

# Application for a Permit to Use Groundwater



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

|                                             |                        |              |                                 |  |
|---------------------------------------------|------------------------|--------------|---------------------------------|--|
| NAME<br>COLIN RANDALL AND ELIZABETH PURSLEY |                        |              | PHONE (HM)                      |  |
| PHONE (WK)                                  | CELL<br>(360) 908-0878 |              | FAX                             |  |
| ADDRESS<br>16268 S. BABLER RD.              |                        |              |                                 |  |
| CITY<br>OREGON CITY                         | STATE<br>OR            | ZIP<br>97045 | E-MAIL*<br>RANDALLCER@GMAIL.COM |  |

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### Organization

|         |       |     |         |     |
|---------|-------|-----|---------|-----|
| NAME    |       |     | PHONE   | FAX |
| ADDRESS |       |     | CELL    |     |
| CITY    | STATE | ZIP | E-MAIL* |     |

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

|                                                                       |             |              |                             |                       |
|-----------------------------------------------------------------------|-------------|--------------|-----------------------------|-----------------------|
| AGENT / BUSINESS NAME<br>DOANN HAMILTON / PACIFIC HYDRO-GEOLOGY, INC. |             |              | PHONE<br>(503) 632-5016     | FAX<br>(503) 632-5983 |
| ADDRESS<br>18487 S. VALLEY VISTA RD                                   |             |              | CELL<br>(503) 349-6946      |                       |
| CITY<br>MULINO                                                        | STATE<br>OR | ZIP<br>97042 | E-MAIL*<br>PHGDMH@GMAIL.COM |                       |

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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

Colin Randall  
Applicant Signature  
Elizabeth Pursley  
Applicant Signature

Colin Randall  
Print Name and Title if applicable  
Elizabeth Pursley  
Print Name and Title if applicable

8/29/2022  
Date  
9-29-2022  
Date

## SECTION 2: PROPERTY OWNERSHIP

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

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- ☒ YES, there are no encumbrances.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☐ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

NA

**Legal Description:** You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

## SECTION 3: WELL DEVELOPMENT

| WELL NO. | NAME OF NEAREST SURFACE WATER    | IF LESS THAN 1 MILE:              |                                                              |
|----------|----------------------------------|-----------------------------------|--------------------------------------------------------------|
|          |                                  | DISTANCE TO NEAREST SURFACE WATER | ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD |
| WELL 1   | UNNAMED TRIBUTARY TO CLEAR CREEK | 1,375 FEET                        | 25 FEET                                                      |
| WELL 2   | UNNAMED TRIBUTARY TO CLEAR CREEK | 1,825 FEET                        | 20 FEET                                                      |
|          |                                  |                                   |                                                              |
|          |                                  |                                   |                                                              |
|          |                                  |                                   |                                                              |

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

Well specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field. The objective will be to construct the well to develop water from the alluvial aquifer.

### SECTION 3: WELL DEVELOPMENT, continued

**Total maximum rate requested: 0.0565 cfs** (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

**The table below must be completed for each source to be evaluated or the application will be returned.** If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

| OWNER'S<br>WELL<br>NAME OR<br>NO. | PROPOSED                            | EXISTING                 | WELL ID (WELL<br>TAG) NO.*<br>OR<br>WELL LOG ID** | FLOWING<br>ARTESIAN      | CASING<br>DIAMETER | CASING<br>INTERVALS<br>(IN FEET) | PERFORATED OR<br>SCREENED<br>INTERVALS<br>(IN FEET) | SEAL<br>INTERVALS<br>(IN FEET) | MOST RECENT<br>STATIC WATER<br>LEVEL & DATE<br>(IN FEET) | PROPOSED USE      |                        |                                    |                                 |
|-----------------------------------|-------------------------------------|--------------------------|---------------------------------------------------|--------------------------|--------------------|----------------------------------|-----------------------------------------------------|--------------------------------|----------------------------------------------------------|-------------------|------------------------|------------------------------------|---------------------------------|
|                                   |                                     |                          |                                                   |                          |                    |                                  |                                                     |                                |                                                          | SOURCE AQUIFER*** | TOTAL<br>WELL<br>DEPTH | WELL-<br>SPECIFIC<br>RATE<br>(GPM) | ANNUAL<br>VOLUME<br>(ACRE-FEET) |
| WELL 1                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA                                                | <input type="checkbox"/> | 8 INCH             | 0 TO 275                         | TBD                                                 | 0 TO 50                        | NA                                                       | ALLUVIAL          | 275<br>FEET            |                                    |                                 |
| WELL 2                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA                                                | <input type="checkbox"/> | 8 INCH             | 0 TO 275                         | TBD                                                 | 0 TO 50                        | NA                                                       | ALLUVIAL          | 275<br>FEET            |                                    |                                 |
|                                   | <input type="checkbox"/>            | <input type="checkbox"/> |                                                   | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |
|                                   | <input type="checkbox"/>            | <input type="checkbox"/> |                                                   | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          | TOTAL:            |                        | 25.35<br>GPM                       | 27.4 AF                         |
|                                   | <input type="checkbox"/>            | <input type="checkbox"/> |                                                   | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |
|                                   | <input type="checkbox"/>            | <input type="checkbox"/> |                                                   | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |
|                                   | <input type="checkbox"/>            | <input type="checkbox"/> |                                                   | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |
|                                   | <input type="checkbox"/>            | <input type="checkbox"/> |                                                   | <input type="checkbox"/> |                    |                                  |                                                     |                                |                                                          |                   |                        |                                    |                                 |

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

\*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

\*\*\* Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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Groundwater Application — Page 3

Rev. 07/21

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#### SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:  
[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

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##### Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

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**If yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

**If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:**

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

##### Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

☒ Yes ☐ No

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified** that the Water Resources Department will determine, by reviewing

recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

☐ Yes ☒ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If **yes**, provide a description of the measures to be taken to assure reasonably efficient water use:  
NA

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

☒ Yes ☐ No

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If **yes**, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

## SECTION 5: WATER USE

| USE        | PERIOD OF USE              | ANNUAL VOLUME (ACRE-FEET) |
|------------|----------------------------|---------------------------|
| Irrigation | March 1 through October 31 | 27.4 AF                   |

### For irrigation use only:

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

Primary: 40.6 Acres      Supplemental: 0.0 Acres      Nursery Use: 0.0 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 27.4 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: NA (**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)

- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): NA

## SECTION 6: WATER MANAGEMENT

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### A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): Submersible 5 Hp pump  
☐ Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water will be pumped from the well through buried mainlines to supply drip lines.

### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Drip irrigation

### C. Conservation

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

Water will be applied to crops when needed. The most water efficient method of irrigation will be used to irrigated hazel nuts and/or lavender.

## SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Within three years after the permit is issued
- b) Date construction will be completed: Within five years after the permit has been issued
- c) Date beneficial water use will begin: Within five years after the permit has been issued

## SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe: Water will be applied at the appropriate rate and duration to avoid excess watering

- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
**Note:** If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

There are no streams located near the proposed wells or any other location requiring ground disturbance; therefore, no banks will need clearing.

- ☒ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:  
List: NA

#### SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

|                                |         |     |
|--------------------------------|---------|-----|
| Irrigation District Name<br>NA | Address |     |
| City                           | State   | Zip |

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#### SECTION 10: REMARKS

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

We understand that, contrary to the USGS National Map, the unnamed tributary to Clear Creek located north of the proposed place of use is an intermittent stream. Our understanding is based on anecdotal evidence provided by the applicant for Application G-17427, as well as information provided in OWRD records. The watermaster application work sheet for Application G-16444 (attached) states that the tributary to Clear Creek is dry from May through November, and does not flow into Clear Creek during summer months. Furthermore, the USGS National Map shows the unnamed tributary to Clear Creek which is located to the south of the proposed place of use is intermittent in its reach nearest to the proposed place of use and becomes perennial at a point about 3,000 feet from the nearest proposed well. Based on this information, it appears there is no hydraulic connection to Clear Creek within at least 3,000 feet of the proposed wells during summer months.

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## Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

### Include this checklist with the application

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

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Well Development
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Project Schedule
- ☒ SECTION 8: Resource Protection
- ☐ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

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#### Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: **\$ 2,390.00**  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- ☒ Map that includes the following items:
  - ☒ Permanent quality and drawn in ink
  - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - ☒ North Directional Symbol
  - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
  - ☒ Reference corner on map
  - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
  - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
  - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - ☐ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

# Land Use Information Form



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

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## Applicant

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|                                             |  |                        |              |                                 |  |
|---------------------------------------------|--|------------------------|--------------|---------------------------------|--|
| NAME<br>COLIN RANDALL AND ELIZABETH PURSLEY |  |                        | PHONE (HM)   |                                 |  |
| PHONE (WK)                                  |  | CELL<br>(360) 908-0878 |              | FAX                             |  |
| ADDRESS<br>16268 S. BABLER RD               |  |                        |              |                                 |  |
| CITY<br>OREGON CITY                         |  | STATE<br>OR            | ZIP<br>97045 | E-MAIL*<br>RANDALLCER@GMAIL.COM |  |

## A. Land and Location

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

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be:                                 |                                              |                                          | Proposed Land Use: |
|----------|-------|---------|-----|-----------|-------------------------------------------------|----------------------------------------------|----------------------------------------------|------------------------------------------|--------------------|
| 2S       | 3E    | 28      |     | 1100      | EFU                                             | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Irrigation         |
|          |       |         |     |           |                                                 | <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 all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Clackamas County

## B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond    ☒ Groundwater    ☐ Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0.0565    ☒ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

Intended use of water: ☒ Irrigation    ☐ Commercial    ☐ Industrial    ☐ Domestic for \_\_\_\_\_ household(s)  
☐ Municipal    ☐ Quasi-Municipal    ☐ Instream    ☐ Other \_\_\_\_\_

Briefly describe:

New groundwater permit to irrigate hazel nuts and/or lavender

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

## For Local Government Use Only

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

**Please check the appropriate box below and provide the requested information**

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): outright use in the EFU District ZDO 401
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

| Type of Land Use Approval Needed<br>(e.g., plan amendments, rezones,<br>conditional-use permits, etc.) | Cite Most Significant, Applicable Plan<br>Policies & Ordinance Section References | Land Use Approval:                                                   |                                                                                      |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        | <b>RECEIVED</b>                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        | <b>OCT 11 2022</b>                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        | <b>OWRD</b>                                                                       | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |

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

|                                                                                                                                             |                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
|                                                                                                                                             |                                        |
| NAME Roman Sierra                                                                                                                           | TITLE:<br>Planner I                    |
| SIGNATURE<br><small>Digitally signed by ROMANA<br/>DN: cn = ROMANA, email = ROMANA@clackamas.us<br/>Date: 2022.10.06 12:08:30 -0700</small> | PHONE: 503-742-4500<br>DATE: 10/6/2022 |
| GOVERNMENT ENTITY<br>Clackamas County - Planning Zoning and Development                                                                     |                                        |

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

### Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

AFTER RECORDING RETURN TO:  
Trina Montalban  
4664 SE King Road  
Portland, OR 97222

Clackamas County Official Records  
Sherry Hall, County Clerk

**2020-106400**

12/16/2020 08:44:02 AM

D-D Cnt=1 Str=74 MELISSA  
\$15.00 \$16.00 \$10.00 \$62.00

\$103.00

SEND TAX STATEMENTS TO:  
Elizabeth L. Pursley  
PO Box 1297  
Castle Rock, WA 98611

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**PERSONAL REPRESENTATIVE'S DEED**

THIS INDENTURE dated December 15, 2020, by and between Sara J. Pursley and Kathleen S. Higdon, the duly appointed, qualified, and acting Co-Personal Representatives of the Estate of Edward I. Seagraves, deceased, hereinafter collectively called GRANTOR, and Elizabeth L. Pursley, hereinafter called GRANTEE; WITNESSETH:

For value received and the consideration hereinafter stated, GRANTOR has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto GRANTEE and GRANTEE'S heirs, successors and assigns, all the estate, right and interest of the estate of the deceased, whether acquired by operation of the law or otherwise, in that certain real property situated in Clackamas County, Oregon, described as follows:

*See Attached Exhibit A.*

To have and to hold the same unto GRANTEE'S heirs, successors-in-interest, and assigns forever. The true and actual consideration for this conveyance is value other than money.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY**

OCT 11 2022

OWRD

OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Sara J. Pursley per rep

Sara J. Pursley, Co-Personal Representative of the Estate of Edward I. Seagraves

Kathleen S. Higdon per rep.

Kathleen S. Higdon, Co-Personal Representative of the Estate of Edward I. Seagraves

STATE OF OREGON )

) ss:

County of Clackamas )

On this 15<sup>th</sup> day of DEC. 2020 the foregoing instrument was acknowledged before me by Sara J. Pursley, Co-Personal Representative for the Estate of Edward I. Seagraves.

[Signature]

Notary Public for Oregon

My Commission Expires: July 20, 2021

STATE OF OREGON )

) ss:

County of Clackamas )

On this 15<sup>th</sup> day of DEC 2020 the foregoing instrument was acknowledged before me by Kathleen S. Higdon, Co-Personal Representative for the Estate of Edward I. Seagraves.

[Signature]

Notary Public for Oregon

My Commission Expires: July 20, 2021

OCT 11 2022

## Exhibit A

OWRD

A certain tract of land lying in Section 28, Township 2 South, Range 3 East of the Willamette Meridian; Beginning at a point 34.18 chains North of the S.W. Corner of Section 28 Township 2 South, Range 3 East and at the intersection of the Section line between Sections 28 and 29 and the South line of the John Foster D.L.C. #41; thence South  $78^{\circ}$  East 26.49 chains to the North East Corner of Parcel No. 3 of the land conveyed to Charles H. Seagraves and Louisa M. Seagraves, husband and wife, by instrument recorded in Vol. 335, Page 74, Deed Records of Clackamas County, Oregon; thence South  $1^{\circ}$  West following the East line of the aforesaid Seagraves property to the center line of Market Road No. 28, commonly known as the Logan-Springwater Road, as now constituted; thence following the center line of said Market Road No. 28 in a North Westerly direction to the West line of Section 28, Township 2 South, Range 3 East of the Willamette Meridian; thence in a Northerly direction following said section line to the point of the beginning, except the two portions thereof described as follows:

1. A certain tract of land lying in Section 28, T.2.S., R.3.E. of the W.M.: Beginning at a point 34.18 chains North of the S.W. corner of Section 28 T.2.S, R.3.E.; at the intersection of the Section line between Sections 28 and 29 and the South line of the John Foster D.L.C #41; thence South  $78^{\circ}$  East 527.31 feet along the John Foster D.L.C. line; thence South 485.0 feet to a point; thence West 515.85 feet to the West line of Section 28 T.2.S., R.3.E. of the W.M.; thence North 594.34 feet to the point of the beginning.

Such excepted portion consisting of approximately 6.2 acres.

2. A certain tract of land in Section 28, T.2.S., R.3.E. of the W.M.: Beginning at a point 1611.54 feet North of the S.W. corner of Section 28 T.2.S, R.3.E. on the section line between Sections 28 and 29 T.2.S., R.3.E.; thence East 515.85 feet to a point; thence South 810.28 feet to the center line of Market Road 28 commonly known as the Logan-Springwater Road; thence North  $62^{\circ} 41'$  West 580.63 feet, along the center line of Market Road 28 to the West line of Section 28 T.2.S., R.3.E; of the W.M.; thence North following said Section line 543.66 feet to the point of beginning.

Such excepted portion consisting of approximately 7.36 acres.

Save and Except the right of the public in and to County roads.