



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

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): Sara Hicks
Joseph Saperfenne
First Last
Mailing Address: 44220 SE Marmot
Sandy Oregon 97055
City State Zip
Phone: 503-550-0695
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Patricia Frick
First Last
Mailing Address: PO Box 1960
Sandy Oregon 97055-1960
City State Zip
Phone: 503-668-5257
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Clackamas Township: 2 South Range: 5 East Section: 18
Tax Lot Number(s): 00691013

Street address of water right property: 41950 SE Coalman Road Sandy, Oregon

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: R-73182 Permit #: _____ Certificate or Page #: 88935

Will all the lands associated with this water right be owned by the buyer? (☒ Yes ☐ No)

Name of individual completing this form: Patricia Frick Phone: 503-668-5257

Signature: Patricia Frick Date: 28 May 2014

Please be sure to attach a copy of your property deed or legal description of the property. RECEIVED BY WRD

STATE OF OREGON

COUNTY OF CLACKAMAS

RECEIVED BY OWRD

CERTIFICATE OF WATER RIGHT

MAY 30 2014

THIS CERTIFICATE ISSUED TO

SALEM, OR

JOSEPH STAPERFENNE
SARA HICKS
41950 SE COLEMAN RD
SANDY OR 97055

confirms the right to store water perfected under the terms of Permit R-11678. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-73182

SOURCE: TWO UNNAMED SPRINGS, TRIBUTARIES TO CEDAR CREEK

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE or USE: AESTHETICS, WILDLIFE

MAXIMUM STORAGE VOLUME: 3.03 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 THROUGH MAY 31

DATE OF PRIORITY: JANUARY 22, 1993

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	5 E	WM	18	NE SE

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
2 S	5 E	WM	18	NE SE

CONDITIONS OF USE**Measurement, recording and reporting:**

A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order, and shall allow the watermaster access to the device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used, and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water-use information, the periods of water use, and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedure for review and approval.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

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

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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

This right 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.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

This right does not authorize the water user to interfere with or affect adjacent property not under the ownership of the water user.

Issued JAN 24 2014


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

Exhibit A

A tract of land situated in the Northeast one-quarter of the Southeast one-quarter of Section 18, Township 2 South Range 5 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the southeast corner of said legal subdivision; thence North 89°15'14" West along the South line of said legal subdivision, a distance of 1133.44 feet to a point; thence North, a distance of 216.40 feet to a point; thence North 5°15'00" East a distance of 636.49 feet to an iron rod; thence North 30°00' East a distance of 180.11 feet to an iron rod and the point of the beginning of the tract herein to be described; thence continuing North 30°00'00" East a distance of 169.89 feet to a point in the centerline of Cedar Creek; thence Southeasterly along said centerline, the following courses and distances: South 35°26'55" East, 330.0 feet; South 24°02'45" East 145.5 feet; thence South 74°12'50" West leaving said centerline, a distance of 254.0 feet to a point; thence North 45°47'10" West a distance of 338.27 feet to the point of beginning.

TOGETHER WITH a non-exclusive easement for a 15 foot wide roadway easement in the East one-half of Section 18, Township 2 South, Range 5 East, Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point in the centerline of Coleman Road, said point being North 67°44'00" West 879.51 feet and North 0°27'05" East 2436.64 feet from the southeast corner of said Section 18; thence South 14°34'17" West 302.51 feet to the centerline of Cedar Creek; thence along said creek centerline North 33°36'32" West 20.13 feet; thence North 14°34'17" East 291.12 feet to the centerline of said Coleman Road, said point being North 67°44'00" West 879.51 feet and North 0°27'05" East 2436.64 feet from the southeast corner of said Section 18; thence South 14°34'17" West 302.51 feet to the centerline of Cedar Creek; thence along said creek centerline North 33°36'32" West 20.13 feet; thence North 14°34'17" East 291.12 feet to the centerline of said Coleman Road; thence South 67°44'00" East 15.14 feet to the point of beginning.

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MAY 30 2014