

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.

Received

FEB 14 2025

OWRD

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

- Part 1 – Completed Minimum Requirements Checklist.
- 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: 2**
List the Permits here: [S-55487](#), [S-55488](#)
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).
- 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.
- 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.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- 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	
Other/Explanation _____	
Staff: _____ 503- _____ Date: ____/____/____	

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.

- 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°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME T & K Sester Family LLC, ATTN: Ted Sester		PHONE NO. 503-351-8954	ADDITIONAL CONTACT NO. -
ADDRESS 24200 SE Highway 212			FAX NO. -
CITY Damascus	STATE OR	ZIP 97089	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 Theodore Ressler, RG, CWRE – Summit Water Resources, LLC		PHONE NO. 503-967-7050	ADDITIONAL CONTACT NO. -
ADDRESS 4784 SE 17th Ave, Suite 111			FAX NO. -
CITY Portland	STATE OR	ZIP 97202	E-MAIL tressler@summitwr.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.			

Received
 FEB 14 2025
 OWRD

Explain in your own words what you propose to accomplish with this permit amendment; and why:
 The applicant is requesting to change the place of use (POU) for two water use permits (S-55487 and S-55488) to facilitate development of the water use authorized by the permits (13.3 acres from authorized POU will be moved to an adjacent/contiguous property, tax lot 1601). The total acreage (263.5 acres) will be unchanged and no other changes are requested.

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: NA

- 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)? 11/10/2028 for both permits (S-55487 and S-55488)

- 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: Hoodview News

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


 Applicant Signature

Ted Sester, Manager
T&K Sester Family LLC
 Print Name (and Title if applicable)

2/12/2025
 Date

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. **NA**

IRRIGATION DISTRICT NAME	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. **NA**

ENTITY NAME	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 Clackamas County	ADDRESS 150 Beaver creek Road	
CITY Oregon City	STATE OR	ZIP 97045

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Received
FEB 14 2025
OWRD

PERMIT # S-55487

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (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)
Recovery Pond	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	2	S	3	E	10	NE	NE	300	520 feet south and 490 feet west from NE corner, Section 10

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

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

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.

Received
 FEB 14 2025
 OWRD

Table 2. Description of Changes to Water Use Permit # S-55487

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.								
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	POD(s) or POA(s)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	POD(s) or POA(s) to be used	Priority Date	
2	S	3	E 10	NE NE	100, 200, 300	2.6	Recovery Pond	6/22/2023	POU	2	S	3	E 11	NE NW	1601	2.8	Recovery Pond	6/22/2023	
2	S	3	E 10	SW NE	1801	1.8				2	S	3	E 11	NW NW	1601	10.5			
2	S	3	E 10	NW SE	2600	0.5													
2	S	3	E 10	SW SE	2600	0.4													
2	S	3	E 10	SE SE	2600	2.4													
2	S	3	E 11	NW NW	1700	2.5													
2	S	3	E 11	SW NW	1900	0.1													
2	S	3	E 11	NW SW	2100	0.8													
2	S	3	E 11	SW SW	2100	2.2													
TOTAL ACRES						13.3	TOTAL ACRES						13.3						

Additional remarks: The applicant is requesting to change the place of use (POU) for 13.3 acres of Permit S-55487. The REMAINING lands that are not involved in the place of use change are not listed in Table 2. The total acreage (263.5 acres) will be unchanged and no other changes are requested.

Received
FEB 14 2025
OWRD

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: Permit S-55488. However, both Permit S-55487 and Permit S-55488 are for nursery use and therefore do not layer.

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: NA

- 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)

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 NA

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

Received
FEB 14 2025
OWRD

Received
 FEB 14 2025
 OWRD

Part 5 of 5 – Water Use Permit Information

PERMIT # S-55488

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (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)
Reservoir 1 POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	2	S	3	E	10	NW	SE	2600	1565 feet north and 2010 feet west from the SE corner of Section 10
Reservoir 2 POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	2	S	3	E	10	SW	SE	2600	1342 feet north and 1885 feet west from the SE corner of Section 10
Reservoir 3 POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	2	S	3	E	10	SW	SE	2600	1190 feet north and 1740 feet west from the SE corner of Section 10
Reservoir 4 POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	2	S	3	E	10	SE	SE	2600	1000 feet north and 1925 feet west from the SE corner of Section 10

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

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

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.

Table 2. Description of Changes to Water Use Permit # S-55488

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	POD(s) or POA(s)	Priority Date			Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	POD(s) or POA(s) to be used	Priority Date	
2	S	3	E 10	NE NE	100, 200, 300	2.6	Reservoir 1 POD, Reservoir 2 POD, Reservoir 3 POD, Reservoir 4 POD	6/22/2023	POU	2	S	3	E 11	NE NW	1601		2.8	Reservoir 1 POD, Reservoir 2 POD, Reservoir 3 POD, Reservoir 4 POD	6/22/2023	
2	S	3	E 10	SW NE	1801	1.8				2	S	3	E 11	NW NW	1601		10.5			
2	S	3	E 10	NW SE	2600	0.5														
2	S	3	E 10	SW SE	2600	0.4														
2	S	3	E 10	SE SE	2600	2.4														
2	S	3	E 11	NW NW	1700	2.5														
2	S	3	E 11	SW NW	1900	0.1														
2	S	3	E 11	NW SW	2100	0.8														
2	S	3	E 11	SW SW	2100	2.2														
TOTAL ACRES						13.3	TOTAL ACRES						13.3							

Additional remarks: The applicant is requesting to change the place of use (POU) for 13.3 acres of Permit S-55488. The REMAINING lands that are not involved in the place of use change are not listed in Table 2. The total acreage (263.5 acres) will be unchanged and no other changes are requested.

Received
FEB 14 2025
OWRD

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: Permit S-55487. However, both Permit S-55487 and Permit S-55488 are for nursery use and therefore do not layer.



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: NA

- 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)

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 NA

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

Received
 FEB 14 2025
 OWRD

Attachments

- Attachment 1 Maps
- Attachment 2 Water Rights
- Attachment 3 Fee

Received
FEB 14 2025
OWRD

Received
FEB 14 2025
OWRD

Attachment 1
Maps

Received

FEB 14 2025

OWRD

Attachment 2
Water Rights

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

Received
FEB 14 2025
OWRD

THIS PERMIT IS HEREBY ISSUED TO:

T&K SESTER FAMILY, LLC
24200 SE HWY 212
DAMASCUS OR 97089

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

APPLICATION FILE NUMBER: S-89374

SOURCE OF WATER: HWY 212 RECOVERY POND, CONSTRUCTED UNDER PERMIT R-15571, TRIBUTARY TO NOYER CREEK

MAXIMUM VOLUME: 50.0 ACRE-FEET

PURPOSE OR USE: NURSERY USE ON 263.5 ACRES

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: JUNE 22, 2023

AUTHORIZED POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	3 E	WM	10	NE NE	520 FEET SOUTH AND 490 FEET WEST FROM NE CORNER, SECTION 10

The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, is limited to 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to 2.5 acre feet per acre during the irrigation season of each year.

AUTHORIZED PLACES OF USE:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	3 E	WM	10	NE NE	18.8
2 S	3 E	WM	10	SW NE	10.6
2 S	3 E	WM	10	SE NE	40.2
2 S	3 E	WM	10	NE SE	39.1
2 S	3 E	WM	10	NW SE	15.5
2 S	3 E	WM	10	SW SE	22.0
2 S	3 E	WM	10	SE SE	13.3
2 S	3 E	WM	11	NW NW	18.7
2 S	3 E	WM	11	SW NW	39.1
2 S	3 E	WM	11	SE NW	5.8
2 S	3 E	WM	11	NW SW	32.4
2 S	3 E	WM	11	SW SW	8.0

Received
 FEB 14 2025
 OWRD

PERMIT SPECIFIC CONDITIONS

1. 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.
2. **Water Use Measurement, Recording, and Reporting:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter, or other suitable measuring device as determined by the watermaster, at each point of diversion. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

3. Fish Screen/Passage:

The water user shall install, maintain, and operate fish screening and fish passage devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while passage devices provide adequate upstream and downstream passage for fish. The required screen and passage devices are to be in place and functional, and approved in writing by ODFW prior to diversion of water. The water user

may submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.

STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.
4. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS

1. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
2. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
3. Within one year after making complete application of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

ISSUED NOV 1 9 2023

Katherine Ratcliffe

Katherine Ratcliffe
Water Right Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Received
FEB 14 2025
OWRD

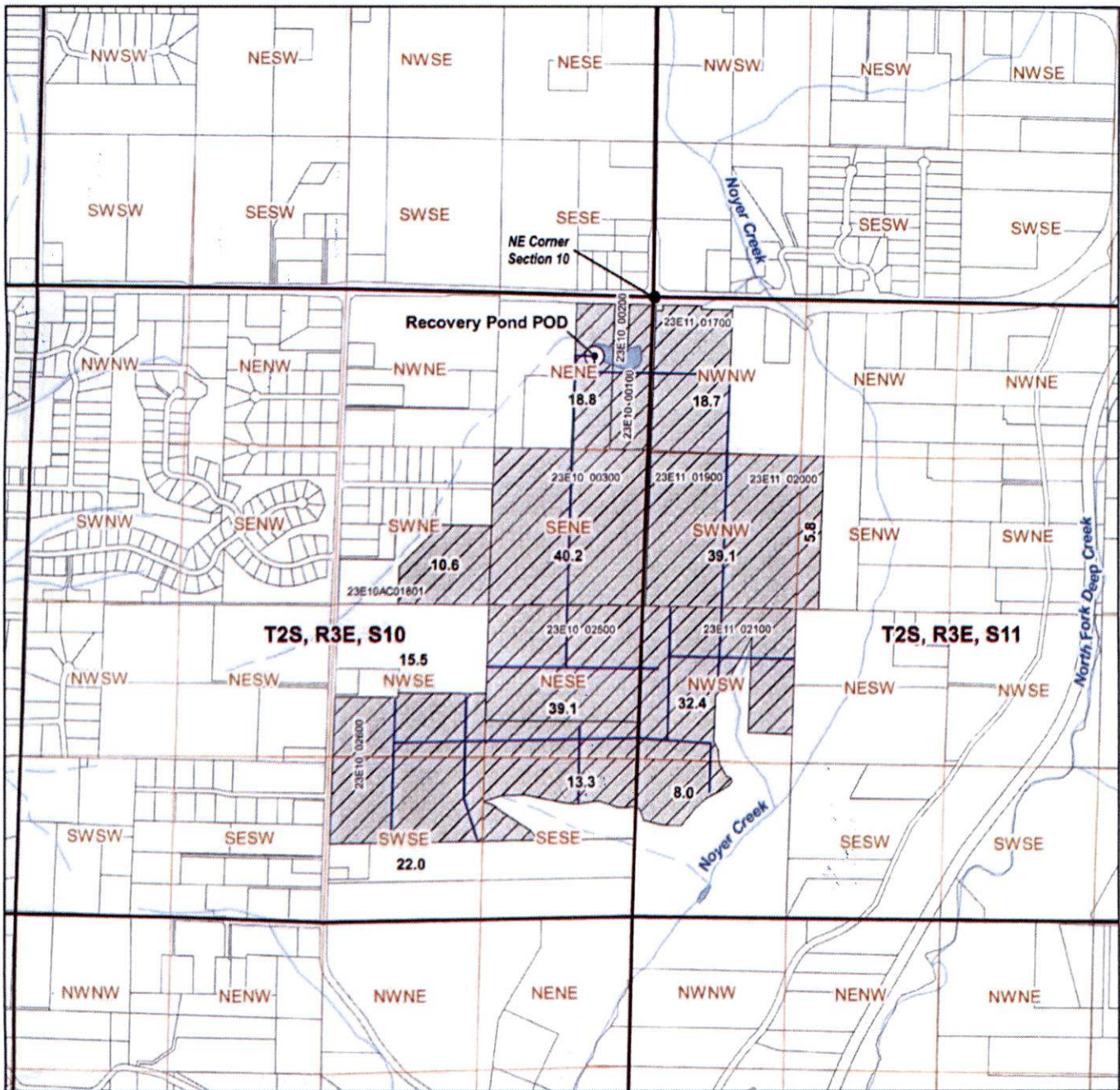
RECEIVED

JUN 22 2023

OWRD

Application for a Permit to Use Surface Water

Application in the name of T&K Sester Family LLC
Clackamas County

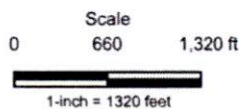


LEGEND

- Point of Diversion (POD)
- Place of Use (POU)
- Property Lines
- Streams
- Conveyance Mains
- Reservoir

POD Location Description

Recovery Pond POD (Storage under Permit R-15571)
 Located 520 feet South and 490 feet West from the NE corner of
 Section 10 (NENE), Township 2 South, Range 3 East, W.M.



Date: 5/2/2023
 Data Sources: BLM, OWRD, USGS, Multnomah County
 Disclaimer: This map is not intended to provide legal dimensions
 or property ownership lines.

Received

FEB 14 2025

OWRD



STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

T AND K SESTER FAMILY, LLC
24200 SE HWY 212
DAMASCUS OR 97089

Received
FEB 14 2025
OWRD

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

APPLICATION FILE NUMBER: S-89375

SOURCE OF WATER: RESERVOIR 1, CONSTRUCTED UNDER PERMIT R-15574, RESERVOIR 2, CONSTRUCTED UNDER PERMIT R-15573, RESERVOIR 3, CONSTRUCTED UNDER PERMIT R-15572, AND RESERVOIR 4, CONSTRUCTED UNDER PERMIT R-15570, TRIBUTARY TO NOYER CREEK

MAXIMUM VOLUME: 150.0 ACRE-FEET (AF), BEING 37.5 AF FROM RESERVOIR 1, 27.5 AF FROM RESERVOIR 2, 30.0 AF FROM RESERVOIR 3, AND 55.0 AF FROM RESERVOIR 4

PURPOSE OR USE: NURSERY USE ON 263.5 ACRES

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: JUNE 22, 2023

AUTHORIZED POINTS OF DIVERSION:

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
RESERVOIR 1	2 S	3 E	WM	10	NW SE	1565 FEET NORTH AND 2010 FEET WEST FROM SE CORNER, SECTION 10
RESERVOIR 2	2 S	3 E	WM	10	SW SE	1342 FEET NORTH AND 1885 FEET WEST FROM SE CORNER, SECTION 10
RESERVOIR 3	2 S	3 E	WM	10	SW SE	1190 FEET NORTH AND 1740 FEET WEST FROM SE CORNER, SECTION 10
RESERVOIR 4	2 S	3 E	WM	10	SW SE	1000 FEET NORTH AND 1925 FEET WEST FROM SE CORNER, SECTION 10

The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, is limited to 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water

diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to 2.5 acre feet per acre during the irrigation season of each year.

AUTHORIZED PLACES OF USE:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	3 E	WM	10	NE NE	18.8
2 S	3 E	WM	10	SW NE	10.6
2 S	3 E	WM	10	SE NE	40.2
2 S	3 E	WM	10	NE SE	39.1
2 S	3 E	WM	10	NW SE	15.5
2 S	3 E	WM	10	SW SE	22.0
2 S	3 E	WM	10	SE SE	13.3
2 S	3 E	WM	11	NW NW	18.7
2 S	3 E	WM	11	SW NW	39.1
2 S	3 E	WM	11	SE NW	5.8
2 S	3 E	WM	11	NW SW	32.4
2 S	3 E	WM	11	SW SW	8.0

Received
 FEB 14 2025
 OWRD

PERMIT SPECIFIC CONDITIONS

1. 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.
2. **Water Use Measurement, Recording, and Reporting:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter, or other suitable measuring device as determined by the watermaster, at each point of diversion. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

3. Fish Screen/Passage:

The water user shall install, maintain, and operate fish screening and fish passage devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while passage devices provide adequate

upstream and downstream passage for fish. The required screen and passage devices are to be in place and functional, and approved in writing by ODFW prior to diversion of water. The water user may submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.

STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.
4. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS

1. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
2. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
3. Within one year after making complete application of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

ISSUED DEC 08 2023

Received
FEB 14 2025
OWRD

Katherine Ratcliffe

Katherine Ratcliffe
Water Right Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

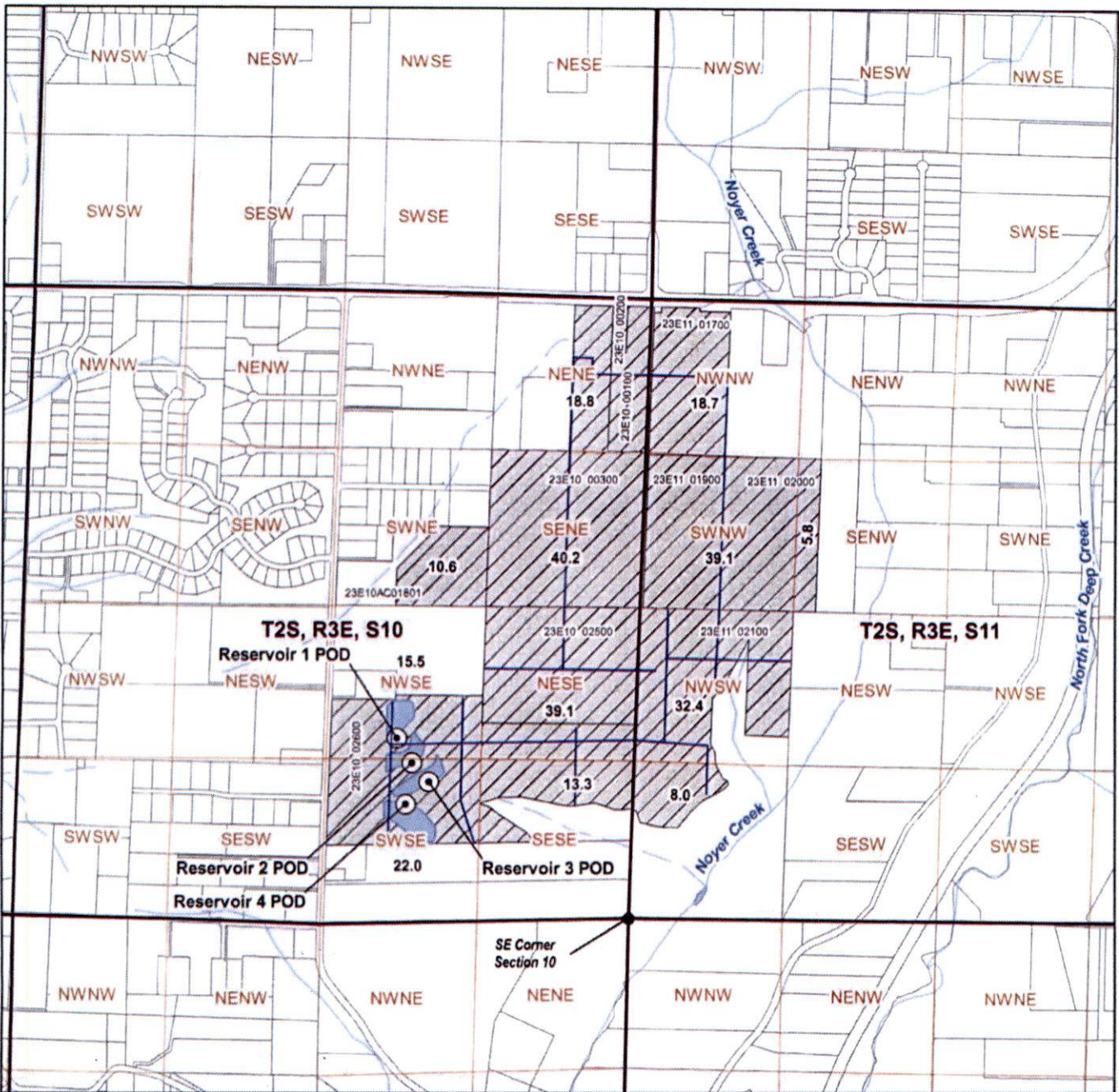
Application S-89375
Basin #2

Water Resources Department
Page 3 of 3

Permit S-55488
Water District #20

Application for a Permit to Use Surface Water

Application in the name of T&K Sester Family LLC
Clackamas County



LEGEND

- Point of Diversion (POD)
- Place of Use (POU)
- Property Lines
- Streams
- Conveyance Mains
- Reservoirs

POD Location Description

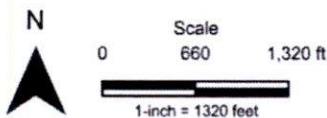
Reservoir 1 POD (Storage under Permit R-15574)
Located 1565 feet North and 2010 feet West from the SE corner of Section 10 (NWSE), Township 2 South, Range 3 East, W.M.

Reservoir 2 POD (Storage under Permit R-15573)
Located 1342 feet North and 1885 feet West from the SE corner of Section 10 (SWSE), Township 2 South, Range 3 East, W.M.

Reservoir 3 POD (Storage under Permit R-15572)
Located 1190 feet North and 1740 feet West from the SE corner of Section 10 (SWSE), Township 2 South, Range 3 East, W.M.

Reservoir 4 POD (Storage under Permit R-15570)
Located 1000 feet North and 1925 feet West from the SE corner of Section 10 (SWSE), Township 2 South, Range 3 East, W.M.

Received
FEB 14 2025
OWRD



Date: 5/2/2023
Data Sources: BLM, OWRD, USGS, Multnomah County
Disclaimer: This map is not intended to provide legal dimensions or property ownership lines.



Received
FEB 14 2025
OWRD

Attachment 3
Fee



**Oregon Water Resources Department
Fee Calculation for Permit Amendment**

Today's Date: Friday, January 17, 2025

Fee Calculation

Base Fee (includes one type of change to one permit for up to 1 cfs)

\$1,360.00

Fill in information below-- Check each box that applies.

Types of Change Proposed:

Place of Use

Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD

\$0.00

Enter total number of permits included in application.

2

\$610.00

Check this box if you propose to add or change a well location, or change from a surface water POD to a well.

Enter total number of groundwater wells (POAs) included in permit amendment.

0

\$0.00

Check this box if you propose to change the place of use for a NON-irrigation permit.

Enter the cfs included in the transfer:

0

Check this box if you propose to change the place of use for an irrigation permit.

Total Transfer CFS(rounded up to the next whole cfs):

Subtotal:

\$1,970.00

Check each box that applies.

The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.

The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount

Permit Amendment Fee:

\$1,970.00

[Return to Edit](#)

[Clear](#)

Received
FEB 14 2025
OWRD

14609 -