

# Application for a Permit to Use Ground Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME <b>LOWELL E. PATTON</b>		PHONE (HM)	
PHONE (WK) <b>503-658-5151</b>	CELL <b>530-789-5152</b>		FAX <b>503-658-3156</b>
ADDRESS <b>16051 SE HWY. 224 (P.O. BOX 85 - CLACKAMAS, OR. 97015)</b>			
CITY <b>DAMASCUS</b>	STATE <b>OR</b>	ZIP <b>97089</b>	E-MAIL

### Organization Information

NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL	

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

AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL	

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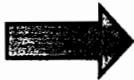
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Note: Attach multiple copies as needed

### By my signature below I confirm that I understand:

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

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



*[Handwritten Signature]*  
Applicant Signature

**LOWELL E. PATTON**  
Print Name and title if applicable

**6/28/2011**  
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. _____	Permit No. _____	Date _____

**SECTION 2: PROPERTY OWNERSHIP**

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

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

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**SECTION 3: WELL DEVELOPMENT**

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
A-1	CLACKAMAS RIVER	1500 ft.	90 ft.

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

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**SEE ATTACHED WELL LOG**

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**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
IRRIGATION	MARCH/OCTOBER	210

**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

**For irrigation use only:**

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

Primary: 40 Acres Supplemental: 44 Acres

List the Permit or Certificate number of the underlying primary water right(s): \_\_\_\_\_

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 210

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: \_\_\_\_\_
- If the use is **mining**, describe what is being mined and the method(s) of extraction: \_\_\_\_\_

**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 7½ HP Grundfos Model 40S75-25

Other means (describe): \_\_\_\_\_

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

**B. Application Method**

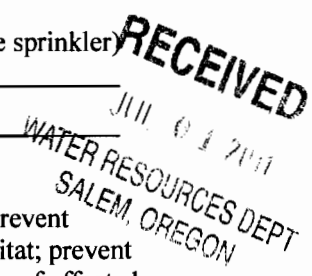
What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

DRIP & HIGH PRESSURE SPRINKLER

**C. Conservation**

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

WATER PIPED TO PLACE OF USE IN A CLOSED SYSTEM.



**SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR**

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: \_\_\_\_\_ Acreage inundated by reservoir: \_\_\_\_\_

Use(s): \_\_\_\_\_

Volume of Reservoir (acre-feet): \_\_\_\_\_ Dam height (feet, if excavated, write "zero"): \_\_\_\_\_

*Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.*

**SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR**

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): \_\_\_\_\_

USE OF STORED GROUND WATER	PERIOD OF USE

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: UPON PERMIT ISSUANCE

Date construction will be completed: WITHIN 5 YRS OF PERMIT ISSUANCE

Date beneficial water use will begin: UPON PERMIT ISSUANCE

**SECTION 9: REMARKS**

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

\_\_\_\_\_

\_\_\_\_\_

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**BARGAIN AND SALE DEED**

WILSON OPERATIONS, INC., a corporation duly organized and existing under the laws of the state of Oregon, and RUSSELL F. WILSON, individually, hereinafter collectively called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, and convey unto LOWELL E. PATTON, hereinafter called Grantee, and unto Grantee's heirs, successors, and assigns all of that certain real property situated in the county of Clackamas, state of Oregon, described as follows, to wit:

Exhibit "A" attached hereto and incorporated herein

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors, and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$100,000. This Deed is issued direct as part of a deferred exchange by Wilson Operations, Inc.

The following is the notice as required by Oregon law: **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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.**

The subject property is sold "AS IS," as that term was defined between the parties in that Land Sale Contract dated April 29, 1991, at paragraph 9, without warranty of any kind. The property is also subject to all liens or encumbrances of record except those suffered or permitted by Grantor after April 29, 1991. Grantee was the prior owner of the property. He certifies that this deed is accepted and executed on the basis of his examination and personal knowledge of the property, the planning and zoning designations and restrictions affecting the property, the present condition and opinion of the value thereof and any improvements thereon; and that no representations as to the condition or repair, acreage, or value of said property or any promise to alter or repair the improvements has been made by Grantor or Grantor's agent. Subject to Grantee's prior use and

**MAIL TAX STATEMENTS TO:**

Lowell Patton  
16050 SE Hwy. 224  
P. O. Box 85  
Carver, OR 97015

**AFTER RECORDING RETURN TO:**

Lowell Patton  
16050 SE Hwy. 224  
P. O. Box 84  
Carver, OR 97015

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ownership of the property, Grantor indemnifies and holds Grantee harmless from all claims, penalties, fines, costs or liabilities relating in any way to any violation of environmental laws or the breach of the warranties contained in this agreement, arising solely from Grantor's acts or omissions while in possession of the option property, from October 1, 1988 through December 15, 1993. These warranties and indemnities survive the delivery of any deed. Except as set forth herein, Grantee assumes all liability for any clean up of any hazardous substance and restoration of the premises and ground water in accordance with all environmental laws regardless of when any contamination occurred. Other than as stated herein, neither Grantor nor Grantor's agents make any representation or warranty with regard to the presence of hazardous substances, toxic wastes, asbestos, or any other item or material regulated, controlled or prohibited under environmental protection laws or other applicable federal, state or local laws, regulations, rules or ordinances.

In construing this deed the singular includes the plural as the circumstances may require.

WITNESSETH this 17<sup>th</sup> day of February, 1994.

GRANTOR:  
WILSON OPERATIONS, INC.

GRANTEE:

By: *R. Wilson*  
Its: President

By: *[Signature]*  
Lowell E. Patton

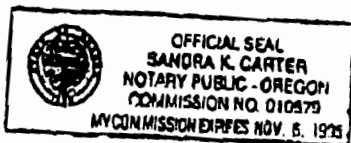
*Russell F. Wilson*  
Russell F. Wilson, Individually

State of Oregon )  
                          ) ss.  
County of Marion )

On this 17<sup>th</sup> day of February, 1994 personally appeared Russell F. Wilson who, being duly sworn, did say that he is the President of Wilson Operations, Inc., an Oregon corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and acknowledged said instrument to be its voluntary act and deed.

Before me:

*Sandra K. Carter*  
Notary Public for Oregon  
My Commission Expires: 11-6-95



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WATER RESOURCES DEPT  
SALES SECTION  
OREGON

State of Oregon )  
County of Marion ) ss.

On this 17<sup>th</sup> day of February, 1994, personally appeared the above named Russell E. Wilson and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

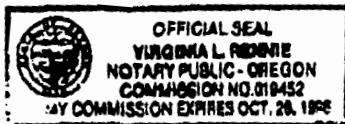


Sandra K. Carter  
Notary Public for Oregon  
My Commission Expires: 11-6-95

State of Oregon )  
County of Multnomah ) ss.

On this 24<sup>th</sup> day of February, 1994, personally appeared the above named Lowell E. Patton and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



Virginia L. Rennie  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

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EXHIBIT "A"

A tract of land in Section 13, Township 2 South, Range 2 East, and Section 18, Township 2 South, Range 3 East, Clackamas County, Oregon, being part of that tract of land described in deed from Arrowhead Timber Company to Wilson Operations, Inc. by deed recorded 28 October, 1988 in FEE Document No. 88 45195, Clackamas County deed records, and being more particularly described as follows:

Beginning at the northeast corner of said Wilson Operations tract which is on record as being 1610.40 feet south of the northeast corner of said Section 13; thence South 89 deg. 47 min. 20 sec. West 177.10 feet along the north line of said tract to the TRUE POINT OF BEGINNING; thence South 89 deg. 47 min. 20 sec. West 517.73 feet along said north line to the easterly margin of Oregon State Highway #212; thence South 12 deg. 39 min. 37 sec. East 625.98 feet along said margin; thence North 73 deg. 33 min. 43 sec. East 573.47 feet; thence North 08 deg. 51 min. West 236.94 feet; thence North 31 deg. 35 min. 55 sec. West 253.91 feet to the TRUE POINT OF BEGINNING.

STATE OF OREGON }  
County of Clackamas }  
I, John Audiman, 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

94 MAR 15 PM 11 23



Witness my hand and seal of office  
John Audiman  
County Clerk  
Recording Certificate  
CC-114, 9811  
94 21650

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**BARGAIN AND SALE DEED IN FULFILLMENT  
OF LAND SALE CONTRACT**

1. Deed. WILSON OPERATIONS, INC., a corporation duly organized and existing under the laws of the state of Oregon, and R.F. WILSON, collectively referred to herein as Grantor, for the consideration hereinafter stated, do hereby bargain, sell, and convey unto LOWELL E. PATTON, hereinafter called Grantee, and unto Grantee's heirs, successors, and assigns all of that certain real property with tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, situated in the county of Clackamas, state of Oregon, described as follows, to-wit:

See Exhibit "1" attached hereto.

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors, and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$177,000.00.

By recordation of this deed, Grantee hereby acknowledges and agrees that Grantor has made no representations or warranties express or implied as to the property or the improvements or fixtures thereon or appurtenances thereto or their conditions or fitness for use. Grantee, who is the former owner and tenant of the property, accepts title to the property and any improvements or fixtures thereon and appurtenances thereto "AS IS." Without limiting the generality of the foregoing, Grantor makes no warranty or representation express or implied with regard to the presence of hazardous substances or toxic waste on the premises or the presence or absence of asbestos in the construction of the improvements on the premises. Grantee indemnifies and holds Grantor harmless from all claims, demands and liabilities, including attorney fees, for any clean up of any hazardous substance and restoration of the premises and ground water in accordance with all environmental laws regardless of when any contamination occurred.

2. Land Use Notice. The following is the notice as required by Oregon law: "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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

**MAIL TAX STATEMENTS TO:**

Lowell E. Patton  
P. O. Box 85  
Carver, OR 97015

**AFTER RECORDING RETURN TO:**

Lowell E. Patton  
P. O. Box 85  
Carver, OR 97015

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In construing this deed, the singular includes the plural as the circumstances may required.

DATED this 24<sup>th</sup> day of April, 1995.

WILSON OPERATIONS, INC.

By: [Signature]  
R.F. Wilson, President

[Signature]  
R.F. Wilson

Accepted: [Signature]  
Lowell E. Patton, Grantee

State of Oregon )  
~~Clatsop~~ ) ss.  
County of Marion (Marion)

On this 24<sup>th</sup> day of April, 1995, personally appeared R.F. Wilson who, being duly sworn, did say that he is the President of Wilson Operations, Inc., an Oregon corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and acknowledged said instrument to be its voluntary act and deed.

Before me:



[Signature]  
Notary Public for Oregon  
My Commission Expires: 11-6-95

State of Oregon )  
~~Clatsop~~ ) ss.  
County of Marion (Marion)

On this 24<sup>th</sup> day of April, 1995, personally appeared the above named R.F. Wilson and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



[Signature]  
Notary Public for Oregon  
My Commission Expires: 11-6-95

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EXHIBIT 1

PARCEL I:

A part of Section 13, Township 2 South, Range 2 East, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at the Northeast corner of said Section 13; thence South 925.90 feet to an iron pipe and the true point of beginning; thence continuing South 684.50 feet to an iron pipe; thence North 89° 32' West to an iron pipe on the Easterly right of way line of State Highway No. 224; thence Northerly along the Easterly right of way line of said Highway, 694.85 feet to an iron pipe; thence North 89° 32' East 810.15 feet to the true point of beginning.

PARCEL II:

Part of Government Lot 2 in Section 13, Township 2 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

A strip of land 100 feet in width along the entire Easterly side of the hereinafter described real property, to be cut off by a line parallel with said Easterly line on a course South 33° 30' East. The entire land being described as follows:

Beginning at the Northeast corner of a tract of land first described in the deed to Stephen Carver, Recorded April 22, 1915, in Book 239, Page 292, Clackamas County Deed Records, which beginning point is located North 33° 37' East 281.3 feet and North 32° 51' West 381.2 feet from the quarter section corner on the East line of said Section 13; thence South 81° 26' West 561.7 feet along the North line of said Carver Tract, to the center of the County Road; thence along the center line of the County Road North 12° 42' West 530 feet, more or less, to the South line of the second tract of land described in the deed to C. D. Latourette Recorded January 21, 1903, in Book 86, Page 163, Clackamas County Deed Records; thence East along the South line of said Latourette Tract a distance of 385 feet, more or less, to the Westerly line of the first tract of land described in deed to C. D. Latourette in Book 86, Page 163, Clackamas County Deed Records; thence South 33° 30' East 550 feet, more or less, along the Westerly line of said Latourette Tract to the point of beginning.

PARCEL III:

Part of Section 13, Township 2 South, Range 2 East and a part of Section 18, Township 2 South, Range 3 East, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at a basalt stone at the most Southerly corner of that certain tract of land conveyed to Sarah E. Hagemann by Deed Recorded in Book 196, Page 565, Clackamas County Deed Records, which point is North 33° 37' East 281.30 feet distant from the quarter section corner on the East boundary of Section 13, Township 2 South, Range 2 East of the Willamette Meridian; thence South 56° 15'

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West 206.20 feet to an iron pipe driven at the most Easterly corner of a tract of land conveyed to School District No. 10 by deed Recorded in Book 166, Page 199, Clackamas County Deed Records; thence North 33° 35' West tracing the Northeasterly boundary of said Tract 200 feet to the true point of beginning; thence continuing North 33° 35' West along the Northeasterly line of said tract, 132 feet to an iron pipe driven at the most Northerly corner of said tract; thence South 56° 15' West tracing the Northwesterly boundary of said tract 397.5 feet to the center of Market Road No. 39; thence along the center of said road North 17° 12' West 134.15 feet to an angle point in said road; thence along the center of said road North 12° 10' West 171.25 feet to the Northwest corner of the land of Lester L. Schwartz and Rose Ello Schwartz, his wife, as described in deed Recorded May 21, 1934, in Book 223, Page 131, Clackamas County Deed Records; thence North 81° 19' East 561.10 feet to an iron pipe; thence North 64° East 104 feet to an iron pipe driven on the West boundary of Rock Quarry; thence tracing the Westerly boundary of said Rock Quarry South 23° 17' East 174.37 feet, more or less, to a point which is North 56° 15' East from the point of beginning; thence South 56° 15' West to the point of beginning.

EXCEPTING that part conveyed to Clackamas Valley Cooperative, Inc., by Deed Recorded January 24, 1941, in Book 276, Page 422, Clackamas County Deed Records, more particularly described as follows:

Beginning at a point in the center of Market Road No. 39, which is the Northwest corner of land belonging to Carver School District No. 10; thence Northerly along center line of Market Road No. 39, 150 feet; thence North 56° 15' East 150 feet; thence Southeasterly 150 feet, more or less, to the Northerly line of said school ground; thence Southwesterly along said line of said school land 150 feet, more or less, to the point of beginning.

PARCEL IV:

Part of the Southwest one-quarter of the Northwest one-quarter of Section 18, Township 2 South, Range 3 East of the Willamette Meridian, and part of Government Lot 2, Section 13, Township 2 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at a point which is South 4.52 chains, more or less, of the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of Section 18, Township 2 South, Range 3 East of the Willamette Meridian, said beginning point being on the East boundary of Section 13; thence West 10.63 chains, more or less, along the North boundary of that tract described by deed from Jan. B. Day, et ux, to C.D. Latourette, Recorded January 1, 1903, in Book 86, Page 163, Clackamas County Deed Records, to the center of County Market Road No. 39; thence Southeasterly in the center of said road 75 links, more or less, to the North line of that tract conveyed by J. G. Humpower to Frank Hattan by Deed Recorded April 15, 1915 in Book 139, Page 270 Clackamas County Deed Records; thence East along the North boundary of said Hattan Tract 6.13 chains, more or less, to an angle point in said Hattan Tract; thence South 33° 30' East following the Northeast boundary of said Hattan Tract to an iron pipe which is the most Westerly corner of that tract of land described in deed from J. G. Humpower to Sarah E. Hagemann Recorded April

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2, 1929, in Book 196, Page 565, Clackamas County Deed Records; thence North 64° East 104 feet to a point within Section 18, and the most Northerly corner of said Hagemann Tract; thence North 22° West following the boundary of that certain 9 acre tract conveyed by J. G. Numpover to Sarah E. Hagemann Recorded April 2, 1929, in Book 196, Page 566, Clackamas County Deed Records, to an iron pipe and an angle corner in said last mentioned Hagemann Tract; thence North 9° West 1.75 chains following the boundary of said 9 acre tract to an iron pipe; thence North 3.36 chains, more or less, along the West line of said Section 18, to the point of beginning.

**PARCEL V:**

A tract in Government Lot 2, in Section 13, Township 2 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at the Northeast corner of the tract of land first described in the deed to Stephen Carver, Recorded April 22, 1915, in Book 139, Page 292, Clackamas County Deed Records, which beginning point is located North 33° 37' East 281.3 feet and North 32° 51' West 381.2 feet from the quarter section corner on the East line of said Section 13; running thence South 81° 26' West 561.7 feet along the North line of said Carver Tract, to the center of the County Road; thence along the center line of the County Road North 12° 42' West 530 feet, more or less, to the South line of said second tract of land described in the deed to G. D. Latourette Recorded January 21, 1903, in Book 86, Page 163, Clackamas County Deed Records; thence East along the South line of said Latourette Tract a distance of 385 feet, more or less, to the Westerly line of the first tract of land described in the deed to G. D. Latourette in said Book 86, Page 163, Clackamas County Deed Records; thence South 33° 30' East 550 feet, more or less, along the Westerly line of said Latourette Tract to the point of beginning.

EXCEPTING from the above a strip of land 100 feet in width along the entire Easterly side as cut off by a line drawn parallel with said Easterly line on a course South 33° 30' East, said 100 foot strip having been conveyed to the Rollin Lumber Company, by Deed Recorded July 5, 1951, in Book 446, Page 140, Clackamas County Deed Records.

**PARCEL VI:**

Part of Section 13, Township 2 South, Range 2 East of the Willamette Meridian, and part of Section 18, Township 2 South, Range 2 East, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at a basalt stone at the most Southerly corner of that certain tract of land conveyed to Sarah E. Hagemann by Deed Recorded in Book 196, Page 565, Clackamas County Deed Records, which point is North 33° 37' East 281.30 feet distant from the quarter section corner on the East boundary of Section 13° Township 2 South, Range 2 East, of the Willamette Meridian; running thence South

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56° 15' West 208.20 feet to an iron pipe driven at the most Easterly corner of a tract of land conveyed to Rollin Lumber Co., by Deed Recorded June 4, 1953, in Book 469, Page 661, Clackamas County Deed Records; thence North 35° 39' West 200 feet to a point; thence North 56° 15' East along the Southerly boundary of said Rollin Lumber Co. Tract to the West boundary of Rock Quarry; thence tracing the Westerly boundary of said Rock Quarry South 23° 17' East 200 feet, more or less, to the most Easterly corner of a tract of land conveyed to Clifford R. Brown, et ux, by Deed Recorded June 4, 1953, Book 469, Page 600, Clackamas County Deed Records; thence South 56° 15' West 39.7 feet to the place of beginning.

EXCEPT a roadway as disclosed by Deed to Lester L. Schwartz, et ux, Recorded May 21, 1934, in Book 223, Page 131, Clackamas County Deed Records.

**PARCEL VII:**

The Northwest one-quarter of the Northwest one-quarter and the East one-half of the Northwest one-quarter of Section 18, Township 2 South, Range 3 East, of the Willamette Meridian, in Clackamas County, Oregon:

EXCEPT that portion thereof conveyed to Genevieve R. Miller, Recorded March 19, 1946, in Book 363, Page 120, Clackamas County Deed Records, described as follows, to-wit:

Beginning at a stone set for the center of Section 18, Township 2 South, Range 3 East, of the Willamette Meridian; thence North 302 feet to the center line of the Corver and Ectacade Highway; thence on the center line of said highway as follows:

South 78° 15' West 200 feet to a point and South 59° 15' West 500 feet to the East and West center line of said section; thence East 625 feet to the beginning;

ALSO EXCEPT that portion thereof within the boundaries of roads.

EXCEPT the Northeast one-quarter of Northwest one-quarter and the Northwest one-quarter of Northwest one-quarter of Section 18, Township 2 South, Range 3 East, of the Willamette Meridian.

**PARCEL VIII:**

Beginning at an iron pipe on the North and South centerline of Section 18, which is South 716.5 feet from the one-quarter corner between Sections 7 and 13, Township 2 South, Range 3 East, of the Willamette Meridian, in Clackamas County, Oregon; thence South 1189.38 feet to an iron pipe (said iron pipe being the Northwest corner of Arthur Schuele Tract as Recorded in Book 61, Page 89, Clackamas County Deed Records); thence North 88° 25' East along the North line of said Schuele Tract 18 chains to the West line of a tract conveyed to S. Winifrod McIntyre, et al, by Deed Recorded November 26, 1941, in Book 287, Page 686, Clackamas County Deed Records; thence Northerly along the West line of said McIntyre Tract, 50 feet, more or less, to the Northwest corner of said McIntyre Tract; thence East along the

EXHIBIT 1 PAGE 4

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SALEM, OREGON

North line of said McIntyre Tract, 120 feet; thence South 46° 30' East along the Northeasterly line of said McIntyre Tract, to the one-sixteenth section line running North and South through the Northeast one-quarter of said Section 18; thence North along said one-sixteenth section line 569 feet, more or less, to an iron pipe set at the center of the Northeast one-quarter of said Section 18; thence North 65° 38' West 1460 feet to the point of beginning.

PARCEL IX:

Beginning at the Northwest corner of the Southwest one-quarter of the Northwest one-quarter of Section 18, Township 2 South, Range 3 East, of the Willamette Meridian, in Clackamas County, Oregon; thence East on the North line of said one-quarter quarter to the Northeast corner thereof; thence South on the East line of said one-quarter quarter to a rock with a nail driven in it which marks the most Northerly corner of that certain tract conveyed by deed from Grant Mumpover, a widower, to Paul S. Mumpover, Recorded August 19, 1922, in Book 168, Page 116, Clackamas County Deed Records; thence South 54° 33' West following the boundary of said Paul S. Mumpover Tract 607.8 feet; thence South 7° 33' West following said boundary of said tract (passing at 150.2 feet on iron pipe sunk in the ground) 277.5 feet, more or less, to the North line of the County Road known as Market Road No. 7; thence Westerly on the North line of said road to the most Southerly corner of that certain tract conveyed by deed from Stephen Carver and wife to Karin Eleonora Peake, Recorded March 10, 1919, in Book 152, Page 204, Clackamas County Deed Records; thence North 23° 12' East 165.6 feet along the boundary of said Peake Tract; thence North 29° 35' West along the boundary of said Peake Tract 600 feet, more or less, to a Southerly boundary of that certain 9 acre tract described in deed from J. G. Mumpover, unmarried, to Sarah E. Hagemann, Recorded April 2, 1929, in Book 196, Page 566, Clackamas County Deed Records; thence to an iron pipe set at the most Southerly corner of said 9 acre tract; thence North 19° 30' East 5.00 chains following the boundary of said 9 acre tract to an iron pipe; thence North 34° 30' West 2.10 chains following the boundary of said 9 acre tract to an iron pipe; thence West 7.30 chains following the boundary of said 9 acre tract to an iron pipe; thence South 9° East 1.75 chains following the boundary of said 9 acre tract to an iron pipe; thence South 22° East following the boundary of said 9 acre tract to an iron pipe which marks the most Northerly corner of that certain tract conveyed by deed from J. G. Mumpover, unmarried, to Sarah E. Hagemann, Recorded April 2, 1929, in Book 196, Page 565, Clackamas County Deed Records; said point being the most Easterly corner of a tract conveyed to Rollin Lumber Company, by deed Recorded May 11, 1955, in Book 495, Page 389, Clackamas County Deed Records; thence North 22° 00' West along said Rollin Lumber Company Tract to an iron pipe and angle corner in said Rollin Lumber Company Tract; thence North 9° 00' West along said Rollin Lumber Company Tract, 1.75 chains to the West line of said Section 18; thence North along the West line of said Section 18, a distance of 7.88 chains, more or less, to the point of beginning.

EXCEPT that portion conveyed to Rollin Lumber Company by Deed Recorded May 11, 1955, in Book 495, Page 389, Clackamas County Deed Records, Fee No. 7268.

SAVE AND EXCEPT from Parcels II, III, IV and V that real property described as follows:

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EXHIBIT 1 PAGE 2

SAVE AND EXCEPT as continued from page 5:

A tract of land in Section 13, Township 2 South, Range 2 East, and Section 18, Township 2 South, Range 3 East, Clackamas County, Oregon, being part of that tract of land described in deed from Arrowhead Timber Company to Wilson Operations, Inc. by deed recorded 28 October, 1988 in FEE Document No. 88 45195, Clackamas County deed records, and being more particularly described as follows:

Beginning at the northeast corner of said Wilson Operations tract which is on record as being 1610.40 feet south of the northeast corner of said Section 13; thence South 89 deg. 47 min. 20 sec. West 177.10 feet along the north line of said tract to the TRUE POINT OF BEGINNING; thence South 89 deg. 47 min. 20 sec. West 517.73 feet along said north line to the easterly margin of Oregon State Highway #212; thence South 12 deg. 39 min. 37 sec. East 625.98 feet along said margin; thence North 73 deg. 33 min. 43 sec. East 573.47 feet; thence North 08 deg. 51 min. West 236.94 feet; thence North 31 deg. 35 min. 55 sec. West 253.91 feet to the TRUE POINT OF BEGINNING.

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STATE OF OREGON 95-023772  
CLACKAMAS COUNTY

Received and placed in the public records of Clackamas County

RECEIPTS AND FEE: 18822 \$88.88

DATE AND TIME: 06/25/95 01:39 PM

JOHN KAUFFMAN, COUNTY CLERK

EXHIBIT 1 PAGE 6

8

3 20 8

FORM NO. 223-BARGAIN AND SALE DEED (Individual or Corporate)  
1-1-74

163-662  
SYSTEMS AND LAW PUBLISHING CO., PORTLAND, OREGON

BARGAIN AND SALE DEED

350  
KNOW ALL MEN BY THESE PRESENTS, That Jerome R. Barton, hereinafter called grantor,  
for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto  
Lowell E. Patton  
hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the  
tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County  
of Clackamas, State of Oregon, described as follows, to-wit:

The Northeast one-quarter of Northwest one-quarter and  
The Northwest one-quarter of Northwest one-quarter of  
Section 18, T.2S., R. 3 E of the W.M.

Subject to all easements of record and particularly the joint water use reservation  
in favor of L.V. Mumpower and Grant V. Mumpower as reserved in the Contract of Sale  
dated and recorded February 13, 1973 in File No. 73-4332 of the real estate records  
of Clackamas County, Oregon.

MAR 20 1981

Examined by  
Title Insurance Company

IN SPACE HEREFTER, CONTAINING DESCRIPTION ON REVERSE SIDE)  
To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.  
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1.00  
However, the actual consideration consists of or includes other property or value given or promised which is  
described in consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)  
In construing this deed and where the context so requires, the singular includes the plural and all grammatical  
changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.  
In Witness Whereof, the grantor has executed this instrument this 27 day of February  
if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized in the  
order of its board of directors.

Jerome R. Barton  
Jerome R. Barton

(If omitted by a grantor,  
this conveys title)

STATE OF OREGON,  
County of Washington  
February 27, 1981

Personally appeared the above named

Jerome R. Barton

and acknowledged the foregoing instru-  
ment to be his voluntary act and deed.

(OFFICIAL SEAL)  
Arthur N. Ragam  
ARTHUR N. RAGAM  
Notary Public for Oregon  
My Commission Expires 6-2-84

STATE OF OREGON, County of \_\_\_\_\_  
Personally appeared \_\_\_\_\_, 19\_\_\_\_,  
\_\_\_\_\_ who, being duly sworn,  
swore for himself and on behalf of the other, did say that the former is the  
\_\_\_\_\_ president and that the latter is the  
secretary of \_\_\_\_\_

\_\_\_\_\_ 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  
full 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:

Notary Public for Oregon  
My commission expires:

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MAY 20 2011  
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SALEM, OREGON

JEROME R. BARTON  
BARTON HEIR'S BLEM APPEAR LN  
LOWELL E. PATTON  
DONOR'S NAME AND ADDRESS  
Also considered valid for:  
Lowell E. Patton  
450 AGC Center  
Wilsonville, Oregon, 97070  
Well & change is requested if tax statements shall be sent to the following add-  
Lowell E. Patton  
450 AGC Center  
Wilsonville, Oregon, 97070

STATE OF OREGON,  
County of Clackamas )  
I, George D. Pappas, County Clerk, Ex-Officio  
Recorder of Deeds and Ex-Officio Clerk  
of the Circuit Court of the State of Oregon, for  
the County of Clackamas, do hereby certify that  
the within instrument of writing was recorded for  
and recorded in the records of said county at  
\_\_\_\_\_ P. 3: 28  
MAY 20 1981  
Witness my hand and official seal  
George D. Pappas  
GEORGE D. PAPPAS  
County Clerk  
Recording Certificate  
81 9944  
81 9944

OREGON CITY

QUITCLAIM DEED-STATUTORY FORM  
INDIVIDUAL GRANTOR

93

Harvey M. Watt

Grantor,

releases and quitclaims to Lowell E. Patton

Grantee. All right, title and interest in and to the following described real property situated in Clackamas County, Oregon, to-wit:

A tract of real property in Section 18, T. 2 S., R. 3 E. of the W.M., described as follows:

Beginning at an iron pipe North 12.12 chains from the quarter section corner on the west line of said section 18; running thence East 7.30 chains to an iron pipe; thence South 34°10' East 6.10 chains to an iron pipe; thence South 19°10' West 5 chains to an iron pipe in the northerly line of a tract conveyed to J.L. Sprinkle Trustee, by the Instrument recorded in Book 153, Page 97, Deed Records; thence following the line of said J.L. Sprinkle, Trustee, North 78°52' West 6.75 chains to an iron pipe and north 54°50' West 3.50 chains to an iron pipe; thence North 22° West 7 chains to an iron pipe; thence North 9° West 1.75 chains to the place of beginning. Also the right to travel over the following described roadway from the above described tract to the County Road: Run 20 feet in width being 10 feet on each side of the following described center line:

Beginning at a point in the center of the County Road which is North 1.90 chains and South 55° West 6.20 chains from the quarter section corner on the West line of said Section 18; running thence North 55° East 9.60 chains to the Stone quarry land (the tract first above described) in the County of Clackamas, State of Oregon.

The true consideration for this conveyance is \$ 1.00 (Here comply with the requirements of ORS 93.030) and other valuable consideration.

Dated this 20<sup>th</sup> day of November, 19 92

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.

*Harvey M. Watt*  
Harvey M. Watt

STATE OF OREGON, County of Deschutes ) ss.  
This instrument was acknowledged before me on November 20, 19 92  
by Harvey Watt

*James F. Tuttle*  
Notary Public for Oregon  
My commission expires February 19, 1995

QUITCLAIM DEED	
Harvey M. Watt	GRANTOR
Lowell E. Patton	GRANTEE
GRANTEE ADDRESS (if different from the)	
Lowell E. Patton	
P. O. Box 85	
Carver, OR 97015	
NAME, ADDRESS, ZIP	
Until a change is requested, all fee statements shall be sent to the following address:	
Lowell E. Patton	
P. O. Box 85	
Carver, Or 97015	
NAME, ADDRESS, ZIP	

STATE OF OREGON  
County of Clackamas  
I, John Kaufman, County Clerk, for the County of Clackamas do hereby certify that the instrument of which was received for recording in the records of said county, at

2003 JUN 19 PM 12:15



*John Kaufman*  
John Kaufman  
County Clerk  
Recording Certificate  
CCP-RI (Rev. 9/91)

93 03616

By 93 03616 Deputy

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SALEM, OREGON

## For Local Government Use Only

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

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

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

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

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

**RECEIVED**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Government Entity: \_\_\_\_\_

11/11 11/17/2011  
 WATER RESOURCES DEPT  
 SALEM, OREGON

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



**Receipt for Request for Land Use Information**

Applicant name: LOWELL PATTON  
 City or County: CLATSOPAS CO. Staff contact: MIKE MCGUISTON  
 Signature: Mike McGuiston Phone: 503-745-4522 Date: 6-30-11

# Land Use Information Form



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

Applicant: LOWELL PATTON  
First Last

Mailing Address: P.O. BOX 85

CLACKAMAS, OR. 97015 Daytime Phone: 503-658-5151  
City State Zip

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2S	2E	13	NE A	1500	RI	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
2S	2E	13	NE A	1690	RI	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
2S	3E	18	NW	200	FF-10	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
2S	3E	18	NW	100	FF-10	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
2S	3E	18	NW	101	FF-10				XX"

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

2S 2E 13 NE 2800 RI XX"

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: \_\_\_\_\_  cubic feet per second     gallons per minute     acre-feet

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

Briefly describe:

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

See bottom of Page 3. →

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JUL 16 2011  
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SALEM, OREGON