



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: Fort Hill Water Rights
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 Polk County.

Lessee (if different than Oregon Water Resources Department):

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

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Trustee:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
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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 7 W, Section 9c and Tax
Lot number 100. 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.

- 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. 43201 (this application). Also appurtenant to this land: 45690, 45691

- 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.: 43201

Priority date: 8/7/1972 Type of use: 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  $\frac{1}{4}$   $\frac{1}{4}$  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 6 S, R 7 W, Section 9c, NE $\frac{1}{4}$  SW $\frac{1}{4}$  - \_\_\_\_\_ 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: NA

Maximum rate associated with the right to be leased (cfs): 1.11

(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.

**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 Fork of the Yamhill River to the confluence with the Willamette River  
Tributary to Willamette 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: 1.11

(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.

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~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 Date: 1/13/11  
Robert L. Bluhm, VP Finance & CFO

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										
<b>Contact Information</b>					<b>Documents</b> <a href="#">View all scanned documents</a>					3
▶ no contact information available					▶ <b>Application: S 49564</b>					
<b>Water Right Information</b>					▶ <b>Permit: S 36783</b> <a href="#">document</a>					
Status: Non-Cancelled County: Polk File Folder Location: Salem Watermaster District: 16					▶ <b>Certificate: 43201</b> <a href="#">document</a> , <a href="#">paper map</a> ▶ <a href="#">View right with Web Mapping</a> ▶ <a href="#">View Places of Use from Water Rights in the Same Area</a>					
<b>Point(s) of Diversion</b> <span style="float: right;">4</span>										
▼ <b>POD 1 - SOUTH YAMHILL RIVER &gt; YAMHILL RIVER</b>										
▼ <b>Description</b>										
▶ T-R-S-QQ: 6.00S-7.00W-9-NE SW										
▶ Location Description: 2490 FT N & 1330 FT E FM SW COR, S9										
▼ <b>POD Rate</b>										
▶										
Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)							
1.11	1.11									
▼ <b>FIRE PROTECTION (Primary)</b>										
▶										
Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks	
8/7/1972	1.11	0.555(est)					1/1	12/31		
▼ <b>INDUSTRIAL/MANUFACTURING USES (Primary)</b>										
▶										
Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks	
8/7/1972	1.11	0.555(est)					1/1	12/31		
<b>Place(s) of Use</b> <a href="#">Add TRS grouping</a> <span style="float: right;">1</span>										
▼ <b>Use - FIRE PROTECTION (Primary); Priority Date: 8/7/1972</b>										
T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks	
▶ 6.00S-7.00W-9	NE SW		3			NC				
Sum of Acres: 0.0										
▼ <b>Use - INDUSTRIAL/MANUFACTURING USES (Primary); Priority Date: 8/7/1972</b>										
T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks	
▶ 6.00S-7.00W-9	NE SW		3			NC				
Sum of Acres: 0.0										
<b>Water Right Genealogy</b> <span style="float: right;">2</span>										
--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](#)

*Kodn Thurgood.  
725 Summer St Ne. Suite A  
Salem 97301*

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STATE OF OREGON  
COUNTY OF                      POLK  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That                      FORT HILL LUMBER COMPANY**

of P.O. Box 186, Grand Ronde                      , State of Oregon, 97347                      , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of South Yamhill River

a tributary of Willamette River                      for the purpose of sawmill use including sprinkling log decks and maintenance of fire suppression system under Permit No. 36783                      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 August 7, 1972 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 1.11 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 NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 9, T. 6 S., R. 7 W., W. M., 2490 feet North and 1330 feet East from SW Corner, Section 9.

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:

NE $\frac{1}{4}$  SW $\frac{1}{4}$   
Lot 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ )  
Section 9  
T. 6 S., R. 7 W., W. M.

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date.                      June 10, 1976

~~James E. Saxson~~ .....  
Water Resources Director  
Chris L. Wheeler, Deputy

Recorded in State Record of Water Right Certificates, Volume 35                      , page 43201

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\*APPLICATION FOR PERMIT

CERTIFICATE NO. 43201

To Appropriate the Public Waters of the State of Oregon

I, East Hill Lumber Company (Name of applicant) of P.O. Box 186 (Mailing address), Grand Rapids (City), State of Oregon (Zip Code), 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

1. The source of the proposed appropriation is South Yamhill River, Klees Creek (Name of stream) & Reservoir, a tributary of Yamhill River

2. The amount of water which the applicant intends to apply to beneficial use is 500 gal. per min. cubic feet per second from S. Yamhill River & P.O. Box 186, Klees Creek & Reservoir (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 Sawmill use which includes use in planer & Dry Kiln & the sawmill & sawblades log decks & maintaining road for fire protection see works

4. The point of diversion is located 700 ft. E and 1300 ft. W from the corner of Section 9 being within the NE 1/4 SW 1/4 of Sec. 9, T. 6 S., R. 7 W., W. M., in the county of Polk. S. W. corner of Section 9 (If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

5. The Main ditch, canal or pipe line to be in length, terminating in the of Sec. 9, T. 6 S., R. 7 W., W. M., the proposed location being shown throughout on the accompanying map.

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)

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

(c) If water is to be pumped give general description To be determined (Size and type of pump) presently using 7 1/2 H.P. may have larger pump in future (Size and type of engine or motor to be used, total head water to be lifted, etc.)

\* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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10. (a) To supply the city of .....

..... County, having a present population of .....

(Name of)

and an estimated population of ..... in 19.....

(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 ..... started

13. Construction work will be completed on or before ..... Oct. 6, 1972

14. The water will be completely applied to the proposed use on or before ..... Oct. 6, 1975

*Arthur R. Minto* President  
(Signature of applicant)

Remarks: .....

*South Yamhill River water to be used for Sawmill plain, Dry Kiln, & sprinkling by Parks*

*Water Klee's Creek water will be used for maintaining the reservoir for fire protection, deficiency in supply to be made up by diversion from South Yamhill River*

*Fire Protection equipment: 1000 g.p.m. pump & 1500 g.p.m. pump*

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 ..... completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before January 22....., 1973 *Not Sent*

WITNESS my hand this ..... 20th..... day of ..... November....., 1972.....

CHRIS L. WHEELER  
STATE ENGINEER

By *Wayne J. Overcash*  
WAYNE J. OVERCASH  
ASSISTANT

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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, ..... ft.; size at intake, ..... in.; size at ..... ft. from intake ..... in.; size at place of use ..... in.; difference in elevation between intake and place of use, ..... ft. Is grade uniform? ..... Estimated capacity, ..... sec. ft.

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

Table with 5 columns: Township North or South, Range E. or W. of Willamette Meridian, Section, Forty-acre Tract, Number Acres To Be Irrigated. Handwritten entries: 85, TW, 9, NE 1/4 SW 1/4, NW 1/4 SE 1/4, Same m. 1/2 Planer Lee Dist. & Prad. & Fire Protection.

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

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

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

(f) Is water to be returned to any stream? (Yes, or No) (g) If so, name stream and locate point of return .....

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

(h) The use to which power is to be applied is ..... (i) The nature of the mines to be served .....

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WATER RESOURCES DEPT SALEM, OREGON

PERMIT

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

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 1.15 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 Yamhill River. Kless Creek a reservoir to be constructed under application No. R-49563, permit No. R-5966, with any deficiency in the available supply from Kless Creek to be made up by diversion from South Yamhill River.

The use to which this water is to be applied is sawmill use including sprinkling log decks and maintenance of fire suppression system being 1.11 cfs from river for sawmill and 0.04 cfs from Kless Creek and reservoir for fire suppression system.

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

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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 August 7, 1972

Actual construction work shall begin on or before July 27, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975.

Complete application of the water to the proposed use shall be made on or before October 1, 1976.

WITNESS my hand this 27th day of July, 1973.

*Chris J. Wheeler*  
STATE ENGINEER

July 13

Application No. 12564  
Permit No. 36783

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 27th day of August, 1973, at 1:13 o'clock P. M.

Returned to applicant:

Approved:

July 27, 1973

Recorded in book No. of

36783

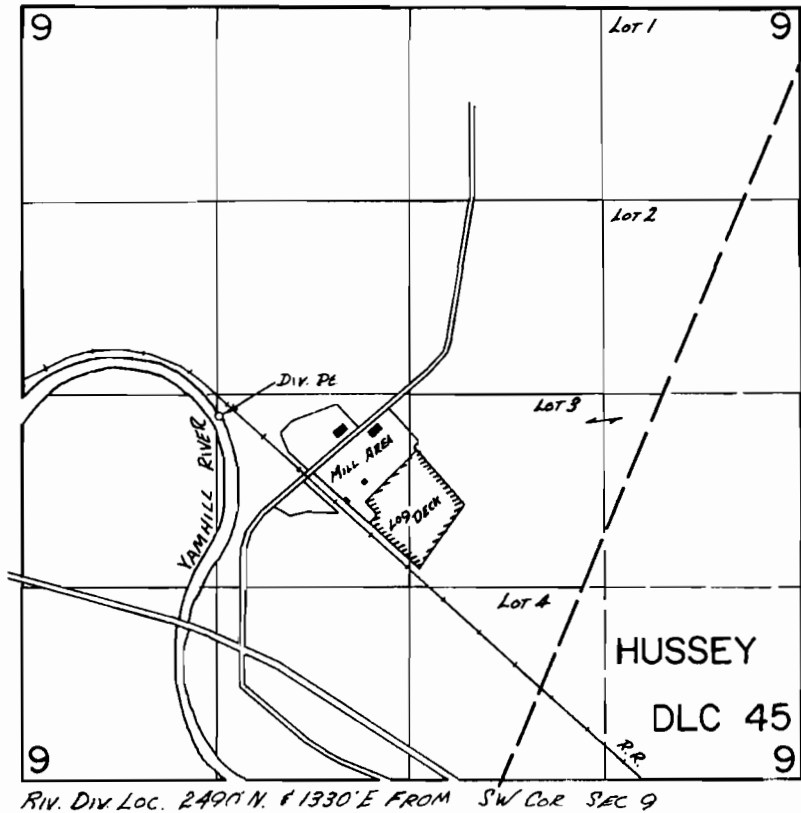
Permits on page

CHRIS J. WHEELER  
STATE ENGINEER

Drainage Basin No. 2 page 22/27

Fees 27.00

T.6S. R.7W. W.M.



RIV. DIV. LOC. 2490' N. & 1330' E FROM SW COR. SEC 9

**FINAL PROOF SURVEY**  
UNDER

Application No. 49564... Permit No. 36783...  
IN NAME OF

FORT HILL LUMBER COMPANY

Surveyed Oct. 8, 1974, by T. J. PAUL

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

# Additional Water Right Form Standard 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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## ~I~ Water Right Holder and Water Right Information

### Section 1.5 continued from Standard Application for Instream Lease.

**Subject Water Rights.** Lessor proposes to lease the water rights listed in 1.3.

The right(s) to be leased are further described as follows:

Certificate No.: 45690

Priority date: 7/25/1974 Type of use: Storage for Fire Protection

Legal Season of Use (if not listed on the certificate): Year-Around

Is the entire water right certificate being leased?  Yes  No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

Place of use: T 6 S, R 7 W, Section 8, SE 1/4 NE 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, if for irrigation: \_\_\_\_\_

Acre-feet of storage, if applicable: 2

Rate associated with leased rights (cfs): \_\_\_\_\_

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

Duty associated with leased rights (AF): \_\_\_\_\_

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

Conditions or other limitations, if any: \_\_\_\_\_

## ~II~ Instream Water Right Information

### Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

From the POD on the South Fork of the Yamhill River to the confluence with the Willamette River

Tributary to Willamette 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.)

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**Conditions to prevent injury, if any:**

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

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Water Right Information Query Results											
<b>Contact Information</b>				<b>Documents</b> <a href="#">View all scanned documents</a>							
▶ no contact information available				▶ <b>Application: R 51711</b>							
<b>Water Right Information</b>				▶ <b>Permit: R 6246</b> <a href="#">document</a>							
Status: Non-Cancelled				▶ <b>Certificate: 45690</b> <a href="#">document</a> , <a href="#">paper map</a>							
County: Polk				▶ <a href="#">View right with Web Mapping</a>							
File Folder Location: Salem				▶ <a href="#">View Places of Use from Water Rights in the Same Area</a>							
<a href="#">Watermaster District: 16</a>											
Point(s) of Diversion											
▼ <b>POD 1 - SOUTH YAMHILL RIVER &gt; YAMHILL RIVER</b>											
▼ <b>Description</b>											
▶ T-R-S-QQ: 6.00S-7.00W-8-SE NE											
▶ Location Description:											
▼ <b>POD Rate</b>											
▶											
Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)								
		2.0	2.0								
▼ <b>FIRE PROTECTION (Primary)</b>											
▶											
Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks		
7/25/1974	0.0	0.0	2.0	2.0			1/1	12/31			
Place(s) of Use <a href="#">Add TRS grouping</a>											
▼ <b>Use - FIRE PROTECTION (Primary); Priority Date: 7/25/1974</b>											
T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks		
▶ 6.00S-7.00W-8	SE NE					NC			FORT HILL RES		
Sum of Acres: 0.0											
Water Right Genealogy											
---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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WATER RESOURCES DEPT  
SALEM, OREGON

T-1103

## STATE OF OREGON

COUNTY OF POLK

## CERTIFICATE OF WATER RIGHT

*This Is to Certify, That* FORT HILL LUMBER COMPANY  
of P.O. Box 186, Grande Ronde, State of Oregon, 97347, has made  
proof to the satisfaction of the Water Resources Director, of a right to store the waters of  
South Yamhill River, tributary Yamhill River appropriated under Application No.  
52230, Permit No. 38829 in Fort Hill Reservoir

for the purposes of  
maintenance of fire suppression system  
under Reservoir Permit No. R-6246, and that said right to store said waters has been  
perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed  
dates from July 25, 1974

that the amount of water entitled to be stored each year under such right, for the purposes afore-  
said, shall not exceed 2.0 acre feet

The reservoir is located in

SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 8  
T. 6 S., R. 7 W., W. M.

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SALEM, OREGON

WITNESS the signature of the Water Resources Director, affixed  
this date. May 19, 1978

*James E. Elyson*  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38, page 45690

T-1103



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MAR 6 1974  
STATE ENGINEER  
SALEM, OREGON

\* Reservoir Permit No. **R 6246**

CERTIFICATE NO. 45690

**Application for a Permit to Construct a Reservoir and to Store for Beneficial Use the Unappropriated Waters of the State of Oregon**

I, FORT HILL LUMBER COMPANY  
(Name of Applicant)

of P.O. Box 186, Grande Ronde,  
(Mailing address) (City)

State of Oregon, 97347, do hereby make application for a permit to construct the  
(Zip Code)  
following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

If the applicant is a corporation, give date and place of incorporation

1. The name of the proposed reservoir is Fort Hill Reservoir

2. The name of the stream from which the reservoir is to be filled and the appropriation made is  
South Yamhill River

tributary of Yamhill River

3. The amount of water to be stored is 1,000,000 gallons or 3.2 acre feet.

4. The use to be made of the impounded water is fire protection for sawmill  
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 25,  
(Give sections or townships to be submerged)  
Tp. 6.S., R. 7.W., W.M., in the county of Polk

*Letter Dated 7-26-74 JES*

(a) State whether situated in channel of running stream and give character of material at outlet  
Not located in a channel

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give name and dimensions  
filled by pump from water appropriated under application  
No. 49564, permit No. 36783

6. The dam will be located in SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of, Sec. 25,  
(Smallest legal subdivision)  
Tp. 6.S., R. 7.W., W.M. The maximum height will be 10 feet above ~~stream bed~~ or ground surface on center line of dam. The length on top will be 350 ± feet; length on bottom 350 ± feet; width on top 8' feet; slope on front or water side 3 to 1; slope on back 2 to 1; height of dam above water line when full 2 feet.  
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)

*Letter Dated 7-26-74 JES*

\* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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SALEM, OREGON

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: earth construction, wave action not significant factor  
for 1/2 acre surface area

8. The location of wasteway with dimensions are as follows: asphalt coated 12"  
(State whether over or around the dam)  
corrugated metal pipe around the dam discharging to natural stream bed

9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: 12" asbestos cement water line with intake at bottom of  
(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)  
reservoir

10. The area submerged by the proposed reservoir, when full, will be 1/2 acres,  
with a maximum depth of water of 8 feet; and approximate mean depth of water  
6 feet.

11. The estimated cost of the proposed work is \$ 5,000.00

12. Construction work will begin on or before May 1, 1974

13. Construction work will be completed on or before July 1, 1974

Richard R. Monte-Batay  
(Signature of applicant)  
PRESIDENT

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 correction and completion.

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before July 16, 1974

WITNESS my hand this 16th day of May, 1974

T-1103  
**RECEIVED**  
JUL 15 1974  
STATE ENGINEER  
SALEM, OREGON

CHRIS L. WHEELER  
STATE ENGINEER

By Wayne J. Overcash  
ASSISTANT

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WATER RESOURCES DEPT  
SALEM, OREGON

Remarks: .....

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

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of Fort Hill Reservoir and storage of water from South Yamhill River to be appropriated under Application No. 52230, Permit No. 38829 for maintenance of fire suppression system,

The right hereunder shall be limited to the storage of 3.2 acre feet.

The priority date of this permit is July 25, 1974

Actual construction work shall begin on or before December 9, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977.

WITNESS my hand this 9th day of December, 1975.

James E. [Signature] Water Resources Director

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WATER RESOURCES DEPT SALEM, OREGON

T-110

Application No. *R-51711*

Reservoir Permit No. **R 6246**

**PERMIT**

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the *6th* day of *March*, 19*74*, at *8:00* o'clock *A.M.*

Returned to applicant:

Approved:

Recorded in Book No. \_\_\_\_\_ of Reservoirs, on Page **R 6246**

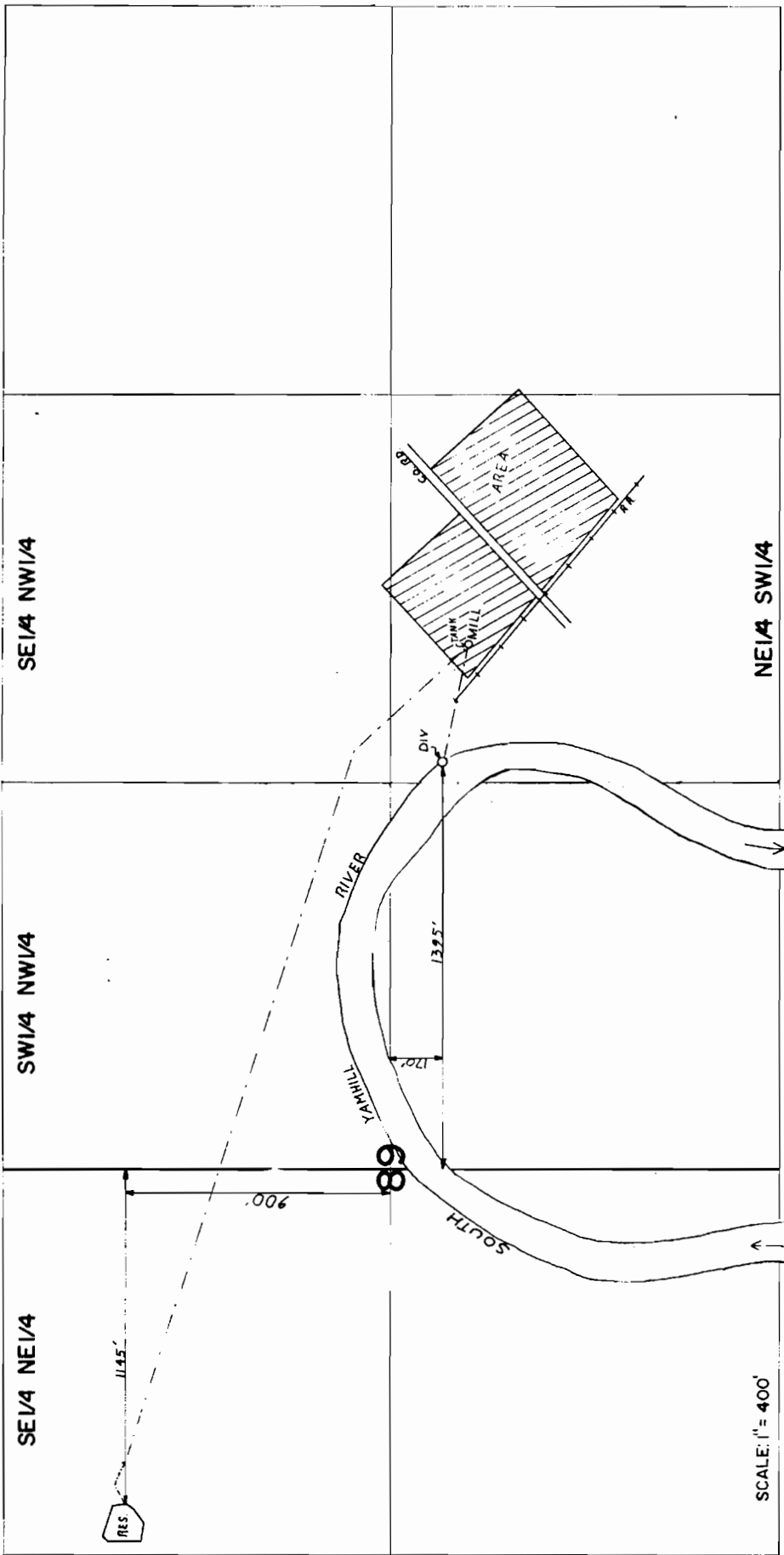
State Engineer

Drainage Basin No. *2* page *2087*

Fees \_\_\_\_\_

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WATER RESOURCES DEPT  
SALEM, OREGON

SP-6888-119



SCALE: 1" = 400'

T.6S., R.7W., W.M.

**FINAL PROOF SURVEY**  
UNDER

R-51711 R-6246  
 Application No. 52230... Permit No. 38829...  
 IN NAME OF  
**FORT HILL LUMBER COMPANY**  
 Surveyed AUG. 9, 1976, BY C.R. KING.

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SALEM, OREGON

T-1103



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

# Additional Water Right Form Standard 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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## ~I~ Water Right Holder and Water Right Information

### Section 1.5 continued from Standard Application for Instream Lease.

**Subject Water Rights.** Lessor proposes to lease the water rights listed in 1.3.

The right(s) to be leased are further described as follows:

Certificate No.: 45691

Priority date: 7/25/1974 Type of use: Fire Protection

Legal Season of Use (if not listed on the certificate): Year-Around

Is the entire water right certificate being leased?  Yes  No

If no, list the acres to be leased by legal description of township, range, section, and 1/4 1/4, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.

Place of use: T 6 S, R 7 W, Section 9, NE 1/4 SW 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, if for irrigation: \_\_\_\_\_

Acre-feet of storage, if applicable: \_\_\_\_\_

Rate associated with leased rights (cfs): .22

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

Duty associated with leased rights (AF): \_\_\_\_\_

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

Conditions or other limitations, if any: \_\_\_\_\_

## ~II~ Instream Water Right Information

### Section 2.2 continued from Standard Application for Short-Term Instream Lease.

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

From the POD on the South Fork of the Yamhill River to the confluence with the Willamette River

Tributary to Willamette 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: .22

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

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**Conditions to prevent injury, if any:**

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

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SALEM, OREGON

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Water Right Information Query Results											
<b>Contact Information</b>				<b>Documents</b> <a href="#">View all scanned documents</a>							+
▶ no contact information available				▶ <b>Application: S 52230</b>							
<b>Water Right Information</b>				▶ <b>Permit: S 38829</b> <a href="#">document</a>							
Status: Non-Cancelled County: Polk File Folder Location: Salem Watermaster District: 16				▶ <b>Certificate: 45691</b> <a href="#">document</a> , <a href="#">paper map</a> ▶ <a href="#">View right with Web Mapping</a> ▶ <a href="#">View Places of Use from Water Rights in the Same Area</a>							
<b>Point(s) of Diversion</b> <span style="float: right;">+</span>											
▼ <b>POD 1 - SOUTH YAMHILL RIVER &gt; YAMHILL RIVER</b>											
▼ <b>Description</b>											
▶ T-R-S-QQ: 6.00S-7.00W-9-NE SW											
▶ Location Description: 170 FT S & 1395 FT E FM W1/4 COR, S9											
▼ <b>POD Rate</b>											
▶											
Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)								
0.22	0.22										
▼ <b>FIRE PROTECTION (Primary)</b>											
▶											
Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks		
7/25/1974	0.22	0.22					1/1	12/31			
▼ <b>POD 2 - FORT HILL RESERVOIR &gt; SOUTH YAMHILL RIVER</b>											
▼ <b>Description</b>											
▶ T-R-S-QQ: 6.00S-7.00W-8-SE NE											
▶ Location Description: 900 FT N & 1145 FT W FM W1/4 COR, S9											
▼ <b>POD Rate</b>											
▶											
Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)								
0.22											
▼ <b>FIRE PROTECTION (Primary)</b>											
▶											
Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks		
7/25/1974	0.22	0.0(est)					1/1	12/31			
<b>Place(s) of Use</b> <a href="#">Add TRS grouping</a> <span style="float: right;">+</span>											
▼ <b>Use - FIRE PROTECTION (Primary); Priority Date: 7/25/1974</b>											
▶											
T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks		
6.00S-7.00W-9	NE SW					NC					
Sum of Acres: 0.0											
<b>Water Right Genealogy</b> <span style="float: right;">+</span>											
---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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WATER RESOURCES DEPT  
SALEM, OREGON

T-1103



## STATE OF OREGON

COUNTY OF POLK

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That FORT HILL LUMBER COMPANY

of P.O. Box 186, Grande Ronde, State of Oregon, 97347, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of South Yamhill River and Fort Hill Reservoir constructed under Permit No. R-6246,

a tributary of Yamhill River for the purpose of maintenance of fire suppression system

under Permit No. 38829 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 July 25, 1974

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 0.22 cubic foot 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 $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8 and NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 9, T. 6 S., R. 7 W., W. M., Reservoir-900 feet North and 1145 feet West; River-170 feet South and 1395 feet East, both from the W $\frac{1}{4}$  Corner, Section 9

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.

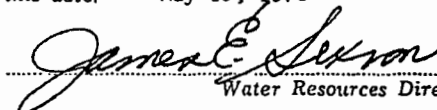
A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

NE $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 9  
T. 6 S., R. 7 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. May 19, 1978

  
Water Resources Director

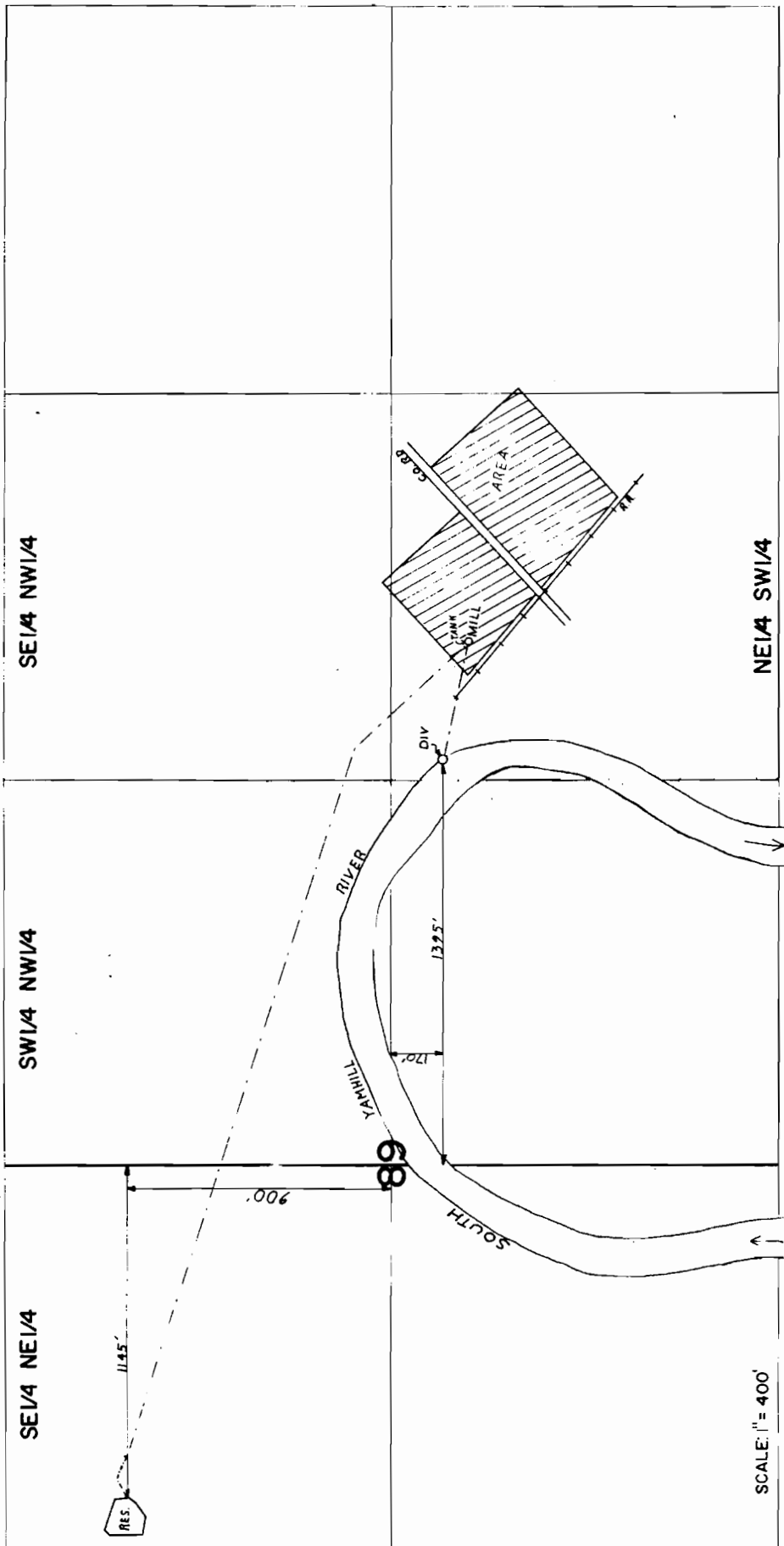
Recorded in State Record of Water Right Certificates, Volume 38, page 45691

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SALEM, OREGON



T-1103

T.6S., R.7 W., W.M.

FINAL PROOF SURVEY UNDER

R-51711 R-6246  
 Application No. 52230 Permit No. 38829  
 IN NAME OF  
 FORT HILL LUMBER COMPANY  
 Surveyed AUG. 9, 1976, BY C.R. KING

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WATER RESOURCES DEPT  
SALEM, OREGON

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JUL 19 1974

Permit No. 38829

\*APPLICATION FOR PERMIT

CERTIFICATE NO. 45621

STATE ENGINEER  
SALEM OREGON  
To Appropriate the Public Waters of the State of Oregon

I, Fort Hill Lumber Company  
(Name of applicant)  
of P.O. Box 186  
(Mailing address), Grande Ronde  
(City)  
State of Oregon, 97147, do hereby make application for a permit to appropriate the  
(Zip Code)

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

1. The source of the proposed appropriation is South Yamhill River & Fort Hill Reservoir  
(Name of stream), a tributary of Yamhill River

2. The amount of water which the applicant intends to apply to beneficial use is  
cubic feet per second 100 gpm  
(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 maintenance of fire protection system  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 2442 ft. N. and 1188 ft. E. from the SW  
(N. or S.) (E. or W.)  
corner of Sec 9 T6S R7W W.M.  
(Section or subdivision)

(If preferable, give distance and bearing to section corner)  
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the NW 1/4 SW 1/4 of Sec. 9, Tp. 6S  
(Give smallest legal subdivision) (N. or S.)  
R. 7W, W. M., in the county of Polk  
(E. or W.)

5. The pipeline to be 3100 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NW 1/4 SW 1/4 of Sec. 9, Tp. 6S  
(Smallest legal subdivision) (N. or S.)  
R. 7W, 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)

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

(c) If water is to be pumped give general description 20 hp electric at River  
(Size and type of pump)  
(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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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SALEM, OREGON

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.

*From pond to complete*

(c) Length of pipe, ..... 3100 ..... ft.; size at intake, ..... 12 ..... in.; size at ..... ft. from intake ..... in.; size at place of use ..... 6-10 ..... in.; difference in elevation between intake and place of use, ..... 200 ..... ft. Is grade uniform? *yes* ..... Estimated capacity, ..... sec. ft.

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
6S	7W	9	NE 1/4 SW 1/4	Sawmill - dry kilns & planer complexes
		8	SE 1/4 NE 1/4	Fort Hill Reservoir
<i>Map for place of use in file #36783</i>				

(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 ..... feet.

(Head)

(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 ..... of Sec. ....

(Legal subdivision)

JAN 19 2011

Tp. ...., R. ...., W. M. ....

(No. N. or S.) (No. E. or W.)

WATER RESOURCES DEPT  
SALEM, OREGON

(f) Is water to be returned to any stream? .....

(Yes or No)

(g) If so, name stream and locate point of return .....

....., Sec. ...., Tp. ...., R. ...., W. M. ....

(No. N. or S.) (No. E. or W.)

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

(i) The nature of the mines to be served .....

10. (a) To supply the city of .....  
..... County, having a present population of .....  
(Name of)  
and an estimated population of ..... in 19.....

(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 ..... *completed* .....
- 14. The water will be completely applied to the proposed use on or before ..... *Oct. 1974* .....

*Arthur R. Woodbury* President  
(Signature of applicant)

Remarks:

*THE Reservoir will supply 1000,000 gallons  
of water to 1500<sup>1/2</sup> inch SPRINKLER heads in THE  
SAWMILL, dry Kilns, planer, office buildings -  
THE fire system is automatic dry system  
with feed water supply from Reservoir  
At about 80 lbs pressure. System has 12  
inch main to mill site breaking down to  
10" 8" 6" as needed -*

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 ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

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WATER RESOURCES DEPT  
SALEM, OREGON

STATE ENGINEER

By ..... ASSISTANT

PERMIT

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

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 0.22 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 Vanhill River and Fort Hill Reservoir to be constructed under Application No. R-51711, Permit No. R- 6246

The use to which this water is to be applied is maintenance of fire suppression system

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

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 July 25, 1974

Actual construction work shall begin on or before December 9, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977

Complete application of the water to the proposed use shall be made on or before October 1, 1978

WITNESS my hand this 9th day of December, 1975

*James E. ...*  
Water Resources Director STATE ENGINEER

T-1  
Application No. 22230  
Permit No. 38829

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 25th day of July, 1975, at 9:30 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of  
Permits on page 38829

STATE ENGINEER  
Drainage Basin No. 2 page 2031B

Fees

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JAN 19 2011  
WATER RESOURCES DEPT  
SALEM, OREGON