

Application for a Permit to Use Groundwater



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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

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NAME BOB AND DENISE JONAS		PHONE (HM)	
PHONE (WK)	CELL 503-969-9545	FAX	
ADDRESS PO Box 1130			
CITY WILSONVILLE	STATE OR	ZIP 97070	E-MAIL*

Organization

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

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

AGENT / BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc.		PHONE (503) 632-5016		FAX (503) 632-5983
ADDRESS 18487 S. Valley Vista Road				CELL (503) 349-6946
CITY Mulino	STATE OR	ZIP 97042	E-MAIL* phgdmh@gmail.com	

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

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. **TL 5 1E 01 1400 – closed January 11, 2021**
☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.

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- ☒ NO, I have a recorded easement or written authorization permitting access.

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Access pipe under Barnards Rd pre-existing.

- ☐ NO, I do not currently have written authorization or easement permitting access.
☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

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

NA

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL 1	WHEELER CREEK	1,030 FEET	10 FEET
WELL 2	WHEELER CREEK	115 FEET	10 FEET

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

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

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.67 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S 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)
WELL 1	☒	☐	NA	☐	10 INCH	0 TO 250	TBD	0 TO 30	NA	ALLUVIAL	250		
WELL 2	☒	☐	NA	☐	10 INCH	0 TO 250	TBD	0 TO 30	NA	ALLUVIAL	250		
	☐	☐		☐									
	☐	☐		☐						TOTAL:		300.7 GPM	276.5 AF
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

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

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

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

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

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

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

☐ Yes ☒ No

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

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

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

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

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

☒ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

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

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

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

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

NA

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Statewide - OAR 690-033-0330 thru -0340

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

☒ Yes ☐ No

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

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through October 31	276.5 AF

For irrigation use only:

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

Primary: 110.6 Acres Supplemental: NA Acres

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

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 276.5 AF

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

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

☒ Pump (give horsepower and type): 30 Hp submersible pump

☐ Other means (describe): _____

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

Water will be pumped from the well through portable mainlines with hydrants to supply portable laterals with impact sprinklers or a hard hose traveler. An existing access under Barnards road will be used to supply water to either side of the road.

B. Application Method

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

Impact sprinklers on hand lines or a hard hose traveler

C. Conservation

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

Water will be applied to row crops when needed. The most water efficient method of irrigation will be used for the crops being irrigated.

SECTION 7: PROJECT SCHEDULE

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

SECTION 8: RESOURCE PROTECTION

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

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

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

Describe planned actions and additional permits required for project implementation:

There are no streams located near Proposed Well 1 or 2 or any other location requiring ground disturbance; therefore, no banks will need clearing.

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

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name NA	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*).

None

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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

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Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: \$ 2,040.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Land Use Information Form



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

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Applicant

NAME BOB AND DENISE JONAS		PHONE (HM)	
PHONE (WK)	CELL 503-969-9545	FAX	
ADDRESS PO BOX 1130			
CITY WILSONVILLE	STATE OR	ZIP 97070	E-MAIL*

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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:
4S	1E	36		1800	EFU	☐ Diverted	☒ Conveyed	☒ Used	IR
4S	1E	36		1903	EFU	☒ Diverted	☒ Conveyed	☒ Used	IR
4S	1E	36		1904	EFU	☐ Diverted	☒ Conveyed	☒ Used	IR
5S	1E	01		1400	EFU	☒ Diverted	☒ Conveyed	☒ Used	IR

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

Clackamas County**B. Description of Proposed Use**

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

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

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

Estimated quantity of water needed: 0.67 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

New groundwater permit to irrigate row crops

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.

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Attachment 2: Land Use Information Form

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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): EDU SECTION 401, EFCU

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

NOT FOR MARIJUANA PRODUCTION

NAME <u>MARSHA PRITZLE</u>	TITLE: <u>PR Planner</u>
SIGNATURE <u>[Signature]</u>	DATE: <u>3/18/21</u>
PHONE: <u>503 7424500</u>	
GOVERNMENT ENTITY <u>Clackamas County</u>	

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



and return it to the applicant. If you return the completed Land Use Information Form, the water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

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

File No.: 20-303860

Clackamas County Official Records
Sherry Hall, County Clerk

2020-103304

12/07/2020 03:25:03 PM

D-D Cnt=1 Stn=73 LESLIE
\$20.00 \$16.00 \$10.00 \$62.00

\$108.00

Grantor
Loren Miller, as Successor Trustee of the Vernon J. Gahler Trust u/a/d December 23, 2014 11265 S Barnards Road Molalla, OR 97038
Grantee
Bob Jonas and Denise L. Jonas 30870 S. Hwy 170 Canby, OR 97013
After recording return to
Bob Jonas and Denise L. Jonas 11265 S Barnards Road Molalla, OR 97038
Until requested, all tax statements shall be sent to
Bob Jonas and Denise L. Jonas 11265 S Barnards Road Molalla, OR 97038 Tax Acct No(s): 41E36 01800, 01020950

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Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Loren Miller, as Successor Trustee of the Vernon J. Gahler Trust u/a/d December 23, 2014, Grantor(s) convey and warrant to Bob Jonas and Denise L. Jonas, as tenants by the entirety, Grantee(s), the real property described in the attached Exhibit A, free of encumbrances EXCEPT covenants, conditions, restrictions, easements, and encumbrances of record as of the date hereof.

The true consideration for this conveyance is **\$870,000.00**. (Here comply with requirements of ORS 93.030)

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

Executed this 7 day of December, 2020

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Vernon J. Gahler Trust u/a/d December 23, 2014

By: Loren Miller Date: 12-7-2020
Loren Miller, Successor Trustee

STATE OF OREGON

COUNTY OF CLACKAMAS

This instrument was acknowledged before me this 7 day of December, 2020 by Loren Miller, as Successor Trustee of the Vernon J. Gahler Trust u/a/d December 23, 2014, on behalf of the Trust.

Julia F. Duffy
Notary Public for Oregon
My Commission Expires: 02/18/2024

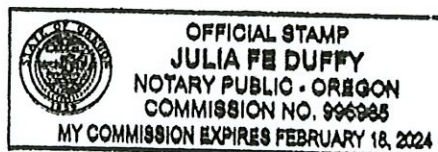


EXHIBIT "A"
LEGAL DESCRIPTION

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Parcel I:

The Southeast one-quarter of the Southwest one-quarter of Section 36, in Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

Parcel II:

Beginning at a point on the West line of the Southwest one-quarter of the Southeast one-quarter of Section 36, Township 4 South Range 1 East, of the Willamette Meridian, that is 627 feet North of the Southwest corner thereof; said point being the Northwest corner of the tract sold to Frank H. Clore, et al, by contract recorded September 29, 1970, as Fee No. 70 22002 and the true point of beginning of the tract herein to be described; thence East along the North boundary of the Clore tract 430 feet to the Northeast corner thereof; thence North parallel to the West boundary of the Southwest one-quarter of the Southeast one-quarter of said Section 36 a distance of 693 feet to the North boundary of the tract sold to Bruce V. Deardorff, et ux, by contract recorded as Fee No. 70 14552; thence West along the North boundary of the Deardorff tract 430 feet to the Northwest corner thereof and a point in the West boundary of the Southeast one-quarter of said Section 36; thence South along said one-quarter section line 693 feet to the true point of beginning.

TOGETHER WITH an easement for ingress, egress purposes over and across the following described tract:

Beginning at a point that is 430 feet east of the Southwest corner of the Southwest one-quarter of the Southeast one-quarter of Section 36, Township 4 South Range 1 East of the Willamette Meridian, said point being the Southeast corner of the Frank Clore, et al, tract described in contract recorded as Fee No. 70 22002 and the true point of beginning of the easement to be described; thence East along the South boundary of said Section 40 feet to the Southwest corner of the Frank Clore, et al, tract described in contract recorded as Fee No. 70 23328; thence North along the West boundary of said Clore tract and a Northerly extension thereof, 1320 feet to a point in the North boundary of the Bruce V. Deardorff tract described in contract recorded as Fee No. 70 14552; thence West along the North boundary of the Deardorff tract, 40 feet to a point of intersection with a Northerly extension of the East boundary of the Frank Clore, et al, tract as described in contract recorded as Fee No. 70 22002; thence South along the Northerly extension of the last described Clore tract (70 22002) and the east boundary thereof, 1320 feet to the point of beginning.

EXCEPTING that portion lying within Market Road No. 26.

Parcel III:

Beginning at a point that is 627 feet North and 430 feet East of the Southwest corner of the Southwest one-quarter of the Southeast one-quarter of Section 36, Township 4 South, Range 1 East of the Willamette Meridian in Clackamas County, Oregon, said point being the Northeast corner of the tract sold to Frank H. Clore, et al, by contract recorded September 29, 1970 as Clackamas County Recorders Fee No. 70 22002 and the true point of beginning of the tract herein to be described; thence North parallel to the West boundary of the Southwest one-quarter of the Southeast one-quarter of said Section, 693 feet, more or less to the North boundary of the tract sold to Bruce V. Deardorff, et ux, by contract recorded as Clackamas County Recorder's Fee No. 70 14552; thence East along the North boundary of the Deardorff tract 294 feet to the most Northerly Northeast corner of said Deardorff tract; thence Southeasterly along a Northeasterly boundary thereof, 430 feet, more or less, to the most Easterly Northeast corner of the Deardorff tract; thence South along the East boundary thereof, 235 feet to the Northeast corner of the Gertrude F. Hoefel tract as described in Deed Book 637, page 463; thence West along the North boundary of the Hoefel tract and along the North boundary of the tract sold on contract to Frank H. Clore, et al, recorded October 14, 1970, as Clackamas County Recorder's fee No. 70 23328, and a Westerly extension thereof, 428 feet to the point of beginning.

Except the South 102 feet as conveyed to Nadine Montgomery in Quitclaim Deed recorded July 11, 1984, Recording No. 84-23492.

EXCEPTING THEREFROM that portion lying within public roads.

TOGETHER WITH an easement for ingress, egress and all utility purposes over and across the following described tract;

Beginning at a point that is 430 feet east of the Southwest corner of the Southwest one-quarter of the Southeast one-quarter of Section 36, Township 4 South Range 1 East of the Willamette Meridian, said point being the Southeast corner of the Frank Clore, et al, tract described in contract recorded as Fee No. 70 22002 and the true point of beginning of the easement to be described; thence East along the South boundary of said Section 40 feet to the Southwest corner of the Frank Clore, et al, tract described in contract recorded as Fee No. 70 23328; thence North along the West boundary of said Clore tract and a Northerly extension thereof, 1320 feet to a point in the North boundary of the Bruce V. Deardorff tract described in contract recorded as Fee No. 70 14552; thence West along the North boundary of the Deardorff tract, 40 feet to a point of intersection with a Northerly extension of the East boundary of the Frank Clore, et al, tract as described in contract recorded as Fee No. 70 22002; thence South along the Northerly extension of the last described Clore tract (70 22002) and the east boundary thereof, 1320 feet to the point of beginning.

EXCEPTING that portion lying within Market Road No. 26

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PAULSEN APPRAISAL INC.
PLAT MAP

File No. F20-463
LOAN # 243889R14

Borrower DENISE L AND BOB JONAS

Property Address 11265 S BARNARDS RD

City MOLALLA County CLACKAMAS State OR Zip Code 97038

Lender/Client MORTGAGE SOLUTIONS OF COLORADO LLC Address 5455 N UNION BLVD, COLORADO SPRINGS, CO 80918



File No.: 20-331779

Clackamas County Official Records
Sherry Hall, County Clerk

2021-004440

01/14/2021 12:05:02 PM

Grantor	D-D	Cnt=1 Stn=9 COUNTER1	\$103.00
Loren Miller, Successor Trustee of the Vernon J. Gahler Trust u/a/d December 23, 2014 6480 S. Lone Elder Road Aurora, OR 97002	\$15.00	\$16.00 \$10.00 \$62.00	
Grantee			
Bob W. Jonas and Denise L. Jonas P.O. Box 1130 Wilsonville, OR 97070			
After recording return to			
Bob W. Jonas and Denise L. Jonas P.O. Box 1130 Wilsonville, OR 97070			
Until requested, all tax statements shall be sent to			
Bob W. Jonas and Denise L. Jonas P.O. Box 1130 Wilsonville, OR 97070 Tax Acct No(s): 01068944			

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Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Loren Miller, Successor Trustee of the Vernon J. Gahler Trust u/a/d December 23, 2014, Grantor(s) convey and warrant to Bob W. Jonas and Denise L. Jonas, as tenants by the entirety, Grantee(s), the real property described in the attached Exhibit A, free of encumbrances EXCEPT covenants, conditions, restrictions, easements, and encumbrances of record as of the date hereof.

The true consideration for this conveyance is \$699,900.00. (Here comply with requirements of ORS 93.030)

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

Executed this 12th day of January, 2021

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Vernon J. Gahler Trust u/a/d December 23, 2014

By: Loren Miller
Loren Miller, Successor Trustee

STATE OF OREGON

COUNTY OF CLACKAMAS

This instrument was acknowledged before me this 12th day of January, 2021, Loren Miller, Successor Trustee of the Vernon J. Gahler Trust u/a/d December 23, 2014, on behalf of the Trust.

MBP
Notary Public for Oregon
My Commission Expires: 7/10/22



EXHIBIT "A"
LEGAL DESCRIPTION

The North 14 of the Northwest quarter of Section 1, Township 5 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, except the East 120 feet thereof as conveyed to Gale Christner, by deed recorded in Book 446, page 76, Deed Records, and to Gale Christner, et ux, by deed recorded in Book 507, page 128, Deed Records

Excepting Also the following:

Beginning at the northwest quarter of said Section 1; thence East a distance of 53 rods, 5½ feet; thence South 30 rods; thence West a distance of 53 rods 5½ feet; thence North 30 rods to the point of beginning.

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