

**ASSIGNED**

FILE#: G 12589

FRANK J BASTASCH  
BASTASCH, JOYCE D  
2725 VIA OLEADAS  
PALOS VERDES ESTATES, CA

90274

Application No. G G12589

Permit No. G G11627

Certificate No. \_\_\_\_\_

Clackamas  
Stream Index, Page No. 2

02-1140-0230 -0170

V23 Eagle Creek

**FEES PAID**

Date	Amount	Receipt No.
6-24-91	1040 <sup>00</sup>	73663
2/7/93	10.00	100737
2-14-96	100 <sup>00</sup>	132271
Extension 4-15-96	100 <sup>00</sup>	001472
Extension 7-20-97	100 <sup>00</sup>	10184
Extension 6-24-97	22230	22230

**FEES REFUNDED**

Date	Amount	Check No.
6-6-93	92.00	001017
4-26-96	102.00	000548
4-1-99	100.00	28641
6-19-98	670.00	127032

Date filed \_\_\_\_\_  
 Priority \_\_\_\_\_  
 Action suspended until C2023  
 Return to applicant \_\_\_\_\_  
 Date of approval \_\_\_\_\_

**ASSIGNMENTS**

Date	To Whom	Address	Volume
6-7-93	Eagle Creek Golf Course, Inc	1403 SE Stark St., Pld. 97214	7 2775

**CONSTRUCTION**

Date for beginning NOV 22 1994  
 Date for completion OCT 01 1995  
 Extended to 10-1-96, 10-1-97, 10-1-97  
 Date for application of water OCT 01 1996  
 Extended to 10-1-97, 10-1-97, 10/1/2023

**REMARKS**

See 71714 WITHDRAWN?

Div 9

Card for A Form 90 sent DEC 06 1994

H8 sent 2/17/95

B Rem. sent 1/29/96

B, 10-1-96 V50 P158

(BC ext. 10-1-97 on 3/13/97 V51 P299)

**PROSECUTION OF WORK**

Form "A" filed 2/7/95  
 Form "B" filed \_\_\_\_\_  
 Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Date certificate issued \_\_\_\_\_

RECEIVED  
FEB - 7 1995  
MAIL ROOM  
WATER RESOURCES DEPT  
SALEM, OREGON

Form A (690-9-77)

Application No. ....

NOTICE OF BEGINNING OF CONSTRUCTION

FRANK J. BASTASCH / EAGLE CREEK GOLF COURSE, the holder of Permit No. G-11627

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 10th day of AUGUST, 1994.

Remarks: FIRST WELL WAS DRILLED BY ALL WAYS DRILLING - ESTACADA, OR. PRIOR TO

11/22/94. ALL THE PUMPS AND 50% OF THE PIPE AND SPRINKLERS WERE ACQUIRED. ALSO, A TEMPORARY WATERING SYSTEM WAS COMPLETED FOR THE GREENS.

authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of FEBRUARY, 1995

Frank J. Bastasch  
(Signature of Applicant)

1403 S.E. STARK ST PORTLAND, OR 97214  
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

SP\*35567-690

OK  
JES

APPLICATION CHECK-OFF LIST

RECEIPT POSTED

ACK LETTER SENT

INT

DATE

STREAM INDEXED & STREAM CODED

CONTENTS MARKED/STAMPED

SCENIC WATERWAY NOTED

FILE FOLDER/CALENDAR CARD TYPED

APPLICATION COPIED

MAPS COPIED



# Oregon

Kate Brown, Governor

G12589

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

March 26, 2020

EAGLE CREEK GOLF COURSE INC.  
1403 SE STARK ST  
PORTLAND, OR 97214

REFERENCE: Permit Amendment Application T-13051

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Arla Davis, by telephone at (503) 986-0806 or by e-mail at [Arla.L.Davis@oregon.gov](mailto:Arla.L.Davis@oregon.gov).

Sincerely,

Julie C. Baustian  
Water Rights Services Support  
Transfers and Conservation Section

cc: Amy J. Landvoigt, Watermaster Dist. # 20 (via email)  
Doann Hamilton, Agent  
Clackamas County

Enclosure

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

In the Matter of Permit Amendment	)	FINAL ORDER
T-13051, Clackamas County	)	APPROVING CHANGE IN POINTS OF
	)	APPROPRIATION, ADDITIONAL
	)	POINTS OF APPROPRIATION, AND A
	)	CHANGE IN PLACE OF USE

**Authority**

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

EAGLE CREEK GOLF COURSE INC.  
c/o JIM BASTASCH  
25805 SE DOWRY RD  
EAGLE CREEK, OR 97022

**Findings of Fact**

1. On October 30, 2018, EAGLE CREEK GOLF COURSE INC. c/o JIM BASTASCH, filed an application to change the points of appropriation, add additional points of appropriation and change in place of use under Permit G-11627. The Department assigned the application number T-13051.
2. On March 26, 1996, the Department approved an extension of time for complete application of water to October 1, 1996.
3. On March 13, 1997, the Department approved an extension of time for complete application of water to October 1, 1997.
4. On January 24, 2000, the Department approved an extension of time for complete application of water to October 1, 2007.
5. On October 26, 2018, the Department approved an extension of time for complete application of water to October 1, 2023.
6. Notice of the application for the permit amendment was published in the Department's weekly notice on January 14, 2020, and in the Oregonian newspaper on March 4 and 11, 2020, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either 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.

7. On January 8, 2020, the Department notified the applicant of deficiencies in the application specifically the application did not include a land use form, and clarification of a mailing address and clarification of changes to Permit G-11627.
8. On January 8, 2020 the applicant for the agent responded to the deficiencies by email and clarified the application information.
9. On January 16, 2020, the Department received a Land Use Form from the agent for the applicant satisfying the deficiency.
10. Permit Amendment Application T-13051 proposes to move authorized points of appropriation (Well 1 and Well 2) with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells
3 S	3 E	WM	1	NE SE	WELL 1 – 1965 FEET NORTH AND 190 FEET WEST FROM THE SE CORNER OF SECTION 1	Well 1 - 0.1 mile Well 2 - 150 feet Well 3 - 0.2 mile
3 S	3 E	WM	1	SE SE	WELL 2 – 985 FEET NORTH AND 245 FEET WEST FROM THE SE CORNER OF SECTION 1	Well 1 - 0.3 mile Well 2 - 0.2 mile Well 3 - 0.1 mile

11. Permit Amendment Application T-13051 proposes an additional point of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells
3 S	3 E	WM	1	SE SE	WELL 4 - 70 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER OF SECTION 1	Well 1 - 0.4 mile Well 2 - 0.4 mile Well 3 - 0.2 mile

12. Permit Amendment Application T-13051 also proposes to change the place of use of the permit to:

RECREATION				
Twp	Rng	Mer	Sec	Q-Q
3 S	3 E	WM	1	SE NE
3 S	4 E	WM	6	SW NW
3 S	4 E	WM	6	NW SW

COMMERCIAL AND RECREATION				
Twp	Rng	Mer	Sec	Q-Q
3 S	3 E	WM	1	NE SE

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	3 E	WM	36	SW SE	5.0
2 S	3 E	WM	36	SE SE	10.4
2 S	4 E	WM	31	SW SW	2.5
3 S	3 E	WM	1	NE NE	17.5
3 S	3 E	WM	1	NW NE	4.3
3 S	3 E	WM	1	SW NE	10.8
3 S	3 E	WM	1	SE NE	26.9
3 S	3 E	WM	1	SE NW	0.4
3 S	3 E	WM	1	NE SE	16.0
3 S	3 E	WM	1	NW SE	4.5
3 S	3 E	WM	1	SE SE	6.9
3 S	3 E	WM	12	NE NE	0.9
3 S	4 E	WM	6	NW NW	6.3
3 S	4 E	WM	6	SW NW	3.2
3 S	4 E	WM	6	NE SW	5.7
3 S	4 E	WM	6	NW SW	4.3
3 S	4 E	WM	6	SW SW	36.0
3 S	4 E	WM	6	SE SW	37.1
3 S	4 E	WM	6	NW SE	6.2
3 S	4 E	WM	6	SW SE	17.0
3 S	4 E	WM	7	NE NW	1.9
3 S	4 E	WM	7	NW NW	10.2
Total					234.0

**Permit Amendment Review Criteria**

- 13. The changes would not result in injury to other water rights.
- 14. The proposed place of use is owned and/or controlled by the permit holder.
- 15. The changes do not enlarge the permit.
- 16. The changes do not alter any other terms of the permit.
- 17. The proposed place of use is contiguous to the authorized place of use.

**Conclusions of Law**

The changes in points of appropriation, an additional point of appropriation and change in place of use proposed by Permit Amendment Application T-13051 is consistent with the requirements of ORS 537.211.

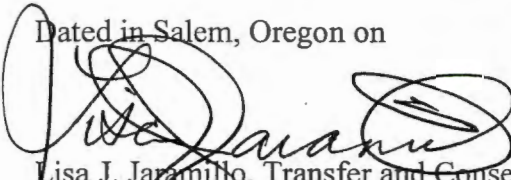
**Now, therefore, it is ORDERED:**

- 1. The change in points of appropriation, an additional point of appropriation and change in place of use proposed by Permit Amendment Application T-13051 are approved.

2. Permit G-18363, in the name of EAGLE CREEK GOLF COURSE, INC., is issued to replace Permit G-11627, and incorporates the amendments approved by this order, and the extensions of time. Permit G-11627, in the name of EAGLE CREEK GOLF COURSE INC., is no longer of any force or effect.
3. The quantity of water diverted at the new points of appropriation (WELL 1 and WELL 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL 1, WELL 2 and WELL 3).
4. The combined quantity of water diverted at the new points of appropriation (WELL 4), together with that diverted at the old point of appropriation (WELL 1, WELL 2 and WELL 3), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 2 and WELL 3).
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each new point of appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer as the original points of appropriation.
7. The former place of use shall no longer be irrigated as part of this permit.
8. All other terms and conditions of Permit G-18363 remain the same.

Dated in Salem, Oregon on

MAR 26 2020

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date:

MAR 27 2020



STATE OF OREGON  
COUNTY OF CLACKAMAS  
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EAGLE CREEK GOLF COURSE, INC.  
25805 SE DOWTY STREET  
EAGLE CREEK, OR 97022

**This superseding permit is issued to describe an amendment for a change in points of appropriation, an additional point of appropriation and a change in place of use proposed under Permit Amendment Application T-13051 and approved by Special Order Vol. 116, Page 35, entered MAR 26 2020, and to describe an extension of time for complete application of water approved March 26, 1996, March 13, 1997, January 24, 2000 and October 26, 2018. This permit supersedes Permit G-11627**

to use the waters of FOUR WELLS in the EAGLE CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 234.0 ACRES, COMMERCIAL USE, AND MAINTENANCE OF PONDS FOR RECREATION PURPOSES.

This permit is issued approving Application G-12589. The date of priority is JUNE 24, 1991. The use is limited to not more than 2.95 CUBIC FEET PER SECOND (CFS) BEING 2.93 CFS FOR IRRIGATION, 0.01 CFS FOR COMMERCIAL, AND 0.01 CFS FOR RECREATION, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	3 E	WM	1	NE SE	WELL 1 - 1965 FEET NORTH AND 190 FEET WEST FROM THE SE CORNER OF SECTION 1
3 S	3 E	WM	1	SE SE	WELL 2 - 985 FEET NORTH AND 245 FEET WEST FROM THE SE CORNER OF SECTION 1
3 S	3 E	WM	1	SE SE	WELL 4 - 70 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER OF SECTION 1
3 S	4 E	WM	6	SW SW	WELL 3 - 1130 FEET NORTH AND 110 FEET EAST FROM THE SW CORNER OF SECTION 6

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use for irrigation is March 1 through October 31.

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

A description of the proposed place of use under this permit is as follows:

RECREATION				
Twp	Rng	Mer	Sec	Q-Q
3 S	3 E	WM	1	SE NE
3 S	4 E	WM	6	SW NW
3 S	4 E	WM	6	NW SW

COMMERCIAL AND RECREATION				
Twp	Rng	Mer	Sec	Q-Q
3 S	3 E	WM	1	NE SE

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	3 E	WM	36	SW SE	5.0
2 S	3 E	WM	36	SE SE	10.4
2 S	4 E	WM	31	SW SW	2.5
3 S	3 E	WM	1	NE NE	17.5
3 S	3 E	WM	1	NW NE	4.3
3 S	3 E	WM	1	SW NE	10.8
3 S	3 E	WM	1	SE NE	26.9
3 S	3 E	WM	1	SE NW	0.4
3 S	3 E	WM	1	NE SE	16.0
3 S	3 E	WM	1	NW SE	4.5
3 S	3 E	WM	1	SE SE	6.9
3 S	3 E	WM	12	NE NE	0.9
3 S	4 E	WM	6	NW NW	6.3
3 S	4 E	WM	6	SW NW	3.2
3 S	4 E	WM	6	NE SW	5.7
3 S	4 E	WM	6	NW SW	4.3
3 S	4 E	WM	6	SW SW	36.0
3 S	4 E	WM	6	SE SW	37.1
3 S	4 E	WM	6	NW SE	6.2
3 S	4 E	WM	6	SW SE	17.0
3 S	4 E	WM	7	NE NW	1.9
3 S	4 E	WM	7	NW NW	10.2
Total					234.0

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Permit Amendment T-13051 Conditions:

The quantity of water diverted at the new points of appropriation (WELL 1 and WELL 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL 1, WELL 2 and WELL 3).

The combined quantity of water diverted at the new points of appropriation (WELL 4), together with that diverted at the old point of appropriation (WELL 1, WELL 2 and WELL 3), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 2 and WELL 3).

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each new point of appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer as the original points of appropriation.

The former place of use shall no longer be irrigated as part of this permit.

Extension of Time Conditions:

**Checkpoint Condition:**

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2023.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Last Extension Condition:**

This may be the last extension of time granted for Permit G 11627. Any future extensions of time request shall be denied, unless the Department has determined diligence is shown during this extension period. To show diligence, the permit holder must submit the Progress Report as required by the Checkpoint Condition above, which demonstrates, at minimum, one of the following benchmarks has been achieved on or before October 1, 2023, being the date the Progress Report is due. Failure to submit the Progress Report within 30-days of October 1, 2023, and/or failure to demonstrate diligence as required in this condition shall result in any future request for an extension of time to be denied. In addition to the requirements of this condition, for future extension requests, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

Benchmark 1:

To demonstrate diligence under Benchmark 1, the permit holder must submit a map prepared by a Certified Water Rights Examiner which illustrates development to the beneficial use on an additional 100.0 acres of land as authorized under the terms and conditions of the permit or any subsequent permit amendment to change the place of use. The 100.0 acres of land must be in addition to the 66.45 acres that have been previously developed as illustrated in the map attached to the Application for Extension of Time submitted to the Department on June 19, 2018. A copy of this map is included in this proposed final order, and is referenced as Attachment "A".

Benchmark 2:

To demonstrate diligence under Benchmark 2, the permit holder must submit a report, certified by a Certified Water Rights Examiner, which demonstrates that beneficial use of a minimum of 2.0 cfs of water has been achieved as authorized under the terms and conditions of the permit or any subsequent permit amendment. The report must include documentation of the maximum rate of water put to beneficial use from each point of appropriation, the volume of water put to beneficial use from each point of appropriation, the nature of the use from each point of appropriation, and documentation of compliance with permit conditions from each point of appropriation.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction of the well was to begin on or before November 2, 1994 and was to be completed before October 1, 1995. Complete application of the water was to be made on or before October 1, 1996. By Extension of Time Final Order dated October 26, 2018, the completion of construction and application of the water was extended to on or before October 1, 2023.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

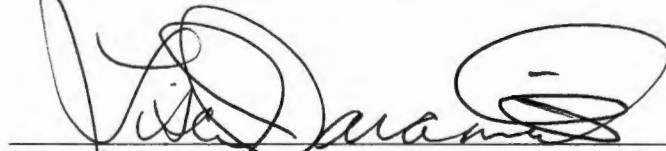
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director of the water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued MAR 26 2020



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

Mailing List for Extension FO Copies

FO Date: October 26, 2018

Copies Mailed

Application: G-12589

By: TM

Permit: G-11627

On: 10/26/2018

Original mailed to permit holder

Eagle Creek Golf Course  
25805 SE Dowty Rd.  
Eagle Creek, OR 97022

Copies sent to:

1. WRD - App. File G-12589/ Permit G-11627
2. Agents or CWREs representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving notification via e-mail - FO available in WRIS for review  
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 20, Amy Kim

If Progress Reports are included:  
(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by \_\_\_\_\_ Date \_\_\_\_\_

CASEWORKER: JDP

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time	)	
for Permit G-11627, Water Right Application G-12589, in	)	FINAL
the name of Eagle Creek Golf Course	)	ORDER

**Permit Information**

Application:	G-12589
Permit:	G-11627
Basin:	2C – Lower Willamette / Watermaster District 20
Date of Priority:	June 24, 1991
Source of Water:	three wells in Eagle Creek Basin
Purpose of Use:	Irrigation use on 234.0 Acres
Maximum Rate:	2.95 cfs, being 2.93 cfs for irrigation of 234.0 acres, 0.01 cfs for commercial use, and 0.01 cfs for recreation cubic feet per second(cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

**Appeal Rights**

**This is a final order in other than a contested case.** This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file 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.

**Application History**

Permit G-11627 was issued by the Department on November 22, 1993. The permit specified actual construction of the well to begin by November 22, 1994, completion of construction by October 1, 1995 and complete application of water to beneficial use by October 1, 1996. The most recent extension authorized completion of construction and complete application of water to beneficial use by October 1, 2007. On June 19, 2018, James G. Bastasch, owner and manager of Eagle Creek Golf Course submitted an Application for Extension of Time for Permit G-11627. In accordance with OAR 690-315-0050(2), on August 28, 2018, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2023, and the time to fully apply water to beneficial use to October 1, 2023. The protest period closed October 12, 2018, in accordance with OAR 690-315-0060(1). No protest was filed.

## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 28, 2018.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

### LIMITATIONS AND CONDITIONS

1. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**. *A form will be enclosed with your Final Order.*

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

2. **Last Extension Condition**

This may be the last extension of time granted for Permit G-11627. Any future extensions of time request shall be denied, unless the Department has determined diligence is shown during this extension period. To show diligence, the permit holder must submit the Progress Report as required by the Checkpoint Condition above, which demonstrates, at minimum, one of the following benchmarks has been achieved on or before October 1, 2023, being the date the Progress Report is due. Failure to submit the Progress Report within 30-days of October 1, 2023, and/or failure to demonstrate diligence as required in this condition shall result in any future request for an extension of time to be denied. In addition to the requirements of this condition, for future extension requests, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

**Benchmark 1:**

To demonstrate diligence under Benchmark 1, the permit holder must submit a map prepared by a Certified Water Rights Examiner which illustrates development to the



beneficial use on an additional 100.0 acres of land as authorized under the terms and conditions of the permit or any subsequent permit amendment to change the place of use. The 100.0 acres of land must be in addition to the 66.45 acres that have been previously developed as illustrated in the map attached to the Application for Extension of Time submitted to the Department on June 19, 2018. A copy of this map is included in this proposed final order, and is referenced as Attachment "A".

Benchmark 2:

To demonstrate diligence under Benchmark 2, the permit holder must submit a report, certified by a Certified Water Rights Examiner, which demonstrates that beneficial use of a minimum of 2.0 cfs of water has been achieved as authorized under the terms and conditions of the permit or any subsequent permit amendment. The report must include documentation of the maximum rate of water put to beneficial use from each point of appropriation, the volume of water put to beneficial use from each point of appropriation, the nature of the use from each point of appropriation, and documentation of compliance with permit conditions from each point of appropriation.

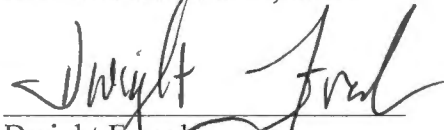
### CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

### ORDER

The extension of time for Application G-12589, Permit G-11627, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2007, to October 1, 2023. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2007, to October 1, 2023.

DATED: October 26, 2018



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

- 
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at 986-0802.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-





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

**Extension of Time  
 Progress Report Form  
 For Checkpoints**

**TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT**

Permit Holder: Eagle Creek Golf Course

Application G-12589

Permit G-11627

**Progress Report for 2023**

Report Due no later than October 1, 2023

**DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-11627.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 19, 2018 and October 1, 2023.	FINANCIAL INVESTMENT

1. Describe actions to achieve compliance with conditions of the permit and/or previous extension. (Examples: installed a meter, submitted water usage reports, submitted static water level measurements, installed a fish screen, obtained approval for fish screen from ODFW etc.)

2. Total number of acres irrigated to date: \_\_\_\_\_ Primary  
 Total acres irrigated per well,  
 Well 1 \_\_\_\_\_ Well 2 \_\_\_\_\_ Well 3 \_\_\_\_\_  
 Additional Wells  
 Well \_\_\_\_\_ Well \_\_\_\_\_ Well \_\_\_\_\_

3. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, to date.

Maximum rate used to date = \_\_\_\_\_ cfs  
 Maximum Rate per well:  
 Well 1 \_\_\_\_\_ Well 2 \_\_\_\_\_ Well 3 \_\_\_\_\_  
 Additional Wells  
 Well \_\_\_\_\_ Well \_\_\_\_\_ Well \_\_\_\_\_

*Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly, or annual water volume totals.*

4. Provide the required documentation demonstrating compliance with the "Last Extension Condition" contained in the Final Order Dated October 26, 2018. (Condition and Benchmarks included on back of this Progress Report Form)

**Last Extension Condition**

This may be the last extension of time granted for Permit G-11627. Any future extensions of time request shall be denied, unless the Department has determined diligence is shown during this extension period. To show diligence, the permit holder must submit the Progress Report as required by the Checkpoint Condition above, which demonstrates, at minimum, one of the following benchmarks has been achieved on or before October 1, 2023, being the date the Progress Report is due. Failure to submit the Progress Report within 30-days of October 1, 2023, and/or failure to demonstrate diligence as required in this condition shall result in any future request for an extension of time to be denied. In addition to the requirements of this condition, for future extension requests, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.

**Benchmark 1:**

To demonstrate diligence under Benchmark 1, the permit holder must submit a map prepared by a Certified Water Rights Examiner which illustrates development to the beneficial use on an additional 100.0 acres of land as authorized under the terms and conditions of the permit or any subsequent permit amendment to change the place of use. The 100.0 acres of land must be in addition to the 66.45 acres that have been previously developed as illustrated in the map attached to the Application for Extension of Time submitted to the Department on June 19, 2018. A copy of this map is included in this proposed final order, and is referenced as Attachment "A".

**Benchmark 2:**

To demonstrate diligence under Benchmark 2, the permit holder must submit a report, certified by a Certified Water Rights Examiner, which demonstrates that beneficial use of a minimum of 2.0 cfs of water has been achieved as authorized under the terms and conditions of the permit or any subsequent permit amendment. The report must include documentation of the maximum rate of water put to beneficial use from each point of appropriation, the volume of water put to beneficial use from each point of appropriation, the nature of the use from each point of appropriation, and documentation of compliance with permit conditions from each point of appropriation.

***INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.  
FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE  
EXTENSION BEING DENIED.***

Signature \_\_\_\_\_ Date \_\_\_\_\_

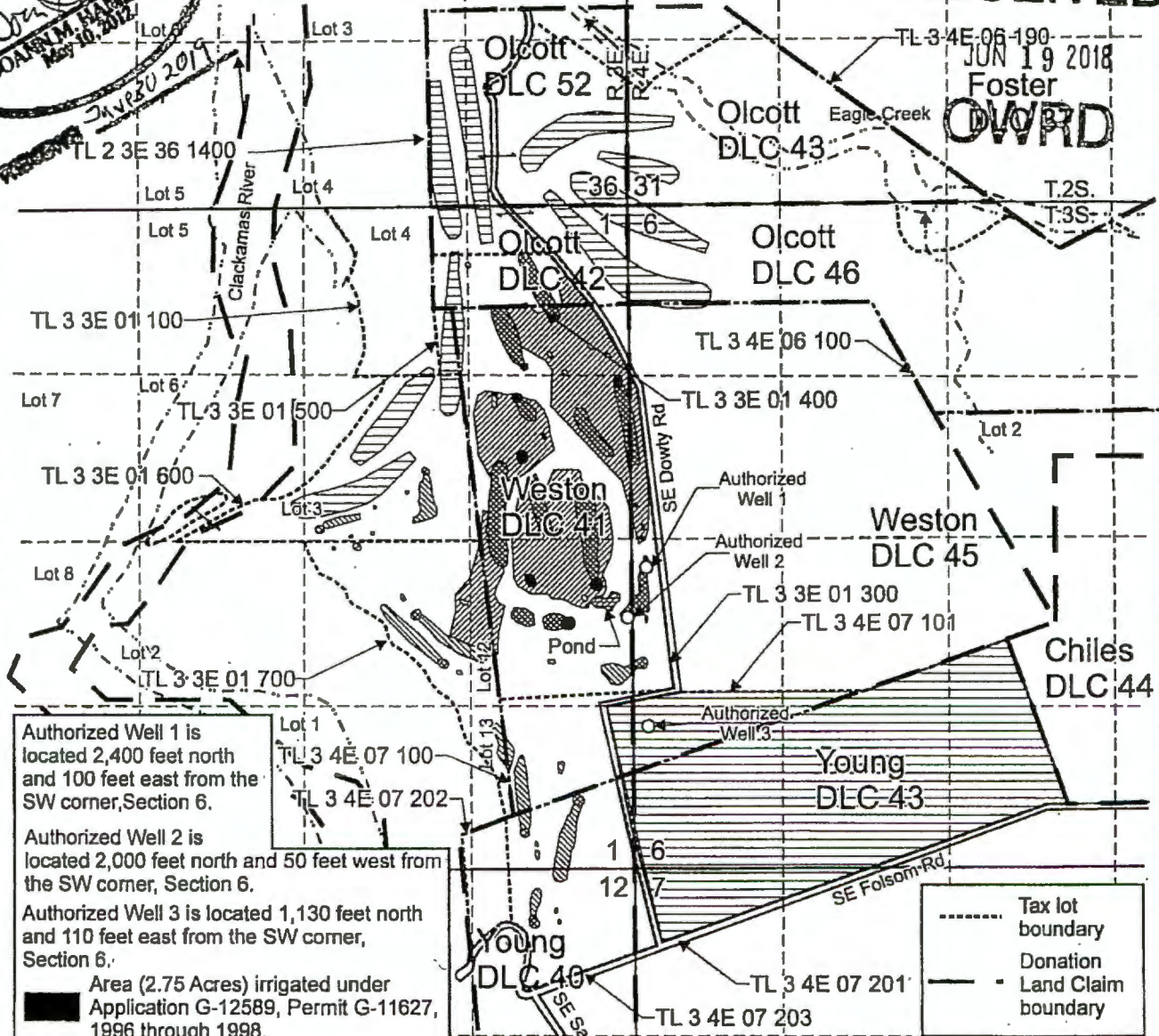
Printed Name/Title \_\_\_\_\_

Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____ <i>For OWRD use only</i>
Reviewed by: _____	Date: _____

**T.2S. R.3E. Sec. 36, T.2S. R.4E. Sec. 31,  
T.3S. R.3E. Sec. 1 & 12, and  
T.3S. R.4E. Sec. 6 & 7, W.M. RECEIVED**

*Clackamas Water Rights Hearing*  
855103  
*DOANN M. HANDELSON*  
May 10, 2012

JUN 19 2018  
Foster  
OWRD



Authorized Well 1 is located 2,400 feet north and 100 feet east from the SW corner, Section 6.

Authorized Well 2 is located 2,000 feet north and 50 feet west from the SW corner, Section 6.

Authorized Well 3 is located 1,130 feet north and 110 feet east from the SW corner, Section 6.

Area (2.75 Acres) irrigated under Application G-12589, Permit G-11627, 1996 through 1998.

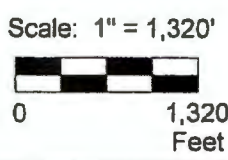
Area (10.0 Acres) irrigated under Application G-12589, Permit G-11627, 1999.

Area (43.2 Acres) irrigated under Application G-12589, Permit G-11627, 2004.

Area (10.5 Acres) irrigated under Application G-12589, Permit G-11627, 2006.

Area (167.55 Acres) not yet irrigated under Application G-12589, Permit G-11627.

----- Tax lot boundary  
----- Donation boundary  
- . - Land Claim boundary



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.



Eagle Creek Ext Map.cdr

Pacific Hydro-Geology Inc.

**Extension Map**  
Application G-12589, Permit G-11627  
Eagle Creek Golf Course  
T.2S. R.3E. Sec. 36, T.2S R.4E. Sec. 31, T.3S. R.3E. Sec. 1 & 12  
and T.3S. R.4E. Sec. 6 & 7, W.M.  
06/2018

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time	)	PROPOSED
for Permit G-11627, Water Right Application G-12589, in	)	FINAL
the name of Eagle Creek Golf Course	)	ORDER

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Permit Information

Application:	G-12589
Permit:	G-11627
Basin:	2C – Lower Willamette / Watermaster District 20
Date of Priority:	June 24, 1991
Source of Water:	three wells in Eagle Creek Basin
Purpose or Use:	Irrigation use on 234.0 acres
Maximum Rate:	2.95 cfs, being 2.93 cfs for irrigation of 234.0 acres, 0.01 cfs for commercial use, and 0.01 cfs for recreation cubic feet per second (cfs)

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***Please read this Proposed Final Order in its entirety as it contains additional conditions not included in the original permit.***

*In Summary, the Department proposes to:*

- Grant an extension of time to complete construction of the water system from October 1, 2007, to October 1, 2023.
- Grant an extension of time to apply water to full beneficial use from October 1, 2007, to October 1, 2023<sup>1</sup>.
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

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<sup>1</sup>Pursuant to ORS 537.630(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

### **ACRONYM QUICK REFERENCE**

Application – Application for Extension of Time  
Department – Oregon Department of Water Resources  
FOF – Finding of Fact  
PFO – Proposed Final Order  
Well 1 – CALC 20012  
Well 2 – CLAC 50087  
Well 3 – CLAC 61102  
cfs - cubic feet per second  
gpm – gallons per minute

### **AUTHORITY**

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

**ORS 537.630(2)** provides in pertinent part that the Oregon Water Resources Department (Department) for good cause shown shall order and allow an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

**ORS 539.010(5)** instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

**OAR 690-315-0040** provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in OAR 690-315-0040(1) including a finding that there is “good cause” to approve the extension. OAR 690-315-0040(2)-(4) contains the factors that the Department must consider to make findings that support a “good cause” determination.

**OAR 690-315-0050(5)** states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

**OAR 690-315-0050(6)** requires the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

### **FINDINGS OF FACT**

1. On November 22, 1993, Permit G-11627 was issued by the Department. The permit authorizes the use of up to 2.95 cfs of water, being 2.93 cfs of water for irrigation of 234.0 acres, 0.01 cfs of water for commercial use, and 0.01 cfs of water for recreation

from three wells in Eagle Creek Basin. The permit specified actual construction of the well to begin by November 22, 1994, construction of the water system was to be completed by October 1, 1995, and complete application of water was to be made on or before October 1, 1996.

2. On June 7, 1993, an assignment from Frank J. Bastasch to Eagle Creek Golf Course, Inc., was recorded in the records of the Water Resources Department.
3. Two prior permit extensions have been granted for Permit G-11627. The most recent extension request resulted in the completion dates for construction and full application of water being extended from October 1, 1997, to October 1, 2007.
4. On June 19, 2018, James G. Bastasch, owner and manager of Eagle Creek Golf Course, submitted an "Application for Extension of Time" (Application) to the Department, requesting both the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-11627 be extended from October 1, 2007, to October 1, 2030.
5. On June 26, 2018, notification of the Application for Permit G-11627 was published in the Department's Public Notice. No public comments were received regarding the Application.
6. On August 3, 2018, the permit holder submitted an amendment to the Application. The amendment requested to change the date for complete construction and complete application of water be changed from October 1, 2030, to October 1, 2023.

#### **Review Criteria [OAR 690-315-0040]**

*In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).*

#### **Complete Extension of Time Application [OAR 690-315-0040(1)(a)]**

7. On June 19, 2018, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

#### **Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]**

8. Actual construction of the well began prior to the November 22, 1994, deadline specified in the permit.
9. According to the well log received by the Department on January 13, 1995, construction of CALC 20012 (Well 1) began July 20, 1994.

Based on Finding of Fact (FOF) 8 and 9, the Department has determined that the prosecution of the construction of Well 1 began prior to November 22, 1994.



**Good Cause [OAR 690-315-0040(1)(d)]**

*The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).*

**Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]**

*In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.*

**Amount of Construction [OAR 690-315-0040(3)(a)]**

*The amount of construction completed within the time allowed in the previous extension.<sup>2</sup>*

10. During the most recent extension period, being from October 1, 1997, to October 1, 2007, the following was accomplished:
  - completed construction of CLAC 61102 (Well 3);
  - installed pumps in CLAC 50087 (Well 2) and Well 3; and
  - installed irrigation mainlines, laterals and sprinklers to nine fairways and nine additional greens.
11. Since October 1, 2007, the applicant states meters were installed on Well 1, Well 2, and Well 3.

The Application provides evidence of progress of physical work made towards completion of the water system, enough to qualify as the minimum necessary for the Department to find good cause and reasonable diligence towards complete application of water to a beneficial use.

**Compliance with Conditions [OAR 690-315-0040(3)(c)]**

*The water right permit holder's conformance with the permit and previous extension conditions.*

12. The Department has considered the permit holder's compliance with conditions, and has identified the following concern; the record does not show that a meter or other suitable measuring device has been installed by October 1, 2007.

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<sup>2</sup> "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

Based on FOF 12, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-11627:

- “Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director.”

Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

**Beneficial Use of Water [OAR 690-315-0040(3)(b)]**

*The amount of beneficial use made of the water during the previous extension period.*

13. A maximum rate of 185 gallons per minute (gpm) [0.41 cfs] of water, being 65 gpm [0.14 cfs] of water from Well 1, 30 gpm [0.67 cfs] of water from Well 2, and 90 gpm [0.20 cfs] of water from Well 3, for irrigation of 66.45 acres. The rate of water used for commercial and recreation has not been identified.
14. Delay of full beneficial use of water under Permit G-11627 was due, in part, to insufficient yield of water from the permitted well. The permit holder needs more time in which to gain approval for the construction of additional points of appropriation to obtain the full quantity of water allowed under the permit.

Based on FOF 12, the Department has determined that beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied by October 1, 2007.

**Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]**

15. An approximate total of \$500,550 has been invested. The costs included items associated with repair and maintenance costs of a system which are not “actual construction” under this permit and therefore are not counted towards development. After deducting these costs, the approximate total investment for “actual construction” to date is approximately \$475,900 which is about 63 percent of the total projected cost for complete development of this project. An additional \$280,000 investment is needed to complete this project, which includes submitting a Permit Amendment requesting additional points of appropriation (APOA) and if approved, constructing the APOAs to obtain the full rate authorized under the permit, completing installation of the irrigation system, and applying water to full beneficial use.

Based on FOF 15, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

### **Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]**

The Application provides evidence of progress towards completion of the water system; a financial investment has been made; the permit holder has not demonstrated compliance with all permit conditions, and; beneficial use has not been demonstrated. The Department has determined the applicant has demonstrated the minimum necessary for the Department to find reasonable diligence towards complete application of water to a beneficial use.

### **The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]**

*The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:*

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*
- *(c) The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*
- *(d) Economic investment in the project to date;*
- *(e) Other economic interests dependent on completion of the project; and*
- *(f) Other factors relevant to the determination of the market and present demands for water and power.*

#### **OAR 690-315-0040(4)(a)**

The amount of water available to satisfy other affected water rights and scenic waterway flows.

16. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-11627; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an Application for a new water right is submitted.

#### **OAR 690-315-0040(4)(b)**

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

17. The points of appropriation for Permit G-11627, located within the Clackamas River Basin, are not located within a limited or critical groundwater area.
18. Clackamas River is located above the Clackamas Scenic Waterway.

19. Clackamas River is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

**OAR 690-315-0040(4)(c)**

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

20. Clackamas River is located within an area ranked "highest" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

**OAR 690-315-0040(4)(d)**

Economic interests dependent on completion of the project.

21. An approximate total of \$475,900 has been invested in the project.

**OAR 690-315-0040(4)(e)**

Other economic interests dependent on completion of the project.

22. No other economic interests dependent on completion of the project have been identified.

**OAR 690-315-0040(4)(f)**

Other factors relevant to the determination of the market and present demand for water and power.

23. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Limitations and Conditions" section of this PFO to meet this condition.

**Fair Return Upon Investment [OAR 690-315-0040(2)(f)]**

24. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

**Other Governmental Requirements [OAR 690-315-0040(2)(g)]**

25. Delay in the development of this project was not caused by any other governmental requirements.

**Unforeseen Events [OAR 690-315-0040(2)(h)]**

26. Unforeseen events were identified that contributed to the extended the length of time needed to fully develop and perfect Permit G-11627, in that the original owner and manager of Eagle Creek Golf, Frank Bastasch was faced with serious health issues that restricted their ability to complete development of the project in a timely manner.

**Denial of the Extension Will Result in Undue Hardship [OAR 690-315-0040(2)(i)]**

27. A denial of the extension would result in undue hardship, in that without the extension of time the permit holder would not be able to perfect the portion of the permit developed to date, and that there are no other reasonable alternatives exist for meeting water use needs.

**Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]**

28. The Application provides evidence of good faith of the appropriator under Permit G-11627.

Based on FOF 8, 9, 10, 13, 15, and 21, the Department has determined that the applicant has shown good faith and reasonable diligence.

**Duration of Extension [OAR 690-315-0040(1)(c)]**

*Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.*

29. As of June 19, 2018, the remaining work to be completed consists of completing construction of the water system, meeting all conditions, which include continued reporting of water use, and submittal of a Progress Report which demonstrates diligence as described in the Last Extension Condition in this PFO; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined than an extension of time to October 1, 2024, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-11627 is reasonable and necessary.

**Good Cause [OAR 690-315-0040(1)(d)]**

*The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).*

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

## **LIMITATIONS AND CONDITIONS**

1. OAR 690-315-0050(6) requires a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Limitations and Conditions" section of this PFO to meet this condition.
2. OAR 690-315-0050(5) provides for extension orders to include, but are not limited to, any condition or provision needed to ensure future diligence in the development of the water system. Based on FOF 1, 3, 11, 12, and 29, the Department determined the need to place a "Last Extension Condition" on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. This condition, specified under Item 2 of the "Conditions" section of this PFO, was determined to be necessary due to the amount of time already authorized for development under permit and the minimal development of the permit that has occurred during the past ten years.

## **CONCLUSIONS OF LAW**

1. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The applicant has complied with the construction timeline requirements to begin actual construction as required by ORS 537.630, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 7 through 28, completion of construction and full application of water to beneficial use can be accomplished by October 1, 2024, as required by OAR 690-315-0040(1)(c).
4. The applicant can complete the project within the time period requested for the extension on the project, but the extension is conditioned to ensure future diligence in the development of the permitted water use, and is granted only for the reasonable time necessary to complete water development and apply water to beneficial use. OAR 690-315-0050(5).
5. The applicant has demonstrated good cause for the extension, but the extension must be conditioned to ensure this is the last extension granted in order to ensure future diligence; OAR 690-315-0050(5).
6. For extensions exceeding five years, the Department shall establish progress checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between progress check points will not exceed five years periods, as required by OAR 690-315-0050(6).

## PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to complete construction of the water system under Permit G-11627 from October 1, 2007, to October 1, 2024.

Extend the time to apply water to beneficial use under Permit G-11627 from October 1, 2007, to October 1, 2024.

Subject to the following conditions:

### LIMITATIONS AND CONDITIONS

1. **Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023. A form will be enclosed with your Final Order.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

2. **Last Extension Condition**

This may be the last extension of time granted for Permit G-11627. Any future extensions of time request shall be denied, unless the Department has determined diligence is shown during this extension period. To show diligence, the permit holder must submit the Progress Report as required by the Checkpoint Condition above, which demonstrates, at minimum, one of the following benchmarks has been achieved on or before October 1, 2023, being the date the Progress Report is due. Failure to submit the Progress Report within 30-days of October 1, 2023, and/or failure to demonstrate diligence as required in this condition shall result in any future request for an extension of time to be denied. In addition to the requirements of this condition, for future extension requests, all normal extension standards and rules will be evaluated. ORS 539.010(5); OAR 690-315-0040.


Benchmark 1:

To demonstrate diligence under Benchmark 1, the permit holder must submit a map prepared by a Certified Water Rights Examiner which illustrates development to the beneficial use on an additional 100.0 acres of land as authorized under the terms and conditions of the permit or any subsequent permit amendment to change the place of use. The 100.0 acres of land must be in addition to the 66.45 acres that have been previously developed as illustrated in the map attached to the Application for Extension of Time submitted to the Department on June 19, 2018. A copy of this map is included in this proposed final order, and is referenced as Attachment "A".

Benchmark 2:

To demonstrate diligence under Benchmark 2, the permit holder must submit a report, certified by a Certified Water Rights Examiner, which demonstrates that beneficial use of a minimum of 2.0 cfs of water has been achieved as authorized under the terms and conditions of the permit or any subsequent permit amendment. The report must include documentation of the maximum rate of water put to beneficial use from each point of appropriation, the volume of water put to beneficial use from each point of appropriation, the nature of the use from each point of appropriation, and documentation of compliance with permit conditions from each point of appropriation.

DATED: August 28, 2018

  
Dwight French, Administrator,  
Water Right Services Division

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 12, 2018**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;



- c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
  - e. Any citation of legal authority supporting the petitioner, if known;
  - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
  - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
- a. Issue a final order on the extension request; or
  - b. Schedule a contested case hearing if a protest has been submitted, and:
    - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

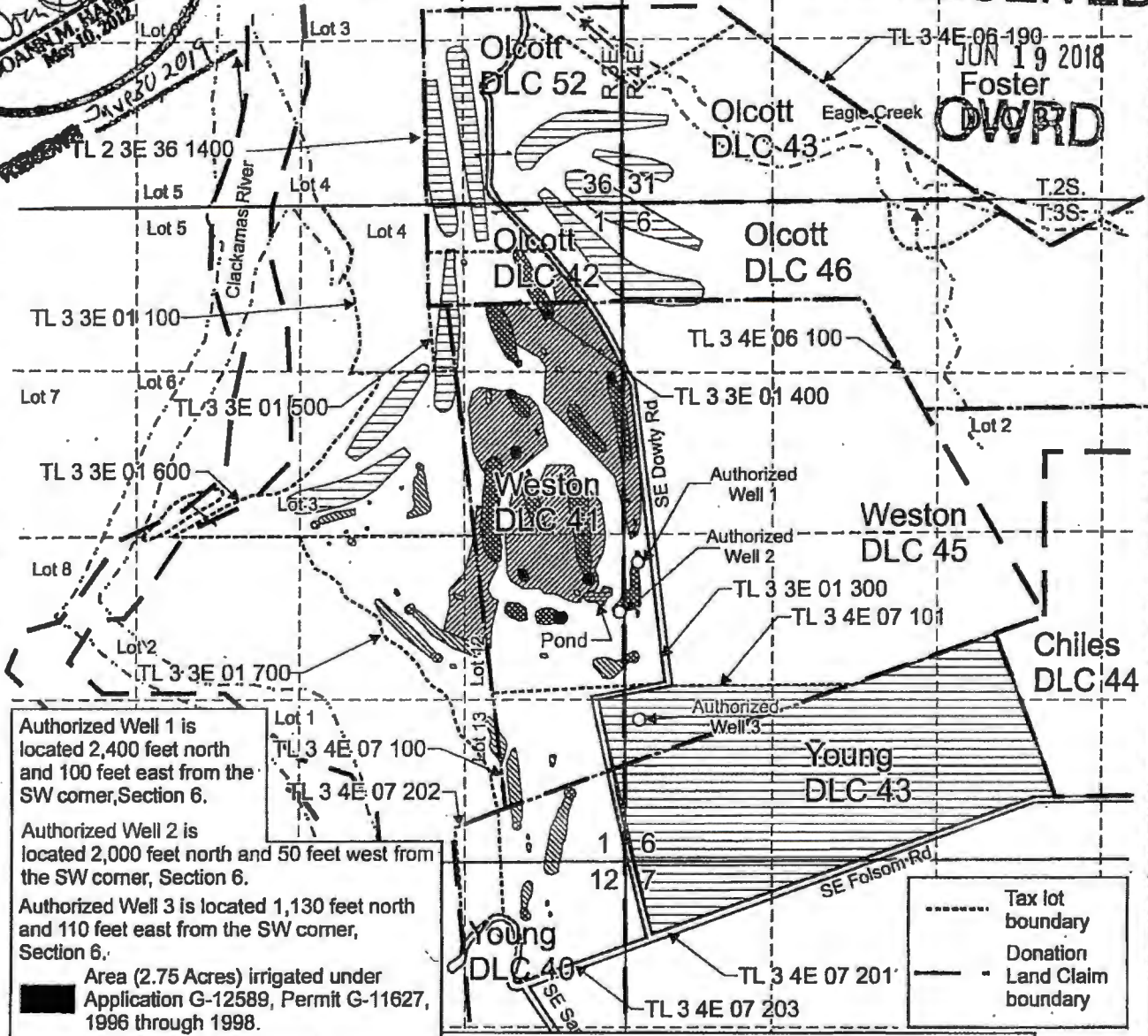
**Notice Regarding Service Members:** Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

- 
- If you have questions about statements contained in this document, please contact Jeffrey D. Pierceall at 986-0802.
  - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
  - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
  - Address any correspondence to : Water Right Services Division  
725 Summer St NE, Suite A  
Salem, OR 97301-1266  
Fax: 503-986-0901
-

**T.2S. R.3E. Sec. 36, T.2S. R.4E. Sec. 31,  
T.3S. R.3E. Sec. 1 & 12, and  
T.3S. R.4E. Sec. 6 & 7, W.M.**

*Central Water Rights Registrar*  
85578  
*DOAN M. HAMILTON*  
May 10, 2012

**RECEIVED**  
JUN 19 2018  
Foster  
OWRD



Authorized Well 1 is located 2,400 feet north and 100 feet east from the SW corner, Section 6.

Authorized Well 2 is located 2,000 feet north and 50 feet west from the SW corner, Section 6.

Authorized Well 3 is located 1,130 feet north and 110 feet east from the SW corner, Section 6.

Area (2.75 Acres) irrigated under Application G-12589, Permit G-11627, 1996 through 1998.

Area (10.0 Acres) irrigated under Application G-12589, Permit G-11627, 1999.

Area (43.2 Acres) irrigated under Application G-12589, Permit G-11627, 2004.

Area (10.5 Acres) irrigated under Application G-12589, Permit G-11627, 2006.

Area (167.55 Acres) not yet irrigated under Application G-12589, Permit G-11627.

----- Tax lot boundary  
----- Donation Land Claim boundary

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.



Pacific Hydro-Geology Inc.

**Extension Map**  
Application G-12589, Permit G-11627  
Eagle Creek Golf Course  
T.2S. R.3E. Sec. 36, T.2S. R.4E. Sec. 31, T.3S. R.3E. Sec. 1 & 12  
and T.3S. R.4E. Sec. 6 & 7, W.M.

06/2018

Eagle Creek Ext. Map.cdr

## PIERCEALL Jeffrey D \* WRD

---

**From:** PIERCEALL Jeffrey D \* WRD  
**Sent:** Friday, August 31, 2018 9:59 AM  
**To:** 'Doann Hamilton'; Greg Kupillas  
**Subject:** RE: Eagle Creek GC App G-12589

Doann,

This is something that I had also noticed when reviewing the EOT. From what I can determine, when the Application was initially submitted in February 1993, an Application for a Permit to use surface water was also submitted. (App S-71714) On August 14, 1992, Frank and Joyce Bastasch submitted a request to withdraw the surface water application and to amend the ground water application from supplemental to primary irrigation. An order withdrawing the surface water application was issued on June 4, 1993 (Spec. Order Vol. 47, page 233), unfortunately there is no other documentation pertaining to the surface water application as it appears it has been destroyed.

In February 2015, Mike McCord inquired to Dwight French about the character of use issue, and based on the emails, it appears that, at that time, Dwight proposed to allow for the certificate to be issued for primary irrigation if when the COBU reviewed, it is determined that proof has been made and a certificate can be issued. As with all things water rights related, it is not possible to assert any guarantees without a COBU to review, but it seems likely that if a COBU were to be reviewed today, the certificate could be issued for primary irrigation.

[Jeffrey D. Pierceall](#)

[Extension and Adjudication Specialist](#)

[Oregon Water Resources Department](#)

503-986-0802

[Jeffrey.D.Pierceall@oregon.gov](mailto:Jeffrey.D.Pierceall@oregon.gov)



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

**Sent:** Thursday, August 30, 2018 11:33 AM

**To:** PIERCEALL Jeffrey D \* WRD; Greg Kupillas

**Subject:** Eagle Creek GC App G-12589

Hi Jeffery

I believe you are working on our client Eagle Creek Golf Course Extension for Application G-12589, Permit G-11627

This permit is for supplemental irrigation  
And there is no primary associated with these water rights  
We have notes OWRD is looking into this  
Our problem - we did not know who

Could you address this question or forward to whomever could help us out

Thank you  
Doann Hamilton

--

Pacific Hydro-Geology, Inc.  
18487 S. Valley Vista Rd.  
Mulino, OR 97042  
(503) 349-6946  
Fax: (503) 632-5983  
email: [phgdmh@gmail.com](mailto:phgdmh@gmail.com)

Mailing List for Extension PFO Copies

PFO Date: August 28, 2018

Copies Mailed

Application: G-12589

By: TJM

Permit: G-11627

On: 8/27/18

Original mailed to Applicant:

Eagle Creek Golf Course  
25805 SE Dowty Rd.  
Eagle Creek, OR 97022

Copies sent to:

1. WRD - App. File G-12589/ Permit G-11627
2. Agent or CWRE representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)  
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 20, Amy Kim

CASEWORKER: JDP

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time	)	PROPOSED
for Permit G-11627, Water Right Application G-12589, in	)	FINAL
the name of Eagle Creek Golf Course	)	ORDER

---

Permit Information

Application:	G-12589
Permit:	G-11627
Basin:	2C – Lower Willamette / Watermaster District 20
Date of Priority:	June 24, 1991
Source of Water:	three wells in Eagle Creek Basin
Purpose or Use:	Irrigation use on 234.0 acres
Maximum Rate:	2.95 cfs, being 2.93 cfs for irrigation of 234.0 acres, 0.01 cfs for commercial use, and 0.01 cfs for recreation cubic feet per second (cfs)

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***Please read this Proposed Final Order in its entirety as it contains additional conditions not included in the original permit.***

*In Summary, the Department proposes to:*

- Grant an extension of time to complete construction of the water system from October 1, 2007, to October 1, 2023.
- Grant an extension of time to apply water to full beneficial use from October 1, 2007, to October 1, 2023<sup>1</sup>.
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

---

<sup>1</sup>Pursuant to ORS 537.630(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

from three wells in Eagle Creek Basin. The permit specified actual construction of the well to begin by November 22, 1994, construction of the water system was to be completed by October 1, 1995, and complete application of water was to be made on or before October 1, 1996.

2. On June 7, 1993, an assignment from Frank J. Bastasch to Eagle Creek Golf Course, Inc., was recorded in the records of the Water Resources Department.
3. Two prior permit extensions have been granted for Permit G-11627. The most recent extension request resulted in the completion dates for construction and full application of water being extended from October 1, 1997, to October 1, 2007.
4. On June 19, 2018, James G. Bastasch, owner and manager of Eagle Creek Golf Course, submitted an "Application for Extension of Time" (Application) to the Department, requesting both the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-11627 be extended from October 1, 2007, to October 1, 2030.
5. On June 26, 2018, notification of the Application for Permit G-11627 was published in the Department's Public Notice. No public comments were received regarding the Application.
6. On August 3, 2018, the permit holder submitted an amendment to the Application. The amendment requested to change the date for complete construction and complete application of water be changed from October 1, 2030, to October 1, 2023.

#### **Review Criteria [OAR 690-315-0040]**

*In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).*

#### **Complete Extension of Time Application [OAR 690-315-0040(1)(a)]**

7. On June 19, 2018, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

#### **Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]**

8. Actual construction of the well began prior to the November 22, 1994, deadline specified in the permit.
9. According to the well log received by the Department on January 13, 1995, construction of CALC 20012 (Well 1) began July 20, 1994.

Based on Finding of Fact (FOF) 8 and 9, the Department has determined that the prosecution of the construction of Well 1 began prior to November 22, 1994.

Based on FOF 12, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-11627:

- “Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director.”

Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

**Beneficial Use of Water [OAR 690-315-0040(3)(b)]**

*The amount of beneficial use made of the water during the previous extension period.*

13. A maximum rate of 185 gallons per minute (gpm) [0.41 cfs] of water, being 65 gpm [0.14 cfs] of water from Well 1, 30 gpm [0.67 cfs] of water from Well 2, and 90 gpm [0.20 cfs] of water from Well 3, for irrigation of 66.45 acres. The rate of water used for commercial and recreation has not been identified.
14. Delay of full beneficial use of water under Permit G-11627 was due, in part, to insufficient yield of water from the permitted well. The permit holder needs more time in which to gain approval for the construction of additional points of appropriation to obtain the full quantity of water allowed under the permit.

Based on FOF 12, the Department has determined that beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied by October 1, 2007.

**Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]**

15. An approximate total of \$500,550 has been invested. The costs included items associated with repair and maintenance costs of a system which are not “actual construction” under this permit and therefore are not counted towards development. After deducting these costs, the approximate total investment for “actual construction” to date is approximately \$475,900 which is about 63 percent of the total projected cost for complete development of this project. An additional \$280,000 investment is needed to complete this project, which includes submitting a Permit Amendment requesting additional points of appropriation (APOA) and if approved, constructing the APOAs to obtain the full rate authorized under the permit, completing installation of the irrigation system, and applying water to full beneficial use.

Based on FOF 15, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.



19. Clackamas River is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

**OAR 690-315-0040(4)(c)**

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

20. Clackamas River is located within an area ranked “highest” for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

**OAR 690-315-0040(4)(d)**

Economic interests dependent on completion of the project.

21. An approximate total of \$475,900 has been invested in the project.

**OAR 690-315-0040(4)(e)**

Other economic interests dependent on completion of the project.

22. No other economic interests dependent on completion of the project have been identified.

**OAR 690-315-0040(4)(f)**

Other factors relevant to the determination of the market and present demand for water and power.

23. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A “Checkpoint Condition” is specified under Item 1 of the “Limitations and Conditions” section of this PFO to meet this condition.

**Fair Return Upon Investment [OAR 690-315-0040(2)(f)]**

24. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

**Other Governmental Requirements [OAR 690-315-0040(2)(g)]**

25. Delay in the development of this project was not caused by any other governmental requirements.

**Unforeseen Events [OAR 690-315-0040(2)(h)]**

26. Unforeseen events were identified that contributed to the extended the length of time needed to fully develop and perfect Permit G-11627, in that the original owner and manager of Eagle Creek Golf, Frank Bastasch was faced with serious health issues that restricted their ability to complete development of the project in a timely manner.

Benchmark 1:

To demonstrate diligence under Benchmark 1, the permit holder must submit a map prepared by a Certified Water Rights Examiner which illustrates development to the beneficial use on an additional 100.0 acres of land as authorized under the terms and conditions of the permit or any subsequent permit amendment to change the place of use. The 100.0 acres of land must be in addition to the 66.45 acres that have been previously developed as illustrated in the map attached to the Application for Extension of Time submitted to the Department on June 19, 2018. A copy of this map is included in this proposed final order, and is referenced as Attachment "A".

Benchmark 2:

To demonstrate diligence under Benchmark 2, the permit holder must submit a report, certified by a Certified Water Rights Examiner, which demonstrates that beneficial use of a minimum of 2.0 cfs of water has been achieved as authorized under the terms and conditions of the permit or any subsequent permit amendment. The report must include documentation of the maximum rate of water put to beneficial use from each point of appropriation, the volume of water put to beneficial use from each point of appropriation, the nature of the use from each point of appropriation, and documentation of compliance with permit conditions from each point of appropriation.

DATED: August 28, 2018

  
Dwight French, Administrator,  
Water Right Services Division

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 12, 2018**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;

## **LIMITATIONS AND CONDITIONS**

1. OAR 690-315-0050(6) requires a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A “Checkpoint Condition” is specified under Item 1 of the “Limitations and Conditions” section of this PFO to meet this condition.
2. OAR 690-315-0050(5) provides for extension orders to include, but are not limited to, any condition or provision needed to ensure future diligence in the development of the water system. Based on FOF 1, 3, 11, 12, and 29, the Department determined the need to place a “Last Extension Condition” on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. This condition, specified under Item 2 of the “Conditions” section of this PFO, was determined to be necessary due to the amount of time already authorized for development under permit and the minimal development of the permit that has occurred during the past ten years.

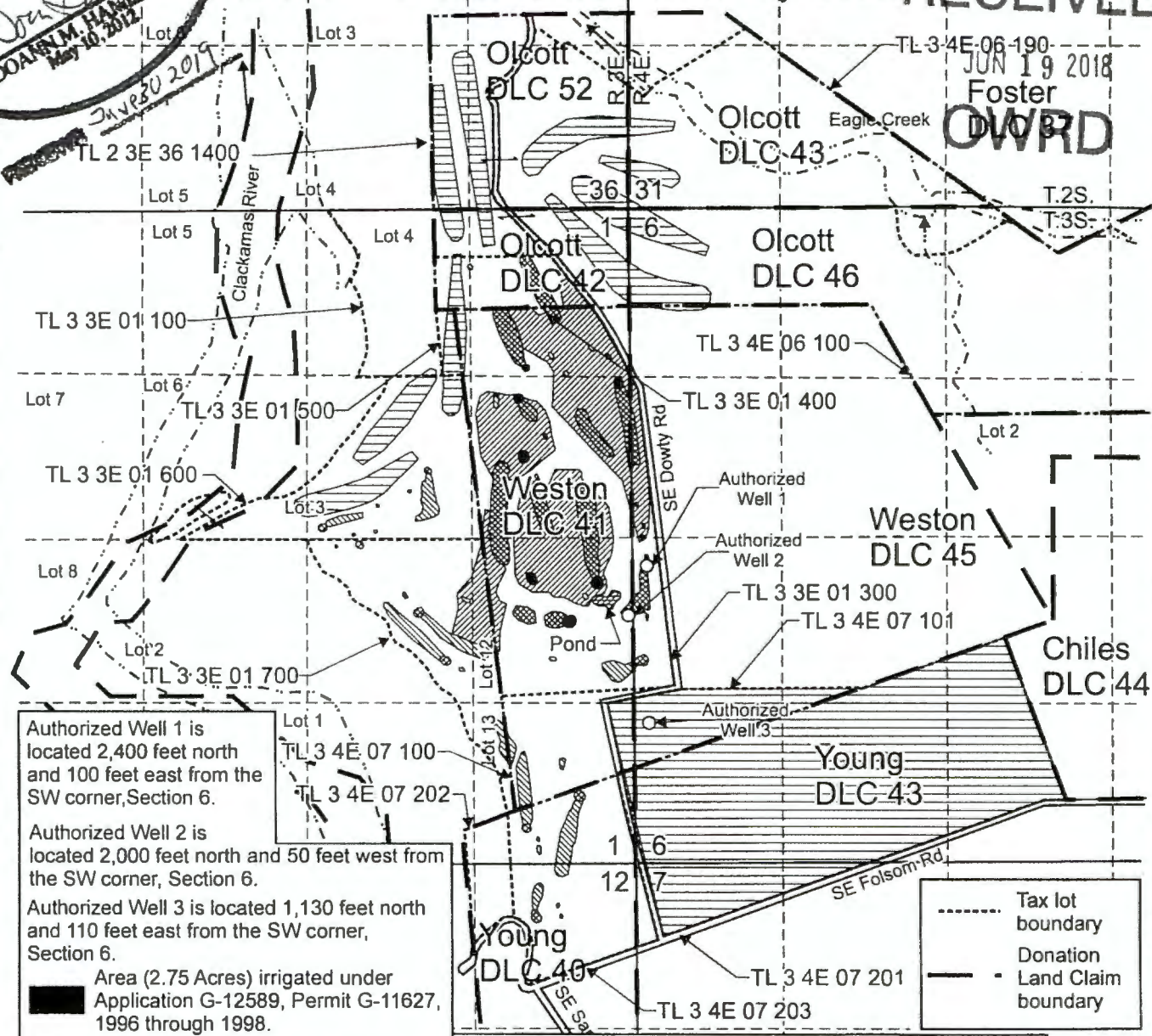
## **CONCLUSIONS OF LAW**

1. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The applicant has complied with the construction timeline requirements to begin actual construction as required by ORS 537.630, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 7 through 28, completion of construction and full application of water to beneficial use can be accomplished by October 1, 2024, as required by OAR 690-315-0040(1)(c).
4. The applicant can complete the project within the time period requested for the extension on the project, but the extension is conditioned to ensure future diligence in the development of the permitted water use, and is granted only for the reasonable time necessary to complete water development and apply water to beneficial use. OAR 690-315-0050(5).
5. The applicant has demonstrated good cause for the extension, but the extension must be conditioned to ensure this is the last extension granted in order to ensure future diligence; OAR 690-315-0050(5).
6. For extensions exceeding five years, the Department shall establish progress checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between progress check points will not exceed five years periods, as required by OAR 690-315-0050(6).

# T.2S. R.3E. Sec. 36, T.2S. R.4E. Sec. 31, T.3S. R.3E. Sec. 1 & 12, and T.3S. R.4E. Sec. 6 & 7, W.M. RECEIVED

Central Water Rights Recorder  
85908  
*DOAN M. HAMILTON*  
May 10, 2017

JUN 19 2018  
Foster  
OWRD



Authorized Well 1 is located 2,400 feet north and 100 feet east from the SW corner, Section 6.

Authorized Well 2 is located 2,000 feet north and 50 feet west from the SW corner, Section 6.

Authorized Well 3 is located 1,130 feet north and 110 feet east from the SW corner, Section 6.

Area (2.75 Acres) irrigated under Application G-12589, Permit G-11627, 1996 through 1998.

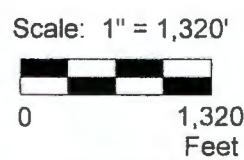
Area (10.0 Acres) irrigated under Application G-12589, Permit G-11627, 1999.

Area (43.2 Acres) irrigated under Application G-12589, Permit G-11627, 2004.

Area (10.5 Acres) irrigated under Application G-12589, Permit G-11627, 2006.

Area (167.55 Acres) not yet irrigated under Application G-12589, Permit G-11627.

----- Tax lot boundary  
- - - - - Donation Land Claim boundary



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.

**Extension Map**  
Application G-12589, Permit G-11627  
Eagle Creek Golf Course  
T.2S. R.3E. Sec. 36, T.2S R.4E. Sec. 31, T.3S. R.3E. Sec. 1 & 12  
and T.3S. R.4E. Sec. 6 & 7, W.M.

Pacific Hydro-Geology Inc.

06/2018

Eagle Creek Ext. Map.cdr

18487 S. Valley Vista Rd.  
Mulino, Oregon 97042  
(503) 632-5016 Phone  
(503) 632-5983 Fax

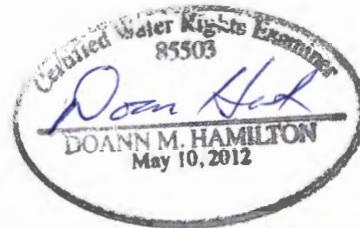
*Pacific Hydro-Geology Inc.*

# Memo

**To:** Oregon Water Resources Department / Jeffrey Pierceall  
**From:** Doann Hamilton, CWRE  
**CC:**  
**Date:** August 3, 2018  
**Re:** Application G-12589, Permit G-11627 Extension application.

---

My client Jim Bastasch of Eagle Creek Golf Course, Application G-12589, Permit G-11627 has been out of town and just received OWRD letter dated July 12, 2018 requesting a reply by July 31, 2018. In response to this letter our client would like to change the extension date to 2023. Attached are the revised pages.



RECEIVED June 30, 2019

RECEIVED

AUG 10 2018

OWRD

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT  
***A separate extension application must be submitted for each permit as per  
OAR 690-315-0020(2).***

I, Eagle Creek Golf Course, Inc. c/o Jim Bastasch

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

25805 Se Dowty Road  
ADDRESS

Eagle Creek  
CITY

OR  
STATE

97022  
ZIP

(503) 927-6470  
PHONE

\_\_\_\_\_  
E-MAIL ADDRESS

the permit holder of:

Application Number G-12589

Permit Number G-11627

[OAR 690-315-0020(3)(b)]

RECEIVED  
AUG 10 2018  
OWRD

do hereby request that the time in which to:

- complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on **October 1, 2007** be extended to October 1, 2023, [OAR 690-315-0020(3)(i)] *DH*
- N/A (Check this box if the permit does not specify a date by when construction must be completed.)

REVISED BY  
DOANN HAMILTON  
CURE  
AGONY FOR  
EAGLE CREEK  
GOLF COURSE

and/or the time in which to:

- apply water to full beneficial use under the terms and conditions of the permit, which time now expires on **October 1, 2007** be extended to October 1, 2023. [OAR 690-315-0020(3)(i)] *DH*

I am the permit holder, or have written authorization from the permit holder (attached to this Application for Extension of Time), to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

Before submitting your Application for Extension of Time, make sure the following items are included:

RECEIVED

AUG 10 2018

OWRD

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA) # Well 1 Acres 66.45

(POD/POA) # Well 3 Acres 66.45

(POD/POA) # Well 2 Acres 66.45

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2019	Apply for a permit amendment to record the changes in place of use, well locations, and to add additional wells to obtain our full allowed rate	\$6,000
2030	Develop the additional 9 holes of golf and install additional irrigation systems	\$200,000
2025	Develop our pond system to help improve our storage capacity as a bulge in the system	\$20,000
2020	Install another well on the east side of Dowty Rd. to irrigate the pasture	\$15,000
2021	Irrigate the pasture	\$10,000
2023	Install additional wells to obtain our full rate	\$45,000
Year: 2023	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$296,000

DH

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: \$296,000

(The total cost from CHART-E)

[OAR 690-315-0020(3)(j)]

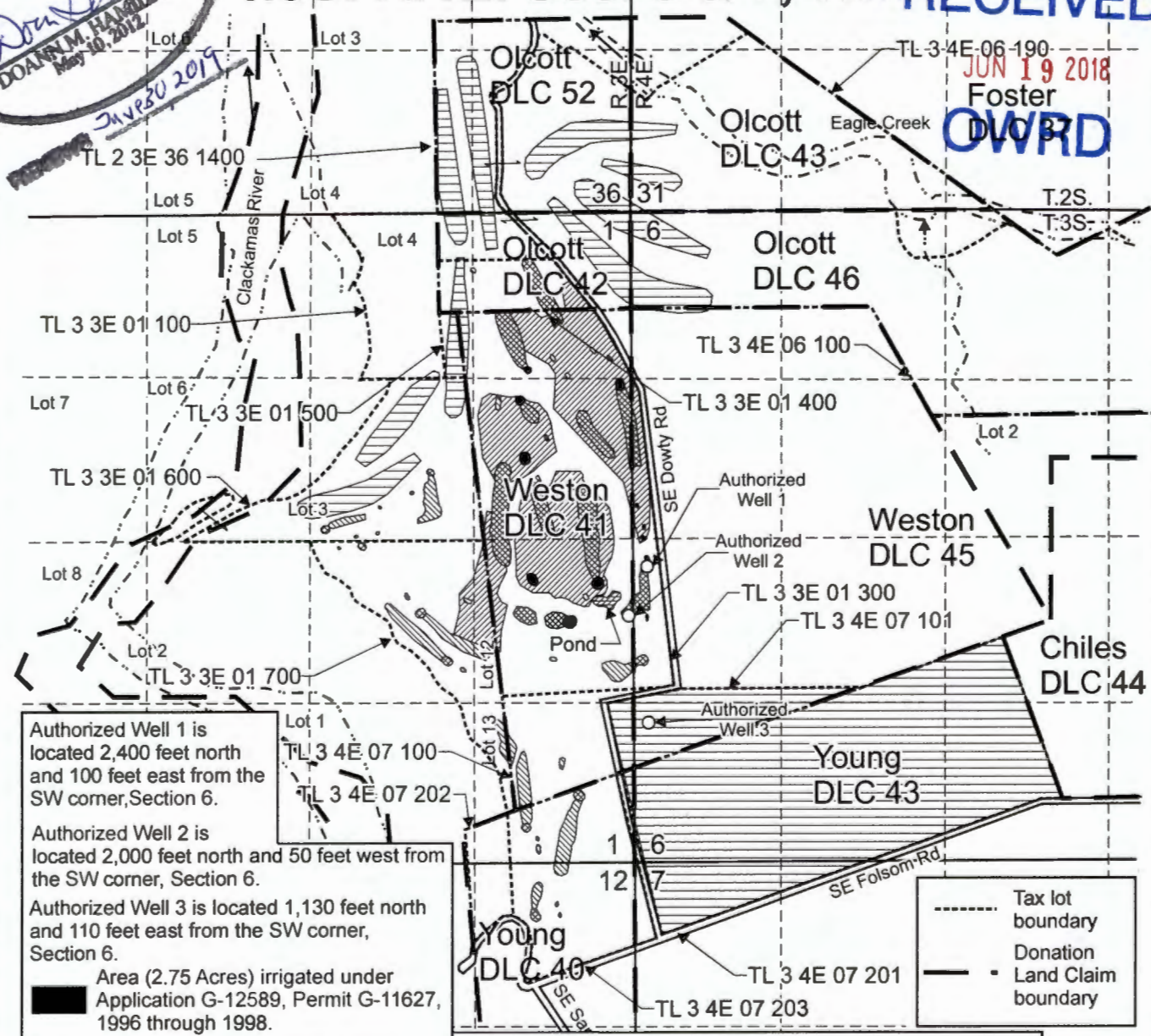
12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.) Initially, we need to apply for a permit amendment to address the correct locations of the wells, place of use, and add additional wells. Once the wells are approved we can install another well on the east side of Dowty Road to irrigate the pasture (current Well 3 was drilled on the west side of the road). We also need to develop the pond system to hold additional water to serve as a bulge in the system. Once the pond is built, we can install additional wells to obtain the allowed rate of use. Then we will start developing the additional nine holes of golf.

# T.2S. R.3E. Sec. 36, T.2S. R.4E. Sec. 31, T.3S. R.3E. Sec. 1 & 12, and T.3S. R.4E. Sec. 6 & 7, W.M.

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Canal Water Rights Examiner  
85503  
*Doan M. Hamilton*  
DOAN M. HAMILTON  
May 10, 2012  
2/19/2019

JUN 19 2018  
Foster  
DLC 37  
OWRD



Authorized Well 1 is located 2,400 feet north and 100 feet east from the SW corner, Section 6.

Authorized Well 2 is located 2,000 feet north and 50 feet west from the SW corner, Section 6.

Authorized Well 3 is located 1,130 feet north and 110 feet east from the SW corner, Section 6.

Area (2.75 Acres) irrigated under Application G-12589, Permit G-11627, 1996 through 1998.

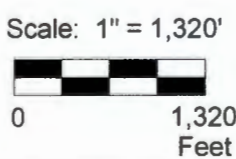
Area (10.0 Acres) irrigated under Application G-12589, Permit G-11627, 1999.

Area (43.2 Acres) irrigated under Application G-12589, Permit G-11627, 2004.

Area (10.5 Acres) irrigated under Application G-12589, Permit G-11627, 2006.

Area (167.55 Acres) not yet irrigated under Application G-12589, Permit G-11627.

----- Tax lot boundary  
- - - - - Donation boundary  
- - - - - Land Claim boundary



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.



Pacific Hydro-Geology Inc.

Extension Map  
Application G-12589, Permit G-11627  
Eagle Creek Golf Course  
T.2S. R.3E. Sec. 36, T.2S R.4E. Sec. 31, T.3S. R.3E. Sec. 1 & 12  
and T.3S. R.4E. Sec. 6 & 7, W.M.  
06/2018

Eagle Creek Ext Map.cdr





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

July 12, 2018

Dear Applicant,

REFERENCE: Application G-12589; Permit G-11627

The Department has received your Application for Extension of Time for the above referenced permit. Upon review of the Application, the Department has determined that in the absence of additional information, a request to extend this permit to October 1, 2030, is unreasonable.

Permit G-11627 was issued on November 22, 1993. Extending the completion date to October 1, 2030, would authorize almost 37 years to develop this permit.

The Department is requesting that you amend the Application to request no more than five years, being October 1, 2023, to complete construction and complete application of water to the use, or submit additional information as described below.

If you choose to pursue the request until October 1, 2030, you must submit a detailed plan for the completion of the development of the water system. The plan must include annual performance benchmarks, and anticipated costs to complete each benchmark. Each performance benchmark should represent no less than five percent of the remaining work to be accomplished as measured by the anticipated cost to complete the action. Be advised that the Department, if the extension is approved, may impose performance conditions on the extension that would prescribe specific actions that must be accomplished within a specified time period and require annual submittal of progress reports with evidence that the performance benchmarks have been met. The condition would also provide for cancellation of the remaining portion of the permit if the performance measures are not fulfilled.

Please respond to this request with either an amendment to the requested extension completion date, or with a detailed plan as described above by July 31, 2018, or the Department may deny the request.

If you have any questions, feel free to contact me on the phone at 503-986-0802 or by email at [Jeffrey.D.Pierceall@oregon.gov](mailto:Jeffrey.D.Pierceall@oregon.gov)

Sincerely,

Jeffrey D. Pierceall  
Extension Specialist



# Extension PFO Checklist for Other than Muni or Quasi-Municipal

## Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application G-12589 Permit G-11627 Permit Amendment? No  Yes  T- \_\_\_\_\_  pending  approved

Permit Holder's Name: Eagle Creek Golf Course ~~1803 SE 20th St. Eagle Creek OR 97022~~ 25805 SE Dowty Rd. Eagle Creek OR 97022

Permit Holder's Mailing Address: \_\_\_\_\_ email \_\_\_\_\_

Phone Number: 503-927-6470

POD Location: Township 35 Range 3E/4E Section 16 1/4 \_\_\_\_\_

Drainage Basin: \_\_\_\_\_ County: \_\_\_\_\_ Watermaster District: \_\_\_\_\_ Watermaster: \_\_\_\_\_

Date Permit was issued: Nov. 22, 1993 Priority Date: June 24, 1991 Date of PN: June 26, 2018

Source: Three Wells in the Eagle Creek Basin

Use: irrigation of 234.0 acres, commercial use, and maintenance of ponds for Rec. Purposes.

"Q": 2.95 cfs, being 2.93 cfs for irr., 0.01 cfs for commercial, and 0.01 cfs for pond maintenance

Orig "A" Date: Nov 22, 1994 Orig "B" Date: 10/1/95 Orig "C" Date: 10/1/96

Extension request rec'd: 6-14-18 Last Authorized "B" Date: 10/1/2007 Last Authorized "C" Date: 10/1/2007

Request Number (1, 2, 3...): 3 Proposed "B" Date: 10/1/2030 Proposed C Date: 10/1/2030

**Conditions of Permit:**

Condition Met?	Condition Not Met?	Permit Condition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	meter / electric meter the tot fm @ 2018
<input type="checkbox"/>	<input type="checkbox"/>	AWR
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Construction began

**Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:**

- Yes No
- Work was accomplished within the time allowed in the permit or previous extension
  - Water right permit holder conformed with the permit or previous extension conditions
  - Financial investments were made toward developing the beneficial water use.
    - Amount Invested to date: \$ \_\_\_\_\_ Estimated Remaining Cost: \$ \_\_\_\_\_
  - Beneficial use made of the water during the permit or previous extension time limits
    - Permit holder has beneficially used 185  cfs  gpm  af of the total permitted quantity of water on 16.45 acres

GW REVIEW: Y N \_\_\_\_\_  
MITIGATION REVIEW: Y N \_\_\_\_\_

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes  No

**Determination of the market and the present demand for water or power to be supplied:**

Identify the closest surface water or localized water basin. \_\_\_\_\_

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Name Clack Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
- within a critical or limited Ground Water Area? Name of area \_\_\_\_\_
- within a Withdrawn Area? Name of area Currin Creek (OAR-690-502-4142(1)(c))
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list \_\_\_\_\_
- within an area ranking  low /  moderate /  high /  highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

**Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?**

Yes... "Good Cause" can be found.  Approval of Extension Request

No ... "Good Cause" cannot be found.  Denial of Extension Request

**Conditions to be included in Extension PFO (if applicable)? Yes  No**

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints (Years: \_\_\_\_\_)

Other: \_\_\_\_\_

**Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:**

**COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

**COBU Requirement - Surface Water - post July 9, 1987**

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

**COBU Requirement - Ground Water - post July 9, 1987**

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

**NOTES:**

**Extension "PFO" Dates**

Mailing / Issuance Date: \_\_\_\_\_ Protest Deadline Date: \_\_\_\_\_

Reviewer's Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Application for Extension of Time for a Water Right Permit  
(NON-Municipal/NON Quasi-Municipal water Use)**



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

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**Criteria for a Permit Extension of Time**

The Department can accept requests for an extension of time on permits to **(1) complete construction**, and/or to **(2) apply water to beneficial use**.

In order to approve a permit extension request the Department must be able to find:

**1) Construction has begun:**

**A. For Groundwater Permits**

Construction of the well began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

**B. For Surface Water or Reservoir Permits**

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) A required fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.**

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

Instructions are in Attachment A.

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT  
**A separate extension application must be submitted for each permit as per  
OAR 690-315-0020(2).**

I, Eagle Creek Golf Course, Inc. c/o Jim Bastasch

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

25805 Se Dowty Road  
ADDRESS

Eagle Creek  
CITY

OR  
STATE

97022  
ZIP

(503) 927-6470  
PHONE

\_\_\_\_\_  
E-MAIL ADDRESS

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the permit holder of:

Application Number G-12589

Permit Number G-11627

[OAR 690-315-0020(3)(b)]

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do hereby request that the time in which to:

- complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on **October 1, 2007** be extended to October 1, 2030, [OAR 690-315-0020(3)(i)]
- N/A (Check this box if the permit does not specify a date by when construction must be completed.)

and/or the time in which to:

- apply water to full beneficial use under the terms and conditions of the permit, which time now expires on **October 1, 2007** be extended to October 1, 2030. [OAR 690-315-0020(3)(i)]

I am the permit holder, or have written authorization from the permit holder (attached to this Application for Extension of Time), to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for QWRD to suspend processing of the request and/or reason to deny the extension.

Signature

Date

Printed Name

Title

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

**MAIL COMPLETED APPLICATION**  
**along with the Supporting documents and/ or evidence and correct fee to:**

**Water Resources Department  
 Attn: Water Right Permit Extensions  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301**

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**GENERAL TIPS:**

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS, available at the following link:  
[http://www.oregon.gov/owrd/PUBS/docs/forms/fillable\\_muni\\_quasi\\_ext\\_app\\_form\\_2014.doc](http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc)
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each item on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: [http://arcweb.sos.state.or.us/pages/rules/oars\\_600/oar\\_690/690\\_315.html](http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html)
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.
- An Application for an Extension of Time will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

**Reference Materials Needed to Complete this Application:**

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> (using the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

**Questions to complete this application for an Extension of Time**

Please see the instruction sheet to help you answer these items.

**1. Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

Yes  No

Date construction began: July 20, 1994

Details of construction and attach documentation:

Well 2 (CLAC 20012) construction began

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For Surface/Reservoir Permit - NA

Has construction of the water system begun?  Yes  No

Date construction began Month:      Day:      Year:     

Details of construction and attach documentation:

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2<sup>nd</sup> column are contained within it. Using the extra row labeled "other" to specify any other additional conditions specified in a final order approving a permit amendment or prior extension of time. In the 1<sup>st</sup> column check the box for each condition (row) identified as relevant. In the 3<sup>rd</sup> column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4<sup>th</sup> column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	March 2018
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Previous reading recorded from electrical usage. Flow meter reading to start 2018
<input type="checkbox"/>	Submittal of initial static water level measurement	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	<div style="font-size: 2em; color: blue; font-weight: bold;">RECEIVED</div> <div style="font-size: 1.2em; color: red; font-weight: bold;">JUN 19 2018</div> <div style="font-size: 2em; color: blue; font-weight: bold;">OWRD</div>
<input type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Surface Water or Reservoir - NA</b>			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter/ in-line meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation a staff gauge	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	



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2b. If you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

The golf course was operated by my father, Frank Bastasch. My father developed Alzheimer's approximately 6 to 7 years ago (2011-2012). His brother, John Bastasch, took over the golf course until he passed away in 2015. I took over the golf course since John passed away and have been trying to get the golf course back into working order and make sure we are up-to-date and in compliance with the requirements of the water right permit .

[OAR 690-315-0020(3)(e)]

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use chronological order. (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
	None	\$0
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
November 22, 1993	Date the permit was signed - find date above signature on last page of permit.	
July 21, 1994	Well 1 (CLAC 20012) constructed and pump installed	\$15,000
November 17, 1995	Well 2 (CLAC 50087) constructed	\$10,000
1994 through April 1999	Installed mainline and sprinkler heads to irrigate 9 greens plus surrounding areas and 2 tees. Installed additional mainline for 6 additional holes	\$280,000
October 1, 1996	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
NA	NA	NA
<b>Total Cost for Chart-B</b>		<b>\$305,000</b>

\* If exact cost is not known, you must provide your best estimate.

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4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. Use *chronological order*.

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
October 1, 1996	"Extended From" date for complete application of water used in the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
July 1999 – Aug 1999	Purchased and installed mainline and sprinklers to complete irrigation of 9 fairways and 9 additional greens (18 total greens)	\$150,000
2004	Pump installed in well 2	\$5,000
June 5, 2004	Constructed Well 3 (CLAC 61102)	\$10,000
2006	Pump installed in Well 3	\$5,000
October 1, 2007	"Extended To" date for complete application of water resulting from the 1 <sup>st</sup> (or the most recent) Application for Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
October 2012	Repaired Turbine pumps from the pond	\$8,000
May 2015	Reconstructed pump system from the pond	\$15,000
April 2017	Replaced pump in Well 1	\$1,650
February 2018	Installed meters for all three wells	\$900
Total Cost of Chart-C		\$195,550

*maintenance not new cost*

\* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: \$500,550

(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. For Surface Water Permit Extensions (e.g. S-NA or R-NA):

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = NA cfs (cubic feet per second) or,

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c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA) # Well 1 Acres 66.45

(POD/POA) # Well 3 Acres 66.45

(POD/POA) # Well 2 Acres 66.45

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2019	Apply for a permit amendment to record the changes in place of use, well locations, and to add additional wells to obtain our full allowed rate	<del>\$6,000</del>
2030	Develop the additional 9 holes of golf and install additional irrigation systems	\$200,000
2025	Develop our pond system to help improve our storage capacity as a bulge in the system	\$20,000
2020	Install another well on the east side of Dowty Rd. to irrigate the pasture	\$15,000
2021	Irrigate the pasture	<del>\$10,000</del>
2025	Install additional wells to obtain our full rate	\$45,000
Year: 2030	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$296,000

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: \$296,000

(The total cost from CHART-E)

[OAR 690-315-0020(3)(j)]

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.) Initially, we need to apply for a permit amendment to address the correct locations of the wells, place of use, and add additional wells. Once the wells are approved we can install another well on the east side of Dowty Road to irrigate the pasture (current Well 3 was drilled on the west side of the road). We also need to develop the pond system to hold additional water to serve as a bulge in the system. Once the pond is built, we can install additional wells to obtain the allowed rate of use. Then we will start developing the additional nine holes of golf.

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[OAR 690-315-0020(3)(k)]

**13. Justify the time requested to complete the project and/or apply the water to full beneficial use.** *(Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)*

The cost to accomplish these tasks is economically a burden. We need the revenue from the existing golf course to provide the finances to accomplish our goals. Developing the new area to install the new nine holes of golf will be labor intensive and require additional time to complete.

[OAR 690-315--0020(3)(l)]

**14a. Will a denial of the extension result in undue hardship?** *(Describe the hardship and the effects.)* Yes without the extension, we would not be able to perfect the use as authorized in the permit, and thereby lose a significant portion of the income potential from the golf course at full development.

**14b. Are there any other reasonable alternatives that exist for meeting your water use needs?** *(Explain in detail)* No

[OAR 690-315-0020(3)(h)]

**15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right?** *(Explain in detail, including how much time did this delay the project; list dates.)* No

[OAR 690-315-0020(3)(h)]

**16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over.** *(Explain in detail what the unforeseen events were and how much time was spent addressing the unforeseen events.)* My father developed Alzheimer's disease, delaying his ability to complete the work. His brother John took over but passed away in 2015, at which point, I took over responsibility for operating the golf course. Since that time, it has taken a great deal of time and effort to bring operations back into order, including addressing issues related to the water right permit.

[OAR 690-315-0020(3)(h)]

**17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits.** *(Provide supporting information for the reason(s) that best fits your circumstances.)*

NA

JUN 19 2018

OWRD

Maximum rate used to date = NA gpm (gallons per minute) or,

Acre-feet stored to date = NA AF

**7. For Ground Water Permit Extensions (e.g. G-11627):**

*TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.*

**CHART-D**

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well - - under <u>this permit only</u> (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
Well 1	Well 1	Yes <input checked="" type="checkbox"/>	CLAC 20012	NA	Yes <input type="checkbox"/>	65 gpm	Yes <input type="checkbox"/>	-NA
		No <input type="checkbox"/>			No <input checked="" type="checkbox"/>		No <input checked="" type="checkbox"/>	-NA
Well 2	Well 2	Yes <input checked="" type="checkbox"/>	CLAC 50087	NA	Yes <input type="checkbox"/>	30 gpm	Yes <input type="checkbox"/>	-NA
		No <input type="checkbox"/>			No <input checked="" type="checkbox"/>		No <input checked="" type="checkbox"/>	-NA
Well 3	Well 3	Yes <input checked="" type="checkbox"/>	CLAC 61102	L-69067	Yes <input type="checkbox"/>	90 gpm	Yes <input type="checkbox"/>	-NA
		No <input type="checkbox"/>			No <input checked="" type="checkbox"/>		No <input checked="" type="checkbox"/>	-NA
Total instantaneous rate from all wells utilized under this permit						185 gpm		

8. Has a Permit Amendment Application been filed? Yes  No   
If yes, identify Transfer No. T-NA

Has the Permit Amendment been approved? Yes  No   
If yes, on what date was the Permit Amendment approved? NA

[OAR 690-315-0020(3)(e)(C)]

**9. For Irrigation and Nursery Use Permits Extensions**

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: \_\_\_\_\_

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
1996-1998	2.75				
1999	12.75				
2004	55.95				
2006	66.45				

NW 1/4 NW 1/4 6.0 ACRES  
 SW 1/4 NW 1/4 2.0 ACRES, RECREATION  
 NE 1/4 SW 1/4 8.0 ACRES  
 NW 1/4 SW 1/4 3.0 ACRES, RECREATION  
 SW 1/4 SW 1/4 40.0 ACRES  
 SE 1/4 SW 1/4 37.0 ACRES  
 NW 1/4 SE 1/4 4.0 ACRES  
 SW 1/4 SE 1/4 14.0 ACRES  
 SECTION 6

NE 1/4 NW 1/4 1.0 ACRE  
 NW 1/4 NW 1/4 11.0 ACRES  
 SECTION 7

TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before November 22, 1994 and shall be completed on or before October 1, 1995. Complete application of the water shall be made on or before October 1, 1996.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EAGLE CREEK GOLF COURSE, INC.  
1403 SE STARK STREET  
PORTLAND, OR 97214

503-235-4145

to use the waters of THREE WELLS in the EAGLE CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 234.0 ACRES, COMMERCIAL USE, AND MAINTENANCE OF PONDS FOR RECREATION PURPOSES.

This permit is issued approving Application G-12589. The date of priority is JUNE 24, 1991. The use is limited to not more than 2.95 CUBIC FEET PER SECOND (CFS) BEING 2.93 CFS FOR IRRIGATION, 0.01 CFS FOR COMMERCIAL, AND 0.01 CFS FOR RECREATION, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - NW 1/4 SW 1/4, SECTION 6, T 3 S, R 4, E, W.M.; 2400 FEET NORTH AND 100 FEET EAST FROM THE SW CORNER OF SECTION 6, T 3 S, R 4 E.

WELL 2 - NE 1/4 SE 1/4, SECTION 1, T 3 S, R 3 E, W.M.; 2000 FEET NORTH AND 50 FEET WEST FROM THE SW CORNER OF SECTION 6, T 3 S, R 4 E.

WELL 3 - SW 1/4 SW 1/4, SECTION 6, T 3 S, R 4 E, W.M.; 1130 FEET NORTH AND 110 FEET EAST FROM THE SW CORNER OF SECTION 6, T 3 S, R 4 E.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use for irrigation is March 1 through October 31.

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

A description of the proposed place of use under this permit is as follows:

SW 1/4 SE 1/4 4.0 ACRES  
SE 1/4 SE 1/4 9.0 ACRES  
Section 36  
TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

SW 1/4 SW 1/4 3.0 ACRES  
SECTION 31  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

NE 1/4 NE 1/4 16.0 ACRES  
NW 1/4 NE 1/4 4.0 ACRES  
SW 1/4 NE 1/4 10.0 ACRES  
SE 1/4 NE 1/4 18.0 ACRES, RECREATION  
SE 1/4 NW 1/4 1.0 ACRE  
NE 1/4 SE 1/4 18.0 ACRES, COMMERCIAL, RECREATION  
NW 1/4 SE 1/4 11.0 ACRES  
SW 1/4 SE 1/4 1.0 ACRE  
SE 1/4 SE 1/4 10.0 ACRES  
SECTION 1

NE 1/4 NE 1/4 3.0 ACRES  
SECTION 12  
TOWNSHIP 3 SOUTH, RANGE 3 EAST, W.M.

16

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JAN 13 1995

35/4E/6CC  
69073

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

CLAC  
20012

(START CARD)

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

SALEM, OREGON

(1) OWNER:  
Name Eagle Creek Golf Course  
Address 25805 S.E. ODOTY Rd  
City Eagle Creek State OR Zip 97022

Well Number 1

(9) LOCATION OF WELL by legal description:

County Clack Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 3 N or S Range 4 E or W. WM.  
Section 6 SW 1/4 SW 1/4  
Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Same as #1

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 60 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL					
Diameter	From	To	Material	From	To	Sacks or pounds	
10	0	18	GRANULATED BENTONITE	0	18	12 BAGS	
6	18	60					

How was seal placed: Method  A  B  C  D  E  
 Other Powered Dry  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: <u>6 5/8</u>	<u>+1</u>	<u>58</u>	<u>250</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 58'

(7) PERFORATIONS/SCREENS:

Perforations Method Air Perforator  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
<u>25</u>	<u>56</u>	<u>4x3</u>	<u>4</u>	<u>Rows</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Time
<u>30</u>		<u>55</u>	<u>1 hr.</u>
<u>30</u>		<u>55</u>	<u>2 hr</u>

Temperature of water 52° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(10) STATIC WATER LEVEL:  
15 ft. below land surface. Date 7-21-94  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 21 ft

From	To	Estimated Flow Rate	SWL
<u>21</u>	<u>58</u>	<u>30</u>	<u>15</u>

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
<u>Soil Brown</u>	<u>0</u>	<u>1</u>	
<u>Clay Brown w/cobbles</u>	<u>1</u>	<u>6</u>	
<u>Cobble w/large gravel</u>	<u>6</u>	<u>19</u>	
<u>Med gravel w.B.</u>	<u>19</u>	<u>58</u>	<u>15</u>
<u>Clay grey sticky</u>	<u>58</u>	<u>60</u>	

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JUN 19 2018

OWRD

Date started 7-20-94 Completed 7-21-94

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number \_\_\_\_\_  
Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 792  
Signed Jack Wallcut Date 8-5-94



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

CLAC 50087

JAN - 5 1996

(START CARD) # 92050

Instructions for completing this report are on the last page of WATER RESOURCES DEPT.

(1) OWNER: Well Number 2 SALEM Name Eagle Creek Golf Course Address 25805 SE County Rd City Eagle Creek State OR Zip 97022

LOCATION OF WELL by legal description: County Clack, Latitude Longitude Township 3 N or S Range 4 Or W. WM. Section 6 SW 1/4 SW 1/4 Tax Lot Lot Block Subdivision Street Address of Well (or nearest address) same as above

(2) TYPE OF WORK: [X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD: [X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger [ ] Other

(4) PROPOSED USE: [ ] Domestic [ ] Community [ ] Industrial [X] Irrigation [ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [ ] Yes [X] No Depth of Completed Well 305 ft. Explosives used [ ] Yes [X] No Type Amount

Table with columns for HOLE and SEAL. HOLE: Diameter, From, To, Material, Sacks or pounds. SEAL: From, To, Sacks or pounds. Data: 10 0 39 Cement 0 39 31; 6 39 305

How was seal placed: Method [ ] A [ ] B [X] C [ ] D [ ] E [ ] Other Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns for Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 6 5/8 +3 297.250 [X] [ ] [X] [ ] Liner: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

Final location of shoe(s) 297

(7) PERFORATIONS/SCREENS: Table with columns for From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Includes rows for Perforations and Screens.

(8) WELL TESTS: Minimum testing time is 1 hour. [ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian. Yield gal/min 65 Drawdown 295 Drill stem at Time 1 hr.

Temperature of water 52 Depth Artesian Flow Found Was a water analysis done? [ ] Yes By whom Did any strata contain water not suitable for intended use? [ ] Too little [ ] Salty [ ] Muddy [ ] Odor [ ] Colored [X] Other - Shallow - Depth of strata 20-30 ft.

(10) STATIC WATER LEVEL: 85 ft. below land surface. Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 20-30 ft.

Table with columns: From, Estimated Flow Rate, SWL. Data: 20 30 5 4; 299 305 65 85

(12) WELL LOG: Ground Elevation

Table with columns: Material, From, To, SWL. Log entries: 50% Brown w/cobbles 0 3; Clay Brown w/cobbles 3 14; Gravel + Cobbles 14 20; Cemented slightly; Gravel + Cobbles med 20 31; Clay yellow Brown 31 33; Clay Blue Grey sticky 33 91; Clay Grey Fine 91 137; Clay Grey sticky 137 189; Clay Grey Dark 189 241; Clay Blue sticky 241 259; Clay Blue Green sticky 259 298; SAND - Course w/ Gravel small + Loe 298 304 85; pcs of Tan Pumice; Clay Grey Sticky 304 305

Date started 11-12-95 Completed 11-17-95

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed [Signature] WWC Number Date

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 792 Date 11-30-95

MAY 27 2005

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

WATER RESOURCES DEPT  
SALEM, OREGON

CLAC  
61102

WELL I.D. # L 69067  
START CARD # 157173

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

(1) LAND OWNER Well Number \_\_\_\_\_  
Name John Bastasch  
Address 24255 S.E. Folsom Rd.  
City EGGLE CR. State ORE. Zip 97022

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 302 ft  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
10"	0 32	CEMENT	0 37		23
6"	32 302				

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	12	249	350	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 4 1/2"	262	302	26"	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used  Inside  Outside  None  
Final location of shoe(s) 289'

(7) PERFORATIONS/SCREENS:

Perforations Method SKILL SAW  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
222	302	1/8 x 1/8	110			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Time
90		302	1 hr.

Temperature of water 57° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: 3 TO 24 FEET

(9) LOCATION OF WELL by legal description:  
County Clackamas Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 3S S Range 4E E or W. WM. \_\_\_\_\_  
Section 7 NW 1/4 NW 1/4  
Tax Lot 00203 of \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Same

(10) STATIC WATER LEVEL:  
135 ft. below land surface Date 5-29-04  
Artesian pressure \_\_\_\_\_ lb per square inch Date \_\_\_\_\_

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

From	To	Estimated Flow Rate	SWL
3	29'		3'
294	302	JUN 18 2018 JUN 98	135'

(12) WELL LOG: JUN 27 2005  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
SOIL BROWN	0	3	
GRAVELS	3	24	
Clay GRAY sticky	24	52	
Clay GRAY soft	52	54	
Clay GREEN	54	92	
Clay GRAY	92	105	
Clay GREEN soft	105	116	
Clay GRAY	116	132	
Clay GREEN	132	157	
Clay GRAY with SANDS & WOOD	157	166	
Clay GRAY	166	190	
Clay GREEN	190	215	
Clay GRAY	215	256	
Clay GREEN FIRM	256	294	
COARSE SANDS			
WATER BEARING	294	301	135'
Clay DARK GRAY	301	302	

Date started 5-13-04 Completed 6-5-04

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed Lynn J. Young WWC Number 1628 Date 7-28-04

MAY 17 2005

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

WATER RESOURCES DEPT  
SALEM, OREGON

CLAC  
61102

WELL ID. # L 69067  
START CARD # 157173

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

(1) LAND OWNER Well Number \_\_\_\_\_  
Name John Bastasch  
Address 24255 S.E. Folsom Rd.  
City Falle CR. State ORE. Zip 97022

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 302 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Sacks of pounds	
Diameter	From To	Material	From To		
10"	0 32	CEMENT	0 37	23	
6"	32 302				

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

Casing/Liner	Diameter	From	To	Gauge	Steel	Material		
						Plastic	Welded	Threaded
Casing: 6"	12	299	350		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Liner: 4 1/2"	262	302	302		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Drive Shoe used  Inside  Outside  None  
Final location of shoe(s) 299

(7) PERFORATIONS/SCREENS:  
 Perforations Method SKILL SAW  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
222	302	1/8 x 3/8	110			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Time
90		302	1 hr.

Temperature of water 57° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: 3 TO 24 FEET

(9) LOCATION OF WELL by legal description:  
County Clackamas Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 3S S Range 4E E. & W. WM. \_\_\_\_\_  
Section 7 NW 1/4 NW 1/4  
Tax Lot 00302 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Same

(10) STATIC WATER LEVEL:  
135 ft. below land surface. Date 5-29-04  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found JUN 19 2018

From	To	Estimated Flow Rate	SWL
3'	29'		
294'	302'		

**RECEIVED**  
JUN 27 2005

(12) WELL LOG: WATER RESOURCES DEPT  
SALEM, OREGON  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Soil BROWN	0	3	
GRAVELS	3	24	
Clay GRAY STICKY	24	52	
Clay GRAY SOFT	52	54	
Clay GREEN	54	92	
Clay GRAY	92	105	
Clay GREEN SOFT	105	116	
Clay GRAY	116	132	
Clay GREEN	132	157	
Clay GRAY with SANDS & WOOD	152	166	
Clay GRAY	166	190	
Clay GREEN	190	215	
Clay GRAY	215	256	
Clay GREEN FIRM	256	294	
COURSE SANDS			
Water BEARING	294	301	135
Clay DARK GRAY	301	302	

Date started 5-13-04 Completed 6-5-04

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number \_\_\_\_\_  
Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1021  
Signed Tom J. Gougeon Date 7-28-04

JUN 19 2018

OWRD

[OAR 690-315-0020(3)(m)(n)]

**18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.**

A lot of work still needs to be done, but due the health of my father and his brother, many of these tasks were left unattended.

[OAR 690-315-0040(2)(f)]

**19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail) Yes. Full development of the water right permit will make it possible to fully develop the golf course, which will allow for year-round use of our facility, and maximize the income potential from our operations.**

[OAR 690-315-0040(4)(d)]

**20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?) Without the ability to fully develop the water use as authorized in the permit, we could not keep the golf course open.**



# Oregon

Kate Brown, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

April 3, 2018

Eagle Creek Golf Course  
James Bastasch  
25805 SE Dowty Rd  
Eagle Creek, OR 97022

Reference: Application G-12589, Permit G-11627

Dear Applicant,

The Department received an Application for Extension of Time on April 2, 2018, requesting to extend the date to apply water to full beneficial use under the terms and conditions of the permit to October 1, 2019.

Upon reviewing the application, the Department has considered the application incomplete. The Department cannot accept the fee submitted without a complete application. Therefore, the Department is returning your check.

The Department was contacted by Greg Kupillas on March 13, 2018, indicating that you have retained Pacific Hydro-Geology to complete the Extension of Time Application. The Department granted a "Hold Action" on the file for 60-days beyond the April 2, 2018, date to submit a Claim of Beneficial Use or Extension of Time Application that was prescribed in the letter you received on February 1, 2018. The Department will not take further action to cancel this permit until after June 1, 2018.

If you have any other questions please contact me at 503-986-0802.

Sincerely,



Jeffrey D. Pierceall  
Adjudication and Extension Specialist  
Water Rights Services Division

cc: File G-12589



The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, November 22, 1993.

1s/  REED MARBUT

Water Resources Department  
Martha O. Pagel  
Director

B extended to 10-1-96

Ext. BC97

BCφ7



**Oregon Water Resources Department  
Attribute Report**

Report Date: Jul 31, 2018

**General:**

TRSQQ:	WM3.00S4.00E6NWSW WM3.00S3.00E1NWSE WM3.00S4.00E6SWSW WM3.00S4.00E6SWNW WM3.00S3.00E1NESE WM3.00S3.00E1SENE WM3.00S3.00E1SESE
DLC:	WM3S3E 41 WM3S4E 45
Latitude:	45.3364848252
Longitude:	-122.3744666507
Buffer ft:	1000
DEM Elev. ft. (NAVD1929):	350.066
Lidar Elev. ft. (NAVD1988):	354.64
Basin Name:	Willamette
Basin Plan:	2C (9)-Lower Willamette (Clackamas)
County:	Clackamas
WM District:	20
WM Region:	NORTHWEST
ODFW Region, District:	Northwest Region, NWWD-Cascade Unit
Irrigation District AOI:	-
Irrigation District, Other:	-
Dams (Permit):	-
Water Rights:	<a href="#">Platcard for WM3.00S4.00E6</a> <a href="#">Platcard for WM3.00S3.00E1</a> <a href="#">Platcard for WM3.00S4.00E6</a> <a href="#">Platcard for WM3.00S4.00E6</a> <a href="#">Platcard for WM3.00S3.00E1</a> <a href="#">Platcard for WM3.00S3.00E1</a> <a href="#">Platcard for WM3.00S3.00E1</a>
Well Logs:	<a href="#">Logs for WM3.00S4.00E6</a> <a href="#">Logs for WM3.00S3.00E1</a> <a href="#">Logs for WM3.00S4.00E6</a> <a href="#">Logs for WM3.00S4.00E6</a> <a href="#">Logs for WM3.00S3.00E1</a> <a href="#">Logs for WM3.00S3.00E1</a> <a href="#">Logs for WM3.00S3.00E1</a>

**Rules:**

Withdrawn Authority:	-
Groundwater Restricted:	-
GW Restricted Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muri Wells (5mile):	-
Rule 4D:	Rules apply

Division 33 (Area, Watershed, species): **LOWER COLUMBIA**, *Lower Clackamas River*, Oregon Chub, Pacific Lamprey, Coho Salmon, Western Brook Lamprey, Coastal Cutthroat Trout, Chinook Salmon, Steelhead

Irrigation Season of Use: **(unadjudicated, west side)**  
Adj. Status: Unadjudicated  
Subarea: undefined  
Irr. Season: Mar 1 to Oct 31  
Duty: 2.5  
Rate: 1/80

Water Quality Limited Pollutant 2012: -

Fish Habitat 2014: -

Is in Deschutes Study Area: -

Deschutes Zone Impact: -

Deschutes Zone Overlay: -

Scenic Water Way: **The Clackamas Scenic Waterway 390.826 (3)(a)** Clackamas River from the boundary of the Olallie Lake Scenic Area, as constituted on December 8, 1988, downstream to the North Fork Reservoir, and from immediately below the River Mill Dam downstream to the bridge at Carver  
Status: ABOVE

**Hydrography:**

OWRD Streamcode: -  
Waterbody Name: -  
HUC 10: 1709001106  
HUC Watershed: Lower Clackamas River  
WAB Wshed Order: 2  
WAB Analysis: [CLACKAMAS R > WILLAMETTE R - AT MOUTH](#)  
Streamflow: OWRD Opportunities: Poor  
ODFW Needs: Highest  
Combined Priority: Not a priority

Gaging Station Data: -

**Sources:**

**General**

*Oregon Public Land Survey Quarter-quarters.* Bureau of Land Management, Oregon Water Resources Department.. n.d. 1:24,000.

*Donated Land Claims.* Oregon Water Resources Department. January 1, 1995. 1:100,000.

*Elevation.* DEM 10m. - -

*Elevation.* Lidar Elevation. DOGAMI Bare Earth 1:3.

*OWRD Administrative Basins.* Oregon Water Resources Department. January 1, 1995.

*Oregon Counties.* Bureau of Land Management (BLM), Oregon State Office.. January 1, 2008.

*OWRD Watermaster Districts.* Oregon Water Resources Department. March 31, 2014.

*OWRD Regions.* Oregon Water Resources Department. January 1, 1995.



*ODFW Districts and Regions.* Oregon Department of Fish and Wildlife. August 28, 2012.

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*Water Organizations* Oregon Water Resources Department. April 1, 2013. 1:24,000.

---

*Large Dams Inventory.* Oregon Water Resources Department. August 12, 2014. 1:24,000.

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#### **Rules**

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*Withdrawn Authority Areas.* Oregon Water Resources Commission. January 1, 2007.

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*OWRD Groundwater Restricted Areas.* Oregon Water Resources Department. October 5, 2016.

---

*OWRD Groundwater Restricted Areas - Subunits.* Oregon Water Resources Department. April 1, 2009.

---

*ODEQ Groundwater Management Areas (GWMAs).* Oregon Department of Environmental Quality. April 21, 2008.

---

*Groundwater Umatilla Municipal Wells 5-mile buffer.* Oregon Water Resources Department. June 28, 2012.

---

*National Marine Fisheries Service (NMFS) 4(d) Rule.* National Marine Fisheries Service. January 1, 2007.

---

*OAR Chapter 690, Division 33 - HUC 10 .* Oregon Department of Fish & Wildlife. April 20, 2010.

---

*Irrigation Season of Use.* Oregon Water Resources Department, 2017.. March 24, 2017.

---

*Oregon Water Quality Assessment 2012.* This data set was assembled by the Oregon Department of Environmental Quality, Water Quality Division, Standards and Assessments Section.. December 4, 2014. 1:2,500,000.

---

*Oregon Fish Habitat 2014.* Oregon Department of Fish and Wildlife. Numerous fisheries biologists from ODFW as well as other natural resource agencies and tribes have contributed toward the development of these data. Data originator names are attributed at the feature level.. n.d. 1:24,000.

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*Deschutes USGS Groundwater Study Area.* Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department.. January 1, 2001. 1:100,000.

---

*Deschutes Zones of Impact.* Oregon Water Resources Department.. October 25, 2007.

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*Deschutes Zones Overlay.* Oregon Water Resources Department. October 25, 2007.

---

*Oregon State Scenic Waterway areas.* Oregon Water Resources Department, Oregon Parks and Recreation Department.. January 1, 2007.

---

#### **Hydrography**

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*Routed OWRD Streamcodes (conflated to the NHD).* Oregon Water Resources Dept.. August 11, 2014.

---

*OWRD Lake Streamcodes (conflated to the NHD).* Oregon Water Resources Dept.. August 7, 2015.

---

*Watershed Boundary Dataset (WBD), 10-digit (watershed).* Pacific Northwest Hydrography Framework, U.S. Geological Survey (USGS), National Resources Conservation Service (NRCS).. June 11, 2014. 1:24,000.

---

*Water Availability Basins.* Oregon Water Resources Department.. n.d. 1:100,000.

---

*Priority Watersheds for Streamflow Restoration.* Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

---

*Stream Gage Stations.* Oregon Water Resources Department and US Geological Survey. n.d.

---

[close](#)

[Print Report](#)

Application: G-12589

Permit: G-11627

Public Notice Route Slip ... New Application Extension of Time  
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

Applicant/Permit

Holder(s)

Eagle Creek Golf Course ✓

025805 SE Dowdy Rd

Eagle Creek OR 97022

update  
address

WRIG...Money Received on: 6-19-18

Extension Specialist ...

Added to tracking spreadsheet

After fee is received and app is added to spreadsheet, route to...

Stacy Phillips...

~~N/A~~ Recent Assignment (Check WRIS for Update)

Publish on Public Notice (initial 30-day comment): Date of notice 6-26-18

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or  No: Return file to Extension Specialist after PN JP

NOTES:

**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 # **127032**

APPLICATION # \_\_\_\_\_

RECEIVED FROM: Eagle Creek Golf Course, Inc.  
BY: \_\_\_\_\_

APPLICATION	6-12589
PERMIT	
TRANSFER	

CASH:  CHECK:# X 2287 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ **670.00**

**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**

<b>MISCELLANEOUS</b>		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$ <b>670.00</b>

<b>WATER RIGHTS:</b>		<b>EXAM FEE</b>	
0201	SURFACE WATER	\$	0202
0203	GROUND WATER	\$	0204
0205	TRANSFER	\$	
<b>WELL CONSTRUCTION</b>		<b>EXAM FEE</b>	
0218	WELL DRILL CONSTRUCTOR	\$	0219
	LANDOWNER'S PERMIT		0220

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 _____		\$

**RECEIVED  
OVER THE COUNTER**

RECEIPT: **127032**

DATED: 6-19-18 BY: Billings



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

June 20, 2018

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-12589 (Permit G-11627)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us).

To: Greg Kupillas  
Subject: RE: Permit G-11627 (App G-12589), Eagle Creek Golf Course

*Hook Aeron  
JK 3/13/2018*

Thanks Greg, Ill put your note in the file.  
Have a great day,  
JK

**JERRY (JK) SAUTER - WATER RIGHTS PROGRAM ANALYST**  
WATER RESOURCES DEPARTMENT – 725 SUMMER STREET NE, SUITE A – SALEM OREGON 97301  
PH. 503-986-0817 FAX 503-986-0901  
EMAIL: JERRY.K.SAUTER@OREGON.GOV WEB: HTTP://WWW.OREGON.GOV

**From:** Greg Kupillas [mailto:phggek@bctonline.com]  
**Sent:** Tuesday, March 13, 2018 10:18 AM  
**To:** 'Jerry Sauter'  
**Subject:** Permit G-11627 (App G-12589), Eagle Creek Golf Course

Jerry,

I have just been contacted by the owner of Eagle Creek Golf Course (App G-12589, Permit G-11627) about receiving the compliance letter from you. So, this is just to let you know we will be preparing an application for extension of time for this permit.

Regards,

Greg Kupillas  
Pacific Hydro-Geology Inc.  
503.939.3167





**Oregon Water Resources Department  
Attribute Report**

Report Date: Jun 19, 2018

**General:**

TRSQQ: WM3.00S3.00E1NESE  
WM3.00S4.00E6NWSW  
WM3.00S4.00E6SWSW  
WM3.00S3.00E1SESE

DLC: WM3S3E 41  
WM3S4E 43  
WM3S4E 45  
WM3S3E 40

Latitude: 45.3349348640  
Longitude: -122.3722891283  
Buffer ft: 1000  
DEM Elev. ft. (NAVD1929): 361.067  
Lidar Elev. ft. (NAVD1988): 360.25  
Basin Name: Willamette  
Basin Plan: 2C (9)-Lower Willamette (Clackamas)  
County: Clackamas  
WM District: 20  
WM Region: NORTHWEST  
ODFW Region, District: Northwest Region, NWWD-Cascade Unit  
Irrigation District AOI: -  
Irrigation District, Other: -  
Dams (Permit): -

Water Rights: [Platcard for WM3.00S3.00E1](#)  
[Platcard for WM3.00S4.00E6](#)  
[Platcard for WM3.00S4.00E6](#)  
[Platcard for WM3.00S3.00E1](#)

Well Logs: [Logs for WM3.00S3.00E1](#)  
[Logs for WM3.00S4.00E6](#)  
[Logs for WM3.00S4.00E6](#)  
[Logs for WM3.00S3.00E1](#)

**Rules:**

Withdrawn Authority: CURRIN CREEK, OAR 690-502-0140(1)(c) - Including tributaries. Limited licenses shall also not be issued from Currin Creek and tributaries. (Vol 7, Pg 71, 9/22/1950 - Including tributaries in the North West part of T3S, R4E, W.M., except for storage and appropriation of stored water.)

Groundwater Restricted: -  
GW Restricted Subunit: -  
GW ODEQ Management Area: -  
GW Umatilla Muni Wells (5mile): -

Rule 4D: Rules apply  
Division 33 (Area, Watershed, species): LOWER COLUMBIA, Eagle Creek, Pacific Lamprey, Coho Salmon, Chinook Salmon, Coastal Cutthroat Trout, Steelhead

LOWER COLUMBIA, Lower Clackamas River, Oregon Chub, Pacific Lamprey, Coho Salmon, Western Brook Lamprey, Coastal Cutthroat Trout, Chinook Salmon, Steelhead

Irrigation Season of Use: (unadjudicated, west side)  
Adj. Status: Unadjudicated  
Subarea: undefined  
Irr. Season: Mar 1 to Oct 31  
Duty: 2.5  
Rate: 1/80

Water Quality Limited Pollutant 2012: -

Fish Habitat 2014: -  
Is in Deschutes Study Area: -  
Deschutes Zone Impact: -  
Deschutes Zone Overlay: -

Scenic Water Way: The Clackamas Scenic Waterway 390.826 (3)(a) Clackamas River from the boundary of the Olallie Lake Scenic Area, as constituted on December 8, 1988, downstream to the North Fork Reservoir, and from immediately below the River Mill Dam downstream to the bridge at Carver

Status: ABOVE

**Hydrography:**

OWRD Streamcode: -  
Waterbody Name: -  
HUC 10: 1709001105  
1709001106  
HUC Watershed: Eagle Creek  
Lower Clackamas River  
WAB Wshed Order: 2  
WAB Analysis: [CLACKAMAS R > WILLAMETTE R - AT MOUTH](#)  
Streamflow: OWRD Opportunities: Poor  
ODFW Needs: Highest  
Combined Priority: Not a priority

Gaging Station Data: -

**Sources:**

**General**

*Oregon Public Land Survey Quarter-quarters.* Bureau of Land Management, Oregon Water Resources Department. n.d. 1:24,000.

*Donated Land Claims.* Oregon Water Resources Department. January 1, 1995. 1:100,000.

*Elevation.* DEM 10m. --

*Elevation.* Lidar Elevation. DOGAMI Bare Earth 1:3.

*OWRD Administrative Basins.* Oregon Water Resources Department. January 1, 1995.

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*Water Organizations* Oregon Water Resources Department. April 1, 2013. 1:24,000.

*Large Dams Inventory.* Oregon Water Resources Department. August 12, 2014. 1:24,000.

**Rules**

*Withdrawn Authority Areas.* Oregon Water Resources Commission. January 1, 2007.

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*OWRD Groundwater Restricted Areas - Subunits.* Oregon Water Resources Department. April 1, 2009.

*ODEQ Groundwater Management Areas (GWMA).* Oregon Department of Environmental Quality. April 21, 2008.

*Groundwater Umatilla Municipal Wells 5-mile buffer.* Oregon Water Resources Department. June 28, 2012.

*National Marine Fisheries Service (NMFS) 4(d) Rule.* National Marine Fisheries Service. January 1, 2007.

*OAR Chapter 690, Division 33 - HUC 10.* Oregon Department of Fish & Wildlife. April 20, 2010.

*Irrigation Season of Use.* Oregon Water Resources Department, 2017. March 24, 2017.

*Oregon Water Quality Assessment 2012.* This data set was assembled by the Oregon Department of Environmental Quality, Water Quality Division, Standards and Assessments Section. December 4, 2014. 1:2,500,000.

*Oregon Fish Habitat 2014.* Oregon Department of Fish and Wildlife. Numerous fisheries biologists from ODFW as well as other natural resource agencies and tribes have contributed toward the development of these data. Data originator names are attributed at the feature level. n.d. 1:24,000.

*Deschutes USGS Groundwater Study Area.* Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department. January 1, 2001. 1:100,000.

*Deschutes Zones of Impact.* Oregon Water Resources Department. October 25, 2007.

*Deschutes Zones Overlay.* Oregon Water Resources Department. October 25, 2007.

*Oregon State Scenic Waterway areas.* Oregon Water Resources Department, Oregon Parks and Recreation Department. January 1, 2007.

**Hydrography**

*Routed OWRD Streamcodes (conflated to the NHD).* Oregon Water Resources Dept. August 11, 2014.

*OWRD Lake Streamcodes (conflated to the NHD).* Oregon Water Resources Dept. August 7, 2015.

*Watershed Boundary Dataset (WBD), 10-digit (watershed).* Pacific Northwest Hydrography Framework, U.S. Geological Survey (USGS), National Resources Conservation Service (NRCS). June 11, 2014. 1:24,000

*Water Availability Basins.* Oregon Water Resources Department. n.d. 1:100,000.

*Priority Watersheds for Streamflow Restoration.* Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife. January 15, 2004.

*Stream Gage Stations.* Oregon Water Resources Department and US Geological Survey. n.d.



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[close](#)

[Print Report](#)

*NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)*

February 1, 2018

Certified mail number 7017 0530 0001 1436 3362  
Return receipt requested

EAGLE CREEK GOLF COURSE INC.  
25805 SE DOWTY RD  
EAGLE CREEK OR 97022

Reference: Application G-12589, Permit G-11627

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2007.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2007. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 2, 2018) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File G-12589  
OWRD Watermaster District 20

2/26/18 – Spoke with permit holder; will hire a CWRE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Eagle Creek Golf Course Inc.  
25805 SE Dowty Rd  
Eagle Creek, OR 97022



9590 9402 2005 6123 9105 68

2. Article Number (Transfer from service label)

7017 0530 0001 1436 3362

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

 *Dennis Lake*
 Agent Addressee

B. Received by (Printed Name)

Dennis

C. Date of Delivery

2/5/18

 D. Is delivery address different from item 1?  Yes  
 if YES, enter delivery address below:  No
**RECEIVED**

FEB 07 2018

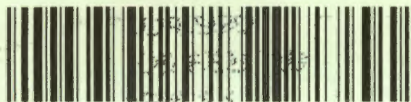
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

**OW**

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

USPS TRACKING#



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 2005 6123 9105 68

**United States  
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•



Oregon Water Resources Department  
Water Right Services Division  
725 Summer St NE, Suite A  
Salem, OR 97301-0825



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

**NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

February 1, 2018

Certified mail number 7017 0530 0001 1436 3362  
Return receipt requested

EAGLE CREEK GOLF COURSE INC.  
25805 SE DOWTY RD  
EAGLE CREEK OR 97022

Reference: Application G-12589, Permit G-11627

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2007.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2007. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 2, 2018) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File G-12589  
OWRD Watermaster District 20



PERMIT STATUS REVIEW BY Corey Courchane DATE 8/16/17 FILE # G-12589

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update appropriate db

NO Extension pending \_\_\_\_\_

NO Assignment is pending \_\_\_\_\_

NO Cancellation has been requested \_\_\_\_\_

NO Dept. has already sent a certified 60-Day Compliance letter (date 10/4/16, #7016 1370 0002 9681 3177)

Was 60 days notice allowed?  N If No, How Much Time? \_\_\_\_\_

Was mail deliverable as addressed? Y  N date 10/7/16

If mail returned, online/www check? Y N date \_\_\_\_\_ successful? Y N

Re-send Cert. Letter? Y  N date \_\_\_\_\_

Send cancellation order Y  N

NO Claim of beneficial use and final proof map (COBU) have been received by Department  
Date information received \_\_\_\_\_

2. IF NONE OF THE ABOVE APPLY

yes Send certified "C" date notice packet to permit holder,  
"C" DATE 10/1/07 BASIN NUMBER 2C WM # 20

CWRE or AGENT none

3. AOI Yes \_\_\_\_\_ NO  If Yes, name of AOI \_\_\_\_\_

S:\groups\wr\PERMIT C jdc-date-checklist.doc

*Resend Letter*  
*Eagle Creek Golf Course*  
*25805 SE Dowdy Rd*  
*Eagle Creek, OR 97022*



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

**NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

October 4, 2016

Certified mail number 7016 1370 0000 0681 3997  
Return receipt requested

EAGLE CREEK GOLF COURSE INC.  
1403 SE STARK ST  
PORTLAND, OR 97214

Reference: Application G-12589, Permit G-11627

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by **October 1, 2007**.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2007. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (December 2, 2016) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File G-12589  
OWRD Watermaster District 20



## RESOURCE SHEET

Please visit our Department's website at [www.wrd.state.or.us](http://www.wrd.state.or.us) to locate the forms you will need.

### Voluntary Cancellation

- Click on "Forms" (Column to the left)
- Under Index click on "Cancellation and Diminishment of Water Right Forms"
- Click on "Authorization for Voluntary Cancellation of a Water Right Permit" (3<sup>rd</sup> item on the list)

### Extension of Time Applications

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either the "Application for Water Right Extension of Time" or "Application for Water Right Extension of Time for Quasi-Municipal & Municipal Water Use Permit" (1<sup>st</sup> & 2<sup>nd</sup> items on the list)

### Assignment

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either "Request for Assignment" or "Request for Assignment in the Absence of Permit Holder" (11<sup>th</sup> & 12<sup>th</sup> items on the list)

### Self Certification Form

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on "Claim of Beneficial Use (for qualifying alternate review reservoirs only)" (7<sup>th</sup> item on the list)

### Certified Water Rights Examiner (CWRE)

From the Departments home page:

- Click on "Water Rights" (Column to the left)
- Click on "Learning About and Applying for Water Rights" (1<sup>st</sup> item on list)
- Click on "Certified Water Right Examiners Query" (5<sup>th</sup> paragraph)

If you have any questions please call Customer Service at 503-986-0801.



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

EAGLE CREEK GOLF COURSE INC.  
 1403 SE STARK ST  
 PORTLAND, OR 97214 G-12589



9590 9402 1623 6053 0231 88

2. Article Number (Transfer from service label)

7016 1370 0000 0681 3997

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

com  
**Oregon**

**Water Resources Department**  
Water Right Services Division  
725 Summer St NE, Suite A  
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

**CERTIFIED MAIL®**



7016 1370 0000 0681 3997



U.S. POSTAGE >> PITNEY BOWES



ZIP 97301 \$ 006.46<sup>5</sup>  
02 1W  
0001398599 OCT 04 2016

EAGLE CREEK GOLF COURSE INC.  
1403 SE STARK ST  
PORTLAND, OR 97214 G-12589

RECEIVED

OCT 11 2016

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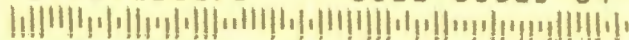
RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

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VAC

BC: 97301126673 \*0928-09083-04-41

9721431439 2021





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

[www.wrd.state.or.us](http://www.wrd.state.or.us)

**NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

October 4, 2016

Certified mail number 7016 1370 0000 0681 3997

Return receipt requested

EAGLE CREEK GOLF COURSE INC.

1403 SE STARK ST

PORTLAND, OR 97214

Reference: Application G-12589, Permit G-11627

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Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File G-12589

OWRD Watermaster District 20





**EASTMAN Jeana M**

---

**From:** EASTMAN Jeana M  
**Sent:** Friday, February 27, 2015 2:47 PM  
**To:** MCCORD Mike L; KIM Amy J; EASTMAN Jeana M  
**Subject:** RE: Permit G-11627 Problem

Mike / Amy -

They may or may not need an extension; the file doesn't contain enough info on some items for me to determine that.

The permit required recording monthly water use and annual reporting. Reports were submitted for 1999 - 2000, and 2003 - 2008 so that condition was met.

Permit conditions that I'm unable to determine if they were met:

- Installation of meter or suitable measuring device
- Access port on well
- Pump test (there wasn't a pump test record in the file or in GW's filing cabinet so I don't think this was met)

The first two extensions didn't require additional terms/conditions beyond what the permit required. However, the third extension Final Order did; a written progress report with certain info. That was submitted timely and Lisa Jaramillo wrote a letter indicating that condition was met.

The good news is that there is only a short list of items that we'd need to check on with the permit holder to see if they're done. If so, they can file a COBU; if not, a permit extension.



**Jeana Eastman** ★ ★ ★ NW Region Assistant Watermaster ★ ★ ★ 503.986.0896

Oregon Water Resources Dept, 725 Summer St NE, Ste A, Salem OR 97301  
<http://oregon.gov/OWRD>

*It is not length of life, but depth of life. ~ Ralph Waldo Emerson*

---

**From:** MCCORD Mike L  
**Sent:** Wednesday, February 25, 2015 8:39 AM  
**To:** KIM Amy J  
**Cc:** EASTMAN Jeana M  
**Subject:** FW: Permit G-11627 Problem

Amy, some good news on this. I will have Jeana go through the file and determine if they can file a CBU or if they need another extension. I think it is fair to let the appraiser know that there was what appears to be a procedural error in the processing of this right and we are working on sorting it out. Try not to scare him. It is probably a good idea to wait until Jeana looks this over so we can provide more clear guidance on what they need to do.

Mike

---

**From:** MCCORD Mike L  
**Sent:** Wednesday, February 25, 2015 8:34 AM  
**To:** FRENCH Dwight W; CLARK Gerry E  
**Subject:** RE: Permit G-11627 Problem

Thanks Dwight, this sounds like a reasonable approach. They were pretty on top of things early on but it appears that they may need to do another extension. It is possible they met all the conditions during their last extension but I have to go through the file to check all those details. I was mainly looking for other documents when I went through the file.

I will follow up with Gerry on this.

Thanks again.

---

**From:** FRENCH Dwight W  
**Sent:** Tuesday, February 24, 2015 5:08 PM  
**To:** MCCORD Mike L; CLARK Gerry E  
**Subject:** RE: Permit G-11627 Problem

Mike and Gerry,

I have a proposed solution. We need to receive and review a COBU and then issue the cert for primary – as was intended.

Perhaps Gerry can proof this possibility and confirm whether it will work or not. Do we have a COBU? What is the due date?

I've been there once - 10-15 years ago.

Dwight

***Dwight French***

Water Right Services Division Administrator  
Oregon Water Resources Department  
[dwight.w.french@state.or.us](mailto:dwight.w.french@state.or.us)  
503-986-0819

---

**From:** MCCORD Mike L  
**Sent:** Tuesday, February 24, 2015 3:14 PM  
**To:** FRENCH Dwight W  
**Subject:** Permit G-11627 Problem

Dwight, this permit is for supplemental irrigation and there is no underlying primary. Along with the GW application they filed an application to use surface water ( S-71714) however they asked that the application be withdrawn. It was, V.47, Page 233. That order was issued 4 months prior to the permit being issued. In the same letter, they asked that the GW application be considered primary irrigation. The letter came in about a year prior to the issuance of Permit G-11627. Other than a scribbled note in the file, there is no reference to the letter in the file and there is no correspondence to the applicant about the letter they sent in.

We have issued two extensions for this permit and this issue has not been discovered. It came up when an appraiser called about the water rights for this property. The property happens to be Eagle Creek Golf Course. At this time, the appraiser is totally unaware of this problem.

I have an idea on how this could be fixed but I am not sure if it will fly. What are your thoughts on this? I have the GW file. The SW application appears to be destroyed.

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EAGLE CREEK GOLF COURSE, INC.  
1403 SE STARK STREET  
PORTLAND, OR 97214

503-235-4145

to use the waters of THREE WELLS in the EAGLE CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 234.0 ACRES, COMMERCIAL USE, AND MAINTENANCE OF PONDS FOR RECREATION PURPOSES.

This permit is issued approving Application G-12589. The date of priority is JUNE 24, 1991. The use is limited to not more than 2.95 CUBIC FEET PER SECOND (CFS) BEING 2.93 CFS FOR IRRIGATION, 0.01 CFS FOR COMMERCIAL, AND 0.01 CFS FOR RECREATION, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - NW 1/4 SW 1/4, SECTION 6, T 3 S, R 4, E, W.M.; 2400 FEET NORTH AND 100 FEET EAST FROM THE SW CORNER OF SECTION 6, T 3 S, R 4 E.

WELL 2 - NE 1/4 SE 1/4, SECTION 1, T 3 S, R 3 E, W.M.; 2000 FEET NORTH AND 50 FEET WEST FROM THE SW CORNER OF SECTION 6, T 3 S, R 4 E.

WELL 3 - SW 1/4 SW 1/4, SECTION 6, T 3 S, R 4 E, W.M.; 1130 FEET NORTH AND 110 FEET EAST FROM THE SW CORNER OF SECTION 6, T 3 S, R 4 E.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use for irrigation is March 1 through October 31.

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

A description of the proposed place of use under this permit is as follows:

SW 1/4 SE 1/4 4.0 ACRES  
SE 1/4 SE 1/4 9.0 ACRES  
Section 36  
TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

SW 1/4 SW 1/4 3.0 ACRES  
SECTION 31  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

NE 1/4 NE 1/4 16.0 ACRES  
NW 1/4 NE 1/4 4.0 ACRES  
SW 1/4 NE 1/4 10.0 ACRES  
SE 1/4 NE 1/4 18.0 ACRES, RECREATION  
SE 1/4 NW 1/4 1.0 ACRE  
NE 1/4 SE 1/4 18.0 ACRES, COMMERCIAL; RECREATION  
NW 1/4 SE 1/4 11.0 ACRES  
SW 1/4 SE 1/4 1.0 ACRE  
SE 1/4 SE 1/4 10.0 ACRES  
SECTION 1

NE 1/4 NE 1/4 3.0 ACRES  
SECTION 12  
TOWNSHIP 3 SOUTH, RANGE 3 EAST, W.M.

NW 1/4 NW 1/4 6.0 ACRES  
 SW 1/4 NW 1/4 2.0 ACRES, RECREATION  
 NE 1/4 SW 1/4 8.0 ACRES  
 NW 1/4 SW 1/4 3.0 ACRES, RECREATION  
 SW 1/4 SW 1/4 40.0 ACRES  
 SE 1/4 SW 1/4 37.0 ACRES  
 NW 1/4 SE 1/4 4.0 ACRES  
 SW 1/4 SE 1/4 14.0 ACRES  
 SECTION 6

NE 1/4 NW 1/4 1.0 ACRE  
 NW 1/4 NW 1/4 11.0 ACRES  
 SECTION 7

TOWNSHIP 3 SOUTH, RANGE 4 EAST, W.M.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before November 22, 1994 and shall be completed on or before October 1, ~~1995~~. Complete application of the water shall be made on or before October 1, ~~1996~~.  
 C 2007 2007

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.


By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.



The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

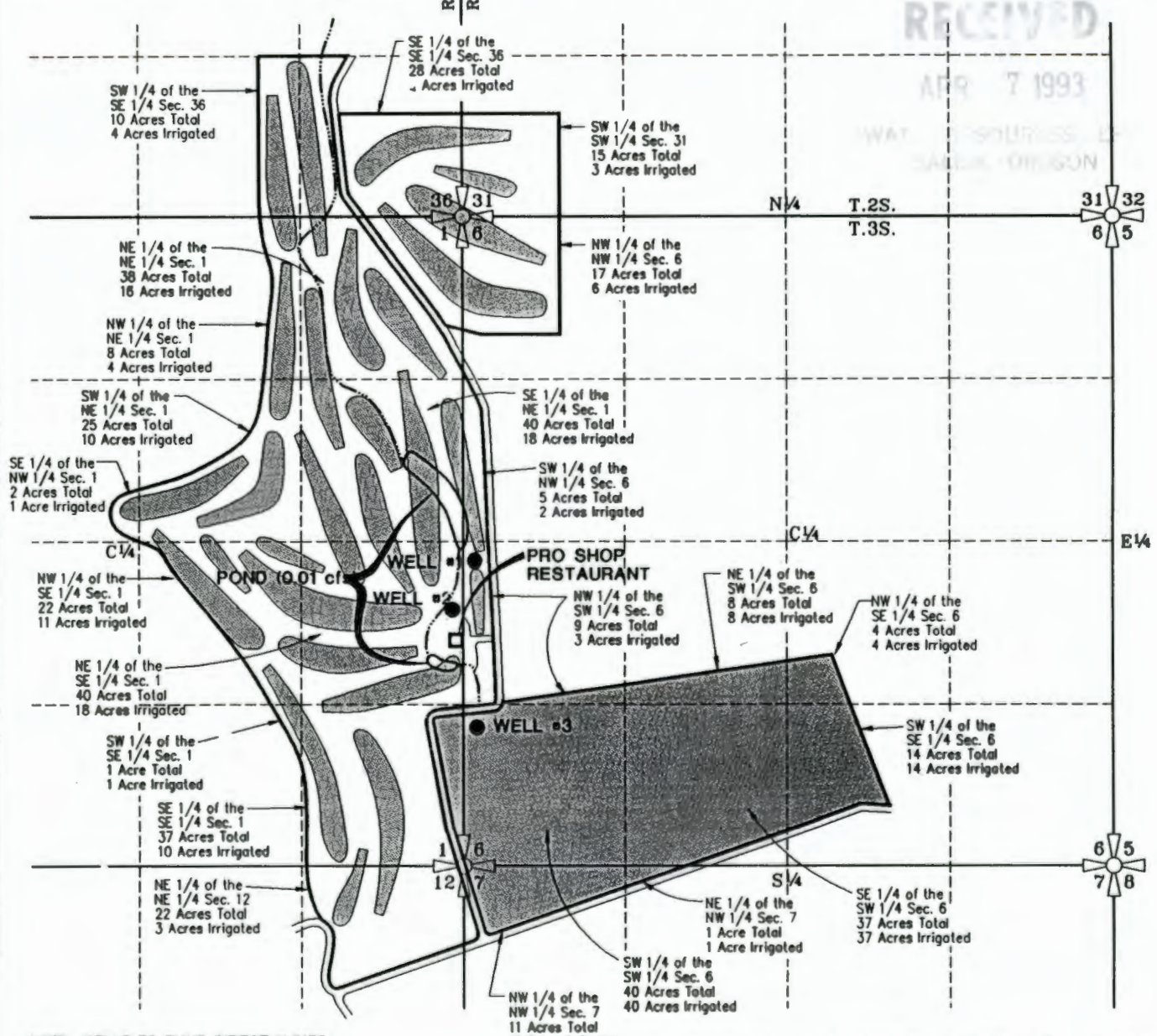
Issued this date, November 22, 1993.

 REED MARBUT

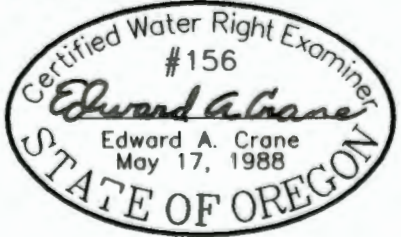
Water Resources Department  
Martha O. Pagel  
Director

SECTION 36, T.2S., R.3E. W.M.  
 SECTIONS 1 & 12, T.3S., R.3E. W.M.  
 CLACKAMAS COUNTY, OREGON

SECTION 31, T.2S., R.4E. W.M.  
 SECTIONS 6 & 7, T.3S., R.4E. W.M.  
 CLACKAMAS COUNTY, OREGON



NOTE: WELLS TO PUMP DIRECTLY INTO WATER COURSES LEADING TO PONDS



**GROUNDWATER APPLICATION**

PREPARED BY EDWARD A. CRANE, CWRE


- WELL #1 - LOCATED 2400 FEET NORTH AND 100 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.4E., W.M., CLACKAMAS COUNTY, OREGON
- WELL #2 - LOCATED 2000 FEET NORTH AND 50 FEET WEST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.3E., W.M., CLACKAMAS COUNTY, OREGON
- WELL #3 - LOCATED 1130 FEET NORTH AND 110 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.4E., W.M., CLACKAMAS COUNTY, OREGON

PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

DATE  
 Rev. Sept., 1990  
 Aug., 1990  
 Feb., 1993

**DAVID J. NEWTON ASSOC.**  
 INCORPORATED

PROJECT NO.  
 323 111

 CIVIL & GEOLOGICAL ENGINEERING  
 1201 S.W. 12TH AVE., SUITE 400  
 PORTLAND, ORE. 97205 • 228-7718

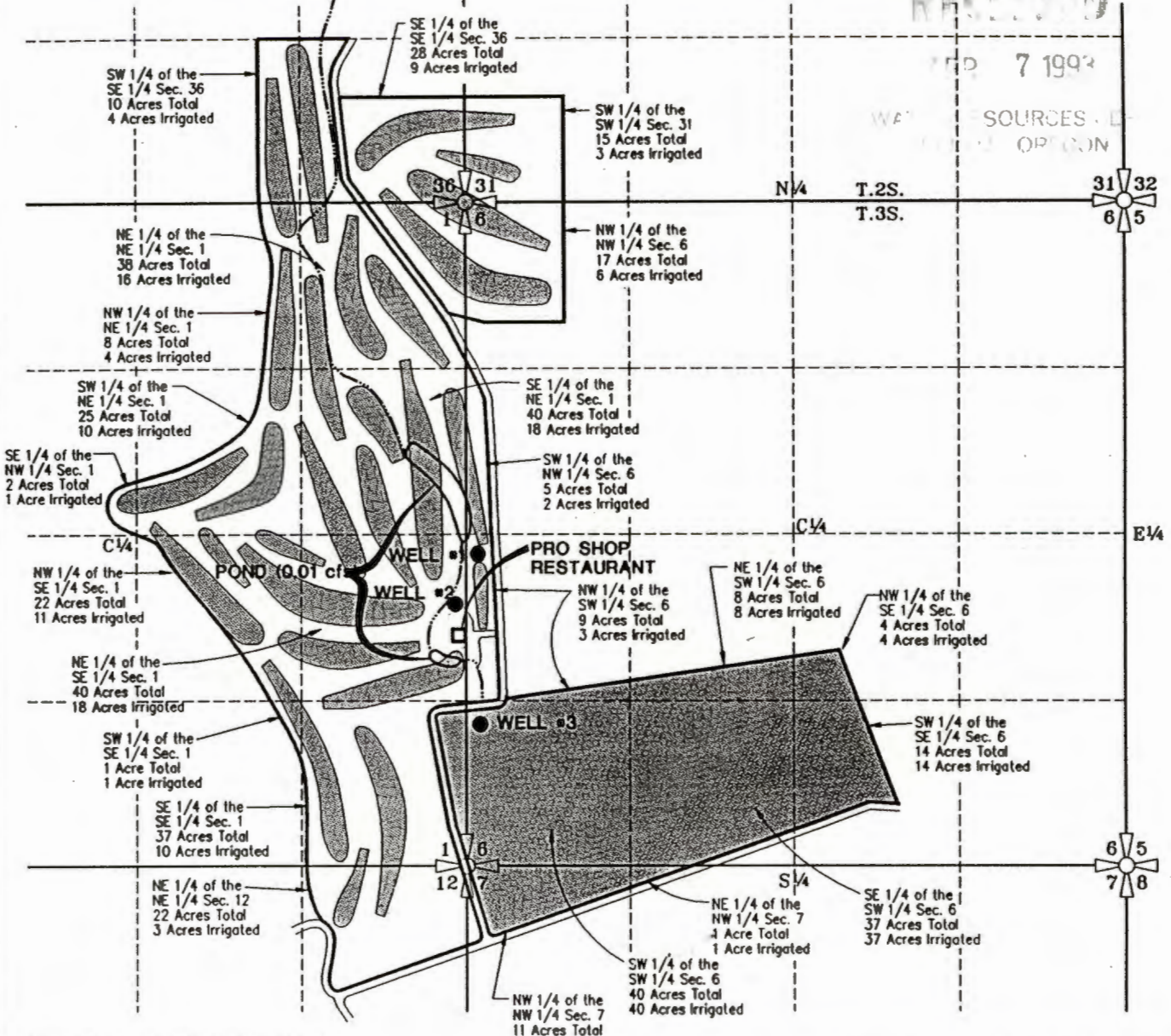
Application For Permit No. G-12589  
 In the name of:

**EAGLE CREEK GOLF COURSE**  
 Frank J. & Joyce D. Bastasch, Ownership

FIGURE  
 1

SECTION 36, T.2S., R.3E. W.M.  
SECTIONS 1 & 12, T.3S., R.3E. W.M.  
CLACKAMAS COUNTY, OREGON

SECTION 31, T.2S., R.4E. W.M.  
SECTIONS 6 & 7, T.3S., R.4E. W.M.  
CLACKAMAS COUNTY, OREGON



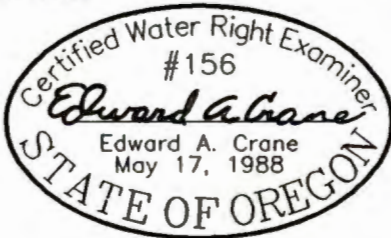
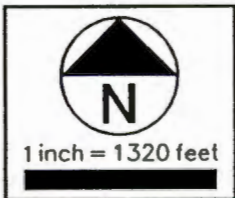
NOTE: WELLS TO PUMP DIRECTLY INTO WATER COURSES LEADING TO PONDS


**GROUNDWATER APPLICATION**

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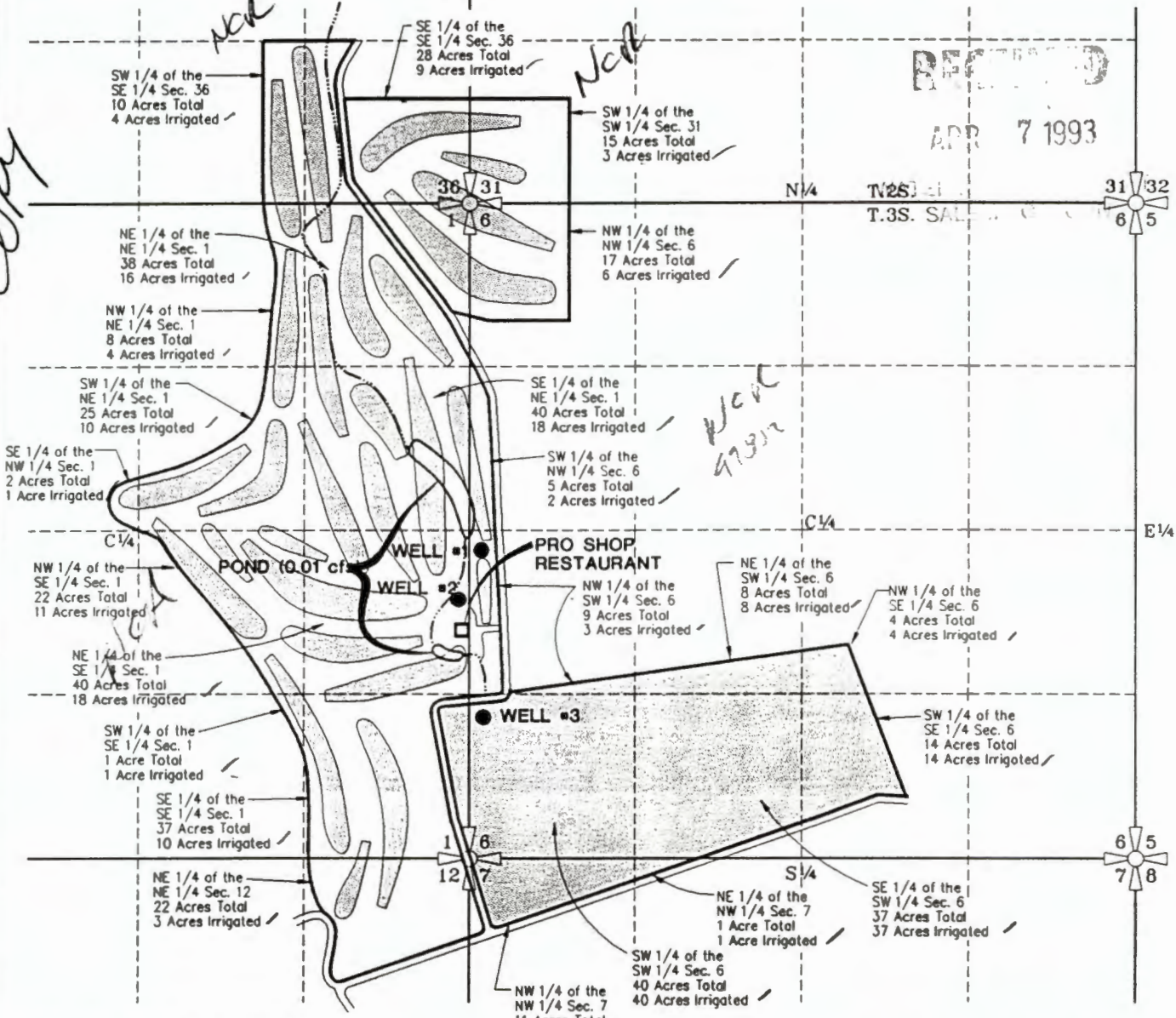


<p>DATE Rev. Sept., 1990 Aug., 1990 Feb., 1993</p>	<p><b>DAVID J. NEWTON ASSOC.</b> INCORPORATED</p>	<p>Application For Permit No. G-12589 In the name of:</p>	<p>FIGURE <b>1</b></p>
<p>PROJECT NO. <b>323 111</b></p>	<p> <b>CIVIL &amp; GEOLOGICAL ENGINEERING</b> 1201 S.W. 12TH AVE., SUITE 400 PORTLAND, ORE. 97205 • 228-7718</p>	<p><b>EAGLE CREEK GOLF COURSE</b> Frank J. &amp; Joyce D. Bastasch, Ownership</p>	

6112589

SECTION 36, T.2S., R.3E. W.M.  
SECTIONS 1 & 12, T.3S., R.3E. W.M.  
CLACKAMAS COUNTY, OREGON

SECTION 31, T.2S., R.4E. W.M.  
SECTIONS 6 & 7, T.3S., R.4E. W.M.  
CLACKAMAS COUNTY, OREGON



NOTE: WELLS TO PUMP DIRECTLY INTO WATER COURSES LEADING TO PONDS

**GROUNDWATER APPLICATION**

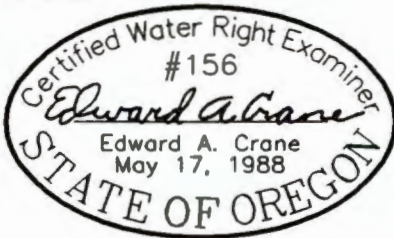
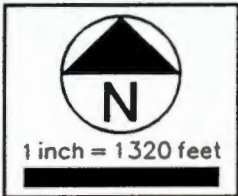
PREPARED BY EDWARD A. CRANE, CWRE


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WELL #3 - LOCATED 1130 FEET NORTH AND 110 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.4E., W.M., CLACKAMAS COUNTY, OREGON

PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

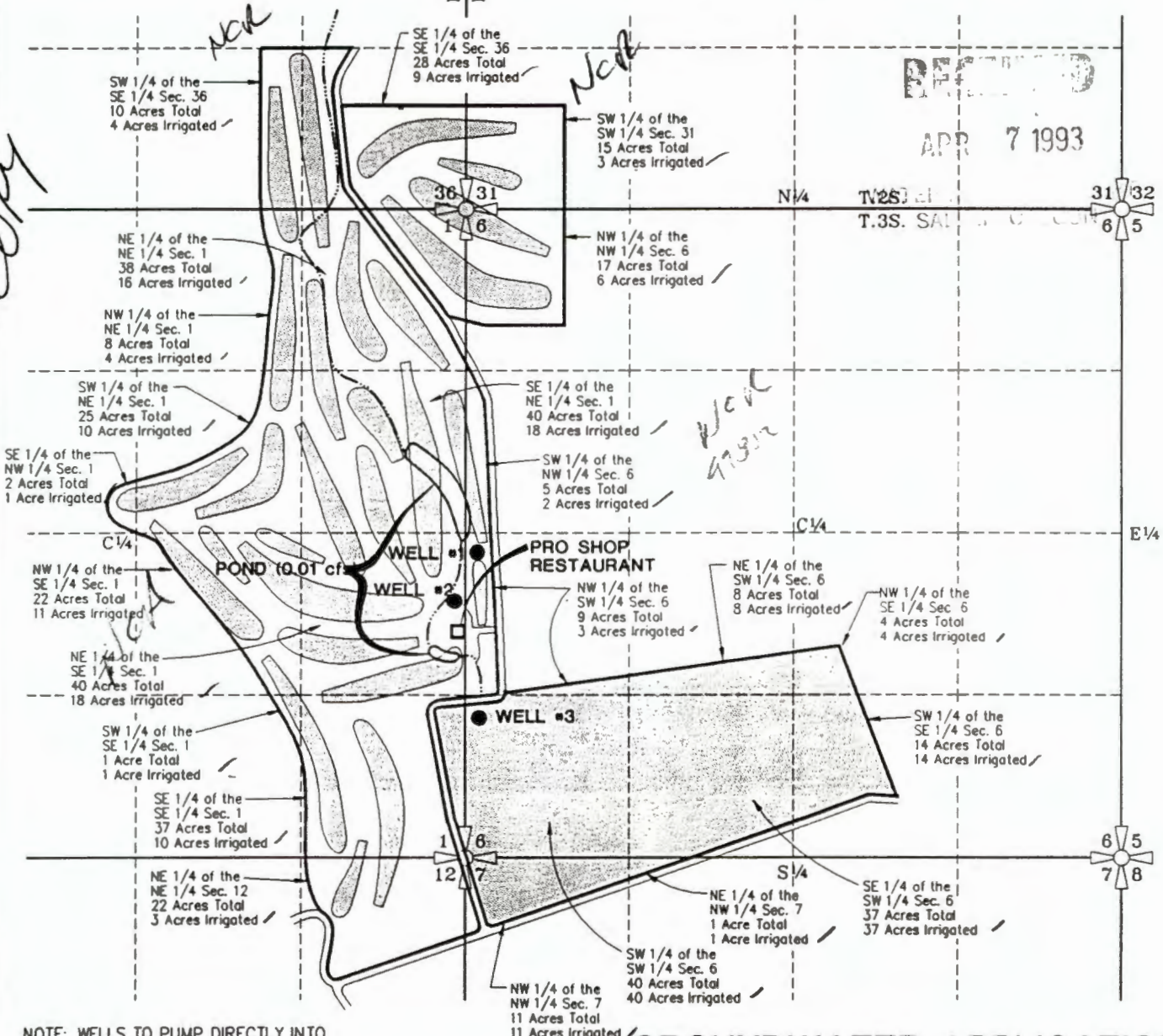


<p>DATE Rev. Sept., 1990 Aug., 1990 Feb., 1993</p>	<p><b>DAVID J. NEWTON ASSOC.</b> INCORPORATED</p>	<p>Application For Permit No. G-12589 In the name of:</p>	<p>FIGURE  1</p>
<p>PROJECT NO.  323 111</p>	<p> CIVIL &amp; GEOLOGICAL ENGINEERING 1201 S.W. 12TH AVE., SUITE 400 PORTLAND, ORE. 97205 • 228-7718</p>	<p><b>EAGLE CREEK GOLF COURSE</b> Frank J. &amp; Joyce D. Bastasch, Ownership</p>	

6112589

SECTION 36, T.2S., R.3E. W.M.  
SECTIONS 1 & 12, T.3S., R.3E. W.M.  
CLACKAMAS COUNTY, OREGON

SECTION 31, T.2S., R.4E. W.M.  
SECTIONS 6 & 7, T.3S., R.4E. W.M.  
CLACKAMAS COUNTY, OREGON



RECORDED  
APR 7 1993

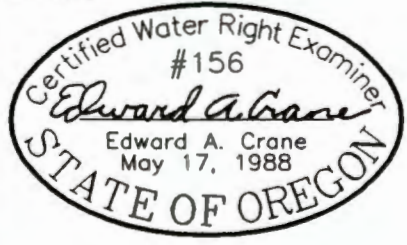
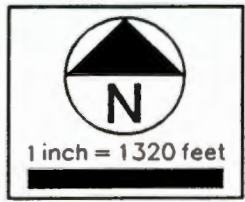
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**GROUNDWATER APPLICATION**

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DATE  
Rev. Sept., 1990  
Aug., 1990  
Feb., 1993

**DAVID J. NEWTON ASSOC.**  
INCORPORATED

Application For Permit No. G-12589  
In the name of:

FIGURE

PROJECT NO.  
323 111

 CIVIL & GEOLOGICAL ENGINEERING  
1201 S.W. 12TH AVE., SUITE 400  
PORTLAND, ORE. 97205 • 228-7718

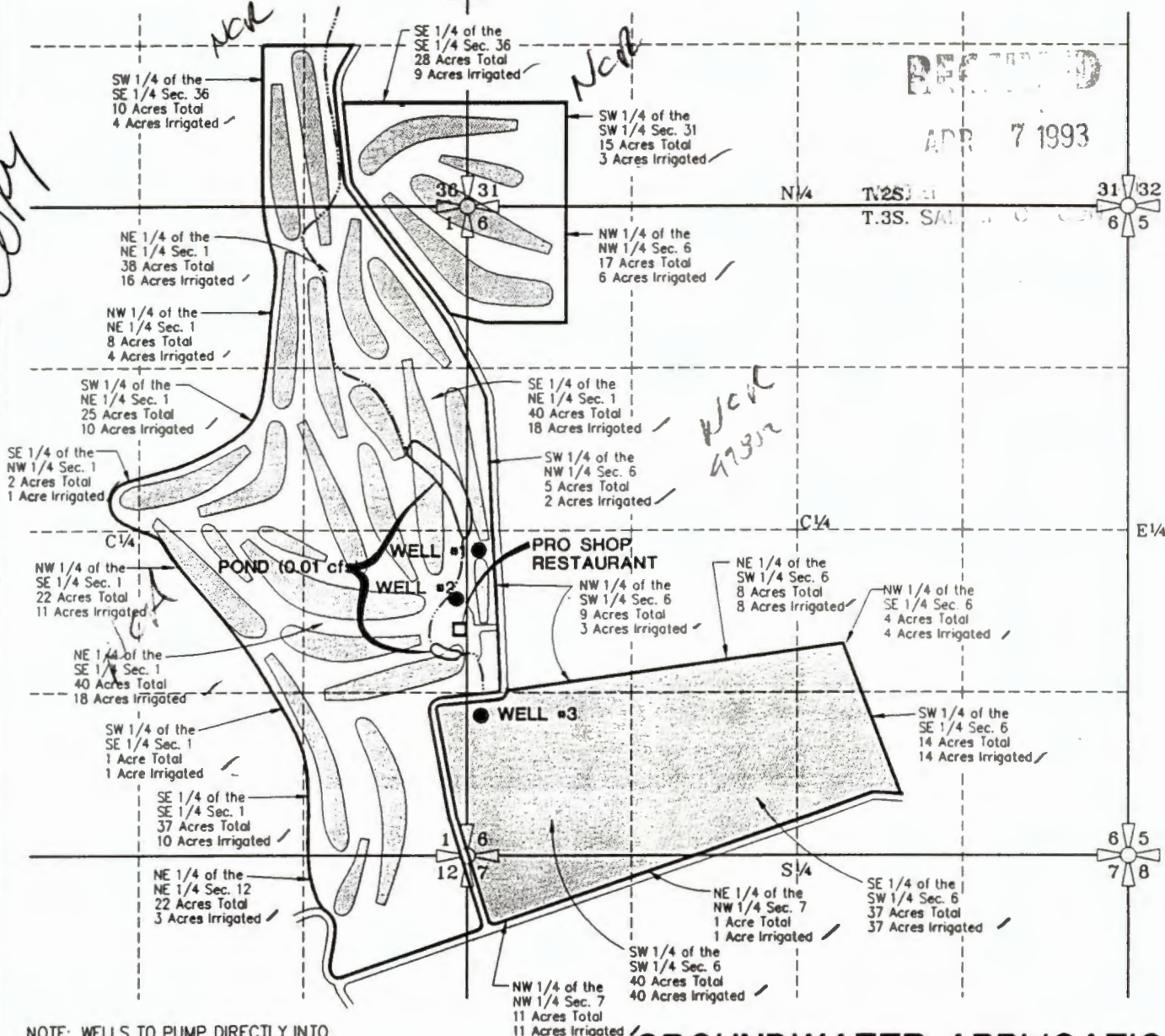
**EAGLE CREEK GOLF COURSE**  
Frank J. & Joyce D. Bastasch, Ownership

1

6112589

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CLACKAMAS COUNTY, OREGON

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CLACKAMAS COUNTY, OREGON



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APR 7 1993

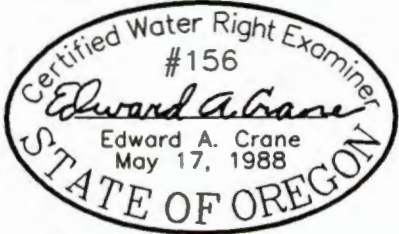
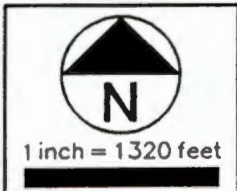
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### GROUNDWATER APPLICATION

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Aug., 1990  
Feb., 1993

DAVID J. NEWTON ASSOC.  
INCORPORATED

Application For Permit No. G-12589  
In the name of:

FIGURE

PROJECT NO.  
323 111

CIVIL & GEOLOGICAL ENGINEERING  
1201 S.W. 12TH AVE., SUITE 400  
PORTLAND, ORE. 97205 • 228-7718

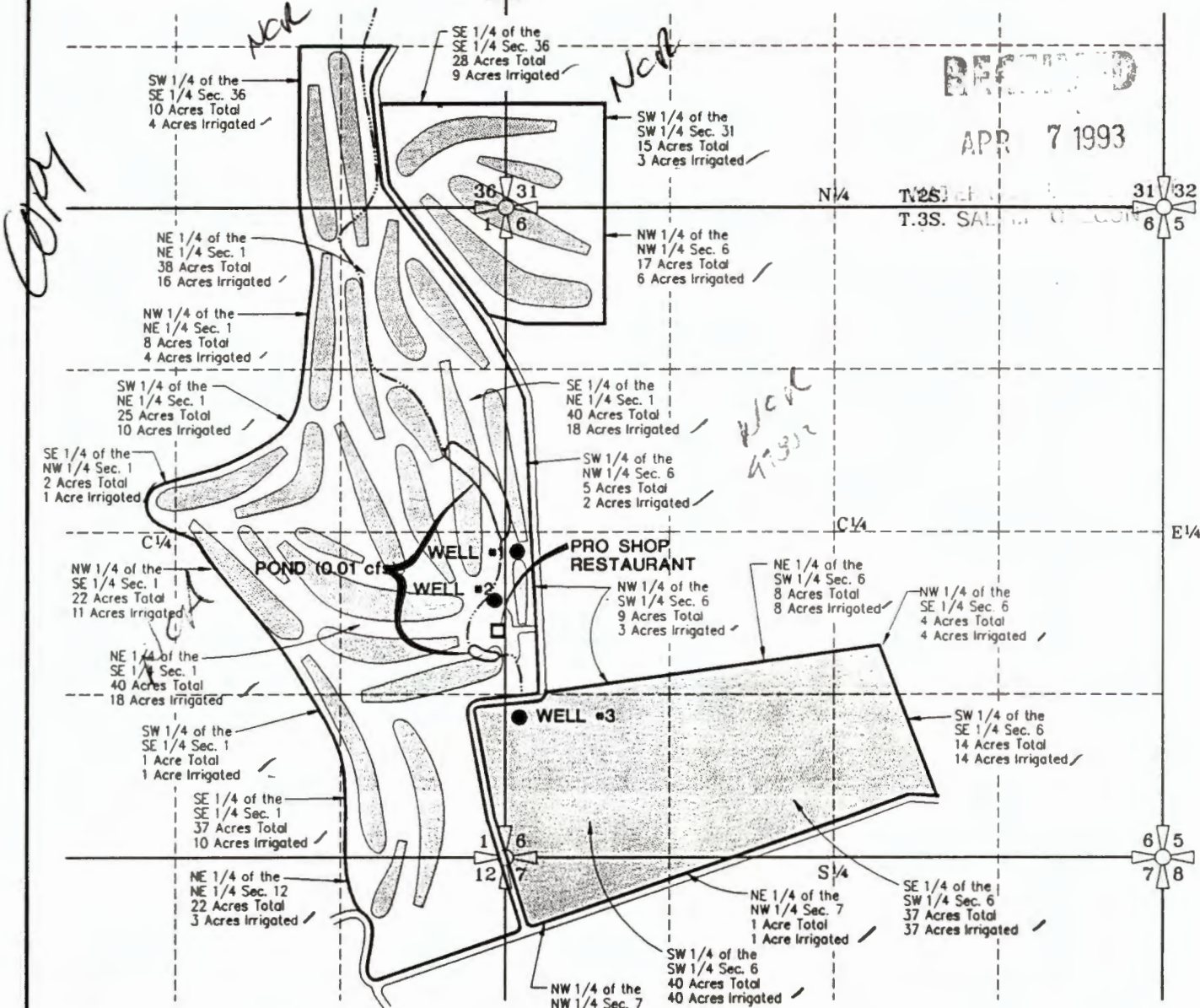
EAGLE CREEK GOLF COURSE  
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6112589

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CLACKAMAS COUNTY, OREGON



RECORDED

APR 7 1993

T.2S. R.4E. SECTION 31  
T.3S. SECTION 6

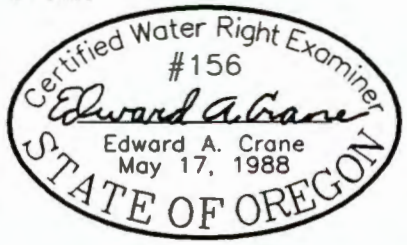
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### GROUNDWATER APPLICATION

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DAVID J. NEWTON ASSOC.  
INCORPORATED

PROJECT NO.  
323 111

CIVIL & GEOLOGICAL ENGINEERING  
1201 S.W. 12TH AVE., SUITE 400  
PORTLAND, ORE. 97205 • 228-7718

Application For Permit No. G-12589  
In the name of:

EAGLE CREEK GOLF COURSE  
Frank J. & Joyce D. Bastasch, Ownership

FIGURE  
1

6112589

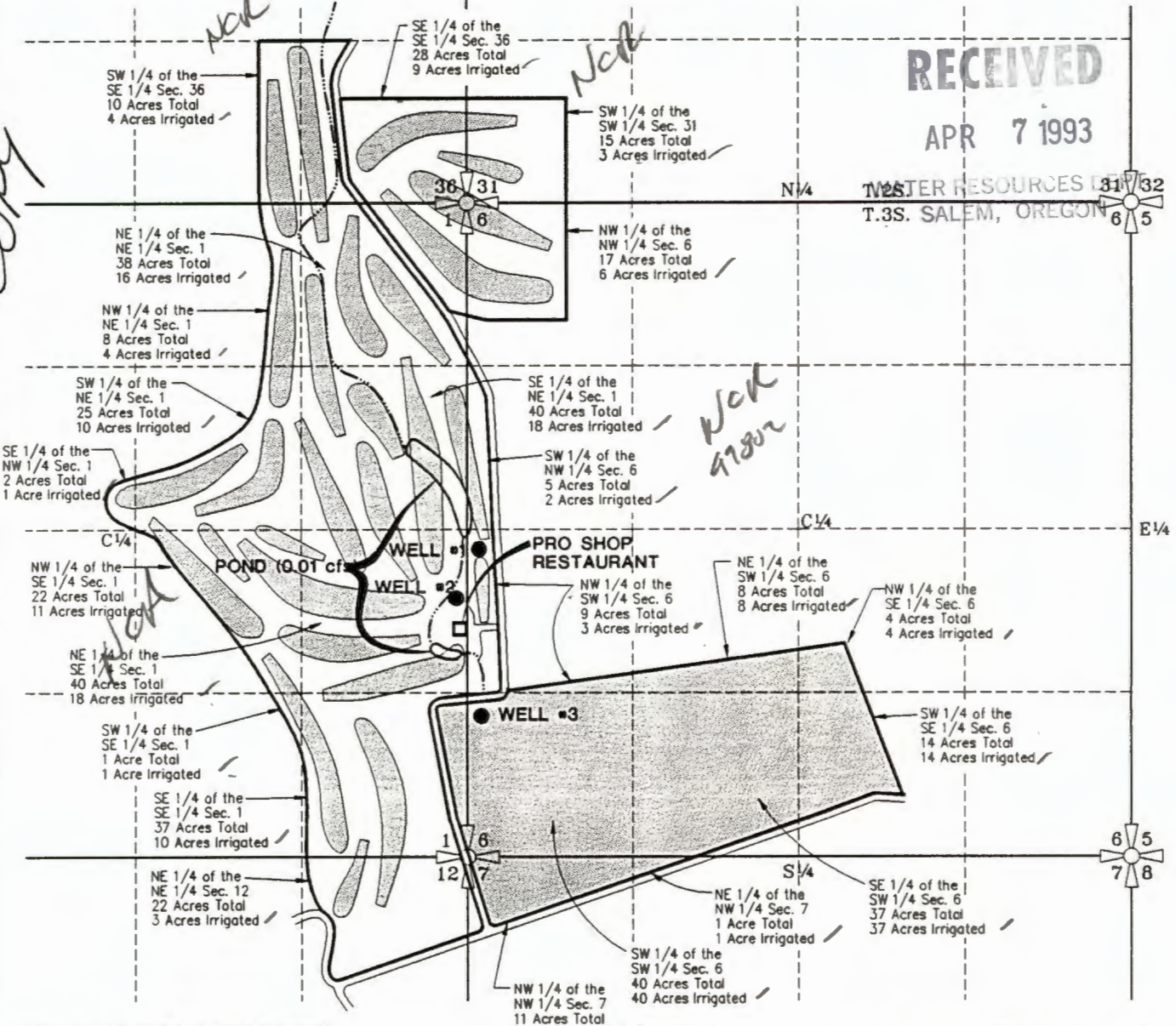
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CLACKAMAS COUNTY, OREGON

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CLACKAMAS COUNTY, OREGON

RECEIVED

APR 7 1993

WATER RESOURCES  
T.3S. SALEM, OREGON



NOTE: WELLS TO PUMP DIRECTLY INTO WATER COURSES LEADING TO PONDS

### GROUNDWATER APPLICATION

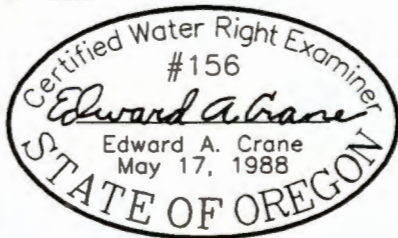
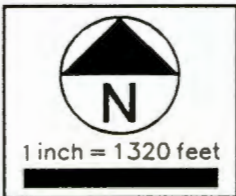
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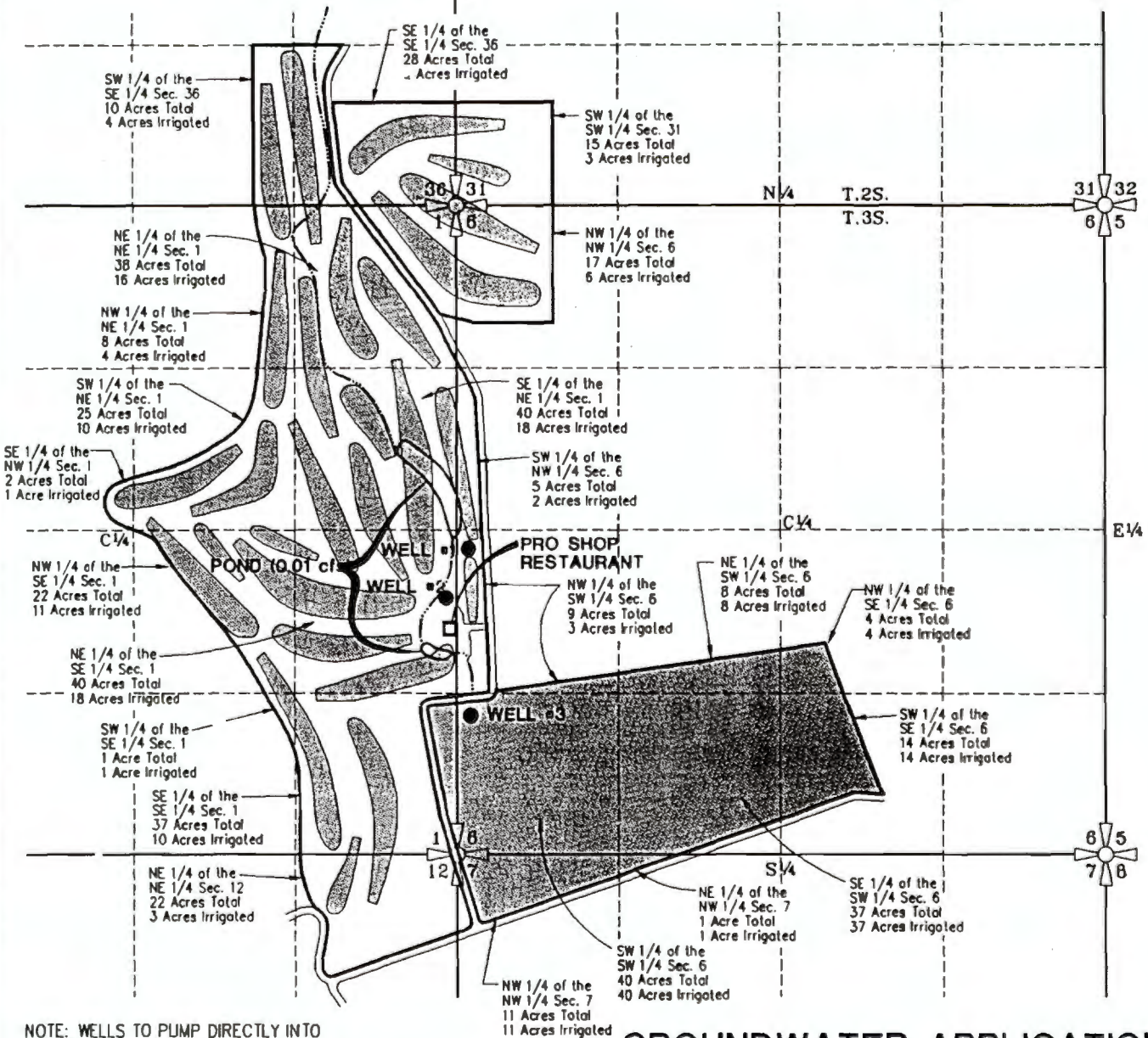
EAGLE CREEK GOLF COURSE  
Frank J. & Joyce D. Bastasch, Ownership

FIGURE  
1



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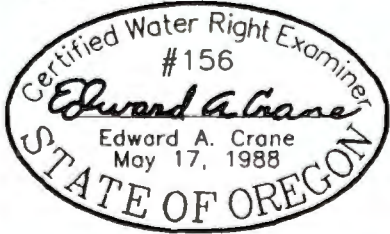
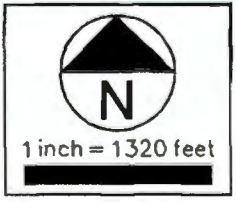
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**GROUNDWATER APPLICATION**

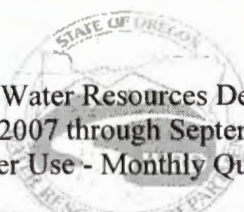
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<p>PROJECT NO. <b>323 111</b></p>	 <p>CIVIL &amp; GEOLOGICAL ENGINEERING 1201 S.W. 12TH AVE., SUITE 400 PORTLAND, ORE. 97205 • 228-7718</p>	<p><b>EAGLE CREEK GOLF COURSE</b> Frank J. &amp; Joyce D. Bastasch, Ownership</p>	



# 2007

Oregon Water Resources Department  
 October 2007 through September 2008  
 Annual Water Use - Monthly Quantities Form

# 2008

Facility → Report ID →	# 1 WELL ✓ 36202	# 2 WELL ✓ 36203	# 3 WELL ✓ 36204		
October - 2007	142,000	1,430,000	1,510,000		
November - 2007	0	46,000	51,000		RECEIVED DEC 05 2008
December - 2007	0	0	0		
January - 2008	0	0	0		WATER RESOURCES DEPT SALEM, OREGON
February - 2008	0	0	0		
March - 2008	0	0	0		
April - 2008	0	53,000	56,000		
May - 2008	0	1,410,000	1,305,000		
June - 2008	170,000	2,627,000	1,801,000		
July - 2008	230,000	2,805,000	1,710,000		
August - 2008	290,000	2,335,000	3,672,000		
September - 2008	240,000	1,942,000	2,325,000		
Total *	1,072,000	12,648,000	11,803,000		

\* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: PUMP TIME x CAPACITY If used for irrigation, total number of acres irrigated: 125

I certify this information is true and accurate to the best of my knowledge.

Frank J. Bastasch  
 Signature

PRES.  
 Title

EAGLE CREEK GOLF COURSE  
 Reporting Entity

12/01/08  
 Date

FRANK J. BASTASCH  
 Name

1403 SE STARK ST PORTLAND, OR 97214  
 Mailing Address

503 235-4145  
 Phone Number



# Oregon

Theodore R. Kulongoski, 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

October 6, 2008

FRANK BASTASCH  
 EAGLE CREEK GOLF COURSE  
 1403 SE STARK ST  
 PORTLAND, OR 97214

REFERENCE: User Id and Password **28790**

Dear Water User,

You are receiving this letter as a reminder of a water use reporting requirement listed on a water right. Online reporting is available at our web site ([www.wrd.state.or.us](http://www.wrd.state.or.us)). To begin, locate the *Water Use Reporting* link under *Featured Links*. By clicking this link, your browser will open a new page where you will be able to log in with your User Id and Password (above). Once you are logged in, the *Select* link will allow you to add data for a particular diversion. Please remember to report zeros for any given month when water was not used. Online reporting will be available through March 31, 2009. If the internet is not accessible, you may use the form provided on the back of this letter to submit your monthly water use data.

Although much effort has been done to add new permits to the Water Use Reporting database, there still may be diversions not included on the web site. Please be aware that most Transfer orders approved within the last few years will not likely appear online. If you notice a diversion not listed that should be, you can either use the form provided to report water use or let me know and we will add it to the database as soon as possible. Additionally, if you would like to designate a facility name for a diversion, please feel free to contact me.

For water rights authorizing less than 0.1 cubic foot per second (CFS) or 9.2 acre-feet, you may assume the maximum quantity allowed under the right and report that volume. For reporting purposes, please convert cubic feet per second to acre feet, using  $(1.98)(\text{CFS})(\# \text{ of days used per month})$ .

The time and effort of both recording and reporting your water use is greatly appreciated. If you have any questions or need additional time, please let me know.

Sincerely,

Alyssa Mucken  
 Water Measurement Specialist  
 Oregon Water Resources Department  
 Phone 503.986.0837 Fax 503.986.0902  
[alyssa.m.mucken@wrd.state.or.us](mailto:alyssa.m.mucken@wrd.state.or.us)

app 912589 (pump 911027)

USER-ID: 28790

# 2006

Oregon Water Resources Department  
 October 2006 through September 2007  
 Annual Water Use - Monthly Quantities Form

# 2007



Facility <input type="checkbox"/> POD-ID <input type="checkbox"/>	#1 WELL ✓ # 36202	#2 WELL ✓ # 36203	#3 WELL ✓ # 36204		
October - 2006	162,000	1,310,000	1,440,000		
November - 2006	0	52,000	42,000		
December - 2006	0	0	0		
January - 2007	0	0	0		
February - 2007	0	0	0		
March - 2007	0	0	0		
April - 2007	41,000	35,000	39,000		
May - 2007	53,000	1,250,000	1,132,000		
June - 2007	205,000	2,455,000	1,737,000		
July - 2007	270,000	2,667,000	1,692,000		
August - 2007	286,000	2,481,000	3,575,000		
September - 2007	295,000	1,768,000	2,146,000		
TOTAL *	1,312,000	12,018,000	11,803,000		

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OCT 29 2008

WATER RESOURCES DEPT  
 SALEM, OREGON

\* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: PUMP TIME x CAPACITY. If use is irrigation, total number acres irrigated 110  
 I certify this information is true and accurate to the best of my knowledge.

Frank J. Bastasch      PRES.      EAGLE CREEK GOLF COURSE      10/29/07  
 Signature                      Title                      Reporting Entity                      Date

FRANK J. BASTASCH  
 Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;  
 158 12th Street NE; Salem, OR 97310-0210

TOTAL: 25,133,000 GAL = 8.4" OF WATER / YEAR / 110 ACRES



### OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: It is a new water year! All water use reports for October 2006 to September 2007 are requested to be submitted by January 1, 2008. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-378-3455 ext. 333. Thank you for your attention to this matter. Mary Grainey

EAGLE CREEK GOLF COURSE  
1403 SE STARK ST  
PORTLAND OR 97214

USER-ID 28790

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO						
36202		0	G	11627	G	12589	6/24/1991	IS	L	3	S	4	E	6	NWSW	2.93	C	S	WELL 1	EAGLE CR
36202		0	G	11627	G	12589	6/24/1991	RC	L	3	S	4	E	6	NWSW	0.01	C	P	WELL 1	EAGLE CR
36202		0	G	11627	G	12589	6/24/1991	CM	L	3	S	4	E	6	NWSW	0.01	C	P	WELL 1	EAGLE CR
36203		0	G	11627	G	12589	6/24/1991	CM	L	3	S	3	E	1	NESE	0.01	C	A	WELL 2	EAGLE CR
36203		0	G	11627	G	12589	6/24/1991	IS	L	3	S	3	E	1	NESE	2.93	C	A	WELL 2	EAGLE CR
36203		0	G	11627	G	12589	6/24/1991	RC	L	3	S	3	E	1	NESE	0.01	C	A	WELL 2	EAGLE CR
36204		0	G	11627	G	12589	6/24/1991	RC	L	3	S	4	E	6	SWSW	0.01	C	A	WELL 3	EAGLE CR
36204		0	G	11627	G	12589	6/24/1991	IS	L	3	S	4	E	6	SWSW	2.93	C	A	WELL 3	EAGLE CR
36204		0	G	11627	G	12589	6/24/1991	CM	L	3	S	4	E	6	SWSW	0.01	C	A	WELL 3	EAGLE CR

USER-ID 28790



# Oregon

Theodore R. Kulongoski, 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

October 30, 2006

FRANK J BASTASCH,  
EAGLE CREEK GOLF COURSE  
1403 SE STARK ST  
PORTLAND, OR 97214

REFERENCE: USER\_ID 28790

Dear Water User:

We appreciate your continued cooperation with the Water Use Reporting program. We again request that you report your water use online. If you need to report on a new water right not in the reporting database, you will need to submit a hard copy form. A 2006 monthly quantities form is printed on the reverse.

To report monthly quantities data online, go to our web page at [www.wrd.state.or.us](http://www.wrd.state.or.us) and click on the link 'Water Use Reporting' under 'current topics'. Then, click on 'Submit your water use report data' on the Water Use Reporting page. Your USER\_ID number is both your Username and your Password to log in. To submit data for a point of diversion, scroll down to the point of diversion and click on 'Insert' to add data for that diversion. Enter the data for one point of diversion at a time. Be sure to be careful to choose the correct units, enter the monthly amounts diverted, and then click the 'Update' button. You will then be given the opportunity to review the data for that diversion to make sure it is correct. Please do so, as once data has been submitted by clicking the 'Submit' button, you cannot edit it. Also, please remember to enter a zero if you did not use a diversion during a month. At present, the system can receive data only for the 2006 water year (October 2005 – September 2006). If you wish to submit data for another year, you will need to submit a hard copy.

Finally, if you use small water right (less than 0.1 CFS or 9.2 AF) and do not measure monthly quantities, you may report the maximum volume allowed under the right. For rates in CFS,

$$\text{AF} = 1.98 * \text{CFS} * (\# \text{ of days in the month})$$

Thank you in advance. The data you provide is valuable for water management in Oregon.

Yours truly,

Gary L. Ball, PE, PLS  
Hydrographics/Measurement & Reporting Manager  
Voice: 503-986-0831, Fax: 503-986-0902  
Gary.L.BALL@ wrd.state.or.us

APP. G-12589

USER-ID 28790

2005

Oregon Water Resources Department  
 October 2005 through September 2006  
 Annual Water Use - Monthly Quantities Form

2006



Facility POD-ID	#1 WELL	#2 WELL	#3 WELL		
	36202	36203	36204		
October - 2005	135,000	1,295,000	1,465,000		
November - 2005	18,000	25,000	31,000		
December - 2005	0	0	0		
January - 2006	0	0	0		
February - 2006	0	0	0		
March - 2006	0	0	0		
April - 2006	26,000	32,000	41,000		
May - 2006	32,000	1,025,000	650,000		
June - 2006	142,000	2,420,000	1,650,000		
July - 2006	255,000	2,500,000	1,760,000		
August - 2006	320,000	2,324,000	3,420,000		
September - 2006	290,000	1,621,000	2,142,000		
TOTAL *	1,218,000 G	11,242,000 G	11,159,000 G		

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FEB 27 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

\* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: PUMP TIME x CAPACITY If use is irrigation, total number acres irrigated 110  
 I certify this information is true and accurate to the best of my knowledge.

Frank Bastasch  
 Signature

PRESIDENT  
 Title

EAGLE CREEK GOLF COURSE  
 Reporting Entity

2/10/07  
 Date

FRANK BASTASCH  
 Name - Please Print

Please complete and mail to: Water Resources Department, Water Use Reporting Program,  
 725 Summer Street NE, Suite A, Salem, OR 97301-1266.



# Oregon

Theodore R. Kulongoski, 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

October 18, 2005

FRANK J BASTASCH,  
EAGLE CREEK GOLF COURSE  
1403 SE STARK ST  
PORTLAND, OR 97214

REFERENCE: USER\_ID 28790

Dear Water User:

We have appreciated your cooperation with the Water Use Reporting program in the past. And now, with the loss of the water use coordinator position through budget reductions, we hope you can help us even more. We are requesting all who need to report monthly quantities and have Internet access to report those quantities online through our website. For the time being, the water use reporting database will not be updated with new water right information. If you need to report on a new water right not in the reporting database, you will need to submit a hard copy form. A 2005 monthly quantities form is printed on the reverse you can copy for your use.

To report monthly quantities data online, go to our web page at [www.wrd.state.or.us](http://www.wrd.state.or.us) and click on the link 'Water Use Reporting' under 'current topics'. Then, click on 'Submit your water use report data' on the Water Use Reporting page. A logon screen then appears and you use your USER\_ID for both the Username and Password. To submit data for a point of diversion, scroll down to the point of diversion and click on 'Insert' to add data for that diversion. Be sure to be careful to choose the correct units, enter the monthly amounts diverted, and then click the 'Update' button. You will then be given the opportunity to review the data for that diversion to make sure it is correct. Please do so, as once data has been submitted by clicking the 'Submit' button, you cannot edit it. Also, please remember to enter zeros if you did not use a diversion. At present, the system can receive data only for the 2005 water year (October 2004 - September 2005). If you wish to submit data for another year, you will need to submit a hard copy. Thank you in advance for your cooperation. The data you provide is valuable for water management in Oregon.

Finally, if you have small water rights (less than 0.1 cfs or 9.2 AF) and do not report monthly quantities for them, we will assume that you have used water according to those rights.

Yours truly,

Gary L. Ball, PE, PLS  
Hydrographics/Measurement & Reporting Manager  
Voice: 503-986-0831, Fax: 503-986-0902  
[Gary.L.BALL@wrd.state.or.us](mailto:Gary.L.BALL@wrd.state.or.us)





2004

Oregon Water Resources Department  
October 2004 through September 2005  
Annual Water Use - Monthly Quantities Form

2005



APP-G-12589

USER-ID 28790

Facility POD-ID	#1 WELL G	# 2 G	#3 G		
October - 2004	540,000	4,310,400			
November - 2004	18,000	0			
December - 2004	0	0			
January - 2005	0	0			
February - 2005	0	0			
March - 2005	0	0			
April - 2005	62,000	0			
May - 2005	364,000	970,000			
June - 2005	793,000	2,376,000	500 TEST		RECEIVED
July - 2005	1,008,000	2,620,800			FEB 27 2007
August - 2005	1,116,000	2,678,400			WATER RESOURCES DEPT SALEM, OREGON
September - 2005	864,000	1,188,000			
TOTAL *	4,765,000 G	11,143,600 G	500 G		

\* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: PUMP TIME x CAPACITY. If use is irrigation, total number acres irrigated 110  
I certify this information is true and accurate to the best of my knowledge.

Frank Bastasch  
Signature

Pres. EAGLE CREEK GOLF COURSE - EAGLE CREEK 11/4/05  
Title Reporting Entity Date

FRANK BASTASCH  
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;  
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.

= 5.36" WATER COVER / YEAR



2004

Oregon Water Resources Department  
October 2004 through September 2005  
Annual Water Use - Monthly Quantities Form

USER-ID 28790

2005

APP. G12589  
P G 11227  
T9263  
RECEIVED  
OCT 07 2005  
WRD  
WATER RESOURCES DEPT  
OREGON

Facility <input type="checkbox"/>	#1 WELL	#2 WELL	#3 WELL		
POD-ID <input type="checkbox"/>	36202	36203	36204		
October - 2004	540,000	1,310,400	0		
November - 2004	18,000	0	0		
December - 2004	0	0	0		
January - 2005	0	0	0		
February - 2005	0	0	0		
March - 2005	0	0	0		
April - 2005	62,000	0	0		
May - 2005	364,000	970,000	0		
June - 2005	793,000	2,376,000	500 (TEST)		
July - 2005	1,008,000	2,620,800	0		
August - 2005	1,116,000	2,678,400	0		
September - 2005	864,000	1,188,000	0		
TOTAL * G	4,765,000	11,143,600	500		

\* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: PUMP TIME X CAPACITY. If use is irrigation, total number acres irrigated 110

I certify this information is true and accurate to the best of my knowledge.

Frank J. Bastasch

Signature

PRESIDENT

Title

EAGLE CREEK GOLF COURSE

Reporting Entity

NOV. 4, 2005

Date

FRANK J. BASTASCH

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;  
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.

# 2003

Oregon Water Resources Department  
 October 2003 through September 2004  
 Annual Water Use - Monthly Quantities Form

USER-ID 28790

# 2004



Facility <input type="checkbox"/> POD-ID <input type="checkbox"/>	# 1 WELL	# 2 WELL	# 3 WELL		
	36202	36203	36204		
October - 2003	432,000	1,296,000	0		
November - 2003	0	0	0		
December - 2003	0	0	0		
January - 2004	0	0	0		
February - 2004	0	0	0		
March - 2004	0	0	0		
April - 2004	50,000	0	0		
May - 2004	280,000	864,000	0		
June - 2004	576,000	1,728,000	0		
July - 2004	864,000	2,592,000	0		
August - 2004	864,000	2,592,000	0		
September - 2004	604,800	1,814,400	0		
TOTAL *	3,418,000	10,886,400	0		

\* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: PUMP TIME x CAPACITY. If use is irrigation, total number acres irrigated 80  
 I certify this information is true and accurate to the best of my knowledge.

Frank J. Bastasch  
 Signature

PRESIDENT  
 Title

EAGLE CREEK GOLF COURSE  
 Reporting Entity EAGLE CR., OREGON

Nov. 22, 2004  
 Date

FRANK J. BASTASCH  
 Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;  
 725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.



**OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT**

Dear Water User: Water year 2004 has ended! All water use reports for October 2003 to September 2004 are requested to be submitted. During the past year we transferred our data to a new computer system, and have developed a website from which you may submit your data, if you so choose. In some cases the references numbers for points of diversion may have been changed. If this creates a problem for you, please contact me. If you would like to use the new site go to the web address listed below. You will not need to mail in this completed form. This information is important for water management in Oregon. Please, complete the form on the reverse side for the water rights listed below by December 31, 2004. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter. Mary Grainey



<http://www.wrd.state.or.us>

EAGLE CREEK GOLF COURSE  
1403 SE STARK ST  
PORTLAND OR 97214

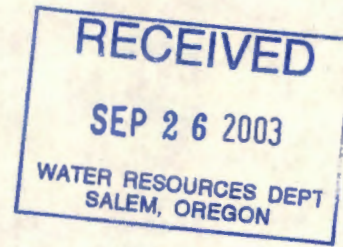
User-ID 28790  
Password: 28790

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO	
36202		0	G	11627	G 12589	6/24/1991	RC	L	3	S	4 E	6	NWSW	0.01 C P WELL 1	EAGLE CR
36202		0	G	11627	G 12589	6/24/1991	IS	L	3	S	4 E	6	NWSW	2.93 C S WELL 1	EAGLE CR
36202		0	G	11627	G 12589	6/24/1991	CM	L	3	S	4 E	6	NWSW	0.01 C P WELL 1	EAGLE CR
36203		0	G	11627	G 12589	6/24/1991	CM	L	3	S	3 E	1	NESE	0.01 C A WELL 2	EAGLE CR
36203		0	G	11627	G 12589	6/24/1991	RC	L	3	S	3 E	1	NESE	0.01 C A WELL 2	EAGLE CR
36203		0	G	11627	G 12589	6/24/1991	IS	L	3	S	3 E	1	NESE	2.93 C A WELL 2	EAGLE CR
36204		0	G	11627	G 12589	6/24/1991	CM	L	3	S	4 E	6	SWSW	0.01 C A WELL 3	EAGLE CR
36204		0	G	11627	G 12589	6/24/1991	RC	L	3	S	4 E	6	SWSW	0.01 C A WELL 3	EAGLE CR
36204		0	G	11627	G 12589	6/24/1991	IS	L	3	S	4 E	6	SWSW	2.93 C A WELL 3	EAGLE CR

**RECEIVED**  
NOV 24 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

USER-ID 28790

EAGLE CREEK GOLF COURSE INC.  
1403 SE STARK STREET  
PORTLAND, OREGON 97214  
(503) 235-4145



Sept. 23, 2003

Water Resources Board  
Commerce Building  
158 12th Street NE  
Salem, Oregon 97301

Attention: Lisa J. Juul, Water Rights Specialist

Re: Application File #G-12589 (Permit #G-116270)

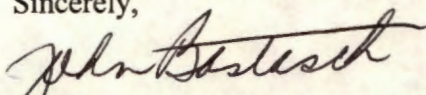
Dear Ms. Juul:

In response to your letter of August 29, 2003 the following provides the information requested:

- Item A. Construction completed: 90%
- Item B. 12 million gallons on 1st eighteen holes on approximately 75 acres. Percent of total allowable water used: 10%.
- Item C. We have worked all summer on the golf course irrigation system and as noted above are 90% complete. The first 18 holes are totally finished. The 3rd nine will be close to being done this year depending on the weather. We have also run a 6" line towards Dowty and have hired a person to bore under the road through which this line will carry the water to our 120 acre parcel bordered by Folsom and Dowty Roads, most of which we have water rights for. To complete the work on the pasture (that 120 acre piece) will take us into next summer. At that time, we will have completed all our construction. We will have the main irrigation pipe into the pasture this month.
- Item D. Financial investment: \$498,000

If you have any questions, please feel free to contact me at 503-235-4145.

Sincerely,

  
John Bastasch



# Oregon

Theodore R. Kulongoski, 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

November 14, 2003

EAGLE CREEK GOLF COURSE, INC  
1403 SE STARK ST  
PORTLAND, OR 97214

REFERENCE: Application #G-12589 (Permit #G-11627)

Dear Permit Holder:

The Water Rights Section received your written progress report for Permit #G-11627 (Application #G-12589). Receipt of the progress report was published on the Department's weekly Public Notice, dated October 7, 2003. The Department did not receive any public comment on the progress report.

Additionally, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

If you have any questions, please feel free to contact me by telephone at (503) 986-0808.

Sincerely,

Lisa J. Juul  
Water Rights Specialist  
Water Rights Section

cc: Appl #G-12589 (Permit #G-11627)  
Mike McCord, Watermaster District #20

JOHN BASTAGGI, TR.  
1403 S.E. STARK  
PORTLAND, OR. 97214



L. JUUL  
WATER RES BOARD  
COMMERCE BLDG  
158 12th ST NE  
SALEM OR 97301

97301+4172



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EAGLE CREEK GOLF COURSE, INC.  
 1403 SE STARK ST      G-12589  
 PORTLAND, OR 97214

2. Article Number

(Transfer from service label)

7002 3150 0005 3664 0147

PS Form 3811, August 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Charles Rust*  Agent  
 Addressee

B. Received by (Printed Name)

CHARLES RUST

C. Date of Delivery

8-30

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:

 No

3. Service Type

- Certified Mail       Express Mail  
 Registered       Return Receipt for Merchandise  
 Insured Mail       C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

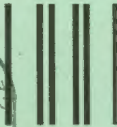
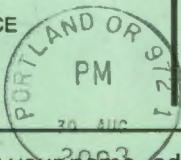
Domestic Return Receipt

WR / LJJ

102595-02-M-1540



UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPT.  
SALEM, OREGON

SEP 02 2003

**RECEIVED**

WATER RESOURCES DEPARTMENT  
158 12<sup>TH</sup> STREET NE  
SALEM OR 97301-4172

97301+4172





# Oregon

Theodore R. Kulongoski, Governor

## CERTIFIED LETTER Return Receipt Requested

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
503-378-3739  
FAX 503-378-8130

File # G-12589

August 29, 2003

Eagle Creek Golf Course, Inc.  
1403 SE Stark Street  
Portland, OR 97214

REFERENCE: Application File #G-12589 (Permit #G-11627)

Dear Permit Holder:

On January 26, 2000, the Department issued a Final Order approving an Extension of Time for Permit #G-11627. The Final Order extended the time in which to complete construction of the water system and to accomplish beneficial use of water to the full extent under the terms of Permit #G-11627 from October 1, 1997, to October 1, 2007.

The Final Order approving the Extension of Time also included the following condition that requires:

The permittee must submit a written progress report to the Department by **October 1, 2003**. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted.

The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

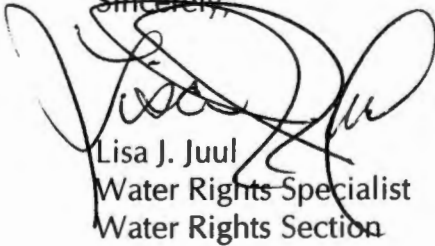
***Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or ORS 537.410 to 537.450. Within one year after cancellation, the permittee must submit a Claim of Beneficial Use and Final Proof Survey, pursuant to ORS 537.230 and 537.250, for the portion of the permit developed as of October 1, 2003.***



To date, the Department has not received this progress report from you. In order to maintain the ability to continue developing water under this permit, you should submit this progress report immediately. For your reference, I have enclosed a copy of the Extension of Time Final Order containing this condition.

If you have any questions concerning this matter, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely,



Lisa J. Juul  
Water Rights Specialist  
Water Rights Section

Enclosure

cc: Application File #G-12589 (Permit #G-11627)  
Mike McCord, Watermaster Dist. #20

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G 12589

**Final Order**  
**Extension of Time for Permit Number G 11627**

*Appeal Rights*

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

*Application History*

On JUNE 24, 1998, EAGLE CREEK GOLF COURSE, INC. submitted an application to the Department for an extension of time for permit number G 11627. The Department issued Permit number G 11627 on NOVEMBER 22, 1993. The permit called for completion of construction of the water development project by October 1, 1995 and complete application of water to the full beneficial use by October 1, 1996. In accordance with OAR 690-320-0010(8), on OCTOBER 26, 1999, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2007, and/or the time to fully apply water to beneficial use to October 1, 2007. The protest period closed DECEMBER 10, 1999. No protest was filed.

The permittee must submit a written progress report to the Department by October 1, 2003. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and

PLACED IN U.S. MAIL

JAN 27 2000

- d) conditions of the permit and/or previous extension; and Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence;
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and 539.010(5) (as appropriate).

#### Order

The extension of time for Application G 12589, Permit Number G 11627, therefore, is approved. The deadline for completing construction is extended to October 1, 2007. The deadline for

applying water to full beneficial use is extended to October 1,  
2007.

DATED January 24, 2000

  
Martha E. Pagel, Director

App: G 12589

28790

EAGLE CREEK GOLF COURSE 25805 SE DOWTY ROAD EAGLE CREEK, OR. 97022

WATER USED FOR IRRIGATION IN GALLONS 1996 THROUGH 2000

36202, 36203, 36204 KC/15/CM

YEAR	JAN. FEB. MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	NOV	DEC.	TOTALS
1996	0	50,000	70,000	100,000	160,000	180,000	170,000	40,000	0	0	770,000
1997	0	60,000	80,000	100,000	160,000	190,000	180,000	50,000	0	0	820,000
1998	0	60,000	80,000	110,000	210,000	270,000	190,000	60,000	30,000	0	1,010,000
* TOTAL 1999 USED	0	100,000	120,000	290,000	600,000	1,500,000	1,100,000	70,000	50,000	0	3,830,000
1999	PUMPED FROM GROUND WELLS → 0		0	0	376,000	1,460,000	1,100,000	35,000	25,000	0	2,996,000
* TOTAL USED 2000	0	0	140,000	530,000	1,750,000	2,180,000	1,340,000	95,000	60,000	0	6,095,000
2000	FROM WELLS → 0		0	220,000	1,470,000	2,180,000	1,340,000	65,000	25,000	0	5,300,000
* TOTAL USED 2001	0										
2001	FROM WELLS =										
* TOTAL USED 2002											
2002											

RECEIVED

APR 27 2001

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G 12589

**Final Order**  
**Extension of Time for Permit Number G 11627**

*Appeal Rights*

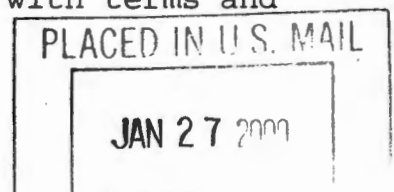
This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

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The permittee must submit a written progress report to the Department by October 1, 2003. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and





- d) conditions of the permit and/or previous extension; and  
Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

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In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

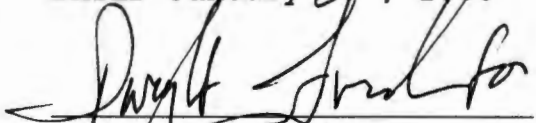
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and 539.010(5) (as appropriate).

#### Order

The extension of time for Application G 12589, Permit Number G 11627, therefore, is approved. The deadline for completing construction is extended to October 1, 2007. The deadline for

applying water to full beneficial use is extended to October 1,  
2007.

DATED January 29, 2000

  
Martha E. Pagel, Director

**Oregon Water Resources Department  
Water Rights Division**

Water Right Permit Extension Application  
for Permit Number G 11627

Water Right Application Number G 12589

**Proposed Final Order**

This Proposed Final Order applies only to permit number G 11627.

**Summary of Recommendation**

The Department proposes to:

grant the extension for complete construction of the water system from October 1, 1995 to October 1, 2007, and

grant the extension for complete application of water from October 1, 1996 to October 1, 2007.

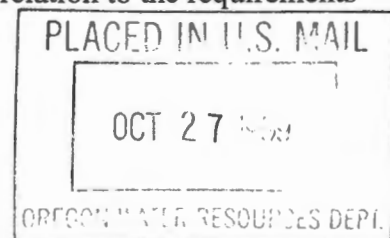
**Application History**

Permit no. G 11627 was granted by the Water Resources Department on NOVEMBER 22, 1993. The permit authorizes use of 2.95 CUBIC FEET PER SECOND of water from THREE WELLS for SUPPLEMENTAL IRRIGATION, COMMERCIAL USE AND MAINTENANCE OF PONDS in the EAGLE CREEK basin. It specified that construction must be completed by October 1, 1995, and water applied to full beneficial use by October 1, 1996. A copy of permit no. G 11627 is attached.

On JUNE 24, 1998, the Department received an application from EAGLE CREEK GOLF COURSE, INC. for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2007 to complete construction of the water system and until October 1, 2007 to apply water to full beneficial use. This is the THIRD permit extension request. The Department has previously issued a Special Order that specified construction must be completed and water applied to full beneficial use by October 1, 1997.

**Findings of Fact**

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements



of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit is being held up by lack of funds and procuring a suitable construction contractor.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
  - a) Work on the water development project completed to date includes construction of well and part of water delivery system.
  - b) The applicant has invested approximately \$ 280,000 of an estimated total water system project cost of \$ 430,000.
  - c) The work remaining to be completed consists of the remaining construction of the water delivery system and complete application of water.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 2007 and the length of time requested for completion of the application of water should be extended to October 1, 2007 as requested by the applicant.

#### **Conclusions of Law**

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).
5. The permit extension should be approved until October 1, 2007 to complete construction and until October 1, 2007 to complete the application of water.

#### **Conditions**

The permittee must submit a written progress report to the Department by October 1, 2003. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence;
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

#### **Recommendation**

The Department proposes to issue an order to:

extend the permit time to complete construction from October 1, 1997 to October 1, 2007

and  
extend the permit time to complete application of water from October 1, 1997 to October 1, 2007.

DATED: OCTOBER 26, 1999



Dwight French  
Water Rights Section Manager

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

**Protest Rights and Comments**

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
  - a) Your name, address and telephone number;
  - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
  - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
  - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
  - e) Any citation of legal authority supporting your protest, if known; and
  - f) If you are not the applicant, the \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than DECEMBER 10, 1999.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

**This document was prepared by Doug Baer. If you have any questions about any of the statements contained in this document, Dallas Miller is most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 272. Outside of Oregon you can dial 1-503-378-8455.**

**If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.**

**If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97310, Fax: (503)378-2496**

# Mailing List for PFO Extension Copies

Application #

G 12589

PFO Date

10/24/99

Original mailed to:

Applicant:

Eagle Creek Golf Course, Inc.

Mailed  
(support staff)  
on: 10/26/99 gh  
(date)

db ✓

Copies sent

Regional Manager

NW

Watermaster

llc

ODFW

Don Bennett, Clackamas

DEQ

Tom Rosetta, Portland

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies



# Eagle Creek Golf Course

EAGLE CREEK, OREGON

Office: 1403 S.E. Stark Street Portland, Oregon 97214

**RECEIVED**

AUG 16 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

August 12, 1999

Mr. Dallas Miller  
WATER RESOURCES DEPT.  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

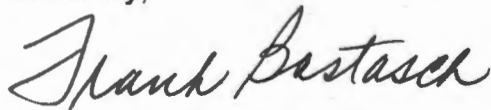
Re: *File G12589 – your letter of July 16, 1999*

Dear Mr. Miller:

The answers to the questions in the subject letter are as follows:

- 1) We have two (2) wells and have metered the water use beginning in July this year.
- 2) Please find our report on the estimated water used from existing ponds for the years 1996 to present. Until April this year, we had irrigated only nine (9) greens and two (2) tee areas. Irrigation on all eighteen (18) greens began in April 1999. Irrigation on the first nine fairways began in July 1999. We are waiting for three phase electrical service, which has been promised sometime in the next two months. At that time we expect to be able to irrigate 18 fairways and greens.

Sincerely,



Frank Bastasch

FB/dr  
Encl.

RECEIVED

AUG 16 1999

EAGLE CREEK GOLF COURSE

WATER RESOURCES DEPT.  
SALEM, OREGON

WATER USED FOR IRRIGATION IN GALLONS 1996 TO AUG 10, 1999

YEAR	JAN. FEB. MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	NOV	DEC.	
1996	0	50,000	70,000	100,000	160,000	180,000	170,000	40,000	0	0	770,000
1997	0	60,000	80,000	100,000	160,000	190,000	180,000	50,000	0	0	820,000
1998	0	60,000	80,000	110,000	210,000	270,000	190,000	60,000	30,000	0	1,010,000
1999	0	100,000	120,000	290,000	600,000	to 8/10/99 250,000	—	—	—	—	1,360,000
1999	<u>PUMPED FROM WELLS</u>			0	376,000	to 8/10/99 217,000	—	—	—	—	593,000

Eagle Creek Golf Course  
1403 SE Stark Street  
Portland, OR 97214



Mr. Dallas Miller  
WATER RESOURCES DEPT.  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

37310+0703



*Dary Ball*

**RECEIVED**

AUG 16 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

# Eagle Creek Golf Course

EAGLE CREEK, OREGON

Office: 1403 S.E. Stark Street Portland, Oregon 97214

August 12, 1999

Mr. Dallas Miller  
WATER RESOURCES DEPT.  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

Re: File **G12589** – your letter of July 16, 1999

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Sincerely,

*Frank Bastasch*

Frank Bastasch

FB/dr  
Encl.

RECEIVED

AUG 16 1999

EAGLE CREEK GOLF COURSE

WATER RESOURCES DEPT.  
SALEM, OREGON

WATER USED FOR IRRIGATION IN **GALLONS** 1996 TO AUG 10, 1999

YEAR	JAN. FEB. MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	NOV	DEC.	
1996	0	50,000	70,000	100,000	160,000	180,000	170,000	40,000	0	0	770,000
1997	0	60,000	80,000	100,000	160,000	190,000	180,000	50,000	0	0	820,000
1998	0	60,000	80,000	110,000	210,000	270,000	190,000	60,000	30,000	0	1,010,000
1999	0	100,000	120,000	290,000	600,000	TO 8/10/99 250,000	—	—	—	—	1,360,000
1999	<u>PUMPED FROM WELLS</u>			0	376,000	TO 8/14/99 217,000	—	—	—	—	593,000

CAN NOT  
FIND NAME

RECEIVED

JUL 15 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

# Eagle Creek Golf Course

EAGLE CREEK, OREGON

Office: 1403 S.E. Stark Street Portland, Oregon 97214

July 13, 1999

Mr. Dallas Miller  
WATER RESOURCES DEPT.  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

Re: *File G 12589 – Your letter of May 17, 1999*

Dear Mr. Miller:

Please excuse this delay in replying to your letter. We had hoped to have a pump and water meter installed on one of our two wells by this time, but are still waiting for service from our well driller. So, at this time we are watering 18 greens – on a daily basis and nine fairways about twice per week from the farm ponds that were used to irrigate pasture land for the old Harrison dairy. These ponds drain into our new holding pond. Presently, water comes from two springs and from the high ground water level that exists in our area.

In 1998 we irrigated nine greens and surrounding areas plus two tees or a total of about 90,000 square feet at an average of about 1/8 inch per day for about 150 days or about 135,000 cubic feet.

This year the water used is three times greater or at the rate of 400,000 cubic feet per year. In 2000 with the irrigation system in place for 18 holes and our wells developed, we expect to use 2,700,000 cu. ft.

We are pushing for three phase power and well development as soon as possible. We hope that this information will satisfy your requirements.

Sincerely,



Frank Bastasch



Mr. Dallas Miller  
WATER RESOURCES DEPT.  
Commerce Building  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

97310/0703





1463 SE. STARK  
PORTLAND, OR  
97214





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

May 17, 1999

EAGLE CREEK GOLF COURSE, INC.  
1403 SE STARK STREET  
PORTLAND, OR 97214

REFERENCE: File G 12589

Dear Mr. Bastasch:

Regarding your request for an extension of time under permit G 11627, we need some more information. The permit requires that you submit the amount of water use under this permit annually, and we have not received these reports yet. Please submit the water use reports, so we can process the extension request.

Also, we are refunding \$100 to you as you submitted a \$100 fee on 6/24/98 and again on 4/1/99. It is only necessary to pay one fee as we have not processed your request submitted on 6/24/98 yet. The form you submitted on 4/1/99 was just our revised extension form, the fee you submitted on 6/24/98 is sufficient.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,

Dallas Miller  
Water Rights Specialist

cc: Watermaster, District 16

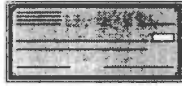
TO: FISCAL SECTION

FROM: JANET HALLADEY

SUPERVISOR APPROVAL

*OK Dwight Ford*

SUBJECT: Request for refund check



Please refund \$ 100<sup>00</sup> to Frank Bastasch  
file G-12589, receipt 28641. These funds are  
refunded due to:

- Application rejected
- Application withdrawn
- Excess fees collected for assignment
- Excess fees collected for extension

MAILING ADDRESS:

Frank Bastasch  
1403 SE Stark St.  
Portland, OR 97214

*0240*

m:\groups\wr\support\janet\forms & form letters\\$\$\$form

RECEIVED JUN 0 4 1999

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **28641**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Frank J. Bastorch  
BY: \_\_\_\_\_

APPLICATION	G-12589
PERMIT	
TRANSFER	

CASH:  CHECK: # 1666 OTHER: (IDENTIFY)

**TOTAL REC'D \$100.00**

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

**REDUCTION OF EXPENSE**

CASH ACCT. \$

PCA AND OBJECT CLASS \_\_\_\_\_ VOUCHER # \_\_\_\_\_

**0427 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

*PCA 16611*

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203 GROUND WATER	EXAM FEE \$	0204 RECORD FEE \$
0205 TRANSFER	EXAM FEE \$	0206 RECORD FEE \$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
LANDOWNER'S PERMIT		0220 LICENSE FEE \$

0240 OTHER (IDENTIFY) EXT. OF TIME \$100.00

**0437 WELL CONST. START FEE**

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

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS	\$
-----------------------	----

**0467 HYDRO ACTIVITY**

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

**28641**

DATED: 4-1-99 BY: Roger Wright

1988

1488

1988

Handwritten: 1488

REGISTRATION

1

0571 HIGHWAY USE TAX (LAW 1987)

2

0572 LOWWAY USE TAX (LAW 1987)

3

0573 HIGHWAY USE TAX

REGISTRATION

1004 FOLTERA PROCEEDS

4

OTHER (OTHER)

0575 MOTORING METES

5

0576 METE CORRECTION FEE

6

0577 METE CORRECTION FEE

7  
8

0578 OTHER

0579 FUNDAMENTAL

0580 METE CORRECTION

0581 METE CORRECTION

0582 TRANSFER

0583 FUNDAMENTAL

0584 FUNDAMENTAL

0585 FUNDAMENTAL

0586 FUNDAMENTAL

0587 FUNDAMENTAL

0588 FUNDAMENTAL

0589 FUNDAMENTAL

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0605 FUNDAMENTAL

0606 FUNDAMENTAL

0607 FUNDAMENTAL

0608 FUNDAMENTAL

0609 FUNDAMENTAL

0610 FUNDAMENTAL

0611 FUNDAMENTAL

0612 FUNDAMENTAL

Handwritten note on yellow paper:  
Don't please  
around \$100  
Call 997 they  
- twice -  
15M

RECEIVED FROM: CASH, CHECK, OTHER (METHOD)

RECEIVED FROM: DATE, AMOUNT, RECEIPT NO.

1988

APR 1 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

## APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I. (WE) EAGLE CREEK GOLF COURSE C/O JOHN BASTASCH  
1403 S.E. STARK ST. <sup>NAME</sup> PORTLAND, OR 97214 (503) 235-4445  
ADDRESS CITY STATE ZIP PHONE

record owner of application No. 912589 permit No. 9-11627, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 2007, and/or the time in which to

accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 19  , be extended to October 1, 2007.

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? YES

2-Have you put any water to use under this permit [yes/no]? YES  
 If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? YES If no, please explain.  
 Which terms and/or conditions have not been completely fulfilled at this time. \_\_\_\_\_

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year INSTALLED SPRINKLER HEADS ON FOUR GOLF HOLES  
AND PURCHASED THE PIPE AND SPRINKLERS TO COMPLETE HOLES #10 TO #18

(b) prior to this past year COMPLETED IRRIGATION OF HOLES #1 TO #9  
AND INSTALLED MAIN LINES FOR SIX ADDITIONAL HOLES. DRILLED TWO WELLS.

© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) \_\_\_\_\_

HAVE IRRIGATED NINE GOLF GREENS AND SURROUNDING AREAS

TOTALING ABOUT 10 ACRES USING THE NEW IRRIGATION SYSTEM

4-Cost of project to date \$ 280,000. Projected cost for completion of project \$ 150,000.

5-Have there been any unforeseen events which delayed development of water system? \_\_\_\_\_

EQUIPMENT BREAKDOWNS DURING HOLDING POND CONSTRUCTION.

LOSS OF CONTRACTOR AT START OF 1998 CONSTRUCTION SEASON

6-Have there been any significant government requirements that have delayed the completion of construction or application of water? [please explain] THE POND CAN ONLY BE EXCAVATED WHEN THE

WATER FLOW STOPS ON THE "PART YEAR" CREEK. THIS IS NOT UNREASONABLE

BUT WE HAVE HAD A RUN OF BAD LUCK DURING THIS PERIOD.

7-What reasons was the project not completed within permit time limits? \_\_\_\_\_

SEE 5 & 6 ABOVE PLUS LACK OF FUNDS AND PERSONNEL

8-Has there been any change in the demand for water or power since permit was issued? (please explain) \_\_\_\_\_

THE DEMAND INCREASES AS NEW HOLES AND FARMLAND ARE PHASED IN.

ULTIMATELY, WATER WILL BE NEEDED FOR 27 GOLF HOLES & 120 ACRES OF FARMLAND

9-Has there been any change in the market for water or power since the permit was issued? (please explain) \_\_\_\_\_

NO, BUT IT IS POSSIBLE THAT THE FARM MAY BE CONVERTED FROM

HAY & CATTLE TO NURSERY STOCK, THIS WOULD INCREASE THE WATER REQUIRED.

THERE IS A CHANCE THAT 80 ACRES OF THE FARMLAND MAY BE CONVERTED

TO A ROCK MINE. IF SO, VERY LITTLE WATER WOULD BE NEEDED FOR FARMING.

RECEIVED

APR 1 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

YES, THE GOLF COURSE PLAY IS INCREASING. WITH 18 OR 27 HOLES THE RETURN JUSTIFIES THE INVESTMENT.

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

NO, CURRENT USE IS ABOUT FIVE PERCENT OF THE 27 HOLE GOLF COURSE REQUIREMENT. AT PRESENT WE DON'T WATER FAIRWAYS WHICH CUTS SUMMER PLAY.

12-Is there an alternative source of water available [yes/no please explain ]?

★ YES, SURFACE WATER COULD FILL UP TO 1/3 OF THE GOLF REQUIREMENTS. WE WOULD NEED PERMITS FOR SURFACE WATER & ADDITIONAL OR DEEPER PONDS.

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

NO, THE GOLF COURSE IS PART OF OVER 600 CONTIGUOUS ACRES THAT ABSORB A RAINFALL OF 45-50 INCHES PER YEAR. THERE ARE ONLY A FEW HOMES IN THE AREA.

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature Frank J. Bastasch  
FRANK J BASTASCH

MARCH 26, 1999  
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:  
WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES  
158 12TH ST NE  
SALEM, OREGON 97310

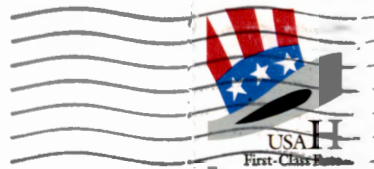
★ PLEASE SEE ADDITIONAL COMMENTS ON REVERSE SIDE



#12 CONTINUED

IF THE PROPOSED ROCK PIT WEST OF FOLSOM ROAD AND EAST OF DOWTY ROAD IS APPROVED THE RESULTING LAKE COULD SATISFY 100% OF THE GOLF COURSE AND FARM REQUIREMENTS. UNDER THE PROPOSED PLAN NO WATER WILL BE RELEASED FROM THE SITE AND IT WOULD EVENTUALLY BECOME A 60 ACRE RECREATIONAL LAKE. THIS WOULD SAVE THE GROUNDWATER... IF THAT IS CONSIDERED DESIRABLE.

JOHN DASTASCH - ENGLE OR. 9000  
1403 S.E STARK ST  
PORTLAND, OR 97314



WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES  
158 12TH STREET NE  
SALEM, OR. 97310

ATTN: DOUGLAS L. BAER

3731040700



X-Sender: kohanerc@mailhub.wrd.state.or.us  
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.5 (32)  
Date: Thu, 08 Apr 1999 07:49:42 -0700  
To: Matthew Gerbrandt <Matthew.K.Gerbrandt@wrd.state.or.us>  
From: Craig Kohanek <Ron.C.KOHANEK@wrd.state.or.us>  
Subject: Re: File# G-12589, Eagle Creek Golf Course

Matt:

I have no records that permittee G-11627 has filed any water use reports. I have additional water information that I'm currently going through and will have a definitive answer regarding your question by Friday!!!

Craig

At 01:34 PM 4/7/99 -0700, you wrote:

>Craig:

>

>If you could help me with this information search, I'd really appreciate it.

>

>Related to extension requests and mandatory permittee information submittals:

>

>The permittee for permit G-11627, application file G-12589 was, according to

>my review, to have submitted water usage reports. I cannot find any such

>reports in the file. Please let me know by email whether you have evidence

>of any such information being submitted to the Department.

>

>Thank you very much,

>

>Matt

>

>>Matt -

>>Since this is a private corporation, it is not part of my governmental

>>entities database. You may wish to check with Craig Kohanek to see if the

>>info may have been submitted and filed with a water level measurement

>>report.

>>

>>- Gary

>

>>

>>

>>Matt: Except for appropriators within the Stage Gulch Critical Ground Water

>>Area, I do not receive any water-use data. You might try Gary Ball or Bill

>>Ferber or the hydrogeologist who reviewed the application at the time.

>>

>>-Mike Zwart

>>

>>=====

>>Matthew Gerbrandt

>>Water Rights Information Group

>>Oregon Water Resources Department

>>158 12th ST NE, Salem Oregon 97310

>>=====

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# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

October 29, 1998

FILE#: G 12589  
EAGLE CREEK GOLF COURSE INC.  
1403 SE STARK ST  
PORTLAND, OR 97214

Dear Water Right Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office last summer. Many permit holders held their extension requests until the new rules are in place. Because of the Attorney General's advice, extensions will no longer be limited to one year in length for most permits and five years for municipalities and irrigation districts. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted.

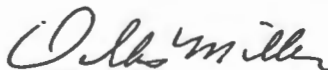
In order to help staff to complete the processing of your extension application, we will need you to fill out the enclosed form. The new rules require that the Department consider this information when determining whether or not to approve an extension request. It is important for you to complete a response to all items on the form. If additional space is needed for your responses, please use a separate sheet of paper.

Please send the completed form at your earliest convenience to the following address:

Dallas Miller  
Water Right Permit Extensions  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, Oregon 97310

I would be happy to send you a copy of the new permit extension rules, upon request. If you have any questions, please contact me at 1-800-624-3199 extension 272. If I am not available, you may contact either Pat Lee (ext. 276) or Dwight French (ext 268).

Sincerely,

  
Dallas Miller  
Water Rights Specialist





# Oregon

John A. Kitzhaber, M.D., Governor

**Water Resources Department**

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

October 29, 1998

FILE#: G 12589  
EAGLE CREEK GOLF COURSE INC.  
1403 SE STARK ST  
PORTLAND, OR 97214

Dear Water Right Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office last summer. Many permit holders held their extension requests until the new rules are in place. Because of the Attorney General's advice, extensions will no longer be limited to one year in length for most permits and five years for municipalities and irrigation districts. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted.


In order to help staff to complete the processing of your extension application, we will need you to fill out the enclosed form. The new rules require that the Department consider this information when determining whether or not to approve an extension request. It is important for you to complete a response to all items on the form. If additional space is needed for your responses, please use a separate sheet of paper.

Please send the completed form at your earliest convenience to the following address:

Dallas Miller  
Water Right Permit Extensions  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, Oregon 97310

I would be happy to send you a copy of the new permit extension rules, upon request. If you have any questions, please contact me at 1-800-624-3199 extension 272. If I am not available, you may contact either Pat Lee (ext. 276) or Dwight French (ext 268).

Sincerely,

  
Dallas Miller  
Water Rights Specialist



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

June 29, 1998

EAGLE CREEK GOLF COURSE  
C/O JOHN BASTASCH  
1403 SE STARK ST  
PORTLAND, OR 97214

Reference: Files G 12589, Permit G 11627

Dear Extension Applicant:

We have received your request for extension of time limits under your permit.

Because of action taken by the Oregon Attorney Generals Office the Water Resources Department is working on new administrative rules affecting the extension process. Anticipating this change in the rules, we will hold your application until the new rules are in effect. We estimate that the rules will be adopted by the late summer of 1998.

If it is necessary that you have an extension of time before that, it may be possible if you can make the statement that water can be fully used within one year.

Your patience is appreciated and we will process your request as soon as possible. Enclosed is receipt 22230 for the \$100 recording fee submitted.

If you have questions please contact me at the address below or phone 1-800-624-3199 ext. 272.

Sincerely,

Dallas Miller  
Natural Resource Specialist 2

cc: Watermaster Dist 16

RECEIVED

JUN 24 1998

File No. 912589

WATER RESOURCES DEPT.  
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, (WE) EAGLE CREEK GOLF COURSE, INC % JOHN BASTASCH

1403 S.E. STARK ST PORTLAND, OR 97214 (503) 235-4145  
address city state zip phone

record owner of permit No. 9-11627, do hereby request that the time in which to:

[ ] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1997, be extended to October 1, 1999, and/or the time in which to

[ ] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1997, be extended to October 1, 1999.

I have accomplished the following described works and/or purchase and installation of equipment necessary to use of water under said permit:

(1) within past year HAVE SPENT \$18,000. HAVE COMPLETED 9 GOLF HOLES. HAVE INSTALLED MAIN LINES FOR 6 ADDITIONAL HOLES. PURCHASED MAIN PUMP STATION.

(2) prior to this past year INSTALLED 11,000 FT OF WATER PIPE, SPRINKLERS FOR 5 HOLES. DRILLED TWO WELLS, DUG 1/2 OF HOLDING POND SPENT APPROXIMATELY \$80,000

(3) and have accomplished beneficial use of water to the extent of (if for irrigation, state how many acres have been irrigated)

FIRST 9 HOLES ARE NOW READY FOR IRRIGATION AS SOON AS WELL PUMP & METER ARE OPERATIONAL

(4) unable to complete construction and/or application of water within the permit time limits because UNFAVORABLE WEATHER,

DELAY IN FINANCING (NOW REMEDIED) CONSTRUCTION TO START AGAIN JUNE 30, 1998

Frank J. Bastasch  
signature

June 20, 1998  
date

MAIL APPLICATION AND STATUTORY FEE OF \$100 FOR EACH PERMIT TO:  
WATER RESOURCES DEPARTMENT  
158 12TH ST NE  
SALEM, OREGON 97310



LITTLE CREEK GOLF COURSE  
1403 S.E. STARK ST  
PORTLAND, OR 97214  
PERMIT # G-11627



WATER RESOURCES DEPARTMENT  
158 12<sup>th</sup> ST. NE  
SALEM, OR. 97310

37310/0703



# IMPORTANT MESSAGE

FOR TUEZ. 499 DATE 6-9 TIME 1055  A.M.  P.M.

M. JOHN BASTAUSCH

OF \_\_\_\_\_  PHONED

PHONE  FAX  MOBILE 503-235-4145  RETURNED YOUR CALL

MESSAGE EAGLE CRK  PLEASE CALL

\_\_\_\_\_ FILE #  WILL CALL AGAIN

\_\_\_\_\_ G-12589  CAME TO SEE YOU

\_\_\_\_\_ PERMIT MAY 29 '98  WANTS TO SEE YOU

SIGNED



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

October 14, 1997

EAGLE CREEK GOLF COURSE INC  
1403 SE STARK ST  
PORTLAND OR 97214

REFERENCE: File G-12589

The date for the complete application of water to a beneficial use for your water use Permit was October 1, 1997. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. Forms will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **October 1, 1998**. A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

If you have any questions, please contact me at extension 272, at 503-378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS S. MILLER  
Water Rights Specialist

DSM:jh

enclosure

cc: Watermaster  
CWRE

March 25, 1997

WATER  
RESOURCES  
DEPARTMENT

EAGLE CREEK GOLF COURSE INC  
1403 SE STARK ST  
PORTLAND OR 97214

REFERENCE: File G-12589

We have received your application for extension of the time limits to complete construction and make complete application of water under Permit G-11627. We also have your check in the amount of \$100. Our receipt number 10184 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. The time limits to complete construction and make complete application of water are extended to October 1, 1997. The order approving the extension was entered March 13, 1997, at Volume 51, Page 299.

If you have any questions, please contact me at extension 272 (503)-378-3739, or toll-free 1-(800)-624-3199.

Sincerely,

Dallas Miller  
Water Rights Specialist

DM:jh

enclosure

cc: William Ferber, Watermaster  
Edward Crane, CWRE



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF APPLICATION FOR )  
 EXTENSION OF TIME IN WHICH TO )  
 COMPLETE CONSTRUCTION WORK ) ORDER  
 AND/OR MAKE COMPLETE APPLICATION )  
 OF WATER UNDER CERTAIN PERMITS )

The owners of the following water permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and/or make complete application of water to beneficial use under their respective permits.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles them to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it is hereby ORDERED that extensions of time are granted as follows:

PERMITTEE	APPL. NUMBER	PERMIT NUMBER	BASIN NUMBER	NEW TIME LIMITS TO:	
				BEGIN CONST.	COMP APPLY WATER
<u>PERMITS TO USE GROUNDWATER:</u>					
City of Oakridge	G 1630	G 1512	2	10/1/01	10/1/97 01
Oregon Shores Recreational Club	G 7632	G 7341	14	10/1/01	10/1/01
City of Bend	G 8695	G 8565	5	10/1/01	10/1/01
U.S. Bureau of Land Management	G 11703	G 11302	15		10/1/97
Jerry Wilson	G 12484	G 11638	2	10/1/97	10/1/97
Eagle Creek Golf Course, Inc.	G 12589	G 11627	2	10/1/97	10/1/97


Janet M, William Jr,  
& Myron F Reed            G 12621   G 11456 5            10/1/97 10/1/97

PERMITS TO CONSTRUCT RESERVOIRS AND USE WATER:

Janet M & William Jr,  
Reed                            R 71775   R 11448 5            10/1/97 10/1/97

Janet M, William Jr,  
& Myron F Reed            71776        51431 5            10/1/97 10/1/97

Dated at Salem, Oregon this 13 day of March, 1997.

  
\* Marsha O. Pagel  
DIRECTOR

FEB 18 1997

File No. G-12589 WATER RESOURCES DEPT  
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, (WE) EAGLE CREEK GOLF COURSE, INC YO JOHN BASTASCH  
1403 SE. STARK ST PORTLAND OR 97214  
address city state zip phone

record owner of permit No. G-11627, do hereby request that the time in which to:

[ ] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1996, be extended to October 1, 1997, and/or the time in which to

[ ] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1996, be extended to October 1, 1997.

I have accomplished the following described works and/or purchase and installation of equipment necessary to use of water under said permit.

(1) within past year INSTALLED 3600 FT OF 8" IRRIGATION PIPE + 1500 FT OF 6" + 3000 FT OF 2" & 3000 FT OF 1" = \$20,000 INSTALLED SPRINKLERS FOR 5 GOLF HOLES = \$13,000

(2) prior to this past year DUG TWO WELLS & DUG 50% OF HOLDING POND PURCHASED \$20,000 OF PUMPS, PIPE, SPRINKLERS

(3) and have accomplished beneficial use of water to the extent of (if for irrigation, state how many acres have been irrigated)

5 GOLF HOLES ARE NOW READY, BUT IRRIGATION WAITING FOR PUMP CONNECTION & DRY WEATHER

(4) unable to complete construction and/or application of water within the permit time limits because LACK OF FUNDS (NOW REMEDIED)

LACK OF TIME AFTER FUNDS WERE AVAILABLE.

Frank J Bastasch Feb. 13, 1997  
signature date

MAIL APPLICATION AND STATUTORY FEE OF \$100 FOR EACH PERMIT TO:  
WATER RESOURCES DEPARTMENT  
158 12TH ST NE  
SALEM, OREGON 97310

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **10184**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Eagle Creek Golf  
BY: Course

APPLICATION	512589
PERMIT	
TRANSFER	

CASH:  CHECK: # 24-201 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
VOUCHER #	

**0427 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$ <u>100.00</u>
TC165 DEPOSIT LIAB. (IDENTIFY)	\$

*PCA 66111*  
*Extension*

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) \_\_\_\_\_

**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	

OTHER (IDENTIFY) \_\_\_\_\_

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS	\$
-----------------------	----

**0467 HYDRO ACTIVITY**

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **10184**

DATED: 2-18-97 BY: Melvin Jingle



January 15, 1997

WATER  
RESOURCES  
DEPARTMENT

EAGLE CREEK GOLF COURSE INC  
1403 SE STARK ST  
PORTLAND OR 97214

REFERENCE: File G-12589

The date for the complete application of water to a beneficial use for your water use Permit G-11627 was October 1, 1996. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. Forms will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **October 1, 1997**. A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

If you have any questions, please contact me at extension 272, at 503-378-3739, or toll-free 1-800-624-3199.

Sincerely,

DALLAS S. MILLER  
Water Rights Specialist

DSM:jh  
enclosure  
cc: Watermaster, District 16  
Edward Crane, CWRE



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

May 5, 1996

EAGLE CREEK GOLF COURSE INC  
1403 SE STARK ST  
PORTLAND OR 97214

REFERENCE: File G-12589

Enclosed is our \$100 refund for permit G-11627. We are refunding this amount you paid for an extension until October 1, 1996 because we already received your \$100 payment in February for that extension which was granted March 26, 1996.

If you have any questions, please contact the Water Rights Section at 378-3739.

Sincerely,

Dallas S. Miller  
Water Rights Section

DSM:jh

enclosure



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

Thru pay men +  
14 for the  
extension of our  
water rights permit  
at Eagle Creek.

Golf course

My phone no.

is 1-502-295-4145

John Bartoody

**RECEIVED**

APR 11 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

**001472**

RECEIPT, #

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE #

RECEIVED FROM:  
BY:

*Eagle Creek Golf Course*

APPLICATION	<i>512589</i>
PERMIT	<i>511627</i>
TRANSFER	

CASH:  CHECK: # *24-201* OTHER: (IDENTIFY)

TOTAL REC'D \$ *100.00*

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**RECEIVED  
OVER THE COUNTER**

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
VOUCHER #	

**0427 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>		
0407	COPY FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$ <i>100.00</i>
TC165	DEPOSIT LIAB. (IDENTIFY)	\$
<b>WATER RIGHTS:</b>		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
<b>WELL CONSTRUCTION</b>		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY)	

*Extension*

**0437 WELL CONST. START FEE**

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

**0539 LOTTERY PROCEEDS**

1302	LOTTERY PROCEEDS	\$
------	------------------	----

**0467 HYDRO ACTIVITY**

0233	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
	HRDRO APPLICATION		\$

RECEIPT # **001472**

DATED: *4-15-96* BY: *Fla P*

April 3, 1996

WATER  
RESOURCES  
DEPARTMENT

EAGLE CREEK GOLF COURSE INC  
1403 SE STARK ST  
PORTLAND OR 97214

REFERENCE: File G-12589

We have received your application for extension of the time limit to complete construction under Permit G-11627. We also have your check in the amount of \$100. Our receipt number 132271 is enclosed.

The application indicates reasonable diligence to complete the proposed project. The time limit to complete construction is being extended to October 1, 1996. The order approving the extension was entered March 26, 1996, at Volume 50, Page 158.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

Dallas Miller  
Water Rights Specialist

DM:jh

enclosure

cc: Edward Crane, CWRE



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF APPLICATION FOR )  
 EXTENSION OF TIME IN WHICH TO )  
 COMPLETE CONSTRUCTION WORK ) ORDER  
 AND/OR MAKE COMPLETE APPLICATION )  
 OF WATER UNDER CERTAIN PERMITS )

The owners of the following water permits issued by the Water Resources Director have submitted applications for extensions of time limits within which to complete the construction work and/or make complete application of water to beneficial use under their respective permits.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;

The statements in the applications for extensions filed regarding completion of the projects indicate that each has shown such reasonable diligence as entitles them to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it is hereby ORDERED that extensions of time are granted as follows:

<u>PERMITTEE</u>	<u>APPL. NUMBER</u>	<u>PERMIT NUMBER</u>	<u>BASIN NUMBER</u>	<u>NEW TIME LIMITS TO:</u>	
				<u>COMPL. CONST.</u>	<u>APPLY WATER</u>

PERMITS TO USE GROUNDWATER:

City of Monmouth	G-8926	G-8579	2	10-1-2000	10-1-2000
City of Sodaville	G-9501	G-8796	2	10-1-2000	10-1-2000
City of Lincoln City	G-10741	G-9827	18	10-1-2000	10-1-2000
Idelway Improvement District, Inc.	G-11746	G-11507	5	10-1-1999	10-1-1999
Eagle Creek Golf Course, Inc.	G-12589	G-11627	2	10-1-1996	
James & Mary Loennig	G-12700	G-11527	2	10-1-1995	
James & Mary Loennig	G-12700	G-11527	2	10-1-1996	10-1-1996
City of Veneta	G-12780	G-11551	2	10-1-1999	10-1-1999

PERMITS TO USE SURFACE WATER:

City of Toledo	9834	9370		10-1-2000	10-1-2000
City of Sutherlin	44016	32426	16	10-1-2000	10-1-2000
City of Sutherlin	58288	44066	16	10-1-2000	10-1-2000
City of Lincoln City	50011	37605	18	10-1-2000	10-1-2000
City of Lincoln City	63608	46867	18	10-1-2000	10-1-2000
Black Mountain Water District & Improvement Co.	56656	42534	7	10-1-2000	10-1-2000
Tri City Water District	58548	44336	16	10-1-2000	10-1-2000
Rock Creek District Improvement Co.	59862	50014	5	10-1-2000	10-1-2000
City of Westfir	68715	49765	2	10-1-2000	10-1-2000
CVH Landholding	69723	50713	2	10-1-1996	10-1-1996

Dated at Salem, Oregon this 26<sup>th</sup> day of March, 1996.

  
for Martha O. Pagel  
DIRECTOR

File No. G1289  
**RECEIVED**  
FEB 14 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON

# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Eagle Creek Golf Course Inc.  
Name  
c/o 1403 SE Stark  
Mailing Address  
Portland Oregon 97214  
City State Zip

record owner of water permit No. G11627, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1995, be extended to October 1, 1996; and/or the time in which to

accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time, now expires on October 1, 1996, be extended to October 1, 1996

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year Drilled a well; purchased most of sprinkler heads needed for the first nine holes and many for the second nine holes of the golf course as well as controllers, most of the main line, total cost of approx. \$32,000. Pond construction begun.

(2) prior to this past year Drilled our first well; purchased 3 pieces of ditch digging equipment; obtained permit for irrigation pond, etc.

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) \_\_\_\_\_

(If additional space is required, attach separate sheet)

John Bastasch  
Sec-Treasurer (If signing for a corporation please identify your title) John Bastasch

Dated 2-9-96

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:



WATER RESOURCES DEPARTMENT  
158 12TH STREET NE  
SALEM OR 97310

*B DSM*  
*OK 10/1/96*



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT #

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # **132271**

RECEIVED FROM: Eagle Creek Golf Course  
BY: \_\_\_\_\_

APPLICATION	912589
PERMIT	611627
TRANSFER	

CASH:  CHECK: # 24-201 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
COST CENTER AND OBJECT CLASS	VOUCHER #

**03-00-0 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY) <u>Extension</u>	\$ <u>100.00</u>
520.000	OTHER (P-6) (IDENTIFY)	\$

<b>WATER RIGHTS:</b>		<b>EXAM FEE</b>		<b>RECORD FEE</b>
842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$
<b>WELL CONSTRUCTION</b>		<b>EXAM FEE</b>		<b>LICENSE FEE</b>
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
	LANDOWNER'S PERMIT		842.024	\$
_____	OTHER (IDENTIFY)			

**06-00-0 WELL CONST. START FEE**

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

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

**07-00-0 HYDRO ACTIVITY**

	<b>LIC NUMBER</b>	
842.011	POWER LICENSE FEE (FW/WRD)	\$
842.115	HYDRO LICENSE FEE (FW/WRD)	\$
_____	HYDRO APPLICATION	\$

RECEIPT # **132271** DATED: 2-14-96 BY: Flo L

RECEIVED

FEB - 7 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

A - Form 90

G-12589

STATE OF OREGON  
Office of the Water Resources Director  
Salem, Oregon 97310

The terms of your water right permit No. G-11627, require you to begin on or before November 22, 1994 actual construction of the works and/or the purchase and installation of the pump and other equipment necessary to your use of water. We have not received the notice of beginning of construction. If you have begun such work you should promptly fill out, sign and forward the notice (Form A) which was attached to your permit.

In case you failed to begin construction work, your right has been lost. In order that the records of this office may be complete without strict notice procedure, a statement of the fact and authorization to cancel the permit would be greatly appreciated.

Application No. ....

Form A (690-9-77)

NOTICE OF BEGINNING OF CONSTRUCTION

I, FRANK J. BASTASCH / EAGLE CREEK GOLF COURSE, the holder of Permit No. G-11627

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 10th day of AUGUST, 1994.

Remarks: FIRST WELL WAS DRILLED BY ALL WAYS DRILLING - ESTACADA, OR. PRIOR TO 11/22/94 ALL THE PUMPS AND 50% OF THE PIPE AND SPRINKLERS WERE ACQUIRED. ALSO, A TEMPORARY WATERING SYSTEM WAS COMPLETED FOR THE GREENS.  
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

WELL DRILLED  
BY: RICH WALLER  
ALWAYS DRILLING  
ESTACADA, OR.

IN WITNESS WHEREOF, I have hereunto set my hand this 3RD day of FEBRUARY, 1995,  
Frank J. Bastasch 1403 S.E. STARK ST PORTLAND, OR 97214  
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

ORIGINAL

STATE OF OREGON  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
TO THE STATE TREASURER OF SALES

ACTION CODE

STATE WARRANT NO. INDICATES CLAIM ALLOWED BY EXECUTIVE DEPARTMENT  
AGENCY VOUCHER NO.

001047

AGENCY VOUCHER NO.

B

03-00-0

92.0

DATE 12-03-93

VENDOR NUMBER

A69000

PAYEE AND ADDRESS

EAGLE CREEK GOLF COURSE, INC.

AUDITED BY

WATER RESOURCES  
3850 PORTLAND RD NE  
SALEM OR 97310

TOTAL

\$92.0

PAYMENT OF:	INVOICE	REFERENCE 001047	92.0
	NET PAID .....		\$92.0

MESSAGE: REV REFUND G12599

ACCOUNT CODING:	AGY 69000	BCH D71	INV	TC 40	TD 931203	REF 001047	
DESCRIPTION	PCD	PROJECT	FUND	BI	COST CENTER	ACCOUNT	AMOUNT
EAGLE CREEK GOLF COU		062300	425	5	06 23 00 01	899900	92.0

Z5-098450  
Rev. 05-92

**NOTICE TO VENDOR**

**REMITTANCE ADVICE**

Enclosed is warrant in full payment of claim listed above. Please refer to Voucher Number indicated if you have any question regarding this payment.

**FOR STATE AGENCY USE ONLY**

This certifies that the materials, services, cash advanced, or expenses covered by this claim have been furnished or expended on behalf of the State of Oregon. The provision for payment is made by law and appropriate the obligation or expenditure is authorized by law and the claim otherwise satisfies the requirements as provided ORS 293.295. This claim has been approved for payment in the above amount.

By

By

July 9, 1993

EAGLE CREEK GOLF COURSE, INC.  
1403 SE STARK STREET  
PORTLAND, OR 97214

---

WATER  
RESOURCES  
DEPARTMENT

---

Reference: Number G-12589

Gentlemen:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.



---

3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

Eagle Creek Golf Course, Inc.  
Page two

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office **no later than 5:00 p.m. on or before September 10, 1993** or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,

STEVE BROWN  
Manager  
Water Rights Division

Enclosures

Report Date: 7/9/93

OREGON WATER RESOURCES DEPARTMENT

**SATISFACTORY REPORT OF TECHNICAL REVIEW**

**FOR WATER USE PERMIT(S)**

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: 9/10/93

1. APPLICATION FILE NUMBER - G 12589
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

EAGLE CREEK GOLF COURSE, INC.  
1403 SE STARK STREET  
PORTLAND, OR 97214  
CLACKAMAS Co. 503-235-4145

Date application received for filing and/or tentative date of priority: 6/24/1991

SOURCE: WELLS 1,2, AND 3 WITHIN THE EAGLE CREEK BASIN

Purpose and/or use: IRRIGATION OF 234 ACRES, COMMERCIAL USE, AND MAINTENANCE OF PONDS FOR RECREATION PURPOSES.

Flow: 3.5 CUBIC FEET PER SECOND (CFS)

Point of Appropriation Location:

T 3 S, R 3 E, W.M., SEC 1, NE 1/4 SE 1/4; T 3 S, R 4 E, W.M., SEC. 6, NW 1/4 SW 1/4, SW 1/4 SW 1/4.

Place of use:

	IRRIGATION	COMMERCIAL	PONDS
SW 1/4 SE 1/4	4.0 ACRES		
SE 1/4 SE 1/4	9.0 ACRES		
Section 36			
T 2 S, R 3 E, W.M.			

SW 1/4 SW 1/4      3.0 ACRES  
 SECTION 31  
 T 2 S, R 4 E, W.M.

NE 1/4 NE 1/4	16.0 ACRES		
NW 1/4 NE 1/4	4.0 ACRES		
SW 1/4 NE 1/4	10.0 ACRES		
SE 1/4 NE 1/4	18.0 ACRES		X
SE 1/4 NW 1/4	1.0 ACRE		
NE 1/4 SE 1/4	18.0 ACRES	X	X
NW 1/4 SE 1/4	11.0 ACRES		
SW 1/4 SE 1/4	1.0 ACRE		
SE 1/4 SE 1/4	10.0 ACRES		

SECTION 1  
 T 3 S, R 3 E, W.M.

*NE 1/4 NE 1/4    3 ACRES*  
*SECTION 12*

NW 1/4 NW 1/4	6.0 ACRES
SW 1/4 NW 1/4	2.0 ACRES
NE 1/4 SW 1/4	8.0 ACRES
NW 1/4 SW 1/4	3.0 ACRES
SW 1/4 SW 1/4	40.0 ACRES
SE 1/4 SW 1/4	37.0 ACRES
NW 1/4 SE 1/4	4.0 ACRES
SW 1/4 SE 1/4	14.0 ACRES

SECTION 6

NE 1/4 NW 1/4	1.0 ACRE
NW 1/4 NW 1/4	11.0 ACRES

SECTION 7

T 3 S, R 4 E, W.M.

**GROUNDWATER AVAILABILITY**

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal **will not** have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water is likely to be available to supply the proposed use.

**CONFLICTS WITH OTHER WATER RIGHTS:**

There are **no** existing rights from this point of appropriation.

There are **no** existing water rights appurtenant to the lands described in the application.

**REPORT CONCLUSIONS:**

Water in the amount of 2.93 CFS is likely available for 8 months of the 8 months normal period of use for irrigation and 0.02 CFS is likely available year round for commercial and recreation uses. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

**THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.**

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.



## PROPOSED PERMIT CONDITIONS

Application: G-12589

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Period of allowed use: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR COMMERCIAL AND RECREATION USES.
2. Rate of use: 2.93 CFS FOR IRRIGATION AND 0.01 CFS FOR COMMERCIAL AND 0.01 CFS FOR RECREATION
3. The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet for each acre irrigated during the irrigation season of each year.
4. Water use development requirements:
  - A) Begin construction by (one year from issuance of permit).
  - B) Complete construction by October 1, 1995.
  - C) Completely apply the water to beneficial use by October 1, 1996.
5. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.
6. Measurement, Recording and Reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
7. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the water Resources Department. The Director may require water level or pump test results every ten years thereafter.
  8. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
  9. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
  10. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
  11. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
  12. The use of water shall be limited when it interferes with any prior surface or ground water rights.

Ce: Brown

From: DBDEV::REYNOLDS  
To: pagel,marbut  
CC: reynolds  
Subj: msg from Shiprack

24-JUN-1993 16:19

Debbie from Rep. Shiprack's office called asking if there might be any way we could hurry up the application for Eagle Creek Golf Course. She couldn't give me any app. # but said the name is Frank Bastasch. (Yes, this is a distant relative of our Rick -- however, our Rick wants nothing to do with it!)

I told her we'd get back to her on the status. Reed would you please do this in your "spare time"? Thanks.

A-12589

RECEIVED

JUN 14 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

FRANK J. AND JOYCE D. BASTASCH  
2725 Via Oleadas  
Palos Verdes Estates, California 90274

June 8, 1993

Mr. Thomas E. Shook, Water Right Specialist  
WATER RESOURCES DEPARTMENT  
3850 Portland Road, NE  
Salem, Oregon 97310

Reference File: G12589

Dear Mr. Shook:

As per your letter of May 24, 1993, the assignment form was mailed to the Water Resources Director on June 3, 1993. A copy is enclosed for your file.

The land use information form was inadvertently mailed to me by Clackamas County and was forwarded to you about two weeks ago. Please call me collect at (310) 635-8121, if any other information is required.

Sincerely,

EAGLE CREEK GOLF COURSE, INCORPORATED



Frank Bastasch

Enclosure

FB:glw

RECEIVED

JUN 14 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

A S S I G N M E N T

WE, FRANK BASTASCH AND JOYCE BASTASCH of

2725 VIA OLEADAS PALOS VERDES ESTATES, CA. 90274  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

do hereby assign all my interest in and to water right Application  
Number G 12589, Permit \_\_\_\_\_, as filed in the office of  
the Water Resources Director, to:

EAGLE CREEK GOLF COURSE, INC.  
(NAME)

1403 S.E. STARK ST. PORTLAND, OR 97214  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

TELEPHONE NUMBER (503) 235 4145

WITNESS my hand this 3RD day of JUNE 1993.

Frank Bastasch  
(SIGNATURE OF PERMITTEES)

Joyce Bastasch

The completed assignment must be submitted to  
the Water Resources Director, 3850 Portland  
Road, N.E., Salem, Oregon 97310, together with a  
recording fee of \$10.

June 8, 1993

EAGLE CREEK GOLF COURSE INC  
1403 SE STARK STREET  
PORTLAND OR 97214

REFERENCE: File G-12589

The assignment of Application G-12589 from Frank J. and Joyce D. Bastasch to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 100737 covering the recording fee of \$10 you submitted.

Sincerely,

THOMAS E. SHOOK  
Water Rights Specialist

TES:jh

Enclosure

cc: Frank J. and Joyce D. Bastasch



RECEIVED

JUN - 7 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon

WATER  
RESOURCES  
DEPARTMENT

May 24, 1993

FRANK AND JOYCE BASTASCH  
2725 VIA OLEADAS  
PALOS VERDES ESTATES, CA 90274

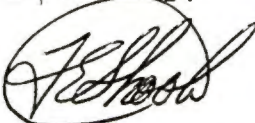
REFERENCE FILE: G-12589

We have received copies of deeds, lease agreement, and a map along with your letter.

If you intend to relinquish your interest in this application, the enclosed assignment form will have to be signed by you. Include the name and address of the golf course on the form. A \$10 assignment recording fee is also needed.

The required land use information form was not received.

Sincerely,



Thomas E. Shook  
Water Right Specialist

ATTN: WATER RESOURCES DIRECTOR

THE ASSIGNMENT FORM REQUIRED IS ENCLOSED  
WITH THE REQUIRED FEE.

Frank Bastasch



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

RECEIVED

JUN - 7 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon

WATER  
RESOURCES  
DEPARTMENT

May 24, 1993

FRANK AND JOYCE BASTASCH  
2725 VIA OLEADAS  
PALOS VERDES ESTATES, CA 90274

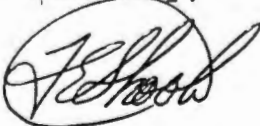
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The required land use information form was not received.

Sincerely,



Thomas E. Shook  
Water Right Specialist

ATTN: WATER RESOURCES DIRECTOR

THE ASSIGNMENT FORM REQUIRED IS ENCLOSED  
WITH THE REQUIRED FEE.

Frank Bastasch



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130



Placed on file on  
2-24-15 by  
Mick M. Bond

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY


IN THE MATTER OF THE WITHDRAWAL )  
OF CERTAIN APPLICATIONS FOR ) ORDER  
PERMITS )

The following applications have been voluntarily withdrawn by the applicants:

<u>APPLICATION</u>	<u>APPLICANT</u>
G-9895	U.S. Fremont National Forest
G-12105	District Utility Services Company, Inc.
G-12398	City of Brookings
G-12712	Malcolm P. & Jean E. Jensen
G-12839	Charles & Karen Bonner
G-12937	Gregory & Cook, Inc.
G-12965	Gregory & Cook, Inc.
G-12966	Gregory & Cook, Inc.
G-12967	Gregory & Cook, Inc.
G-12968	Gregory & Cook, Inc.
G-13048	Dennis K. Hopper, Hopper Brothers Farms; Douglas Hopper
G-13186	Vince Richard
61667	U.S. Umatilla National Forest
67503	Malheur National Forest
67505	Malheur National Forest
R-69161	William W. Potter
69722	Federal Deposit Insurance Corporation
69852	Russell & Patricia Bingamin
69903	Warren L. Naillon
70475	U.S. Army Corps of Engineers, Walla Walla District
70994	Oregon Department of Fish & Wildlife
71025	Oregon Department of Fish & Wildlife
71030	Oregon Department of Fish & Wildlife
71714	Frank J. & Joyce D. Bastasch
72125	Lula A. & William J. Cantrell

It is ORDERED that the applications are of no further force or effect.

Dated at Salem, Oregon this 4th day of June, 1993.

  
Martha O. Pagal  
Director  
Water Resources Department

originally  
a-s-71714 was  
primary to  
a-g-12589;  
then applicant  
withdrew a-s-71714  
& asked for  
a-g-12589 to be  
for primary  
rather than  
supplemental  
irrigation

on  
8/14/92

RECEIVED

MAY 26 1993

FRANK J. AND JOYCE D. BASTASCH  
2725 Via Oleadas  
Palos Verdes Estates, California 90274

WATER RESOURCES DEPT.  
SALEM, OREGON

24  
May ~~18~~, 1993

Mr. Thomas E. Shook, Water Right Specialist  
OREGON WATER RESOURCES DEPARTMENT  
3850 Portland Road, NE  
Salem, Oregon 97310

Reference File: G12589

Dear Mr. Shook:

As per your letter of April 28, 1993, please find enclosed ~~the~~  
~~information requested and~~ the Clackamas County Land Use statement  
with signature.

We have now incorporated the golf course project as Eagle Creek  
Golf Course, Incorporated. The owners are Frank, Joyce and John  
Bastasch. If it makes no difference and will not delay approval,  
we would prefer to have the approval given to:

EAGLE CREEK GOLF COURSE, INCORPORATED  
c/o 1403 S.E. Stark Street  
Portland, Oregon 97214

Thank you.

Sincerely,

EAGLE CREEK GOLF COURSE, INCORPORATED

  
Frank Bastasch

  
Joyce Bastasch

cc: John Bastasch

Note to  
Local Governments:

# Oregon

The person presenting the attached request for land use information is applying for a water right.

WATER  
RESOURCES  
DEPARTMENT

The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use information form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities.

If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

June 1992



Prayer in Heaven

Gay New Year

**Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses**

6-12589

**RECEIVED**

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.** MAY 26 1993  
WATER RESOURCES DEPT.  
SALEM, OREGON

Applicant's Name: FRANK J. & JOYCE D BASTASCH  
 Address: 2725 VIA OLEADAS  
 City: PALOS VERDES ESTATES State: CA Zip: 90274 Day Phone: (503) 235-4145 (PORTLAND)  
(310) 635-8121 (CALIFORNIA)

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (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 or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
	<u>SEE ATTACHED LIST ON THIS PAGE</u>			

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. CLACKAMAS COUNTY ONLY  
 The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

**For Local Government Use Only**

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) 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) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily
<u>Conditional use permit 327-90-C</u>	<u>200 40.06</u>	<input checked="" type="checkbox"/>		

(over)

**Receipt for Request for Land Use Information**

WRD Applicant Name: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: \_\_\_\_\_  
 Staff Contact: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date of Information Request: \_\_\_\_\_

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: LINDA PRELST

Title: PLANNER

Date: 5/19/93  
Phone: 655-8521

Signature: *Linda Preist*

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.

Additional Comments:

Lined area for additional comments.

TOWNSHIP RANGE SECTION	Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
			Water Diverted	Water Conveyed	Water Use
3S 3E 01	00300	FARM & FOREST		X	X
3S 3E 01	00400	FARM & FOREST		X	X
3S 3E 01	00500	FARM & FOREST		X	X
3S 3E 01	00700	FARM & FOREST		X	X
3S 4E 07	00100	FOREST		X	X
3S 4E 07	00203	EFU		X	X
3S 4E 07	00101	EFU		X	X
3S 4E 07	00201	EFU		X	X
3S 3E 01	00100	FOREST		X	X
3S 3E 01	00190-C1	FOREST		X	X
3S 3E 01	00190-C2	FOREST		X	X
3S 3E 06	00100	FOREST		X	X
3S 4E 06	00190	FOREST		X	X
2S 3E 36	01400	FOREST		X	X
2S 4E 31	04100	FOREST		X	X
3S 3E 01	16	FOREST BLM		X	X
3S 3E 01	17	FOREST BLM		X	X

**RECEIVED**

MAY 26 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Description of Water Use

*JP*

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: FRANK J & JOYCE D BASTASCH  
 Address: 2725 VIA OLEADAS  
PALOS VERDES ESTATES, CA 90274

Phone: (310) 635-8121 PORTLAND PHONE: (503) 235-4145

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): GOLF COURSE
- Livestock (type of livestock, feedlot, slaughterhouse): \_\_\_\_\_
- Residential (# units, single or multi-family, # lots if partition or subdivision): \_\_\_\_\_
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): \_\_\_\_\_

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	<u>2.95</u> Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

**RECEIVED**  
 MAY 26 1993

WATER RESOURCES DEPT.  
 SALEM, OREGON



May 24, 1993

FRANK AND JOYCE BASTASCH  
2725 VIA OLEADAS  
PALOS VERDES ESTATES, CA 90274

REFERENCE FILE: G-12589

We have received copies of deeds, lease agreement, and a map along with your letter.

If you intend to relinquish your interest in this application, the enclosed assignment form will have to be signed by you. Include the name and address of the golf course on the form. A \$10 assignment recording fee is also needed.

The required land use information form was not received.

Sincerely,

Thomas E. Shook  
Water Right Specialist



68521-6

RECEIVED

MAY 21 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

FRANK J. AND JOYCE D. BASTASCH  
2725 Via Oleadas  
Palos Verdes Estates, California 90274

May 18, 1993

Mr. Thomas E. Shook, Water Right Specialist  
OREGON WATER RESOURCES DEPARTMENT  
3850 Portland Road, NE  
Salem, Oregon 97310

Reference File: G12589

Dear Mr. Shook:

As per your letter of April 28, 1993, please find enclosed, the information requested and the Clackamas County Land Use statement with signature.

We have now incorporated the golf course project as Eagle Creek Golf Course, Incorporated. The owners are Frank, Joyce and John Bastasch. If it makes no difference and will not delay approval, we would prefer to have the approval given to:

EAGLE CREEK GOLF COURSE, INCORPORATED  
c/o 1403 S.E. Stark Street  
Portland, Oregon 97214

Thank you.

Sincerely,

EAGLE CREEK GOLF COURSE, INCORPORATED

  
Frank Bastasch

  
Joyce Bastasch

cc: John Bastasch

RECEIVED

MAY 21 1993

WATER RESOURCES DEPT. SALEM, OREGON

Fidelity National Title Company of Oregon

STATUTORY BARGAIN and SALE DEED (Individual or Corporate)

UNITED STATES NATIONAL BANK OF OREGON, Trustee

grantor, conveys to

FRANK J. BASTASCH and JOYCE D. BASTASCH husband and wife

grantee, the following described real property, situated in the county of Clackamas, State of Oregon, to wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF

RECORDED BY FIDELITY NATIONAL TITLE

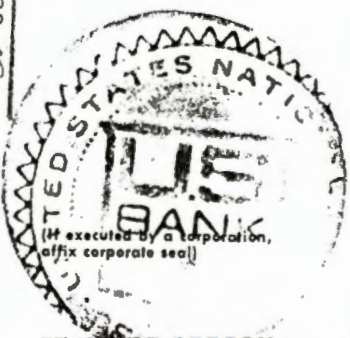
3070469 / 3070673-001 (1+2)

Tax Acct. #34E07 00100 #34E07 00290

THIS INSTRUMENT WILL 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 APPROVED USES.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$ 280,000.00

(See ORS 93.030)



Dated this 28 day of April, 1989;

UNITED STATES NATIONAL BANK OF OREGON, Trustee BY: L.A. Arnold, T.D.

STATE OF OREGON, County of Multnomah ss. April 28, 1989

STATE OF OREGON, County of Multnomah ss. 1989

Personally appeared and

L.A. Arnold, Trust Officer For United States National Bank

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and acknowledged the foregoing instrument to be his voluntary act and deed.

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Roland Wong Notary Public for Oregon My commission expires: 8-9-90

Before me: Notary Public for Oregon My commission expires:

(OFFICIAL SEAL)

U.S. National Bank, Trustee

STATE OF OREGON,

GRANTOR'S NAME AND ADDRESS

Frank & Joyce Bastasch

GRANTEE'S NAME AND ADDRESS

Mr. & Mrs. Frank J. Bastasch 2725 Via Oleadas Palos Verdes Est., Calif. 90274

Until a change is requested all tax statements shall be sent to the following address.

Mr. & Mrs. Frank J. Bastasch 2725 Via Oleadas Palos Verdes Est., California 90274

County of I certify that the within instrument was received for record on the day of 1989, at o'clock M., and recorded in book/reel/volume No. on page or as document/fee/file/instrument/microfilm No. Record of Deeds of said county. Witness my hand and seal of County affixed.

89 18372

By Deputy

To have and to hold the same unto the said parties..... of the second part, their.....executors, administrators and assigns forever.

And seller hereby covenant with the said parties..... of the second part that they are the lawful owners of said goods and chattels; that they are free from all encumbrances, liens..... and exceptions.....

that they..... have good right to sell the same as aforesaid, and that seller will and..... its..... executors and administrators shall warrant and defend the title thereto unto the said parties..... of the second part, their executors, administrators and assigns against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, they have set their hand and seal this 25th day of April, 1989.

Executed in the presence of:

Laura Anderson (SEAL)
Mark Gilson (SEAL)

STATE OF OREGON,

County of Multnomah } ss.

I, L. A. Aamold, Trust Officer being duly sworn, depose and say that trustee is the sole owner of the property described in the foregoing bill of sale, and that the same is free and clear of liens and encumbrances of every kind and nature, without exception

at date of execution of said bill of sale, and the same have been paid for in full.

L. A. Aamold
Trust Officer
U. S. National Bank of Oregon

Subscribed and sworn to before me this 25th day of April, 1989.

Carol Bettin
Notary Public for Oregon.
My Commission Expires 5-14-90

BILL OF SALE (FORM No. 1)

TO

Dated, 1989
STEVENS-NESS LAW PUB. CO., PORTLAND

STATE OF OREGON,

County of } ss.

BE IT REMEMBERED, That on this day of 19, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon.
My Commission expires

OK

WARRANTY DEED—STATUTORY FORM  
INDIVIDUAL GRANTOR



JOSEPHINE HARRISON,

Grantor,

conveys and warrants to FRANK J. BASTASCH and wife, JOYCE D. BASTASCH,

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Clackamas County, Oregon, to-wit:

A parcel of land situated in Township 3 South, Ranges 3 and 4 East of the Willamette Meridian, Clackamas County, Oregon, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

RECEIVED

MAY 21 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except matters described in Exhibit "B" attached hereto and made a part hereof for all purposes.

The true consideration for this conveyance is \$199,250.00... (Here comply with the requirements of ORS 93.030) This conveyance is made in consummation of a certain Option to Purchase Real Property dated August 1, 1988, executed by Grantor, as optionor, and Frank Bastasch, as Optionee.

Dated this 4th day of January, 1989.

THIS INSTRUMENT WILL 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 APPROVED USES.

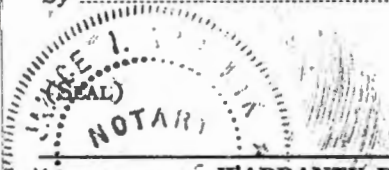
Josephine Harrison  
JOSEPHINE HARRISON

STATE OF OREGON, County of Clackamas

This instrument was acknowledged before me on January 4, 1989, by JOSEPHINE HARRISON

Jessie S. Van Dyke  
Notary Public for Oregon  
My commission expires 11/6/90

CHICAGO TITLE INSURANCE CO. C 55/66



STATE OF OREGON,

County of \_\_\_\_\_ } ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE

By \_\_\_\_\_ Deputy

PUBLIC WARRANTY DEED	
Josephine Harrison	GRANTOR
Frank J. Bastasch, and wife	GRANTOR
Joyce D. Bastasch	GRANTEE
GRANTEE'S ADDRESS, ZIP	
After recording return to:	
Frank J. Bastasch & Joyce D. Bastasch	
18408 Laurel Park Road	
Compton, California 90220	
NAME, ADDRESS, ZIP	
Until a change is requested, all tax statements shall be sent to the following address:	
18408 Laurel Park Road	
Compton, California 90220	
NAME, ADDRESS, ZIP	

SPACE RESERVED FOR RECORDER'S USE

6-12589

Fidelity National Title Company of Oregon

RECEIVED

MAY 21 1993

WATER RESOURCES DEPT. SALEM, OREGON

STATUTORY WARRANTY DEED (Individual or Corporate)

ARABEL M. BENNETT and GERTRUDE H. MEIER

A.B. who received interest as Arabel Meier, grantor, conveys and warrants to

FRANK J. BASTASCH and JOYCE D. BASTASCH, husband and wife

grantee, the following described real property, free and clear of encumbrances except as specifically set forth herein, situated in the county of Clackamas, State of Oregon, to wit:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A".

Subject to and excepting: Property subject to tax deferral, which the Grantee herein agrees to assume and pay; Rights of the public and governmental agencies in and to any portion of land included within the boundaries of roads, streets and highways; Easement for right of way to PGE recorded 11-10-38;

THIS INSTRUMENT WILL 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 APPROVED USES.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$ 200,000.00

(See ORS 93.030)

Dated this 4 day of May, 1989.

Arabel M. Bennett, Gertrude H. Meier (signatures)

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Multnomah, May 4, 1989

STATE OF OREGON, County of, 19

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Personally appeared the above named Arabel M. Bennett and Gertrude H. Meier

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon, My commission expires: 9-4-90 (Notary Seal)

Before me: Notary Public for Oregon, My commission expires:

Arabel M. Bennett and Gertrude H. Meier

STATE OF OREGON, County of

Frank J. and Joyce D. Bastach

I certify that the within instrument was received for record on the day of 1989, at o'clock M., and recorded in book/reel/volume No. on page or as document/fee/file/instrument/microfilm No. Record of Deeds of said county. Witness my hand and seal of County affixed.

Fidelity National Title Co., 1141 N.E. Division, Gresham, Oregon 97030

Until a change is requested all tax statements shall be sent to the following address. Frank J. and Joyce D. Bastach, 2725 Via Oldadas, Palos Verdes Est., CA 90274

89 19785 By Deputy

FNT0-0011CCO key #927769 & 927741

RECORDED BY FIDELITY NATIONAL TITLE 300554

RECEIVED

MAY 21 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

6-12589

STATUTORY WARRANTY DEED

COLUMBIA PACIFIC COUNCIL, BOY SCOUTS OF AMERICA, an Oregon non-profit corporation (formerly known as Portland Council, Boy Scouts of America and/or Portland Area Council, Boy Scouts of America) Grantor, conveys and warrants to MCDUGAL BROS., INVESTMENTS (an Oregon Partnership consisting of Norman N. McDougal and Melvin L. McDougal) and FRANK J. BASTASCH and JOYCE D. BASTASCH, husband and wife, Grantees, the real property described in attached Exhibit A, free and clear of all encumbrances except as specifically set forth in the attached Exhibit B.

The true and actual consideration for this conveyance is \$1,100,000.00.

In addition to, and not in limitation of, the Statutory Warranties above set forth, Grantor warrants and will defend, hold harmless and indemnify Grantees from and against any claim, of whatever kind or nature, based upon or arising under the Covenants contained in that certain deed to Grantor recorded March 28, 1925, in Book 179, page 214 of Clackamas County Records.

Under no circumstances shall Grantor's aggregate liability under this Warranty Deed exceed \$1,100,000.00.

Grantee shall have the right to use the name Camp Millard, or variation thereof, in development of the

Recorded By  
First American Title Insurance Company of Oregon  
483582  
No.

property.

(THIS INSTRUMENT WILL 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 OF COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.)

(THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.)

Dated this 27<sup>th</sup> day of January 1990.

Columbia Pacific Council,  
Boy Scouts of America, an  
Oregon non-profit  
corporation

By *D. S. Smith, Jr.*  
Secretary/Scout Executive

STATE OF OREGON            )  
                                  ) ss.  
County of Multnomah )

On this 27<sup>th</sup> day of January, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Douglas S. Smith, Jr. and, being duly sworn, for himself did say that he is Secretary/  
Scout Executive  
~~President~~ of COLUMBIA PACIFIC COUNCIL, BOY SCOUTS OF AMERICA, an Oregon non-profit corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of



Directors; and he acknowledged said instrument to be its voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Katherine Niles  
Notary Public for Oregon  
My Commission Expires: 4-13-93

Until a change is requested, all tax statements are to be sent to the following address:

Frank J. Bastasch and Joyce D. Bastasch  
2725 Via Oleadas  
Palos Verdes Estates, CA 90274

After recording, return to:

Frank J. Bastasch and Joyce D. Bastasch  
2725 Via Oleadas  
Palos Verdes Estates, CA 90274

EXHIBIT "A"

PARCEL I:

The Donation Land Claim of Egbert Olcott No. 52 in Section 36, Township 2 South, Range 3 East, Claim No. 43 in Section 31, Township 2 South, Range 4 East, Claim No. 42 in Section 1, Township 3 South, Range 3 East and Claim No. 46 in Sections 5 and 6, Township 3 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM that portion as described in Deed to Herman T. Friedrich, et ux, recorded October 9, 1944 in Book 332, page

PARCEL IV:

In Section 31, Township 2 South, Range 4 East, Willamette Meridian, in the County of Clackamas and State of Oregon, that part of FOSTER ACRES, in the Phillip Foster Donation Land Claim No. 37 described as follows:

Beginning at an iron pipe which is South 30°21' East 194.4 feet from the most Northerly corner of Lot 12 of FOSTER ACRES in the Phillip Foster Donation Land Claim No. 37; thence South 59°39' West 335.0 feet to an iron pipe and the true point of beginning; thence North 40° West 85.2 feet; thence North 57° West 77.0 feet; thence North 82<sup>1</sup>/<sub>2</sub>° West 36.0 feet; thence North 77° West 51.0 feet; thence South 84° West 51.0 feet; thence South 73° West 30.0 feet; thence South 55<sup>1</sup>/<sub>2</sub>° West 29.8 feet; thence South 60° West 28.8 feet to an iron pipe; thence South 55°45' East 259.1 feet; thence North 59°39' East 138.7 feet to the true point of beginning.

20-  
25

STATUTORY WARRANTY DEED

Recorded By  
First American Title Insurance Company of Oregon  
No. 483582

McDOUGAL BROS., INVESTMENTS (an Oregon Partnership consisting of Norman N. McDougal and Melvin L. McDougal) Grantor, conveys and warrants to FRANK J. BASTASCH and JOYCE D. BASTASCH, husband and wife, Grantees, an undivided one-half interest in the real property described in attached Exhibit A, free and clear of all encumbrances except as specifically set forth in the attached Exhibit B. The true and actual consideration for this conveyance is \$520,000.00.

In addition to, and not in limitation of, the Statutory Warranties above set forth, Grantor warrants and will defend, hold harmless and indemnify Grantees from and against any claim, of whatever kind or nature, based upon or arising under the Covenants contained in that certain deed to Grantor recorded March 28, 1925, in Book 179, page 214 of Clackamas County Records.

Grantee shall have the right to use the name Camp Millard, or variation thereof, in development of the property.

(THIS INSTRUMENT WILL 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 APPROVED USES.)

(THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 APPROVED

USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.)

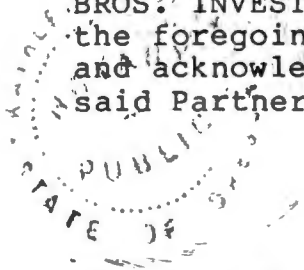
Dated this 26<sup>th</sup> day of February, 1990.

Melvin L. McDougal  
General Partner

Norman N. McDougal  
General Partner

STATE OF OREGON )  
 ) ss.  
County of Multnomah)

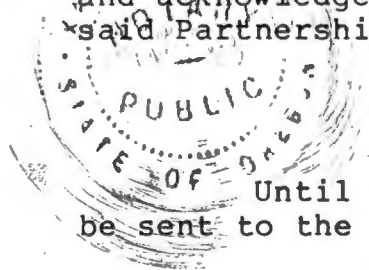
On this 26<sup>th</sup> day of February, 1990, before me personally appeared this above named MELVIN L. MCDUGAL, who being duly sworn did say that he is a general partner of MCDUGAL BROS. INVESTMENTS, an Oregon general partnership, who executed the foregoing instrument for and on behalf of said Partnership and acknowledged that said instrument is the free act and deed of said Partnership.



Katherine Miller  
Notary Public for Oregon  
My Commission Expires: 4-13-93

STATE OF OREGON )  
 ) ss.  
County of Multnomah)

On this 26<sup>th</sup> day of February, 1990, before me personally appeared this above named NORMAN N. MCDUGAL, who being duly sworn did say that he is a general partner of MCDUGAL BROS. INVESTMENTS, an Oregon general partnership, who executed the foregoing instrument for and on behalf of said Partnership and acknowledged that said instrument is the free act and deed of said Partnership.



Katherine Miller  
Notary Public for Oregon  
My Commission Expires: 4-13-93

Until a change is requested, all tax statements are to be sent to the following address:

Frank J. Bastasch and Joyce D. Bastasch  
2725 Via Oleadas  
Palos Verdes Estates, CA 90274

After recording, return to:

Frank J. Bastasch and Joyce D. Bastasch  
2725 Via Oleadas  
Palos Verdes Estates, CA 90274

2

EXHIBIT "A"

PARCEL I:

The Donation Land Claim of Egbert Olcott No. 52 in Section 36, Township 2 South, Range 3 East, Claim No. 43 in Section 31, Township 2 South, Range 4 East, Claim No. 42 in Section 1, Township 3 South, Range 3 East and Claim No. 46 in Sections 5 and 6, Township 3 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM that portion as described in Deed to Herman J. Friedrich, et ux, recorded October 9, 1944 in Book 332, page 656.

ALSO EXCEPTING THEREFROM that portion as described in Deed to Henry Beers and Hazel Pearl Beers recorded July 16, 1917 in Book 147, page 241.

ALSO EXCEPTING THEREFROM that portion as described in Deed to A. C. Mowrey recorded July 25, 1907 in Book 100, page 226.

ALSO EXCEPTING THEREFROM that portion as described in Deed to G.S. Smith and Mabel Smith recorded November 30, 1943 in Book 317, page 224.

PARCEL II:

Lot 4 in Section 1, Township 3 South, Range 3 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, EXCEPTING THEREFROM that portion as described in Deed to Henry Beers and Hazel Pearl Beers on July 16, 1917, which Deed is recorded in Book 147, page 241, Deed Records of Clackamas County, Oregon.

PARCEL III:

Lots 12 and 21, FOSTER ACRES, in the County of Clackamas and State of Oregon.

EXCEPTING that portion of said Lot 12 conveyed to Edward A. Johnson, et ux, by Deed recorded October 28, 1953 in Book 475, page 100, Deed Records.

ALSO EXCEPTING THEREFROM a tract beginning at the Northwest corner of Lot 13, FOSTER ACRES; thence South 30°21' East, 250 feet; thence South 59°39' West 175 feet; thence North 30°21' West 250 feet; thence North 59°39' East to the point of beginning.

PARCEL IV:

In Section 31, Township 2 South, Range 4 East, Willamette Meridian, in the County of Clackamas and State of Oregon, that part of FOSTER ACRES, in the Phillip Foster Donation Land Claim No. 37 described as follows:

Beginning at an iron pipe which is South 30°21' East 194.4 feet from the most Northerly corner of Lot 12 of FOSTER ACRES in the Phillip Foster Donation Land Claim No. 37; thence South 59°39' West 335.0 feet to an iron pipe and the true point of beginning; thence North 40° West 85.2 feet; thence North 57° West 77.0 feet; thence North 82<sup>1</sup>/<sub>2</sub>° West 36.0 feet; thence North 77° West 51.0 feet; thence South 84° West 51.0 feet; thence South 73° West 30.0 feet; thence South 55<sup>1</sup>/<sub>2</sub>° West 29.8 feet; thence South 60° West 28.8 feet to an iron pipe; thence South 55°45' East 259.1 feet; thence North 59°39' East 138.7 feet to the true point of beginning.

G-12589

RECEIVED

MAY 21 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

DEVELOPMENT LEASE OR 44939

=====  
This lease, entered into on March 15, 1991, by and between the UNITED STATES OF AMERICA, through the Bureau of Land Management, hereinafter called the lessor, and Frank J. Bastasch and Joyce D. Bastasch, hereinafter called the lessee, pursuant and subject to the terms and provisions of Section 302 of the Federal Land Management Act of 1976, as amended, (90 Stat. 2762; 43 U.S.C. 1732) and other applicable law; and subject to all regulations of the Secretary of the Interior now or hereafter in effect, including but not limited to those which appear in 43 CFR Part 2920,

WITNESSETH:

Section 1. The lessor, in consideration of the rents to be paid in advance and the conditions to be observed as hereinafter set forth, does hereby grant and lease to the lessee the right to develop, operate and maintain a portion of a 27-hole public golf course and golf driving range and appurtenant facilities upon the following described tract of public land, situated in the County of Clackamas, State of Oregon:

Willamette Meridian,  
T. 3 S., R. 3 E.,  
Sec. 1, Lots 16 and 17,

as shown on Exhibit A attached hereto and made a part hereof, containing 14.81 acres, more or less; and to use so much of the surface as may reasonably required in the exercise of the rights and privileges herein granted.

Section 2. The lease shall run for a period of twenty (20) years from the date of this lease, after which time the lease may be renewed. If renewed, the lease will be subject to such terms and conditions as may be fixed by the lessor.

Section 3. The lessee shall pay, in advance, the annual rental of \$556.00. Advance rentals shall be due 30 days prior to the anniversary date of this lease. Rental charges may be adjusted whenever deemed necessary by the lessor to reflect current fair market value.

Section 4. The lessee agrees to comply with the following:

- a. Observe all Federal, state, county, and other laws, regulations, and ordinances which are applicable to the premises, including pesticides. Pesticides shall be used only in accordance with their registered uses and



within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the lessee shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

b. Keep the premises in a neat and orderly condition.

c. Not commit waste or injury to the land, or to utilize it for any other use than that authorized in this lease.

d. Take all reasonable precautions to prevent and suppress forest, brush, and grass fires and other fires that may result in damage to persons or property; and to extinguish all fires before leaving the premises unattended.

e. Enter into a negotiated timber sale contract for any merchantable trees that may need to cut on the lease area.

f. Not close or obstruct in any manner, or erect or maintain signs, buildings, or other structures on any highways, roads, or trails commonly in public use.

g. Pay the United States the full value for all injuries or damage to public lands or other property of the United States caused by the lessee or by its employees, agents, or servants, or by a contractor, its employees, agents or, servants, except the lessee shall be held to standards of strict liability where the Secretary of the Interior determines that the activities taking place on the area covered by the lease present a foreseeable hazard or risk of danger to the public lands or other property of the United States. Strict liability shall not be applies where such damages or injuries result from acts of war or negligence of the United States.

h. Pay third parties the full value of all injuries or damage to life, person, or property caused by the lessee its employees, agents or, servants or by a contractor, its employees, agents, or servants.

i. Indemnify or hold harmless the United States against any liability for damages to life, person, or property arising from the use of the lease area.

j. Submit a plan of development that describes in detail the construction, operation, maintenance, and termination of the lease area and its associated improvements and/or facilities. The plan will be reviewed and, if appropriate, modified and approved by the authorized officer.

k. Report to the authorized officer discovery of any cultural and/or paleontological resource (historic or prehistoric site or object) on the lease area. The lessee shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer.

l. Protect all survey monuments found within the lease area. Survey monuments include, but are not limited to, General Land Office (GLO) and Bureau of Land Management (BLM) Cadastral Survey corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the lessee shall immediately report the incident, in writing, to the authorized officer and the respective installing authority, if known. Where GLO or BLM monuments or references are obliterated during operations, the lessee shall secure the services of a registered land surveyor or a BLM cadastral surveyor to restore the disturbed monuments or references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. The lessee shall record such survey in the appropriate county and send a copy to the authorized officer. If BLM cadastral surveyors are used to restore the disturbed survey monuments, the lessee shall be responsible for the survey cost.

Section 5. The lessor reserves the following:

a. All the coal, oil and gas, and other mineral deposits in the leased land together with the right to enter upon the land and prospect for, mine, and remove such minerals.

b. The right to construct, operate, and maintain roads, transmission lines, and other utilities, provided that such construction, operation, and maintenance shall not unduly impair the use of said land for the purpose specified above nor damage authorized improvements thereon.

c. The right to enter upon the leased land and dispose of materials and forest products under the Act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a).

d. The right to use or to authorize the use of the leased land by the public in any way compatible or consistent with the use specified above.

e. The right of entry on the leased premises for the purpose of inspection; and Federal and state agents and game wardens have the right to enter the leased land on official business.

Section 6. This lease may be terminated by the following:

a. By mutual agreement between the lessee and lessor; said agreement to be initiated by the lessee filing a notice of relinquishment at least 30 days prior to the date on which advance rental is due.

b. By the lessor, upon a finding that the lessee has failed to comply with the terms and conditions herein stated or failed to use the leased land for a continuous two-year period.

Section 7. Upon termination or expiration of this lease, the lessee shall have 120 days to remove all structures and improvements from the land and shall restore the land to the satisfaction of the lessor. Should the lessee fail to remove all such structures and improvements within the period allowed, said structures and improvements shall become the property of the United States but that shall not relieve the lessee of liability for the cost of their removal and restoration of the land.

Section 8. Any voluntary or involuntary transfers of this lease, including by sale, devise, inheritance, or otherwise, shall not operate to extend its terms and will give the assignee no rights in addition to what the assignor had.

Section 9. This lease is subject to valid, existing rights and Section 24 of the Federal Power Act of June 10, 1920, as amended, (41 Stat. 1063). Should the lease area be required for hydroelectric development, any structure or improvement found to interfere with such development shall be removed or relocated by the lessee without expense to the United States, its permittees or licensees.

Section 10. No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this lease or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the lease be for the general benefit of such corporation or company.

IN WITNESS WHEREOF:

UNITED STATES OF AMERICA

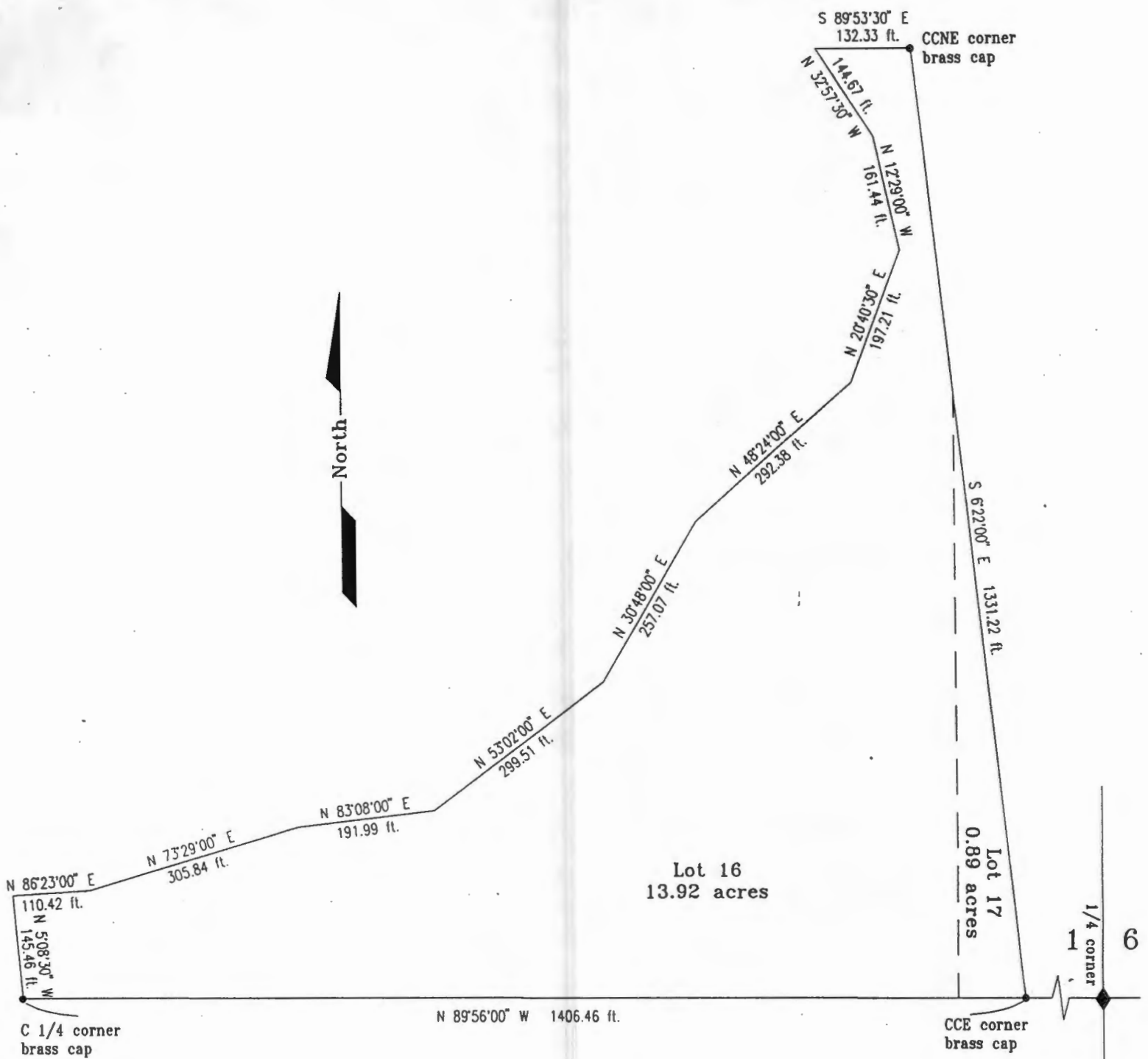
Frank J. Bastasch  
Frank J. Bastasch

By: Donald Daly  
Clackamas Area Manager

Joyce D. Bastasch  
Joyce D. Bastasch

Date: March 15, 1991

Date: March 9, 1991



**EXHIBIT A**  
**Development Lease**  
**OR 44939**  
 Section 1, T. 3 S., R. 3 E., Will. Mer.  
 Clackamas County, Oregon



RECEIVED Oregon  
MAY 26 1993

WATER RESOURCES DEPT.  
SALEM, OREGON WATER  
RESOURCES  
DEPARTMENT

April 28, 1993

FRANK J. AND JOYCE D. BASTASCH  
2725 VIA OLEADAS  
PALOS VERDES ESTATES, CA 90274

REFERENCE FILE: G-12589

We have received a map from David J. Newton Associates (Tory Walker, P.E.).

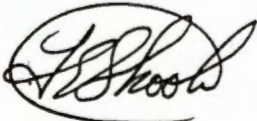
Your technical review is being prepared for the use of 2.93 cubic feet per second (CFS) for irrigation of 234 acres, 0.01 CFS for maintaining the ponds, and 0.01 CFS for the pro-shop. There is more information needed before we can mail it, however.

You will have to provide us with copies of your written authorization or easement allowing access to lands not owned by you but crossed with your water systems. We also need a copy of the deed for the northern part of the project.

A land use statement must accompany your request. The enclosed form is to be completed and signed by a Clackamas County planner. **ENCLOSED**

Further action will be withheld on your file for a reasonable length of time pending your reply.

Sincerely,



Thomas E. Shook  
Water Right Specialist

cc: David J. Newton Associates

PLEASE

NOTE: THIS INFORMATION WAS MAILED MAY 19, 1993

Frank Bastasch



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130



# DAVID J. NEWTON ASSOCIATES

INCORPORATED

Civil and Geological Engineering Services

RECEIVED

APR - 7 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

April 6, 1993

Mr. Thomas E. Shook  
OREGON WATER RESOURCES DEPARTMENT  
3850 Portland Rd. N.E.  
Salem, Oregon 97310

SUBJECT: Groundwater Application for Permit No. G-12589

Dear Mr. Shook,

In accordance with our telephone conversation of March 25, 1993, we have made corrections to the map supporting the application for Permit No. G-12589. If you need anything else, or if you have any questions, please contact either John Bastasch at 1403 S.E. Stark, Portland, OR 97214 or myself at 228-7718.

Sincerely,  
DAVID J. NEWTON ASSOCIATES, INC.

*Tory R. Walker*

Tory R. Walker, P.E.  
Project Engineer

cc: Edward Crane



# DAVID J. NEWTON ASSOCIATES

INCORPORATED

Civil and Geological Engineering Services

**RECEIVED**

FEB 17 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

February 15, 1993

Mr. Thomas E. Shook  
OREGON WATER RESOURCES DEPARTMENT  
3850 Portland Rd. N.E.  
Salem, Oregon 97310

SUBJECT: Groundwater Application for Permit No. G-12589

Dear Mr. Shook,

In accordance with your letter, dated August 26, 1992 (enclosed), we have updated the map supporting the application for Permit No. G-12589. At this time, the owner anticipates pumping from the wells into the two existing ponds (shown on the map), via the existing watercourses. Irrigation would then be from the ponds. For this reason, pipelines are not identified. If you have any questions, please contact either John Bastasch at 1403 S.E. Stark, Portland, OR 97214 or myself at 228-7718.

Sincerely,  
DAVID J. NEWTON ASSOCIATES, INC.

*Tory R. Walker*

Tory R. Walker, P.E.  
Project Engineer

cc: John Bastasch  
Edward Crane

Supp ir to  
primary requested

Aug 14, 1992

meter & reports

#3 - new irr system

no monthly data

only ir / 4 Acres + 234  
uses surface water too.



August 14, 1992

Mr. Steve Brown  
OREGON WATER RESOURCES DEPARTMENT  
3850 Portland Road, N.E.  
Salem, Oregon 97310

RECEIVED  
AUG 14 1992  
WATER RESOURCES  
DEPARTMENT

Reference: Files G-12589 and S-71714

Dear Mr. Brown:

Thank you for your call to my brother, John Bastasch, regarding our applications.

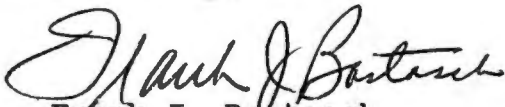
With consideration for the fish and other problems, we hereby withdraw our application Ref. #71714, for surface water and ask that our fee be refunded.

Secondly, we request that our ground water application #G12589, be ammended to indicate that ground water will be the primary source of irrigation water.

As per your request, please find a copy of the land lease we have with the Bureau Land Management.

Please contact us if we can do anything else to help.

Sincerely,

  
Frank J. Bastasch

  
Joyce D. Bastasch

Enclosure

FJB:glw

2725 VIA OLEADAS  
PALOS VERDES EST., CA 90274

August 30, 1991

Dear Applicant or Interested Party:

On May 31, 1991, the Water Resources Commission decided to allow the processing of water use permit applications submitted after April 18, 1991 if an applicant voluntarily agrees to the Department's use of both the current and proposed basin rules in evaluating the application.

The Commission encourages applicants to wait until the new rules are adopted to have their applications processed. However, if an application is processed, and found to be inconsistent with the proposed rules, the Department will hold the application until rule adoption. No application will be rejected only on the basis of inconsistency with the proposed rules.

The Commission's purpose in delaying the processing of applications is to prevent additional water supply and water quality problems in the basin. However, it became apparent that holding all applications until the new basin rules are adopted could be too strict. Of particular concern are several of wetland restoration and enhancement projects which could lose public funding if made to wait until rule adoption. There are also a number of agricultural and municipal applicants that would benefit from this more flexible approach.

If you have any questions, please contact the Application/Permit Section at 378-3739.

0818



---

3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130



3. **INTENDED USE(s) OF WATER:** Pro-shop and restaurant, golf course  
irrigation, recreational pond maintenance, alfalfa and row crop irrigation.

*If for more than one use, give the quantity of water from each source for each use;* Pro-shop well #1=  
0.02CFS; Golf Course irrigation well #1 & #2=1.0CFS; alfalfa & row crops  
well #2 & #3=0.75CFS ea

*If for DOMESTIC use, state the number of households to be supplied;* NA

*If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served,  
and an estimate of the future requirements; (List population projections, water needs, anticipated areas  
to be provided water.)*

NA

*If for MINING use, state the nature (gold, silver, etc.) of the mines to be served;* NA

*If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed  
under each use;*

*Irrigation* Golf Course=151 acres + 9 ac driving range,  
*Other (describe)* recreational pond maintenance=  
2 acres, see Remark section  
alfalfa/crop irrigation=120 acres (1.50 CFS)

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** *Include dimensions and type of  
construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of  
pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip,  
other).*

Well #2 & #3 can directly irrigate but will be connected to the  
"wetland pond" with a 6" pvc pipeline of 900' & 1400' respectively.  
Golf course irrigation will be by 2", 2½", 3" & 4" pvc underground  
piping with 3/8" pop-up irrigation heads. Alfalfa/crop irrigation  
will be by portable aluminum pipelines. Water stored in the "wetland  
pond" will be pumped into the same irrigation system by a vertical  
turbine pump.

5. **PROJECT SCHEDULE:** *(List month and year)*

*Proposed date construction work will begin* September 30, 1990

*Proposed date construction work will be completed* 18 holes Phase 1 - Sept. 1991

*Proposed date water use will be completed* 27 holes (total) Phase 2 - Sept. 1995

**NOTE:** *A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal descrip-  
tion of the subject property are required under ORS 537.140 and OAR 690 as a part of your  
application. The legal description may be copied from your deed, title insurance policy, or land sales  
contract.*

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

       Applicant        X   CWRE             Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

       Applicant        X   CWRE             Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?   NO  . If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: Public Land - Lots 11 & 14, Sec. 1, TBS, R3E.W.M Oregon,  
will be leased from the US Dept. of Interior, Bureau of Land Management,  
Salem District Office, 1717 Fabry Road SE, Salem, OR 97306,  
Mr. Richard A. Whitley, Clackamas Area Manager.

Surface water ( by other permit application) will be used in the spring  
and early summer in order to minimize ground water depletion effects.  
Well water will be stored in the wetlands pond which will be deepened  
and widened. The pond level will have to be maintained during the dry  
summer months due to evaporation, exfiltration & irrigation uses.  
There will be 151 acres irrigated fairways and greens, 9 acres driving  
range, & 120 acres of alfalfa/crop irrigation.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

*Dan J Bastasch*  
Signature of Applicant

June 20, 1991  
Date

*Joyce D Bastasch*  
Signature of Co-Applicant, if any

6/20/91  
Date

-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

-----  
-----  
In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 24th day of June, 1991, at 8 o'clock, a M.

APPLICATION NO: 6-12589

**Application No. G-12589** Policy No. 401 0727  
**Permit No.**

EXHIBIT A

RECEIVED

JUN 2 1968

WATER RESOURCES  
SALEM, ORE

The land referred to in this Policy is described as follows:

PARCEL I

Part of the Joseph Young D.L.C., Township 3 South, Range 3 East, and in Township 3 South, Range 4 East of the Willamette Meridian, in the County of Clackamas, State of Oregon, more particularly described as follows, to wit:

That portion of the following described tract lying Easterly of the J.W. Dowty County Road No. 492:

OK  
Beginning at a stone at the Northeast corner of said Joseph Young D.L.C. from which an oak tree 18 inches in diameter bears South 45 degrees 24' West (Var. 21 degrees 30' East) 77.75 feet; thence running South 70 degrees 30' 25" West, tracing the North boundary line of said Young D.L.C., 4204.85 feet to a stone at the Southwest corner of said George W. Weston D.L.C.; running thence South 68 degrees 59' 24" West along the North boundary of said Young Claim, 446.96 feet in a stone at the Northwest corner of said Young D.L.C.. from which a maple tree 5 inches in diameter bears North 61 degrees 08' East 33.7 feet and a cedar tree 30 inches in diameter bears South 70 degrees 20' East 33.6 feet; thence running South 5 degrees 28' 47" East tracing the West boundary of said claim, 1415.8 feet to the most Westerly corner of the Grover C. Heiple tract described in Book 116, Page 9, Deed Records; thence North 70 degrees 06' 30" East along the Northwesterly boundary of said Grover C. Heiple tract, 5004.0 feet to a stone in the East boundary of said claim from which an ash tree 14 inches in diameter bears North 13 degrees 11' East 88.6 feet and an ash tree 2 inches in diameter bears South 78 degrees 04' West 20.85 feet (var. 21 degrees 30' East); thence running North 19 degrees 30' West, 1350.70 feet to the point of beginning.

PARCEL II

Part of the George W. Weston D.L.C. in Sections 1 and 6, Township 3 South, Range 3 and 4 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows, to wit:

OK  
That portion of the following described tract lying Easterly and Southerly of the J.W. Dowty County Road No. 492:

Beginning at a stone in the West boundary line of said Weston claim at a point 3135 feet South of the Northwest corner of said claim when measured along the West line thereof, said point marks the Southwest corner of a tract conveyed to Geo. Githins by deed recorded in Book C, Page 118, Deed Records; from said beginning point a fir tree 20 inches in diameter bears South 46 degrees 01' East 42.57 feet and a fir tree 30 inches in diameter bears North 68 degrees 31' East 46.98 feet; running thence North 87

(LEGAL DESCRIPTION CONTINUED)

LEGAL DESCRIPTION CONTINUED:

degrees 52' East along the South line of said Githins tract 1426.25 feet to a stone at the Southeast corner of said Githins tract; thence North 89 degrees 37' East along the South line of the Geo. Githins tract described in Book E, Page 191, Deed Records, to an intersection with the Northwesterly boundary of the Joseph Young Claim; thence South 70 degrees 30' 25" West tracing the Northwesterly boundary of said Young Claim 3045.47 feet, more or less, to the Southwest corner of the George W. Weston Claim; thence North 6 degrees 29' West tracing the Westerly line of said Weston Claim, 948.78 feet to the place of beginning.





# Fidelity National Title Company of Oregon

Page No. 2  
Order No. 300469

401 S.W. Fourth Avenue, Portland, Oregon 97204  
(503)223-8338

## DESCRIPTION:

### PARCEL I

A parcel of land in George W. Weston D.L.C., more particularly described as follows, to wit:

Being in Sections 1 and 6, in Township 3 South, Range 3 and 4 East, Willamette Meridian, in the County of Clackamas and State of Oregon, being described as follows, to wit:

Beginning at a stone in the West boundary line of said Weston D.L.C. 3135.0 feet from the Northwest corner of said claim from which a fir tree 20 inches in diameter bears South 46 degrees 01' East 42.57 feet and fir tree 30 inches in diameter bears North 68 degrees 31' East 46.98 feet; running thence North 87 degrees 52' East 1426.25 feet to a stone which is South 7 degrees 00' East 3088.8 feet from the North boundary of said Weston claim and North 89 degrees 37' East 1402.5 feet from the Northwest corner of said Weston claim; running thence North 89 degrees 37' East parallel to the North boundary of said Weston Claim, 1550.85 feet to an intersection with the South boundary of said claim 1159.38 feet from the Northeast corner of the Joseph Young D.L.C.; running thence Southwesterly tracing the South line of said Weston Claim to the Southwest corner thereof, a distance of 3045.47 feet, more or less, and running thence North 6 degrees 29' West tracing said West boundary of said claim 948.78 feet to the point of beginning.

### PARCEL II

A part of the D.L.C. of Joseph Young and George W. Weston in Sections 6 and 7, Township 3 South, Range 4 East and Sections 1 and 12, in Township 3 South, Range 3 East, Willamette Meridian, Tract #1, in the County of Clackamas and State of Oregon, being a part of said Young D.L.C. and more particularly described as follows:

Beginning at a stone at the Northeast corner of said Joseph Young D.L.C. from which an oak tree 18 inches in diameter bears South 45 degrees 24' West (Var. 21 degrees 30' East) 77.75 feet; running thence South 70 degrees 30' 25" West tracing the North boundary line of said Young D.L.C., 4204.85 feet to a stone at the Southwest corner of said George W. Weston's D.L.C.; running thence South 68 degrees 59' 24" West along the North boundary of said Young Claim, 446.96 feet to a stone at the Northwest corner of said Young D.L.C. from which a maple tree 5 inches in diameter bears North 61 degrees 08' East 33.7 feet and a cedar tree 30 inches in diameter bears South 70 degrees 20' East 33.6 feet; thence running South 5 degrees 28' 47" East tracing the West boundary of said claim 1415.8 feet; thence North 70 degrees 06' 30" East 5004.0 feet to a stone in the East boundary of said claim from which an ash tree 14 inches in diameter bears North 13 degrees 11' East 88.6 feet and an ash tree 2 inches in diameter bears South 78 degrees 04' West 20.85 feet (Var. 21 degrees 30' East); thence running North 19 degrees 30' West 1350.74 feet to the point of beginning.

EXCEPT part of the Joseph Young D.L.C. No. 40 in Sections 1 and 12, Township 3

2



# Fidelity National Title Company of Oregon

Page No. 3  
Order No. 300469

401 S.W. Fourth Avenue, Portland, Oregon 97204  
(503) 223-8338

South, Range 4 East, of the Willamette Meridian in Clackamas County, State of Oregon, being more particularly described as follows:

Beginning at a stone at the Northeast corner of said Joseph Young D.L.C., from which an oak tree 18 inches in diameter bears South 45 degrees 24' West (Var. 21 degrees 30' East) 77.75 feet; running thence South 70 degrees 30' 25" West, tracing the North boundary line of said Young D.L.C. 4204.85 feet to a stone at the Southwest corner of said George W. Weston's D.L.C.; running thence South 68 degrees 59' 24" West along the North boundary of said Young Claim 446.96 feet to a stone at the Northwest corner of said Young D.L.C., said corner being the true point of beginning of the herein described tract; thence North 68 degrees 59' 24" East along the North line of the Young D.L.C., a distance of 377.36 feet; thence Southerly and parallel with the West line of said Young D.L.C. to its intersection with the center line of County Road No. 1428 1/2; thence following the center of said road to a point on the Northwesterly line of that tract described in Book 116, page 9 to Grover C. Heiple; thence Southwesterly along said Northwesterly line of the Heiple tract, to its most Westerly corner; thence Northerly along the West line of the Young D.L.C. to its Northwest corner and the place of beginning.

EXCEPT THEREFROM that portion lying within County Road No. 1428 1/2.

AND ALSO EXCEPT part of the Joseph Young D.L.C., Township 3 South, Range 3 East and in Township 3 South, Range 4 East of the Willamette Meridian, Clackamas County, Oregon, more particularly described as follows, to wit:

That portion of the following described tract lying Easterly of the J.W. Dowty County Road No. 492:

Beginning at a stone at the Northeast corner of said Joseph Young D.L.C. from which an oak tree 18 inches in diameter bears South 45 degrees 24' West (Var. 21 degrees 30' East) 77.75 feet; thence running South 70 degrees 30' 25" West, tracing the North boundary line of said Young D.L.C., 4204.85 feet to a stone at the Southwest corner of said George W. Weston D.L.C.; running thence South 68 degrees 59' 24" West along the North boundary of said Young Claim, 446.96 feet to a stone at the Northwest corner of said Young D.L.C., from which a maple tree 5 inches in diameter bears North 61 degrees 08' East 33.7 feet and a cedar tree 30 inches in diameter bears South 70 degrees 20' East 33.6 feet; thence running South 5 degrees 28' 47" East tracing the West boundary of said claim, 1415.8 feet to the most Westerly corner of the Grover C. Heiple tract described in Book 116, Page 9, Deed Records; thence North 70 degrees 06' 30" East along the Northwesterly boundary of said Grover C. Heiple tract, 5004.0 feet to a stone in the East boundary of said claim from which an ash tree 14 inches in diameter bears North 13 degrees 11' East 88.6 feet and an ash tree 2 inches in diameter bears South 78 degrees 04' West 20.85 feet (Var. 21 degrees 30' East); thence running North 19 degrees 30' West, 1350.70 feet to the point of beginning.

AND ALSO EXCEPT part of the George W. Weston D.L.C. in Sections 1 and 6, Township 3 South, Range 3 and 4 East of the Willamette Meridian in Clackamas County, State of Oregon, more particularly described as follows, to wit:

That portion of the following described tract lying Easterly and Southerly of the J.W. Dowty County Road No. 492:

3



# Fidelity National Title Company of Oregon

Page No. 4  
Order No. 300469

401 S.W. Fourth Avenue, Portland, Oregon 97204  
(503) 223-8338

Beginning at a stone in the West boundary line of said Weston claim at a point 3135 feet South of the Northwest corner of said claim when measured along the West line thereof, said point marks the Southwest corner of a tract conveyed to Geo. Githins by deed recorded in Book C, Page 118, Deed Records; from said beginning point a fir tree 20 inches in diameter bears South 46 degrees 01' East 42.57 feet and a fir tree 30 inches in diameter bears North 68 degrees 31' East 46.98 feet; running thence North 87 degrees 52' East along the South line of said Githins tract 1426.25 feet to a stone at the Southeast corner of said Githins tract; thence North 89 degrees 37' East along the South line of the Geo. Githins tract described in Book E, Page 191, Deed Records, to an intersection with the Northwesterly boundary of the Joseph Young Claim; thence South 70 degrees 30' 25" West tracing the Northwesterly boundary of said Young Claim 3045.47 feet, more or less, to the Southwest corner of the George W. Weston Claim; thence North 6 degrees 29' West tracing the Westerly line of said Weston Claim, 948.78 feet to the place of beginning.

STATE OF OREGON )  
County of Clackamas ) ss  
I, John F. Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

1989 MAY 1 PII 2: 46



Witness my hand and seal affixed  
*John F. Kauffman*  
JOHN F. KAUFFMAN  
County Clerk

Recording Certificate  
CCP-R4 (rev 12 86)

89 18372

4

EXHIBIT "A"

DESCRIPTION

Part of the Egbert Olcott D.L.C. No. 42 and part of Lot 4 in Section 1, in Township 3 South, Range 3 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

BEGINNING at an iron pipe marking the Northwest corner of the G.W. Weston D.L.C., in Section 1, Township 3 South, Range 3 East of the Willamette Meridian, running thence South 5° 57' East along the West boundary line of said G.W. Weston D.L.C. 554.2 feet to its intersection with the South boundary line of Lot 4 in Section 1, Township 3 South, Range 3 East of the Willamette Meridian; thence South 89° 54' West along said South boundary line of Lot 4, 142.00 feet, more or less, to the top of the Clackamas bluff; thence along the top of said Clackamas bluff by the following courses and distances: North 13° 25' West 103.4 feet; North 8° 41' East 99.67 feet; North 17° 46' West 128.6 feet; North 4° 30' West 115.35 feet; North 6° 53' West 80 feet; North 13° 50' East 80 feet; North 25° West 45 feet; North 9° 00' West 165.56 feet; thence leaving the bluff, East parallel to the North line of said G.W. Weston D.L.C. 1016.26 feet to an intersection with the center line of the county road; thence South 46° 25' East along said center line of the county road 523.4 feet to an intersection with the North line of said G.W. Weston D.L.C.; thence West along said North line of said G.W. Weston D.L.C. 1170.67 feet to the point of beginning.

ALSO part of the D.L.C. of James Waldrip and wife in Section 1, Township 3 South, Range 3 East of the Willamette Meridian, in Clackamas County, Oregon, bounded and described as follows:

BEGINNING at a basalt stone set at the Southwest corner of the G.W. Weston D.L.C. No. 41, in Section 1, Township 3 South, Range 3 East of the Willamette Meridian; thence North 7° West tracing the West boundary of said D.L.C. 2205.2 feet to an iron pipe driven at the point of intersection of the West boundary of the G.W. Weston D.L.C. with the one-quarter section line running Easterly and Westerly through Section 1 of said Township and Range and which point is South 89° 26' West 1217.8 feet from a stone set at the one-quarter section corner on the East boundary of said Section 1; thence South 89° 26' West tracing the one-quarter section line aforesaid 1415.1 feet to an iron pipe driven at the top of the bluff; thence South 22° 49' East 119.45 feet to a peg; thence South 31° 09' East 146.0 feet to a peg; thence South 57° 59' East 213.5 feet to a peg; thence South 29° 09' East 148.45 feet to a peg; thence South 59° 59' East 292.0 feet to a peg; thence South 23° 09' East 168.65 feet to a peg; thence South 54° 39' East 299.45 feet to a peg; thence South 32° 49' East 234.7 feet to a peg; thence South 44° 49" East 184.25 feet to a peg; thence South 22° 59' East 338.10 feet to a peg; thence South 43° 19' East 280.6 feet to a peg; thence South 15° 49' East 213.7 feet to a peg; thence South 8° 49' East 141.45 feet to a peg; thence South 13° 29' East 60.90 feet to a peg on the North boundary of the Joseph Young D.L.C. No. 40; thence tracing the North boundary of said Young D.L.C. North 68° 35' East 69.6 feet to the place of beginning.

Handwritten initials or mark.

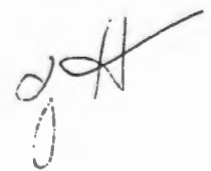
ALSO part of the George W. Weston D.L.C. No. 41, in Township 3 South, Range 3 East of the Willamette Meridian, in Clackamas County, Oregon, and No. 45 in Township 3 South, Range 4 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

BEGINNING at the Northwest corner of Claim No. 41 in Township 3 South, Range 3 East of the Willamette Meridian, running thence South 7° East 47.50 chains; thence North 88° 15' East 21.25 chains; thence North 7° West 46.80 chains; thence West 21.25 chains to the place of beginning.

EXCEPTING a tract of approximately 1.50 acres, more or less, lying Northeasterly of the county road No. 492, commonly known as the Doty Road, which was deeded to Walter McFeron and Elizabeth McFeron on June 2, 1942, in Book 295, Page 278, Clackamas County Deed Records.

(MAP AND TAX LOT NO.'S: 33E01 00300, 00400, 00500 AND 00700)

3





# DAVID J. NEWTON ASSOCIATES

INCORPORATED

Civil and Geological Engineering Services

**Application No.**  
**Permit No.**

6-12589

RECEIVED

JUN 24 1991

WATER RESOURCES DEPT.  
SALEM, OREGON

August 28, 1990

Mr. Steve Applegate, Manager  
Application & Permit Section  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

SUBJECT: Eagle Creek Golf Course (Estacada)  
Surface & Ground Water Permit Applications  
Project Number 323 WE 11 EC

Dear Mr. Applegate:

Enclosed are the Applications for a Permit to Appropriate both Ground Water and Surface Water, by Frank and Joyce Bastasch, owners of the Eagle Creek Golf Course that will be constructed approximately four miles northwest of the City of Estacada.

The Golf Course would like to use surface water from the surface swale that drains into the existing "wetland pond" as well as Eagle Creek water and discharge both surface water sources into a wetland/recreational pond. They will withdraw this water with an irrigation pump installed in this pond in order to provide irrigation water for the golf course, alfalfa/crop field and for other similar uses such as for landscaping and lawn watering purposes, etc. The drainage swale dries up in June, and Eagle Creek appears not to have enough water throughout the summer in even normal years. Therefore, the wells are needed for the driest summer months for irrigation and the other above purposes.

Well #1 is an existing well that will be used for providing water for the care taker's cabin, the pro-shop, and the club house that will have a restaurant and other facilities for the golfers.

A water meter will be provided at each well for measuring the discharge either into the pond or directly into the irrigation system. It is requested that 5.6 gallons per minute (gpm) per acre be allowed for irrigation and recreational pond maintenance during the normal irrigation season and a separate allocation be made for recreational pond water maintenance throughout the rest of the year. It is expected that during the wet winter months that rainfall runoff in the drainage swale will sufficiently maintain the pond in a full condition and that make-up water will be mainly needed in the fall after the normal irrigation season ends.

Enclosed is a check for \$1,040 for the Ground Water Permit Application from the owners of the golf course which includes the \$200 non-refundable Application Fee, \$640 for the irrigation Recording Fee (\$100 for 10 acres and \$2 for each additional acre for the other 270 acres), \$100 for Well #1 use for the Pro-shop and Club House with Restaurant and \$100 for 1 cfs or less for Recreational Pond Maintenance Water.

Also enclosed is another check for \$940 for the Surface Water Permit Application which includes the \$200 non-refundable Application Fee, \$640 for the irrigation Recording Fee (\$100 for 10 acres and \$2 for each additional acre for the other 270 acres) and \$100 for 1 cfs or less for Recreational Pond Maintenance Water.

Please feel free to contact me if you have any questions or need any further information about the proposed facilities or the intended use of the groundwater and surface water.

Sincerely,  
DAVID J. NEWTON ASSOCIATES, INC.

*Edward A. Crane*  
Edward A. Crane, CWRE  
Project Water Rights Examiner

cc: John Bastasch  
1403 SE Stark Street  
Portland, OR 97214

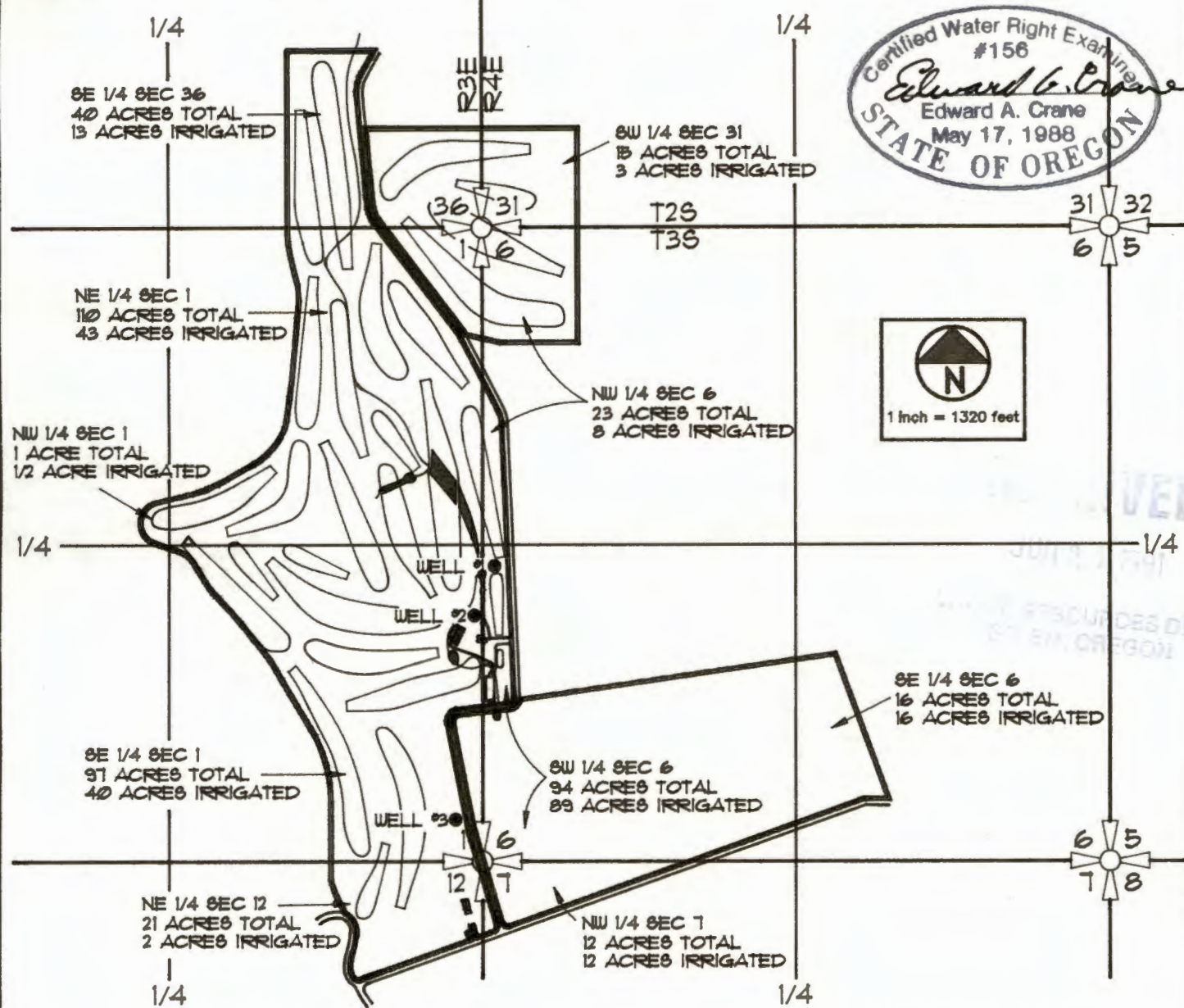
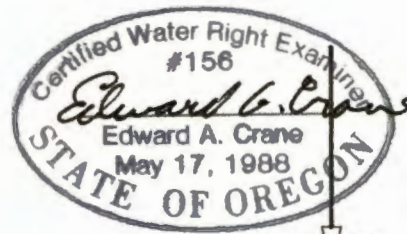
*8/10/92  
Mr. Crane, CWRE,  
no longer involved,  
please correspond with  
John Bastasch, POX  
#*






SECTION 36 T2S R3W W.M.  
SECTIONS 1 & 12 T3S R3W W.M.  
CLACKAMAS COUNTY, OREGON

SECTION 31 T2S R4W W.M.  
SECTIONS 6 & 7 T3S R4W W.M.  
CLACKAMAS COUNTY, OREGON



- WELL #1 - LOCATED 2400 FEET NORTH AND 100 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 6 T3S, R4E, W.E., CLACKAMAS COUNTY OREGON.
- WELL #2 - LOCATED 2000 FEET NORTH AND 50 FEET WEST OF THE SOUTHWEST CORNER OF SECTION 1 T3S, R3E, W.E., CLACKAMAS COUNTY OREGON.
- WELL #3 - LOCATED 350 FEET NORTH AND 200 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 6 T3S, R4E, W.E., CLACKAMAS COUNTY OREGON.

PREPARED BY EDWARD A. CRANE, CWRE

DATE <b>AUG 1990</b>	 <b>DAVID J. NEWTON ASSOCIATES</b> INCORPORATED CIVIL & GEOLOGICAL ENGINEERING 1201 S.W. 12TH AVE., SUITE 020 PORTLAND, ORE. 97205 • 228-7718	APPLICATION FOR PERMIT NUMBER _____ to appropriate surface water in the name of:	FIGURE
PROJECT NO.		<b>FRANK J. &amp; JOYCE D. BASTASCH, OWNERS OF EAGLE CREEK GOLF COURSE</b>	

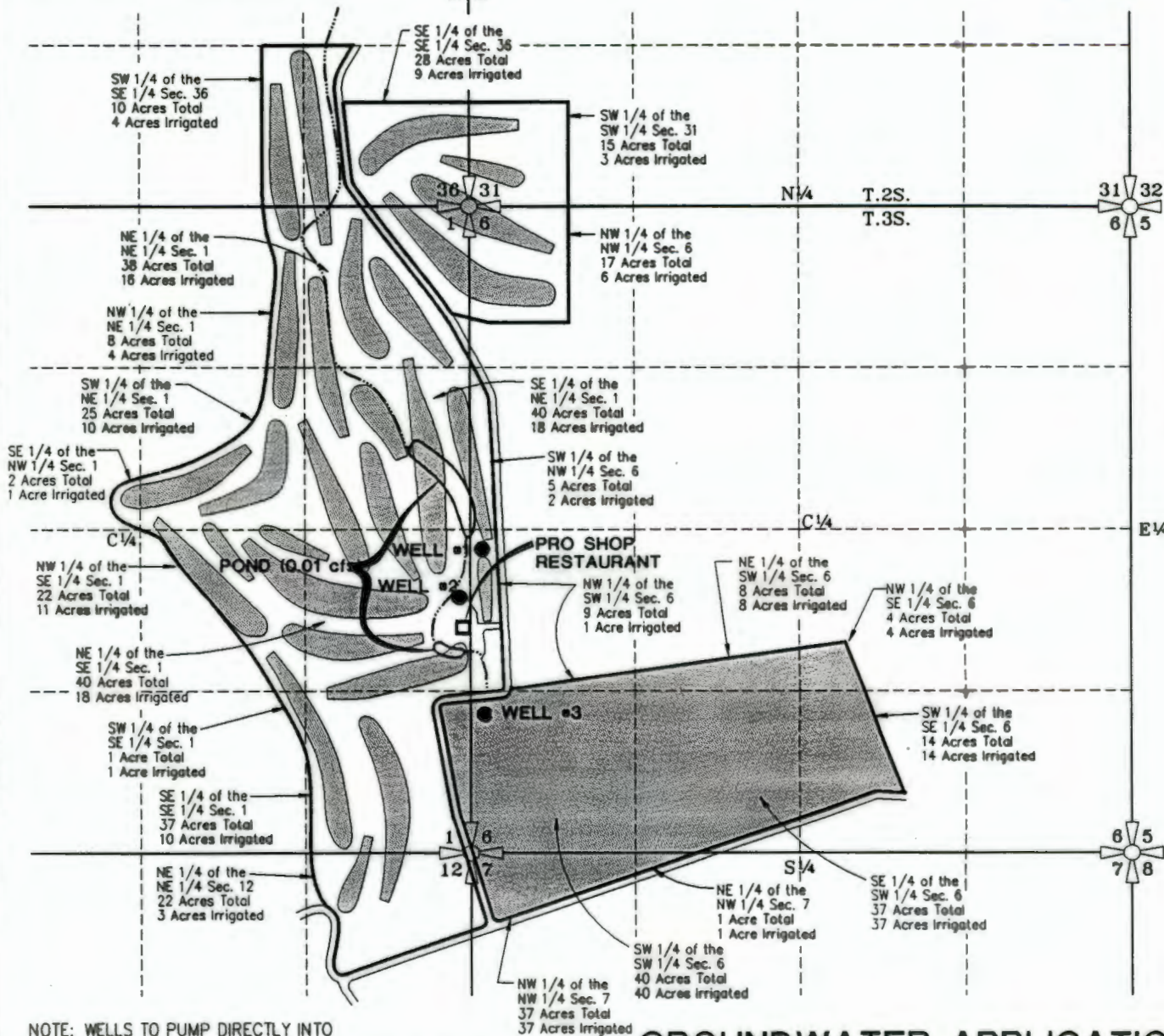
RECEIVED

FEB 17 1993

SECTION 36, T.2S., R.3E. W.M.  
SECTIONS 1 & 12, T.3S., R.3E. W.M.  
CLACKAMAS COUNTY, OREGON

SECTION 31, T.2S., R.4E. W.M.  
SECTIONS 6 & 7, T.3S., R.4E. W.M.  
CLACKAMAS COUNTY, OREGON

WATER RESOURCES DEPT  
SALEM, OREGON



SUPPER 56-050 4-7-93

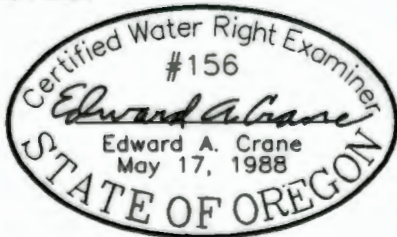
NOTE: WELLS TO PUMP DIRECTLY INTO WATER COURSES LEADING TO PONDS

### GROUNDWATER APPLICATION

PREPARED BY EDWARD A. CRANE, CWRE

- WELL #1 - LOCATED 2400 FEET NORTH AND 100 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.4E., W.M., CLACKAMAS COUNTY, OREGON
- WELL #2 - LOCATED 2000 FEET NORTH AND 50 FEET WEST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.3E., W.M., CLACKAMAS COUNTY, OREGON
- WELL #3 - LOCATED 350 FEET NORTH AND 200 FEET WEST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.4E., W.M., CLACKAMAS COUNTY, OREGON

PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



Application For Permit No. G-12589  
In the name of:

FIGURE

1

EAGLE CREEK GOLF COURSE  
Frank J. & Joyce D. Bastasch, Ownership

DATE  
Rev. Sept., 1990  
Aug., 1990  
Feb., 1993

DAVID J. NEWTON ASSOC.  
INCORPORATED

PROJECT NO.  
323 111



CIVIL & GEOLOGICAL ENGINEERING  
1201 S.W. 12TH AVE., SUITE 400  
PORTLAND, ORE. 97205 • 228-7718

RECEIVED

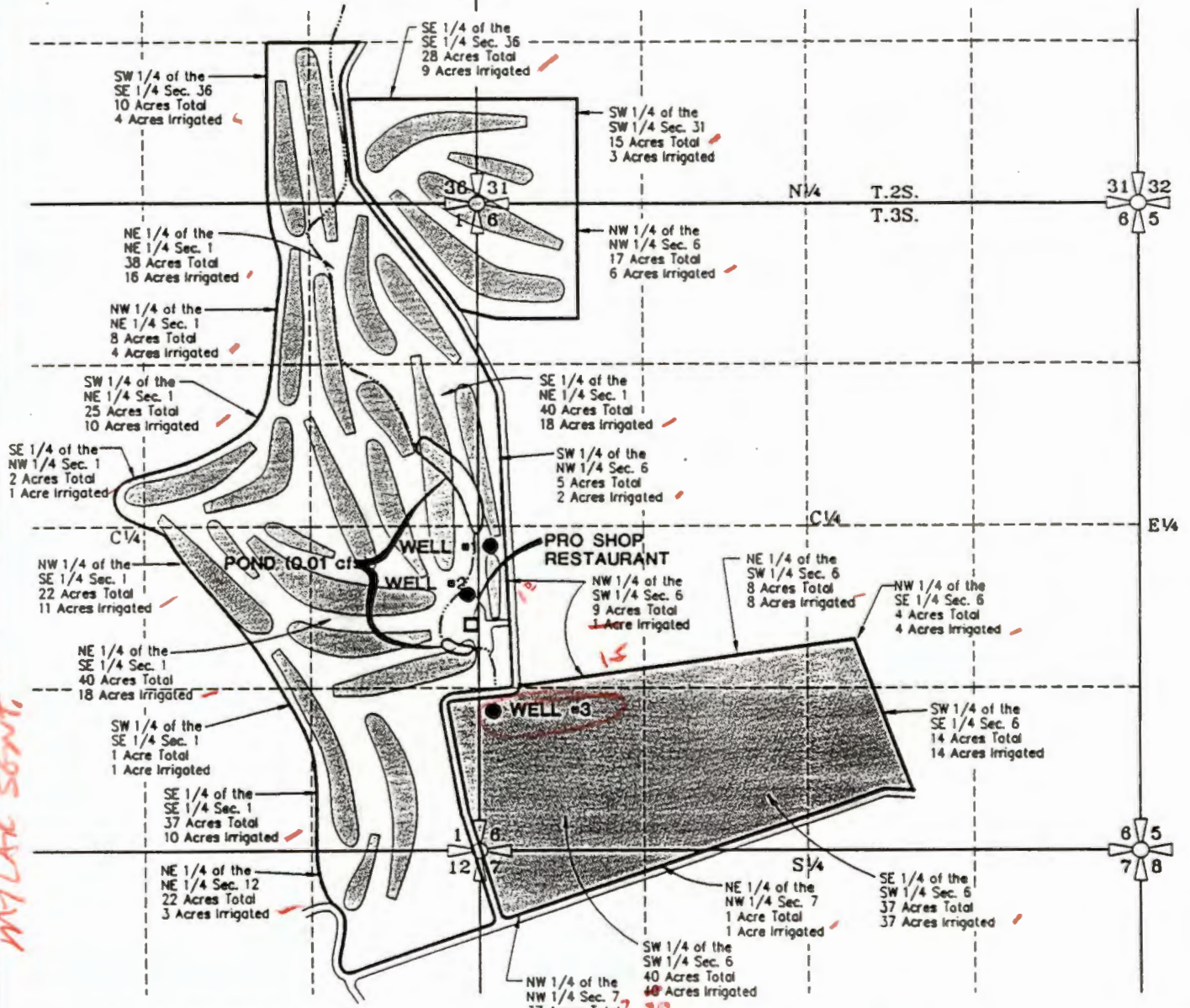
FEB 17 1993

SECTION 36, T.2S., R.3E. W.M.  
SECTIONS 1 & 12, T.3S., R.3E. W.M.  
CLACKAMAS COUNTY, OREGON

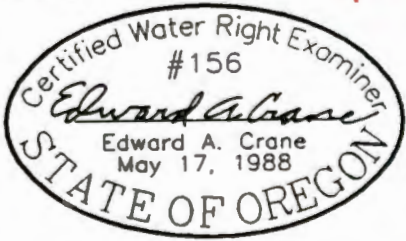
SECTION 31, T.2S., R.4E. W.M.  
SECTIONS 6 & 7, T.3S., R.4E. W.M.  
CLACKAMAS COUNTY, OREGON

WATER RESOURCES DEPT  
SALEM, OREGON

Called TOBY WALKER 3-25-93, HE WILL HAVE A NEW  
MILK SONT.



NOTE: WELLS TO PUMP DIRECTLY INTO  
WATER COURSES LEADING TO PONDS



### GROUNDWATER APPLICATION

PREPARED BY EDWARD A. CRANE, CWRE

- WELL #1 - LOCATED 2400 FEET NORTH AND 100 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 6 T.3S., R.4E., W.M., CLACKAMAS COUNTY, OREGON
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DATE  
Rev. Sept., 1990  
Aug., 1990  
Feb., 1993

DAVID J. NEWTON ASSOC.  
INCORPORATED

PROJECT NO.  
323 111

CIVIL & GEOLOGICAL ENGINEERING  
1201 S.W. 12TH AVE., SUITE 400  
PORTLAND, ORE. 97205 • 228-7718

Application For Permit No. G-12589  
In the name of:

EAGLE CREEK GOLF COURSE  
Frank J. & Joyce D. Bastasch, Ownership

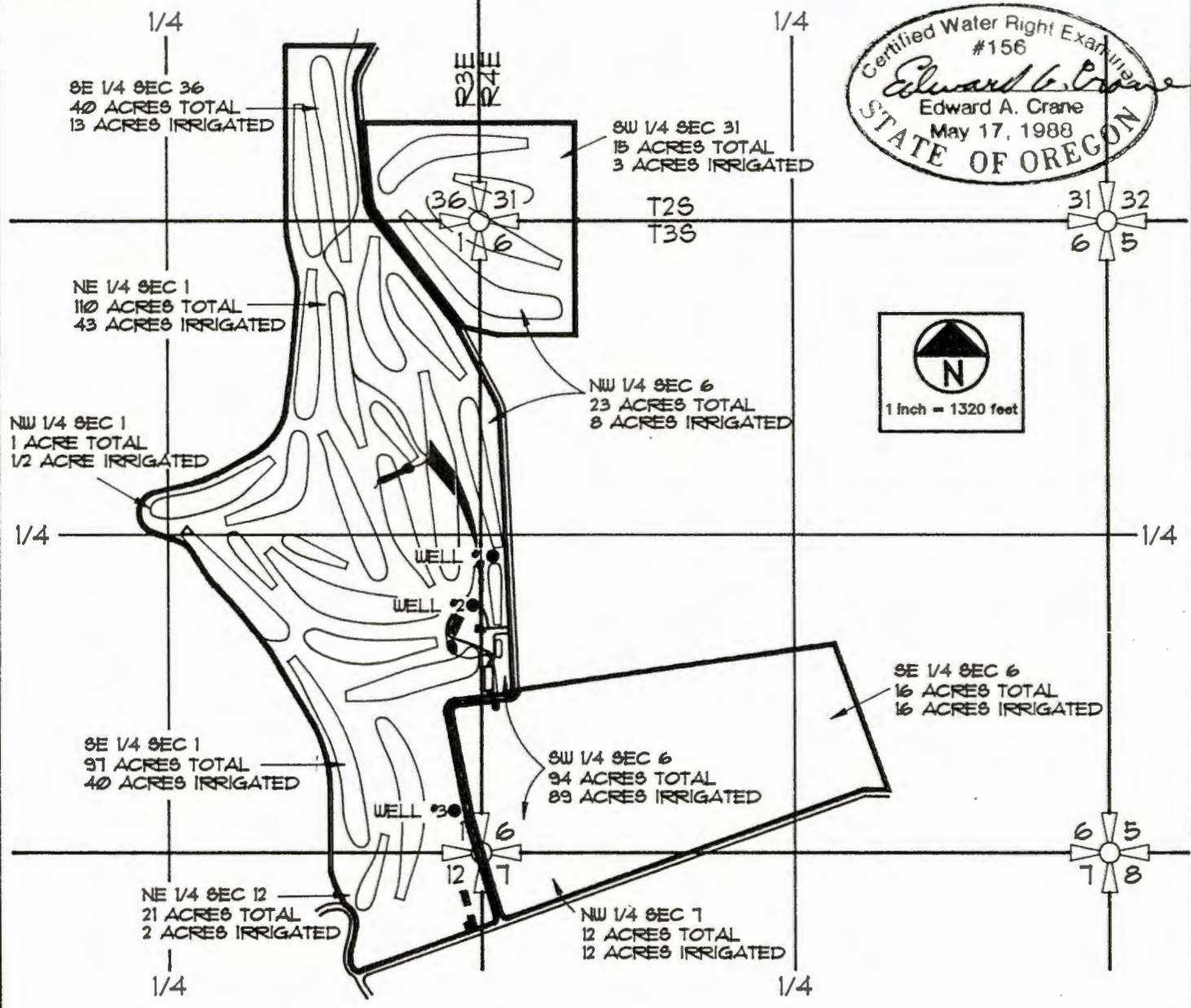
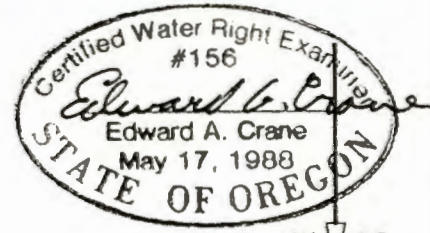
FIGURE  
1

MAY 21 1993

WATER RESOURCES DEPT.  
SALEM, OREGON


SECTION 36 T2S R3W WM.  
SECTIONS 1 & 12 T3S R3W WM.  
CLACKAMAS COUNTY, OREGON

SECTION 31 T2S R4W WM.  
SECTIONS 6 & 7 T3S R4W WM.  
CLACKAMAS COUNTY, OREGON



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PREPARED BY EDWARD A. CRANE, CWRE

<p>DATE <b>AUG 1990</b></p>	<p> <b>DAVID J. NEWTON ASSOCIATES</b> INCORPORATED</p>	<p>APPLICATION FOR PERMIT NUMBER _____ to appropriate surface water in the name of:</p>	<p>FIGURE</p>
<p>PROJECT NO.</p>	<p>CIVIL &amp; GEOLOGICAL ENGINEERING 1201 S.W. 12TH AVE., SUITE 620 PORTLAND, ORE. 97205 • 228-7718</p>	<p><b>FRANK J. &amp; JOYCE D. BASTASCH, OWNERS OF EAGLE CREEK GOLF COURSE</b></p>	

Eagle Creek Golf Course, Inc  
Appl # G-12589 / Permit # G-11627

### Progress Report Review

OK  
a.

The amount of construction completed; - 90% completed constr.  
- irrigated 75 Acres

OK  
b.

The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;

- 12 million gallons on 75.0 ac  
- 10% of total "Q" used - OK ✓

OK  
c.

A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and

see letter received 8-16-99 - meter installed  
- water use reported

OK  
d.

Financial investments made toward developing the beneficial water use.

- invested \$498,000.00

Diligence Shown

Reviewed by: \_\_\_\_\_

[Signature]

Date: \_\_\_\_\_

10-1-03

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: G 12589

PERMIT NO: G 11627

DATE: February 27, 1997

1. Has the applicant requested any previous extensions? How many?  
**YES. This is the SECOND request.**
2. What water right development steps has the permittee completed within the past year? **Installed 3600' 8" irrigation pipe, 1500' 6" pipe, 3000' 2" pipe and 3000' 1" pipe @ \$ 20,000. Installed sprinklers for 5 golf holes @ \$ 13,000.**
3. What water right development steps has the permittee completed prior to this past year? **In 2 wells, dug 50 % holding ponds and prchased \$ 20,000 pumps, pipe and sprinklers.**
4. Is the permittee currently meeting all conditions of the permit?  
**YES.**
5. What is the current use of water under the permit? **None.**
6. What percent of the total allowable use under the permit does the current use represent?  
**0 %**
7. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit? **YES. Change of ownership due to financial problems, lack of funds and time after funding aquired.**
8. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?  
**NO.**
9. Has there been any change in demand for water or power since the permit was granted?  
**NO.**
10. If the extension request is denied, is the current level of water use under the permit economically feasible?  
**NO.**
11. Is there an alternate source of water available at this time?  
**NO.**
12. Has use of water under the permit caused an adverse impact on the surface/groundwater resource in the area?  
**NO.**
13. Have there been claims of injury to other water right holders or water users in the area?  
**NO.**
14. Any conditions on previous orders?  
**NO.**

REMARKS:

**Request extend time limits from 10/1/96 to 10/1/97. Part of water system in, no water used. Diligence and good cause shown. Recommend extend B-C date to 10/1/97.**

INTEROFFICE MEMO

~~PROPERTY OF THE STATE OF TEXAS~~

DATE: 4-23-96

FROM:

Janet Halladay for Dallas Miller  
Authorized Examiner

SUBJECT: Request for transfer of fees or refund check

Please transfer \$ \_\_\_\_\_ Receipt \_\_\_\_\_ from file  
\_\_\_\_\_ to file \_\_\_\_\_ for:  
\_\_\_\_\_ Examination fee  
\_\_\_\_\_ Permit Recording Fee

Please refund \$ 100<sup>00</sup> to Eagle Creek Golf Course, Inc  
file 6-12589, receipt 001472. These funds are  
refunded due to:

- \_\_\_\_\_ Application rejected
- \_\_\_\_\_ Application withdrawn
- \_\_\_\_\_ Excess fees collected for application/PON
- \_\_\_\_\_ Payment of PON
- \_\_\_\_\_ Protest Filing Fees
- Other: Extension not needed

Eagle Creek Golf Course, Inc  
 1403 SE Stark St.  
 Portland, OR 97214

0408

please return  
to Janet H.  
Thank you

APR 25 1996

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: G-12589 PERMIT NO: G-11627

DATE: 2 20 1996

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. *CR*  
Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

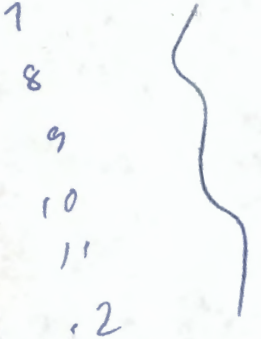
REMARKS:

*13. ANY CONDITIONS PREVIOUS ORDERS?*



3 wells irrigation 234A, pond Marut, Commercial 2.95 cfs  
drilled well, purchased sprinkler heads, purchased controllers, main  
line, purchased digging equip. cost \$32,000  
no - water not yet used

- 1 None
- 3 0070
- 4 No in Su



13 No previous ext.

OK B 10-1-96 DSM

## PUBLIC INTEREST REVIEW

The proposed water use described in Application #612589 has been evaluated according to the public interest standards set out in ORS 537.170 and OAR 690-11-195.

The application requests the use of 2.95 CFS from the/a wells tributary to the Eagle Creek Basin for the purpose(s) of IRRIGATION OF 234 ACRES COMMERCIAL USE, AND MAINTENANCE OF Ponds FOR RECREATION PURPOSES.

The proposed use described in Application #612589 is not within a category required to be submitted to the Commission.

The Director of the Water Resources Department has evaluated the application for the proposed water use and made the following public interest determination.

### TECHNICAL REVIEW

If satisfactory-

Water use Application #612589 received a Satisfactory Report of Technical Review.

The technical review revealed that the proposed water use:

- a)-is not prohibited by statute or scenic waterway criteria;
- b)-is a classified use under the applicable basin program or an application for the use has been filed under ORS 536.295 and OAR 690 Division 82;
- c)-is consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d)-will not conflict with (an) existing water right(s);
- e)-is supported by an available source of water.

If unsatisfactory-

Water use Application # \_\_\_\_\_ received an Unsatisfactory Report of Technical Review.

The technical review conducted according to OAR 690-11-160 on the water use application revealed that the proposed water use:

- a) -is prohibited by statute or scenic waterway criteria;
- b) -is not a classified use under the applicable basin program and an application for the use has not been filed under ORS 536.295 and OAR 690, Division 82;
- c) -cannot be modified to be consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d) -would conflict with (an) existing water right(s), or
- e) -water is not available from the source to support the proposed water use.

As the result of the above finding based on the technical review conducted on this water use application, the Director concluded that the proposed water use would impair or be detrimental to the public interest.

*we  
attach*

**PUBLIC INTEREST REVIEW  
CHECKLIST**

The Director of the Water Resources Department has evaluated the proposed water use, as described in Application # G12589, in light of current and planned uses and reasonably anticipated future demands for water from the water source as established in the record.

The evaluation has recognized known beneficial uses of water, including but not limited to the categories described in OAR 690-11-195(3)(a)-(d).

The Director has reviewed the elements of the proposed water use and has based the public interest determination on evidence in the record which included the following:

I. Existing claims to water from the same source.

Ua

There are no conflicts with existing claims to water from the same source as is documented in the Report of Technical Review.

Comment: \_\_\_\_\_  
\_\_\_\_\_

II. Land use matters.

Uc

The local government where the proposed water use is located has acknowledged receipt of the Land Use Information Form and has filed no objections to the proposed appropriation.

Comment: \_\_\_\_\_  
\_\_\_\_\_

uc

Public notice of the proposed water use was sent to all local governments which have requested such notice and none of those local governments have filed objections to the proposed water use.

Comment: \_\_\_\_\_  
\_\_\_\_\_

uc

There is nothing in the record to indicate the proposed water use is incompatible with Statewide Planning Goals or local comprehensive plans.

Comment: \_\_\_\_\_  
\_\_\_\_\_

NA

If local government approval has not been granted, there is nothing in the record to indicate conditions cannot be placed on the proposed water use to require local land use approval prior to initiation of the use.

Comment: \_\_\_\_\_  
\_\_\_\_\_

NA

An applicant for municipal water use has submitted information showing the proposed water use is compatible with comprehensive plan policies concerning urban services, urban growth boundaries, and Public Facilities Plans.

Comment: \_\_\_\_\_  
\_\_\_\_\_

III. Identified environmental concerns.

uc

The proposed water use does not appropriate water from any water body listed to receive Total Maximum Daily Loads and therefore, the water body has not been defined as water quality limited according to Section 303(d)(1) of the Federal Clean Water Act according to the information supplied by the Oregon Department of Environmental Quality.

Comment: \_\_\_\_\_  
\_\_\_\_\_

IV. The character and extent of other natural resources which are present in the water source basin.

nc

Oregon Fish and Wildlife (ODFW) has been notified of the proposed water use and has made no objections regarding fish and other aquatic and wildlife species and populations.

Comment: \_\_\_\_\_  
\_\_\_\_\_

nc

There are no listed threatened or endangered species in the water source according to the information supplied by the Oregon Department of Fish and Wildlife.

Comment: \_\_\_\_\_  
\_\_\_\_\_

V. Riparian characteristics.

nc

There is nothing in the record to indicate the proposed use is likely to be detrimental to the riparian characteristics of the water source. This riparian review is not applicable to groundwater sources.

Comment: \_\_\_\_\_  
\_\_\_\_\_

VI. Recreational use and potential of the water source and its basin area.

nc

There is nothing in the record to indicate a conflict with known or reasonably anticipated recreational use.

Comment: \_\_\_\_\_  
\_\_\_\_\_

VII. Agricultural potential of the area.

nc

There is nothing in the record to indicate the proposed water use will conflict with known or reasonably anticipated agricultural practices.

Comment: \_\_\_\_\_  
\_\_\_\_\_

VIII. Designated historic, cultural, or natural resource protection areas.

MC

There is nothing in the record to indicate any conflict with any known or reasonably anticipated historic, cultural, or natural resource designations.

Comment: \_\_\_\_\_  
\_\_\_\_\_

IX. Identified health or safety requirements.

MC

There nothing in the record to indicate any identified health and safety requirements.

Comment: \_\_\_\_\_  
\_\_\_\_\_

**PUBLIC INTEREST REVIEW  
FINDINGS AND CONCLUSIONS**

This public interest determination has considered the following standards as set out in ORS 537.170(5):

- a) The conservation of the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- b) The maximum economic development of the waters involved.
- c) The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- d) The amount of waters available for appropriation for beneficial use.
- e) The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- f) All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- g) The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.

The Director of the Water Resources Department, pursuant to OAR 690-11-185(4), has considered the facts set forth in the application and its supporting data, the Director's report of technical review and any objections which met the requirements of OAR 690-11-170(1).

The Director of the Water Resources Department has evaluated the proposed water use with respect to all the information in the record of the Department and has made the following public interest determination.



The Director has determined that the proposed water use described in Application # 612589 :

WILL IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director hereby proposes rejection of the application and shall schedule a contested case hearing.

WILL NOT IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director shall issue a water use permit with appropriate conditions.

*C. Reed Marbut*  
A. REED MARBUT

*af/* Martha O. Pagel, Director  
Water Resources Department

Signed this 22 day of November, 1993, in the office of the Director.

FOR S. Brown  
DATE 8-11-92 TIME 9:32  A.M.  P.M.

M John Bastasch

OF \_\_\_\_\_  
PHONE 503-235-4145  
AREA CODE NUMBER EXTENSION

FAX  
 MOBILE \_\_\_\_\_  
AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	<input type="checkbox"/>
RETURNED YOUR CALL	<input checked="" type="checkbox"/>	WILL FAX TO YOU	<input type="checkbox"/>

MESSAGE X called:  
will request withdrawal  
of 71714 guarantee  
of GW to primary  
dep

SIGNED X

TO: Water Rights Section

9/4, 1991

FROM: Groundwater/Hydrology Section Sarah Meyer  
Reviewer's Name

SUBJECT: Application G- 12589

1. PER THE Willamette Basin rules, one or more of the proposed POA's is within \_\_\_\_\_ mile of a surface water source and taps a groundwater source hydraulically connected to the surface water.

N/A

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use  
a. \_\_\_\_\_ will, or } have the potential for substantial interference with the nearest surface water  
b.  will not } source, namely Clackamas River; or  
c. \_\_\_\_\_ will, if properly conditioned, adequately protect the surface water from interference:  
i. \_\_\_\_\_ The permit should contain condition #(s) \_\_\_\_\_;  
ii. \_\_\_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;  
iii. \_\_\_\_\_ The permit should be conditioned as indicated in item 4 below; or  
d. \_\_\_\_\_ will, with well reconstruction, adequately protect the surface water from substantial interference.

3. BASED UPON available data, I have determined that groundwater for the proposed use  
a. \_\_\_\_\_ will, or }  
b. \_\_\_\_\_ will not } likely be available in the amounts requested without injury to prior rights; or  
c.  can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;  
i. \_\_\_\_\_ The permit should contain condition #(s) \_\_\_\_\_;  
ii.  The permit should contain special condition(s) as indicated in "Remarks" below;  
iii. \_\_\_\_\_ The permit should be conditioned as indicated in item 4 below.

4. a. \_\_\_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;  
b. \_\_\_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;  
c. \_\_\_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;  
d. \_\_\_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.  
e. \_\_\_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: WaterWatch has requested that the users  
"measure and report their water use."

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. **THE WELL** which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. \_\_\_ review of the well log;
  - b. \_\_\_ field inspection by \_\_\_\_\_;
  - c. \_\_\_ report of CWRE \_\_\_\_\_;
  - d. \_\_\_ other: (specify) \_\_\_\_\_.
6. **THE WELL** construction deficiency:
- a. \_\_\_ constitutes a health threat under Division 200 rules;
  - b. \_\_\_ commingles water from more than one groundwater reservoir;
  - c. \_\_\_ permits the loss of artesian head;
  - d. \_\_\_ permits the de-watering of one or more groundwater reservoirs;
  - e. \_\_\_ other: (specify) \_\_\_\_\_.
7. **THE WELL** construction deficiency is described as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
8. **THE WELL**
- |  |   |  |
|--|---|--|
| a. ___ was, or   | } | constructed according to the standards in effect at the time of original construction or most recent modification. |
| b. ___ was not   |   |  |
| c. ___ I don't know if it met standards at the time of construction. |   |  |

RECOMMENDATION:

- A. \_\_\_ I recommend including the following condition in the permit:  
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. \_\_\_ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. \_\_\_ REFER this review to Enforcement Section for concurrence.

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

\_\_\_\_\_, 1991.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_, 1991.

(Signature)

(WRFORM8\91)

MEMORANDUM

DATE: 2/4/91

TO: Application/ Permit Section

FROM: Groundwater Section by Sarah Meyer  
(signature)

SUBJECT: Application # G- 12581

The application referenced above and available data has been reviewed under the guidelines of the Director's policy memo of October 19, 1989.

We find that the proposed groundwater use falls within the following category:

       CATEGORY 1A - The proposed well will be located less than 1/4 mile from the nearest stream, and significant surface water interference will exist.

       CATEGORY 1B - The proposed well will be located less than 1/4 mile from the nearest stream, but significant surface water interference will not exist.

X CATEGORY 2A - The proposed well will be located more than 1/4 mile from the nearest stream, and significant surface water interference will not exist.

       CATEGORY 2B - The proposed well will be located more than 1/4 mile from the nearest stream, but significant surface water interference will exist at the nearest point on the stream.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

O: Water Rights Section

9/4, 1991

FROM: Groundwater/Hydrology Section Sarah Meyer  
Reviewer's Name

SUBJECT: Application G- 12589

PER THE Willamette Basin rules, one or more of the proposed POA's is within \_\_\_ mile of a surface water source and taps a groundwater source hydraulically connected to the surface water.

BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use  
a. \_\_\_ will, or } have the potential for substantial interference with the nearest surface water  
b.  will not } source, namely Clackamas River; or  
c. \_\_\_ will, if properly conditioned, adequately protect the surface water from interference:  
i. \_\_\_ The permit should contain condition #(s) \_\_\_\_\_;  
ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;  
iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or  
d. \_\_\_ will, with well reconstruction, adequately protect the surface water from substantial interference.

BASED UPON available data, I have determined that groundwater for the proposed use  
a. \_\_\_ will, or }  
b. \_\_\_ will not } likely be available in the amounts requested without injury to prior rights; or  
c.  can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;  
i.  The permit should contain condition #(s) \_\_\_\_\_;  
ii.  The permit should contain special condition(s) as indicated in "Remarks" below;  
iii. \_\_\_ The permit should be conditioned as indicated in item 4 below.

6-12589  
1. a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_ ft. below land surface;  
b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_ ft. below land surface;  
c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_ ft. and \_\_\_ ft. below land surface;  
d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.  
e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Measure and report their water use (requested by Water Watch) and limit or exclude usage due

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

TO: FILE G-12589

DATE: 9/4 -91

FROM: SARAH C MEYER

SUBJECT: SURFACE/GROUND WATER CONSIDERATIONS

The applicant seeks 3.5 cfs from three wells for supp. irr. of 160 acres and pro shop and restaurant.

Per Division 9

FACTS

T38/R4E Sec 6  
T35/R3E Sec 1

The well locations and aquifer display the following:

See below

1) Well #1 is located <sup>3500'</sup> 2000' from Eagle Creek. Well #2 is located 2550 3600' from ". Well #3 is located 2700 5200' from "

2) Well #1 is 300 ' deep, well #2 is 400 ' deep and well #3 is 400 deep and they all develop water from \_\_\_\_\_ layers. The well log is in the file.

3) The static water level for the well #1 was 200 ' on \_\_\_\_\_, well #2 was 250 ' on \_\_\_\_\_ and well #3 was 250 ' on \_\_\_\_\_.

4) The approximate elevations for wells #1, #2, #3, and the river are 357', 357', 365', and 250' / 220' creek/river. }  $\Delta = 130'$

5) Pump tests on the wells gave \_\_\_\_\_ gpm with \_\_\_\_\_ ' drawdown in \_\_\_\_\_ hours for well #1, \_\_\_\_\_ gpm with \_\_\_\_\_ ' drawdown in \_\_\_\_\_ hours for well #2, and \_\_\_\_\_ gpm with \_\_\_\_\_ ' drawdown in \_\_\_\_\_ hours for well #3.

CONCLUSIONS

1) The head of the wells are 157/107/115' then the head in the stream indicating a lower standing than the stream reach. and river reach.

2) The wells develop water from \_\_\_\_\_

3) Based on requested rate, heads, distances, general geologic environment and logged materials, I conclude that the alluvial aquifer is confined, hydraulically connected to the above mentioned stream and w/out the potential to cause substantial interference.

Eagle Creek (June to Oct) } Water Water  
measure + report their water use

Diack letter

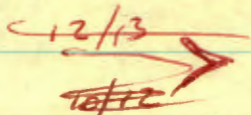
357	357	365
200	250	250
157	107	115
+30	+70	+30
127	177	145

Dist. to Clackamas River

#1	2500'
#2	2700'
#3	2300'

~~\$250 CAP Tot.~~

# VALLEY



MAPS SHOW 40's & ACRES  
 WEL #3 200' W  
 1ST & 2ND LINGS A TO B = 3E/4E

ZAC POND 0.01 CFS FOR MAINTENANCE

FOR RECREATION  
 SEE CLASSIFICATIONS

SHOP & RESTAURANT 0.02 CFS

IRRIGATION 239 AC 2.93 CFS

G.C. 160 AC = 2.00 CFS

CAN BE YEAR AROUND  
 IF REQUIRED

ALFALFA 120 AC 1.50 CFS

\$200 EXAM

100 COMM

100 REC

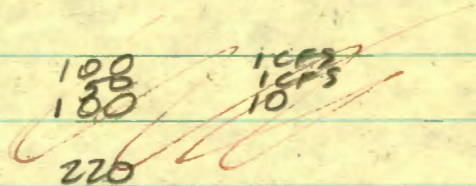
100 IO

448

540

270 224

\$1040 448



TO SUB?



STEVE

3-18-92

A-71714 RECEIVED 6-24-91

WILLAMETTE BASIN RULES

APPLICATIONS FILED AFTER 4-18-91

690-502-140 CLACKAMAS RIVER SUBBASIN

(1)(e) EAGLE CREEK & TRUSS:

NO CLASSIFICATION FOR REQUESTED USES!

PERMIT CANNOT BE ISSUED

G-12589 RECEIVED 6-24-91

NOT HYDRAULICALLY CONNECTED BUT CONDITIONS &

TO USGS & REACT H2O USE - OK FOR IRRIGATION, COMMERCIAL USE & POND

✓  
JEP

Tom

~~1111111~~  
NUMBER \_\_\_\_\_

Check 100<sup>00</sup> Mo \_\_\_\_\_ Cash \_\_\_\_\_

---

\_\_\_ Surface Application

\_\_\_ Reservoir Application

\_\_\_ Ground Water Application

\_\_\_ Transfer Application

\_\_\_ PFO Request

\_\_\_ Research

\_\_\_ Hydroelectric Fees

\_\_\_ Copying

\_\_\_ Assignment

Extension of Time

\_\_\_ Protest

\_\_\_ Other

Dallas  
Return  
12/13/73

Treat as  
over the Counter  
per Anita

John Bastach

Janet

Please acknowledge &  
Refund the \$100 -  
They already paid for  
ext. to 10-1-96.

Dallos

NUMBER 000646

Check 100.<sup>00</sup> Mo \_\_\_\_\_ Cash \_\_\_\_\_

---

- Surface Application
- Reservoir Application
- Ground Water Application
- Transfer Application
- PFO Request
- Research
- Hydroelectric Fees
- Copying
- Assignment
- Extension of Time
- Protest
- Other

*Dallas*

TO: FISCAL SECTION

FROM:

D. Baer  
Authorized Examiner

SUBJECT: Request for transfer of fees or refund check

Please transfer \$ \_\_\_\_\_ Receipt \_\_\_\_\_ from file \_\_\_\_\_ to file \_\_\_\_\_ for:  
\_\_\_\_\_ Examination fee  
\_\_\_\_\_ Permit Recording Fee

Please refund \$ 92<sup>00</sup> to Frank J. Pastasch  
file G12589, receipt 75663. These funds are refunded due to:

- \_\_\_\_\_ Application rejected
- \_\_\_\_\_ Application withdrawn
- Excess fees collected for application/PON
- \_\_\_\_\_ Payment of PON
- \_\_\_\_\_ Protest Filing Fees
- \_\_\_\_\_ Other: \_\_\_\_\_

NOV 2

842004

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-8455/378-8130 (FAX)

RECEIPT # **100737**

RECEIVED FROM: Frank Bushnell  
BY: \_\_\_\_\_

APPLICATION	912589
PERMIT	
TRANSFER	

CASH:  CHECK: #  1666 OTHER: (IDENTIFY)

TOTAL REC'D \$ 10.00

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT. \$

COST CENTER AND OBJECT CLASS

VOUCHER #

**03-00-0 WRD OPERATING ACCT**

**MISCELLANEOUS:**

840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY) <u>assignment</u>	\$10.00
520.000	OTHER (P-6) (IDENTIFY)	\$

**WATER RIGHTS:**

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

**WELL CONSTRUCTION**

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
_____	LANDOWNER'S PERMIT	\$	842.024	\$
_____	OTHER (IDENTIFY)			\$

**06-00-0 WELL CONST START FEE**

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

**07-00-0 HYDRO ACTIVITY**

LIC NUMBER

842.011	POWER LICENSE FEE(FW/WRD)	\$
842.115	HYDRO LICENSE FEE(FW/WRD)	\$

HYDRO APPLICATION \$

RECEIPT # **100737** DATED: 6/7/93 BY: Kwabe one

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **22230**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Frank J. Bastash  
BY: \_\_\_\_\_

APPLICATION	G 12589
PERMIT	
TRANSFER	

CASH:  CHECK: # Y 16-66 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT. \$ \_\_\_\_\_  
VOUCHER # \_\_\_\_\_

**0427 WRD OPERATING ACCT**

MISCELLANEOUS		
0407 COPY & TAPE FEES	<u>PCA #</u>	\$
0410 RESEARCH FEES	<u>66111</u>	\$
0408 MISC REVENUE: (IDENTIFY)	<u>Extension</u>	\$ <u>100.00</u>
(New) TC165 DEPOSIT LIAB. (IDENTIFY)		\$
(Existing) TC168		\$

		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$	0206 \$
		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$
OTHER (IDENTIFY)			

**0437 WELL CONST. START FEE**

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

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS	\$
-----------------------	----

**0467 HYDRO ACTIVITY**

	LIC NUMBER	
0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **22230**

DATED 6-24-98 BY: M. Moeckel

C 7

**ASSIGNED**

Application No. **G12589**  
No. **G11627**

**FRANK J BASTASCH**  
**BASTASCH, JOYCE D**

Name ...  
Address **2725 VIA OLEADAS**  
**PALOS VERDES ESTATES, CA** **90274**

Assigned **Eagle Creek Golf Course, Inc.**  
Address **1403 SE Stark St Portland, OR 97214**

**NOV 22 1994**  
**OCT 01 1995**

Beginning construction ...  
Completion of construction ...  
Extended to **10-1-94**  
Complete application of water **OCT 01 1996**  
Extended to .....



The completed assignment must be submitted to the Water Resources Director, 3850 Portland Road, N.E., Salem, Oregon 97310, together with a recording fee of \$10.

FILE#: G 12589

FRANK J BASTASCH  
BASTASCH, JOYCE D  
2725 VIA OLEADAS  
PALOS VERDES ESTATES, CA 90274