2022 12:33:03 PM

D-E Cnt=1 Stn=74 LILLIE  
\$35.00 \$16.00 \$10.00 \$62.00

\$123.00

AFTER RECORDING, RETURN TO:

Michael W. Fritz, Trustee  
16842 Alder Circle  
Lake Oswego, OR 97034

**ACCESS EASEMENT**

THIS ACCESS EASEMENT (this "Easement Agreement"), dated and effective September 23, 2022 (the "Effective Date"), is by and between JANET M. KAISER ("Grantor") and MICHAEL W. FRITZ, Trustee of the Michael W. Fritz Trust UTA DTD April 2, 2015 ("Grantee").

**RECITALS**

A. Pursuant to a Real Estate Sale Agreement dated August 12, 2022 (the "Sale Agreement"), Sandelie Golf Club, Inc. ("Sandelie") sold to Grantee approximately 30 acres of real property located in Clackamas County, Oregon and legally described on Exhibit A attached hereto (the "Golf Course Property").

B. Pursuant to the Sale Agreement, Sandelie agreed to provide Grantee a temporary easement over Grantor's adjacent property described on Exhibit B attached hereto (the "Easement Property") to construct a new access driveway on the Golf Course Property. Grantor and Grantee desire to establish a right-of-way for construction of the access driveway upon the terms and conditions set forth below.

**AGREEMENT**

NOW, THEREFORE, for valuable consideration, the parties agree as follows:

1. **Grant of Easement.** Grantor hereby grants and conveys to Grantee a temporary, non-exclusive easement in, to and over the Easement Property to facilitate the construction of a new driveway and entrance to the Golf Course Property (the "Driveway Improvements"). Following the expiration hereof (i) Grantee will repair any damage to the Easement Property caused by its use thereof, and (ii) the Driveway Improvements shall be located exclusively on the Golf Course Property.

2. **Term.** *The term of this Agreement ("Term") shall be one year from the Effective Date.*

3. **Permitted Use, Access.**

3.1 **Permitted Use.** Grantee shall use the Easement Area for the construction of the Driveway Improvements.

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ACCESS EASEMENT  
PAGE 1

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3.2 **Restrictions on Use.** Use of the Easement Area shall be solely for the use by Grantee and its contractors and employees.

3.3 **Compliance with Laws.** Grantee shall use the Easement Area and conduct all of its activities under this Agreement in strict compliance with all applicable federal, state and local laws, ordinances and regulations.

3.4 **Environmental Matters.** Grantee shall not allow any hazardous materials to be brought over, upon or deposited on, in or about the Easement Property by Grantee or its contractors or employees.

4. **Maintenance and Repair.** Grantee will, at its expense, repair any damage to the Easement Property caused by its use thereof.

5. **Indemnification.** Grantee shall indemnify, defend and hold Grantor harmless from any liability, damage, expense, cause of action, claim or judgment arising out of (i) any breach of this Agreement by Grantee (including, without limitation, any breach of Section 3.4 above), and (ii) the use by Grantee and its employees, agents, contractors, customers, visitors and invitees of the Easement Property.

6. **Exemption from Liability.** Grantee acknowledges and agrees that Grantor shall (i) have no obligation to provide security for the Easement Property, and (ii) not be liable for any damage, injury or loss of Grantee's property unless caused by the gross negligence or willful misconduct of Grantor or its contractors, agents, or representatives.

7. **Liability Insurance.** Grantee shall, at all times during the term of this Easement Agreement, maintain in full force and effect comprehensive public liability insurance covering its activities hereunder with a financially responsible insurance company or companies licensed to do business in the State of Oregon, including coverage for any accident resulting in bodily injury to or death of any person or consequential damages arising therefrom, and comprehensive property damage insurance, each in an amount not less than \$2,000,000 combined single-limit coverage. Grantee's liability insurance policy shall name Grantor as an additional named insured. Grantee shall, prior to the Effective Date, provide Grantor with a certificate evidencing the foregoing coverage.

8. **Breach of Obligations.** In the event Grantee fails to perform its obligations under this Easement Agreement, Grantor shall, in addition to any other remedies afforded under Oregon law, be entitled to (i) terminate this Agreement upon ten (10) days' prior written notice to Grantee, and (ii) require such performance by suit for specific performance or, where appropriate, through injunctive relief.

9. **Attorney Fees.** In the event of any litigation arising under or in connection with this Agreement, the prevailing party shall be entitled to recover from the losing party the prevailing party's reasonable attorney fees at trial and on appeal as adjudged by the trial and appellate court.

10. **Notices.** Whenever any notice is required or sent under this Agreement, it shall be made in writing and shall be effective when served either personally or sent by U.S. first-

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ACCESS EASEMENT  
PAGE 2

class certified mail, postage prepaid, return receipt requested and addressed to the parties as follows:

If to Grantor: Janet M. Kaiser  
c/o Sandelie Golf Club, Inc.  
28000 SW Mountain Road  
West Linn, OR 97068

If to Grantee: Michael W. Fritz, Trustee  
16842 Alder Circle  
Lake Oswego, OR 97034

11. **Effect of Agreement.** The rights, covenants and obligations contained in this Agreement shall bind, burden and benefit each party's successors and assigns. Notwithstanding the foregoing, Grantee may not assign its rights under this Agreement without the prior written consent of Grantor, which consent may be withheld in Grantee's sole and absolute discretion.

12. **Governing Law.** This Easement Agreement shall be construed and enforced in accordance with the laws of the state of Oregon.

Grantor:

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*Janet M. Kaiser*  
\_\_\_\_\_  
Janet M. Kaiser

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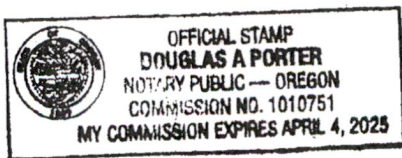
Grantee:

\_\_\_\_\_  
Michael W. Fritz, Trustee of the  
Michael W. Fritz UTA DTD April 2, 2015

STATE OF OREGON

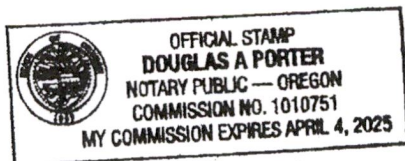
County of Clackamas

This record was acknowledged before me on September 22, 2022, by Janet M. Kaiser.



*Doug Porter*  
\_\_\_\_\_  
Notary Public State of Oregon

*My Commission Expires  
04/04/2025*



class certified mail, postage prepaid, return receipt requested and addressed to the parties as follows:

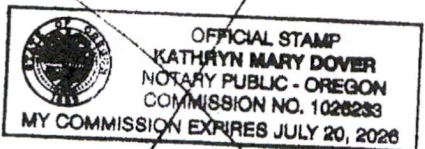
If to Grantor: Janet M. Kaiser  
c/o Sandelie Golf Club, Inc.  
28000 SW Mountain Road  
West Linn, OR 97068

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12. **Governing Law.** This Easement Agreement shall be construed and enforced in accordance with the laws of the state of Oregon.

Grantor:



19703  
\_\_\_\_\_  
Janet M. Kaiser

Grantee:

\_\_\_\_\_  
Michael W. Fritz, Trustee of the  
Michael W. Fritz UTA DTD April 2, 2015

STATE OF OREGON

County of Clatsop

This record was acknowledged before me on 9-23-22, 2022, by Janet M. Kaiser.

K. Dover  
\_\_\_\_\_  
Notary Public - State of Oregon

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STATE OF OREGON

County of Clackamas

This record was acknowledged before me on 9-23, 2022, by Michael W. Fritz, as Trustee of the Michael W. Fritz UTA DTD April 2, 2015.



K. Dover  
Notary Public - State of Oregon

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**EXHIBIT A**

**Golf Course Property**

PARCEL I:

All of the East one-half of the North one-half of the Northwest one-quarter of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM the Northerly 330 feet.

ALSO EXCEPTING THEREFROM that portion lying within the plat of SANDELIE ESTATES NO. 2.

ALSO EXCEPTING THEREFROM that portion conveyed to F. J. Hoesly, et ux, by Warranty Deed recorded August 5, 1968 as Recorder's Fee No. 68 16111 and described as follows:

Beginning at a point South 0° 12' West, 1286.90 feet and North 89° 48' West, 30 feet from a 1 1/4 inch iron pipe which is at the North one-quarter corner of Section 16, Township 3 South, Range 1 East, Willamette Meridian; said true point of beginning being the Southeast corner of SANDELIE ESTATES NO. 2; thence South 0° 12' West 100 feet; thence North 89° 48' West 200 feet; thence North 0° 12' East 100 feet; thence South 89° 48' East 200 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion lying within public roads.

PARCEL II:

The Northerly 330 feet of the East one-half of the North one-half of the Northwest one quarter of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM that portion lying within the plat of SANDELIE ESTATES NO. 1.

ALSO EXCEPTING THEREFROM that portion lying within public roads.

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**EXHIBIT B**

**Easement Property**

Lot 1, SANDELIE ESTATES NO. 2, in the County of Clackamas and State of Oregon.

005573\00007\13904035v3

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Clackamas County Official Records **2022-051766**  
Sherry Hall, County Clerk 09/23/2022 12:33:03 PM  
D-E Cnt=2 Stn=74 LILLIE  
\$70.00 \$5.00 \$16.00 \$10.00 \$62.00 \$163.00

AFTER RECORDING RETURN TO:

Jeffrey H. Keeney  
Tonkon Torp LLP  
1600 Pioneer Tower  
888 SW Fifth Avenue  
Portland, Oregon 97204

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WELL EASEMENT AND WATER USE AGREEMENT

EFFECTIVE DATE: September 23, 2022

PARTIES: Sandelie Golf Club, Inc. ("Grantor")  
28000 SW Mountain Road  
West Linn, OR 97068

Michael W. Fritz, Trustee of the Michael W. ("Grantee")  
Fritz Trust UTA DTD April 2, 2015  
16842 Alder Circle  
Lake Oswego, OR 97034

RECITALS

A. Grantor owns certain real property located in Clackamas County, Oregon which is more particularly described in Exhibit A attached hereto (the "Sandelie Property"). Grantee owns certain real property located in Clackamas County which is adjacent to the Sandelie Property, and which is more particularly described in Exhibit B attached hereto (the "Fritz Property").

B. A well identified in the records of the Oregon Water Resources Department ("OWRD") as CLAC 9317 (along with its associated pumping and electrical equipment) is located on the Sandelie Property (the "Well"). The Well supplies water for irrigation purposes to the Sandelie Property and the Fritz Property, pursuant to Water Right Certificate 50575 (the "Water Right") on file with OWRD and attached hereto as Exhibit C. The approximate location of the Well is shown as well # 1 on the final proof map included in Exhibit C.

C. Grantor and Grantee desire to enter into this Well Easement and Water Use Agreement ("Agreement") to establish their respective rights and obligations pertaining to the access, use, operation, and maintenance of the Well and to establish other rights and obligations as provided herein.

D. A separate well identified in the records of OWRD as CLAC 9316 and designated as well #2 in the Water Right is located at another location on the Sandelie Property. An exempt well identified in the records of OWRD as CLAC 8196 (deepened by log CLAC 52192/ID L03011) is located on the Fritz Property. CLAC 9316 and CLAC 8196 are *not* covered by this Agreement; Grantor has exclusive use of CLAC 9316 and Grantee has exclusive use of CLAC 8196.

CHICAGO TITLE  
472522004182 - 50 COMM

E. CLAC 9316 and CLAC 9317 are also the designated points of appropriation for Permit G-16291, held by Grantor. The water use authorized by Permit G-16291 is *not* covered by this Agreement.

In consideration of the following mutual covenants, the parties agree as follows:

1. **Grant of Easement.** Grantor hereby grants and conveys to Grantee an easement to that portion of the Sandelie Property that is 50 feet in width from the Well to the Fritz Property (the "Easement"): (i) to use and convey water from the Well to the Fritz Property through an underground pipeline; (ii) to enter upon such portion of the Sandelie Property over the location of the pipeline to install, maintain, repair, and replace the pipeline, according to the terms of Section 4 below; and (iii) to enter upon such portion of the Sandelie Property over the location of the pipeline to operate, maintain, and repair the Well, according to the terms of Section 4 below.

2. **Location of Easement.** The Easement will be located along the most direct, practicable route from the Well to the Fritz Property, beginning at the Well, 2050 feet south and 1560 feet west from the N 1/4 corner of Section 16, and running generally northeast to the southwest corner of the Fritz Property (the NE 1/4 NW 1/4 of Section 16, T3S, R1E), approximately as shown on Exhibit D.

3. **Nature of Easement.** Subject to possible termination under Section 15, the Easement and rights granted herein shall be perpetual and non-exclusive. The Easement and the obligations described herein shall run with the land and shall bind and inure to the benefit of Grantor, Grantee, and each of their respective heirs, legal representatives, successors, and assigns. Grantor may also make any use of its property burdened by the Easement that is consistent with its current or future ownership of the Sandelie Property, as long as such use does not unreasonably interfere with Grantee's use of the Easement as provided in this Agreement.

4. **Installation, Maintenance, and Repair; Cost Allocation; Utilities.**

4.1 **Pipeline Installation, Maintenance, and Repair.** Within two years of the effective date of this Agreement, Grantee shall install a new, separate pipeline to convey water from the Well to the Fritz Property ("Fritz Pipeline"), located as described in Section 2 above. Grantee shall be solely responsible for the installation, maintenance, repair, and replacement of the Fritz Pipeline. All work performed on the Fritz Pipeline shall be completed in a workmanlike manner, free of claims and liens. Until the Fritz Pipeline is installed, Grantor and Grantee will share the existing pipeline running from the Well to the Fritz Property, including sharing equally (50-50) the costs of any maintenance or repairs of the existing pipeline. Upon completion of the installation, maintenance, repair, or replacement of the Fritz Pipeline, Grantee shall restore the surface of the Sandelie Property to its previous condition.

4.2 **Well Maintenance and Repair.** Sandelie will maintain and repair the Well in a good and safe condition and replace mechanical components of the Well as needed ("Well Maintenance"). Fritz may, upon not less than 24 hours advance written notice, perform any necessary emergency maintenance or repairs to the Well in the event Sandelie is not available to perform such repairs. All work performed on the Well shall be completed in a workmanlike manner, free of claims and liens. Each party shall pay its share of the cost of Well Maintenance in proportion to that party's irrigated acreage served by the Well (Sandelie, 77%; Fritz, 23%); provided, however, that neither party shall commence any shared Well Maintenance exceeding \$2,500.00 in cost without first obtaining the verbal consent of the other party, which consent

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shall not be unreasonably withheld. A party shall pay its share of Well Maintenance costs within 10 days of receipt of a written statement setting forth the amount thereof, accompanied by a copy of the third party bills or paid receipts showing the nature of the expenses in reasonable detail.

4.4 **Utilities.** Fritz shall pay 23% of all utility charges incurred and attributable to the operation of the Well for irrigation purposes. Fritz's share of the utility charges shall be payable annually and shall be paid by Fritz within 10 days of receipt of a written statement setting forth the amount thereof.

5. **Use of Water/Measurement/Allocation of Shortage.**

5.1 **Use of Water.** The Water Right authorizes irrigation of 51.5 acres in total—39.7 acres on the Sandelie Property and 11.8 acres on the Fritz Property, withdrawn at the rate of 0.32 cfs, up to a maximum volume of 2.5 acre feet of water per acre during the irrigation season of each year. Subject to Section 5.3 below, Grantor shall be entitled to withdraw water from the Well to irrigate 39.7 acres of land on the Sandelie Property and other property owned by Grantor, up to a maximum of 99.25 acre feet annually, and Grantee shall be entitled to withdraw water from the Well to irrigate 11.8 acres of land on the Fritz Property, up to a maximum of 29.5 acre feet annually. Grantee's use of the water from the Well shall be for irrigation purposes only and only in the locations authorized by the Water Right, unless a change in character of use or change in place of use is authorized by OWRD.

5.2 **Measurement.** At its own cost, Grantee shall install a totalizing flow meter on the Fritz Pipeline to measure its separate water use, and shall maintain the meter in good working order and keep a record of the amount of water used each month. Upon request, Grantee shall share its water use records with Grantor.

5.3 **Allocation of Shortage.** If insufficient water is available from the Well to supply Grantor and Grantee with their full rate and duty of water, the available water shall be shared by Grantor and Grantee in the following percentages:

Grantor	77%
Grantee	23%

6. **Curing Defaults.** If either party hereto shall default with respect to any of its obligations set forth herein (including its maintenance obligations), the other party shall have the right to complete such work and seek reimbursement for the cost thereof plus interest thereon at the rate of 9% per annum, provided that the delinquent party shall have been given prior written notice and a reasonable opportunity not to exceed ten days to complete such repair work.

7. **Indemnity.** Each party shall at all times protect, indemnify, defend, and save and hold harmless the other party from all claims, demands, liens, charges, encumbrances, losses, costs (including attorney fees before trial, at trial, and on any appeal), and litigation arising directly or indirectly out of (i) any breach or default under this Agreement by the party; or (ii) liability for bodily injury or death or property damage resulting from any tort of the party.

8. **Noninterference.** The parties to this Agreement shall not unreasonably interfere with the use of the Well by any person entitled to do so under the terms of this Agreement, provided such use is in the manner and for the purposes contemplated under this Agreement.

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9. **Cooperation.** The parties to this Agreement shall cooperate with each other in good faith and shall execute such further documents and shall perform such further acts as may be reasonably necessary or appropriate to carry out and accomplish the intent of this Agreement.

10. **Notice.** Notice to any party to this Agreement shall be in writing and either personally delivered or sent by certified mail, postage prepaid, return receipt requested, addressed to the party to be notified at the addresses specified herein. Any such notice shall be deemed received on the date of personal delivery to the party (or such parties authorized representative) or three (3) business days after deposit in the U.S. Mail, as the case may be. Until any party notifies the other party as to a change of its address for notice purposes, notice to the parties shall be sent to the above addresses.

11. **Attorney Fees.** In the event legal action is commenced in connection with this Agreement, the prevailing party in such action shall be entitled to recover its reasonable attorney fees and costs incurred in the trial court and in the appeal therefrom.

12. **Severability.** If any term, provision, or condition contained in this Agreement shall, to any extent, be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each term, provision, and condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. **Applicable Law.** This Agreement shall be construed in accordance with the laws of the State of Oregon.

14. **Entire Agreement.** This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated into this Agreement. This Agreement may be executed in counterparts.

15. **Termination by Grantee.** Grantee may terminate this Agreement upon 90 days' written notice to Grantor; provided, however, that Grantee shall remain obligated to pay its share of any costs incurred prior to the date of notice pursuant to Section 4 above, and provided further that Grantee shall record a Termination of Easement ("Termination"), having first received Grantor's approval of the language of said Termination.

Executed as of the date first above written.

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GRANTOR:

GRANTEE:

Sandelie Golf Club, Inc., an Oregon corporation

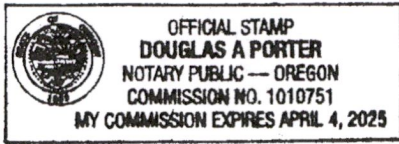
By: *Janet Kaiser*  
Janet Kaiser, President

Michael W. Fritz, Trustee of the Michael W. Fritz Trust UTA DTD April 2, 2015

STATE OF OREGON

County of Clatsop

This record was acknowledged before me on September 22, 2022, by Janet Kaiser as President of Sandelie Golf Club, Inc., an Oregon corporation.



*Douglas A. Porter*  
Notary Public - State of Oregon  
*My Commission Expires 04/04/2025*

STATE OF OREGON

County of \_\_\_\_\_

This record was acknowledged before me on September \_\_\_\_, 2022, by Michael W. Fritz, Trustee of the Michael W. Fritz Trust UTA DTD April 2, 2015

\_\_\_\_\_  
Notary Public - State of Oregon

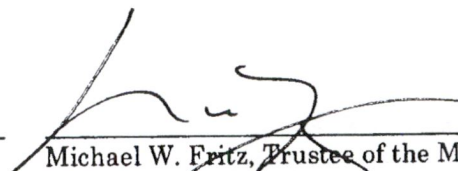
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**OWRD**

GRANTOR:

GRANTEE:

Sandelie Golf Club, Inc., an Oregon corporation

By: \_\_\_\_\_  
Janet Kaiser, President

  
\_\_\_\_\_  
Michael W. Fritz, Trustee of the Michael W. Fritz Trust UTA DTD April 2, 2015

STATE OF OREGON

County of \_\_\_\_\_

This record was acknowledged before me on September \_\_\_\_\_, 2022, by Janet Kaiser as President of Sandelie Golf Club, Inc., an Oregon corporation.

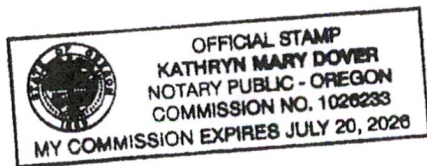
\_\_\_\_\_  
Notary Public – State of Oregon

STATE OF OREGON

County of Clackamas

This record was acknowledged before me on September 23, 2022, by Michael W. Fritz, Trustee of the Michael W. Fritz Trust UTA DTD April 2, 2015

  
\_\_\_\_\_  
Notary Public – State of Oregon



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EXHIBIT A

Sandelie Property

PARCEL VI:

That portion of the South one-half of the Northwest one-quarter of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Northeast corner of the South one-half of the Northwest one-quarter of said Section 16; thence West along the North line of said South one-half of the Northwest one-quarter 40.00 chains to the Northwest corner of said South one-half of the Northwest one-quarter; thence South along the West line of said Section 16; a distance of 16.71 chains to a point 3.29 chains North of the West one-quarter corner of said section; thence East parallel with the South line of the Northwest one-quarter of said Section 16, a distance of 30.50 chains to a basalt stone marked "X" on top, the same being an angle corner of Tract No. 3 as recorded in Circuit Court Journal 22, page 155, et seq., records of said County of Clackamas; thence North 9.50 chains to a basalt stone marked "X" on top, the same being the Northwest corner of said Tract No. 3; thence East along the Northerly boundary of said Tract No. 3; a distance of 9.50 chains to a stone marked "X" on top, set in the center line of county road, the same being a re-entrant corner of said Tract No. 3; thence North along said center line of road 7.21 chains to the point of beginning.

EXCEPTING THEREFROM that portion lying within SANDELIE ESTATES NO. 3, a duly recorded plat in Clackamas County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed to F. J. Hoesly, et ux, by Warranty Deed Recorded August 5, 1968 as Recorder's Fee No. 68-016111 and described as follows:

Beginning at a point South 0°12' West, 1286.90 feet and North 89°48' West, 30 feet from a 1 1/4 inch iron pipe which is at the North one-quarter corner of Section 16, Township 3 South, Range 1 East, of the Willamette Meridian; said true point of beginning being the Southeast corner of SANDELIE ESTATES NO. 2; thence South 0°12' West 100 feet; thence North 89°48' West 200 feet; thence North 0°12' East 100 feet; thence South 89°48' East 200 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion lying within public roads.

PARCEL VII:

That portion of the Southeast one-quarter of the Northwest one-quarter of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, described as follows:

Beginning at a basalt rock marked "X" on top set in the center of county road at a point 3.29 chains North of the center of said Section 16; thence West parallel with the South line of the Southeast one-quarter of the Northwest one-quarter of said Section, 9.50 chains to a basalt rock marked "X" on top, thence North 9.50 chains to a basalt rock marked "X" on top; thence East 9.50 chains to a basalt rock marked "X" on top in the center of said county road; thence South along the center of said county road 9.50 chains to the point of beginning.

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EXCEPTING THEREFROM PARCELS A, B AND C AS FOLLOWS:

PARCEL A

Starting at the North quarter corner of Section 16, Township 3 South, Range 1 East, thence South 0°12' West 1386.90 feet, thence South 89°48' West 30.0 feet, thence South 0°12' West 800.0 feet which is the initial property point, thence South 0°12' West 92.0 feet, thence North 89°48' West 160.0 feet, thence North 0°12' East 92.0 feet, thence South 89°48' East 160.0 feet to the initial point.

PARCEL B

Starting at the North quarter corner of Section 16, Township 3 South, Range 1 East, thence South 0°12' East 1386.90 feet, thence South 89°48' West 30.0 feet, thence South 0°12' West 892.0 feet which is the initial property point, thence South 0°12' West 92.0 feet, thence North 89°48' West 160.0 feet, thence North 0°12' East 92.0 feet, thence South 89°48' East 160 feet to the initial point.

PARCEL C

Starting at the North quarter corner of Section 16, Township 3 South, Range 1 East, thence South 0°12' West 1386.90 feet, thence South 89°48' West 30.0 feet, thence South 0°12' West 984.0 feet which is the property initial point, thence South 0°12' West 91.7 feet, thence North 89°48' West 160.0 feet, thence North 0°12' East 91.7 feet, thence South 89°48' East 160.0 feet to the initial property point.

EXCEPTING THEREFROM that portion lying within SANDELIE ESTATES NO. 3, a duly recorded plat in Clackamas County, Oregon.

ALSO EXCEPTING THEREFROM that portion lying within Lots 8 and 9, SANDELIE ESTATES NO. 4, a duly recorded plat in Clackamas County, Oregon.

ALSO EXCEPTING THEREFROM that portion lying within public roads.

PARCEL VIII:

Part of the South one-half of the Northwest one-quarter of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, and part of Tracts 7 and 8 of THO'S BUCKMAN TRACTS, as recorded in Plat Book 5, at page 16, Plat Records, described as follows:

Beginning at the one-quarter section corner on the West line of said Section 16; thence North 3.29 chains; thence East parallel with the one-quarter section line, 40.00 chains to a stone marked "X" on top set on the North and South one-quarter section line of said Section 16; thence South on said one-quarter section line 3.29 chains, more or less, to the center of said section 16; thence continue South on the one-quarter section line, 4.21 chains, more or less, to the Northeast corner of a tract of land conveyed to R.C. Scoffern, by Deed recorded in Book 166, Page 146, Deed Records; thence West along the North line of said Scoffern Tract 40.00 chains, more or less, to the West line of said Section; thence North along the West line of said Section 4.21 chains, more or less, to the place of beginning.

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EXCEPTING THEREFROM the East ten acres thereof, as described in Contract of Sale, recorded September 9, 1968 as Recorder's Fee No. 68-018659.

PARCEL IX:

Part of the South one-half of the Northwest one-quarter and part of the North one-half of the Southwest one-quarter of Section 16, Township 3 South, Range 1 East, of the Willamette Meridian, being a part of Tracts 7 and 8, THO'S BUCKMAN TRACTS, a plat of record in Plat Book 5, Page 16, in the County of Clackamas and State of Oregon, being that property described in Deed recorded November 30, 1971 as Recorder's Fee No. 71-033741 and being more particularly described as follows:

Beginning at the one-quarter Section corner on the West line of said Section 16, thence North 3.29 chains; thence East parallel with the one-quarter Section line, 1760 feet to the true point of beginning; thence continuing East 246.49 feet to a point; thence South 16°46' West 516.98 feet to a point; thence West parallel to the one-quarter Section line 97.30 feet to a point; thence North 495 feet to the true point of beginning.

PARCEL X:

Part of the North one-half of the Southwest one-quarter of Section 16, Township 3 South, Range 1 East, of the Willamette Meridian, being a part of Tracts 6, 7 and 8, THO'S BUCKMAN TRACTS, a plat of record in Plat Book 5, Page 16, in the County of Clackamas and State of Oregon, being described as follows:

Beginning at a point on the Section line 11.71 chains South of the one-quarter section corner on the West side of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon; thence North on the Section line 7.50 chains; thence East 40.00 chains to the one-quarter Section line; thence South 7.50 chains; thence West 40.00 chains to the point of beginning.

EXCEPTING THEREFROM the Easterly 782.70 feet as determined by an iron rod set in the Northerly fence line of said tract.

PARCEL XI:

Part of the Southwest one-quarter of Section 16, Township 3 South, Range 1 East, of the Willamette Meridian, being a part of Tracts 6 and 8, THO'S BUCKMAN TRACTS, a plat of record in Plat Book 5, Page 16, in the County of Clackmas and State of Oregon, being described as follows:

Beginning at the Southwest corner of said Lot 8 on the West line of said Section 16, being 21.50 chains South of the one-quarter corner on said West line; thence North 9.79 chains along said West line to the Southwest corner of the tract described in Deed to Alvin Miska, et ux, recorded July 31, 1944, in Deed Book 329, Page 237, Deed Records; thence East 40.00 chains along the South line of said Miska tract to the East line of said Southwest one-quarter; thence South 6.04 chains to the Northeast corner of the tract in Deed to George E. Fell, et ux, recorded June 14, 1951, in Deed Book 445, Page 403, Deed Records; thence West 25.95 chains along the North

line of said Fell tract to the West line of said Lot 6; thence North along the West line of Lot 6, 0.40 chains to the Southeast line of said Lot 8; thence along the Southeasterly and South line of said Lot 8 the following courses and distances: South 55° West 1.80 chains; South 68°50' West 7.50 chains; and West 5.85 chains to the point of beginning.

EXCEPTING THEREFROM that portion lying within public roads.

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**EXHIBIT B**

**Fritz Property**

PARCEL I:

All of the East one-half of the North one-half of the Northwest one-quarter of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM the Northerly 330 feet.

ALSO EXCEPTING THEREFROM that portion lying within the plat of SANDELIE ESTATES NO. 2.

ALSO EXCEPTING THEREFROM that portion conveyed to F. J. Hoesly, et ux, by Warranty Deed recorded August 5, 1968 as Recorder's Fee No. 68 16111 and described as follows:

Beginning at a point South 0° 12' West, 1286.90 feet and North 89° 48' West, 30 feet from a 1/4 inch iron pipe which is at the North one-quarter corner of Section 16, Township 3 South, Range 1 East, Willamette Meridian; said true point of beginning being the Southeast corner of SANDELIE ESTATES NO. 2; thence South 0° 12' West 100 feet; thence North 89° 48' West 200 feet; thence North 0° 12' East 100 feet; thence South 89° 48' East 200 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion lying within public roads.

PARCEL II:

The Northerly 330 feet of the East one-half of the North one-half of the Northwest one quarter of Section 16, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM that portion lying within the plat of SANDELIE ESTATES NO. 1.

ALSO EXCEPTING THEREFROM that portion lying within public roads.

EXHIBIT C  
Water Right Certificate 50575

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** SANDELIE GOLF CLUB, INC.

of 28333 SW Mountain Road, West Linn, State of Oregon 97068, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of two wells

a tributary of Willamette River for the purpose of irrigation of 51.5 acres

under Permit No. G-6433 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 25, 1975 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.64 cubic foot per second, being 0.32 cfs from each well

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the SW 1/4 NW 1/4, NE 1/4 SW 1/4, Section 16, T3S, R1E, WM; Well 1 - 2,050 feet South and 1,560 feet West, Well 2 - 3,780 feet South and 360 feet West, both from N 1/4 Corner, Section 16

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eighth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 11.8 acres NE 1/4 NW 1/4
  - 12.4 acres SW 1/4 NW 1/4
  - 15.5 acres SE 1/4 NW 1/4
  - 7.6 acres NE 1/4 SW 1/4
  - 4.2 acres NW 1/4 SW 1/4
- Section 16  
Township 3 South, Range 1 East, WM

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date February 12, 1982

*James E. Sexton*  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44, page 50575

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

WELL I.D.# L03011

WATER RESOURCES DEPT. START CARD # 104239 SALEM, OREGON

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

(1) OWNER: Sandelie Golf Course, Well Number, Name, Address, City, State, Zip

(2) TYPE OF WORK: Deepening, Alteration, 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, Depth of Completed Well 278 ft., Explosives used

Table with columns: Diameter, From, To, Material, From, To, Sacks or pounds. Includes SEAL section.

How was seal placed: Method A, B, C, D, E. Backfill placed from, Gravel placed from

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Material, Casing, Liner

(8) WELL TESTS: Minimum testing time is 1 hour. Pump, Bailer, Air, Flowing Artesian. Yield gal/min, Drawdown, Drill stem at, Time

Temperature of water, Depth Artesian Flow Found, Was a water analysis done?, Did any strata contain water not suitable for intended use?, Depth of strata

(9) LOCATION OF WELL by legal description: County Clackamas, Township 3S, Range 1E, Section 16, NE 1/4 NW 1/4, Tax Lot 100, Block, Subdivision, Street Address of Well (or nearest address) Same as Mailing

(10) STATIC WATER LEVEL: 110 ft. below land surface, Date 8/15/97, Artesian pressure lb. per square inch., Date

(11) WATER BEARING ZONES: Depth at which water was first found 190

Table with columns: From, To, Estimated Flow Rate, SWL. Data rows: 190-225 (25), 225-232 (60), 232-252 (70)

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. Data rows: Bkn gray orn cong (181-255), Bkn gray orn brd (255-278), red cong (278)

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Date started 8/11/97, Completed 8/15/97, (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.

Signed [Signature], WWC Number 723, Date 9/4/97

(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.

Signed [Signature], WWC Number 723, Date 9/4/97

14377-

NOTICE TO WATER WELL CONTRACTOR  
The original and first copy  
of this report are to be  
filed with the  
DATE ENGINEER, SALEM, OREGON 97310  
within 30 days from the date  
of well completion.

Well # 203011

**WATER WELL REPORT**

STATE OF OREGON  
(Please type or print)

State Well No. 3/1-16

State Permit No.

**(1) OWNER:**

Name W. A. Nelson  
Address 1111 Pine St  
Portland, Oregon

**(2) LOCATION OF WELL:**

County Washington Driller's well number \_\_\_\_\_  
Section 16 T. 35 R. 1E W.M.  
Bearing and distance from section or subdivision corner

**(11) WELL TESTS:**

Drawdown is amount water level is lowered below static level

Was a pump test made?  Yes  No If yes, by whom?  
Yield: gal./min. with ft. drawdown after hr  
" " " " " "  
" " " " " "  
" " " " " "  
Ballor test 37 gal./min. with 0 ft. drawdown after 2 1/2 hr:  
Artesian flow g.p.m. Date  
Temperature of water 57 Was a chemical analysis made?  Yes  No

**(12) WELL LOG:**

Diameter of well below casing

Depth drilled 235 ft. Depth of completed well 235 ft.  
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation

MATERIAL	FROM	TO
Soil	1	6
Sand rock	6	6.5
Blue "	6.5	7.5
Brown "	7.5	11.5
Blue "	11.5	11.7
Brown "	11.7	12.1
Hard sand rock	12.1	16.6
Brown "	16.6	19.5
Shy rock	19.5	22.5
Blue "	22.5	23.5
Red "	23.5	23.5

**(3) TYPE OF WORK (check):**

New Well  Deepening  Reconditioning  Abandon   
Abandonment, describe material and procedure in Item 12.

**(4) PROPOSED USE (check):**

Domestic  Industrial  Municipal   
Irrigation  Test Well  Other

**(5) TYPE OF WELL:**

Rotary  Driven   
Cable  Jetted   
Dug  Bored

**(6) CASING INSTALLED:**

Threaded  Welded   
3" Diam. from 0 ft. to 70 ft. Gage 250  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_  
" Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Gage \_\_\_\_\_

**(7) PERFORATIONS:**

Perforated?  Yes  No

Type of perforator used \_\_\_\_\_  
Number of perforations \_\_\_\_\_ in. by \_\_\_\_\_ in.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(8) SCREENS:**

Well screen installed?  Yes  No

Manufacturer's Name \_\_\_\_\_ Model No. \_\_\_\_\_  
\_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
\_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

**(9) CONSTRUCTION:**

Well seal—Material used in seal Reddilling clay  
Depth of seal 20 ft. Was a packer used? no  
Diameter of well bore to bottom of seal 11 in.  
Were any loose strata cemented off?  Yes  No Depth \_\_\_\_\_  
Was a drive shoe used?  Yes  No  
Was well gravel packed?  Yes  No Size of gravel: \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Do any strata contain unusable water?  Yes  No  
Depth of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
Method of sealing strata off \_\_\_\_\_

**(10) WATER LEVELS:**

Water level 110 ft. below land surface Date 5-3-66  
Static pressure \_\_\_\_\_ lbs. per square inch Date \_\_\_\_\_

RECEIVED  
JAN 4 1966  
OWRD

Work started 4-8 1966. Completed 5-3 1966  
Date well drilling machine moved off of well \_\_\_\_\_ 1966

**(13) PUMP:**

Manufacturer's Name \_\_\_\_\_  
Type: \_\_\_\_\_ H.P. \_\_\_\_\_

**Water Well Contractor's Certification:**

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME E. M. Gregory Drilling Co.

(Person, firm, or corporation)  
Address 6421 S. W. GARDEN HOME ROAD  
PORTLAND, OREGON 97212

Drilling Machine Operator's License No. 217

[Signed] E. M. Gregory  
(Water Well Contractor)

Contractor's License No. 99 Date May 3, 1966

SEE ADDITIONAL SHEETS IF NECESSARY

14377-







**CLAC 9317**

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35/1E-16bd

WELL I.D. # L \_\_\_\_\_

**(1) LAND OWNER** Well Number \_\_\_\_\_  
 Name Bill Kaiser  
 Address Rt 1 Box 567-I  
 City West Linn State OR Zip \_\_\_\_\_

**(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 \_\_\_\_\_ ft.  
 Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds	

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:					<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"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<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:**

Perforations		Screens	
Method	Material	Type	Material

From	To	Slot size	Number	Diameter	Tele/plpe 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**

Yield gal/min	Drawdown	Drill stem at	Time 1 hr.

Temperature of water \_\_\_\_\_ 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 \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township \_\_\_\_\_ N or S Range \_\_\_\_\_ E or W. WM.  
 Section \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4  
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) \_\_\_\_\_

**(10) STATIC WATER LEVEL:**  
 \_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_  
 Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

**(11) WATER BEARING ZONES:**

Depth at which water was first found \_\_\_\_\_

From	To	Estimated Flow Rate	SWL

**(12) WELL LOG:**

Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Hard black basalt	487	499	
Soft brown basalt	499	558	
Medium hard black basalt	558	588	
Hard black basalt	588	597	
Med hard black basalt	597	621	
Casing cemented into rock at 363' to prevent sandy water from entering well from 302'-313'			
<b>RECEIVED</b>			
<b>JAN 4 2004</b>			
<b>OWRD</b>			

Date started \_\_\_\_\_ Completed 7/18/1969

**SOURCE OF DATA/INFO**  
Transcribed from back of original log.

**COMPILED BY:** Karl C. Wozniak

**DATE:** 10-10-2005



