

Application for a Permit to Use Groundwater



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

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Water-Use Permit Application Processing

SEP 22 2017

1. Completeness Determination

SALEM, OR

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

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

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

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Attachments:

- Land Use Information Form with approval and signature of local Planning Department (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: **A copy of the deed, land sales contract or title insurance policy.**
- Fees - Amount enclosed: \$ 2190.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Mike Cereghino		PHONE (HM) SALEM, OR	
PHONE (WK)	CELL 503-380-3549	FAX	
ADDRESS 20525 NE Wistful Vista Dr.			
CITY Fairview	STATE OR	ZIP 97024	E-MAIL*

AGENT ORGANIZATION INFORMATION

NAME STUNTZNER ENGINEERING		PHONE 503-357-5717	FAX
ADDRESS 2318 PACIFIC AVE SUITE B			CELL
CITY FOREST GROVE	STATE OR	ZIP 97116	E-MAIL* jkee@stuntzner.com

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

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

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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



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

Mike Cereghino

Mike Cereghino 7-28-17

Applicant Signature

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use			
Revised 6/1/2017	App. No. <u>648557</u>	Permit No. _____	Date _____

WR

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

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Attachments:

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- Fees - Amount enclosed: \$ 2190.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

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

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
 - There are no encumbrances.
 - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
 - Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

Randy & Laura Rust Family PO Box 119, Grayland, Washington, map 3N1W35B, Tax Lot 100 & 200 Section 35 Multnomah County 1600 SE 190th Ave Portland Or 97233

Applicant owns the property at the proposed location of the well. He also owns all of the land proposed as the places of use under this application except for the northernmost acres on the east side of Reeder Road (part of tax lot 100). He previously owned those acres, but sold them to Randy and Laura Rust and now leases them back from the Rusts and farms them as part of his operation.

Multnomah County has a public right of way across Applicant's parcels for NW Reeder Road and Applicant currently has a pipeline crossing under the road and connecting the two portions of his property. As part of the Dairy Creek/Sturgeon Lake Restoration Project described below, the existing culvert carrying Dairy Creek under Reeder Road will be replaced with a bridge. Current design plans provide that Applicant's pipe will be relocated in conjunction with bridge construction and the County is willing to allow the pipe to cross under the bridge.

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well 1	Dairy Creek	200 ft	15 ft
Well 1	Columbia River	2200 ft	20 ft
Well 1	Sturgeon Lake	1500 ft	15 ft

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

This application is very similar to Application G-16688, for which Permit G-16372 was issued. That permit expired in 2012. Applicant applied for an extension in June of 2017 but withdrew the application after being told that he could not meet the requirements for an extension. (He had not constructed the well under that permit due to the financial downturn.) However, staff said that it might be possible for OWRD to rely on the groundwater review that was done for that earlier permit, thus expediting the review process for this current application. As described in the cover letter submitting this application, obtaining a groundwater right is part of adjusting Applicant's irrigation operations to accommodate the Dairy Creek/Sturgeon Lake Restoration Project being done by the West Multnomah Soil and Water Conservation District with other partners.

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6-10857

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 1.22 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	8" to 12"					unconsolidated sedimentary groundwater reservoir between 0 and 400 ft			
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Primary irrigation	March 1-Oct 31	50.3 AF
Supplemental irrigation	March 1-Oct 31	233.7 AF

For irrigation use only:

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

Primary: 14.9 Acres Supplemental: 98.8 Acres

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

83331

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 200 AF

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

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 50 hp turbine

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Owner will utilize an existing main line (6" and 8") and existing sprinkler systems.

B. Application Method

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

Owner will utilize a combination of systems including a traveler (big gun) and rainbird overhead sprinklers supplied through 3" aluminum hand lines.

C. Conservation

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

G-18557

Securing additional irrigation water to expand the owner's operations will benefit the public by increasing crop production within a developed system and will allow Applicant to accommodate his operation to the changes brought about by the Dairy Creek/Sturgeon Lake Restoration Project. Utilizing water from groundwater in general reduces impacts to surface waters and the animals that use them. Late in the growing season, water levels in Dairy Creek make it difficult to meet the water demand for crops, and this will be even more true after the Restoration Project is complete because the Project includes clearing out a debris plug that currently holds water in the creek. Sprinkler systems are the most adaptable and efficient for crops produced allowing for changes in planting patterns every year depending on crop demand

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SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

If you would like to store groundwater in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s):

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUNDWATER FROM THE RESERVOIR

If you would like to use stored groundwater from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): _____

USE OF STORED GROUNDWATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: _____ April 2018 _____

Date construction will be completed: _____ May 2018 _____

Date beneficial water use will begin: _____ May 2018 _____

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

Owner had a previous permit in place (Permit G-16372 that permitted the drilling of a well and the use of water as requested in this application). Resource availability during the financial downturn prevented the owner from drilling the well before the permit's expiration, and the Department has informed Owner that the permit will not be extended.

However, OWRD staff (Mr. French) did say that this current application might be able to be processed within 7 months if the earlier groundwater review could be used, since this new application is essentially the same as the original expired permit.

As described earlier and in the cover letter accompanying this application, the owner is cooperating with the West Multnomah Soil and Water Conservation District and other public partners, including the Oregon Department of Fish and Wildlife, Multnomah County, the Bonneville Power Administration, and the U.S. Army Corps of Engineers, to facilitate the restoration of Sturgeon Lake and Dairy Creek. The restoration project may adversely impact the owner's ability to continue to utilize his current water and delivery systems in the way he has used them in the past. This groundwater application is one component of accommodating his water use.

We have also attached the Groundwater Review and the Water Availability Assessment that were conducted as part of the review for Permit G-16372.

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SALEM, OR

G-16372

Date _____

(For staff use only)



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

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

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

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MAP

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

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07/20/2017 10:23AM 000001 #7216

0011 KATHY

BLD P/LUCS \$75.00

CR CARD \$75.00

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Land Use Information Form SALEM, OR



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

Applicant: Mike Carenhino CARENHINO
First Last

Mailing Address: 20525 NE WHITEHALL VISTA DR.

Fairview OR 97024 Daytime Phone: 503-380-3594
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
3N	1W	34,35		100,300	MVA-20	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	AG
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

McMinnon County

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 2.0 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

OWNER DESIRES TO SECURE GROUND WATER FOR AGRICULTURAL ACTIVITIES INCLUDING IRRIGATION & WILDLIFE ENHANCEMENT

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

SALEM, OR

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Applicant says will be growing produce. No marijuana production or conditional use agricultural production has been authorized.

Name: Jason Barnstead-Long Title: Assistant Planner BP-2017-8161
 Signature: [Signature] Phone: 503-988-4159 Date: 7/19/17
 Government Entity: Multnomah County, Land Use Planning

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

Receipt for Request for Land Use Information

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

SURFACE WATER AVAILABILITY REPORT

Application G-16688

A WAB does not exist for the POD location proposed by the attached application. Please make a determination of surface water availability by answering the questions below. The source is a well, and it has been determined to have the potential for substantial interference with Dairy Creek, Sturgeon Lake, and an unnamed pond (due west of the well), therefore surface water availability must be considered.

Proposed Well: SWNW, Section 35, 3N 1W; 2075 feet south and 740 feet east from NW corner, Section 35

1. Based on your observations, is there enough water available to satisfy the proposed use plus the consumption portion of all relevant rights of record at an 80 percent exceedance probability during the full season requested?

Yes X No _____ Don't know _____

2. If a permit is issued, what conditions would you recommend from the following list?

b51a The period of use has been limited to _____ through _____

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

blv Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

3. Comments Condition with b57

Signature  Date March 30, 2007

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G-16688

SURFACE WATER AVAILABILITY REPORT

Application G-16688

A WAB does not exist for the POD location proposed by the application. Please make a determination of surface water availability by answering the questions below. The source is a well, and it has been determined to have the potential for substantial interference with Dairy Creek, Sturgeon Lake, and an unnamed pond (due west of the well) and therefore surface water availability must be considered.

Proposed Well: SWNW, Section 35; 3N 1W; 2075 feet south 740 feet east from NW corner, Section 35

- 1. Based on your observations, is there enough water available to satisfy the proposed use plus the consumption portion of all relevant rights of record at an 80 percent exceedance probability during the full season requested?

Yes _____ No _____ Don't know

- 2. If a permit is issued, what conditions would you recommend from the following list?

b51a The period of use has been limited to _____ through _____.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

blv Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

- 3. Comments

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SALEM, OR

Signature  Date 8-30-2006

Analysis for Application: G16688

Location: 3N-1W-34-SENE

Uses: IR 19.5 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1678 S. Beaver creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 3N-1W-34-SWNE

Uses: IR 0.4 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1678 S. Beaver creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

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Location: 3N-1W-34-NESE

Uses: IR 16.5 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1678 S. Beaver creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 3N-1W-34-NWSE

G-18557

Uses: IR 7.4 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1678 S. Beaver Creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 3N-1W-35-SENW

Uses: IR 39.4 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1678 S. Beaver Creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 3N-1W-35-SWNW

Uses: IR 26.4 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1878 S. Beaver Creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 3N-1W-35-NESW

Uses: IR 17 P

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Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1678 S. Beaver creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Division 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 3N-1W-35-NWSW

Uses: IR 17.9 P

Basins

BASIN_NUM	BASIN_NAME
2	Willamette

Records Found: 1

WaterMaster Districts

OBJECTID	DISTRICT_N	REGION	WATERMASTE	ADDRESS	CITY	ZIP_CODE	VOICE	EXTENSION	FAX	SHAPE_AREA	SHAPE_LEN
4	20	NW	Sabrina White	1678 S. Beaver creek Rd., Suite L	Oregon City	97045	503-722-1410		503-722-5926	61621203416.3	1593735.57003

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Multnomah	41051

Records Found: 1

Groundwater Restricted Records Found: 0

Division 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams Records Found: 0

303D Lakes Records Found: 0

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SALEM, OR

G-48557

WATER RESOURCES DEPARTMENT

DIVISION 502

WILLAMETTE BASIN PROGRAM

690-502-0160

Groundwater Classifications and Conditions

(2) **Groundwater Classification:** The groundwater resources of the Willamette Basin are classified for domestic, livestock, **irrigation**, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses except as described in OAR 690-502-0170 to 690-502-0210.

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SALEM, OR

725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
<http://oregon.gov/OWRD>

Messages to and from this e-mail address may be available to the public under Oregon law.

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SALEM, OR

4/8/2008

GIBBS7

STATE OF OREGON
 COUNTY OF MULTNOMAH
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MIKE CEREHINO
 105 BRIDGE ST
 TROUTDALE OR 97060

confirms the right to use the waters of DAIRY CREEK and DUCK PONDS 1 THROUGH 5 CONSTRUCTED UNDER PERMIT R-8290 for IRRIGATION 101.0 ACRES AND WATERFOWL HABITAT.

This right was perfected under Permit S-45909. The date of priority is MARCH 5, 1981. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.26 CUBIC FEET PER SECOND (CFS) BEING NO MORE THAN 1.26 CFS FOR IRRIGATION AND 0.13 CFS FOR WATERFOWL HABITAT, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Source	Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
Dairy Creek	3 N	1 W	WM	35	SW NW	45	520 FEET NORTH AND 840 FEET EAST FROM W 1/4 CORNER, SECTION 35
Pond 1	3 N	1 W	WM	34	SE NE	45	3050 FEET NORTH AND 25 FEET WEST FROM SE CORNER, SECTION 34
Pond 2	3 N	1 W	WM	34	NE SE	45	2560 FEET NORTH AND 565 FEET WEST FROM SE CORNER, SECTION 34
Pond 3	3 N	1 W	WM	34	NE SE	45	2355 FEET NORTH AND 690 FEET WEST FROM SE CORNER, SECTION 34
Pond 4	3 N	1 W	WM	34	SE NW	45	2300 FEET NORTH AND 600 FEET WEST FROM SE CORNER, SECTION 34
Pond 5	3 N	1 W	WM	35	SW NW	45	3370 FEET NORTH AND 1585 FEET EAST FROM SW CORNER, SECTION 35

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SALEM, OR

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition 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 petition 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

G-18557

The amount of water used for irrigation, 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, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoirs constructed under Permit R-8290. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
3 N	1 W	WM	34	SW NE		45	0.3
3 N	1 W	WM	34	SE NE		45	17.4
3 N	1 W	WM	34	SE NE	6		1.6
3 N	1 W	WM	34	NE SE		45	15.4
3 N	1 W	WM	34	NW SE		45	8.9
3 N	1 W	WM	35	SW NW	6		1.6
3 N	1 W	WM	35	SW NW		45	19.2
3 N	1 W	WM	35	SE NW		45	15.7
3 N	1 W	WM	35	SE NW	3		4.4
3 N	1 W	WM	35	NE SW		45	8.4
3 N	1 W	WM	35	NW SW		45	8.1

WATERFOWL HABITAT						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
3 N	1 W	WM	34	SE NE		45
3 N	1 W	WM	34	NE SE		45
3 N	1 W	WM	35	SW NW		45
3 N	1 W	WM	35	SE NW		45
3 N	1 W	WM	35	SE NW	3	

CONDITIONS OF USE

1. 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.
2. The use of water for irrigation allowed herein for may be used as a supplemental water source to other rights for the same lands, provided water is available for the use and such use would not result in injury to any other water right.

WITNESS the signature of the Water Resources Director, affixed MAY 16 2007


 Phillip C. Ward, Director

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SEP 22 2017

SALEM, OR

3207

STATE OF OREGON

COUNTY OF MULTNOMAH

CERTIFICATE OF WATER RIGHT

RECEIVED BY OWRD

SEP 22 2017

THIS CERTIFICATE ISSUED TO

RANDY RUST
 LAURA RUST
 PO BOX 119
 GRAYLAND WA 98547

SALEM, OR

confirms the right to use the waters of COLUMBIA RIVER, A TRIBUTARY OF PACIFIC OCEAN for IRRIGATION of 36.8 ACRES and SUPPLEMENTAL IRRIGATION of 4.3 ACRES.

This right was perfected under Permit S-53826. The date of priority is JANUARY 28, 2002. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.51 CUBIC FOOT PER SECOND, measured at the point of diversion.

The period of use is March 1 through October 31.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	1 W	WM	35	SW NE	1400 FEET SOUTH AND 75 FEET EAST FROM N¼ CORNER, SECTION 35

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 (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
3 N	1 W	WM	35	NW NE	2		4.8
3 N	1 W	WM	35	SW NE	3		0.1
3 N	1 W	WM	35	NE NW	2		21.3
3 N	1 W	WM	35	NE NW	3		0.8
3 N	1 W	WM	35	SE NW	3		9.4
3 N	1 W	WM	35	SE NW		45	0.4

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
3 N	1 W	WM	35	SW NW	6		0.2
3 N	1 W	WM	35	SW NW		45	0.1
3 N	1 W	WM	35	SE NW	3		4.0

Measurement, recording and reporting conditions:

- A. The water user shall maintain a totalizing flow meter at the diversion point as identified in OAR 690-507-645.
- B. The water user shall allow the watermaster access to the meter; provided however, where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The water user shall maintain and operate fish screening, as required by the Oregon Department of Fish and Wildlife, to prevent fish from entering the diversion.

The water user shall maintain and operate a fishway at the obstruction, as required by the Oregon Department of Fish and Wildlife, to provide adequate upstream and downstream passage for fish.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

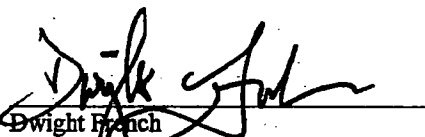
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued DEC 11 2015


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

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SALEM, OR

AGRICULTURAL PRODUCTION LEASE

Between Mike Cereghino of 20525 NE Wistful Vista Dr, Fairview Or

&

Randy and Laura Rust of Grayland Washington

In consideration for 8,000.00 per year.

Starting on 1/1/17 date,

Cereghino party will lease approximately 16 acres on Sauvies Island, Oregon on the South edge of tax Lot 100, located in the SE quarter of the NW quarter of Section 35 of Township 3 North, Range 1 West W.M., for agricultural production.

This lease will expire 1/1/19 Date.

Mike Cereghino Mike Cereghino date 9-10-17

Randy Rust [Signature] date 9/8/17

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SALEM, OR

and

20
3
16
-
20

This space reserved for recorder's use.	
Grantee's Name and Address	Recorded in the County of Multnomah, Ore. in C. Swick, Deputy Clerk Total : 54.00 2001-054191 04/18/2001 10:06:10am ATSNP A37 4 REC SUR DOR OLIC HSF 20.00 3.00 10.00 1.00 .00
Grantee's Name and Address	
Grantee's Name and Address	
After recording return to:	
Michael J. Cereghino Trust	
Name, Address, Zip	
Until a change is requested all tax statements shall be sent to the following address:	
Same as Above	
Name, Address, Zip	
Name, Address, Zip	

Form No. 967 - Special Warranty Deed

SPECIAL WARRANTY DEED - STATUTORY FORM

Bonnie A. Heeschen, grantor, conveys and specially warrants to Michael J. Cereghino and Phyllis Cereghino, Co-Trustees of the Michael J. Cereghino Trust w/a/d March 1, 1995, grantee, the following described real property free of encumbrances created or suffered by the grantor except as specifically set forth herein, situated in Multnomah County to wit:

See Exhibit B attached hereto and made a part hereof.

The property is free of all encumbrances created or suffered by the grantor except: Those of record.

The true consideration for this conveyance is This deed is in fulfillment of that certain real estate contract dated December 31, 1979, Recorded December 31, 1979 in Book 1409 Page 2370. (Here comply with the requirements of ORS 93.030)

Dated this April 13, 2001

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Pacific NW Title

Bonnie A. Heeschen by Patricia Jean Todd
Bonnie A. Heeschen by Patricia Jean Todd, her attorney in fact

RECORDED BY PACIFIC NW TITLE AS AN ACCORDATION ONLY. NO LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OR FOR THE VALIDITY, SUFFICIENCY OR EFFECT OF THIS DOCUMENT.

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SALEM, OR

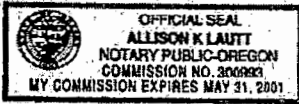
4

OR702

ACKNOWLEDGMENT

STATE OF OREGON }
County of Multnomah } ss

On this April 13, 2001 personally appeared Patricia Jean Todd, who, being duly sworn (or affirmed), did say that she is the attorney in fact for Bonnie A. Heuschon and that she executed the foregoing instrument by authority of and in behalf of said principal; and she acknowledged said instrument to the act and deed of said principal.



Before me, Allison K. Lantz
Notary Public for the State of Oregon
My Commission Expires: 5/31/01

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SALEM, OR

WINN-DIXIE

EXHIBIT "B" - Crecghino Contract Property

PARCEL A:

Situate in the Horace J. McIntire Donation Land Claim No. 54, in Sections 34 and 35, Township 3 North, Range 1 West of the Willamette Meridian, in the County of Multnomah and State of Oregon and being a part of the Athleen H. Reeder property, described as follows:

Beginning at a Multnomah County brass cap in concrete monument found for a witness corner to the Northwest corner of said McIntire D.L.C. on the East bank of Sturgeon Lake, thence on the North line of said McIntire D.L.C. and the South line of the Reeder D.L.C., South 88°23'45" East, 322.76 feet to the Section line between Sections 34 and 35, and continuing South 88°23'45" East, 1031.16 feet to a JSM monument set in the centerline of Reeder Road (C.R. 1888-50) at Station 25 + 22.52, P.O.C., from which a Multnomah County brass cap monument found as a witness line marker on said Donation Land Claim lines bears South 88°23'45" East, 35.98 feet; thence Southerly on the arc of a 954.50 foot radius curve of said road, 317.83 feet to Station 22 + 04.69 D.C., a JSM monument set; thence continuing in the center of said road the following courses and distances: South 53°35' West, 212.73 feet to Station 19 + 91.96 E.C., a JSM monument set; thence on the arc of a 636.48 foot radius curve 398.83 feet to Station 15 + 93.13 P.O.C., a JSM monument set at the intersection with the Northwesterly extension of McIntire Slough (Dairy Creek) and continuing on said arc 219.53 feet to Station 13 + 73.58 B.C., a JSM monument set; thence South 02°05' East, 227.18 feet to Station 11 + 46.40 E.C., a JSM monument set; thence on the arc of a 954.96 foot radius curve, 203.40 feet to JSM monument set at the intersection of the South line of said Athleen Reeder tract as surveyed and monumented in March 1941 (CS 29,497) by Beasley & Stoehr, Engineers in survey of Kitty Hutchinson property; thence leaving said Reeder Road North 88°20'50" West, on said Southerly property line 752.59 feet to an iron pipe found; thence North 88°20'50" West, 1989.41 feet to an iron pipe found; thence North 88°20'50" West, 183.55 feet to the point of intersection, as calculated, with the McIntire D.L.C. surveyed meander line along the mean high water line of the East bank of Sturgeon Lake; thence Northeasterly along said mean high water line to the North line of said McIntire D.L.C. (the following retracement courses and distances of Donation Land Claim survey are for area and closure computations only) North 69°06'15" East, 854.74 feet; North 55°36'15" East, 924.00 feet; North 49°36'15" East, 693.0 feet to the intersection of said North line of the McIntire D.L.C.; thence South 88°23'45" East on said line 137.56 feet to the point of beginning.

(Parcel A describes property now known as Parcel 3, Partition Plat 1996-151 and that property conveyed in Bargain and Sale Deed recorded October 1, 1926 in Book 1942, Page 1788)

PARCEL B:

Situate in the Horace J. McIntire Donation Land Claim No. 54, in Section 35, Township 3 North, Range 1 West of the Willamette Meridian, in the County of Multnomah and State of Oregon and being a part of the Athleen H. Reeder property, described as follows:

Beginning at JSM monument set in the center of Reeder Road (CR 1888-50) at Station 25 + 22.52 P.O.C. on the monumented North line of said McIntire D.L.C., also being the South line of the Reeder D.L.C., from which a Multnomah County brass cap monument found as a witness line marker on said D.L.C. lines bears South 88°23'45" East, 35.98 feet; thence on said D.L.C. lines South 88°23'45" East, 107.34 feet to a point in the center of a slough, Easterly of Reeder Road, thence continuing South 88°23'45" East on said D.L.C. lines 1244.52 feet to a point on the Westerly line of a new 2 acre tract being reserved by the seller with a life estate encompassing house and yard; thence South 01°36'15" West on said life estate tract West line 155.00 feet to a JSM monument set; thence South 88°23'45" East on the South line of said life estate tract, 172.12 feet to a JSM monument set; thence continuing South 88°23'45" East to the mean high water line of the Columbia River (said South line intersects the calculated D.L.C. surveyed meander line along the river at 253.00 feet); thence Southerly along said mean high water line (the following courses and distances along calculated meanderline are provided for closure and area calculations only) South 13°06'15" West, on meander line, 396.88 feet to an angle point; thence South 21°21'15" West, on meander line, 631.41 feet to a point on the North line of the Taber tract described in Book 1005, Page 435, Multnomah County Deed Records, said North line being 200.00 feet North of the South line of the "Kitty Hutchinson" South line; thence North 88°20'50" West on said Taber North line 303.00 feet to a JSM monument set; thence continuing North 88°20'50" West, 1137.97 feet to a JSM monument set on the bank of Dairy Creek Slough; thence continuing North 88°20'50" West, 122.00 feet to the center of said slough; thence Northwesterly (North 47°40' West, 687.47 feet) in the center of said slough to its intersection as extended with the centerline of said Reeder Road, a JSM monument set at Station 15 + 93.13 P.O.C.; thence Northerly (the following courses and distances in the center of said road to beginning) on the arc of a 636.48 foot radius curve 398.83 feet (chord bears North 35°37'55" East, 352.34 feet) to a JSM monument set at Station 19 + 91.96 E.C.; thence North 53°35' East, 212.73 feet to a JSM monument set at Station 22 + 04.69 D.C.; thence on the arc of a 954.50 foot radius curve 317.83 feet (chord bears North 44°02'39" East, 316.36 feet) to the point of beginning.

EXCEPTING THEREFROM a portion situate in the Horace J. McIntire Donation Land Claim No. 54, in Section 35, Township 3 North, Range 1 West of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

Beginning at JSM monument set in the center of Reeder Road (CR 1888-50) at Station 25 + 22.52 P.O.C. on the monumented North line of said McIntire D.L.C., also being the South line of the Reeder D.L.C., from which a Multnomah County brass cap monument found as a witness line marker on said D.L.C. lines bears South 88°23'45" East, 35.98 feet; thence on said D.L.C. lines South 88°23'45" East, 107.34 feet to a point in the center of a slough, East of Reeder Road; thence continuing on said claim lines and same bearing 69.60 feet to a JSM monument, as per PS 44249 survey, a point on the East top of bank of said slough; thence continuing on said claim lines and same bearing 30.00 feet to a JSM monument set 18 inches deep at the Northeast corner of this tract described; thence South 01°36'15" West, 50.00 feet to a JSM monument set 18 inches deep; thence North 88°23'45" West, parallel with said claim lines, 261.00 feet to a point in the center of said Reeder Road at Station 24 + 61.67 P.O.C.; thence Northwesterly in the center of said road on the arc of a 934.30 foot radius left curve 60.84 feet (chord bears North 36°10'53" East, 60.84 feet) to the point of beginning EXCEPTING THEREFROM any portion lying in the Public right of way.

(Parcel B describes property now known as Parcel 2, PARTITION PLAT 1996-151)

RESERVING THEREFROM a 20 foot wide easement for ingress and egress to Parcel 1, PARTITION PLAT 1996-151, being 10 feet on each side of the following described centerline:

Beginning at a point in the center of Reeder Road at Station 23 + 96.47 P.O.C., said point being South 38°17'18" West, 125.96 feet from a JSM monument set in the center of said road at Station 25 + 22.52 P.O.C., a point on the North line of said McIntire D.L.C.; thence South 79° East, across a bridge over the slough East of said Reeder Road, 200.00 feet to a point; thence South 30° East, 250.00 feet to an angle point; thence South 42°18' East, 357.36 feet to an angle point; thence South 57°57' East, 268.15 feet to an angle point; thence

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SALEM, OR

North 78°23' East, 185.63 feet to an angle point; thence North 57°44' East, 624.65 feet to an angle point; thence North 11°46' East, 184.33 feet to an angle point; thence North 13° West, 13.50 feet to and terminating at the South line of Parcel 1, Partition Plat 1996-151.

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SEP 22 2017

SALEM, OR

3N1W35B 00600

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk



33.00

96109764 08:10am 07/22/96

029 00001717 06 02
R37 2 0.00 10.00 3.00 20.00 0.00

AFTER RECORDING RETURN TO:

Joyle C. Dahl
Schwabe, Williamson & Wyatt
Suite 1800
1211 S.W. Fifth Avenue
Portland, Oregon 97204-3795

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL
BE SENT TO: No change**

STATUTORY WARRANTY DEED

MICHAEL J. CEREGHINO and PHYLLIS CEREGHINO, husband and wife, Grantors, convey and warrant to MICHAEL J. CEREGHINO and PHYLLIS CEREGHINO, Co-Trustees of the MICHAEL J. CEREGHINO TRUST u/a/d/ March 1, 1995, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

PARCEL XII:

That portion of the H. J. McIntire Donation Land Claim in the Northwest quarter of Section 35 and the Northeast quarter of Section 34, Township 3 North, Range 1 West, of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

Beginning at a Multnomah County concrete monument with brass cap on the North line of said H. J. McIntire Donation Land Claim which is 35.98 feet East of the centerline of "Reeder Road" as shown on Multnomah County Record of Survey No. 4224B; thence North 88°23'45" West along said Donation Land Claim line, 444.19 feet to a 5/8 inch iron rod at the true point of beginning; thence continuing North 88°23'45" West along said Donation Land Claim line, 945.80 feet to a Multnomah County concrete monument with brass cap; thence North 88°21'31" West along said Donation Land Claim line, 117.86 feet to a 5/8 inch iron rod; thence leaving said Donation Land Claim line North 48°05'48" East, 367.99 feet to a 5/8 inch iron rod; thence South 72°53'57" East, 691.89 feet to a 5/8 inch iron rod; thence along the arc of a 345 foot radius curve to the right for an arc distance of 148.13 feet to the true point of beginning.

This conveyance is made by Grantor and accepted by Grantee subject to the exceptions of record in Multnomah County, Oregon, to the extent valid and subsisting and affecting the property conveyed.

The true consideration for this conveyance consists of or includes other property or other value given or promised. This is a transfer to a grantor trust.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON

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SALEM, OR

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(W14949/07278/W1)P041247.3

July 22, 1996

ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Executed this 18 day of July, 1996.

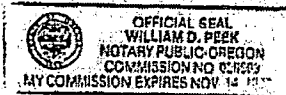
GRANTORS:

Michael J. Cereghino
Michael J. Cereghino

Phyllis Ann Cereghino
Phyllis Cereghino

STATE OF OREGON)
County of Multnomah) ss.

This instrument was acknowledged before me this 18th day of July, 1996, by MICHAEL J. CEREGHINO and PHYLLIS CEREGHINO.



William D. Peek
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/14/97

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SEP 22 2017

SALEM, OR

-2- 2

(1804919/9978/ADP/641247.1)

July 22, 1996



TELEPHONE (503) 357-5717
FAX (503) 357-5698
WEBSITE: www.stuntzner.com
2318 Pacific Ave. Suite B
Forest Grove, OR 97116

COOS BAY - FOREST GROVE - DALLAS - JUNCTION CITY

Sept 18, 2017

Re: Oregon Water Resources Department (OWRD) Application for New Groundwater Irrigation Permit

Dear OWRD:

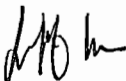
Please find the attached application for a new groundwater irrigation right, along with a check for the fee in the amount of \$2,910.

This application was developed to replace an expired Permit G-16372. We have attached the Water Availability Report that was done for the expired permit. In conversations by our team with Dwight French and others in your office, staff indicated that it may be possible to secure this permit within 7 months if the Department is able to use the previous Water Availability Report.

As we have also discussed with several OWRD staff members, this new irrigation well is a part of a large multi-party restoration project for Dairy Creek and Sturgeon Lake on Sauvie Island. It is part of a design to mitigate potential impacts from the project to an existing Dairy Creek surface water right.

Please confirm with an email to me that you have received this application and that it is complete. jkee@stuntzner.com

Let me know if you have any questions, or need additional information.

Sincerely, 

Jeffrey Kee, Certified Water Rights Examiner
Stuntzner Engineering & Forestry, LLC

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SEP 22 2017

SALEM, OR

Attachments: Permit Application, Land Use Form, WAB report, Deeds, Lease Agreement, Certificates 83331 & 90629

038694/00001/8336955v1

G-18557



Oregon Water Resources Department
 Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

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Today's Date: Friday, September 22, 2017

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1.22	\$700.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$350.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,910.00

OWRD Fee Schedule

Fee Calculator Version B20170117

