



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for
Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at
www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Pursuant to ORS 537.348(2) and OAR 690-077

Optional Identification by Lessor/Lessee: Conifer Water Right 1939
Lease Application Number (assigned by WRD):

This Lease is between:

Lessor #1:

Name Hampton Lumber Mills, Inc
Mailing address 9600 SW Barnes Road, Suite 200
City, State, Zip Code Portland, OR 97225
Telephone number 503-203-6563
Email address cameroncraig@hamptonaffiliates.com

Lessor #2, 3, etc.

The water right to be leased is located in Yamhill County.

Lessee (if different than Oregon Water Resources Department):

Name
Mailing address
City, State, Zip Code
Telephone number
Email address

Trustee:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
(503) 986-0900

~I~ Water Right Holder and Water Right Information

1.1 Lessor #1 is the water right holder, or authorized agent for water right holder of the
property located at: Township 6 S, Range 6 W, Section 6 and Tax
Lot number 1400. If the water right appurtenant to these lands is
also appurtenant to lands owned by others who are not included in this application, then
Attachment 1 (tax lot map), needs to be included.

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1.2 Lessor #2 is the (Check one):

Not applicable

Official representative of _____, the irrigation district which conveys water to the subject water rights.

Another party with an interest in the subject water rights representing _____.

1.3 For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.

Certificate No. 14487

1.4 Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program. Yes No

1.5 Water Rights Proposed to be Leased Instream.

The first right to be leased identified in Section 1.3 is further described as follows:

Certificate No.: 14487

Priority date: 7/20/1939 Type of use: Domestic/Fire Protection/Industrial/Manufacturing

Legal Season of Use: all

Is the entire water right certificate being leased? Yes No

If no, list the acres of the subject water right by legal description of township, range, section, and 1/4 1/4 which will be dried up as part of this lease, and include a map (Attachment 2) showing the lands which will not receive water.

Place of use: T __, R __, Section __, __ 1/4 __ 1/4 - _____ acres to be leased

Enter additional places of use here, using format above:

Page _____ (Identify page number of certificate, if certificate is greater than 10 pages.)

Number of acres being leased, if for irrigation: N/A

Acre-feet of storage, if applicable: N/A

Maximum rate associated with the right to be leased (cfs): 10

(Use additional lines if there is more than one rate associated with the water right.)

Maximum duty associated with the right to be leased (ac-ft): N/A

(Use additional lines if there is more than one duty associated with the water right.)

Conditions or other limitations, if any: N/A

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If you need to enter another leased right, please use the additional water rights form. WATER RESOURCES DEPT SALEM, OREGON

1.6 **Validity of rights.** Lessor(s) attests (mark one) that:

the water has been used over the past five years according to the terms and conditions of the water right certificate or as an instream water right or

the water has not been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).

~II~ Instream Water Right Information

2.1 Public use. This lease will increase streamflows that will benefit:

- X Conservation, maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat
- X Pollution abatement (Temperature)
- X Recreation and scenic attraction

2.2 Instream use created by lease. The instream use to be created is described as follows:

From the POD on the South Yamhill River to the Confluence of the Willamette River Tributary to Willametter River in the Willamette Basin.

Describe the point of diversion (POD) and any associated reach(es) of the instream use being created. If possible list the reach by river mile. If no reach is identified, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD. (If more than one POD is listed on the certificate, then the POD and any associated reach(es) must be identified): _____

Maximum volume in acre-feet: _____

Rate in cfs: _____

(Use the section below to indicate a more restrictive period of use than allowed by the water right.)

Conditions to prevent injury, if any:

- X None
- The instream flow will be allocated on a daily average basis up to the described rate from _____ through _____.
- Other (describe): _____

If you need to enter more instream uses, please use the additional water rights form.

2.3 Term of lease. This lease shall terminate on 12/31/2015.

2.4 Flow protection. The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

~III~ Other Information

3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.

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3.2 **Lease.** Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.

3.3 **Precedent.** If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior lease shall not set a precedent for the amount of water to be leased or transferred instream.

3.4 **Suspension of original use.** During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.

3.5 **Termination provision.**

X For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:

- Written notice to the Department with original signatures;
- Consent by all parties to the lease; and/or
- Written notice to the Watermaster's office.

For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.

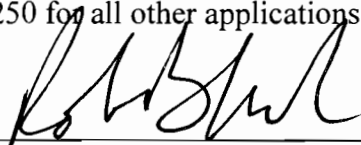
3.6 **Modification to prevent injury.** Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

3.7 **Fees.** Pursuant to ORS 536.050, the following fee is included:

\$400 for an application with four or more landowners or four or more water rights.

X \$250 for all other applications.

Lessor #1: _____



Robert L. Bluhm, VP Finance & CFO

Date: _____

1/13/11

For additional Lessors, type in space for signature and date

Lessee: _____

Date: _____

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Other Attachments as Needed:

Attachment 1: Tax Lot Map. (See instructions.)

Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.)

Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form

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Water Right Information Query Results

Contact Information	Documents View all scanned documents	+
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▶ no contact information available Water Right Information Status: Non-Cancelled County: Polk, Yamhill File Folder Location: Salem Watermaster District: 16	▶ Application: S 17825 ▶ Permit: S 13861 document , paper map ▶ Certificate: 14487 document , paper map ▶ View right with Web Mapping ▶ View Places of Use from Water Rights in the Same Area	+
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Point(s) of Diversion	+
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▼ **POD 1 - SOUTH FORK YAMHILL R/POND > YAMHILL RIVER**

▼ **Description**

- ▶ T-R-S-QQ: 6.00S-6.00W-6-SE NW
- ▶ Location Description:

▼ **POD Rate**

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
10.0	10.0		

▼ **DOMESTIC (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
2/23/1939	5.0	0.0(est)					1/1	12/31	SANITARY PURPOSES IN PLANT

▼ **FIRE PROTECTION (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
2/23/1939	5.0	0.0(est)					1/1	12/31	IN PLYWOOD PLANT

▼ **INDUSTRIAL/MANUFACTURING USES (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
2/23/1939	5.0	5.0					1/1	12/31	LOG POND; STEAM GENERATION, LOG WASHING, STEAM CONDENSING
7/20/1939	5.0	5.0					1/1	12/31	LOG POND; STEAM GENERATION, LOG WASHING, STEAM CONDENSING

Place(s) of Use Add TRS grouping	+
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▼ **Use - DOMESTIC (Primary)**

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
6.00S-6.00W-6	SW NW	91				NC			AND DLC 93
6.00S-6.00W-6	SE NW	91				NC			
6.00S-6.00W-6	NW SW	91				NC			AND DLC 93
Sum of Acres: 0.0									

▼ **Use - FIRE PROTECTION (Primary)**

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
6.00S-6.00W-6	SW NW	91				NC			AND DLC 93
6.00S-6.00W-6	SE NW	91				NC			
6.00S-6.00W-6	NW SW	91				NC			AND DLC 93
Sum of Acres: 0.0									

▼ **Use - INDUSTRIAL/MANUFACTURING USES (Primary)**

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
6.00S-6.00W-6	SW NW	91				NC			AND DLC 93
6.00S-6.00W-6	SE NW	91				NC			
6.00S-6.00W-6	NW SW	91				NC			AND DLC 93
Sum of Acres: 0.0									

Water Right Genealogy	+
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—No genealogy records available for this water right, try the family link below instead.

[View Water Rights in same Family](#)
[Help understanding and working with the Water Rights Information System](#)
[Report Errors with Water Right Data](#)
[Return to WRIS Query](#)

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STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PACIFIC PLYWOOD CORPORATION

of Willamette, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Fork Yamhill River and log pond constructed under Application No. R-18288, a tributary of Willamette River (Permit No. R-736/ for the purpose of Manufacturing and maintenance of log pond, * under Permit No. 13861 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 23, 1939 for 5.0 c.f.s. and July 20, 1939 for 5.0 c.f.s.

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 10.0 cubic feet per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 NW 1/4, Section 6, Township 6 South, Range 6 West, W. M., being within S. P. Osburn D. L. C. 91.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to of one cubic foot per second per acre,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Manufacturing and Pond in the SE 1/4 NW 1/4, Section 6, T. 6 S., R. 6 W., W. M., being within S. P. Osburn D. L. C. 91;

Pond in the SW 1/4 NW 1/4, Pond in the NW 1/4 SW 1/4, Section 6, T. 6 S., R. 6 W., W. M., being within S. P. Osburn D. L. C. 91 and William Brunson D. L. C. 93.

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* including steam generation, sanitary purposes, log washing, steam condensing and fire protection.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 15th day of July, 1943

CRAS, E. STICKLIN

State Engineer

*APPLICATION FOR A PERMIT CERTIFICATE NO. 14487

To Appropriate the Public Waters of the State of Oregon

I, Pacific Plywood Corporation
(Name of applicant)
of Willamina, County of Yamhill,
(Post office)
State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation
March 9, 1939, Willamina, Oregon

1. The source of the proposed appropriation is South Fork Yamhill River
(Name of stream)
a tributary of Willamette River

2. The amount of water which the applicant intends to apply to beneficial use is 10
cubic feet per second.
(If water is to be used from more than one source, give quantity from each)

**3. The use to which the water is to be applied is manufacturing and maintenance of log pond
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 435 ft. North and 1,560 ft. East from the corner of Section 6,
(N. or S.) (E. or W.)
(Section or subdivision)
(If preferable, give distance and bearing to section corner)

being within the SE 1/4 NW 1/4 of Sec. 6, Tp. 6 South,
(Give smallest legal subdivision) (N. or S.)
R. 6 West, W. M., in the county of Yamhill
(E. or W.)

5. The Pipe line to be about 75 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE 1/4 NW 1/4 of Sec. 6, Tp. 6 South
(Smallest legal subdivision) (N. or S.)
R. 6 West, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS—

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)
The water will be pumped from a sump on the river bank

(b) Description of headgate
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description The pump is a 10-inch De Laval,
(Size and type of pump)
driven by a 50 H.P. 1800 RPM G. E. Motor. The head of water to be lifted will be approximately 35 feet.
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

* A different form of application is provided where storage works are contemplated.
** Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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CANAL SYSTEM OR PIPE LINE—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, 75 ft.; size at intake, 10 in.; size at ft. from intake in.; size at place of use 10 in.; difference in elevation between intake and place of use, 35 ft. Is grade uniform? no Estimated capacity, 10 sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
6 South	6 West	6	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Mfg. & Log Pond
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised

POWER OR MINING PURPOSES—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized (Head) feet.

(d) The nature of the works by means of which the power is to be developed

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(e) Such works to be located in (Legal subdivision) of Sec.

Tp., R., W. M. (No. N. or S.) (No. E. or W.)

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(f) Is water to be returned to any stream? Yes (Yes or No)

(g) If so, name stream and locate point of return South Fork Yamhill River

....., Sec., Tp., R. (No. N. or S.) (No. E. or W.), W. M.

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

MUNICIPAL OR DOMESTIC SUPPLY—

10. (a) To supply the city of
..... County, having a present population of
(Name of)
and an estimated population of in 193.....

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$.....
- 12. Construction work will begin on or before
- 13. Construction work will be completed on or before
- 14. The water will be completely applied to the proposed use on or before

Pacific Plywood Corporation
(Signature of applicant)

E. S. Wentjar, Vice-Pres.

Signed in the presence of us as witnesses:

(1) O. C. Yocom Willamina, Oregon
(Name) (Address of witness)

(2) C. E. Stricklin
(Name) (Address of witness)

Remarks: The water to be appropriated under this application is to be used in connection with manufacturing wood products at a plant located adjacent to the town of Willamina, Yamhill County, Oregon, such as for steam generation, sanitary purposes, log washing, steam condensing, maintenance of log pond, and fire protection.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 193.....

WITNESS my hand this day of, 193.....

STATE ENGINEER

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WATER RESOURCES DEPT
SALEM, OREGON

Application No. 17825
Permit No. 13861

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the
office of the State Engineer at Salem, Oregon,

on the 23rd day of February

1939, at 3:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

August 20, 1939

Recorded in book No. 39 of

Permits on page 13861

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 2 Page 90D

Fees Paid \$19.00

STATE OF OREGON, }
County of Marion. } ss.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to existing rights and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 10.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from South Fork Yamhill River

The use to which this water is to be applied is manufacturing and maintenance of log pond, including steam generation, sanitary purposes, log washing, steam condensing and fire protection.

If for irrigation, this appropriation shall be limited to of one cubic foot per second

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is February 23, 1939 for 5.0 c.f.s. and July 20, 1939 for 5.0 c.f.s.

Actual construction work shall begin on or before October 20, 1940 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1941

Complete application of the water to the proposed use shall be made on or before October 1, 1942

WITNESS my hand this 20th day of August, 1939

CHAS. E. STRICKLIN
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Session Laws of 1933.

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