

T-10468

T-10468

HISTORIC

RA

Does not qualify for
Historic because it
is a business ^{organization}, not an
individual

Name Sah-Hah-Lee Golf Course

Address 17104 SE 130th Ave
Clackamas, OR 97015
503 655-9249

Change in Historic P&D
Date Filed 10-3-2007
Initial notice date 10-10-2007
DPD issued date _____
PD issued date 11/28/08
PD notice date 2/5/08
Date of FO 3-25-08 Vol 74 Page 436

C-Date 10-1-09
COBU due date 10-1-2010
COBU Received date 12/15/2011
Certificate issued DEC 09 2016 91893

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Clackamas River

Trib. of Willamette River

Use IR County Clackamas

Quantity of water (CFS) _____ No. of Acres 39.4

Name of ditch _____

App # S 19824 Per # S 14462 Cert # 14307 PR Date 1940

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>10-3-07</u>	<u>600.00</u>	<u>89985</u>

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

Irrigation District N/A

Agent Pacific Hydro-Geology Inc, 18487 S. Valley Vista Rd Mulino OR 97042

503 632-5016 503 632-5983 Fax

CWRE Greg Kupillas # 432

CC's list Clackamas County Dept. of Transportation & Development, Planning Division

9101 SE Sunnybrook Blvd., Clackamas, OR 97015

RA Contractor: John Borden Consulting

- Oversized map - Location

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

RECEIPT # **89986**

INVOICE # _____

(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: <u>Sah-hah-hee Golf</u>	APPLICATION
BY: <u>Course & Driving Range</u>	PERMIT
CASH: <input type="checkbox"/>	TRANSFER
CHECK:# <input checked="" type="checkbox"/> <u>1362</u>	TOTAL REC'D \$ <u>125.00</u>
OTHER: (IDENTIFY) <input type="checkbox"/>	

1083 TREASURY	4170 WRD MISC CASH ACCT
0407 COPIES <u>PCA - 47119</u>	\$
<u>0408</u> OTHER: (IDENTIFY) <u>Reimbursement Authority</u>	\$ <u>125.00</u>
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____
0245 Cons. Water _____	

4270 WRD OPERATING ACCT	
MISCELLANEOUS	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$
WATER RIGHTS:	
0201 SURFACE WATER	EXAM FEE \$
0203 GROUND WATER	0202 \$
0205 TRANSFER	0204 \$
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$
LANDOWNER'S PERMIT	0219 \$
OTHER (IDENTIFY) _____	0220 \$

**RECEIVED
OVER THE COUNTER**

0536 TREASURY	0437 WELL CONST. START FEE
0211 WELL CONST START FEE	\$
0210 MONITORING WELLS	\$
OTHER (IDENTIFY) _____	CARD # _____
	CARD # _____

0607 TREASURY	0467 HYDRO ACTIVITY	LIC NUMBER
0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY	OTHER / RDX
FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

RECEIPT: **89986** DATED: 10-3-07 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **89985**

INVOICE # _____

RECEIVED FROM: Sah-hah-lee Golf APPLICATION _____
 BY: Course & Driving Range PERMIT _____
 TRANSFER T-10968

CASH: CHECK:# 1361 OTHER: (IDENTIFY) TOTAL REC'D \$6000.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
 OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS PCA-46111

0407 COPY & TAPE FEES \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) \$ _____
 TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
 0240 EXTENSION OF TIME \$ _____

RECEIVED OVER THE COUNTER

EXAM FEE	
\$	0202
\$	0204
\$ <u>6000.00</u>	

RECORD FEE	
\$	
\$	

WATER RIGHTS:

0201 SURFACE WATER \$ _____
 0203 GROUND WATER \$ _____
 0205 TRANSFER \$ 6000.00

EXAM FEE	
\$	0219
\$	0220

LICENSE FEE	
\$	
\$	

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____
 LANDOWNER'S PERMIT \$ _____
 OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
 0210 MONITORING WELLS \$ _____ CARD # _____
 OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
 0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
 HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **89985** DATED: 10-3-07 BY: JSM/IC

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVE
CLACKAMAS OR 97015

confirms the right to use the waters of CLACKAMAS RIVER, tributary to WILLAMETTE RIVER for IRRIGATION of 39.4 ACRES.

This right was perfected under Permit S-14462. The date of priority is JULY 1, 1940. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.25 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	NE SW	52	1540 FEET SOUTH AND 330 FEET EAST FROM RE-ENTRANT CORNER, CAPPS DLC 52

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be limited still further to a total diversion of not to exceed 0.25 cubic foot per second. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	2 E	WM	14	NW NE	52	0.3
2 S	2 E	WM	14	SW NE	52	17.9
2 S	2 E	WM	14	SE NW	52	13.0
2 S	2 E	WM	14	NE SW	52	5.0
2 S	2 E	WM	14	NW SE	52	3.2

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	SW NE	52	NONE GIVEN

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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


The water user shall maintain and operate an in-line flow meter, weir or other suitable device for measuring and recording the quantity of water diverted as required by the Department.

The water user shall maintain and operate a fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINT OF DIVERSION AND RE-DESCRIPTION OF PLACE OF USE approved by an order of the Water Resources Director entered MARCH 25, 2008, at Special Order Volume 74, Page 436, approving Transfer Application 10468, and supercedes Certificate 14307, State record of Water Right Certificates.

Issued DEC 09 2016


Dwight French
Water Right Services Division Administrator, for
Thomas M. Byley, Director
Oregon Water Resources Department



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

Date Mailed: December 9, 2016

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Transfer Certificate

Application: T-10468

Certificate: 91893

Certificate/Transfer Holder: (include copy of map)

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVE
CLACKAMAS OR 97015 ✓

Copies of final Certificate to be sent to:

1. Watermaster #20 (Include map) ✓
2. ~~Data Center~~
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map)

1. GREGORY E. KUPILLAS, CWRE ✓

Record Marking(s):

1. Original Application# S-18824
2. Old Certificate# 14307 ✓

Copies Mailed
By: <i>Connie Vance</i> (SUPPORT STAFF)
on: DEC 09 2016 (DATE)

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVE
CLACKAMAS OR 97015

confirms the right to use the waters of CLACKAMAS RIVER, tributary to WILLAMETTE RIVER for IRRIGATION of 39.4 ACRES.

This right was perfected under Permit S-14462. The date of priority is JULY 1, 1940. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.25 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	NE SW	52	1540 FEET SOUTH AND 330 FEET EAST FROM RE-ENTRANT CORNER, CAPPS DLC 52

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be limited still further to a total diversion of not to exceed 0.25 cubic foot per second. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	2 E	WM	14	NW NE	52	0.3
2 S	2 E	WM	14	SW NE	52	17.9
2 S	2 E	WM	14	SE NW	52	13.0
2 S	2 E	WM	14	NE SW	52	5.0
2 S	2 E	WM	14	NW SE	52	3.2

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	SW NE	52	NONE GIVEN

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

The water user shall maintain and operate an in-line flow meter, weir or other suitable device for measuring and recording the quantity of water diverted as required by the Department.

The water user shall maintain and operate a fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINT OF DIVERSION AND RE-DESCRIPTION OF PLACE OF USE approved by an order of the Water Resources Director entered MARCH 25, 2008, at Special Order Volume 74, Page 436, approving Transfer Application 10468, and supercedes Certificate 14307, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing List for Transfer Certificate

Application: T-10468

Certificate:

Certificate/Transfer Holder: (include copy of map)

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVE
CLACKAMAS OR 97015 ✓

Copies Mailed
By: <i>MG</i> (SUPPORT STAFF)
on: JUL 26 2013 (DATE)

Copies of final Certificate to be sent to:

1. Watermaster #20 (Include map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map))

GREGORY E. KUPILLAS, CWRE ✓

Record Marking(s):

1. Original Application# S-18824
2. Old Certificate# 14307



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

DATE MAILED: JUL 26 2013

NOTICE

Reference: Transfer Application 10468

Enclosed is a **REVISED** proposed certificate of water right and map. The proposed certificate represents the extent water was used within the terms of an order approving the transfer based upon a Claim of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous transfer holder submitted.

The proposed certificate has been revised to carry forward the original language from the transfer final order regarding fish screening and/or by-pass.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you do not agree with the proposed certificate, Oregon Administrative Rule 690-380-6040 allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the transfer assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

If you agree with the proposed certificate and map no response to this notice is required. Sometime after the 60 day period, a recommendation will be made to the Director to issue a certificate, and if the Director signs the certificate, the recorded certificate of water right will be mailed to you.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French

Water Right Services Division Administrator for
Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF CLACKAMAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SAH-HAH-LEE GOLF COURSE
 17104 SE 130TH AVE
 CLACKAMAS OR 97015

confirms the right to use the waters of CLACKAMAS RIVER, tributary to WILLAMETTE RIVER for IRRIGATION of 39.4 ACRES.

This right was perfected under Permit S-14462. The date of priority is JULY 1, 1940. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.25 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	NE SW	52	1540 FEET SOUTH AND 330 FEET EAST FROM RE-ENTRANT CORNER, CAPPS DLC 52

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be limited still further to a total diversion of not to exceed 0.25 cubic foot per second. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	2 E	WM	14	NW NE	52	0.3
2 S	2 E	WM	14	SW NE	52	17.9
2 S	2 E	WM	14	SE NW	52	13.0
2 S	2 E	WM	14	NE SW	52	5.0
2 S	2 E	WM	14	NW SE	52	3.2

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	SW NE	52	NONE GIVEN

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

The water user shall maintain and operate an in-line flow meter, weir or other suitable device for measuring and recording the quantity of water diverted as required by the Department.

The water user shall maintain and operate a fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINT OF DIVERSION AND RE-DESCRIPTION OF PLACE OF USE approved by an order of the Water Resources Director entered MARCH 25, 2008, at Special Order Volume 74, Page 436, approving Transfer Application 10468, and supercedes Certificate 14307, State record of Water Right Certificates.

Issued _____

PROPOSED

Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

DATE MAILED:

JUN 19 2013

NOTICE

Reference: Transfer Application 10468

Enclosed is a proposed certificate of water right and map. The proposed certificate represents the extent water was used within the terms of an order approving the transfer based upon a Claim of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous transfer holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you do not agree with the proposed certificate, Oregon Administrative Rule 690-380-6040 allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the transfer assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

If you agree with the proposed certificate and map no response to this notice is required. Sometime after the 60 day period, a recommendation will be made to the Director to issue a certificate, and if the Director signs the certificate, the recorded certificate of water right will be mailed to you.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French
Water Right Services Division Administrator for
Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF CLACKAMAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SAH-HAH-LEE GOLF COURSE
 17104 SE 130TH AVE
 CLACKAMAS OR 97015

confirms the right to use the waters of CLACKAMAS RIVER, tributary to WILLAMETTE RIVER for IRRIGATION of 39.4 ACRES.

This right was perfected under Permit S-14462. The date of priority is JULY 1, 1940. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.25 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	NE SW	52	1540 FEET SOUTH AND 330 FEET EAST FROM RE-ENTRANT CORNER, CAPPS DLC 52

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be limited still further to a total diversion of not to exceed 0.25 cubic foot per second. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	2 E	WM	14	NW NE	52	0.3
2 S	2 E	WM	14	SW NE	52	17.9
2 S	2 E	WM	14	SE NW	52	13.0
2 S	2 E	WM	14	NE SW	52	5.0
2 S	2 E	WM	14	NW SE	52	3.2

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	2 E	WM	14	SW NE	52	NONE GIVEN

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

The water user shall maintain and operate an in-line flow meter, weir or other suitable device for measuring and recording the quantity of water diverted as required by the Department.

The water user may be required in the future to install, maintain and operate a fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINT OF DIVERSION AND RE-DESCRIPTION OF PLACE OF USE approved by an order of the Water Resources Director entered MARCH 25, 2008, at Special Order Volume 74, Page 436, approving Transfer Application 10468, and supercedes Certificate 14307, State record of Water Right Certificates.

Issued _____.

PROPOSED

Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director

Mailing List for Transfer Certificate

Application: T-10468

Certificate:

Certificate/Transfer Holder: (include copy of map)

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVE
CLACKAMAS OR 97015 ✓

Copies Mailed

By: MG
(SUPPORT STAFF)

on: 6.19.13
(DATE)

Copies of final Certificate to be sent to:

1. Watermaster #20 (Include map) ✓
2. Data Center
3. Water Availability
4. Vault
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map)

GREGORY E. KUPILLAS, CWRE ✓

Record Marking(s) :

1. Original Application# S-18824
2. Old Certificate# 14307

Gerry Clark

From: Greg Kupillas <phggek@bctonline.com>
Sent: Monday, June 24, 2013 2:37 PM
To: 'Gerry Clark'; 'Doann Hamilton'
Subject: RE: PFO Cert For Sah-hah-lee Golf Course Permit S-14462

Gerry,

Thanks for the clarification.

Greg

From: Gerry Clark [<mailto:gerald.e.clark@state.or.us>]
Sent: Monday, June 24, 2013 2:29 PM
To: Greg Kupillas; 'Doann Hamilton'
Subject: RE: PFO Cert For Sah-hah-lee Golf Course Permit S-14462

Greg,

You are correct. At the time the transfer application was approved, ODFW determined that whatever device was in place was acceptable.

I probably should have stated that the condition needs to be carried forward, as in the transfer order, so that the acceptable device is maintained to protect fish.

Gerry

From: Greg Kupillas [<mailto:phggek@bctonline.com>]
Sent: Monday, June 24, 2013 2:02 PM
To: 'Doann Hamilton'; 'Gerry Clark'
Subject: RE: PFO Cert For Sah-hah-lee Golf Course Permit S-14462

Gerry,

For clarification, I think what you are saying is that the ODFW has determined that the intake at the new point of diversion, which consists of a perforated pipe buried several feet below the stream bed, serves an approved fish screen and by-pass device. Therefore, the language that you are proposing will serve to ensure that if the intake is changed in the future, it will still have to have an approved fish screen and/or bypass device. Is that correct?

Greg

From: Doann Hamilton [<mailto:phgdmh@gmail.com>]
Sent: Monday, June 24, 2013 1:14 PM
To: Gerry Clark
Cc: Greg Kupillas
Subject: Re: PFO Cert For Sah-hah-lee Golf Course Permit S-14462

Thank you Gerry for looking into this.

Doann

On Mon, Jun 24, 2013 at 1:12 PM, Gerry Clark <gerald.e.clark@state.or.us> wrote:

Doann,

In researching this proposed certificate, it would appear that the condition that we included on the proposed certificate is incorrect. In order to be consistent with the transfer final order the condition related to fish screen should have been:

“The water user shall maintain and operate a fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife’s operational and maintenance standards.”

This condition should have been carried forward into the proposed certificate. The only way that the condition could be removed is if ODFW makes a determination that the screen and/or by-pass device is not required. The placement of the condition on the certificate ensures that any future alterations to the structure will include devices to protect fish.

We will be mailing a revised proposed certificate with the correct fish screening condition language.

Gerry

Gerry Clark

Water Right Services Division

Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301

Phone: [503-986-0811](tel:503-986-0811)

From: Doann Hamilton [<mailto:phqdmh@gmail.com>]

Sent: Monday, June 24, 2013 12:03 PM

To: Gerry Clark

Subject: PFO Cert For Sah-hah-lee Golf Course Permit S-14462

Hi Gerry

First - I am not sure if you are again who I am to direct this question to but I have a question on the wording of the PFO for Sah-hah-lee Golf Course Permit S-14462:

This goes back to the fish-screen standard:

"The water user may be required in the future to install, maintain and operate a fish screen and/or by-pass devise, as appropriate, at the point of diversion consistent with Oregon department of Fish and Wildlife's operation and maintenance standards."

We have stated in the COBU: " that this condition was not applicable to the system because a pump is not used within the river. instead water is withdrawn through a perforated pipe which is buried in the gravels beneath the stream bed and then conveyed to a sump located on land near the river bank."

So we are wondering if the statement even needs to be in the Certificate.

Thank you

Doann Hamilton

Pacific Hydro-Geology, Inc.

503-349-6946



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

March 26, 2008

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

Reference: Transfer 10468

Enclosed is a copy of the order approving your water right transfer application.

A time to complete the transfer is given the order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in use or change in place of use **NOT** carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the date you completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #20
Greg Kupillas, CWRE

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A
T-10468, Clackamas County)	CHANGE IN POINT OF DIVERSION
)	AND A RE-DESCRIPTION OF PLACE
)	OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

Findings of Fact

Background

1. On October 3, 2007, Sah-Hah-Lee Golf Course filed an application to change the point of diversion to reflect historical use, and to re-describe the place of use under Certificate 14307. The Department assigned the application number T-10468.
2. On October 26, 2007, Sah-Hah-Lee Golf Course amended the application to clarify that the "historic point of diversion" should be processed as a proposed point of diversion under OAR 690-380 rules.
3. The right to be transferred is as follows:

Certificate: 14307 in the name of FRANK HABERLACH; ESTATE (perfected under Permit S-14462)

Source: CLACKAMAS RIVER, tributary to WILLAMETTE RIVER

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

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	SW NE	52	None specified in Certificate 14307

Authorized Place of Use:

IRRIGATION (As listed on the Certificate)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	2 E	WM	14	SW NE	52	15.3
2 S	2 E	WM	14	SE NW	52	7.6
2 S	2 E	WM	14	NE SW	52	10.5
2 S	2 E	WM	14	NW SE	52	6.0

4. Certificate 14307 describes the authorized place of use as 39.4 acres in the SW NE, SE NW, NE SW, AND NW SE quarter-quarter sections of Section 14, Township 2 SOUTH, Range 2 EAST, WILLAMETTE Meridian, CLACKAMAS County, Oregon.
- Upon examination of the Final Proof Survey performed on May 26, 1941, under Permit S-14462, Department staff observed that there had been a mapping error, being that the re-entrant corner for Capps DLC 52 had been located farther north than it should have been. This caused the place of use to appear to be too far south in relation to the Public Land Survey quarter-quarter divisions. This transfer provides an opportunity to make corrections based upon the Department's notes on the Survey.
 - The following table lists the place of use as described in existing certificate 14307 and a proposed re-description based on the above findings:

Original Description of Place of Use		Proposed Re-Description of Place of Use	
¼-¼	Acres	¼-¼	Acres
		NW NE	0.5
SW NE	15.3	SW NE	18.5
SE NW	7.6	SE NW	13.0
NE SW	10.5	NE SW	5.0
NW SE	6.0	NW SE	2.4
TOTAL	39.4	TOTAL	39.4

5. Application T-10468 proposes to move the authorized point of diversion approximately 0.5 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	NE SW	52	1540 FEET SOUTH AND 330 FEET EAST FROM THE RE-ENTRANT CORNER OF CAPPS DLC 52

6. Notice of the application for transfer was published on October 9, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On December 26, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10296 to the applicant. The draft Preliminary Determination set forth a deadline of January 31, 2007, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On January 28, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10468 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on February 5, 2008, and in the Clackamas Review/Oregon City News newspaper on February 6, 13 and 20, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted, and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device that meets current state criteria for fish protection.

Transfer Review Criteria [OAR 690-380-4010(2)]

10. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10468.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Conclusions of Law

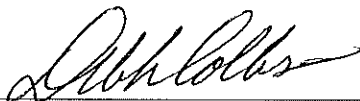
The change in point of diversion proposed in application T-10468 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of diversion proposed in application T-10468 is approved.
2. Water right certificate 14307 is cancelled.

3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 14307 and any related decree.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
6. The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.
7. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued, consistent with the redescription of the place of use in Finding of Fact #4.

Dated at Salem, Oregon this 25th day of March 2008.



Phillip C. Ward, Director

PW

Mailing date: MAR 28 2008

MEMO

TO: FILE T-10468

FROM: JWG

DATE: 5-10, 2013

RE: DETERMINATION OF PROOF

I've determined that a PROPOSED FINAL certificate should be prepared and mailed to the permit holder consistent with:

Permit Transfer

FPS COBU

As described in the permit/transfer but as clarified by the FPS COBU

As described in the PERMIT/TRANSFER and FPS or COBU but as further specified below:

Conflict? No Yes: _____

stamped PROPOSED or assign Cert # _____

Draft certificate(s) are available in the transfer directory.

Water Organization identified using area of interest tool? No Yes, cc: _____

Check ownership; and if there is a new owner, add them to the mailing list.

Prepare a mailing list.

Record marking: App _____ Cert _____

NOTES: Rewording of fish screen condition from required to
may. JWJ

This map was prepared for assessment purpose only.

NE 1/4 SEC. 14 T.2S. R.2E. W.M.

CLACKAMAS COUNTY

D.L.C.
ISAAC CAPPS NO. 52

2 2E 14A

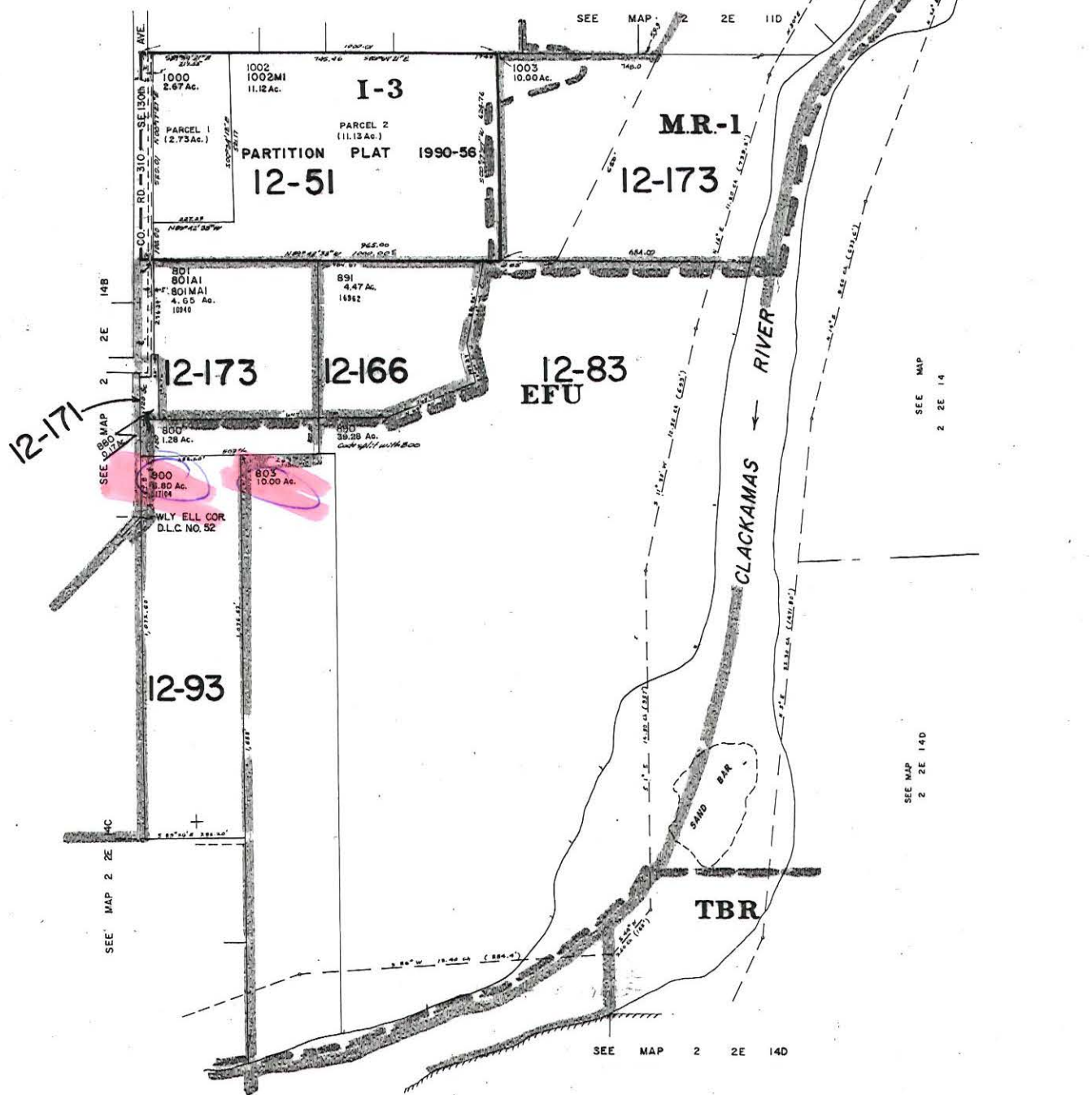
13000

13400

14000

CANCELLED

- 100
- 200
- 300
- 400
- 500
- 600
- 700
- 800 W
- 900 W
- 1000
- 1080
- 1090



17100

SEE MAP
2 2E 14

SEE MAP
2 2E 14D

17700

F.H.D.

2 2E 14A
BOOK 17

SEE MAP 2 2E 14D

G.M. 1-7-83



T-10468



OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

APPLICANT

Name: Sah-Hah-Lee Golf Course
Address: 17104 SE 130th Ave. Phone 503-655-9249
Clackamas, OR 97015
Application Number: S-18824 Permit Number: S-14462 (Permit S-40267
Water Right Amount (cfs) .25 (T-10468) for 0.1 cfs is also
at this POD)

DIVERSION

Stream: Clackamas River Tributary to: Willamette River

Address (if different than applicants): N/A

Diversion Type: pump Location: T 2S, R 2E, Sec. 14

GPS Coordinates: 45.39407, -122.52900 SATS: _____

PUMP INFORMATION

Brand: Berkley Horsepower: 40+10 Intake Size: 3"+2"

SCREEN INFORMATION

Type: Passive Installed by: Bud Lisac Date Installed: 12-18-07
(owner)

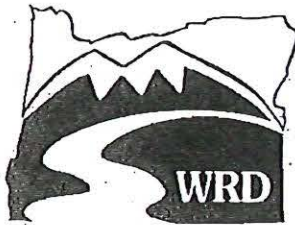
Date of Inspection: 12-18-07 Inspected by: Bob Hair + Danette Eulers Agency: ODFW

Comments: 3/32" perforated plate on a 7" x 12" box (one on each intake); 2 pumps can be used individually or together

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.

Completion Checklist for CWRE Claims of Beneficial Use

Application # T-10468



Date Received 12/15/2011
CWRE Name Greg Kupillas Claim Logged yes
File Marked yes
Oversized Map # _____
Read the file and attach a copy of the permit or transfer final order. _____

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- Tax lot information (OAR 690-014)
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Point of diversion/appropriation location (OAR 690-014-0100)
- Use, period of use, and rate for use (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits
 - Initial water level measurements
 - Annual static water level measurements
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water)
 - Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
N/A = Not Applicable

Certificate Issuance Processing Checklist

- Map and COBU reviewed
- Conflict check (include copy of plat card printout) Any Conflicts? _____
- Check for ownership

Staff Recommendations:

- Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
- Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
- Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

Yes

If "Yes":

Proposed
 Final

Certificate # _____

Mailing list:

Proposed:

Final:

CLAIM OF BENEFICIAL USE

for Permits claiming more than 0.1 cfs and All Transfers



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

**A fee of \$150 must accompany this form to be accepted for permits
with a priority date of July 9, 1987, or later. (ORS 536.050(1))**

SECTION 1 GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S OR T) T-10468	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
--	--------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Sah-Hah-Lee Golf Course		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 17104 SE 130th Avenue			
CITY Clackamas	STATE OR	ZIP 97015	E-MAIL

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by the permit or transfer holder of record.**

3. Is the Property Owner the permit or transfer holder of record? YES

If "YES" the remainder of this item may be deleted.

Are there additional permit or transfer holders of record? NO

If "NO" the following box may be deleted.

4. Date of Site Inspection: **November 2, 2011**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Bud Lisac	November 2, 2011	Co-Owner

6. County: **Clackamas**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

**Mark "NA" if there are no owners of property not included in this claim

RECEIVED
DEC 15 2011
WATER RESOURCES DEP
SALEM, OREGON

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Are there additional Owners of Record?

NO

If "NO" the following box may be deleted.

**SECTION 2
SYSTEM DESCRIPTION**

RECEIVED

DEC 15 2011

**WATER RESOURCES DEPT
SALEM, OREGON**

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Point of Diversion	NA	NA

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Point of Diversion	Clackamas River	Willamette River

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
Point of Diversion	Irrigation	Golf Course	March 1 through October 31	0.25
Total Quantity of Water Used				0.25 cfs

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

One hundred forty feet of 24 inch DPS perforated pipe is installed buried several feet below the stream bed of the Clackamas River. The perforated pipe diverts water into a 4 foot diameter, 18 feet deep concrete Rainey collector system located 20 to 30 feet from the river's edge. Water can be pumped from the Rainey collector using one or two centrifugal pumps through a six inch, above ground galvanized pipe which goes underground and connects to a flow meter and continues north where it connects to a 4 inch buried PVC mainline that loops through the golf course and includes one branch that heads west and then 90's to the north covering the driving range. Laterals tee off this circular main line at each hole with paralleling laterals along the fairway of each hole. The piping along these parallel laterals steps down in size to the end and contains a sprinkler head every

63 feet running only 4 sprinklers at a time at 18 gpm each. In the driving range, twelve laterals run east to west stepping down in size with five sprinklers per line spaced 70 feet apart running 5 sprinklers at a time at 10 gpm each.

RECEIVED

DEC 15 2011

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2
SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

NO

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

Point of Diversion

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
2S	2E	W.M.	14	NW NE		52	Irrigation	0.3	
2S	2E	W.M.	14	SW NE		52	Irrigation	17.9	
2S	2E	W.M.	14	SE NW		52	Irrigation	13.0	
2S	2E	W.M.	14	NE SW		52	Irrigation	5.0	
2S	2E	W.M.	14	NW SE		52	Irrigation	3.2	
Total Acres Irrigated								39.4	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkley	B2-1/2ZPLS	P0890	Centrifugal	3 inch	2.5 inch
Berkley	B1-1/2ZPLS	21E89T	Centrifugal	2 inch	1.5 inch

3. Motor Information

MANUFACTURER	HORSEPOWER
US Motor	40
US Motor	10

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
40	80	10 feet	20 feet	1.13
10	80	10 feet	20 feet	0.28

5. Provide pump calculations:

$$Q \text{ Pump (40 Hp)} = \frac{(40 \text{ Hp}) (6.61 \text{ ft}^4/\text{sec HP})}{(30 \text{ ft lift} + 203.2 \text{ ft pressure head})} = 1.13 \text{ cfs}$$

$$Q \text{ Pump (10 Hp)} = \frac{(10 \text{ Hp}) (6.61 \text{ ft}^4/\text{sec HP})}{(30 \text{ ft lift} + 203.2 \text{ ft pressure head})} = 0.28 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Pump not running during site visit			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped? YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
6 inch	200 feet	Galvanized	Above
4 inch	2,200 feet	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2 inch	11,340 feet	PVC	Buried
1.5 inch	9,750 feet	PVC	Buried
1.0 inch	4,500 feet	PVC	Buried

RECEIVED
DEC 15 2011
WATER RESOURCES DEPT
SALEM, OREGON

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Not Available - golf course	80	18	252	4	0.16
Not Available - driving range	80	10	60	5	0.11
Total of 9 at one time			312	9	0.28 total

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

12. Additional notes or comments related to the system:

A perforated pipe is installed in the gravels beneath the streambed of the Clackamas River. This collection pipe diverts water into a Rainey collector system from which the water is then pumped to the place of use.

The pumping system supplies multiple water rights.

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **NO**

If "NO", items 2 through 8 relating to this section may be deleted.

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) **NO**

If "NO", item 2 and 3 relating to this section may be deleted.

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

RECEIVED
DEC 15 2011
 WATER RESOURCES DEPT
 SALEM, OREGON

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Reminder: This section should only be completed if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

**SECTION 3
CONDITIONS**

Please pay special attention to this section. All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	March 25, 2008		
BEGIN CONSTRUCTION (A)	NA	NA	NA
COMPLETE CONSTRUCTION (B)	NA	NA	NA
COMPLETE APPLICATION OF WATER (C)	October 1, 2009	May 2009	Rainey collector system completed, meter installed and water put to use.

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? **NO**

If "NO", you may delete item 3 in this section.

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? **NO**

If "NO", items 4b through 4d relating to this section may be deleted.

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements?

If "NO", items 5b through 5e relating to this section may be deleted.

NO
RECEIVED
DEC 15 2011
WATER RESOURCES DEP
SALEM, OREGON

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? NO

If "NO", items 6b through 6d relating to this section may be deleted.

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? YES

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD	McCrometer	09-08078-06	Working	15,392,600	May 2009

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? NA

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

If "NO", item 8b relating to this section may be deleted.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES

If "NO", items 9b through 9e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? NA (see comment section C 12)

c. When was the fish screening installed?

DATE	BY WHOM
NA	

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? NA
- If not, go to <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.



e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the by-pass device been installed? NA

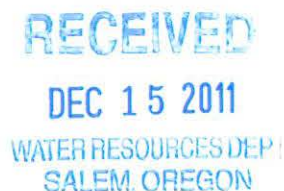
c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (I.E. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
<p>The transfer order includes a finding that the ODFW has determined a fish screen and/or bypass device is necessary, but that the diversion is currently equipped with an appropriate fish screening and/or bypass device that meets current state criteria for fish protection.</p> <p>Furthermore, it appears that this condition is not applicable to the system because a pump is not used within the river. Instead water is withdrawn through a perforated pipe which is buried in the gravels beneath the stream bed and then conveyed to a sump (Rainey Collector) located on land near the river bank.</p>		

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order

- a. Were there special well construction standards? NO
- b. Was submittal of a ground water monitoring plan required? NO



- c. Was the water user required to restore the riparian area if it was disturbed? **NO**
- d. Was a fishway required? **NO**
- e. Was submittal of a letter from an engineer required prior to storage of water? **NO**
- f. Was submittal of a water management and conservation plan required? **NO**
- g. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

None

SECTION 4 VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The footprint of the place of use has changed slightly from that shown on the transfer application map, but the total acreage has remained the same. The acreage changes, by quarter-quarter section, are listed below.

Old place of use was:

2S	2E	W.M. 14	NW NE	DLC 52	0.5
2S	2E	W.M. 14	SW NE	DLC 52	18.5
2S	2E	W.M. 14	SE NW	DLC 52	13.0
2S	2E	W.M. 14	NE SW	DLC 52	5.0
2S	2E	W.M. 14	NW SE	DLC 52	2.4

New place of use is:

2S	2E	W.M. 14	NW NE	DLC 52	0.3
2S	2E	W.M. 14	SW NE	DLC 52	17.9
2S	2E	W.M. 14	SE NW	DLC 52	13.0
2S	2E	W.M. 14	NE SW	DLC 52	5.0
2S	2E	W.M. 14	NW SE	DLC 52	3.2

RECEIVED
DEC 15 2011
WATER RESOURCES DEP.
SALEM, OREGON

**SECTION 5
ATTACHMENTS**

If you are attaching any documents to this report, provide a list:

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial use Map	Claim of Beneficial use Map

**SECTION 6
CLAIM SUMMARY**

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Point of Diversion	0.25 cfs	1.13	NA	Irrigation	39.4	39.4

**SECTION 7
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The COBU map was prepared using tax assessor's maps 2 2E 14A and 2 2E 14C, overlain by a 2009, orthographically corrected aerial photo obtained on line from Oregon State University's Oregon Imagery Explorer Natural Resources Library.

 **Map Checklist**

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

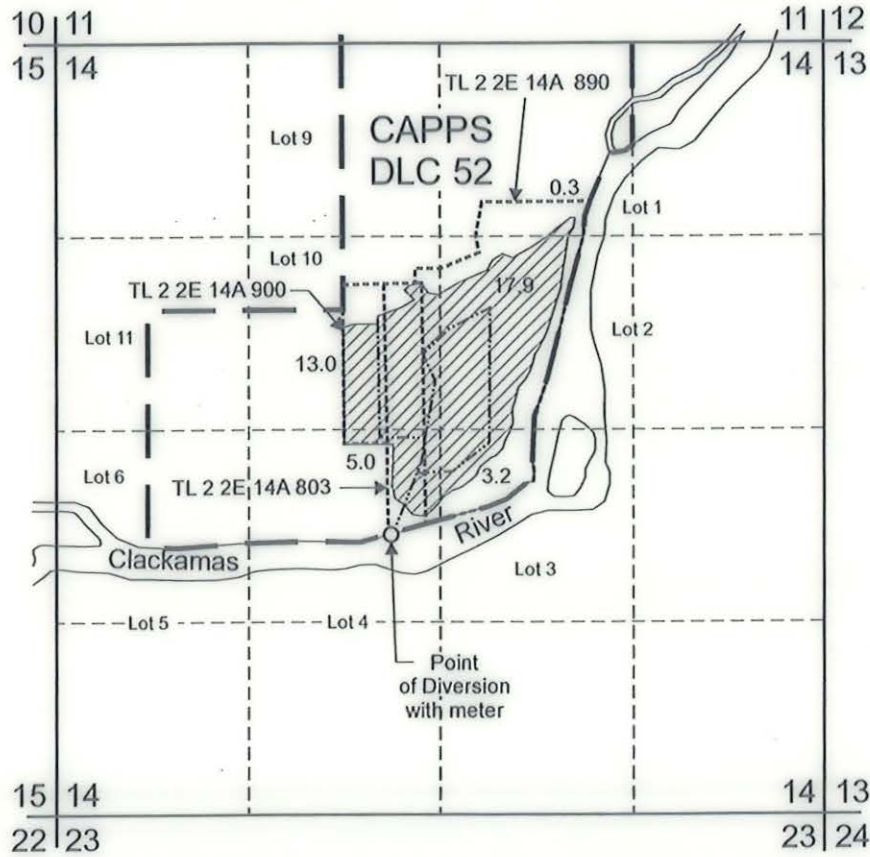
- Map on polyester film.
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots

RECEIVED
DEC 15 2011
WATER RESOURCES DEP
SALEM, OREGON





- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens, fish by-pass devices, meters and measuring devices in relationship to point of diversion or appropriation.
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer (“This map is not intended to provide legal dimensions or locations of property ownership lines”)
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

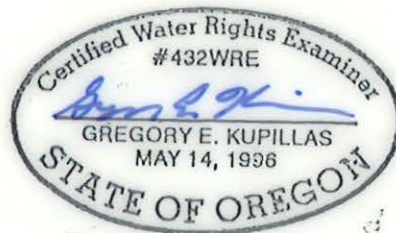
RECEIVED
DEC 15 2011
WATER RESOURCES DEPT
SALEM, OREGON

T.2S. R.2E. Section 14, W.M.



Point of diversion is located 1,540 feet south and 330 feet east from the re-entrant corner, Capps DLC 52.

-  Area (39.4 Acres) irrigated under T-10468
-  Tax lot boundary
-  Donation Land Claim boundary
-  Irrigation mainline, buried



RECEIVED
 DEC 15 2011
 WATER RESOURCES DIV.
 SALEM OREGON

EXPIRATION DATE: 6/30/2013



Scale: 1" = 1,320'



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

Claim of Beneficial Use Map
 T-10468

Sah-Hah-Lee Golf Course
 T.2S. R.2E. Section 14, W.M.

Pacific Hydro-Geology Inc.

11/2011

**SECTION 8
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Gregory E. Kupillas		PHONE NO. 503-632-5016	ADDITIONAL CONTACT NO. 503-939-3167 (cell)
ADDRESS 18487 S. Valley Vista Rd.			
CITY Mulino	STATE OR	ZIP 97042	EMAIL phggek@bctonline.com

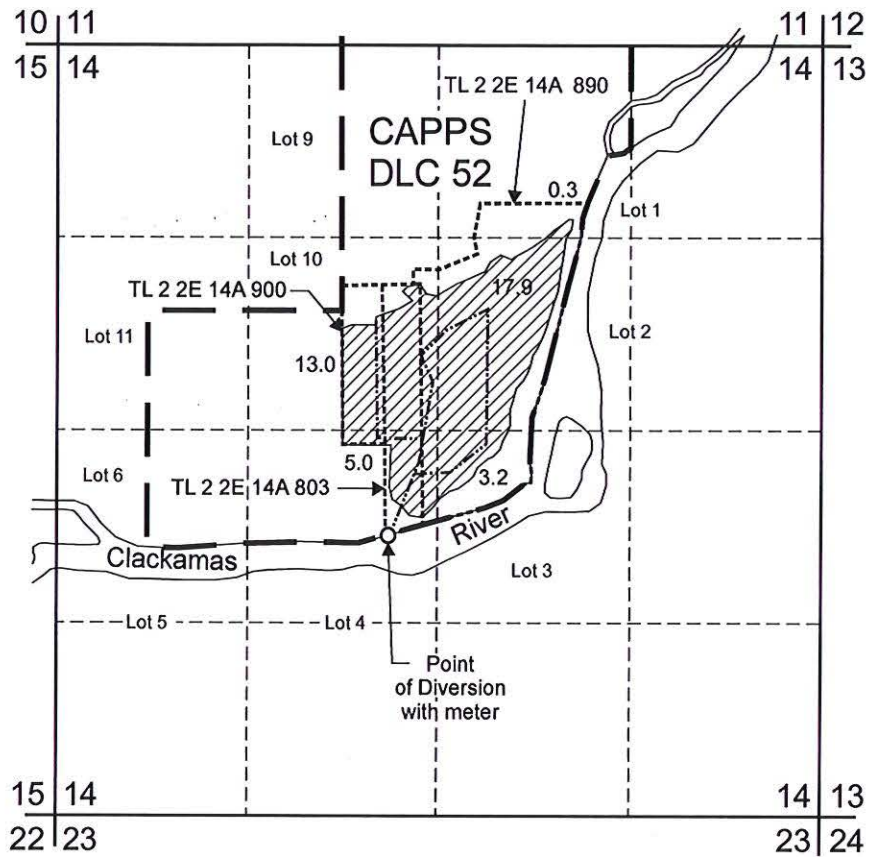
Permit or Transfer Holder's of Record Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.





SIGNATURE	PRINT OR TYPE NAME	DATE
	John N. Lisac	11-2-11

RECEIVED
DEC 15 2011
WATER RESOURCES DEP.
SALEM, OREGON

T.2S. R.2E. Section 14, W.M.



Point of diversion is located 1,540 feet south and 330 feet east from the re-entrant corner, Capps DLC 52.

-  Area (39.4 Acres) irrigated under T-10468
-  Tax lot boundary
-  Donation Land Claim boundary
-  Irrigation mainline, buried



RECEIVED

DEC 15 2011

WATER RESOURCES DEPT.
SALEM, OREGON

EXPIRATION DATE: 6/30/2013

Scale: 1" = 1,320'



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



Claim of Beneficial Use Map
T-10468

Sah-Hah-Lee Golf Course
T.2S. R.2E. Section 14, W.M.

Pacific Hydro-Geology Inc.

11/2011



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

December 20, 2011

Sah-Hah-Lee Golf Course
17104 SE 130th Ave
Clackamas OR 97015

On December 15, 2011, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T-10468

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

For all other questions please call our Customer Service phone: (503) 986-0801.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Jerry Sauter

From: Greg [phggek@bctonline.com]
Sent: Monday, October 04, 2010 1:48 PM
To: Jerry Sauter
Subject: COBU for T-10468

Jerry,

The Claim of Beneficial Use (COBU) for **Transfer 10468** (Sah-Hah-Lee Golf Course) was due on October 1, 2010. The transferee is a client of ours, and has authorized us to continue working toward perfection of this right. This is to inform you that we will be either submitting a COBU or application for an extension of time for Transfer 10468 as soon as possible.

Please contact us if you have any questions.

Regards,

Gregory E. Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.
18487 S. Valley Vista Road
Mulino, Oregon 97042-8741
(503) 632-5016



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

October 10, 2007

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

Reference: Historic Transfer 10468

On October 3, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipt 89985 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #20
Greg Kupillas, Agent

enclosure

Water Right Transfer Checklist

Transfer T-10468

Transfer Specialist: RA

Transfer Type: Historic POD

Applicant Name/Address: Sah-Hah-Lee Golf Course, 17104 SE 130th Avenue, Clackamas, OR 97015

Agent Name/Address: Greg Kupillas, 18487 S. Valley Vista Rd, Mulino OR 97042

CWRE Name/Number: Same

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: NONE

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S 18824	S 14462	14307	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>10/03/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: <u>HISTORIC POD</u>	
Fees Pd: <u>600.00</u>	WM District: <u>20</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>10/16/07</u>	WM Review sent: <u>10/10/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

not required

DPD Mailed: 12/24/07

Affid of Pub Rec'd: _____

ODFW contact sheet sent with DPD, or N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

- Electronic Files uploaded
- PD Cover letter
- PD Notice
- File Assigned/ ModPod updated
- Preliminary Determination
- Fee Refund Due
- Remaining Rights

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>RA</u>	Reviewer: _____
Date: _____	Date: <u>1/23/08</u>	Date: _____
Coordinator: _____	Coordinator: <u>ASP</u>	Coordinator: <u>ASP</u>
Date: _____	Date: <u>1/24/08</u>	Date: <u>3/24/08</u>

Comments/Special Issues: Reimbursement Authority

Special Order Volume: Vol 74 Pages 436 Final Order Signature Date: 3-25-08

Notice of FO email'd to processors Dorothy

Application

- The type of change is clearly indicated.
- The application is appropriately signed.
- Appropriate fees were paid. If overpayment, Refund Request to be sent with FO
- Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- All required attachments received.

Water right subject to transfer

- Certificated right or Proof accepted "to the satisfaction..."
- The right been exercised according to terms & conditions of certificate.
- Delivery system has the capacity to fully divert the rate/duty of the right.
- No information in record that suggests forfeiture.
- No conflicts identified on the plat cards and plat card reports printed.
- Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- The map has an original CWRE signature.
- The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- Metes and bounds for the POD's/POA's are properly described on the map.
- The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- Map acres match the tabulation on the certificate.
- Have final proof maps/deed maps for the rights. Application map matches certificate FPS.
- Have necessary aerial photos.

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- Only the authorized POD's/POA's and POU's to be transferred are listed.
- Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
- Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- The applicant is the owner of the "from" lands.
- All owners on the deed/ROLI have signed the application.
- If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- application complete map FPS evidence of use land-use form
- deed/ROLI certificate fees paid well logs plat card
- audit dpd

- Reviews/comments/conditions received? Watermaster ODFW GW
- Headgate When in the judgment Prior to diverting Existing and maintain
 - Measuring Devices When in the judgment Prior to diverting Existing and maintain
 - Fish Screen Devices

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury -

Need consent from Trustees
John A. Lisac ✓
Irene M. Lisac ✓
Gerald T. Lisac ✓
Maryann Lisa ✓
Tracy A. Lisac ✓

Phoned + conveyed this request to Steve Lisac 1/11/08



6605 SE Lake Road, Portland, OR 97222 • PO
 Box 22109, Portland, OR 97222
 Phone: 503-684-0360 Fax: 503-620-3433
 Email: legaladvertising@commnewspapers.com

AFFIDAVIT OF PUBLICATION
 State of Oregon, County of Clackamas, SS

I, Charlotte Allsop, being the first duly sworn, depose and say that I am Accounting Manager of *Clackamas Review/ Oregon City News*, a newspaper of general circulation, published at Clackamas/Oregon City, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

SAH-HAH-LEE GOLF COURSE
 17104 SE 130th AVENUE
 CLACKAMAS, OR 97015
 Transfer Application
 T-10468

a copy of which is hereto annexed, was published in the entire issue of said newspaper for
 3

successive and consecutive weeks in the following issues
 February 6, 2008
 February 13, 2008
 February 20, 2008

Charlotte Allsop
 Charlotte Allsop (Accounting Manager)

**Notice of Preliminary Determination for
 Water Right Transfer T-10468**

T-10468 file by Sah-Hah-Lee Golf Course, 17104 SE 130th Avenue, Clackamas, OR 97015, proposes a change in point of diversion under Certificate 14307. The right allows the use of 0.25 cfs (priority date July 1, 1940) from a diversion in Sec. 14, T2S, R2E, W.M. (Clackamas River Basin) for irrigation in Sec. 14. The applicant proposes to change the point of diversion to another location approximately 0.5 miles south west (Sec. 14, T2S, R2E, W.M.). The water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is (DATE OF LAST PUBLICATION). If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

47850 020608

Subscribed and sworn to before me this
 November 22, 2006

Suzette I. Curran
 NOTARY PUBLIC FOR OREGON
 My commission expires *NOV. 28, 2011*

Water Resources Department
 North Mall Office Building
 725 Summer Street NE, Suite A
 Salem, OR 97301-1266



Size 2 x 3
 Amount Due \$321.48
 *remit to address above

RECEIVED
 MAR 10 2008
 WATER RESOURCES DEPT
 SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

January 29, 2008

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

SUBJECT: Transfer Application T-10468

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10468. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original *affidavit of publication* to the Department, to me at the address above **by March 11, 2008**.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at (503) 986-0890 or Dorothy.I.PEDERSEN@wrp.state.or.us if I may be of assistance.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: District 20 Watermaster
Pacific Hydro-Geology Inc.

encs

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

In the Matter of Transfer Application) PRELIMINARY DETERMINATION
T-10468, Clackamas County) PROPOSING APPROVAL OF A
) CHANGE IN POINT OF DIVERSION
) AND OF A RE-DESCRIPTION OF
) PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

Applicant

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

Findings of Fact

Background

1. On October 3, 2007, Sah-Hah-Lee Golf Course filed an application to change the point of diversion to reflect historical use, and to re-describe the place of use under Certificate 14307. The Department assigned the application number T-10468.
2. On October 26, 2007, Sah-Hah-Lee Golf Course amended the application to clarify that the “historic point of diversion” should be processed as a proposed point of diversion under OAR 690-380 rules.
3. The right to be transferred is as follows:

Certificate: 14307 in the name of FRANK HABERLACH; ESTATE (perfected under Permit S-14462)

Source: CLACKAMAS RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	SW NE	52	None specified in Certificate 14307

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

Authorized Place of Use:

IRRIGATION (As listed on the Certificate)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	2 E	WM	14	SW NE	52	15.3
2 S	2 E	WM	14	SE NW	52	7.6
2 S	2 E	WM	14	NE SW	52	10.5
2 S	2 E	WM	14	NW SE	52	6.0

4. Certificate 14307 describes the authorized place of use as 39.4 acres in the SW NE, SE NW, NE SW, and NW SE quarter-quarter sections of Section 14, Township 2 SOUTH, Range 2 EAST, WILLAMETTE Meridian, CLACKAMAS County, Oregon.
 - a. Upon examination of the Final Proof Survey performed on May 26, 1941, under Permit S-14462, Department staff observed that there had been a mapping error, being that the re-entrant corner for Capps DLC 52 had been located farther north than it should have been. This caused the place of use to appear to be too far south in relation to the Public Land Survey quarter-quarter divisions. This transfer provides an opportunity to make corrections based upon the Department's notes on the Survey.
 - b. The following table lists the place of use as described in existing certificate 14307 and a proposed re-description based on the above findings:

Original Description of Place of Use		Proposed Re-Description of Place of Use	
¼-¼	Acres	¼-¼	Acres
		NW NE	0.5
SW NE	15.3	SW NE	18.5
SE NW	7.6	SE NW	13.0
NE SW	10.5	NE SW	5.0
NW SE	6.0	NW SE	2.4
TOTAL	39.4	TOTAL	39.4

5. Application T-10468 proposes to move the authorized point of diversion approximately 0.5 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	NE SW	52	1540 FEET SOUTH AND 330 FEET EAST FROM THE RE-ENTRANT CORNER OF CAPPS DLC 52

6. Notice of the application for transfer was published on October 9, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

7. On December 26, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10296 to the applicant. The draft Preliminary Determination set forth a deadline of January 31, 2007, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted, and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device that meets current state criteria for fish protection.

Transfer Review Criteria [OAR 690-380-4010(2)]

9. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submission of Application T-10468.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion proposed in application T-10468 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

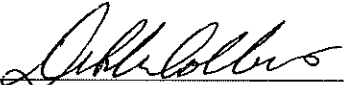
If application T-10468 is approved, the final order will include the following:

- 1. The change in point of diversion proposed in application T-10468 is approved.*
- 2. Water right certificate 14307 is cancelled.*
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 14307 and any related decree.*
- 4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*
- 5. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and*

plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.

6. *The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.*
7. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
8. *When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued, consistent with the re-description of the place of use in Finding of Fact #4.*

Dated at Salem, Oregon this 28th day of January 2008.


Phillip C. Ward, Director

PH

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10468**

T-10468 filed by Sah-Hah-Lee Golf Course, 17104 SE 130th Avenue, Clackamas, OR 97015, proposes a change in point of diversion under Certificate 14307. The right allows the use of 0.25 cfs (priority date July 1, 1940) from a diversion in Sec. 14, T2S, R2E, W.M. (Clackamas River Basin) for irrigation in Sec. 14. The applicant proposes to change the point of diversion to another location approximately 0.5 miles south west (Sec. 14, T2S, R2E, W.M.). The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



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

Watermaster Review Form:
Water Right Transfer

Transfer Application: T-10468

Review Due Date: Nov. 8, 2007

Applicant Name: Sah-Hah-Lee Golf Course

Proposed Changes: [] POU [x] POD [] POA [] USE [] OTHER

Reviewer(s): Sabrina M. White-Scarver

Date of Review: Oct. 16, 2007

- 1. Do you have information suggesting that the water rights may be subject to forfeiture?
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights?
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right?
4. Are there upstream water rights that would be affected by the proposed change?
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach?
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
7. For POU changes, would the original place of use continue to receive water from the same source?
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?
9. Are there other issues not identified through the above questions?
10. What alternatives may be available for addressing any issues identified above?

Watermaster Review Form

Transfer Application: T-10468

11. Have headgate notices been issued for the source that serves the right? Yes No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
Headgates	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

Please Return by 12-20-07

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10468

A. Please check box if you believe there is a potential for injury to an instream water right.

The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on

_____, tributary to _____, Because,
(Stream)

(Please attach any available supporting information.)

Note: This will prompt WRD to further evaluate and make a determination whether the transfer will injure an instream water right. *(WRD is the agency that makes the determination of injury to a water right, while ODFW's role is to raise concerns and to evaluate proposed mitigation and net benefit to the resource if WRD requests concurrence with injury to an instream water right.)*

B. Please check one of the following four boxes related to requiring a fish screen and/or by-pass device pursuant to ORS 540.525 or 540.532:

1. The new Point of Diversion (POD) requires a fish screening and/or by-pass device and is currently equipped with an appropriate fish screening and/or by-pass device.

Note: This option will yield the following:

Finding of Fact: *The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.*

Condition: *The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.*

2. The new Point of Diversion (POD) requires a fish screening and/or by-pass device prior to water being diverted. The diversion may be eligible for cost share assistance under ODFW's cost share program.

Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is

*Please return all 4 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271*

The electronic version of this form is available at: <http://www1.wrd.state.or.us/msword/ODFWScreen.doc>.

T-10468

selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Condition: Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

3. The new Point of Diversion (POD) requires a fish screening and/or by-pass device. However, the diversion may be used for up to two years pending a determination of whether cost share assistance under ODFW's cost share program is available.

If Option 3 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. Except in extraordinary circumstances, Option 3 should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. If extraordinary circumstances are present, please explain:

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost share funds become available to assist in the construction of a fish screening and/or by-pass device. If cost share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost share funding.

Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user may withdraw water at the new point of diversion without screening or by-pass devices until two years after the date of this order. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

T-10468

4. The new Point of Diversion (POD) does not currently require a fish screen and/or by-pass device, however, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device may be required in the future at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device.

Condition: Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Danette Ehlers

Signature

Danette L. Ehlers

Printed Name

Asst. District Fish Biologist

Title

(971) 623-6013

Phone

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10468

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

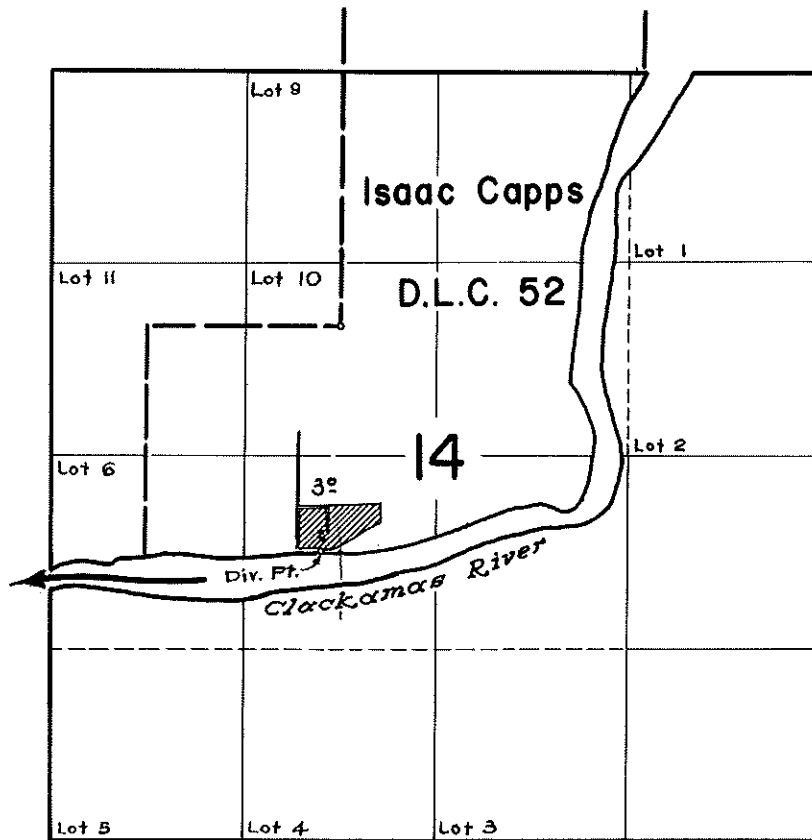
The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: Screen has been inspected
Address: + meets ODFW's criteria.
City/State/Zip: (Inspection form will be
Phone: () submitted at a later date.)

This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____
Address: _____
City/State/Zip: _____
Phone: () _____

T.2S.R.2E.W.M.



FINAL PROOF SURVEY UNDER

Application No. 32841... Permit No. 26000..
IN NAME OF

WILLARD L. MATHIESEN

Surveyed May 18, 1961, by *A. Jackson*

Shipping Checklist for Reimbursement Authority File

File T- 10468 Applicant: Sah-Hah-Lee Golf Course

Agent/Contact: Pacific-Hydro-Geology Inc

Ship to Contractor: John Borden Consulting

Items included:

- Copy of front of file folder
- Reimbursement Authority Estimate Application
- Transfer Application form
- Transfer map
- Evidence of use affidavit
- Supporting documentation for evidence of use
- Land-use Information form
- Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) - Ask for in DPD cover letter
- Certificate or copy of decree for each right to be transferred
- Final Proof map or decree map for each right to be transferred
- Well logs (if change in POA, SW POD-to-GW POA change)
- Watermaster review (all transfers)
- ODFW review (if change in POD)
- GW review (if Δ POA, or POD-to-POA change)
- Transfer review checklist
- Final Deliverable cover sheet
- Itemized Estimate sheet for contractor

Additional things to check:

- All regular application processing fees paid
- Reimbursement Authority \$125 fee paid for preparing estimate
- Date of WRD initial Public Notice 10-9-2007

Number of sheets copied 12

File contents copied by Lisa Paschke Date 10-4-07

RECEIVED

NOV 23 2007

WATER RESOURCES DEPT
SALEM, OREGON

Marked
TBD by
Dorothy

(Reason: A business does not
do this regular process)
Note: This transfer
does not qualify as an
"Historic" because applicant
is not an "individual" and
it does not include
documentation of
use for 10 or more
years with no claim
of injury.
Process as a regular
POD change

Application

- The type of change is clearly indicated.
- The application is appropriately signed.
- Appropriate fees were paid. *N/A* If overpayment, Refund Request to be sent with FO
- Land use form matches affected tax lots and is signed by proper official. *(from ALL affected Govt's)*
- HA* Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- All required attachments received.

Water right subject to transfer

- PIA* Certificated right or Proof accepted "to the satisfaction...."
- The right been exercised according to terms & conditions of certificate.
- Delivery system has the capacity to fully divert the rate/duty of the right. *No calculations furnished in CWRE packet but "yes" due to 17 yrs use*
- No information in record that suggests forfeiture.
- 1-* No conflicts identified on the plat cards and plat card reports printed. *- 1 potential conflict*
- N/A* Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- The map has an original CWRE signature.
- The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- Metes and bounds for the POD's/POA's are properly described on the map.
- See note* The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions. *This is a change in PODs the map & application agree with each other but disagree with C-14307*
- See note* Map acres match the tabulation on the certificate. *Grand total of 39.4 ac match, but not by 1/4 1/4. Map error noted.*
- Have final proof maps/deed maps for the rights. *Application map matches certificate FPS. See above 2 notes*
- N/A* Have necessary aerial photos.

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- N/A* Only the authorized POD's/POA's and POU's to be transferred are listed.
- N/A* Application & certificate tabulations match. *(Mark on appl. and cert. copies and note corrections needed)*
- N/A* Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- N/A* The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- N/A* Have current tax lot map. *(If transfer application is several years old, contact assessor's office)*
- Y/A* The applicant is the owner of the "from" lands.
- All owners on the deed/ROLI have signed the application.
- N/A* If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- Requested* If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- Agent has authorization to make decisions. *-- No. Applicant requests all original WAD correspondence.*

Evaluation (materials needed for peer reviewer in bold)

- application complete
- deed/ROLI
- audit
- map
- certificate
- dpd
- FPS
- fees paid
- evidence of use
- N/A* well logs
- land-use form
- plat card

- Reviews/comments/conditions received? Watermaster *not vet* ODFW *N/A* GW
- N/A* Headgate When in the judgment Prior to diverting Existing and maintain
- Measuring Devices When in the judgment Prior to diverting Existing and maintain

- not yet* Fish Screen Devices
- Injury: Y Enlargement: Y
- Conditions to avoid enlargement/injury - *NONE*

RECEIVED
 NOV 23 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

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

In the Matter of Transfer Application)
T-10468, Clackamas County)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINT OF DIVERSION
AND OF A RE-DESCRIPTION OF
PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

Findings of Fact

Background

1. On October 3, 2007, Sah-Hah-Lee Golf Course filed an application to change the point of diversion and re-describe the place of use under Certificate 14307. The Department assigned the application number T-10468.
2. On October 26, 2007, Sah-Hah-Lee Golf Course amended the application to clarify that the "historic point of diversion" should be processed under the "normal" transfer process.
3. The portion of the right to be transferred is as follows:

Certificate: 14307 in the name of FRANK HABERLACH; ESTATE (perfected under Permit S-14462)

Source: CLACKAMAS RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	SW NE	52	None specified in Certificate 14307

Authorized Place of Use:

IRRIGATION (As listed on the Certificate)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres

RECEIVED

NOV 23 2007

WATER RESOURCES DEPT
SALEM, OREGON

2 S	2 E	WM	14	SW NE	52	15.3
2 S	2 E	WM	14	SE NW	52	7.6
2 S	2 E	WM	14	NE SW	52	10.5
2 S	2 E	WM	14	NW SE	52	6.0

4. Certificate 14307 describes the authorized place of use as 39.4 acres in the SW NE, SE NW, NE SW, AND NW SE quarter-quarter sections of Section 14, Township 2 SOUTH, Range 2 EAST, WILLAMETTE Meridian, CLACKAMAS County, Oregon.
- Upon examination of the Final Proof Survey performed on May 26, 1941, under Permit S-14462, Department staff observed that there had been a mapping error. This transfer provides an opportunity to make corrections based upon the Department's notes on the Survey.
 - The following table lists the place of use as described in existing certificate 14307 and a proposed re-description based on the above findings:

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	¼-¼	Acres	¼-¼	Acres	Current Tax Lot (optional)
T-10468			NW NE	0.5	
14307	SW NE	15.3	SW NE	18.5	
14307	SE NW	7.6	SE NW	13.0	
14307	NE SW	10.5	NE SW	5.0	
14307	NW SE	6.0	NW SE	2.4	
	TOTAL	39.4	TOTAL	39.4	
Township 2 SOUTH, Range 2 EAST, Section 14					

5. Application T-10468 proposes to move the authorized point of diversion approximately 0.5 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	NE SW	52	1540 feet south and 330 feet east from the re-entrant corner, Capps DLC 52

6. Notice of the application for transfer was published on October 9, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

7. Insert Fish Screen - ODFW

Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10468.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

RECEIVED
NOV 23 2007
WATER RESOURCES DEPT
SALEM, OREGON

Determination and Proposed Action

The changes in point of diversion proposed in application T-10468 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10468 is approved, the final order will include the following:

1. *The changes in point of diversion proposed in application T-10468 are approved.*
2. *Water right certificate 14307 is cancelled.*
3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 14307 and any related decree.*
4. *The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
6. *Insert Fish Screen - ODFW*
7. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2008. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

8. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrд.state.or.us.

XXX 0, 0000

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

SUBJECT: Transfer Application T-10468

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10468. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place. After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Typically, the newspaper will prepare and mail an original *affidavit of publication* to the Department, however you will want to request specifically that they do so. The newspaper can mail the affidavit to me at the address above.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at if I may be of assistance.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: District 20 Watermaster
Sah-Hah-Lee Golf Course
Pacific Hydro-Geology Inc.

encs

RECEIVED
NOV 23 2007
WATER RESOURCES DEPT
SALEM, OREGON

**Notice of Preliminary Determination for
Water Right Transfer T-10468**

T-10468 filed by Sah-Hah-Lee Golf Course, 17104 SE 130th Avenue, Clackamas, OR 97015, proposes a change in point of diversion under Certificate 14307. The right allows the use of 0.25 cfs (priority date July 1, 1940) from a diversion in Sec. 14, T2S, R2E, W.M. (Clackamas River Basin) for irrigation in Sec. 14. The applicant proposes to change the point of diversion to another location approximately 0.5 miles south west (Sec. 14, T2S, R2E, W.M.). The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

RECEIVED
NOV 23 2007
WATER RESOURCES DEPT
SALEM, OREGON

November 19, 2007

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

SUBJECT: Application T-10468

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10468. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

As a point of information, we detected a potential conflict with Certificate 29329 on the southwest corner of your right, Certificate 14307. *No response* is required to the Department, but you should check to see if this is correct, and if so, whether affidavits are needed to cancel or diminish Certificate 29329.

At this time, you must submit a report of ownership and lien information for the lands to which the water right(s) are appurtenant that has been prepared within the last three months by a title company. If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership and lien information. If we do not receive your response and the report by xxxx, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us if I may be of assistance.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: Sabrina M. White-Scarver, District 20 Watermaster

enc

RECEIVED
NOV 23 2007
WATER RESOURCES DEPT
SALEM, OREGON

Contacts for Application T-10468

Applicant:

Name Sah-Hah-Lee Golf Course
Address 17104 SE 130th Avenue
City, State & Zip Clackamas, OR 97015
Phone 503-655-9249
Fax –
E-mail

Agent:

Name Pacific Hydro-Geology Inc., Greg or Malia Kupillas
Address 18487 S. Valley Vista Road
City, State & Zip Mulino, OR 97042
Phone 503-632-5016 (H & W)
Fax – 503-632-5983
E-mail phggek@bctonline.com

Receiving Landowner: N/A

Name
Address
City, State & Zip
Phone
Fax –
E-mail

CWRE:

Name – Greg or Malia Kupillas CWRE #432
Address if known
18487 S. Valley Vista Road
Mulino, OR 97042

District #20 Watermaster – Sabrina M. White-Scarver

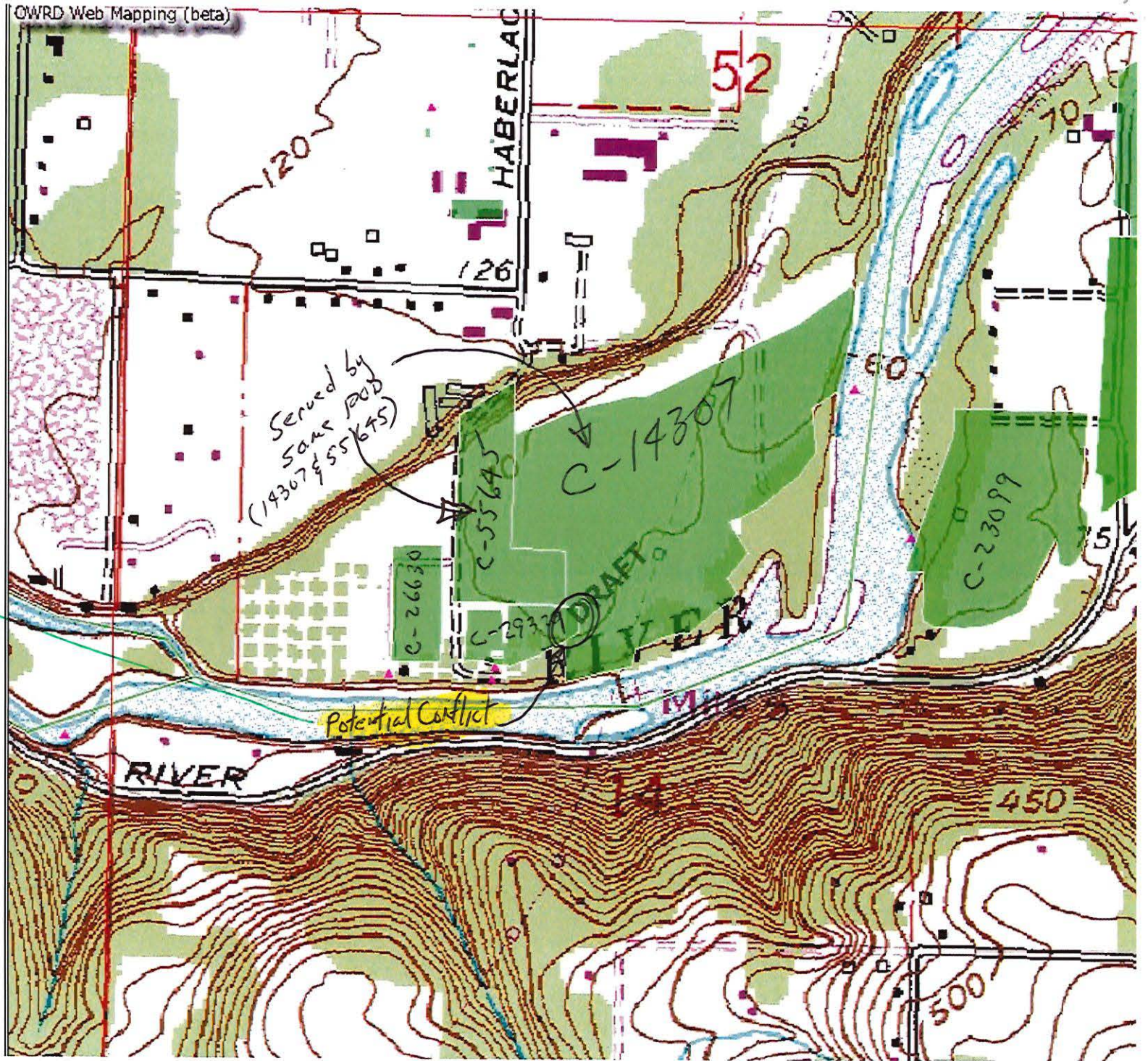
Local and Tribal Governments:

Clackamas County Department of Transportation and Development
Planning Division
9101 SE Sunnybrook Blvd.
Clackamas, OR 97015

Commenters: N/A

Irrigation Districts: N/A

RECEIVED
NOV 23 2007
WATER RESOURCES DEPT
SALEM, OREGON



Served by
same PUD
(19307 & 55645)

Potential Conflict

C-14307

C-23099

C-55645

C-26630

C-29330

DRAFT

RIVER

HABERLAC

OWRD Web Mapping (beta)

No. FP map for
APP23544/ Permit 594000
Cart 29329 does
not overlap

RECEIVED
NOV 23 2007
WATER RESOURCES DEPT
SALEM, OREGON

T-10202

Contact Information	Transfer Information View all scanned documents						
<p>▼ Current contact information</p> <p>APPLICANT: ▶ SAH-HAH-LEE GOLF COURSE 17104 SE 130TH AVENUE CLACKAMAS, OR 97015</p>	<p>▼ Status</p> <ul style="list-style-type: none"> ▶ Type: Regular ▶ Status: Withdrawn ▶ Begin Date: n/a ▶ End Date: n/a <p>▼ Proposed Action</p> <ul style="list-style-type: none"> ▶ Point of Diversion ▶ Surface water to Ground water <p>▼ Comments</p> <ul style="list-style-type: none"> ▶ withdrawn <p>▼ Orders associated with rights in the transfer</p> <table border="1"> <thead> <tr> <th>Volume-Page</th> <th>Signature</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>▶ 70-271</td> <td>9/28/2006</td> <td>WITHDRAWING T-10202</td> </tr> </tbody> </table>	Volume-Page	Signature	Description	▶ 70-271	9/28/2006	WITHDRAWING T-10202
Volume-Page	Signature	Description					
▶ 70-271	9/28/2006	WITHDRAWING T-10202					

Processing History

Staff Person Responsible: no caseworker currently assigned

Process Step	Date Initiated	Estimated Completion Date	Date Completed	Remarks
Received	6/16/2006		6/16/2006	
Reimbursement Authority	6/16/2006			
File Assigned	6/22/2006		9/28/2006	
Watermaster Review	6/22/2006		6/26/2006	
Groundwater Review	6/22/2006		7/20/2006	
ODFW Review	6/22/2006		8/2/2006	
Transfer Initial Public Notice	6/27/2006		6/27/2006	
Draft PD Issued	8/21/2006		8/18/2006	
Final Order Issued	9/28/2006		9/28/2006	

Rights this impacts

	Application	Permit	Certificate	Decree	Claim
Cert:14307 OR *	S18824	S14462	14307		
Cert:55645 OR *	S54013	S40267	55645		

Results of the transfer

	Application	Permit	Certificate	Decree	Claim
Inchoate: T 10202 CF (REG) WD	S18824	S14462			

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

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

RECEIVED

NOV 23 2007

WATER RESOURCES DEPT
SALEM, OREGON

January 9th, 2008

TO: Water Resources Department
Attn: Dorothy Pedersen

RE: Application #T-10468

The Owners of Sah-Hah-Lee Golf Course and Driving Range

John A. and Irene Lisac
Gerald T. and Maryann Lisac
John N. and Carrie Lisac
Steven and Tracy Lisac

received the "preliminary determination, proposing approval of a change in point of diversion of water right" certificate #14307. Let it be known that we agree with the decision.

Enclosed is the title report from Chicago Title dated January 9th, 2008 that you requested.

If you have any questions, please feel free to contact me at 503-655-9249.

Thank you,



John (Bud) Lisac

RECEIVED
JAN 11 2008
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 26, 2007

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

SUBJECT: Application T-10468

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10468. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information for the lands to which the water right is appurtenant that has been prepared within the last three months by a title company. If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership and lien information. If we do not receive your response and the report by January 31, 2008, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us if I may be of assistance.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: Sabrina M. White-Scarver, District 20 Watermaster
Greg or Malia Kupillas, Pacific Hydro-Geology, Inc., agent for the applicant

enc

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

In the Matter of Transfer Application
T-10468, Clackamas County

)
)
)
)
)
)
)

D R A F T
PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINT OF DIVERSION
AND OF A RE-DESCRIPTION OF
PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

Findings of Fact

Background

1. On October 3, 2007, Sah-Hah-Lee Golf Course filed an application to change the point of diversion to reflect historical use, and to re-describe the place of use under Certificate 14307. The Department assigned the application number T-10468.
2. On October 26, 2007, Sah-Hah-Lee Golf Course amended the application to clarify that the "historic point of diversion" should be processed as a proposed point of diversion under OAR 690-380 rules.
3. The portion of the right to be transferred is as follows:

Certificate: 14307 in the name of FRANK HABERLACH; ESTATE (perfected under Permit S-14462)

Source: CLACKAMAS RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	SW NE	52	None specified in Certificate 14307

Authorized Place of Use:

IRRIGATION (As listed on the Certificate)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	2 E	WM	14	SW NE	52	15.3
2 S	2 E	WM	14	SE NW	52	7.6
2 S	2 E	WM	14	NE SW	52	10.5
2 S	2 E	WM	14	NW SE	52	6.0

4. Certificate 14307 describes the authorized place of use as 39.4 acres in the SW NE, SE NW, NE SW, AND NW SE quarter-quarter sections of Section 14, Township 2 SOUTH, Range 2 EAST, WILLAMETTE Meridian, CLACKAMAS County, Oregon.
 - a. Upon examination of the Final Proof Survey performed on May 26, 1941, under Permit S-14462, Department staff observed that there had been a mapping error, being that the re-entrant corner for Capps DLC 52 had been located farther north than it should have been. This caused the place of use to appear to be too far south in relation to the Public Land Survey quarter-quarter divisions. This transfer provides an opportunity to make corrections based upon the Department's notes on the Survey.
 - b. The following table lists the place of use as described in existing certificate 14307 and a proposed re-description based on the above findings:

Original Description of Place of Use		Proposed Re-Description of Place of Use	
¼-¼	Acres	¼-¼	Acres
		NW NE	0.5
SW NE	15.3	SW NE	18.5
SE NW	7.6	SE NW	13.0
NE SW	10.5	NE SW	5.0
NW SE	6.0	NW SE	2.4
TOTAL	39.4	TOTAL	39.4

5. Application T-10468 proposes to move the authorized point of diversion approximately 0.5 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
2 S	2 E	WM	14	NE SW	52	1540 FEET SOUTH AND 330 FEET EAST FROM THE RE-ENTRANT CORNER OF CAPPS DLC 52

6. Notice of the application for transfer was published on October 9, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted, and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device that meets current state criteria for fish protection.

Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10468.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion proposed in application T-10468 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10468 is approved, the final order will include the following:

1. *The change in point of diversion proposed in application T-10468 is approved.*
2. *Water right certificate 14307 is cancelled.*
3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 14307 and any related decree.*
4. *The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*

6. *The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.*
7. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
8. *When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued, consistent with the redescription of the place of use in Finding of Fact #4.*

Dated at Salem, Oregon this _____ day of _____ 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrд.state.or.us.

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, November 20, 2007 10:29 AM
To: 'Kcjengineer@aol.com'
Subject: RE: T-10387 response time extension

Clay,

The due date for responding to the T-10387 DPD has been extended to December 14th.

Dorothy

Dorothy Pedersen
(503) 986-0890

From: Kcjengineer@aol.com [mailto:Kcjengineer@aol.com]
Sent: Tuesday, November 20, 2007 10:09 AM
To: Dorothy Pedersen
Cc: Kcjengineer@aol.com
Subject: T-10387 response time extension

Hi.

Per our phone call we are asking for a couple of weeks to get the letter of notification to Mr. Murray and the ownership and lien information. Cert. 80234, Transfer application T-10387.

Thanks, Clay

See what's new at AOL.com and [Make AOL Your Homepage](#).

Sarah Henderson

From: Sabrina White-Scarver
Sent: Tuesday, October 09, 2007 12:27 PM
To: Sarah Henderson
Subject: Sah-Hah-Lee Golf Course Transfer

Sarah,

This is in response to the recently received Transfer filed by Sah-Hah-Lee Golf Course and pertaining to original Water Right Certificate 14307 (The applicant has submitted materials for a Historic POD Transfer).

I have no knowledge of nor do Department records indicate any claim of injury due to the use of water at the current point of diversion prior to the request for change in POD.

Let me know if I can provide additional information.

Sincerely,
Sabrina

Sabrina M. White-Scarver
Watermaster, District 20
PHONE 503.722.1410 FAX 503.722.5926

Oregon Water Resources Department
1678 S. Beaver Creek Road, Suite L
Oregon City, OR 97045

e-mail Sabrina.M.White@wrд.state.or.us
website <http://www.wrd.state.or.us>

Greg Kupillas

From: Ko, Lee - Oregon City, OR [lee.ko@or.usda.gov]
Sent: Thursday, September 27, 2007 5:56 PM
To: phggeek@bctonline.com
Subject: RE: Aerial Photograph

Greg,
Here is a 2005 photo per your request.

Lee Ko
Water Quality Specialist
USDA Natural Resources Conservation Service
421 High Street, Suite 101
Oregon City, OR 97045
Phone: 503-655-3144 Ext. 109
FAX: 503-656-3143
lee.ko@or.usda.gov

From: Greg Kupillas [mailto:phggeek@bctonline.com]
Sent: Thursday, September 27, 2007 4:19 PM
To: Ko, Lee - Oregon City, OR
Subject: Aerial Photograph

Lee:

If you can, please send me an aerial photo from 2003 or later covering the area shown on the attached map.
Please contact me if you have any questions.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.
18477 S. Valley Vista Rd.
Mulino, OR 97042
503.632.5016

RECEIVED

OCT 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

10/2/2007



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

October 10, 2007

SAH-HAH-LEE GOLF COURSE
17104 SE 130TH AVENUE
CLACKAMAS OR 97015

Reference: Historic Transfer 10468

On October 3, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipt 89985 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #20
Greg Kupillas, Agent

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

**Notice of Application for
Water Right Transfer, Temporary Transfer, or Permit Amendment
10/16/07**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: CLACKAMAS
Transfer: 10468
Water Right: CERT 14307
Priority Date: 1940
Name: SAH-HAH-LEE GOLF COURSE
Address: 17104 SE 130TH AVE, CLACKAMAS, OR 97015
Change: HISTORIC POD
Source: CLACKAMAS RIVER
Authorized POD: T2S R2E 14
Proposed POD: T2S R2E 14

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation

Dorothy Pedersen

From: Greg Kupillas [phggek@bctonline.com]
Sent: Friday, October 26, 2007 11:54 AM
To: Dorothy Pedersen
Subject: Amendments for T-10468, Sah-Hah-Lee Golf Course
Attachments: TransferAppRvsd.doc; Supplemental_Form_A_Rvsd.doc; SahHahLeeTransferMapRvsd.pdf

Dorothy,

I've attached the amended application forms and map, as we discussed. Please use the attached files to replace pages 2 and 4 of the application form, and page 1 of Supplemental Form A. I am not submitting any amendments for Form B, even though it includes reference to the "historical" point of diversion, because I hope to avoid the need to get the affidavit signed and notarized again.

Please let me know if you need anything else.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.
18477 S. Valley Vista Rd.
Mulino, OR 97042
503.632.5016



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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

RECEIVED
 OCT 26 2007
 WATER RESOURCES DEPT.
 SALEM, OREGON

1. TYPE OF TRANSFER APPLICATION

Please check one

<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer (1 to 5 yrs.)	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Sah-Hah-Lee Golf Course
First Last

Address: 17104 SE 130th Avenue

Clackamas Oregon 97015
City State Zip

Phone: (503) 655-9249
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: Pacific Hydro-Geology Inc., Greg or Malia Kupillas
First Last

Address: 18487 S. Valley Vista Road

Mulino Oregon 97042
City State Zip

Phone: (503) 632-5016 (503) 632-5016
Home Work Other

Fax: (503) 632-5983 E-Mail address: phggek@bctonline.com

- If an agent is listed above, please check one of the following:
 - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**
 - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	S-18824	S-14462	14307
2.			
3.			
4.			

RECEIVED
 OCT 26 2007
 WATER RESOURCES DEPT.
 SALEM, OREGON

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - Place of Use Point of Diversion (POD) Additional Point of Diversion
 - Character of Use Point of Appropriation (POA, or well) Additional POA
 - Instream Transfer Surface Water POD to Ground Water POA
 - Substitution of Supplemental Groundwater right for Primary Surface water right
 - Historic POD change Other
- Reason(s) for change(s): The applicant wishes to properly document and certify a point of diversion change that has been in effect for many years.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Two pumps (40 Hp and 10 Hp) can be used individually or together to withdraw water from the existing point of diversion. Water is conveyed in a 6-inch, above-ground mainline to the existing underground sprinkler system used to irrigate the golf course. The current system serves two water rights (Certificates 14307 and 55645) with combined authorized rates totaling 0.35 cfs. The authorized POD for Certificate 14307 has not been used for over 17 years.

- System capacity: 0.35 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.
Not applicable

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No
- Is 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? Yes No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Not applicable

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Clackamas County Department of Transportation and Development, Planning Division, 9101 SE Sunnybrook
Bldv., Clackamas, Oregon 97015

RECEIVED

OCT 26 2007

WATER RESOURCES DEPT.
SALEM, OREGON

11. ATTACHMENTS

*Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.*

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

Map

- Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

- Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

- Land Use Information Form is enclosed; *or*
- All of the following criteria are met, therefore a Land Use Information Form is not required:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- Amount enclosed: \$ 600.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

RECEIVED

OCT 03 2007

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

12. SIGNATURES

▪ Check **one** of the following, as appropriate, and sign the application in the signature box below:

In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.



I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.

I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

 applicant signature	Co-owner name and title if applicable (print)	9-27-07 date
 applicant signature	Co-owner name and title if applicable (print)	9-27-07 date

RECEIVED

OCT 03 2007

WATER RESOURCES
DEPARTMENT

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: Certificate 14307

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <i>and</i> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	<p style="text-align: center;">Proposed new use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

RECEIVED
OCT 26 2007
WATER RESOURCES DEPT.
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (*check and complete one of the following*):

<input checked="" type="checkbox"/> Certificated Right	<u>14307</u> Certificate Number	<u>S-14462</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Frank Haberlach Estate
- County: Clackamas
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): July 1, 1940

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Clackamas River

Tributary to: Willamette River

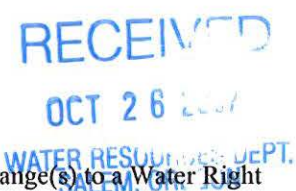
*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).



▪ Certificate Number or other identifying number: Certificate 14307

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Clackamas R. July 1, 1940	2S	2E	W	14	SW NE	DLC 52	None specified in certificate

- Does the water right being transferred involve a ground water source(s)?
 - Yes
 - No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Not applicable									

RECEIVED

OCT 03 2007

▪ Certificate Number or other identifying number: Certificate 14307

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation) N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Clackamas R.	2S	2E	W	14	NE SW	DLC 52	1540 feet south and 330 feet east from the re-entrant corner, Capps DLC 52

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

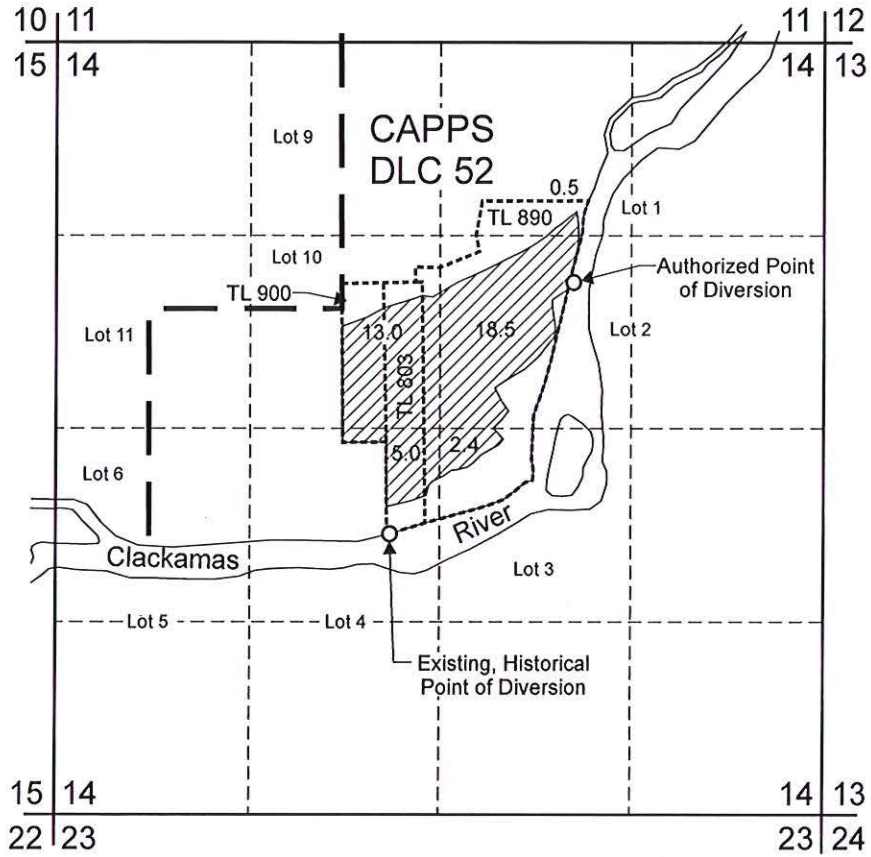
Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
NA										



RECEIVED

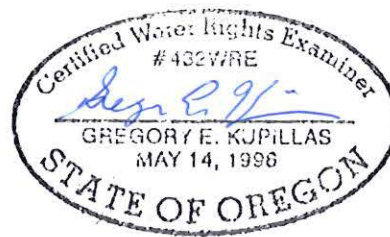
OCT 03 2007

T.2S. R.2E. Section 14, W.M.



Authorized point of diversion is located in the SW 1/4 of the NE 1/4, Section 14.
 Existing, historical point of diversion is located 1,540 feet south and 330 feet east from the re-entrant corner, Capps DLC 52.

-  Certificate 14307
-  Tax lot boundary



EXPIRATION DATE: 6/30/09

RECEIVED

OCT 03 2007

WATER RESOURCES DEPT
 SALEM, OREGON

Scale: 1" = 1,320'



0 1,320
 Feet

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



Water Right Transfer Application Map

Sah-Hah-Lee Golf Course
 Tax Lots 2 2E 14A 803, 890, and 900

Pacific Hydro-Geology Inc.

9/2007

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
County of Clackamas)

I, John M. Lisac, in my capacity as Golf Course Superintendant,
mailing address 17104 SE 130th Avenue, Clackamas, Oregon 97015
telephone number (503) 655-9249, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

- Personal observation Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
2	S	2	E	W	14	NW	NE	DLC 52	0.5
2	S	2	E	W	14	SW	NE	DLC 52	18.5
2	S	2	E	W	14	SE	NW	DLC 52	13.0
2	S	2	E	W	14	NE	SW	DLC 52	5.0
2	S	2	E	W	14	NW	SE	DLC 52	2.4

RECEIVED
OCT 03 2007

WATER RESOURCES DIVISION
SALEM, OREGON

(continues on reverse side)

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

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Irrigation of a golf course.

5. The water delivery system used to apply water as authorized by the right is described below:
Two pumps (40 Hp and 10 Hp) can be used individually or together to withdraw water from the historical point of diversion. Water is conveyed in a 6-inch, above-ground mainline to the existing underground sprinkler system used to irrigate the golf course.

6. One or more of the following documentation supporting the above statements is attached:
- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
 - Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
 - Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
 - Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
 - Dedicated power usage records or receipts,
 - Instream lease number _____,
 - Other: _____

John M. [Signature]
Signature of Affiant

9-27-07
Date

Signed and sworn to (or affirmed) before me this 27th day of Sept., 2007.

Diana L. Smith
Notary Public for Oregon



My Commission Expires: Oct. 7, 2010

RECEIVED
OCT 03 2007

WATER RESOURCE CENTER
SALEM, OREGON

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



RECEIVED

OCT 03 2007

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: Sah-Hah-Lee Golf Course
 Address: 17104 SE 130th Avenue
 City: Clackamas State: OR Zip: 97015 Day Phone: 503.655.9249

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
2 2E 14A 803	<u>Exclusive Farm Use</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Golf Course
2 2E 14A 890	<u>Exclusive Farm Use</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Golf Course
2 2E 14A 900	<u>Exclusive Farm Use</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Golf Course
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List counties and cities where water is proposed to be diverted, conveyed, or used. Clackamas County

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

Water Use Permit Water Right Transfer Allocation of Conserved Water Exchange

Indicate the intended use of water and describe the key characteristics of the project.

Commercial Industrial Instream Irrigation
 Municipal Quasi-municipal Domestic (indicate number of households) _____
 Other _____

Briefly describe: The water right transfer is intended to properly certificate a historical point of diversion change for the golf course.

RECEIVED

OCT 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

Indicate the source of the water to be used.

Reservoir/Pond Ground Water Surface Water _____

Indicate the estimated quantity of water the use will require: 0.25 CFS GPM Acre-Feet (source)

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 this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____ . Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
Conditional Use Floodplain Dev variance		<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

Approved through file #824-87C, F - Golf Course

B. Approval

Please provide printed name and written signature.

Name: Mark Green-Hite Date: 8/10/3/07
 Title: Planner Phone: 503-353-4517
 Signature: *Mark Green-Hite*

C. Additional Comments

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

Subject to prior Conditional Use approval #824-87-C, F

RECEIVED

OCT 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. 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.

18477 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

To: Sarah Henderson
From: Greg Kupillas *WFM*
CC:
Date: October 11, 2007
Re: Affidavit Attesting to the Use of an Historical POD

The affidavit to document the use of the historical POD at Sah-Hah-Lee Golf Course (T-10468) is enclosed.

Please contact me if you have any questions.

RECEIVED


OCT 12 2007

WATER RESOURCES DEPT
SALEM OREGON

**AFFIDAVIT ATTESTING TO USE OF AN
HISTORICAL POINT OF DIVERSION**

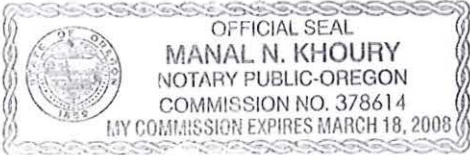
State of Oregon)
)ss
County of Clackamas)

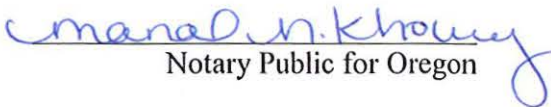
I, John N. Lisac, in my capacity as Golf Course Superintendent of Sah-Hah-Lee Golf Course, mailing address 17104 SE 130th Avenue, Clackamas, Oregon 97015, telephone number (503) 655-9249, being first duly sworn depose and say that Sah-Hah-Lee Golf Course has used the historical point of diversion as described in Transfer Application T-10468, on the property located on tax map number 2 2E 14A, parcels 803, 890, and 900, Section 14, Township 2 South, Range 2 East, W.M. for the water use authorized under water right Certificate 14307, for the entire 17-year history of operation of Sah-Hah-Lee Golf Course.



Signature of Affiant Date

Subscribed and Sworn to before me this 9th day of October, 2007.





Notary Public for Oregon

My commission expires 3/18/08

RECEIVED
OCT 12 2007
WATER RESOURCES DEPT
SALEM, OREGON

Order No.: 450781

DESCRIPTION

See Legal Description Attached Hereto

GENERAL EXCEPTIONS (Standard Coverage Policies only)

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS

6. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied, in addition thereto a penalty may be levied if notice of disqualification is not timely given.
(Affects Parcel IV)
7. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Clackamas River.
(Affects Parcels I and II)
8. Any adverse claims based upon the assertion that Clackamas River has changed in location.
(Affects Parcels I and II)
9. Any adverse claim based on the assertion that any portion of said land has been created by artificial means or has accreted to such portions so created.
(Affects Parcels I and II)
10. Rights established pursuant to ORS 274.905, et seq to all or any portion of the herein described premises created by artificial means.
(Affects Parcels I and II)
11. The rights of the public in and to that portion of the premises herein described lying within the limits of SE 130th Avenue or SE Capps Road.
12. An easement created by instrument, including terms and provisions thereof;
Dated: November 20, 1929
Recorded: November 25, 1929
Book: 203
Page: 458
In Favor Of: Adjacent property owners
For: Road purposes
Affects: The North and West lines of Tax Lot 100W1 within Parcel IV
13. An easement created by instrument, including terms and provisions thereof;
Dated: May 16, 1934
Recorded: May 16, 1934

RECEIVED

JAN 11 2008

WATER RESOURCES DEPT
SALEM, OREGON

Order No.: 450781

Book: 223
Page: 104
In Favor Of: Adjacent property owners
For: Roadway
Affects: The North and West lines of Tax Lot 100W1 within Parcel IV

14. An easement created by instrument, including terms and provisions thereof;
Dated: August 10, 1943
Recorded: August 10, 1943
Book: 311
Page: 442
In Favor Of: Adjacent property owners
For: Road purposes
Affects: The North and West lines of Tax Lot 100W1 within Parcel IV
15. An easement created by instrument, including terms and provisions thereof;
Dated: May 2, 1956
Recorded: May 4, 1956
Book: 510
Page: 366
In Favor Of: Adjacent property owners
For: Road purposes
Affects: The Westerly and Northwesterly 20 feet of Parcel IV
16. An easement created by instrument, including terms and provisions thereof;
Dated: September 12, 1958
Recorded: October 15, 1958
Book: 546
Page: 555
In Favor Of: Portland General Electric Co.
For: Transmission lines and access road
Affects: Parcels I and II
17. An easement created by instrument, including terms and provisions thereof;
Dated: March 11, 1982
Recorded: May 19, 1982
Recorder's Fee No.: 82-13809
In Favor Of: Portland General Electric Co.
For: Utilities
Affects: The Northwest corner of Parcel III
18. An easement created by instrument, including terms and provisions thereof;
Dated: January 11, 1988
Recorded: January 18, 1988
Recorder's Fee No.: 88-2230
In Favor Of: Adjacent property owners
For: Road purposes
Affects: The North and West lines of Tax Lot 100W1 within Parcel IV
19. An easement created by instrument, including terms and provisions thereof;
Dated: January 11, 1988
Recorded: January 18, 1988
Recorder's Fee No.: 88-2230
In Favor Of: Adjacent property owners
For: Roadway
Affects: Parcel III, no specific location is named
20. Easement Agreement, including the terms and provisions thereof;

RECEIVED

JAN 11 2008

WATER RESOURCES DEPT
SALEM OREGON

Order No.: 450781

Dated: November 14, 1988
Recorded: November 14, 1988
Recorder's Fee No.: 88-47469

21. Covenants, conditions and restrictions, but omitting covenants or restrictions if any, based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, or use of the real property by any home or facility that is licensed by or under the authority of the State of Oregon under ORS Chapter 443, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, imposed by instrument, including the terms and provisions thereof.

Recorded: June 16, 1992
Recorder's Fee No.: 92-36739
As Follows: All utility lines, pipes and the like shall be installed underground
Affects: Parcel IV

22. An easement created by instrument, including terms and provisions thereof;

Dated: June 15, 1992
Recorded: June 19, 1992
Recorder's Fee No.: 92-36739
In Favor Of: Adjacent property owners
For: Utilities
Affects: A 5 foot strip East of the existing roadways lying along the Northerly and West lines of Parcel IV

23. An easement created by instrument, including terms and provisions thereof;

Dated: June 15, 1992
Recorded: June 19, 1992
Recorder's Fee No.: 92-36739
In Favor Of: Adjacent property owners
For: Roadway, utility and general purposes
Affects: The South 20 feet of Parcel IV

24. Unrecorded Lease, including the terms and provisions thereof, and such other exceptions as may appear necessary upon the recording thereof;

Dated: May 27, 1989
Lessor: Gerald T. Lisac and John A. Lisac
Lessee: REANN Inc., an Oregon corporation
Disclosed by: Subordination Agreement
Recorded: June 24, 1993
Recorder's Fee No.: 93-43811
(Affects Parcels I, II and III)

The above document was re-recorded by instrument,

Recorded: August 3, 1993
Recorder's Fee No.: 93-55020

25. An easement created by instrument, including terms and provisions thereof;

Dated: March 19, 1997
Recorded: July 7, 1997
Recorder's Fee No.: 97-050254
In Favor Of: US West Communications, Inc.
For: Telecommunication facilities
Affects: The Westerly lines of Parcels II, III and the Northerly and Westerly lines of Parcel IV, see document for location

26. Road Maintenance Agreement, including the terms and provisions thereof;

Dated: April 6, 1998
Recorded: April 21, 1998

RECEIVED

JAN 11 2008

WATER RESOURCES DEPT
SALEM, OREGON

Order No.: 450781

Recorder's Fee No.: 98-033731
By and Between: MJ2, L.L.C., an Oregon limited liability company; and John A. Lisac, Irene M. Lisac, Gerald T. Lisac, Maryann Lisac, Steven D. Lisac, Tracy A. Lisac, and John N. Lisac

27. Mutual Easement Agreement, including the terms and provisions thereof;
Dated: April 6, 1998
Recorded: April 21, 1998
Recorder's Fee No.: 98-033732
By and Between: MJ2, L.L.C., an Oregon limited liability company; and John A. Lisac, Irene M. Lisac, Gerald T. Lisac, Maryann Lisac, Steven D. Lisac, Tracy A. Lisac, and John N. Lisac
28. Any adverse claims arising from the assertion of an indefinite or unlocatable location of the West boundary line of Tax Lot 190W1 of Parcel IV.
29. A judgment for the amount herein stated and any other amounts due;
Case No.: DR9006034
Entered: February 7, 1994
Amount: \$300.00 per month child support
Debtor: John Nicholas Lisac
Creditor: Deborah Lynn Lisac
30. The terms and provisions of the partnership agreement of Lisac Partnership, a copy of which should be furnished for our examination prior to closing. Any conveyance or encumbrance of partnership property must be executed by all of the general partners, unless otherwise provided for in the partnership agreement.

NOTE: A copy of the terms and provisions of the Operating Agreement for Lisac Properties, LLC, a Limited Liability Company should be furnished for our examination prior to closing. Any conveyance or encumbrance of the real property owned by the Limited Liability Company must be executed in accordance with the Operating Agreement or if the Operating Agreement contains no such provisions, a majority of the managers as provided in ORS 63.150. In addition, if there have been any changes in membership from the date of original creation of the Limited Liability Company to the present date, copies of approval of withdrawal and acceptance of the new member should be furnished for our examination.

NOTE: This report is subject to any amendments which might occur when the names of prospective purchasers are submitted to us for examination.

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$2,111.01
Levy Code: 012-083
Account No.: 00483836
Map No.: 22E14A
Tax Lot No.: 00803
(Affects Parcel I)

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$162.16
Levy Code: 012-093
Account No.: 00483818
Map No.: 22E14A
Tax Lot No.: 00800
(Affects a portion of Parcel II)

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$10,403.98
Levy Code: 012-083
Account No.: 00483845
Map No.: 22E14A
Tax Lot No.: 00890
(Affects a portion of Parcel II)

RECEIVED

JAN 11 2008

**WATER RESOURCES DEPT
SALEM OREGON**

Order No.: 450781

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$22.48
Levy Code: 012-171
Account No.: 01654418
Map No.: 22E14A
Tax Lot No.: 00800

(Affects a portion of Parcel II)

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$4,911.36
Levy Code: 012-093
Account No.: 00483863
Map No.: 22E14A
Tax Lot No.: 00900

(Affects Parcel III)

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$62.76
Levy Code: 012-081
Account No.: 00484489
Map No.: 22E14CD
Tax Lot No.: 00100W1

(Affects a portion of Parcel IV)

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$48.71
Levy Code: 012-083
Account No.: 00484498
Map No.: 22E14C
Tax Lot No.: 00190W1

(Affects a portion of Parcel IV)

NOTE: Property address is identified as:

16962 SE 130th Avenue, Clackamas, Oregon 97015 (Affects Parcel II)

NOTE: Property address is identified as:

17104 SE 130th Avenue, Clackamas, Oregon 97015 (Affects Parcel III)

END OF REPORT

cc:

John A. Lisac, Trustee

Ken Hoffman Realtors John Lisac

dn/grs

January 9, 2008

RECEIVED
JAN 11 2008
WATER RESOURCES DEPT
SALEM, OREGON

Order No.: 450781

RECEIVED

JAN 11 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

LEGAL DESCRIPTION

PARCEL I:

A tract of land being a part of the Issac Capps Donation Land Claim No. 52 in Section 14, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a basalt stone set in the West boundary of Capps Donation Land Claim No. 52, at a point that is 169.8 feet North from the re-entrant corner of the West boundary of said claim; thence Easterly 282.2 feet to the Northeast corner of that tract described in Deed to Frank Haberlach, et ux, recorded December 27, 1950 in Book 439, Page 666, Deed Records and the true point of beginning; thence continuing Easterly along the Easterly extension of the North line of said Haberlach Tract a distance of 263 feet; thence Southerly parallel with the Easterly line of said Haberlach Tract to a point on the meander line on the right bank of the Clackamas River; thence Westerly along said meander line to a point of intersection with the Southerly extension of the Easterly line of said Haberlach Tract; thence Northerly along said Easterly Haberlach Line and its Southerly extension thereof to the true point of beginning.

EXCEPTING THEREFROM ownership of the State of Oregon in and to that portion of the premises herein described lying below the line of ordinary high water of the Clackamas River.

PARCEL II:

Beginning at a point on the West boundary of the Issac Capps Donation Land Claim No. 52 in Township 2 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, that is 728.3 feet North of the re-entrant corner on the West boundary of the said Donation Land Claim and running thence East 1684 feet to the right bank of the Clackamas River; thence with the meanders of said river South $1^{\circ}16'$ West 204.2 feet; thence South $11^{\circ}10'$ West 482 feet; thence South $5^{\circ}45'$ East 411 feet; thence South $0^{\circ}38'$ East 428 feet; thence South 15° West 210 feet; thence South $45^{\circ}10'$ West 212 feet; thence South 76° West 438.4 feet; thence South $72^{\circ}10'$ West 755 feet; thence leaving the river North 1658.8 feet; thence West 282.2 feet to the West line of the said Capps Donation Land Claim; thence North 558.7 feet to the place of beginning.

EXCEPT that portion thereof described in Recorder's Fee No. 78-55272, Clackamas County Deed Records.

FURTHER EXCEPTING THEREFROM the parcel of land described in the Contract of Sale recorded August 11, 1981, Recorder's Fee No. 81-28154.

AND FURTHER EXCEPTING ownership of the State of Oregon in and to that portion of the premises herein described lying below the line of ordinary high water of the Clackamas River.

PARCEL III:

Part of the DLC of Issac Capps and wife in Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

LEGAL DESCRIPTION
(Continued)

Beginning at a basalt stone set in the West boundary of the Issac Capps DLC, Township 2 South, Range 2 East of the Willamette Meridian, at a point that is 169.6 feet North from the re-entrant corner of the West boundary of said claim; thence South 1072.6 feet to an iron pipe; thence South 89°26' East 282.2 feet to an iron pipe driven on the West boundary of a tract of land conveyed to F.A. Haberlach by Deed recorded in Book 118, Page 55, Clackamas County Deed Records; thence North tracing the West boundary of said tract 1076.62 feet to a stone set at the re-entrant corner of said tract; thence West 282.2 feet to the place of beginning.

EXCEPTING however from the above described land the Southerly 15 feet thereof cut off by a line 15 feet North of and parallel with the South line of the first above described tract.

PARCEL IV:

Part of the Issac Capps Donation Land Claim in Section 14, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the re-entrant corner of the West line of said Donation Land Claim said corner being 421.7 feet South of the Northeast corner of Government Lot 10, said Section 14; thence South 44°08' West along the center line of a private roadway, said center line also being the Southeasterly boundary of a tract of land conveyed to Arthur R. Brewer, et al, by Deed recorded in Book 455, Page 406, Clackamas County Deed Records, 410.4 feet to the most Northerly corner of a tract conveyed to R. DeMartini in Book 223, Page 104, Clackamas County Deed Records; thence South 1°35' West 605.27 feet to the Southeast corner of said DeMartini Tract; thence continuing South 1°35' West along the East boundary of a tract of land conveyed to Gladys F. Ireland in Book 311, Page 442, Clackamas County Deed Records, 292.3 feet; thence East parallel with the North line of said Donation Land Claim to a point on the East line of that certain tract conveyed to Peter Schoppert, et ux, in Book 331, Page 454, Clackamas County Deed Records; thence North along the East line of said Schoppert Tract 290 feet, more or less, to the most Easterly Northeast corner of said Schoppert Tract, said point being the Southeast corner of a tract conveyed to L.F. Schuele, et al, by Deed recorded in Book 234, Page 352, Clackamas County Deed Records; thence West 282.2 feet to the Southwest corner of said Schuele Tract; thence North tracing the West line of said Schuele Tract 900 feet, more or less, to the point of beginning.

RECEIVED
JAN 11 2008
WATER RESOURCES DEPT
SALEM, OREGON

CHICAGO TITLE INSURANCE COMPANY

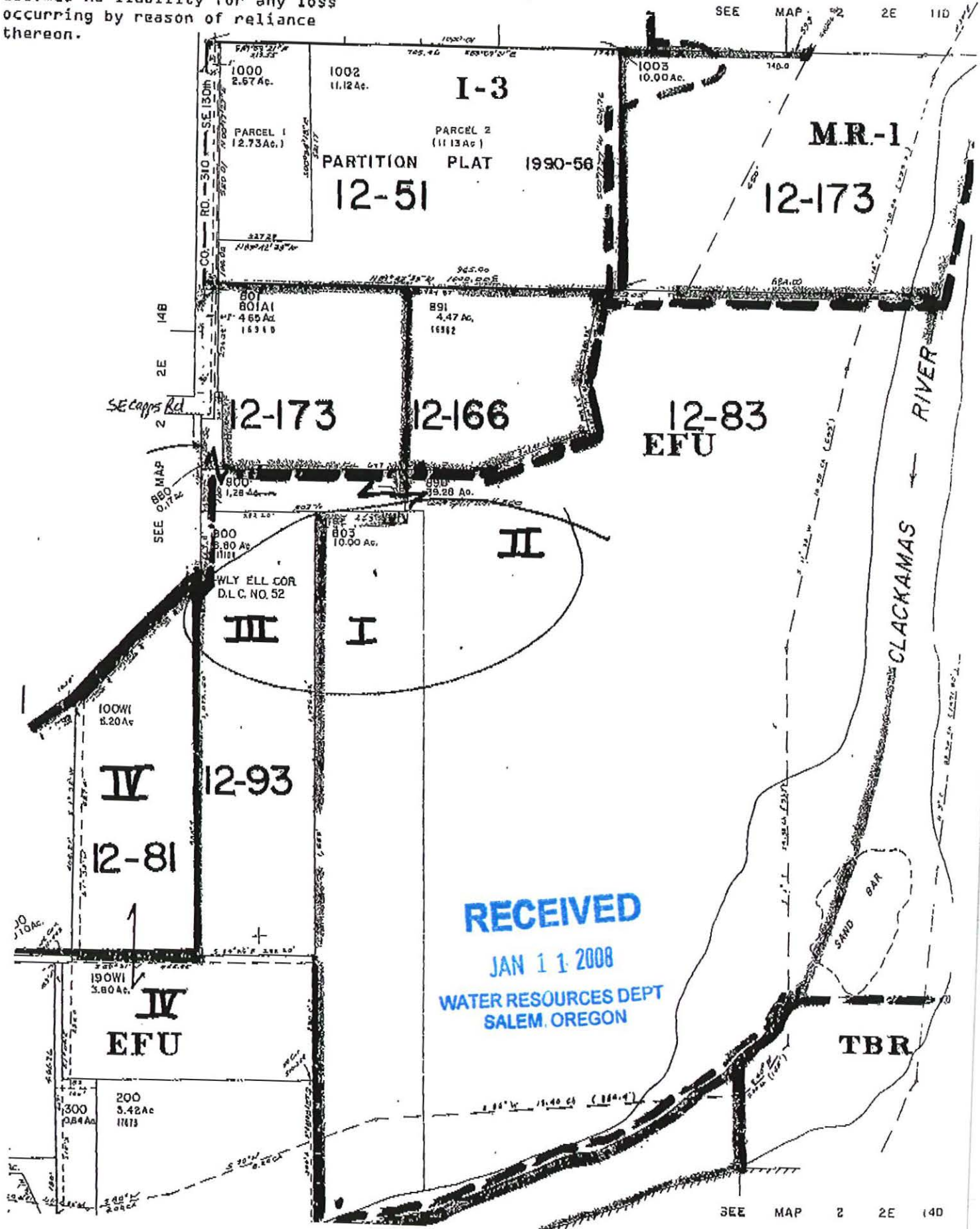
Map number 22E14A+14C
This plat is for your aid in locating your land with reference to streets and others parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon.



13400

1" = 200'

D.L.C.
ISAAC CAPPS N



SEE MAP 2 2E 14D

Water Resources Department
State of Oregon
N Mall Office Building
725 Summers Street NE
Salem, OR 97301

1/16/08

RECEIVED

JAN 22 2008

WATER RESOURCES DEPT
SALEM, OREGON

To Whom It May Concern:

We, Gerald T. and Maryann Lisac, as interest holders in Sah-Hah-Lee Golf Course located in Clackamas County, State of Oregon, have knowledge of the water right transfer application and do agree to the transfer.

Thank You
Gerald T Lisac and Maryann Lisac

Signed by Jerriann Bailey
(Attorney in Fact)

Jerriann Bailey POA

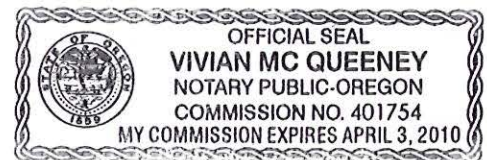
Dated 1/16/08

RECEIVED

JAN 22 2008

WATER RESOURCES DEPT
SALEM, OREGON

State of OREGON
County of Clackamas
This instrument was acknowledged before me on 1/16 2008
By Jerriann Bailey
Vivian McQueeney
Notary Public-State of Oregon
My commission expires: April 3, 2010



Special Power of Attorney

Store name

Store number

Accountholder's name

GERALD T. LISAC / MARYANN LISAC

This power of attorney shall not be affected by my subsequent incapacity.

Signatures

Agent's (Attorney-in-fact) address

25525 Cheryl Dr. West Linn, OR 97148

Accountholder signature (Principal granting Power of Attorney)

Gerald T. Lisac

Date

1/1/08

Agent's (Attorney-in-fact) phone number

(503) 656-0265 cell 503 939-7588

The Principal's signature must be notarized
Exception: In California, this Power of Attorney can either be acknowledged before a Notary Public or signed by two witnesses other than the agent (Attorney-in-fact) or notary

Agent's (Attorney-in-fact) signature

Maryann Lisac

First witness, if not notarized

X

Second witness, if not notarized

X

State of

Oregon

County of

Clackamas

on

January 1, 2008

(date) before me,

Karen J DeKar

Notary Public, personally appeared

Gerald T. Lisac

(Name of Signer)

Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the written instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Notary Public Signature

KJ DeKar

My commission expires

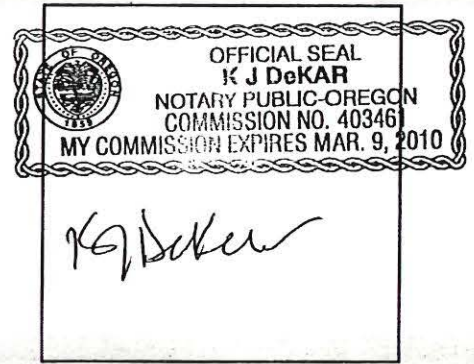
3/9/10

date

residing at

Clackamas, OR

county/state



Notary Seal

Revocation - I revoke the authorization above

Accountholder (Principal Signature)

Date

City

State

Notice to Person Executing Durable Power of Attorney

WARNING TO PERSON EXECUTING THIS DOCUMENT: This is an important legal document. It creates a power of attorney that provides the person you designate as your attorney-in-fact with the broad powers it sets forth. You have the right to terminate this power of attorney. If there is anything about this form that you do not understand, you should ask a lawyer to explain it to you.



FO01-00000DSG1041-02

RECEIVED

JAN 22 2008

WATER RESOURCES DEPT
SALEM, OREGON

Special Power of Attorney

Store name _____ Store number _____

Account holder's name
GERALD T. LISAC / MARYANN LISAC

This power of attorney shall not be affected by my subsequent incapacity.

Signatures

Agent's (Attorney-in-fact) address 25525 Cheryl Dr. West Linn OR Account holder signature (Principal granting Power of Attorney) Maryann Lisac Date 1/1/08

Agent's (Attorney-in-fact) phone number (503) 656-0265 (503) 939-7588

Agent's (Attorney-in-fact) signature
 Maryann Lisac

The Principal's signature must be notarized
 Exception: In California, this Power of Attorney can either be acknowledged before a Notary Public or signed by two witnesses other than the agent (Attorney-in-fact) or notary

First witness, if not notarized

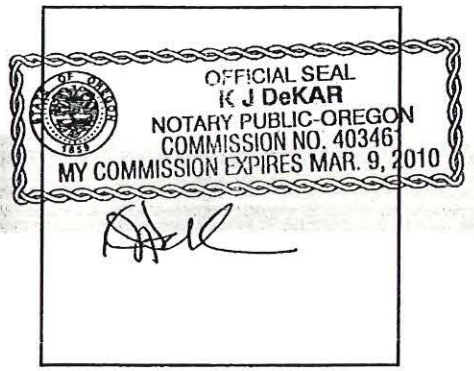
 Second witness, if not notarized

State of Oregon
 County of Clackamas

on January 1 2008 (date) before me,
Karen J DeKer Notary Public, personally appeared
Maryann Lisac (Name of Signer)

Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the written instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal
 Notary Public Signature K J DeKer
 My commission expires 3/9/10 date residing at Clackamas, OR county/state



Notary Seal

Revocation - I revoke the authorization above

Account holder (Principal Signature) _____ Date _____ City _____ State _____

Notice to Person Executing Durable Power of Attorney

WARNING TO PERSON EXECUTING THIS DOCUMENT: This is an important legal document. It creates a power of attorney that provides the person you designate as your attorney-in-fact with the broad powers it sets forth. You have the right to terminate this power of attorney. If there is anything about this form that you do not understand, you should ask a lawyer to explain it to you.



FO01-00000DSG1041-02

RECEIVED
 JAN 22 2008
 WATER RESOURCES DEPT
 SALEM, OREGON



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

Application for Water Right

Transfer

Superseded by revised application received 10/26/07

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer (1 to 5 yrs.)	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Sah-Hah-Lee Golf Course
First Last

Address: 17104 SE 130th Avenue

Clackamas Oregon 97015
City State Zip

Phone: _____ (503) 655-9249 _____
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: Pacific Hydro-Geology Inc., Greg or Malia Kupillas
First Last

Address: 18487 S. Valley Vista Road

Mulino Oregon 97042
City State Zip

Phone: _____ (503) 632-5016 _____ (503) 632-5016 _____
Home Work Other

Fax: (503) 632-5983 E-Mail address: phggek@bctonline.com

- If an agent is listed above, please check **one** of the following:
 - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**
 - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

RECEIVED

OCT 03 2007

WATER RESOURCES DEPT
 SALEM, OREGON

Last revised: 7/27/2007

Transfer Application/1

FS

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	S-18824	S-14462	14307
2.			
3.			
4.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - Place of Use Point of Diversion (POD) Additional Point of Diversion
 - Character of Use Point of Appropriation (POA, or well) Additional POA
 - Instream Transfer Surface Water POD to Ground Water POA
 - Substitution of Supplemental Groundwater right for Primary Surface water right
 - Historic POD change Other
- Reason(s) for change(s): We wish to certify a historic change in point of diversion.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Two pumps (40 Hp and 10 Hp) can be used individually or together to withdraw water from the historical point of diversion. Water is conveyed in a 6-inch, above-ground mainline to the existing underground sprinkler system used to irrigate the golf course. The current system serves two water rights (Certificates 14307 and 55645) with combined authorized rates totaling 0.35 cfs. The authorized POD for Certificate 14307 has not been used for over 30 years.

- System capacity: 0.35 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Not applicable

RECEIVED

OCT 03 2007

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No
- Is 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? Yes No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Not applicable

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Clackamas County Department of Transportation and Development, Planning Division, 9101 SE Sunnybrook
Blvd., Clackamas, Oregon 97015

RECEIVED

OCT 03 2007

WATER RESOURCES DEPT
SALE, revised 7/27/2007

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: Certificate 14307

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input checked="" type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	<p align="center">Proposed new use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

RECEIVED
OCT 03 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (*check and complete one of the following*):

<input checked="" type="checkbox"/> Certificated Right	14307 <small>Certificate Number</small>	S-14462 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	<small>Name of Decree</small>	<small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	<small>Permit Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	<small>Previous Transfer Number</small>	<small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: Frank Haberlach Estate
- County: Clackamas
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): July 1, 1940

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Clackamas River

Tributary to: Willamette River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 - Yes No N/A – *No Change in Place of Use or Character of Use*

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

RECEIVED

OCT 03 2007

John and Irene Lisac are interest holders in Sah-hah-lee Golf Course and are aware of the application of the water rights point of diversion change and agree with it.

John A Lisac
John A Lisac

Irene M Lisac
Irene M Lisac

IN WITNESS WHEREOF, the party hereto has executed this Agreement on

1-17, 20 08

BY JOHN & IRENE LISAC

MUST BE NOTARIZED

SUBSCRIBED AND SWORN TO before me this 17 day of Jan, 2008

Connie Oakden
NOTARY PUBLIC OF OREGON

My commission expires: 4-2-2011




RECEIVED

JAN 22 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

Consent of Transfer

We, Steven D. Lisac and Tracy Ann Lisac are interest holders in Sah-Hah-Lee Golf Course and Driving Range. We are aware of the application for a water rights point of diversion change, and hereby give our consent.


Steven D. Lisac

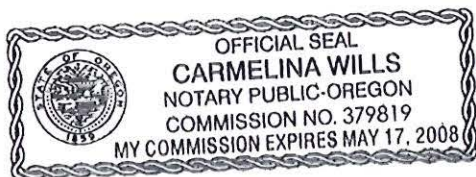

Tracy Ann Lisac

IN WITNESS WHEREOF, the party hereto has executed this Agreement on 1/18, 2008

By STEVE & TRACY LISAC

MUST BE NOTARIZED

SUBSCRIBED AND SWORN TO before me this 18 day of JANUARY 2008




NOTARY PUBLIC OF OREGON

My commission expires: 5-17-2008

RECEIVED
JAN 22 2008
WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, December 24, 2007 5:39 PM
To: 'jeborden@comcast.net'
Subject: T-10468 DPD and invoice

Attachments: 10468-DPD-Cov.doc; 10468-dpd.doc



10468-DPD-Cov.doc (38 KB) 10468-dpd.doc (91 KB)

Hi John,

Finally I had a peaceful day and was able to get the DPD for T-10468 ready to go out in the mail. It is attached. You'll see that we got a response from ODFW and I also made a few minor tweaks, mostly formatting. I checked the actual Final Proof map for Certificate 29329 and found that it neatly fits with the place of use on the transfer map, with no conflict. So, I deleted the reference to that in the cover letter. This project should proceed smoothly from this point forward.

I see from my notes that you are now finished with the project, so go ahead and submit your invoice.

Have a very merry Christmas,
Dorothy

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, November 19, 2007 12:16 PM
To: 'John Borden'
Subject: T-10468 templates

Attachments: 10468-PD cov template.doc; 10468-DPD Cover Deny template.doc; 10468-dpd-template.doc; 10468-DPD Cover Approval template.doc; supplemental-lang.dot; Contact List.dot; PD_notice.dot; DeficLet.dot



10468-PD cov
template.doc (35 ...



10468-DPD Cover
Deny template....



10468-dpd-templat
e.doc (109 KB...



10468-DPD Cover
Approval templ...



supplemental-lang.
dot (162 KB)...



Contact List.dot (26
KB)



PD_notice.dot (29
KB)



DeficLet.dot (27
KB)

Hi John,

The templates for T-10468 are attached. Thanks for the reminder and let me know if you need anything else.

Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

*To: Dorothy Pederson
② Satene Speifa
From: John Borden
Date: 10/17/2007*

Application Number T-10468
Name of Applicant: Sah-Hah-Lee Golf Course

Proposed Timeline

10/9/07	Public Notice (start of 30-day comment period).
11/23/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
12/28/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	1
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	N/A
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	N/A
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	3
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	1 1/2
Total Estimated Time:		5 1/2

(Indicate the estimated amount of time, in 1/2 hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: John Borden Consulting

Authorized Representative: *John E Borden* Date: 10/17/2007

Oregon Water Resources Department



FAXED

10/15/07
osp



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: John Borden

Fax Number: (503) 723-4257

Date: 10/15/07

Pages: 3, including cover sheet

From: Dorothy Pedersen

Phone: 503-986-0 890

Comments:

Historical information about the T-10468 POD change.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Shipping Checklist for Reimbursement Authority File

File T- 10468 Applicant: Sah-Hah-Lee Golf Course

Agent/Contact: Pacific-Hydro-Geology Inc

Ship to Contractor: John Borden Consulting

Items included:

- Copy of front of file folder
- Reimbursement Authority Estimate Application
- Transfer Application form
- Transfer map
- Evidence of use affidavit
- Supporting documentation for evidence of use
- Land-use Information form
- Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) - *Ask for in DPD cover letter*
- Certificate or copy of decree for each right to be transferred
- Final Proof map or decree map for each right to be transferred
- Well logs (if change in POA, SW POD-to-GW POA change)
- Watermaster review (all transfers)
- ODFW review (if change in POD)
- GW review (if Δ POA, or POD-to-POA change)
- Transfer review checklist
- Final Deliverable cover sheet
- Itemized Estimate sheet for contractor

Additional things to check:

- All regular application processing fees paid
- Reimbursement Authority \$125 fee paid for preparing estimate
- Date of WRD initial Public Notice 10-9-2007

Number of sheets copied 12

File contents copied by Lisa Paschke Date 10-4-07

Note: This transfer does not qualify as an "Historic" because applicant is not an "individual" and it does not include documentation of use for 10 or more years with no claim of injury. Process as a regular POD change.

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-10468

Name of Applicant: Sah-Hah-Lee Golf Course

Proposed Timeline

10/9/07	Public Notice (start of 30-day comment period).
11/23/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
12/28/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: John Borden Consulting

Authorized Representative: _____ Date: _____

Application

- The type of change is clearly indicated.
- The application is appropriately signed.
- Appropriate fees were paid. If overpayment, Refund Request to be sent with FO
- Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- All required attachments received.

Water right subject to transfer

- Certificated right or Proof accepted "to the satisfaction..."
- The right been exercised according to terms & conditions of certificate.
- Delivery system has the capacity to fully divert the rate/duty of the right.
- No information in record that suggests forfeiture.
- No conflicts identified on the plat cards and plat card reports printed.
- Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- The map has an original CWRE signature.
- The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- Metes and bounds for the POD's/POA's are properly described on the map.
- The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
- Map acres match the tabulation on the certificate.
- Have final proof maps/decree maps for the rights. Application map matches certificate FPS.
- Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- Only the authorized POD's/POA's and POU's to be transferred are listed.
- Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
- Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.

Ownership

- The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- The applicant is the owner of the "from" lands.
- All owners on the deed/ROLI have signed the application.
- If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| <input type="checkbox"/> application complete | <input type="checkbox"/> map | <input type="checkbox"/> FPS | <input type="checkbox"/> evidence of use | <input type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROLI | <input type="checkbox"/> certificate | <input type="checkbox"/> fees paid | <input type="checkbox"/> well logs | <input type="checkbox"/> plat card |
| <input type="checkbox"/> audit | <input type="checkbox"/> dpd | | | |

Reviews/comments/conditions received? Watermaster ODFW GW

Headgate When in the judgment Prior to diverting Existing and maintain

Measuring Devices When in the judgment Prior to diverting Existing and maintain

Fish Screen Devices

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # T-10468

Applicant: Sah-Hah-Lee Golf Course

The following items have been submitted electronically*:

- Contact List
- Draft Preliminary Determination (DPD)
- DPD Cover Letter
- PD Notice
- PD Cover Letter
- Remaining Right Certificates (one for each right that is not entirely affected by the transfer)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- Marked copy of transfer application
- (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

Signature of Contractor: _____ **Date:** _____

For WRD use only:

WRD approval by: _____ **Date:** _____

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: *(check one)*:

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	T- 10468
<input type="checkbox"/>	Certificate Request	_____
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	Sah-Hah-Lee Golf Course	Pacific Hydro-Geology Inc./Greg Kupillas
Address:	17104 SE 130th Avenue	18487 S. Valley Vista Road
	Clackamas, OR 97015	Mulino, OR 97042
Phone:	(503) 655-9249	(503) 632-5016
Fax		(503) 632-5983
E-Mail Address:	oneputt@teleport.com	phggeek@bctonline.com

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to: **OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.**

I certify that I am the *(check one)* Applicant Applicant's Representative Other *(Please specify)* _____

Signature: _____ Name: Gregory E. Kupillas

OWRD USE ONLY

Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

RECEIVED

OCT 03 2007

Revised 6/21/2004

Water Rights Platcard Report

Meridian: Township: South Range: East Section: Records per Page:

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkwn	QQ
Select Permit:G 11458 *		10/3/1991	INDUSTRIAL/MANUFACTURING USES							*	*									
Additional Info: PACIFIC SEA FOODS CO. App: G12676 Permit: G11458																				
Select Cert:14307 OR *		T10202, 7/1/1940	IRRIGATION						15.3				7.6	10.5					6	
Additional Info: FRANK HABERLACH App: S18824 Permit: S14462 Cert: 14307																				
Select Cert:23099 OR *		3/18/1953	IRRIGATION							10.1									6.4	
Additional Info: KAZ TAMURA App: S28216 Permit: S22202 Cert: 23099																				
Select Cert:26630 OR *		3/17/1953	IRRIGATION											3.2						
Additional Info: WALTER M NOVAK App: S28212 Permit: S22199 Cert: 26630																				
Select Cert:28162 OR *		8/27/1958	IRRIGATION						2.2		9.5									
Additional Info: EARNST DEJULIS App: G1223 Permit: G1116 Cert: 28162																				
Select Cert:29329 OR *		1/16/1959	IRRIGATION																3	
Additional Info: WILLARD L MATHIESEN App: S32841 Permit: S26000																				

Subject Right

NCR

Potential Conflict

RECEIVED
NOV 23 2007
WATER RESOURCES DEPT
SALEM, OREGON

Potential Conflict

3

Water Rights Platcard Report

Meridian: Township: Range: Section: Records per Page:

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select App:S 80438 * Additional Info: CLACKAMAS WATER DISTRICT App: S80438		6/13/1995	MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select App:S 80465 * Additional Info: CLACKAMAS WATER DISTRICT App: S80465		6/15/1995	MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Permit:S 34426 * Additional Info: CLACKAMAS WATER DISTRICT App: S46072 Permit: S34426		5/23/1969	MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Cert:37794 OR * Additional Info: CLACKAMAS WATER DISTRICT App: S37245 Permit: S27925 Cert: 37794		4/25/1962	MUNICIPAL USES							*	*	*	*											
Select Cert:64979 OR CN Additional Info: CLACKAMAS WATER DISTRICT App: S44939 Permit: S33586 Cert: 64979		5/20/1968	MUNICIPAL USES		CN																		*	
Select Cert:79899 CR * Additional Info: CLACKAMAS WATER DISTRICT App: S44939 Permit: S33586 Cert: 79899		5/20/1968	MUNICIPAL USES																				*	
Select Cert:64477 OR *		7/20/1977	SUPPLEMENTAL IRRIGATION			1	2.2																	

WCR

WCR

WCR

WCR

RECEIVED
 NOV 23 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

