

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

Check all items included with this application. (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: Certificate 93384**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2021 End Year: 2026.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0_____	Date: <u>13663</u> - _____

Part 2 of 5 – Temporary Transfer Application Map Checklist

Your temporary transfer application will be returned if any of the map requirements listed below are not met.

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Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME J Frank Schmidt & Son Co.			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS PO Box 189			FAX NO.	
CITY Boring	STATE OR	ZIP 97009	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				


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

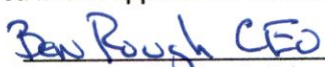
AGENT/BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc.			PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road			FAX NO. (503) 632-5983	
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
The proposed place of use is on a parcel of leased land without a water right. This temporary transfer will allow us to irrigate and grow crops on that piece.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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


 Applicant signature


 Print Name (and Title if applicable)

3/15/21
 Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME Clackamas Co. Department of Transportation and Development, Planning Division	ADDRESS 150 Beavercreek Road	
CITY Oregon City	STATE Oregon	ZIP 97045

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

Water Right Certificate # 93383

Description of Water Delivery System

System capacity: **1.42** cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

These lands are supplied by a dual mainline system. One mainline carries only filtered water and is generally intended for drip irrigation use. The other mainline carries unfiltered water and is only used for sprinkler irrigation. Drip or sprinkler irrigation is used based on the type of crop and its needs.

For sprinkler irrigation, water from Well BF-3 and Well BF-6 is pumped into a buried PVC line to the Barlow Center Pond which acts as a bulge in the system. From there, water is pumped with a 30 HP electric pump into a mainline system of buried PVC line of either: 8", 6", 5", or 4" diameters to match flow rate to reach the place of use. Water can also be pumped directly from each well into the buried PVC lines, by-passing the pond.

Water conveyed from Well BF-5 is directly pumped into the filtered mainline system for drip irrigation, or Well BF-5 can be pumped into the Barlow North Reservoir. From the reservoir, water is pumped to Well BF-2 sand media filter station and into the filtered mainline system for use by the drip irrigation system, or water can be pumped directly into the unfiltered mainline system for sprinkler irrigation.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
BF-3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 56760	4	S	1	E	19	SW	NE	TL 200	1,350 feet south and 1,900 feet west from the NE corner, Section 19.
BF-5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 58216	4	S	1	E	19	NE	NW	TL 200	1,200 feet south and 3,920 feet west from the NE corner, Section 19.
BF-6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 60832	4	S	1	E	19	SE	NW	TL 200	2,630 feet south and 2,650 feet west from the NE corner, Section 19.

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Appropriation/Well (POA)
- Point of Diversion (POD)
- Additional Point of Appropriation (APOA)

Additional Point of Diversion (APOD)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

Place of Use (POU)

Point of Appropriation/Well (POA)

Character of Use (USE)

Additional Point of Appropriation (APOA)

Point of Diversion (POD)

Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 93383

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)										
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES										
List only that part or portion of the water right that will be changed.										are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
4 S	1 E	18	NW SE	4200	Lot 3	3.8	Nursery	BF-3, BF-5, & BF-6	10-5-1999	POU	4 S	1 E	18	SW SE	100	DLC 37	0.2	Nursery	BF-3, BF-5, & BF-6	10-5-1999
4 S	1 E	19	SE SW	1082	NA	22.7	Nursery	BF-3, BF-5, & BF-6	10-5-1999	POU	4 S	1 E	18	SE SE	100	DLC 37	1.4	Nursery	BF-3, BF-5, & BF-6	10-5-1999
											4 S	1 E	19	NE NE	100	NA	20.4	Nursery	BF-3, BF-5, & BF-6	10-5-1999
											4 S	1 E	19	NW NE	100	NA	4.5	Nursery	BF-3, BF-5, & BF-6	10-5-1999
TOTAL ACRES										TOTAL ACRES										
13										26.5										

Additional remarks: None

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For Place of Use Changes

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Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: NA

Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
BF-3	Yes	CLAC 56760	See Well Log CLAC 56760							Not less than full rate of water right
BF-5	Yes	CLAC 58216	See Well Log CLAC 58216							
BF-6	Yes	CLAC 60832	See Well Log CLAC 60832							

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) SS
 County of CLACKAMAS)

I, SAM DOANE, in my capacity as OPERATOR,
 mailing address PO BOX 189, BORING, OR 97009

telephone number (____)____, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # ____; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # 93393 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

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3. The water right was used for: (e.g., crops, pasture, etc.): NURSERY STOCK, SHADE AND FLOWERING TREES

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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[Handwritten Signature]

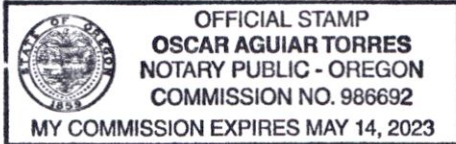
Signature of Affiant

3/5/21

Date

OWRD

Signed and sworn to (or affirmed) before me this 15 day of MARCH, 2021.



[Handwritten Signature]

Notary Public for Oregon

My Commission Expires: MAY 14, 2023

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right.</p> <p>If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



THIS SPACE PROVIDED FOR RECORDER'S USE.

Clackamas County Official Records 2003-079075
Sherry Hall, County Clerk



\$26.00

0050636200300790750010013 06/23/2003 11:50:53 AM

M TDS CHIEF STAFF BEVERLY
\$5.00 \$11.00 \$10.00

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After recording return to:

SCHMIDT LIMITED PARTNERSHIP
PO BOX 189
BORING OR 97009
Reference Number:
TDC Number: 53029

DEED OF RECONVEYANCE

FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, an assumed business name of Title Insurance Company of Oregon, hereinafter Trustee, under that certain deed dated May 21, 2001, executed and delivered by SCHMIDT LIMITED PARTNERSHIP, AN OREGON LIMITED PARTNERSHIP as grantor recorded on May 22, 2001 in the Mortgage Records of CLACKAMAS County, Oregon, in book _____ at page _____, or as file/reel number 2001037737, conveying real property situated in said county described as follows:

AS FULLY SET FORTH ON SAID DEED OF TRUST

FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON
NO. TDC 53029

having received from the beneficiary under said trust deed a written request to reconvey, reciting that the obligation secured by said trust deed has been fully paid and performed, hereby does grant, bargain, sell and convey, but without any covenant or warranty, express or implied, to the person or persons legally entitled thereto, all of the estate held by the undersigned in and to said described premises by virtue of said trust deed.

DATED: June 12, 2003, TITLE INSURANCE COMPANY OF OREGON

By [Signature]
STATE OF OREGON, County of MULTNOMAH)ss.

The foregoing instrument was acknowledged before me this 12 day of June, 2003,
by JUDY PATZER, VICE PRESIDENT
of Title Insurance Company of Oregon, a corporation, on behalf of the corporation.

[Signature: Michele Royce-Kiltz]
Notary Public for Oregon
My commission expires:



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Ellis J. Hester 17595 S.E. Lower Island Rd. Dayton, OR 97114	Grantor
Schmidt Limited Partnership P.O. Box 189 Boring, OR 97009	Grantee
After recording return to: Schmidt Limited Partnership P.O. Box 189 Boring, OR 97009	
Until a change is requested, all tax statements shall be sent to the following address: Schmidt Limited Partnership P.O. Box 189 Boring, OR 97009	

Clackamas County Official Records
Sherry Hall, County Clerk 2003-134579

00579130200301345790010015

10/06/2003 03:02 53 PM

D-D Cnt=1 Sht=3 BEVERLY
\$5.00 \$11.00 \$10.00

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FULFILLMENT SPECIAL WARRANTY DEED - STATUTORY FORM

Ellis J. Hester, Grantor, conveys and specially warrants to Schmidt Limited Partnership, Grantee, the following described real property free of all encumbrances created or suffered by the Grantor except as specifically set forth herein situated in Clackamas County, Oregon, to-wit:

A part of section 19, Township 4 South, Range 1 East, of the Willamette Meridian, described as follows:

Beginning at a point on the east line of said Section 19, which is 159 feet north of the southeast corner thereof; thence continuing North along said east line to a point which is 824 feet north of the southeast corner of said Section 19; thence West at right angles to the east line of said section, 360 feet; thence North parallel with said east line, 1320 feet; thence East at right angles to the last mentioned course, a distance of 360 feet to the east line of Section 19; thence North along the east line of said section to the one-quarter section corner; thence West along the east-west center line of said Section 19, to the center of said section; thence South along the north-south center line to the east-west 16th section line; thence West along the east-west 16th section line to the north-south 16th section line of Section 19; thence South along said north-south 16th section line to the south line of said section; thence East along said south line to a point which is 275 feet westerly from the southeast corner of said Section 19; thence North parallel to the east line of said section, 159 feet; thence East parallel to the south line thereof, 275 feet to the place of beginning.

Includes Lot 1082

TOGETHER WITH the following items of personal property, to wit:

75 Horse Power Aurora Vertiline Irrigation Pump, serial no. R-6326-05-122, and 500 lengths of 3" laterals with risers, sprinkler heads and fittings.

The property is free from all encumbrances created or suffered by the Grantor.

The true consideration for this conveyance is: \$680,000.00.

This deed is given in fulfillment of that certain contract dated March 18, 1988 by and between ELLIS J. HESTER as GRANTOR, and J. FRANK SCHMIDT, III, J. FRANK SCHMIDT, JR., JAN S. BARKLEY, EVELYN L. SCHMIDT and JEAN S. WEBSTER, doing business under the assumed name and style of SCHMIDT COMPANY, herein referred to as BUYER, recorded on March 21, 1988, in the Deed Records of Clackamas County, as instrument #88-10668; the vendee's interest in which contract having been transferred on July 29, 1998 by the conversion of the Schmidt Company to Schmidt Limited Partnership.

DATED this 26 day of Sept, 2003.

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.

Ellis J. Hester
ELLIS J. HESTER

State of ^{Hawaii} Oregon)
County of ^{Hawaii} Clackamas) ss.

Personally appeared the above named Ellis J. Hester and acknowledged the foregoing to be his/her/their voluntary act and deed.

Before me this 26th day of September, 2003.

Katherine Okamura
Notary Public in and for Oregon State of Hawaii
My Commission Expires: 9/10/04

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FATCO. NO. 718311 - Le 2