

Application for Permit Amendment

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

- Part 1 – Completed Minimum Requirements Checklist. OWRD
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**
List the Permits here: G-15758 Attachment A
Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner). **Attachment B**
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record. **Attachment C**
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- 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. **Attachment D**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **Attachment E**
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/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	13852

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Permit Amendment Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

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- N/A If **more than three** permits are involved, separate maps for each permit.
- 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), 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 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMIT AMENDMENT				
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	RECEIVED	1	\$1,360
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2</u> (2a) Subtract 1 from the number in line 2a = <u>1</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »	OCT 25 2021 OWRD	2	\$1,090
3	Number of permits included in Permit Amendment <u>1</u> (3a) Subtract 1 from the number in 3a: <u>0</u> (3b) <i>If only one permit this will be 0</i> Multiply line 3b by \$610 and enter »		3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480</u> (4a) Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$410</u> (4b) Add line 4a to line 4b and enter »		4	\$890
5	Do you propose to change the place of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see below*): <u>0.43</u> (5a) Subtract 1.0 from the number in 5a above: <u>-0.57</u> (5b) If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		5	0
6	Add entries on lines 1 through 5 above » Subtotal:		6	\$3,340
7	Is this permit amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 If no box is applicable, enter 0 on line 7 »		7	
8	Subtract line 7 from line 6 » Permit Amendment Fee:		8	\$3,340

*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each permit involved as follows:
 - a. Divide total authorized cfs by total acres in the permit (*for S-12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be changed to get the application cfs (*x 45 ac = 0.56 cfs*).
 - b. If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land**. The fee should be assessed only once for each “on the ground” acre included in the application. (*In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME G and F Sester Family LLC, Attn: Ted Sester			PHONE NO. 503-663-4844	ADDITIONAL CONTACT NO.
ADDRESS 33205 SE Oxbow Dr.			FAX NO.	
CITY Gresham	STATE OR	ZIP 97080	E-MAIL ted@sesterfarms.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.				

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

AGENT/BUSINESS NAME GSI Water Solutions, Inc. Attn: Theodore Ressler			PHONE NO. 971-200-8509	ADDITIONAL CONTACT NO.
ADDRESS 55 SW Yamhill St., Suite 300			FAX NO.	
CITY Portland	STATE OR	ZIP 97204	E-MAIL tressler@gsiws.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 permit amendment; and why:
This application proposes two changes to Permit G-15758: (1) Change the place of use for a 34.5-acre portion of the permit which authorizes primary irrigation; (2) Change the points of appropriation for the same 34.5-acre portion of the permit. No changes are proposed for the place of use or points of appropriation authorized for supplemental irrigation.

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

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? Yes No

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), OR
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

Has the Completion ("C") Date of the permit(s) in this application expired? Yes No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? 10/1/2028

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: The Gresham Outlook

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


 Applicant Signature

Ted Sester
 Print Name (and Title if applicable)

9/20/2021
 Date

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Check one of the following:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

Check the appropriate box, if applicable:

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	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 or used.

ENTITY NAME Multnomah County Land Use Planning Division	ADDRESS 1600 SE 190th Avenue	
CITY Portland	STATE OR	ZIP 97233

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Use Permit Information

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

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PERMIT # G-15758

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

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit 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)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MULT 3476	1 S	4 E	16	NW SE	300	1070 feet South and 50 feet East from C ¼ corner of Section 16
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	1 S	4 E	16	NE SE	400	1140 feet South and 1415 feet East from C ¼ corner of Section 16
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MULT 67819	1 S	4 E	16	SE SE	300	2175 feet South and 1415 feet East from C ¼ corner of Section 16
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	1 S	4 E	16	SW NE	300	600 feet North and 1200 feet East from C ¼ corner of Section 16
Ekstrom Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MULT 55482	1 S	4 E	21	NE NW	100	135 feet South and 1648 feet East from NW corner of Section 21
Ekstrom Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	1 S	4 E	21	NW NE	900	325 feet South and 2740 feet East from NW corner of Section 21

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

- 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 permit to be changed.

For a change in place of use:

Does the permit holder of record own or control the land TO which the place of use is being moved?

- Yes No

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment. **See Attachment C. The applicant will submit the request for assignment pending favorable findings from the Injury Review for this Permit Amendment.**

Is the proposed place of use contiguous to the authorized place of use? Yes No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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

If YES, list the other certificate, permit, or ground water registration numbers: "From" Lands: 28123; "To" Lands: 29894, 29896, 32584, and 40150. Certificate 29894 authorizes primary irrigation and Certificates 29896, 32584, and 40150 authorize supplemental irrigation.



Concurrent with this permit amendment application, a transfer application is being filed to move the portions of the place of use for Certificates 29894, 29896, 32584, and 40150 which coincide with this application's proposed "To" Lands to the location of this application's "From" Lands. The layered portion of Certificate 28123 is being left in place on the "From" Lands, and an affidavit for voluntary partial diminution from primary to supplemental irrigation is included with this application (Attachment F). When the transfer application is approved, Certificate 28123 will then be layered with a different primary irrigation right of similar reliability (Certificate 29894).

If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- Well log(s) are attached 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) **Attachment E**

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells 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.

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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
Well 2	No	N/A	440'*	8"*	0-440'*	0-284'*	380-430'*	220'*	Deep Troutdale	
Well 4	No	N/A	500'*	8"*	0-500'*	0-280'*	380-490'*	280'*	Deep Troutdale	
Ekstrom Well 2	No	N/A	550'*	10"*	0-210'*	0-210'*	210-550'*	280'*	Deep Troutdale	

*Anticipated or estimated

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Attachment A
Permit G-15758

Application for a Permit Amendment—G and F Sester Family LLC

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11

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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THIS PERMIT IS HEREBY ISSUED TO

G AND F SESTER FAMILY LLC
33205 SE OXBOW DR
GRESHAM, OR 97080

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The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16012

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, AND WELL 4 IN NORTH FORK BEAVER CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 334.85 ACRES, BEING PRIMARY IRRIGATION ON 34.5 ACRES AND SUPPLEMENTAL IRRIGATION ON 300.35 ACRES

MAXIMUM RATE: 1.11 CUBIC FEET PER SECOND (CFS), BEING 0.43 CFS FOR PRIMARY IRRIGATION AND 0.68 CFS FOR SUPPLEMENTAL IRRIGATION

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 21, 2003

WELL LOCATIONS:

WELL #1; NW ¼ SE ¼ SECTION 16, T1S, R4E, W.M.; 1070 FEET SOUTH & 50 FEET EAST FROM C1/4 CORNER, SECTION 16

WELL #2; NE ¼ SE ¼ SECTION 16, T1S, R4E, W.M.; 1140 FEET SOUTH & 1415 FEET EAST FROM C1/4 CORNER, SECTION 16

WELL #3; SE ¼ SE ¼ SECTION 16, T1S, R4E, W.M.; 2175 FEET SOUTH & 1415 FEET EAST FROM C1/4 CORNER, SECTION 16

WELL #4; SW ¼ NE ¼ SECTION 16, T1S, R4E, W.M.; 600 FEET NORTH & 1200 FEET EAST FROM C1/4 CORNER, SECTION 16

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW ¼ NE ¼	19.25 ACRES	20.0 ACRES
SW ¼ NE ¼	15.25 ACRES	24.75 ACRES
NE ¼ NW ¼		20.0 ACRES
NW ¼ NW ¼		18.0 ACRES
SW ¼ NW ¼		18.75 ACRES
SE ¼ NW ¼		19.5 ACRES
NE ¼ SW ¼		38.5 ACRES
SE ¼ SW ¼		38.5 ACRES
NE ¼ SE ¼		37.6 ACRES
NW ¼ SE ¼		36.5 ACRES
SW ¼ SE ¼		8.0 ACRES
SE ¼ SE ¼		20.25 ACRES

SECTION 16
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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The well(s) shall produce groundwater only from the Deep Troutdale groundwater reservoir between approximately 300 feet and 500 feet below land surface.

- (1) Use of water from the well, as allowed herein, shall be regulated if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The permittee/appropriator shall install a meter or other measuring device suitable to the Director, and shall keep a complete record of water uses.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until the initial water level in the well has been measured. A measurement of initial water level shall be made at the time a pump is installed, but before pumping begins.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year at the time of spring high water during the period March 15 through April 15.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, licensed water well drillers, registered geologists, registered professional engineers, registered land surveyors, licensed well constructor, pump installer licensed by the Construction Contractors Board, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

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- OWRD (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be received not later than 30 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the

use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

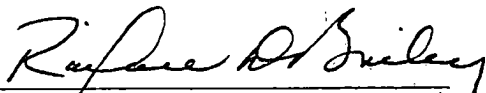
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued November 3, 2004

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OCT 25 2004

Phillip C. Ward, Acting Director
Water Resources Department

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ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

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Application G-16012
Basin 3
Huffmaam

Water Resources Department
Volume 2 BEAVER CR MISC

PERMIT G-15758
20

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Attachment B
Permit Amendment Application Map
Application for a Permit Amendment—G and F Sester Family LLC

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OCT 25 2021

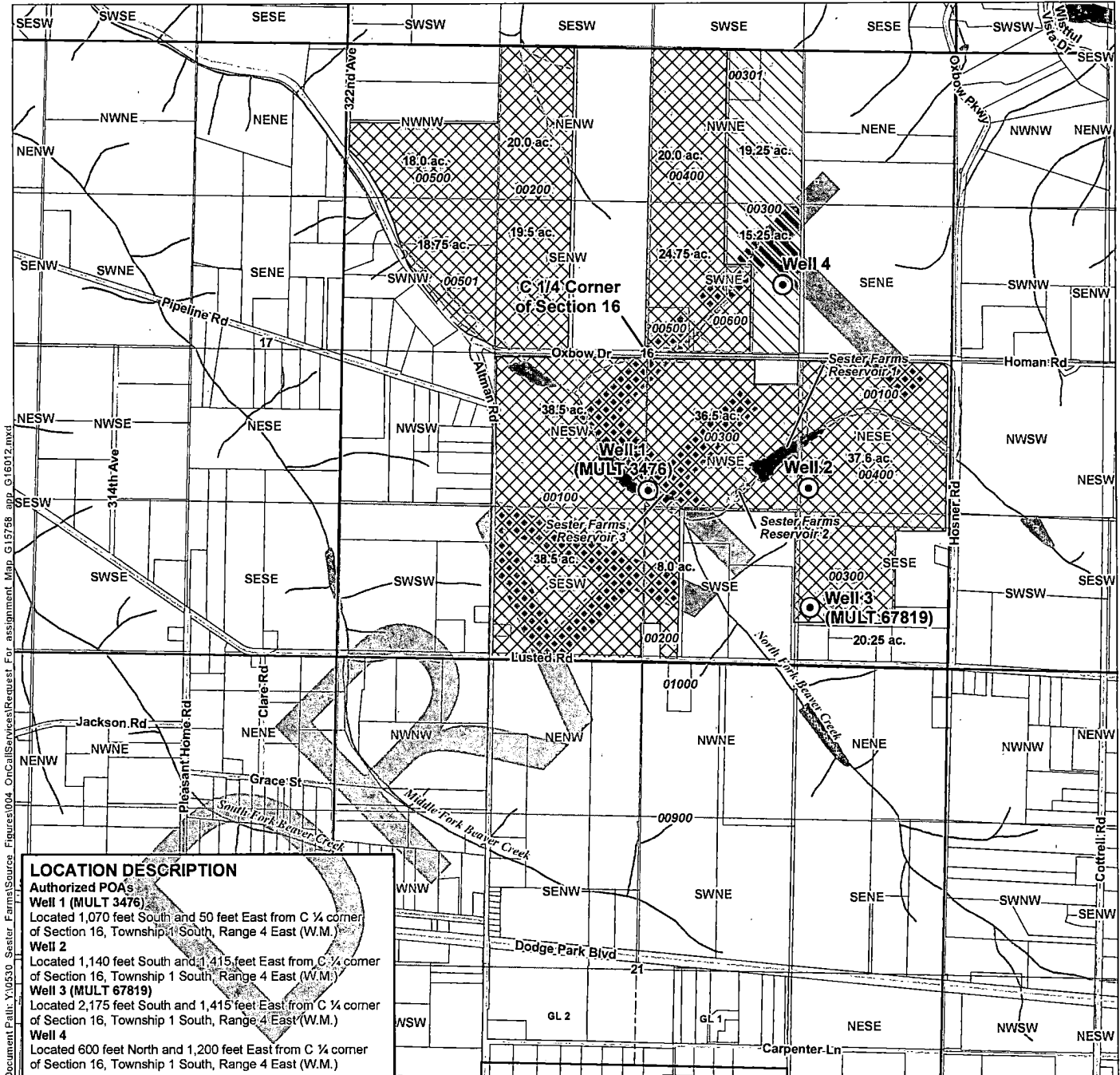
OWRD

Attachment C
Request for Assignment
Application for a Permit Amendment—G and F Sester Family LLC

13852

Request for Assignment Map Permit G-15758 (Application G-16012)

**Multnomah County
Township 1 South, Range 4 East (W.M.)**



LOCATION DESCRIPTION

Authorized POAs

Well 1 (MULT 3476)
Located 1,070 feet South and 50 feet East from C 1/4 corner of Section 16, Township 1 South, Range 4 East (W.M.)

Well 2
Located 1,140 feet South and 1,415 feet East from C 1/4 corner of Section 16, Township 1 South, Range 4 East (W.M.)

Well 3 (MULT 67819)
Located 2,175 feet South and 1,415 feet East from C 1/4 corner of Section 16, Township 1 South, Range 4 East (W.M.)

Well 4
Located 600 feet North and 1,200 feet East from C 1/4 corner of Section 16, Township 1 South, Range 4 East (W.M.)

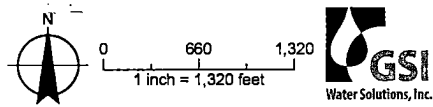
- LEGEND**
- Authorized Well
 - Portion to be Assigned to Shelley L Ekstrom LLC (34.5 ac. Primary)
 - Portion in the name of G and F Sester Family LLC (300.35 ac. Supplemental)
 - Government Lot (GL)
 - All Other Features**
 - Tax Lot
 - Watercourse
 - Waterbody

DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

MAP NOTES
Date: September 13, 2021
Data Sources: BLM, OGIC, USGS, METRO

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Well 1: MULT 3476
Well 3: MULT 67819
Ekstrom Well 1: MULT 55482

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Attachment E
Well Logs

Application for a Permit Amendment—G and F Sester Family LLC

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STATE OF OREGON WATER WELL REPORT (as required by ORS 537.765)

MAY 24 1993

WATER RESOURCES DEPT. SALEM, OREGON

MULT 3476

1S/4E/16

(START CARD) # 45258

(1) OWNER:

Name SESTER FARM INC. Address 33205 SE OXBOW City GRESHAM State OR Zip 97080

(2) TYPE OF WORK:

[X] New Well [] Deepen [] Recondition [] Abandon

(3) DRILL METHOD:

[X] Rotary Air [] Rotary Mud [] Cable [] Other

(4) PROPOSED USE:

[] Domestic [] Community [] Industrial [X] Irrigation [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval [] Yes [X] No Depth of Completed Well 433 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE Diameter, From, To, SEAL Material, From, To, Amount sacks or ft. Includes rows for Cement at 0-65 ft and 244-284 ft.

How was seal placed: Method [] A [] B [X] C [] D [] E [] Other

Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Includes rows for 10" and 8" casing.

Final location of shoe(s) 433

(7) PERFORATIONS/SCREENS:

[X] Perforations Method Air Knife [] Screens Type Material

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Includes row for 1-8" slot size, 1400 number, 8" diameter.

(8) WELL TESTS: Minimum testing time is 1 hour

[] Pump [] Bailer [X] Air [] Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem at, Time. Includes row with 300+ yield and 400 drawdown.

Temperature of Water 52 Depth Artesian Flow Found Was a water analysis done? [] Yes [] No By whom Did any strata contain water not suitable for intended use? [] Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description:

County Mult Latitude Longitude Township 1S N or S. Range 4E E or W. WM. Section 16 Tax Lot 11 Lot Block Subdivision Street Address of Well (or nearest address) same as above Water Right Permit #G11445

(10) STATIC WATER LEVEL:

199 ft. below land surface. Date 4-20-93 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 20

Table with columns: From, To, Estimated Flow Rate, SWL. Includes rows for 20-40 ft (N/A) and 319-433 ft (300+).

(12) WELL LOG:

Ground elevation

Large table with columns: Material, From, To, SWL. Lists various soil and rock layers from top soil to cement gravel gray.

Date started 3-9-93 Completed 4-20-93

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed Aaron K. Edie WWC Number 1547 Date 4-19-93

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed WWC Number 616 Date 4-19-93

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MULT 67819

State of Oregon
WATER WELL REPORT (as required by ORS 537.765)
WATER RESOURCES DEPT.
SALEM, OREGON

Page 1 of 1

State Well ID L52963
Start Card # 140108

(1) OWNER: Well No. L52963
Name SESTER FARM INC.
Address 33205 SE OXBOW
City GRESHAM St OR Zip 97080

(2) TYPE OF WORK: NEW WELL
(3) DRILL METHOD: ROTARY AIR
(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO _____ Depth of Compl. Well 470 ft
Explosives used NO _____ Type _____ Amount _____
HOLE SEAL
Diam. From To Material From To Amount
14 0 100 CEMENT 0 100 64 SACKS
12 100 280 CEMENT 200 280 36 SACKS
10 280 470 _____

Seal placement method C&SET PLUG&PUSH
Backfill: from _____ ft to _____ ft Material _____
Gravel: from _____ ft to _____ ft Size _____

(6) CASING/LINER:
Diam. From To Gauge Material Connection
Casing 10 +1 280 .250 STEEL WELDED
8 0 470 .250 STEEL WELDED
Liner _____
Final Location of shoe(s) 280' 9.5"/470' 7.5" TUBEX

(7) PERFORATIONS/SCREENS:
 Perf. Method AIR KNIFE
 Screens Type _____ Material _____
Slot Tele/pipe
From To Size Number Diam. Size Casing/liner
340 460 1/8X2 1800 _____ CASING

(8) WELL TESTS: Minimum testing time is 1 hour
Test type PUMP
Yield GPM Draw-down Drill stem at Time
160 110 _____ 1 hr.
160 110 _____ 24 hr
Temperature of water 51F Depth Artesian Flow Found _____
Was water analysis done? NO By whom _____
Reason for water not suitable for use _____
Depth of strata _____

(9) LOCATION OF WELL by legal description:
County MULT Lat. ° ' " Long. ° ' "
Township 1 S Range 4 E WM.
Section 16 SE 1/4 SE 1/4
Tax Lot 300 Lot Block Subdivision
Street Address of Well (or nearest Address)
NEAREST TO 33605 LUSTED RD GRESHAM, OR

(10) STATIC WATER LEVEL:
330 ft. below land surface. Date 09/14/02
Artesian pressure _____ lb per square in. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 340
From To Est Flow Rate SWL
340 470 160 GPM 330

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 2
RED CLAY 2 64
RED CLAY & GRAVEL 64 71
CEMENTED GRAVEL & BOULDERS 71 200
CEMENTED GRAVEL W/SEAMS OF YELLOW CLAY 200 340
FINE BLACK CEMENT GRAVEL 340 395 330
FINE MULTI COLORED CEMENTED GRAVEL 395 460 330
FINE MULTI COLORED CEMENTED GRAVEL WITH 460 330
YELLOW SAND 470 330

RECEIVED
TED PULLIAM WELL DRILLING
9480 S.E. 172nd
Boring, Oregon 97009
Phone 665-3353
Date started 08/27/02 Completed 09/14/02
OCT 25 2002
QWRD

(Unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.
Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed *Ted Pulliam* WWC Number 616
Date 09/28/02

13852

MULT 55482

APR 23 1998

State of Oregon
WATER WELL REPORT (as required by ORS 537.765)

Page 1 of 1

State Well ID L15865
WATER RESOURCES DEPT
SALEM, OREGON
Start Card # 099526

(1) OWNER: Well No. L15865
Name EKSTROM NURSERY
Address 1600 SE 282ND
City GRESHAM St OR Zip 97080

(2) TYPE OF WORK: NEW WELL
(3) DRILL METHOD: ROTARY AIR
(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO Depth of Compl. Well 480 ft
Explosives used NO Type Amount
HOLE SEAL
Diam. From To Material From To Amount
14 0 120 CEMENT 0 120 58 SACKS
12 120 208 CEMENT 190 208 36 SACKS
9 5/8 208 420
7 1/2 420 520
Seal placement method C
Backfill: from ___ ft to ___ ft Material
Gravel: from ___ ft to ___ ft Size

(6) CASING/LINER:
Diam. From To Gauge Material Connection
Casing 10 +1 208 .250 STEEL WELDED
8 0 420 .250 STEEL WELDED
Liner
Final Location of shoe(s) 208'9 1/2"; 420'7 1/2" TUBEX

(7) PERFORATIONS/SCREENS:
[] Perf. Method
[] Screens Type Material
From To Slot Size Number Diam. Tele/pipe Size Casing/liner

(8) WELL TESTS: Minimum testing time is 1 hour
Test type AIR
Yield GPM Draw-down Drill stem at Time
250 500 1 hr.
Temperature of water 51F Depth Artesian Flow Found
Was water analysis done? NO By whom
Reason for water not suitable for use
Depth of strata

(9) LOCATION OF WELL by legal description:
County MULT Lat. ° ' " Long. ° ' "
Township 1 S Range 4 E WM.
Section 21 NE 1/4 NW 1/4
Tax Lot 58 Lot Block Subdivision
Street Address of Well (or nearest Address)
CORNER SE ALTMAN & LUSTED ROAD GRESHAM, OR 97080

(10) STATIC WATER LEVEL:
260 ft. below land surface. Date 04/20/98
Artesian pressure ___ lb per square in. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 260
From To Est Flow Rate SWL
140 160 10-20 GPM 65
420 520 250-300GPM 260

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 2
RED CLAY 2 63
LIGHTLY CEMENTED GRAVEL & BOULDERS 63 140
GRAVEL & BOULDERS 140 160 65
LIGHTLY CEMENTED GRAVEL & BOULDERS 160 420
LIGHTLY CEMENTED GRAVEL & BOULDERS & BLACK SAND 420 480 260
LIGHTLY CEMENTED GRAVEL & BOULDERS & YELLOW SAND 480 520 260
CAVING 480'-520'

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Date started 04/02/98 Completed 04/20/98

(Unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed *Red M. [Signature]* WWC Number 616
Date 04/20/98

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Attachment F
Affidavit for Voluntary Partial Diminution of Certificate 28123
Application for a Permit Amendment—G and F Sester Family LLC

13852

AFFIDAVIT FOR THE VOLUNTARY PARTIAL DIMINUTION OF A WATER RIGHT CERTIFICATE

RECEIVED

OCT 25 2021

OWRD

State of Oregon)
) ss
County of Multnomah)

I/We (or authorized agent), Tim and Lisa Sester
residing at 33505 SE Oxbow Drive, Gresham, OR 97080
telephone number 503-663-4844 being first duly sworn depose and say:

- 1. I/We are the legal owner(s) of the property described as tax lot number 1S4E16A0300, within the SW 1/4 NE 1/4, Section 16, Township 1 S, Range 4 E, of the Willamette Meridian, in Multnomah County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. All or a portion of water right certificate number 28123 issued to Andrew William and Anne Sherwood, with a date of priority of 3/12/1956 for use of 0.11 cubic foot per second of water from Nursery irrigation well (MULT 2531) (sources) for the purpose of irrigation of 9.3 acres (uses) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: N/A);
4. If the water right is issued in the name of an irrigation district, then the affiant must have the concurrence of the district to the diminishment of the portion of the water right. (Signature of district manager on the line below documents concurrence of the district.)

N/A

Signature of district manager Printed Name Date

- 5. I/We are requesting partial diminution of water right certificate number 28123 in the amount of 0.07 cubic foot per second of water from Nursery irrigation well (sources) for the irrigation of 6.1 acres at the following locations as listed on the certificate (attach a table if needed):

Table with 2 columns: Location (SW 1/4 NE 1/4) and Acres (6.1). Includes Section 16, Township 1 S, Range 4 E, WM.

- 6. I/we have found a more dependable source of primary water, and therefore request the water right be diminished from a right for primary irrigation to a right for supplemental irrigation on the lands described above in item #5;

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A WATER RIGHT CERTIFICATE
(CONTINUED)**

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from Nursery irrigation well (MULT 2531) (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from Nursery irrigation well (MULT 2531) (source) for primary irrigation of these lands.

Jim Secsten

Signature of legal owner as listed on deed, or authorized agent

9/20/21

Date

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OCT 25 2021

Signature of legal co-owner as listed on deed
(if applicable)

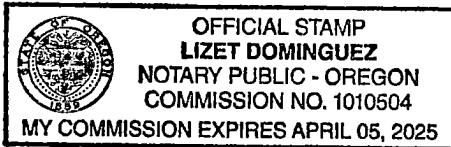
Date

OWRD

Subscribed and Sworn to Before Me this 20th day of September, 2021

Lizet Dominguez

Notary Public for Oregon



My Commission Expires April 05, 2025

PLEASE ATTACH A LEGIBLE COPY OF:

- 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND
- 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED.
- 3) IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

13852

BLS NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



G + F Sester Family LLC
33295 SE Oxbow Dr
Gresham, Oregon 97080

Grantor's Name and Address

Tim Sester and Lisa Sester
33505 SE Oxbow Dr
Gresham, Oregon 97080

Grantee's Name and Address

After recording, return to (Name and Address):

Tim Sester
33505 SE Oxbow Dr
Gresham, OR 97080

Until requested otherwise, send all tax statements to (Name and Address):

no change

Multnomah County Official Records
E Murray, Deputy Clerk

2018-062871



02139493201800628710010017

\$82.00

06/14/2018 12:05:36 PM

1R-BAS DEED
\$5.00 \$11.00 \$60.00 \$6.00

Pgs=1 Stn=10 HUNTK

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OCT 25 2021

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BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that G + F Sester Family LLC

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Tim Sester and Lisa Sester Husband and Wife

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Multnomah County, State of Oregon, described as follows (legal description of property):

Legal Description

The West one-half of the Northeast one-quarter of Section 16, Township 1 South, Range 4 East of the Willamette Meridian; EXCEPT that part of the West one-half of the West one-half of the Northeast one-quarter of said Section 16, conveyed to William K. Sester, et ux, by deed recorded January 6, 1943 in Book 726, Page 586, Deed Records, all in the County of Multnomah and State of Oregon.

ALSO EXCEPTING THEREFROM the following:

Beginning at a point on the South line of the Northeast one-quarter of Section 16, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, that is East 396.00 feet from the Southwest corner of the Northeast one-quarter of said section; thence North parallel with the East line of the West one-half of the West one-half of the Northeast one-quarter a distance of 231.0 feet; thence Northeasterly 370 feet, more or less, to a point in the East line of the West one-half of the West one-half of the Northeast one-quarter that is North 478.5 feet from the South line of said Northeast one-quarter; thence North on the aforesaid East line a distance of 286.5 feet; thence East parallel to the South line of the Northeast one-quarter a distance of 234.0 feet; thence South parallel with the aforesaid East line a distance of 765.0 feet to a point in the South line of the Northeast one-quarter of said section; thence West along said South line, 531.08 feet to the point of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on June 13, 2018; any signature on behalf of a business or other entity is made with the authority of that entity.

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 195.335 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 195.335 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.

Tim Sester Member
Lisa Sester member

STATE OF OREGON, County of Multnomah ss.

This instrument was acknowledged before me on June 13, 2018

by _____

This instrument was acknowledged before me on _____

by TIM SESTER + TED SESTER

as Members

of G + F SESTER Family LLC

Michelle Lynn Card

Notary Public for Oregon

My commission expires 11/26/21



13852

Oregon Water Resources Department

Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15758, Water Right Application G-16012, in the) **FINAL ORDER**
name of G and F Sester Family, LLC)

Permit Information

Application: G-16012
Permit: G-15758
Basin: 3 – Sandy / Watermaster District 20
Date of Priority: May 21, 2003
Source of Water: Well 1, Well 2, Well 3, and Well 4 in North Fork Beaver Creek Basin
Purpose of Use: Irrigation use on 334.85 acres, being primary irrigation on 34.5 acres and supplemental irrigation on 300.35 acres
Maximum Rate: 1.11 cubic feet per second (cfs), being 0.43 cfs for primary irrigation and 0.68 cfs for supplemental irrigation

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-15758 was issued by the Department on November 3, 2004. The permit called for complete application of water to beneficial use by October 1, 2009. On February 8, 2016, Sester Farms, Inc submitted an Application for Extension of Time for Permit G-15758. In accordance with OAR 690-315-0050(2), on May 31, 2016, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2028. The protest period closed July 15, 2016, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated May 31, 2016.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020 and 2025. A form is enclosed with this Final Order.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

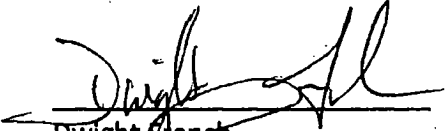
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-16012, Permit G-15758, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2009 to October 1, 2028.

DATED: July 22, 2016



Dwight Glench

Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



October 22, 2021

Mr. Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

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OCT 25 2021

OWRD

RE: Application for a Permit Amendment involving Permit G-15758
Application for a Permanent Water Right Transfer involving Certificates 29894, 29896,
32584, 40150

Dear Kelly:

On behalf of the water right holder, please find enclosed:

- Application for a Permit Amendment involving Permit G-15758 and accompanying check in the amount of \$3,340 for payment of the permit amendment fee, and
- Application for a Permanent Water Right Transfer involving Certificates 29894, 29896, 32584, and 40150 and accompanying check in the amount of \$3,190 for payment of the transfer fee.

The place of use changes requested in the permit amendment and transfer involve the same lands; therefore, the Department's review of the two transactions will need to be sequenced. Specifically, the "From" lands for the permit amendment will be the "To" lands for the transfer; and the "From" lands for the transfer will be the "To" lands for the permit amendment.

Please note that included with the permit amendment application is a voluntary partial diminution of water right (Certificate 28123) that is currently layered with Permit G-15758 on the "From" lands. The layered portion of Certificate 28123 is being left in place and will become layered with a different primary irrigation right of similar reliability following approval of the transfer application (Certificate 29894 will be the primary right layered with Certificate 28123 in place of Permit G-15758).

In addition, please note that the "To" lands for the permit amendment are not currently under the control of the permit holder. A draft Request for Assignment for the portion of Permit G-15758 involved in the permit amendment is included with the application (Attachment C); the final signed Request for Assignment will be filed with the Department pending a favorable Injury Review for the permit amendment application (the objective is to not proceed with the assignment unless the Department intends to approve the permit amendment).

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If you have any questions regarding the enclosed application, you can reach me at (971) 200-8509.
Please copy me on any correspondence regarding this application.

Sincerely,



Theodore R. Ressler, RG, CWRE
GSI Water Solutions, Inc.

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OCT 25 2021

OWRD

Enclosures: Application for a Permit Amendment
Check #24008 in the amount of \$3,340
Application for a Permanent Water Right Transfer
Check #24009 in the amount of \$3,190

CC: Ted Sester - Sester Farms
Jim Ekstrom - Ekstrom & Schmidt Nursery

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