

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 Michael C. Baggs & Georgia J. Baggs, Husband & Wife		PHONE (HM) 503-318-8076	
PHONE (WK) 503-318-8076	CELL		FAX
ADDRESS 20036 White Lane			
CITY Oregon City	STATE OR	ZIP 97045	E-MAIL* mikebaggs@me.com

Organization Information

NAME N/A		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 J.H.(Jim) Greenman / Haner, Ross & Sporseen, P.C.		PHONE 503-657-1384		FAX
ADDRESS 2895 Beaver Creek Road, Suite 101			CELL 503-970-3769	
CITY Oregon City	STATE OR	ZIP 97045	E-MAIL* jim@g@hrs-engrs.com	

Note: Attach multiple copies as needed

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

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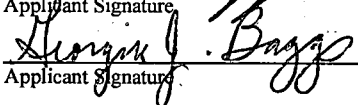
JAN 18 2017

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.

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


Applicant Signature

Applicant Signature

Michael C. Baggs
Print Name and title if applicable
Georgia J. Baggs
Print Name and title if applicable

1/12/2017
Date
1-12-2017
Date

For Department Use		
App. No. <u>G-18478</u>	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*).

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well #1	right bank tributary to Beaver Creek	westerly 2000-ft.	+300-ft. creek to well

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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SECTION 3: WELL DEVELOPMENT, CONTINUED

B5h81-9

Total maximum rate requested: 112gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
No.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CLAC 009173	<input type="checkbox"/>	6-5/8" O.D.	161.5'	41'	45'	120' (2016/12/30)	hard packed blue sand (7')	160.8'		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	April 1st through September 30th	2.5Ac-ft/Ac x 14.4Ac = 61 Ac-ft
Nursery	Year Around	

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: 14.4 Acres Supplemental: 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: 61 ac-ft

- 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

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A. Diversion and Conveyance

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

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Pump (give horsepower and type): 2-Hp, Single Phase Submersible

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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

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. Drip irrigation results in maximum efficiency, with virtually no runoff and little evaporation.

 A totalizing meter will be placed in the system immediately next to the wellhead.

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: 2017/08/01

Date construction will be completed: 2018/08/30

Date beneficial water use will begin: 2019/05/01

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SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).
see page 7A

Application No. _____
Permit No. _____

HRS File: 1647

An existing well is present on the property known as 20036 White Lane, Oregon City (Subject). A search of the Department's well log database did not yield a log at that address or the corresponding tax lot number (TL 300, map 3S, 1E, Sec 13).

The well was sounded to determine its depth and the standing water surface was determined. The outside diameter of the casing was recorded.

A search of the well log database was again pursued and several logs identified in the vicinity which approximated the data collected.

The names of the owners of the selected well logs were then taken to the Clackamas County Assessor's Office along with the present tax lot number of Subject. It was found that one of the names, Lloyd Clark, was shown as the owner of Subject from 1946 to 1972. A well, Clac009173, was drilled for him in May, 1963.

The log of the Lloyd Clark well closely replicates the field measurements recently obtained, i.e. casing depth (log): 161' 7", sounding depth to bottom of well (field measure): 161.5'; outside casing diameter (log): 6-5/8", (field measure): 6-5/8", water level (log): 115', (field measure): 120'. From this it was concluded that the well, Clack009173, is the one found at 20036 White Lane.

The well log database shows this log in the list of wells in Section 12, Township 3 South, Range 1 East while the well is actually located in Section 13 (same township and range). The driller's notion of the well location is missing from the log and was expressed only on the "Start Card". The Start Card is missing from the Department's file. The mix-up in sections between what is noted on the well log and the actual location of the well is understandable in that the address appearing on the well log, Rt.1 Box 545, was likely represented by a mail box on Central Point Road at the entrance to what is now White Lane (which in 1963 when the well was drilled may well have been a gravel driveway). This location is in the southern portion of the SE1/4, SE1/4 of Section 12 while the location of the well is just south of the section line in the NE1/4, NE1/4 of Section 13.

7A

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SALEM, OR

G-18438

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the 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 the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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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: Michael & Georgia
First Last

Baggs
Last

Mailing Address: 20036 White Lane

Oregon City

OR State

97045 Zip

Daytime Phone: 503-318-8076

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:
3S	1E	13	NE/NE	300	TBR	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Agriculture
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Clackamas	RECEIVED BY OWRD
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B. Description of Proposed Use

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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:

Nursery & irrigation of agricultural row crop by drip irrigation means on 14.4 acres.

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. →

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:	
Type 1 Marijuana permit	ZOO Sec. 841	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<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.

This proposal was approved with file Z028-16. All conditions are met. Use is permitted.

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Name: Ben Blessing Title: planner 1 SALEM, OR
 Signature: Ben Blessing Phone: 503-742-4521 Date: 1/5/2017
 Government Entity: _____

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

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

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MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

G-18939

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM 10, OREGON within 30 days from the date of well completion.

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

CLAC

OC9173

State Well No. 3/1-12

State Permit No. _____

(1) OWNER:

Name Lloyd Clark, Sr.
Address Rt. 1, Box 545
Oregon City, Ore.

(2) LOCATION OF WELL: See card

County Clackamas Driller's well number _____
1/4 Section T. R. W.M.
Bearing and distance from section or subdivision corner _____

(3) TYPE OF WORK (check):

Well Deepening Reconditioning Abandon
abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(6) CASING INSTALLED:

6 5/8 OD Threaded Welded
" Diam. from 0 ft. to 161-7 ft. Gage 17.02 lbs
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? Yes No
Type of perforator used cutting torch
Size of perforations 1/4 in. by 12 in.
2 rows _____ perforations from 120 ft. to 140 ft.
4 rows _____ perforations from 140 ft. to 161 ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed Yes No
Manufacturer's Name _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Well seal—Material used in seal cement and bentonite
Depth of seal 45 ft. Was a packer used? no
Diameter of well bore to bottom of seal 8 in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel: 1/4 to 1/2
Gravel placed from 161 ft. to 45 ft.
Did any strata contain unusable water? Yes No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 115 ft. below land surface Date May 14-63
Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with _____ ft. drawdown after _____ hrs.
" " " " " "
" " " " " "
Baller test 18 gal./min. with 12 ft. drawdown after 1 hrs.
Artesian flow _____ g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? Yes No

(12) WELL LOG:

Diameter of well below casing 6
Depth drilled 166 ft. Depth of completed well 161 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
top soil	0	3
red clay	3	7
medium hard brown basalt	17	38
blue clay	38	41
red clay	41	53
blue clay	53	62
light gray clay	62	74
brown clay with some fine sand	74	110
dark gray clay	110	117
blue clay sticky (4 gal permin)	117	125
blue clay silt	125	140
blue clay silt	140	146
blue sand silt	146	150
hard packed blue sand(water here)	150	157
blue sand silt	157	165
blue clay	165	166

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Work started May 8 1963. Completed May 15 1963
Date well drilling machine moved off of well May 15 1963

(13) PUMP:

Manufacturer's Name _____
Type: _____ H.P. _____

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME MEEKER WELL DRILLING
(Person, firm or corporation) (Type or print)
Address 2902 Portland Rd., Newberg, Ore.

Drilling Machine Operator's License No. 50

[Signed] John A. Meeker
(Water Well Contractor)

Contractor's License No. 111 Date May 15 1963

JAN 18 2017

7 17 81

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That DARWIN B. EELLS AND HELEN L. EELLS, as tenants by the entirety, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MICHAEL C. BAGGS AND GEORGIA J. BAGGS, Husband and Wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Clackamas and State of Oregon, described as follows, to-wit:



See attached exhibit "A"

Recorded by Chicago Title 50-76078

*November 10, 1955, Book 503, Page 563; Easement for road purposes recorded November 19, 1964, Book 649, Page 522; Rights of the public to that portion lying within dedicated roadways and 1981/82 Taxes, a lien but not yet payable.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except Agreement recorded February 2, 1980, Book 265, Page 483 relating to electric power and light line; Easement for Utilities recorded December 20, 1951 Book 451, Page 483; Easement for Transmission line recorded * and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$145,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 16th day of July, 1981; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Darwin B. Eells
Helen L. Eells

STATE OF OREGON, County of Clackamas July 16th 19 81

STATE OF OREGON, County of ... 19 ...

Personally appeared the above named Darwin B. Eells and Helen L. Eells

Personally appeared ... and 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 their voluntary act and deed.

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: 8/1/82

Notary Public for Oregon My commission expires:

Form with fields for GRANTOR'S NAME AND ADDRESS (MICHAEL C. BAGGS et ux), GRANTEE'S NAME AND ADDRESS (MR. & MRS. MICHAEL C. BAGGS), and recording information.

Form with fields for STATE OF OREGON, County of ..., and Recording Officer information.

OREGON CITY

81 25290

JUL 17 1981

JUL 17 1981

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Order No. 50-76018

SALEM, OR

EXHIBIT "A"

PARCEL I:

Part of Lots 5 and 6 of Section 13, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

BEGINNING at a point in the East line of said Section 13, North 9.25 chains from the quarter corner; thence North 70° West 12.8 chains to the South line of the S.S. White D.L.C. No. 42; thence North 42°30' East 18.13 chains on said South line of said Claim 42 to intersection with the East line of said Section 13; thence South 18.75 chains to the place of beginning.

EXCEPTING THEREFROM that tract conveyed to Walter G. Lee, et al, by Deed recorded July 25, 1974 as Recorder's Fee No. 74-20844, Film Records.

PARCEL II:

Part of the S.S. White and wife D.L.C. in Section 13, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

BEGINNING at a stone in the Southeast boundary of said claim 1477.10 feet, more or less, from the Southwest corner of the J.S. Howland D.L.C. which beginning point is also the most Southerly corner of a tract of land described in Deed recorded in Book 196, page 143, Deed Records; thence South 42°30' West on claim line 652.90 feet to the most Easterly corner of a tract of land conveyed to Caroline Louise Young, by Deed recorded in Book 135, page 274, Deed Records; thence North 36°15' West 1301.70 feet to a stone; thence North 42°15' East 398.00 feet to a gas pipe; thence South 47°30' East 1244.30 feet to the place of beginning.

EXCEPTING THEREFROM the following described property:

A parcel of land lying in the S.S. White D.L.C. in Section 13, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

BEGINNING at a point that is South 36°15' East 270.00 feet from the most Westerly corner of that parcel described in Book 379, page 224, Deed Records; from said true place of beginning; thence North 36°15' West 270.00 feet to said Westerly corner; thence North 42°15' East 270.00 feet; thence Southeasterly 340.00 feet to a point that is 117.00 feet Northeasterly from the true place of beginning; thence Southwesterly in a straight line 117.00 feet to the true place of beginning.

TOGETHER WITH a non-exclusive easement for roadway purposes over that 60 foot strip of land described in Deed recorded July 25, 1974 as Recorder's Fee No. 74-20844, Film Records.

JUL 17 1981

2

Recorded by Chicago Title

STATE OF OREGON)
County of Clackamas) ss.
I, George D. Poppin, County Clerk, Ex-Officio Recorder of Conveyances and Ex-Officio Clerk of the Circuit Court of this State of Oregon, for the County of Clackamas, do hereby certify that the within instrument of writing was received for and recorded in the records of said county at

81 JUL 17 P 4: 03



CCP-RA 81 25290

OREGON CITY

JUL 17 1981