

Regular

RA

Name Oregon - Canadian Forest Products, inc.Address 31950 NW Commerical St.
North Plains, OR 97133Change in POADate Filed 3/13/2023Initial notice date 3/21/2023

DPD issued date

PD issued date 1/19/2024PD notice date 1/23/2024Date of FO 3/27/2024 Vol 129 Page 1002-1005

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellTrib. of McKay Creek BasinUse Industrial/Manufacturing uses County Washington

Quantity of water (CFS) No. of Acres

Name of ditch

App# G 12086 Per # G 11142 Cert # 93746 PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID

Date	Amount	Receipt #
<u>3-13-23</u>	<u>\$1,840.⁰⁰</u>	<u>140296</u>
<u>3-13-2023</u>	<u>\$125.⁰⁰</u>	<u>140285</u>
<u>3-27-2023</u>	<u>\$1,972.¹⁴</u>	<u>140377</u>

FEES REFUNDED

Date	Amount	Receipt #
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Assignments:

Irrigation District

Agent CWM-H2O, LLCCWRE City of North Plains

CC's list

☐ - Oversized map - Location



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904

March 27, 2024

Oregon-Canadian Forest Products, Inc.
31950 NW Commercial St
North Plains, OR 97133

REFERENCE: Transfer Application T-14185

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at Dante.j.luongo@water.oregon.gov.

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Jacob W. Constans, Watermaster Dist. # 18 (via email)
CWM H2O LLC, Agent
City of North Plains, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-14185, Washington County)	APPROVING A CHANGE IN POINT OF
)	APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

OREGON-CANADIAN FOREST PRODUCTS, INC.
31950 NW COMMERCIAL STREET
NORTH PLAINS, OR 97133

Findings of Fact

1. On March 13, 2023, Oregon-Canadian Forest Products, Inc. filed an application to change the point of appropriation under Certificate 93746. The Department assigned the application number T-14185.
2. Notice of the application for transfer was published on March 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 4, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14185 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of December 4, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On December 4, 2023, The applicant requested a modified Completion date of October 1, 2027.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

5. On January 19, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14185 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on January 23, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The right to be transferred is as follows:

Certificate: 93746 in the name of OREGON CANADIAN FOREST PRODUCTS INC.
(perfected under Permit G-11142)
Use: LUMBER MILL INDUSTRIAL PURPOSES
Priority Date: APRIL 25, 1990
Rate: 0.42 CUBIC FOOT PER SECOND
Source: A WELL in the MCKAY CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 N	3 W	WM	2	NE SE	73	(WELL 1) - FROM POD - NORTH 07 DEGREES 53 MINUTES 35 SECONDS EAST, 2561 FEET TO THE NE CORNER OF DLC 39

Authorized Place of Use:

LUMBER MILL INDUSTRIAL PURPOSES					
Twp	Rng	Mer	Sec	Q-Q	DLC
1 N	3 W	WM	1	NE SW	73
1 N	3 W	WM	1	NW SW	73

7. Transfer Application T-14185 proposes to move the authorized point of appropriation approximately 20 west feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 N	3 W	WM	2	NE SE	73	WELL-2 - NORTH 10 DEGREES 17 MINUTES 25 SECONDS EAST, 2570 FEET FROM POA TO THE NE CORNER OF DLC 39

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

8. A confirming Certificate was issued within the last five years prior to the submittal of Transfer Application T-14185. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14185.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

11. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

Conclusions of Law

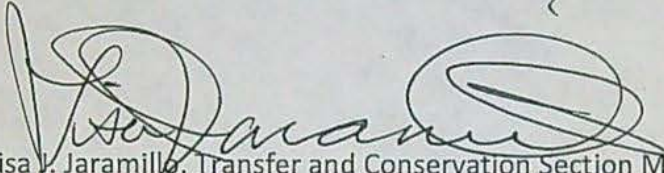
The change in point of appropriation proposed in Transfer Application T-14185 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation proposed in Transfer Application T-14185 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 93746 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
4. Water right Certificate 93746 is cancelled.
5. The quantity of water diverted at the new point of appropriation (Well-2) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well-1).
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of appropriation, with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.
 - b. The water user shall maintain the meters or measuring devices in good working order.

- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water:
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAR 27 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14185

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☒

Dante

Applicant: OREGON CANADIAN FOREST PRODUCTS INC. 31950 NW COMMERCIAL ST NORTH PLAINS, OR 97133	Agent: CWM H2O LLC 1319 SE MARTIN LUTHER KING JR BLVD SUITE 204 PORTLAND, OR 97214	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: City Of North Plains	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G 12086	G11142	93746	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: March 13, 2023	Proposed Action(s): POINT OF APPROPRIATION
Fees Pd: 1840.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/> Basin: 2 Willamette
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/> County: WASHINGTON
WM District: 18 Jacob W. Constans	WM Review request sent: WM Review date received:
ODFW District:	ODFW Review sent: ODFW Review date received:
Groundwater	GW Review sent: GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>8-31</u> Initials: <u>AL</u>	Date: <u>10-17</u> Initials: <u>PRS</u>	Date: _____ Initials: _____	Date: <u>10-18</u> Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <u>10-18</u> Initials: <u>AL</u>	Date: <u>12-22</u> Initials: <u>PRS</u>	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: <u>1/19/24</u>
FO	Date: <u>1-20-24</u> Initials: <u>AL</u>	Date: <u>1-29-24</u> Initials: <u>PRS</u>	Date: _____ Initials: _____	Date: <u>1-30-24</u> Initials: <u>AL</u>	Date: <u>3-21-24</u> No. of docs for sig: <u>1</u>	Date: <u>3/27/24</u>

Special Issues: _____

Special Order Volume: Vol. 129 Pages 1002-1005



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

January, 11, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

OREGON CANADIAN FOREST PRODUCTS INC.
31950 NW COMMERCIAL ST
NORTH PLAINS, OR 97133

SUBJECT: Water Right Transfer Application T-14185

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14185. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please don't hesitate to contact me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14185, Washington County)	PROPOSING APPROVAL OF A CHANGE IN
)	POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

OREGON-CANADIAN FOREST PRODUCTS, INC.
31950 NW COMMERCIAL STREET
NORTH PLAINS, OR 97133

Findings of Fact

1. On March 13, 2023, Oregon-Canadian Forest Products, Inc. filed an application to change the point of appropriation under Certificate 93746. The Department assigned the application number T-14185.
2. Notice of the application for transfer was published on March 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 4, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14185 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of December 4, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The right to be transferred is as follows:

Certificate:	93746 in the name of OREGON CANADIAN FOREST PRODUCTS INC. (perfected under Permit G-11142)
Use:	LUMBER MILL INDUSTRIAL PURPOSES

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

Priority Date: APRIL 25, 1990
Rate: 0.42 CUBIC FOOT PER SECOND

Source: A WELL in the MCKAY CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 N	3 W	WM	2	NE SE	73	(WELL 1) - FROM POD - NORTH 07 DEGREES 53 MINUTES 35 SECONDS EAST, 2561 FEET TO THE NE CORNER OF DLC 39

Authorized Place of Use:

LUMBER MILL INDUSTRIAL PURPOSES					
Twp	Rng	Mer	Sec	Q-Q	DLC
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5. Transfer Application T-14185 proposes to move the authorized point of appropriation approximately 20 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 N	3 W	WM	2	NE SE	73	WELL-2 - NORTH 10 DEGREES 17 MINUTES 25 SECONDS EAST, 2570 FEET FROM POA TO THE NE CORNER OF DLC 39

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

6. A confirming Certificate was issued within the last five years prior to the submittal of Transfer Application T-14185. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14185.
8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
10. The proposed change, as conditioned, would not result in enlargement of the right.
11. The proposed change, as conditioned, would not result in injury to other existing water rights.
12. All other application requirements are met.

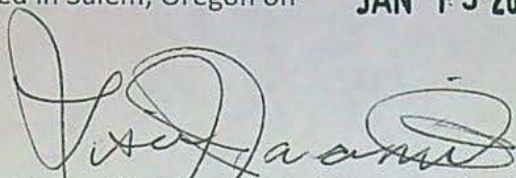
Determination and Proposed Action

The change in point of appropriation proposed in Transfer Application T-14185 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14185 is approved, the final order will include the following:

- 1. The change in point of appropriation proposed in Transfer Application T-14185 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 93746 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
- 4. Water right Certificate 93746 is cancelled.*
- 5. The quantity of water diverted at the new point of appropriation (Well-2) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well-1).*
- 6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 7. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of appropriation, with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
- 9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **JAN 19 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Dante Luongo. If you have questions about the information in this document, you may reach me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and

- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14185

GW Reviewer Dennis Orłowski Date Review Completed: April 6, 2023

Summary of Same Source Review:

- ☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

- ☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

- ☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-14185

Applicant Name: Oregon Canadian Forest Products, Inc.

Proposed Changes: ☒ POA

☐ APOA

☐ SW→GW

☒ RA

☐ USE

☐ POU

☐ OTHER

Reviewer(s): Dennis Orlowski

Date of Review: April 6, 2023

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 8/3/23

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

1. Basic description of the changes proposed in this transfer: This proposed transfer pertains to certificate 93746, which authorizes the use of groundwater from one well (WASH 002/199) for "lumber mill industrial purposes", pumping year-round at a maximum instantaneous rate of 0.42 cfs (~190 gpm). There is no volumetric limit ("duty") associated with certificate 93746.

According to the application, the casing to the existing POA (WASH 002/199) is damaged to an extent that "prevents the pump/motor assembly from being reinstalled and operating in its standard configuration", and that the "casing is not immediately repairable, and thus the well is proposed for abandonment." Thus, the purpose of this proposed transfer is to move the location of "the approved POA on Certificate 93746 to the location of a replacement well" yet to be installed (i.e., move the existing POA to a new well location very near the existing location).

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Authorized POA WASH 002/199 ("Well 1") is completed to 500 ft bls, and obtains groundwater from water-bearing portions of the Columbia River Basalt Group (CRBG) (the well had been deepened from 380 to 500 ft bls, as documented by the WASH 199 log). The proposed new POA ("Well 2") is planned for a similar total depth and construction, and thus will obtain groundwater from the same source.
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): N/A

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?

☐ Yes ☒ No Comments: The proposed POA location is very near the existing authorized POA location (less than ~25 ft). Furthermore, the few existing CRBG wells of similar completion within ~2 miles of the proposed POA location show generally stable to increasing water levels, beginning in the early 2000s and continuing through early 2023 (see hydrograph). These factors indicate that the proposed change will likely not result in an increase in interference with other existing groundwater rights.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☐ No If yes, explain: Not applicable.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☐ Yes ☒ No Comments: (1) Authorized POA WASH 002/199 is 500 feet deep, and is cased and sealed to 359 ft bls; (2) the new POA is proposed to have similar construction; (3) static water levels in WASH 002/199 have ranged from ~70-95 ft bls; (4) the nearest perennial stream is McKay Creek, located about 5,500 feet to the east at elevations of ~105-110 ft msl, which is a minimum of ~350 feet above the WBZs identified in the WASH 002/199 logs. These factors indicate that both the authorized and proposed POA are not hydraulically connected to McKay Creek, and thus the proposed use will likely not result in an increase in interference with that stream.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____ ☐ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: N/A

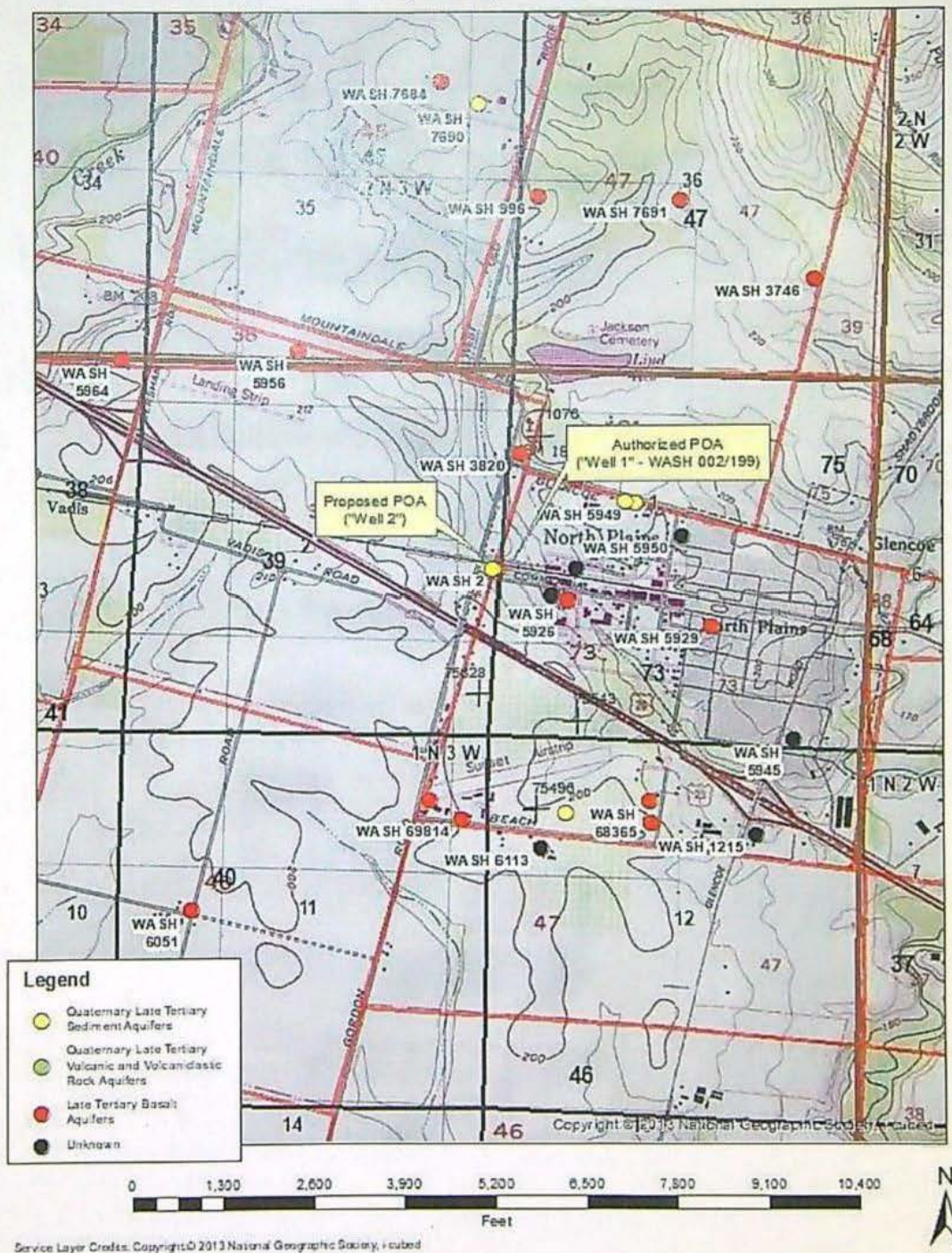
5. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☒ No Comments: Not applicable.

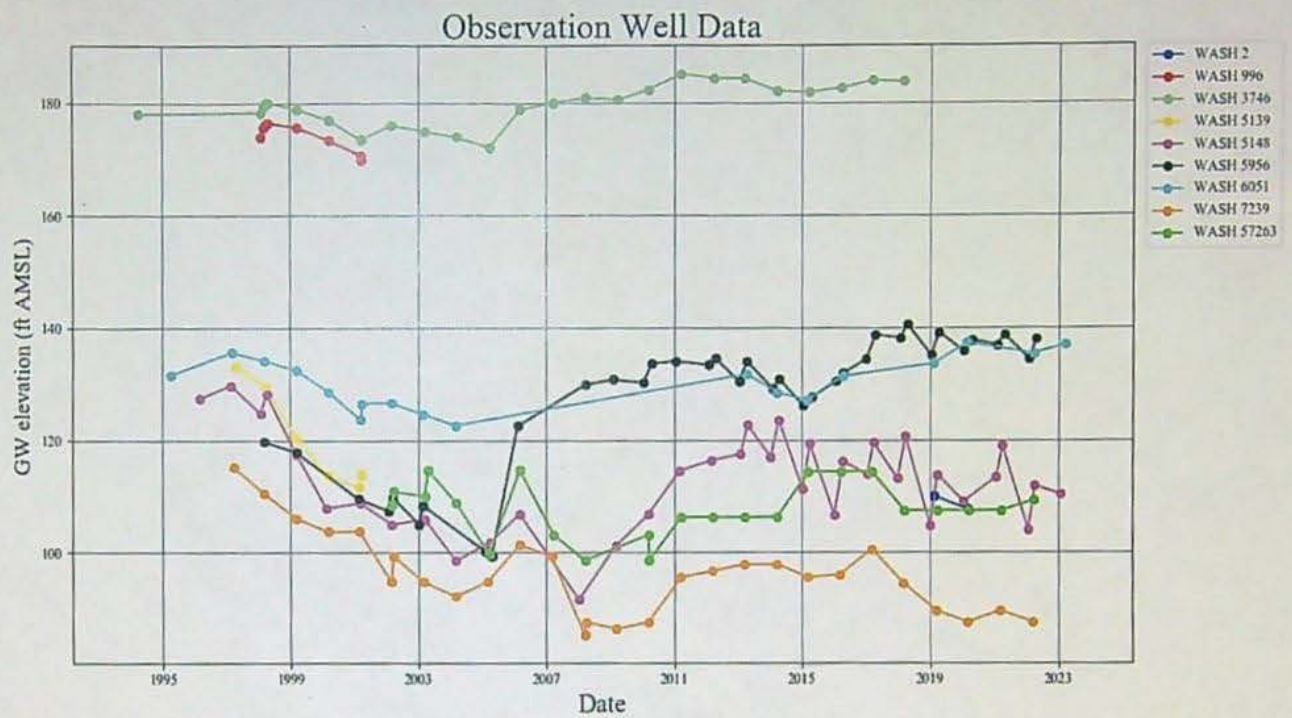
6. What conditions or other changes in the application are necessary to address any potential issues identified above: None.

7. Any additional comments: It will be important to confirm that the actual construction of the proposed POA ("Well 2"), specifically the total well completion and cased/sealed depths, will be as proposed in this application. Ensuring this well construction requirement will prevent potential injury to other nearby groundwater users, and to help sustain the local CRBG groundwater resource.

Well Location Map

Application T-14185, Oregon Canadian Forest Products
T1N, R3W, Section 2

Hydrograph (nearby CRBG wells, Jan-Apr only)



Watermaster Review Form: Water Right Transfer



Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Transfer Application: T-14185

Review Due Date:

Applicant Name: Oregon-Canadian Forest Products

Proposed Changes: ☐ POU ☐ POD ☒ POA ☐ USE ☐ OTHER

Reviewer(s): Jake Constans

Date of Review: 05/02/2023

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
The Tualatin River Basin is regulated each year for senior water rights
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☒ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☐ No If "Yes", explain:

10. For POU or USE changes: ☒ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☐ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☒ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☒ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☒ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☒ No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☒ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, ☐ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☒ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install staff gages, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

☐ Weir
☐ Parshall Flume
☐ Other: ____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14185

☒ In order to avoid enlargement of the right or injury to other rights, a **totalizing flow meter** will be required to be installed prior to diversion of water, as a condition of this transfer:

☐ at each point of diversion/appropriation (new and existing) **OR**

☒ at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Jake Constans

District: 18

Address: 1400 SW Walnut Street #240

City/State/Zip: Hillsboro, OR 97123

Phone: 503-846-7780

Email: jake.w.constans@water.oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1266

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **140377**
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Oregon Canadian
BY: Forest Products Inc.

APPLICATION
PERMIT
TRANSFER T-14185

CASH: ☐ CHECK: # 171396 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$1,972.14

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47/24 R11-426-23 \$
0412 OTHER: (IDENTIFY) Transfer Rainsville \$ 1,972.14
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) _____ \$
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 \$
0203 GROUND WATER EXAM FEE 0204 \$
0205 TRANSFER EXAM FEE

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 \$
LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$

RECEIPT: **140377** DATED: 3/21/23 BY: Case D Miller

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Bull Copy - Fiscal



INVOICE NO. 2023
DATE 3/24/2023
DESCRIPTION Vch: VO0000250064

Check Date: 3/24/2023
Check Num: CHK0171396
PAID AMOUNT \$1,972.14
DISCOUNT \$0.00

APPLIED AMOUNT \$1,972.14

171396

MAR 27 2023

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-426-23**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Oregon-Canadian Forest Products Inc.**, hereafter Applicant, hereafter known together as the parties.

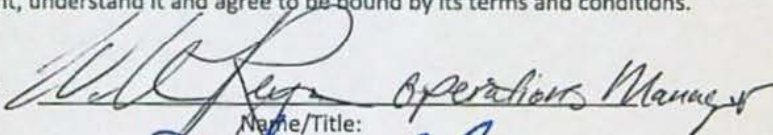
OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266 Phone: 503 979-3511 Fax: 503 986-0901 Email: patrick.k.starnes@water.oregon.gov	Name: Oregon-Canadian Forest Products, Inc. Contact: David Huntley Address: 31950 NW Commercial St. North Plains, OR 97133 Phone: (503) 819-5238 Fax: Email:	Name: CwM, H2O, LLC Contact: Bob Long, CWRE Address: 1319 SE MLK Jr. Blvd, Ste 204 Portland, OR 97214 Phone: (503) 954-1326 Fax: Email: bob.long@cwmmh2o.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-14185**)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,972.14. Applicant agrees to pay the full amount of \$1,972.14 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

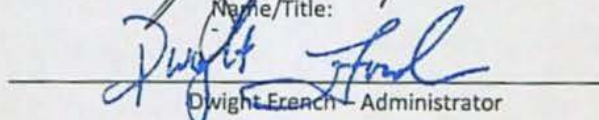
7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:


Name/Title:

3/24/23
Date

For OWRD:


Dwight French Administrator

3-29-2023
Date

Mail signed Agreement to:

Stacy Phillips
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Received by OWRD

MAR 27 2023

Salem, OR

OREGON-CANADIAN FOREST PRODUCTS INC RA R11-426-23 T-14185

Review Step	Est. Time	Hourly Multiplier	Total Est. Hours	Individual	Hourly Rate	Est. Cost
Front Desk Staff receipts received AA funds						
Transfer Support process Application						
Administrator signs AA						
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet						
NRS 2 completes initial review of file for deficiencies						
Watermaster completes review						
Groundwater completes review						
NRS 2 completes DPD, PN, and RR						
Transfer staff peer reviews DPD, PN, RR						
Transfer Analyst completes policy check at DPD stage						
NRS 2 sends DPD to app/agent by email and/or mail						
NRS 2 reviews report of ownership						
NRS 2 completes PD						
Transfer Staff peer reviews PD						
Transfer Analyst peer reviews PD						
Data Center reviews PD AND RR: (RR where applicable)						
Transfer Analyst completes peer review of PN review for newspaper noticing						
Transfer Support processes public notice (dept notice)						
Administrator signs PD						
NRS 2 completes FO						
Transfer Staff peer reviews FO						
Transfer Analyst peer reviews FO						
Administrator signs FO						
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy						
NRS 1 closes out RA Contract						
			30.42			
					TOTAL	\$1,972.14

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **140285**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Oregon Canadian
BY: Forest Products Inc

APPLICATION _____
PERMIT _____
TRANSFER 7-14185

CASH: ☐ CHECK: # 171208 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 \$ _____
0412 OTHER: (IDENTIFY) Transfer Reimbursement \$ 125.00
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$ _____
0203 GROUND WATER EXAM FEE 0204 RECORD FEE \$ _____
0205 TRANSFER EXAM FEE \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 LICENSE FEE \$ _____
LANDOWNER'S PERMIT 0220 LICENSE FEE \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **140285**

DATED: 3-13-23

BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

INVOICE NO.
CERT 93746

DATE
3/1/2023

DESCRIPTION
Vchr: VO00000249586

PAID AMOUNT
\$125.00

DISCOUNT
\$0.00

APPLIED AMOUNT
\$125.00

Check
Date:

3/3/2023

Check
Num:

CHK0171208

171208





OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-14185</u> Not Yet <u>Assigned</u>

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Oregon-Canadian Forest Product, Inc.</u> <u>David Huntley, Maintenance Supervisor</u>	<u>Bob Long, CWRE</u> <u>CwM, H2O, LLC</u>
Address:	<u>31950 NW Commercial Street</u> <u>North Plains, OR 97133</u>	<u>1319 SE MLK Jr Blvd, Suite 204</u> <u>Portland, OR 97214</u>
Phone:	<u>503-819-5238</u>	<u>503-954-1326</u>
Fax:		
E-Mail Address:		<u>Bob.long@cwmmh2o.com</u>

I understand the following:

- That upon receipt of my non-refundable application fee of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

RECEIVED

MAR 13 2023

OWRD

I certify that I am the (check one):

☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: David Huntley

Signature: [Signature]

OWRD USE ONLY: Reimbursement Authority Number: R11- 426 -23

14185



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

March 16, 2023

OREGON CANADIAN FOREST PRODUCTS INC.

31950 NW COMMERCIAL ST

NORTH PLAINS, OR 97133

Reference: Application T-14185

On March 13, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Receipt number 140296 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

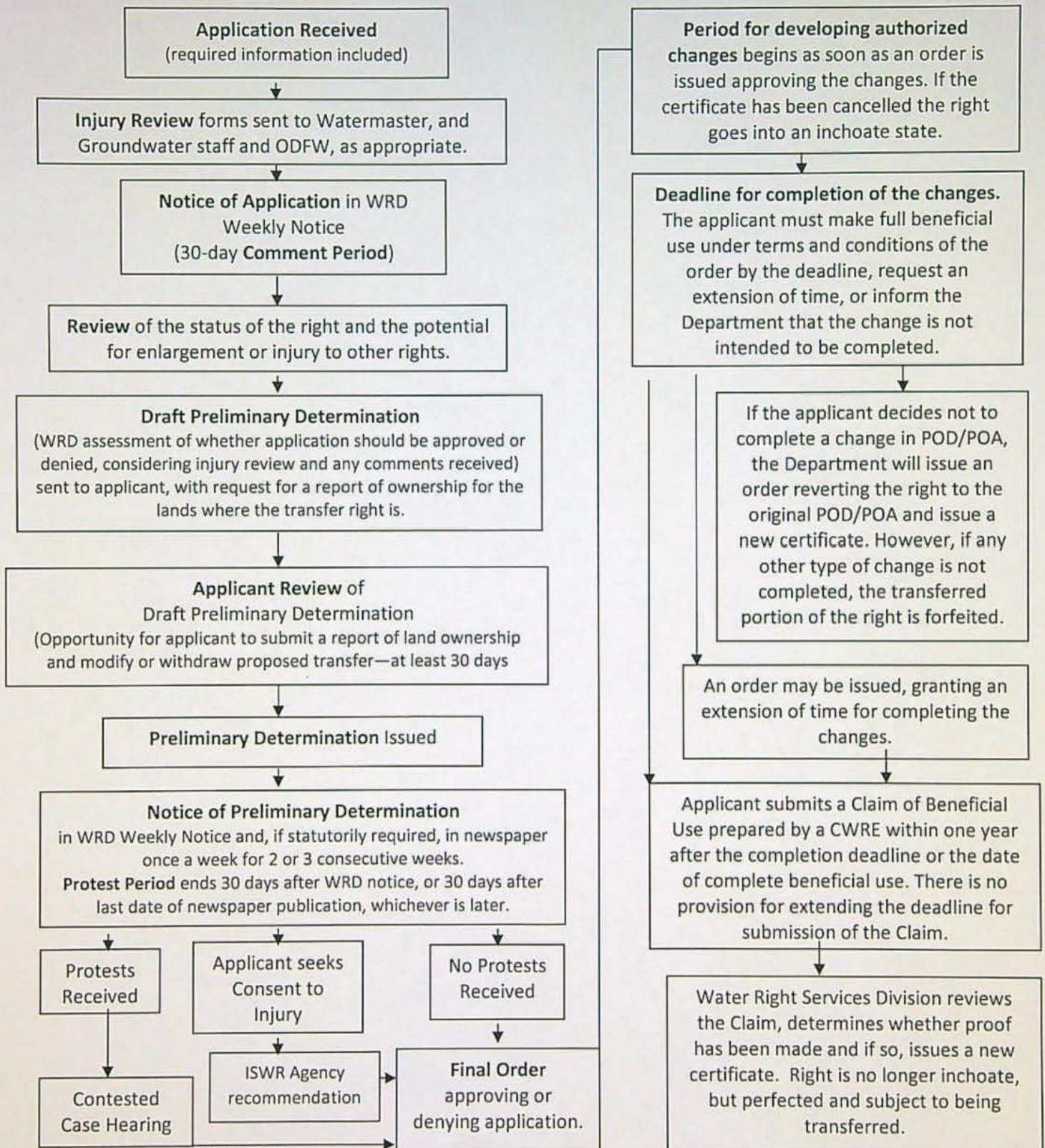
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #18, Jacob W. Constans (*via email*)
City of North Plains
Cwm H2o Llc, Agent

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 140296

INVOICE # _____

RECEIVED FROM: Oregon Canadian
BY: Forest Products, Inc.

APPLICATION _____
PERMIT _____
TRANSFER T-14185

CASH: ☐ CHECK: # 171207 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,840.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ 1,840.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____
LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: 140296

DATED: 3-13-23

BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

INVOICE NO.
CERT 93746

DATE
3/1/2023

DESCRIPTION
Vchr: VO0000249585

PAID AMOUNT
\$1,840.00

DISCOUNT
\$0.00

APPLIED AMOUNT
\$1,840.00

Check
Date: 3/3/2023

Check
Num: CHK0171207

171207

OREGON-CANADIAN
FOREST PRODUCTS INC.
P.O. BOX 279 • NORTH PLAIN, OR 97133 • PHONE: (503) 947-2011 • FAX: (503) 947-2013

Application for Permanent Water Right Transfer

OREGON



WATER RESOURCES
DEPARTMENT

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Part 1 of 5 – Minimum Requirements Checklist

This transfer application **will be returned** if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 93746**

Please include a separate Part 5 for each water right. (See instructions on page 6)

NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ Completed Transfer Application Map. **Attachment 1**
- ☒ Completed Evidence of Use Affidavit and supporting documentation. **Attachment 2**
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **Attachment 3**
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **Attachment 4**
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

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

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Part 2 of 5 – Transfer Application Map

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

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☐ ☒ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)		
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1 \$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>	
2	Multiply line 2b by \$1090 and enter »	2 0
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in line 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>	
3	Multiply line 3b by \$610 and enter »	3 0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>0 (4b)</u> Add line 4a to line 4b and enter »	
4		4 \$480
	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): _____ (5a) Subtract 1.0 from the number in line 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$410, then enter on line 5 »	
5		5 0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6 \$1,840
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »	
7	If no box is applicable, enter 0 on line 7 »	7 0
8	Subtract line 7 from line 6 » Transfer Fee:	8 \$1,840

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- | FEE WORKSHEET for SUBSTITUTION | | | |
|--------------------------------|--|---|----------|
| 1 | Base Fee (includes change to one well) | 1 | \$990.00 |
| | Number of wells included in substitution _____ (2a)
Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i> | | |
| 2 | — Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » » » | 2 | |
| 3 | Add entries on lines 1 through 2 above » » » » » » » » Fee for Substitution: | 3 | |

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Oregon-Canadian Forest Products, Inc.		PHONE NO. 503-819-5238	ADDITIONAL CONTACT NO.
ADDRESS 31950 NW Commercial Street		FAX NO.	
CITY North Plains	STATE OR	ZIP 97133	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME CwM-H2O, LLC		PHONE NO. 503-954-1326	ADDITIONAL CONTACT NO.
ADDRESS 1319 SE MLK Jr Blvd, Suite 204		FAX NO.	
CITY Portland	STATE OR	ZIP 97214	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:

Certificate 93746 is for industrial/manufacturing uses and has only one point of appropriation (POA) on the right, Well-1 (WASH-002/WASH-199). The Applicant recently discovered damage to the casing of Well-1 that prevents the pump/motor assembly from being reinstalled and operating in its standard configuration. The damage to the casing is not immediately repairable and the well is proposed for abandonment. This transfer application is being submitted to move the approved POA on Certificate 93746 to the location of a replacement well. The proposed new well will be constructed in a similar manner to Well-1 in order to match the hydraulic properties and source aquifer of the original POA on the water right.

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

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☒ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☒ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Hillsboro News-Times.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

Applicant signature

Print Name (and Title if applicable)

Date

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Applicant signature

Print Name (and Title if applicable)

Date

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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No*

*If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL
Describe any special ownership circumstances: _____			
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner			

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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME _____	ADDRESS _____	
CITY _____	STATE _____	ZIP _____

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

ENTITY NAME _____	ADDRESS _____	
CITY _____	STATE _____	ZIP _____

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME City of North Plains	ADDRESS 31360 NW Commercial Street	
CITY NORTH PLAINS	STATE OR	ZIP 97133

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # **93746**

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Description of Water Delivery System

MAR 13 2023

System capacity: 0.42 cubic feet per second (cfs) OR

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188.5 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

The current POA, Well-1, is located at the west end of the Oregon-Canadian Forest Products property. The well pumps directly into a 6" mainline of the industrial water distribution system. The mainline branches into 1-4" lateral lines which carry the water throughout the property and the place of use. Water is used in the boilers, kilns, steam generators, and other lumber related processes in the place of use.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well-1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASH-002/ WASH-199	1 N	3 W	2	NE SE	1000	North 07°53'35" East, 2,561 ft from POA to NE Corner, DLC 39
Well-2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	Proposed	1 N	3 W	2	NE SE	1000	North 10°17'25" East, 2,570 ft from POA to NE Corner, DLC 39

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

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 93746

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
										POA	1	N	3	W	2	NE	SE	1000	73	-
											1	N	3	W	1	NW	SW	1000, 0300, 2501	73	-
											1	N	3	W	1	NE	SW	1000, 2501	73	-
TOTAL ACRES:											TOTAL ACRES:						-			

Additional remarks: The proposed transfer will move the one approved point of appropriation to the proposed location of the replacement well, Well-2.
No other changes to the water right are proposed. The place of use is the same as the original certificate.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

~~For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)~~

~~Ground water supplemental Permit or Certificate # _____;~~

~~Surface water primary Certificate # _____;~~

~~For a change from Supplemental Irrigation Use to Primary Irrigation Use~~

~~Identify the primary certificate to be cancelled. Certificate # _____~~

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

A drillers log does not exist for the proposed well, as it has not yet been constructed. See Table 3 below for proposed well design and construction details.

AND/OR

- ☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well-1	YES	WASH-002/199	500 ft	10"	0-359 ft	0-359 ft	359-500 ft (open-hole)	~62 ft	Columbia River Basalt Group (Winter Water Unit)	0.42 cfs
Well-2	NO	-	~500 ft	10"	~0-360 ft	~0-360 ft	~360-500 ft	~62 ft		

*Well-1 is proposed for abandonment. Well-2, the replacement well, will be the only POA on the water right.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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Applicant(s): Oregon-Canadian Forest Products, Inc.

Mailing Address: 31950 NW Commercial Street

City: North Plains

State: OR9

Zip Code: 97133

Daytime Phone: 503-819-5238

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:
1N	3W	2	NESE	1000	M-2 (general industries)	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	M-2 (general industries)
		1	NWSW	1000, 0300, 2501		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			NESW	1000, 2501		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	

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

-City of North Plains

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: 0.42 ☒ 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 _____

Briefly describe:

Oregon-Canadian Forest Prod. plans to construct a new to add to Certificate 93746 as a point of appropriation (POA). The condition of the existing well necessitates a new source. The existing well will be retained as a POA on the right for repair and use as a backup water supply.

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.

See bottom of Page 3. →

For Local Government Use Only

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): City of North Plains Municipal Code Section 155.296(E)
- ☐ 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

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.

Name: Steve Miller Title: Planning Manager

Signature: Steve Miller Phone: (503) 647-5555 x102 Date: 2/2/2023

Government Entity: City of North Plains

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: _____

ATTACHMENT 3

Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Oregon)
) ss
County of WASHINGTON

I, DAVID HUNTLEY, in my capacity as MAINTENANCE SUPERVISOR OF OREGON-CANADIAN FOREST PRODUCTS, INC.,
mailing address 31950 NW COMMERCIAL STREET

telephone number (503) 819-5238, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 93746; OR

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☒ Confirming Certificate # 93746 has been issued within the past five years (May 4, 2018); OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): INDUSTRIAL PROCESSING OF LUMBER PRODUCTS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]
Signature of Affiant

2/27/23
Date

Signed and sworn to (or affirmed) before me this 27 day of February, 2023.



[Signature]
Notary Public for Oregon

My Commission Expires: March 3, 2026

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date May 4, 2018
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power use records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

14185

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

OREGON CANADIAN FOREST PRODUCTS INC.
PO BOX 279
NORTH PLAINS OR 97133

confirms the right to the use of water perfected under the terms of Permit G-11142. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-12086

SOURCE OF WATER: A WELL IN THE MCKAY CREEK BASIN

PURPOSE or USE: LUMBER MILL INDUSTRIAL PURPOSES

MAXIMUM RATE: 0.42 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 25, 1990

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 N	3 W	WM	2	NE SE	73	FROM POD, NORTH 07 DEGREES 53 MINUTES 35 SECONDS EAST, 2561 FEET TO NE CORNER, DLC 39

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
1 N	3 W	WM	1	NE SW	73
1 N	3 W	WM	1	NW SW	73

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

When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Use of water from the well shall not be allowed under this right if the well displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

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.

The Water Resources Department has determined that the initial water level in the well was 95 feet below land surface on March 27, 1990. That is the level from which previously cited declines will be referenced. As much as possible, future levels shall reflect annual high levels which are usually found in the spring of each year.

The Director may require water level or pump test results every ten years.

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 granted herein may be made only at time when sufficient water is available to satisfy all prior rights.

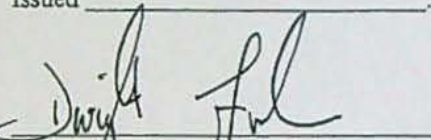
The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued MAY 4 2018

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



CWM-H2O 
Complete Water Management

1319 SE MLK, Jr. Blvd, Suite 204
Portland, Oregon 97214(503)
954-1326

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**AERIAL IMAGERY OF THE PLACE OF USE
FOR CERTIFICATE 93746
-Evidence of Use Affidavit-**

OWRD

Please refer to the transfer application map displaying the place of use (POU). The approximate POU is shown by the white dotted line.

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CwM-H2O 
Complete Water Management

1319 SE MLK, Jr. Blvd, Suite 204
Portland, Oregon 97214(503)
954-1326

**AERIAL IMAGERY OF THE PLACE OF USE
FOR CERTIFICATE 93746
-Evidence of Use Affidavit-**

Please refer to the transfer application map displaying the place of use (POU). The approximate POU is shown by the white dotted line.

14185

STATE OF OREGON WATER RESOURCES DEPT.
WATER WELL REPORT **WASH** SALEM, OREGON
(as required by ORS 537.785) **0002**

(START CARD) #

1N/5W/1C
13639

(1) OWNER:
Name Oregon Canadian Forest Prod, Inc. Well Number _____
Address P.O. Box 279
City North Plains State OR Zip 97133

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other _____

(4) PROPOSED USE:

☐ Domestic ☐ Community ☒ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No ☒ Depth of Completed Well 380 ft.
Explosives used ☐ ☒ Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10	0	359	Cement + 5% Brnt	0	359	140
8	359	380				

How was seal placed: Method ☐ A ☐ B ☐ C ☒ D ☐ E

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	+1	359	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Liner: none				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) none

(7) PERFORATIONS/SCREENS: none

☐ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<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"/>

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

☐ Pump ☐ Bailor ☒ Air ☐ Flowing
☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
180		350	1 hr.
90		180	1/2 hr.

Temperature of water _____ Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Wash Latitude _____ Longitude _____
Township 1N N or S, Range 3W E or W, WM.
Section 1 1/4 SW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Sheet Address of Well (or nearest address) 740B West
Commercial, North Plains

(10) STATIC WATER LEVEL:

95 ft. below land surface. Date 3-27-90

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWI
367	380	180	95

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWI
FILL	0	4	
BRN CLAY	4	23	
BLUE CLAY	23	60	
TAN CLAY	60	84	
GREY CLAY	84	109	
Lt BRN CLAY	109	135	
GREY CLAY	135	324	
Weathered Rock	324	329	
BRN Sandy Rock	329	344	
Med GREY Rock	344	367	
BRN Porous Rock	367	380	95

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DWRD

Date started 3-12-90 Completed 3-27-90

(unbonded) Water Well Constructor Certification:

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

WWC Number _____

Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 215

Signed Don Feakin Date 3-30-90

#18

STATE OF OREGON

WATER WELL REPORT

(as required by ORS 537.765)

Wash
199

(START CARD) #

1N/3W/1 CC
18727

(1) OWNER:

Name Forest Products Oregon Canadian Inc

Address

City North Plains State Ore Zip 97133

(2) TYPE OF WORK:

☐ New Well ☒ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☒ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☐ Depth of Completed Well 500 ft.Explosives used ☐ ☐ Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
8	380 500				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<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"/>

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

☐ Pump ☐ Bailer ☐ Air ☐ Flowing
☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
500+	Full	500	1 hr.
250	Full	200	
120	Full	150	

Temperature of water 60° Depth Artesian Flow Found _____Was a water analysis done? ☐ Yes By whom _____Did any strata contain water not suitable for intended use? ☐ Too little☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Wash Latitude _____ Longitude _____
Township 1N N or S, Range 3W E or W, WM.
Section 1 SW 1/4 SW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 7408 West Commercial - North Plains Ore

(10) STATIC WATER LEVEL:

9.5 ft. below land surface. Date June 13
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
Existing well		150 ±	95
413	434	150 ±	95
475	500	150 ±	95

(12) WELL LOG:

Ground elevation 200 ±

Material	From	To	SWL
Existing well 380 Dep			
Broken Brown Basalt	380	413	
Dark grey Basalt broken	413	434	
Blue Basalt with holes	434	475	
Brown Basalt broken w/holes	475	500	

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MAR 13 2023

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DEC 17 1990

WATER RESOURCES DEPT.
LEM. OREGONDate started June 12 Completed 13 June

(unbonded) Water Well Constructor Certification:

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

WWC Number _____

Signed _____ Date _____

(bonded) Water Well Constructor Certification:

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

WWC Number 128Signed Gale S. Ahern Date June 19

ATTACHMENT 5

Ian Godwin

From: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>
Sent: Thursday, February 9, 2023 3:28 PM
To: Bob Long
Cc: Ian Godwin; ORLOWSKI Dennis R * WRD
Subject: RE: OR Canadian FP

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MAR 13 2023

Follow Up Flag: Follow up
Flag Status: Completed

OWRD

Hi Bob,

Apologies for the delay in getting back to you. In looking at the WASH 199 deepening log, the driller reported two "broken basalt" WBZs separated by "basalt with holes", with both "broken basalt" WBZs reported to have the same rate of production and static head. Assuming the same is true with a step-over replacement well, it appears that the well would meet minimum construction standards. If you do decide to install a replacement well, a transfer app would be needed to authorize the new well as a POD on the existing Certificate.

If you have further inquiries related to sites in the north Willamette Valley (roughly north of Willsonville) please direct them to Dennis (copied here), who's the hydrogeologist looking after that region of the state and who will be able to provide you with more timely service.

Regards,
Justin

Justin Iverson, RG
GROUNDWATER SECTION MANAGER
Oregon Water Resources Department
Cell: 503-302-9728 Justin.T.Iverson@water.oregon.gov
Pronouns: He/Him

Please Note: under Oregon law, messages to and from this e-mail address may be made available to the public

We're hiring [Senior Hydrogeologists](#)! See the full list of OWRD recruitments [here](#). Search for "owrd".

From: Bob Long <Bob.Long@cwmh2o.com>
Sent: Monday, January 23, 2023 11:15 AM
To: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>
Cc: Ian Godwin <lgodwin@cwmh2o.com>
Subject: RE: OR Canadian FP

Justin-

Please consider this review. This small company is having to use treated municipal water supply for operations in the absence of this well. We will camera the well to assess potential for repair or replacement.

Thanks - B

Bob Long, RG, LHG, CWRE | Principal Consultant
www.CwMH2O.com | Cell (503) 799-0304

From: Bob Long
Sent: Tuesday, January 17, 2023 6:25 PM

ATTACHMENT 6

MAR 13 2023

Oregon Water Resources Department PERMIT CONDITION WATER-LEVEL REPORTING FORM

OWRD

Well owner:

Name	Oregon Canadian Forest Products, Inc.	Application:	G-12086
Address	31950 NW Commercial Street	Permit:	G-11142
City/State/Zip	North Plains, OR 97133	Certificate:	93746
Phone/Fax/Cell	503-819-5238	Userid:	
Email		Transfer	

Your water right requires periodic static water-level measurements in your wells. Consult your permit or certificate to determine when measurements should be made, when reports are due, and who is allowed to make the measurements. Keep a copy of all measurement reports for your records. All wells that have been constructed must be measured regardless of whether they are being used. Please contact the Department if you are no longer the holder of this right or no longer have an interest in it.

Complete one form for each well.

Other water rights that list this well:

Application number(s):				
Permit number(s):				
Certificate number(s):				

Identification of measured well (Provide as much information as possible.)

Water Resources Well Log ID:	WASH-002 / 199	Owner's well name:	Oregon Canadian Forest Products, Inc.
Well ID (Well Tag) on Well: L-		Well drilled by:	Dan Feakins, Gale Abernathy
Well ID (Well Tag) on Well Log: L-		Total depth	500 ft Casing diameter (inches): 8"
Start Card # on Well Log:	13639 / 18727	Owner on well log:	Oregon Canadian Forest Products, Inc.
Date drilled:	Mar-Jun 1990		

Water-Level Measurement

Date of measurement: 2-28-23 Measurements should be made to at least the nearest tenth of a foot (10.2"), the nearest inch (10' 3") or the nearest pound, if using a gage.

Depth to water below measuring point:	<u>62' 3"</u>	Airline length or transducer depth:		feet
Measuring point height above/below land surface:	<u>1.56</u>	Airline pressure:		psi x 2.31 = feet
Depth to water below land surface:	<u>63.59"</u>	Shut-in pressure:		psi x 2.31 = feet

Measurement Status: Static ☒ Pumping ☐ Rising ☐ Flowing ☐ Other ☐

Measurement Method: E-tape ☒ Airline ☐ Other ☐

Length of time well was idle prior to measurement: 22 months

Measuring point description: Well seal

The measuring point is the reference point from which the measurement is made. Examples are: 1/2" access port in well cap; 1-1/2" port pipe on N side; pressure gage.

Comments:

When did water use begin for this well under this permit? Month Year

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of measurement.

Person making measurement (print): Brad Dupre

Signature of measurer: [Signature]

Company: Clearwater Pump

Licensed number (circle license type: CWRE, RG, PE, WWC, Pump Installer): CP1168

Daytime phone number: 503-367-2222

Email address: clearwater.pump@hotmail.com

If you have any questions about this notice, please call the OWRD Groundwater Data Group at 971-720-0864.

Return this Form to: OWRD, Groundwater Data Group, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266.

Or email it as an attachment to OWRD.WaterLevelReporting@water.oregon.gov.

Additional forms can be obtained from our web site at: https://www.oregon.gov/owrd/WRDFormsPDF/SWL_Reporting_Form.pdf

14185

Last Update: 01/2023

1/30/2023

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Userid 16237

Your water right requires periodic static water-level measurements in your well. Please review your water right to determine when measurements should be made, when reports are due, and who is allowed to make the measurements. Keep a copy of all measurement reports for your records. Your well must be measured regardless of whether it is in use. Please contact the Department if you are no longer the holder of the water right that lists this well or if you wish to cancel the right.

We are striving to improve our communications. If you would like to be notified next year by email in addition to by mail, please share your preferred email address with the person who will submit the measurement or contact us directly with any updates to your contact information.

Water Right(s)
Cert:93746 OR *

000132
 OREGON CANADIAN FOREST PRODUCTS INC.
 PO BOX 279
 NORTH PLAINS, OR 97133

The following is a list of your Points of Appropriation (POAs). Please give this information to the person making the static water level measurement(s) so they can submit the data in one of two ways:

1. **Online:** Fill out the form by visiting <https://bit.ly/wrdswl>. To access a form pre-populated with your water right and well information, scan the QR code for each well (below) with your smart phone to access our online survey, OR
 2. **By Mail:** Fill out a blank static water level measurement form, which we have included in this mailing and is available on our website at https://www.oregon.gov/owrd/WRDFormsPDF/SWL_Reporting_Form.pdf
- Return this Form to: OWRD, Groundwater Data Group, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266.
 Or email it as an attachment to OWRD.WaterLevelReporting@water.oregon.gov

Water Right/POA Information

Well Information

QR Code

Application	Permit	Transfer	Certificate	Well Log ID:	MP Description:
G	12086	G	11142	93746	WASH0000002
POA:	1	WASH 00002			
TRS:	1.00N 3.00W 2 NE/SE				
Loc:	FR POD, N 07 D 53 M 35 S E, 2561 FT TO				
Well Tag:	L-				
Last Date:	3/5/2020				
Last WL:	72.36				
MP Height:	1.56				



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Questions? Call the OWRD Groundwater Data Group at 971-720-0864 or email at OWRD.WaterLevelReporting@water.oregon.gov

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OWRD GW/Data 1/30/2023



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MAR 13 2023

OWRD

March 7, 2023

Oregon Water Resources Department
Attn: *Water Rights Services Division*
725 Summer St. NE Ste A
Salem, Oregon 97301

RE: SUBMITTAL OF A POINT OF APPROPRIATION TRANSFER APPLICATION – CERTIFICATE 93746

Dear OWRD Staff,

Please find accompanying this letter groundwater certificate transfer application from Oregon Canadian Forest Products, Inc., the Applicant. The transfer is related to Certificate 93746 for 0.42 cfs of industrial use, which has one approved point of appropriation (POA), Well-1. The Applicant recently discovered damage to the casing of Well-1 that prevents the pump/motor assembly from being reinstalled and operating in its standard configuration, and the well is proposed for abandonment. This transfer application is being submitted to move the approved POA on the certificate to the location of a replacement well.

The standard attachments for this application include the transfer application map, evidence of use affidavit, an approved LUCS form from the City of North Plains, and copies of the well logs for Well-1 (Attachments 1-4). The Applicant has also included a copy of email correspondence with the OWRD regarding the proposed transfer (Attachment 5) and a water-level reporting form for recent measurements at Well-1 (Attachment 6).

The Applicant requests that the transfer application be processed through the Reimbursement Authority (RA) and has included a check (# 171208) for the RA fee of \$125. A separate check (# 171207) has also been included to cover the transfer application fee of \$1,840.

Please let us know if there are any issues with processing this application or questions regarding the information included therein. Thank you for your assistance.

Sincerely,

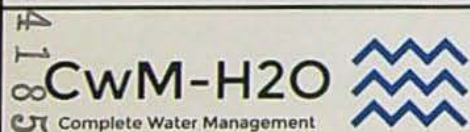
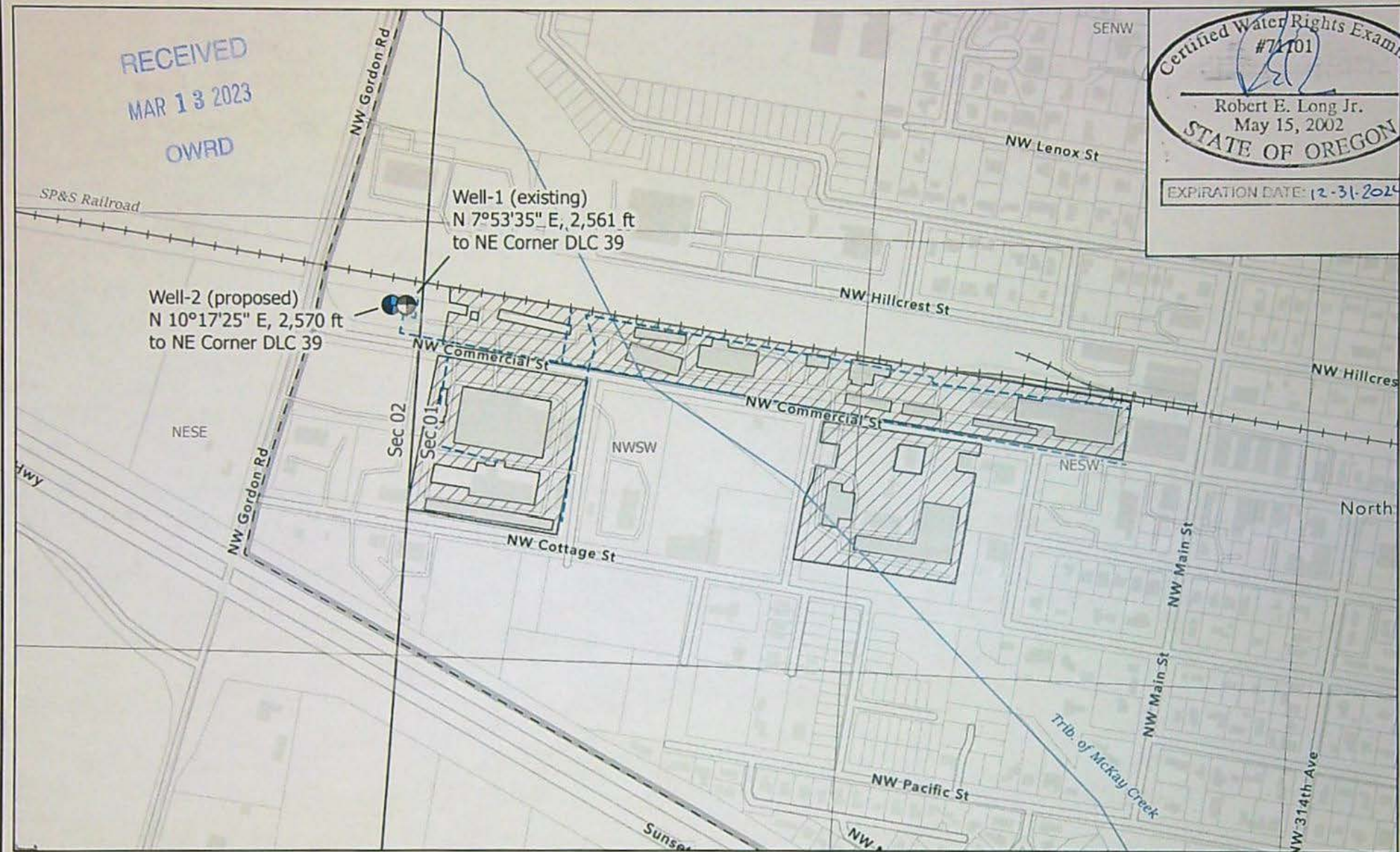
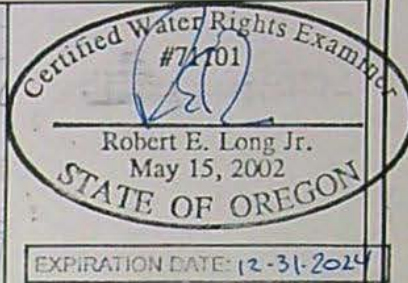
CwM H2O, L.L.C.

Robert Long, CWRE

Enclosed:

- RA Application Form & Check (#171208)
- Transfer Application Document
 - Att 1: Transfer Application map
 - Att 2: Land Use Compatibility Statement
 - Att 3: Evidence of Use Affidavit
 - Att 4: Well Logs
 - Att 5: OWRD Email Correspondence
 - Att 6: Water-level Reporting Form
- Check for Review Fee (#171207)

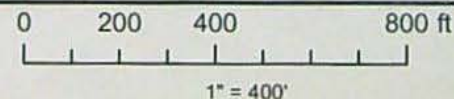
RECEIVED
MAR 13 2023
OWRD



1319 SE MLK Jr. Blvd, Suite 204
Portland, Oregon 97214
(503) 954-1326

ATTACHMENT 1
Permanent Transfer Application (POA)
T1N, R3W, Sec 1 & 2

1	DATE	AUTH	DRAFT
No.	Date	By	Revisions



Proj#: 2301001
OCFP Transfer
Oregon-Canadian Forest Products
21950 Commercial Street
North Plains, OR 97133



- Current POA (Well-1)
- Proposed POA (Well-2)
- Mainlines
- Cert. 93746 POU
- Taxlots

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14185

Checked by: <u>Scott</u> Date: <u>3-15-23</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	POU	POD	APOD
Fee Received: <u>\$1840</u>		Gov Action	Surface to Ground	USE	<u>POA</u>	APOA
Calculated Fee: <u>\$1840</u>		How many rights to be Transferred? <u>1</u>				
Additional Observations:		Certificate # <u>93746</u>				

If OK and complete, check box to the left; if NOT, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? per TOL he is maintenance supervisor
 - ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
Name of the district: _____
 - ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
 - ☒ 4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No _____
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
 - ☒ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
 - ☒ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? ☐ Yes ☐ No
 - ☒ 7. If a change in point of appropriation (POA), have the well logs been included? ☐ N/A.
 - ☒ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
 - ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application.
Put this application intake completeness check sheet in the transfer folder.
- OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **CANNOT** be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ Date: _____