

Regular

RA

ASSIGNED

Name Alsea Veneer, Inc.
 Address 19215 SE 34th St. Ste 106-383
Camas, WA 98607
psmud@yahoo.com

Change in POU
 Date Filed 9-30-2020
 Initial notice date 10-13-2020
 DPD issued date _____
 PD issued date 4/1/2021
 PD notice date 4/8/2021
 Date of FO 7/24/2021 Vol 120 Page 411-4

C-Date 10/1/2022
 COBU due date 10/01/2023
 COBU Received date _____
 Certificate issued 98390

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Yaquina River ; A ReservoirTrib. of Yaquina Bay ; Yaquina RiverUse Industrial / Manufacturing Uses County Lincoln

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# S-33457 Per # S-26548 Cert # 94973 PR Date 11/9/1959

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>9-30-2020</u>	<u>\$1160.00</u>	<u>133576</u>
<u>9-30-2020</u>	<u>\$125.00</u>	<u>133573</u>
<u>10-21-2020</u>	<u>\$883.74</u>	<u>133723</u>
<u>10-16-2023</u>	<u>\$120.00</u>	<u>141773</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments: 10-19-2023 Mill Site Industrial, LLC 6958 Elk City Rd., Toledo, OR 97391

Irrigation District _____

Agent John McGee / JD McGee, Inc. - johnmcgee@jdmcgee.com

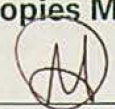
CWRE _____

CC's list Lincoln County☐ - Oversized map - Location _____

Mailing List for Final Transfer Certificate(s)

Transfer Application: T-13533

Certificate: 98390 (C-94973)

Copies Mailed	
by:	 (STAFF)
on:	06/20/2025 (DATE)

✓ Certificate/Transfer Holder: (include copy of map)
MILL SITE INDUSTRIAL LLC
6958 ELK CITY RD
TOLEDO OR 97391

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES

Copies of Final Transfer Certificate(s) to be sent to:

- ✓ 1. Watermaster District #: 1
- 2. Water Availability
- ✓ 3. Vault
- ✓ 4. File

Other persons to receive copies: (include map):

Record Marking(s):

- 1. Original Application# S-33457
- 2. Old Certificate# 94973

STATE OF OREGON

COUNTY OF LINCOLN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MILL SITE INDUSTRIAL LLC
6958 ELK CITY RD
TOLEDO OR 97391

confirms the right to the use of water perfected under the terms of Permit S-26548. 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.

SOURCE OF WATER: YAQUINA RIVER AND RESERVOIR CONSTRUCTED UNDER PERMIT R-2323, A TRIBUTARY OF YAQUINA BAY

PURPOSE OR USE: INDUSTRIAL

MAXIMUM RATE: 0.2 CUBIC FOOT PER SECOND

DATE OF PRIORITY: NOVEMBER 9, 1959

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	9 W	WM	4	SE SE	790 FEET NORTH AND 840 FEET WEST FROM SE CORNER, SECTION 4

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot
11 S	9 W	WM	4	SE SE	601
11 S	9 W	WM	9	NE NE	300
11 S	9 W	WM	9	NE NE	100
11 S	9 W	WM	10	NW NW	100

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, in good working order at the point of appropriation.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

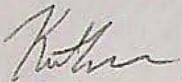
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial 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.

- B. 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.

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

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered May 26, 2021, at Special Order Volume 120, Page 671, approving Transfer Application T-13533, supercedes Certificate 94973, State record of Water Right Certificates.

Issued JUN 20 2025.



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

TRANSFER

Memo- Proof to Satisfaction

Transfer App #	T-13533	
WRD Reviewer (CW)	J SKANS	Date: March 2025
WRD Peer Reviewer (PR)	Holmes	Date: Apr 25

ORIGINAL CERT:	CHANGE REQUESTED:				RR Cert:
94973	☒ POU	☐ POD/POA	☐ APOD/APOA	☐ USE	N/A
	☐ POU	☐ POD/POA	☐ APOD/APOA	☐ USE	
	☐ POU	☐ POD/POA	☐ APOD/APOA	☐ USE	
	☐ POU	☐ POD/POA	☐ APOD/APOA	☐ USE	

App
S-33457

PREPARATION:

CW	PR	RESEARCH:			
☒	☐	☐ CBU Report/Map	☒ Transfer Order Ord Vol Issued Date 5/26/2021	☒ Assignment	☐ Transfer Extension
		Electronic Folder:			
☒	☐	☒ Create CBU folder	☒ Create Work Packet Folder		
☒	☐	SCAN: Above documents into "CBU Folder"			
☒	☐	SAVE: other documents in "Work Packet Folder"			
		☐ Certificate(s)	☒ Transfer App Maps (To/From)	☐	
		☒ OrMap Tax Lot Map	☒ Ownership Report	☒ BLM Cadastral Survey	☐ GW Logs
		☐ GW Conditions	☐ Mitigation	☒ POU Report (conflict) [POU ONLY]	☐ Others:
☒	☐	SEARCH:			
		☒ Interactive Mapper	☐ AOI	☒ Map and TaxLot ID 601,300,100	☐ Receiving LO:
		New Landowner: mailing address different 6958 Elk City Rd Toledo OR 97351			

REVIEW OF CLAIM:

ORDER REQ'D	CERTIFICATE REQ'D	COMPLIED YES/NO	CONDITIONS:	NOTES:
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Fish Condition	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Meter/Measuring Device	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Water Use Reporting	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	SWL (Month)	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Dedicated MMS tube	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Well Id	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Other:	
☒ Y ☐ N/A	☐ Y ☐ N/A	☒ Y ☐ N	C-date: 10/1/2022	EXT C-Date: claim says 6/9/2022

REVIEW OF MAP: (Only the changes approved)

CW	PR	Notes:
☐	☐	Verify POA/POD Location (New Only)
☒	☐	Verify POU (New only)
☒	☐	POU clearly identified by Use Type/Certificate
☒	☐	DLC/GOV'T LOT
		☐ Original Cert Map for unchanged POU/POD/POA (Attached for Peer Reviewer/Data)
		☐ Note Maps for Reference

POD/POA/APOD/POA ONLY: RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA-NEW/ADD'T	AUTHORIZED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
N/A	POU Change	Only		

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
☐	☐	LETTER FOR CLARIFICATION	
☐	☐	DRAFT (PLEASE EXPLAIN)	
☐	☐	PROPOSED	
☒	☐	FINAL	made proof proof
☐	☐	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW	
		☐ POA/POD/DAM TABLES/DESCRIPTIONS	☐ PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
☐	☐	SPELL CHECK DOC	
☐	☐	MAPS: Identified for Reference	
☐		CERT NUMBER ISSUED:	
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW COMMENTS UPDATED	
☐	☐	SPELL CHECKED DOC	

CASEWORKER REVIEW COMMENTS:**PEER REVIEWER COMMENTS:**

**CLAIM OF
BENEFICIAL USE
for Transfers
Place of Use Only**



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

A fee of \$230 must accompany this form for any transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in place of use.

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION #

T-13533

Revised 7/1/2021

Change in Place of Use Only - Page 1 of 9

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YES

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WR

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Mill Site Industrial, LLC.		PHONE NO. 541-270-3746	ADDITIONAL CONTACT NO.
ADDRESS 6958 Elk City Rd.			
CITY Toledo	STATE OR	ZIP 97391	E-MAIL Kfoley336@peak.org

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Alsea Veneer, Inc.		
ADDRESS 19215 SE 34th St., Suite 106-383		
CITY Camas	STATE WA	ZIP 98607

4. Date of Site Inspection:**06/23/2023****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Kelly Foley	06/23/2023	Current property owner

6. County:**Lincoln**

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME John D. McGee		PHONE NO. 541-929-4226	ADDITIONAL CONTACT NO. 541-207-7605
ADDRESS PO Box 1472			
CITY Philomath	STATE OR	ZIP 97370	E-MAIL johnmcgee@jdmcgee.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Kelly Foley</i>	Kelly Foley	Managing Member	August 28, 2023

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SECTION 2 SIGNATURES

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ADDRESS PO Box 1472			
CITY Philomath	STATE OR	ZIP 97370	E-MAIL johnmcgee@jdmcgee.com

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SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Kelly Foley	Managing Member	August 28, 2023

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SECTION 3

EXTENT OF CHANGE COMPLETED

1. Claim Summary:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
NA	NA

If the use(s) was not irrigation or nursery:

WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT
AUTHORIZED UNDER THE ORDER?
(INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE
CLAIM MAP)

YES

2. Variations:

Was the use developed differently from what was authorized by the transfer final order?

NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

NA

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SALEM, OREGONSECTION 4
CONDITIONS

All conditions contained in the transfer, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGE WAS COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	05/26/2021	
COMPLETENESS DATE FROM ORDER (C)	10/01/2022	06/09/2022

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table.

If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
NA		

3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

YES

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Yaquina River	NETAFIM	19- 1500258 80	Working	19,300 Gal	Unknown

If a meter has been installed, items d through f relating to this section may be deleted.

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4. Other conditions required by the transfer final order:

a. Other conditions?

YES

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- b. If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

FO #5 - "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."

This Claim of Beneficial Use report satisfies the condition.

SECTION 5 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use Map	Map of the POU
Request for Assignment	Requesting assignment from Alsea Veneer, Inc. to Mill Site Industrial, LLC.
Current Property DEED	Deed showing current owner as Mill Site Industrial LLC
Water Pumping Records 2022	List of pumping dates, rates, and volumes for June 2022 with signed testimony about the pumping apparatus used.

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- b. If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

FO #5 - "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."

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

A Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The position of the POD, waterline, water meter, pond perimeter, and the section corner were surveyed using RTK GPS. The POU and tax lot lines are based on the transfer application map and Lincoln County GIS.

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Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:Corie
Transfer #:T-13533	
Date Received:10/16/2023	
CWRE Name:John McGee	
Priority Date (s):11/9/1959	

Fees Required:

- ☐ YES ☐ NO ☐ A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☐ YES ☒ NO ☐ A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
- Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.
- Fill in

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
☐ Pump Test required (Priority Date on or after December 20, 1988)
☐ Pump Test submitted
☐ Pump Test not submitted

[illegible]

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

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- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Transfer application number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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MILL SITE INDUSTRIAL, LLC
CLAIM OF BENEFICIAL USE
EXHIBIT MAP
JUNE 23, 2023

TAX MAP 110904

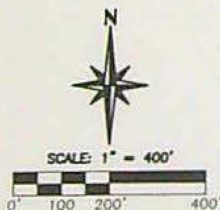
located in

SECTION 4, TOWNSHIP 11 SOUTH,
RANGE 9 WEST, WILLAMETTE MERIDIAN
LINCOLN COUNTY, OREGON

TRANSFER APPLICATION T-13533

THIS MAP IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES

POSITION OF POD, WATERLINE, WATER
METER, POND PERIMETER RELATIVE TO SE
CORNER OF SECTION 4 ARE BASED ON A
GPS SURVEY. POSITION OF POU BASED ON
TRANSFER APPLICATION T-13533, SECTION
AND TAX LOT LINES PER COUNTY GIS.



LEGEND

- WATERWAYS
- - - SECTION LINE
- - - QTR-SECTION LINE
- - - TAX LOT LINES
- +++++ W & P RAILROAD
- XXXXX POND (CERTIFICATE 94972)
- *** AREA OF BENEFICIAL USE
- POINT OF DIVERSION

MAP BASE: COUNTY GIS & TAX ASSESSOR MAP

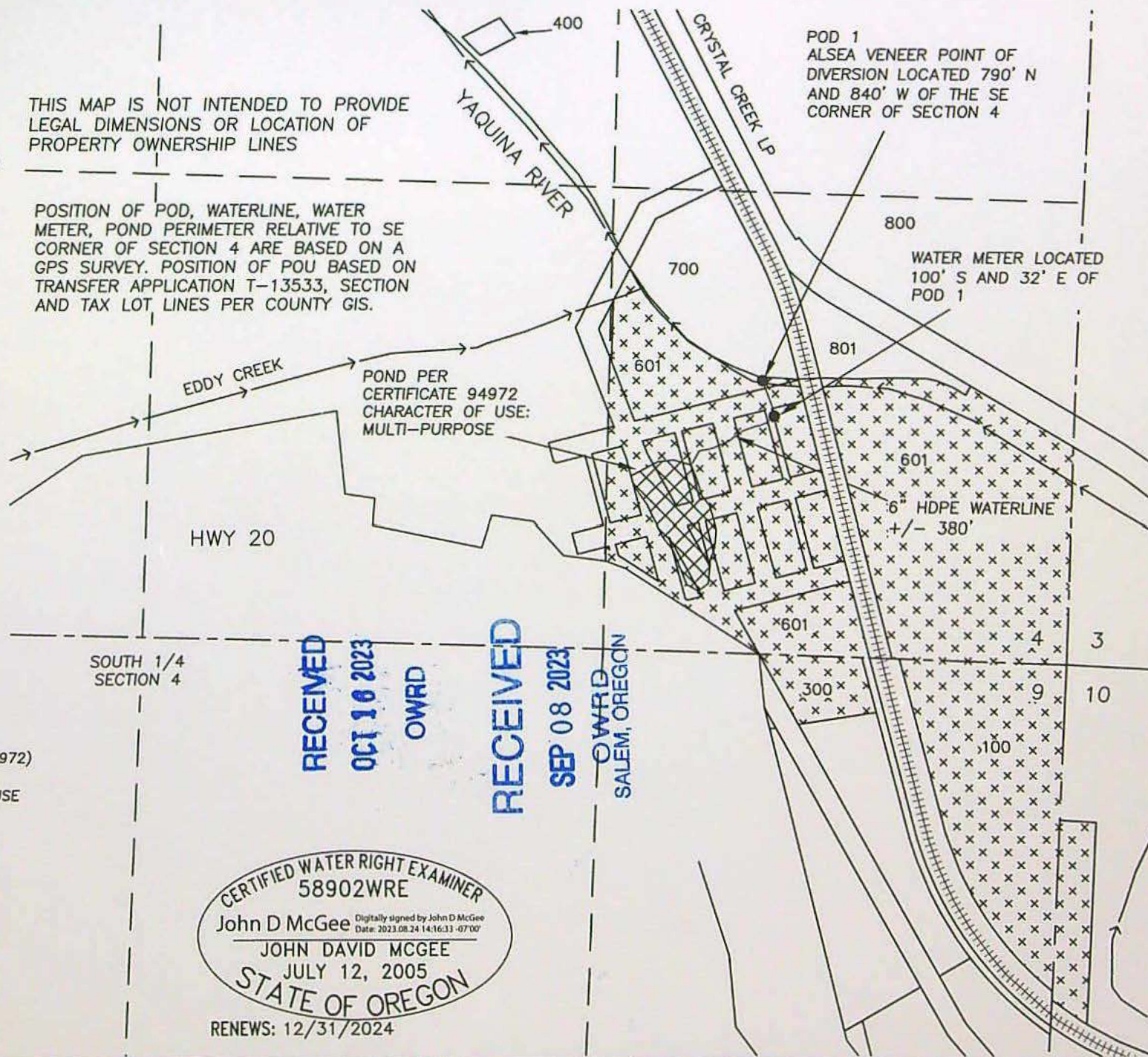
JDMcGee, Inc.

Engineering & Surveying
Land Use Planning
Wastewater Design
"Solving Problems for You"

1215 Main Street
PO Box 1472
Prineville, OR 97370
(541) 929-4226
(541) 929-4227 fax

DRAWN BY: BH
JDM PROJECT #: 21-40

CHECKED BY: JDM
DATE: 1-6-2023





Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

October 19, 2023

Mill Site Industrial, LLC
Attn: Kelly Foley
6958 Elk City Rd
Toledo, OR 97391

Reference: Transfer T-13533

The assignment from Alsea Veneer, Inc. to Mill Site Industrial, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Mill Site Industrial, LLC as the transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 141773 covering the recording fee is also enclosed.

A transfer is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the transfer to be familiar with the conditions and timelines contained in the transfer.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt 141773

cc: Alsea Veneer, Inc. – 19215 SE 34th St. Ste. 106-383, Camas, WA 98607
Mill Site Industrial, LLC – 6509 Crystal Creek Loop, Eddyville, OR 97391
Data Center, OWRD (cover letter & request)
File



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **141773**

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

INVOICE # _____

RECEIVED FROM: Kelly Foley
BY: Mull & Co Industrial LLC

APPLICATION	
PERMIT	
TRANSFER	<u>1-13533</u>

CASH: ☐ CHECK: # 186 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 120.00

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 46111 \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

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

WELL CONSTRUCTION

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

0250 OTHER (IDENTIFY) Assignment \$ 120.00

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: **141773** DATED: 10-16-2023 BY: m-mills

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

Request for Assignment

OREGON



WATER RESOURCES
DEPARTMENT

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 985-0900
www.oregon.gov/owrd

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, **Alsea Veneer, Inc.**

(Name of Current Holder of Record)

19215 SE 34th St. Ste. 106-383

Camas WA 98607

(Mailing Address)

(City)

(State)

(Zip)

(Phone #)



hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)



hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)



hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # _____; Permit # _____; Transfer Order # **T-13533**;

Limited License # _____; Groundwater Statement # _____;

as filed in the office of the Water Resources Director, to:

Mill Site Industrial, LLC

(Name of New Owner)

6509 Crystal Creek Lp.

Eddyville

OR

97391

(541) 270-3746

(Mailing Address)

(City)

(State)

(Zip)

(Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

☒ I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 9th day of JAN, 2023.
(Day) (Month) (Year)

Signature of Current Holder of Record

Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 141773

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

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OCT 16 2023

OWRD

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SEP 08 2023

OWRD
SALEM, OREGON

WR

Assign - Approve
MFB 10-19-2023

SLX

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS

CL
JV

Kelly Foley, Lorraine J. Foley
6958 Elk City Rd
Toledo OR 97391
Grantor's Name and Address
Mill Site Industrial LLC
6958 Elk City Rd
Toledo OR 97391
Grantee's Name and Address

After recording, return to (Name and Address):

Mill Site Industrial LLC
6958 Elk City Rd
Toledo OR 97391

Until requested otherwise, send all tax statements to (Name and Address):

Mill Site Industrial LLC
6958 Elk City Rd
Toledo OR 97391

Lincoln County, Oregon

08/15/2023 10:22:49 AM

2023-05593

DOC-QCD

Cnt=1 Pgs=3 Str=9

\$15.00 \$11.00 \$60.00 \$10.00 \$7.00 - Total = \$103.00



00232486202300055930030036

I, Amy A Southwell, County Clerk, do hereby certify
that the within instrument was recorded in the Lincoln
County Book of Records on the above date and time.
WITNESS my hand and seal of said office affixed.



Amy A Southwell, Lincoln County Clerk

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS that Kelly Foley and Lorraine J. Foley

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and forever quitclaim unto

Mill Site Industrial LLChereinafter called grantee, and unto grantee's heirs, successors and assigns, all of the grantor's right, title and interest in that certain real property, with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in Lincoln County, State of Oregon, described as follows (legal description of property):

See attached exhibit A.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☒ the whole (indicate which) consideration. (The sentence between the symbols " ", if not applicable, should be deleted. See ORS 92.030.)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on 8/15/23 : any signature on behalf of a business or other entity is made with the authority of that entity.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010. TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.300, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

STATE OF OREGON, County of LincolnThis instrument was acknowledged before me on 8/15/23by Kelly FoleyThis instrument was acknowledged before me on 8/15/23by Lorraine J. Foley

as

of



Katelynn Smith
Notary Public for Oregon

My commission expires July 2, 2027

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EXHIBIT "A"
Legal Description

PARCEL I:

That portion of the Southeast quarter of the Southeast quarter of Section 4, Township 11 South, Range 9 West, Willamette Meridian, in Lincoln County, Oregon, lying South and West of the Yaquina River.

EXCEPTING THEREFROM the Southern Pacific Railroad right of way.

ALSO EXCEPTING THEREFROM that portion conveyed to the State of Oregon by deed recorded March 16, 2006 in Document No. 200604073, Lincoln County Records.

PARCEL II:

A tract of land located in the Southeast quarter of the Southeast quarter of Section 4, Township 11 South, Range 9 West, Willamette Meridian, in Lincoln County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron rod that is North 24° 49' 22" West, 768.40 feet from the brass cap reference monument to the Southeast corner of Section 4; thence North 29° 22' 23" East, 42 feet, more or less, to the centerline of the Yaquina River and the true point of beginning; thence Easterly along said river centerline 340 feet, more or less, to the Easterly line of Section 4; thence Northerly 30 feet, more or less, along said Easterly line to the Southerly right of way boundary of Highway 20; thence Westerly along said right of way boundary 330 feet, more or less, to a point that is North 29° 22' 23" East to the true point of beginning; thence South 29° 22' 23" West, 38 feet, more or less, to the true point of beginning.

PARCEL III:

A portion of the Northeast quarter of the Northeast quarter of Section 9, Township 11 South, Range 9 west of the Willamette Meridian, in Lincoln County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Northeast quarter of the Northeast quarter; thence East, following the North line of said Section 9 to the Westerly right of way line of the Southern Pacific Railroad; thence Southeasterly, following said railroad right of way line, 160 feet, more or less, to the Northeast corner of the Lincoln County School District tract described in deed recorded November 20, 1978 in Volume 94, Page 1641, Film Records; thence South 80° 31' 20" West, 361.92 feet, following the Northerly line of said School District tract, South 14° 43' 41" East, 853.81 feet to the Southwest corner of said School District Tract; thence North 60° 09' East 60.33 feet, more or less, to the Northwest corner of the Lincoln County School District tract described in Deed recorded June 24, 1954 in Book 184, Page 440, Deed Records; thence South 17° 41' East, 300 feet, more or less, to the South line of said Northeast quarter of the Northeast quarter; thence West, along the 1/16th section line, to the Southwest corner of said Northeast quarter of the Northeast quarter; thence North, along the West line of said Northeast quarter of the Northeast quarter to the point of beginning.

EXCEPTING THEREFROM the following described parcel:

Beginning at the East 1/16th corner between Sections 4 and 9, Township 11 South, Range 9 west, Willamette Meridian, in Lincoln County, Oregon; thence North 89° 10' 16" East, 314.2 feet along the North line of Section 9 to the West line of Bryant Road; thence South 34° 00' 00" East along Bryant Road 50 feet; thence South 89° 10' 16" West 253.4 feet; thence South 07° 30' 00" East 202.8 feet; thence South 20° 15' 00" East 626.0 feet; thence South 07° 30' 00" East 200.00 feet; thence South 38° 30' 00" East 100.0 feet; thence South 31° 00' 00" East 235.0 feet to the South line of the Northeast quarter of the Northeast quarter of Section 9; thence South 89° 04' 39" West 614.1 feet to the Northeast 1/16 corner; thence North 0° 48' 08" East 1307.6 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion described in Instrument recorded August 8, 1989, Book 207, Page 750, Microfilm Records for Lincoln County, Oregon.

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SALEM, OREGON**

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OCT 16 2023

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EXHIBIT "A"
Legal Description

AND ALSO EXCEPTING THEREFROM that tract described in instrument recorded February 21, 2006, Document No. 200602821, Microfilm Records for Lincoln County, Oregon.

AND ALSO EXCEPTING THEREFROM any portion lying within or Westerly of the relocated Highway 20.

PARCEL IV:

A tract of land in Sections 9 and 10, Township 11 South, Range 9 West of the Willamette Meridian, in Lincoln County, Oregon, more particularly described as follows:

Beginning at the point of intersection of the Northerly right of way line of the Southern Pacific Railroad and the section line between said Sections 9 and 10; thence Northerly following said section line 500 feet to the true point of beginning of this description; thence Easterly, at right angles from said section line, 100 feet; thence Southerly, parallel with said section line, to said northerly right of way line of said railroad; thence Northwesterly, along said right of way line, 1200 feet, more or less, to the North line of said Section 9; thence East, along said North section line 475 feet, more or less, to the Northeast corner of said Section 9; thence Southerly, along the section line between Sections 9 and 10, a distance of 450 feet, more or less, to the true point of beginning.

EXCEPTING THEREFROM any portion falling in County Road right of way.

FURTHER EXCEPTING THEREFROM any portion lying Easterly of the Westerly bank of the Yaquina River.

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OWRD
SALEM, OREGON



Oregon

Tina Kotek, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

September 13, 2023

Mill Site Industrial, LLC
Attn: Kelly Foley
6509 Crystal Creek Lp.
Eddyville, OR 97391

Reference: Transfer T-13533

The requested assignment from Alsea Veneer, Inc. to Mill Site Industrial, LLC cannot be performed at this time.

The required fee was not submitted with the request. As of July 1, 2021, the fee for a Request for Assignment is \$120.

Please return the Request with the required fee so that the Department may process it in a timely manner.

Please note that the assignment was received with a Claim of Beneficial Use (COBU). The COBU cannot be accepted without the assignment, so both the Request for Assignment and the COBU are being returned.

Should you have any questions, please contact me at 503-979-9895 or mary.f.bjork@water.oregon.gov.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosures: Request for Assignment and Claim of Beneficial Use

cc: File

RECEIVED

OCT 16 2023

OWRD





Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Date

Name

Address

State

RE: Transfer T-13533

Dear Transfer Holder,

On October 16, 2023, the Department received the Claim of Beneficial Use that you submitted for the above referenced file.

Enclosed, you will find as refund check in the amount of \$230.00. You are receiving this check because the right involved in the transfer has a priority date prior to July 9, 1987. Due to the priority date of the right, there was no fee required to submit the Claim.

If you have any additional questions, please feel free to contact me at 503-986-0801.

Sincerely,

Corie Lovrien
Customer Service Representative
Water Right Services Division

cc:

file T-13533

John McGee, CWRE

Enclosures:

Check (182)

Water Pumping Records for 2022

COPY

<u>Date</u>	<u>Rate per minute</u>	<u>Gallons pumped</u>
June 9	85 gal	41,600
June 10	85 gal	44,200
June 11	85 gal	41,225
June 12	85 gal	38,700
June 13	85 gal	48,125

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SALEM, OREGON

This water was pumped into the pond. This was done in June before river levels dropped off. I used a borrowed Pioneer Diesel powered water pump with flow meter. Once water filled the pond, it has been used on site for multi purpose. It has been used for dust abatement, fire suppression and for equipment maintenance.

Kelly Fry

Sept. 28, 2022

LETTER OF TRANSMITTAL

To:
Corie Lovrien
Customer Service
Water Rights Services Division
725 Summer Street NE, Ste A
Salem, OR 97301

Job No: 21-40
Project: Mill Site Industrial –
T-13533 Claim of Beneficial Use
Date: 9/5//2023
From: John McGee
Via: USPS

Copies	Date	Description
1	9/5/2023	Claim of Beneficial Use T-13533
1	6/23/2023	Claim of Beneficial Use Map
1	1/9/2023	Request for Assignment
1		Water User Pumping Records 2022
1	8/15/2023	Property Deed showing current ownership

THESE ITEMS ARE TRANSMITTED AS CHECKED BELOW OR OTHERWISE NOTED

- | | | | |
|---|--|--|---|
| ☐ Approved as Submitted | ☐ Rejected | ☒ For Approval | ☐ For Distribution |
| ☐ Approved as Noted | ☐ Resubmit for Approval | ☐ For Your Use | ☐ As Indicated Below |
| ☐ Returned with Comments | ☐ As Requested | ☐ For Review and Comment | |

REMARKS: Corie,

Please accept this submittal to complete the Claim of Beneficial Use submittal for T-13533. I understand that you have already received the water user's signature page on page 3 and a check for the COBU fee. Thanks, John

cc: Kelly Foley, via email

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OCT 16 2023

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RECEIVED

SEP 08 2023

OWRD
SALEM, OREGON



Oregon

Tina Kotek, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

September 13, 2023

Mill Site Industrial, LLC
Attn: Kelly Foley
6509 Crystal Creek Lp.
Eddyville, OR 97391

Reference: Transfer T-13533

The requested assignment from Alsea Veneer, Inc. to Mill Site Industrial, LLC cannot be performed at this time.

The required fee was not submitted with the request. As of July 1, 2021, the fee for a Request for Assignment is \$120.

Please return the Request with the required fee so that the Department may process it in a timely manner.

Please note that the assignment was received with a Claim of Beneficial Use (COBU). The COBU cannot be accepted without the assignment, so both the Request for Assignment and the COBU are being returned.

Should you have any questions, please contact me at 503-979-9895 or mary.f.bjork@water.oregon.gov.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosures: Request for Assignment and Claim of Beneficial Use

cc: File



Request for Assignment



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Alsea Veneer, Inc.

(Name of Current Holder of Record)

19215 SE 34th St. Ste. 106-383

(Mailing Address)

Camas WA 98607

(City)

(State)

(Zip)

(Phone #)



hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)



hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)



hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # _____; Permit # _____; Transfer Order # T-13533;

Limited License # _____; Groundwater Statement # _____;

as filed in the office of the Water Resources Director, to:

Mill Site Industrial, LLC

(Name of New Owner)

6509 Crystal Creek Lp.

(Mailing Address)

Eddyville OR 97391

(City)

(State)

(Zip)

(541) 270-3746

(Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

☒ I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 9th day of JAN, 2023.
(Day) (Month) (Year)

Signature of Current Holder of Record _____

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

RECEIVED

SEP 08 2023

OWRD
SALEM, OREGON



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

May 26, 2021

ALSEA VENEER INC
19215 SE 34TH ST SUITE 106-383
CAMAS, WA 98607

REFERENCE: Transfer Application T-13533

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, Tamera Smith, by telephone at (503) 986-0864 or by e-mail at Tamera.L.Smith@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Nikki M. Hendricks, Watermaster Dist. #1 (via email)
Lincoln County Planning
John McGee, Agent

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-13533, Lincoln County	)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, 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

ALSEA VENEER, INC.
19215 SE 34TH ST. SUITE 106-383
CAMAS, WA 98607

Findings of Fact

1. On September 30, 2020, ALSEA VENEER, INC. filed an application to change the place of use under Certificate 94973. The Department assigned the application number T-13533.
2. Notice of the application for transfer was published on October 13, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 6, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13533 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 8, 2021, 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 April 1, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13533 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's

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.

weekly notice on April 13, 2021, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

Certificate: 94973 in the name of ALSEA VENEER, INC. (perfected under Permit S-26548)
Use: INDUSTRIAL
Priority Date: NOVEMBER 9, 1959
Rate: 0.20 CUBIC FOOT PER SECOND
Source: YAQUINA RIVER AND RESERVOIR CONSTRUCTED UNDER PERMIT R-2323, A TRIBUTARY OF YAQUINA BAY

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	9 W	WM	4	SE SE	790 FEET NORTH AND 840 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

INDUSTRIAL					
Twp	Rng	Mer	Sec	Q-Q	GLot
10 S	9 W	WM	31	NW SW	3
10 S	9 W	WM	31	SW SW	4
10 S	9 W	WM	31	SE SW	
10 S	9 W	WM	31	SW SE	
10 S	9 W	WM	31	SE SE	
10 S	9 W	WM	32	SW SW	
10 S	10 W	WM	36	NE NE	
10 S	10 W	WM	36	SE NE	
10 S	10 W	WM	36	NE SE	
11 S	9 W	WM	4	SW SW	
11 S	9 W	WM	4	SE SW	
11 S	9 W	WM	4	SW SE	
11 S	9 W	WM	4	SE SE	
11 S	9 W	WM	5	SW NW	
11 S	9 W	WM	5	SE NW	
11 S	9 W	WM	5	NE SW	
11 S	9 W	WM	5	NW SW	
11 S	9 W	WM	5	SE SW	
11 S	9 W	WM	5	NW SE	
11 S	9 W	WM	5	SW SE	
11 S	9 W	WM	5	SE SE	
11 S	9 W	WM	6	NE NE	1
11 S	9 W	WM	6	NW NE	2
11 S	9 W	WM	6	SE NE	
11 S	9 W	WM	6	NE NW	3
11 S	9 W	WM	6	NW NW	4
11 S	9 W	WM	8	NE NE	
11 S	9 W	WM	9	NE NE	
11 S	9 W	WM	9	NW NE	

INDUSTRIAL					
Twp	Rng	Mer	Sec	Q-Q	GLot
11 S	9 W	WM	9	SE NE	
11 S	9 W	WM	9	NE NW	
11 S	9 W	WM	9	NW NW	
11 S	9 W	WM	10	SW NW	
11 S	9 W	WM	10	SE NW	
11 S	9 W	WM	10	NE SW	
11 S	9 W	WM	10	NE SE	
11 S	9 W	WM	10	NW SE	
11 S	9 W	WM	10	SE SE	
11 S	9 W	WM	11	NW SW	
11 S	9 W	WM	11	SW SW	
11 S	10 W	WM	1	NE NE	1
11 S	10 W	WM	1	NW NE	2

5. Transfer Application T-13533 proposes to change the place of use of the right to:

INDUSTRIAL					
Twp	Rng	Mer	Sec	Q-Q	Tax Lot
11 S	9 W	WM	4	SE SE	601
11 S	9 W	WM	9	NE NE	300
11 S	9 W	WM	9	NE NE	100
11 S	9 W	WM	10	NW NW	100

Transfer Review Criteria [OAR 690-380-4010(2)]

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump and pipeline sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13533.
- The proposed change would not result in enlargement of the right.
- The proposed change would not result in injury to other water rights.
- All other application requirements are met.

Conclusions of Law

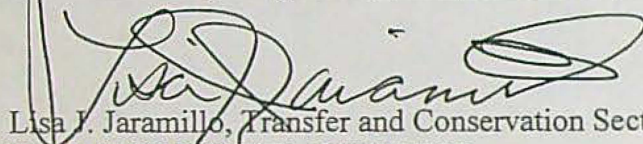
The change in place of use proposed in Transfer Application T-13533 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

- The change in place of use proposed in Transfer Application T-13533 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 94973 and any related decree.
3. Water right Certificate 94973 is cancelled.
4. The former place of use of the transferred right shall no longer receive water under the right.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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.
6. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAY 26 2021**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: **MAY 27 2021**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13533

Transfer Type: Regular

Transfer Specialist: B

Applicant: ALSEA VENEER INC 19215 SE 34TH ST SUITE 106-383 CAMAS, WA 98607 Email: <u>WA</u> Phone: _____		Agent: ☐ N/A JOHN MCGEE PO BOX 1472 PHILOMATH, OR 97370 Email: <u>WA</u> Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A County Of Lincoln Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	S-33457	S-26548	94973	☐ Yes ☒ No	
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: September 30, 2020	Proposed Action(s): PLACE OF USE		
Fees Pd: 1160.00	WM District: 1	ODFW District: <u>N/A PDMA</u>	
Initial Public Notice: October 13, 2020	WM Review sent: <u>1/6/21 to the AG's.</u>	ODFW Review sent: <u>N/A</u>	
Acknowledgement Letter Sent ☒		GW Review sent: ☒ <u>N/A</u>	
County sent cc: of Ack Letter ☒	BOR notified (date): ☒ <u>N/A</u>		
Newspaper quote requested: <u>N/A</u>	Request for news \$ sent: <u>N/A</u>	News \$ received: <u>N/A</u>	
Request to publish sent: <u>N/A</u>	Affidavit of publication received: <u>N/A</u>	Last day of publication: <u>4-14</u>	

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>1-9-2021</u> Initials: <u>B</u>	Date: <u>1/14/21</u> Initials: <u>CC</u>	Date: _____ Initials: _____	Date: <u>2/1/21</u> Initials: <u>PKS</u>	Date: <u>2-16-21</u> Initials: <u>B</u>	CW Sent: <u>/</u>	N/A
PD	Date: <u>3-17-21</u> Initials: <u>B</u>	Date: <u>3/15/21</u> Initials: <u>Jom</u>	Date: _____ Initials: _____	Date: <u>3/19/21</u> Initials: <u>PKS</u>	Date: <u>3-27-21</u> Initials: <u>B</u>	Date: <u>3-27-21</u> Initials: <u>B</u>	Date: <u>4-1</u>
FO	Date: <u>4-11-21</u> Initials: <u>B</u>	Date: <u>4/13/21</u> Initials: <u>SWH</u>	Date: _____ Initials: _____	Date: <u>4/15/21</u> Initials: <u>PKS</u>	Date: <u>4-21-21</u> Initials: <u>B</u>	Date: <u>5-15-21</u> Initials: <u>B</u>	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

APRIL 1, 2021

ALSEA VENEER, INC.
19215 SE 34TH ST. SUITE 106-383 CAMAS,
WA 98607

SUBJECT: Water Right Transfer Application T-13533

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13533. 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.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wr.d.state.or.us if I may be of assistance.

Kindest regards,

Tamera Smith
Transfer Caseworker
Transfer and Conservation Section

cc: Transfer application file T-13533

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-13533, Lincoln County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, 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

ALSEA VENEER, INC.
19215 SE 34TH ST. SUITE 106-383
CAMAS, WA 98607

Findings of Fact

1. On September 30, 2020, ALSEA VENEER, INC. filed an application to change the place of use under Certificate 94973. The Department assigned the application number T-13533.
2. Notice of the application for transfer was published on October 13, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 6, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13533 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 8, 2021, 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.

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 notice of this preliminary determination.
--

4. The right to be transferred is as follows:

Certificate: 94973 in the name of ALSEA VENEER, INC. (perfected under Permit S-26548)
Use: INDUSTRIAL
Priority Date: NOVEMBER 9, 1959
Rate: 0.20 CUBIC FOOT PER SECOND
Source: YAQUINA RIVER AND RESERVOIR CONSTRUCTED UNDER PERMIT R-2323, A TRIBUTARY OF YAQUINA BAY

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	9 W	WM	4	SE SE	790 FEET NORTH AND 840 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

INDUSTRIAL					
Twp	Rng	Mer	Sec	Q-Q	GLot
10 S	9 W	WM	31	NW SW	3
10 S	9 W	WM	31	SW SW	4
10 S	9 W	WM	31	SE SW	
10 S	9 W	WM	31	SW SE	
10 S	9 W	WM	31	SE SE	
10 S	9 W	WM	32	SW SW	
10 S	10 W	WM	36	NE NE	
10 S	10 W	WM	36	SE NE	
10 S	10 W	WM	36	NE SE	
11 S	9 W	WM	4	SW SW	
11 S	9 W	WM	4	SE SW	
11 S	9 W	WM	4	SW SE	
11 S	9 W	WM	4	SE SE	
11 S	9 W	WM	5	SW NW	
11 S	9 W	WM	5	SE NW	
11 S	9 W	WM	5	NE SW	
11 S	9 W	WM	5	NW SW	
11 S	9 W	WM	5	SE SW	
11 S	9 W	WM	5	NW SE	
11 S	9 W	WM	5	SW SE	
11 S	9 W	WM	5	SE SE	
11 S	9 W	WM	6	NE NE	1
11 S	9 W	WM	6	NW NE	2
11 S	9 W	WM	6	SE NE	
11 S	9 W	WM	6	NE NW	3
11 S	9 W	WM	6	NW NW	4
11 S	9 W	WM	8	NE NE	
11 S	9 W	WM	9	NE NE	
11 S	9 W	WM	9	NW NE	
11 S	9 W	WM	9	SE NE	
11 S	9 W	WM	9	NE NW	
11 S	9 W	WM	9	NW NW	
11 S	9 W	WM	10	SW NW	
11 S	9 W	WM	10	SE NW	

INDUSTRIAL					
Twp	Rng	Mer	Sec	Q-Q	GLot
11 S	9 W	WM	10	NE SW	
11 S	9 W	WM	10	NE SE	
11 S	9 W	WM	10	NW SE	
11 S	9 W	WM	10	SE SE	
11 S	9 W	WM	11	NW SW	
11 S	9 W	WM	11	SW SW	
11 S	10 W	WM	1	NE NE	1
11 S	10 W	WM	1	NW NE	2

5. Transfer Application T-13533 proposes to change the place of use of the right to:

INDUSTRIAL					
Twp	Rng	Mer	Sec	Q-Q	Tax Lot
11 S	9 W	WM	4	SE SE	601
11 S	9 W	WM	9	NE NE	300
11 S	9 W	WM	9	NE NE	100
11 S	9 W	WM	10	NW NW	100

Transfer Review Criteria [OAR 690-380-4010(2)]

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump and pipeline sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13533.
- The proposed change would not result in enlargement of the right.
- The proposed change would not result in injury to other water rights.
- All other application requirements are met.

Determination and Proposed Action

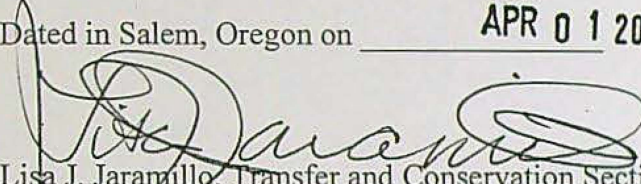
The change in place of use proposed in Transfer Application T-13533 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-13533 is approved, the final order will include the following:

- The change in place of use proposed in Transfer Application T-13533 is approved.*
- 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 94973 and any related decree.*
- Water right Certificate 94973 is cancelled.*

4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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.*
6. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on APR 01 2021


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS MBYLER, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by: Tamera Smith. If you have any questions about the information in this document, you may reach me at 503-986-0864 or tamera.l.smith@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Notice Regarding Service Members: Active duty service members have a right to stay these proceedings under the federal service members Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

SMITH Tamera L * WRD

From: Kery Prettyman <keryprettyman@jdmcgee.com>
Sent: Monday, March 01, 2021 2:59 PM
To: SMITH Tamera L * WRD
Cc: 'John McGee'; Paul Smud
Subject: RE: T-13533 DPD: Action Requested
Attachments: Property Report_ Deed 2006-01698.pdf; Property Report_ Deed 2007-04713.pdf; Property Report_ Deed 2008-07058.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Tamera,

I've attached landownership reports for the stretch of Highway 20, the Transfer "From" lands, from First American Title. The Claim form was signed by an authorized ODOT representative (the Resident Engineer on the project).

We reviewed the draft Preliminary Determination and it does accurately reflect the changes Alsea Veneer intends to make. We did not find any typographical errors. We would like to request an additional year to meet all of the conditions, making the C-Date October 1, 2023 instead of October 1, 2022.

Please let us know if you need concurrence from Paul Smud, Alsea Veneer Inc. or John McGee, CWRE, or anything else.

Thanks,
Kery

Kery Prettyman, EI
Engineering Designer
Project Manager

JD McGee, Inc.
ENGINEERING AND SURVEYING
PO Box 1472
1215 Main Street
Philomath, OR 97370
Phone: (541) 929-4226
Fax: (541) 929-4227

From: Kery Prettyman [mailto:keryprettyman@jdmcgee.com]
Sent: Thursday, February 11, 2021 2:40 PM
To: 'SMITH Tamera L * WRD'
Cc: 'John McGee'
Subject: RE: T-13533 DPD: Action Requested

Hi Tamera,

I just realized that the letter said that a landownership report is required for the "From" lands. It was the "To" lands that were sold in December. The "From" lands are a long section of Highway 20. I will talk to our contact at ODOT and see what we can come up with. I'll let you know if I have any more questions.

Thanks,
Kery

Kery Prettyman
Engineering Design Technician

JD McGee, Inc.

ENGINEERING AND SURVEYING

PO Box 1472
1215 Main Street
Philomath, OR 97370
Phone: (541) 929-4226
Fax: (541) 929-4227

From: SMITH Tamera L * WRD [mailto:Tamera.L.Smith@oregon.gov]
Sent: Thursday, February 11, 2021 12:06 PM
To: Kery Prettyman
Cc: 'John McGee'
Subject: RE: T-13533 DPD: Action Requested

Hi Kery,

Excellent question! Please see the Consent attached.

Thank you, Tamera

From: Kery Prettyman <keryprettyman@jdmcgee.com>
Sent: Thursday, February 11, 2021 11:28 AM
To: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Cc: 'John McGee' <johnmcgee@jdmcgee.com>
Subject: RE: T-13533 DPD: Action Requested

Hi Tamera,

Thank you for the quick response! I just spoke with Paul and we do have another question. Alsea Veneer sold the property in the beginning of December and we want to be sure we get all of the documentation needed to meet the requirements of Item 2 on your letter. We can get the report from the title company showing the new ownership. What do we need to prepare for the notarized statement of consent showing the new property owner? Is this similar to the Request for Assignment form?

Thanks,
Kery

Kery Prettyman
Engineering Design Technician

JD McGee, Inc.

ENGINEERING AND SURVEYING

PO Box 1472
1215 Main Street
Philomath, OR 97370
Phone: (541) 929-4226
Fax: (541) 929-4227

From: SMITH Tamera L * WRD [<mailto:Tamera.L.Smith@oregon.gov>]
Sent: Thursday, February 11, 2021 10:56 AM
To: Kery Prettyman
Cc: John McGee
Subject: RE: T-13533 DPD: Action Requested

Good morning Keri,

For a place of use change for an industrial right, it might be typical to request one additional year, pushing the C-date out to 2023.

If you have further questions, please let me know.

Kindest regards,

Tamera Smith
Transfer Caseworker for Reimbursement Authority

From: Kery Prettyman <keryprettyman@jdmcgee.com>
Sent: Thursday, February 11, 2021 10:46 AM
To: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Cc: John McGee <johnmcgee@jdmcgee.com>
Subject: RE: T-13533 DPD: Action Requested

Hi Tamera,

We are assisting Paul Smud of Alsea Veneer Inc. with his transfer, T-13533, and had a question about the draft preliminary determination. We want to ensure that Alsea Veneer has adequate time to apply the water to beneficial use and save everyone the grief of applying for a time extension. We'd like to be able to give him some guidance about how much time to ask for when requesting more time until the C-Date. How long is too long to ask for?

Thank you,
Kery

Kery Prettyman
Engineering Design Technician

JD McGee, Inc.

ENGINEERING AND SURVEYING
PO Box 1472
1215 Main Street
Philomath, OR 97370
Phone: (541) 929-4226
Fax: (541) 929-4227

----- Original message -----

From: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>

Date: 2/6/21 1:19 PM (GMT-08:00)

To: psmud@yahoo.com

Cc: John McGee <JohnMcGee@JDMcGee.com>, HENDRICKS Nikki M * WRD

<Nikki.M.Hendricks@oregon.gov>

Subject: T-13533 DPD: Action Requested

Good afternoon,

Please see the attached DPD and letter.

Kindest regards,

Tamera Smith

Transfer Caseworker



FIRST AMERICAN TITLE Property Research Report

SUBJECT PROPERTY

OWNER
ODOT

DATE PREPARED
03/01/2021

PREPARED BY
ereyes-garcia@firstam.com



First American Title

Customer Service 503.219.8746
cs.oregon@firstam.com

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STATE OF OREGON } ss.
County of Lincoln }

10 Pages

I, Dana W. Jenkins, County Clerk, in and for said county, do hereby certify that the within instrument was received for record, and recorded in the Book of Records of said county at Newport, Oregon. WITNESS my hand and seal of said office affixed.


DANA W. JENKINS, Lincoln County Clerk

Doc : 200807058
Rect: 804713 71.00
06/10/2008 04:11:40pm



WARRANTY DEED

GREEN DIAMOND RESOURCE COMPANY, a Washington corporation, which acquired title as SIMPSON RESOURCE COMPANY, a Washington corporation, Grantor, for the true and actual consideration of \$ 130,000.00 does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the property described as Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 on Exhibit "A" dated 10/19/2007 attached hereto and by this reference made a part hereof.

Pursuant to Oregon law, ORS 374.405, there is no right of access to or from the remainder of Grantor's parcel(s) and any highway constructed on the property subject of this conveyance.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

RETURN TO AND TAX STATEMENT TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Map and Tax Lot #: 10-9-31-2100 and 10-9-32-900;
11-9-904; 11-9-900; 11-9-902; 11-9-4-600; 11-9-901
Property Address:

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 12th day of MAY, 2008.

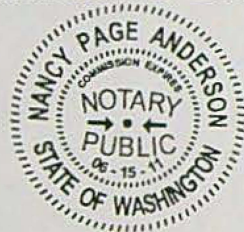
GREEN DIAMOND RESOURCE COMPANY, a
Washington corporation, which acquired title as
SIMPSON RESOURCE COMPANY, a Washington
corporation

By [Signature]
President

By [Signature]
Secretary

Washington King
STATE OF OREGON, County of

Dated May 12, 2008. Personally appeared William B. Brown
and John G. Schuler, who, being sworn, stated that they are the President and Secretary of
Green Diamond Resource Company, a Washington corporation, and that this instrument was voluntarily signed on behalf of
the corporation by authority of its Board of Directors. Before me:



Nancy Page Anderson
Notary Public for Oregon
My Commission expires 6/15/11

Accepted on behalf of the Oregon Department of Transportation

Jean Celia 6/6/08

PARCEL 1 – Fee

A parcel of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 10 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 238 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis - Newport Highway, which center line is described as follows:

Beginning at Engineer's center line Station 762+58.79, said station being 273.10 feet South and 843.40 feet East of the Northwest Corner of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon; thence North 85° 39' 27" East, 1,579.47 feet; thence on a spiral curve right (the long chord of which bears North 87° 51' 26" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve right (the long chord of which bears South 64° 17' 39" East, 1,036.33 feet) 1,065.84 feet; thence on a spiral curve right (the long chord of which bears South 36° 26' 44" East, 299.82 feet) 300.00 feet; thence South 34° 14' 45" East, 1,135.67 feet; thence on a spiral curve left (the long chord of which bears South 36° 26' 44" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve left (the long chord of which bears South 48° 56' 42" East, 366.92 feet) 368.15 feet; thence on a spiral curve left (the long chord of which bears South 61° 26' 40" East, 299.82 feet) 300.00 feet; thence South 63° 38' 39" East, 3,361.66 feet; thence on a spiral curve right (the long chord of which bears South 62° 38' 39" East, 299.96 feet) 300.00 feet; thence on a 2,864.79 foot radius curve right (the long chord of which bears South 54° 41' 22" East, 594.41 feet) 595.49 feet; thence on a spiral curve right (the long chord of which bears South 46° 44' 04" East, 299.96 feet) 300.00 feet; thence South 45° 44' 04" East, 1,814.96 feet; thence on a spiral curve left (the long chord of which bears South 47° 56' 03" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve left (the long chord of which bears South 88° 09' 58" East, 1,524.61 feet) 1,628.71 feet; thence on a spiral curve left (the long chord of which bears North 51° 36' 07" East, 299.82 feet) 300.00 feet; thence North 49° 24' 08" East, 116.06 feet; thence on a spiral curve right (the long chord of which bears North 51° 36' 07" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve right (the long chord of which bears South 71° 55' 54" East, 2,054.11 feet) 2,366.65 feet; thence on a spiral curve right (the long chord of which bears South 15° 27' 55" East, 299.82 feet) 300.00 feet; thence South 13° 15' 56" East, 110.17 feet to Engineer's center line Station 934+01.60.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
783+00.00		789+49.00	200.00 in a straight line to 420.00
789+49.00		795+49.00	420.00 in a straight line to 660.00

EXCEPT therefrom that property designated as Parcel 5 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200704713.

Bearings are based on County Survey No. 16318, filed September 13, 2001, Lincoln County, Oregon.

This parcel of land contains 1.82 acres, more or less.

PARCEL 2 – Fee

A parcel of land lying in Lots 1 and 2 of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 141 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
783+00.00		789+49.00	200.00 in a straight line to 420.00
789+49.00		795+49.00	420.00 in a straight line to 660.00
795+49.00		800+15.00	660.00 in a straight line to 247.00

EXCEPT therefrom that property designated as Parcel 4 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200704713.

This parcel of land contains 6.88 acres, more or less.

PARCEL 3 – Fee

A parcel of land lying in Lot 2 of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 141 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Center Line
786+07.00		790+15.00	143.35 in a straight line to 292.00
790+15.00		790+38.00	292.00 in a straight line to 216.06

EXCEPT therefrom that property designated as Parcel 4 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200704713.

This parcel of land contains 37,454 square feet, more or less.

PARCEL 4 – Fee

A parcel of land lying in Lot 1 and SE¼NE¼ of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 141 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northeasterly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
803+90.00		812+53.00	172.00 in a straight line to 171.66

EXCEPT therefrom that property designated as Parcel 4 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200704713.

This parcel of land contains 23,222 square feet, more or less.

PARCEL 5 – Fee

A parcel of land lying in the NW¼SW¼ of Section 5, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property lying Southeasterly of a line at right angles to the center line of the relocated Corvallis - Newport Highway at Engineer's Station 828+54.40 and included in a strip of land 202.00 feet in width lying on the Southwesterly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom that property designated as Parcel 6 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200704713.

This parcel of land contains 10,119 square feet, more or less.

PARCEL 6 – Fee

A parcel of land lying in the SE¼SW¼ of Section 5, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property lying within the following described tract:

Beginning at Engineer's Station 841+78.00 on the center line of the relocated Corvallis - Newport Highway; thence Southwesterly in a straight line to a point opposite and 617.00 feet Southwesterly of Engineer's Station 841+78.00 on said center line; thence Southerly in a straight line to a point opposite and 842.00 feet Southwesterly of Engineer's Station 842+40.00 on said center line; thence Easterly in a straight line to a point opposite and 770.00 feet Southwesterly of Engineer's Station 845+10.00 on said center line; thence Northerly in a straight line to a point opposite and 487.00 feet Southwesterly of Engineer's Station 844+34.00 on said center line; thence Northerly to Engineer's Station 844+34.00 on said center line; thence Northwesterly along said center line to the point of beginning.

The center line of the relocated Corvallis - Newport Highway referred to herein is described in Parcel 1.

This parcel of land contains 1.56 acres, more or less.

PARCEL 7 – Fee

A parcel of land lying in the NW¼SE¼ of Section 5, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northeasterly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
839+29.00		844+43.00	625.00 in a straight line to 570.00
844+43.00		850+30.00	570.00 in a straight line to 219.93

EXCEPT therefrom that property designated as Parcel 7 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200701381.

This parcel of land contains 2.70 acres, more or less.

PARCEL 8 – Fee

A parcel of land lying in the SE¼SE¼ of Section 5 and NE¼NE¼ of Section 8, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcels 140 and 143 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southwesterly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
872+30.00		876+70.00	460.00 in a straight line to 471.00

EXCEPT therefrom that property designated as Parcels 7 and 8 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200701381.

This parcel of land contains 3.49 acres, more or less.

PARCEL 9 – Fee

A parcel of land lying in the SW¼SW¼ of Section 4, SE¼SE¼ OF Section 5 and NW¼NW¼ of Section 9, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcels 139, 140 and 144 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northeasterly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
872+55.00		876+55.00	595.00 in a straight line to 565.00
876+55.00		878+50.00	565.00 in a straight line to 220.00

EXCEPT therefrom that property designated as Parcels 7 and 9 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200701381.

This parcel of land contains 4.20 acres, more or less.

PARCEL 10 – Fee

A parcel of land lying in the N½NW¼ of Section 9, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 144 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Center Line
888+50.00		893+97.00	400.00 in a straight line to 585.00
893+97.00		896+95.00	585.00 in a straight line to 545.00
896+95.00		897+00.00	545.00 in a straight line to 150.00

EXCEPT therefrom that property designated as Parcel 9 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200701381.

This parcel of land contains 7.21 acres, more or less.

PARCEL 11 – Fee

A parcel of land lying in the SE¼SW¼ and SW¼SE¼ of Section 4 and NE¼NW¼ of Section 9, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcels 139 and Parcel 144 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northwestern side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northwestern Side of Center Line
894+20.00		900+88.00	170.11 in a straight line to 485.00
900+88.00		903+18.00	485.00 in a straight line to 432.00
903+18.00		908+62.00	432.00 in a straight line to 435.00
908+62.00		914+12.00	435.00 in a straight line to 415.00
914+12.00		914+35.00	415.00 in a straight line to 180.70

EXCEPT therefrom that property designated as Parcels 9 and 10 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded March 30, 2007, in Lincoln County Book of Records as Instrument No. 200701381.

This parcel of land contains 5.44 acres, more or less.

PARCEL 12 – Fee

A parcel of land lying in the SW¼SE¼ of Section 4, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 139 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property lying within the following described tract:

Beginning on the Southerly line of said section at a point opposite and 166.98 feet Southerly of Engineer's Station 909+93.01 on the center line of the relocated Corvallis - Newport Highway; thence Northeasterly in a straight line to a point opposite and 100.00 feet Southerly of Engineer's Station 912+00.00 on said center line; thence Southeasterly in a straight line to a point opposite and 230.78 feet Southerly of Engineer's Station 914+14.39 on said center line; thence Westerly along Southerly line of said section to the point of beginning.

The center line of the relocated Corvallis - Newport Highway referred to herein is described in Parcel 1.

This parcel of land contains 20,189 square feet, more or less.



FIRST AMERICAN TITLE Property Research Report

SUBJECT PROPERTY

OWNER
ODOT

DATE PREPARED
03/01/2021

PREPARED BY
ereyes-garcia@firstam.com



First American Title

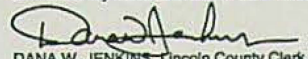
Customer Service 503.219.8746
cs.oregon@firstam.com

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I, Dana W. Jenkins, County Clerk, in and for said county, do hereby certify that the within instrument was received for record, and recorded in the Book of Records of said county at Newport, Oregon. WITNESS my hand and seal of said office affixed.


DANA W. JENKINS, Lincoln County Clerk



Doc : 200704713
Rect: 703033 106.00
03/30/2007 04:20:11pm

W.T.E. 20-0161805 PT



After Recording Return To:
OREGON DEPARTMENT OF
TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM, OR 97301-3871

Until a change is requested, all tax statements
shall be mailed to the following address:
SAME AS ABOVE



Western Title & Escrow

THIS COVER SHEET HAS BEEN PREPARED FOR ATTACHMENT TO THE ACCOMPANYING DOCUMENT AS PROVIDED BY ORS 205.234. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE DOCUMENT ITSELF.

- ☒ Deed ☐ Trust Deed ☐ Contract or Memorandum ☐ Satisfaction
☐ Assignment of Contract ☐ Reconveyance of Trust Deed
☐ Other (specify) WARRANTY DEED

GRANTOR:

1. GREEN DIAMOND RESOURCE COMPANY, A WASHINGTON CORPORATION, WHICH ACQUIRED TITLE AS SIMPSON RESOURCE COMPANY, A WASHINGTON CORPORATION

GRANTEE:

1. STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION

TRUE AND ACTUAL CONSIDERATION OF \$1,513,700.00

WARRANTY DEED

GREEN DIAMOND RESOURCE COMPANY, a Washington corporation, which acquired title as SIMPSON RESOURCE COMPANY, a Washington corporation, Grantor, for the true and actual consideration of \$ 1,513,700.00, does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the property described as Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 on Exhibit "A" dated 07/19/06 attached hereto and by this reference made a part hereof.

Pursuant to Oregon law, ORS 374.405, there is no right of access to or from the remainder of Grantor's parcel(s) and any highway constructed on the property subject of this conveyance.

a) Grantor reserves the right to cross beneath the highway structure, at approximate engineering station 752+45 (Trapp Creek), station 790+45 (Cougar Creek), and station 873+05 (Eddy Creek Tributary B), in widths to be determined by permit, to serve remaining property on the northerly and southerly sides of the highway. Grantor shall be liable for any damage to the highway structure incurred as a result of the exercise of this crossing right.

b) The rights to cross shall be limited to transit use for forestland purposes and specifically prohibit parking, storage, or any other use of the property by the grantor except that parking of vehicles during a period of loading and unloading shall be permitted, provided that vehicles are manned at all times, and provided further that no cargo of explosives, inflammables, or products giving off noxious fumes, odors, or vapors shall be permitted to park, under, the highway structure.

c) The right herein reserved shall in no way interfere with the paramount use of the land for highway purposes and, in the event of conflict, shall terminate upon notification and compensation to the grantor by the State Transportation Commission.

RETURN TO AND TAX STATEMENT TO

Map and Tax Lot #: 11-10-1-101, 10-9-31-1301, 11-9-6-904, 10-9-31-2100, 11-9-5-900, 11-9-8-902, 11-9-9-901, 11-9-4-600, 11-9-904, 11-9-900, 11-9-900, 11-9-4-600, 11-9-904, 11-9-900, 10-9-31-1301 and 11-9-904, 11-9-904, 11-9-4-600, 11-9-4-600

OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Property Address:

d) The grantor's use of the right of way to cross under is subject to, and may only be exercised in accordance with, the statutes and administrative rules applicable to control and operation of throughways. Such use is contingent upon issuance of a permit, and no such use may be exercised or construction of the under-highway road begun unless, and until, a permit application is submitted and a permit issued by the Oregon Department of Transportation. The under-highway road may only be constructed or maintained upon issuance of such permit and in accordance with such permit. If the State constructs the under-highway road during a highway project, the grantor is required to sign an under-highway road permit to ensure proper operation and maintenance of the under-highway road.

Grantor also grants to Grantee, its successors and assigns, a permanent easement to construct and maintain slopes, upon the property described as **Parcel 11, 12, 13 and 14 on Exhibit "A" dated 07/19/06** attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described Parcel 11,12,13 and 14, except as stated herein, nor prevent Grantor from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted or endanger the lateral support of the public way, that Grantee shall never be required to remove the slope materials placed by it upon said property, nor shall Grantee be subject to any damages to Grantor, and grantor's heirs, successors and assigns, by reason thereof or by reason of any change of grade of the public way abutting on said property.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcels 15,16,17,18,19 and 20 on Exhibit "A" dated 07/19/06** attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate (3) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcels 15,16,17,18,19 and 20, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 22nd day of February, 2007.

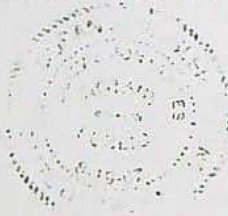
GREEN DIAMOND RESOURCE COMPANY,
a Washington corporation, which acquired title as
Simpson Resource Company, a Washington
Corporation

By [Signature]
President

By [Signature]
Secretary

Washington
STATE OF ~~OREGON~~, County of King

Dated February 22nd, 2007. Personally appeared William R. Brown
and Galen G. Schuler, who, being sworn, stated that they are the President and Secretary of Green Diamond Resource Company, a Washington corporation, which acquired title as Simpson Resource Company, a Washington corporation and that this instrument was voluntarily signed on behalf of the corporation by authority of its Board of Directors. Before me:



[Signature]
Notary Public for ~~Oregon~~ Washington
My Commission expires 8-19-2007

Accepted on behalf of the Oregon Department of Transportation

PARCEL 1 – Fee

A parcel of land lying in the NE¼NE¼ of Section 1, Township 11 South, Range 10 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 160 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on both sides of the center line of the relocated Corvallis-Newport Highway, which center line is described as follows:

Beginning at Engineer's center line Station 725+64.46, said station being 1,520.59 feet North and 1,509.63 feet West of the Northwest Corner of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon; thence South 12° 28' 11" East, 57.06 feet; thence on a spiral curve left (the long chord of which bears South 13° 52' 02" East, 299.93 feet) 300.00 feet; thence on a 2,050.00 radius curve left (the long chord of which bears South 53° 24' 22" East, 2,452.78 feet) 2,629.34 feet; thence on a spiral curve left (the long chord of which bears North 87° 03' 18" East, 299.93 feet) 300.00 feet to Engineer's center line Station 758+50.86 Back Equals 762+58.79 Ahead; thence North 85° 39' 27" East, 1,579.47 feet; thence on a spiral curve right (the long chord of which bears North 87° 51' 26" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve right (the long chord of which bears South 64° 17' 39" East, 1,036.33 feet) 1065.84 feet; thence on a spiral curve right (the long chord of which bears South 36° 26' 44" East, 299.82 feet) 300.00 feet; thence South 34° 14' 45" East, 1,135.67 feet; thence on a spiral curve left (the long chord of which bears South 36° 26' 44" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve left (the long chord of which bears South 48° 56' 42" East, 366.92 feet) 368.15 feet; thence on a spiral curve left (the long chord of which bears South 61° 26' 40" East, 299.82 feet) 300.00 feet; thence South 63° 38' 39" East, 3,361.66 feet; thence on a spiral curve right (the long chord of which bears South 62° 38' 39" East, 299.96 feet) 300.00 feet; thence on a 2,864.79 foot radius curve right (the long chord of which bears South 54° 41' 22" East, 594.41 feet) 595.49 feet; thence on a spiral curve right (the long chord of which bears South 46° 44' 04" East, 299.96 feet) 300.00 feet; thence South 45° 44' 04" East, 1,814.96 feet; thence on a spiral curve left (the long chord of which bears South 47° 56' 03" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve left (the long chord of which bears South 88° 09' 58" East, 1,524.61 feet) 1,628.71 feet; thence on a spiral curve left (the long chord of which bears North 51° 36' 07" East, 299.82 feet) 300.00 feet; thence North 49° 24' 08" East, 116.06 feet; thence on a spiral curve right (the long chord of which bears North 51° 36' 07" East, 299.82 feet) 300.00 feet; thence on a 1,302.18 foot radius curve right (the long chord of which bears South 71° 55' 54" East, 2,054.11 feet) 2,366.65 feet; thence on a spiral curve right (the long chord of which bears South 15° 27' 55" East, 299.82 feet) 300.00 feet; thence South 13° 15' 56" East, 110.17 feet to Engineer's center line Station 934+01.60.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
742+44.24		756+00.00	223.93 in a straight line to 100.00
735+86.00		744+00.00	650.00 in a straight line to 650.00
744+00.00		745+00.00	650.00 in a straight line to 300.00
745+00.00		758+50.86 Bk= 762+58.79 Ah	300.00 in a straight line to 250.00

Bearings are based upon the Oregon Coordinate System of 1983(91), north zone.

This parcel of land contains 4.83 acres, more or less.

PARCEL 2 – Fee

A parcel of land lying in Lot 4 and the SE¼SW¼ of Section 31, Township 10 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 102, Tract 1 and Tract 3 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
738+89.68		742+44.24	600.00 in a straight line to 223.93
742+44.24		751+00.00	223.93 in a straight line to 224.00

This parcel of land contains 2.49 acres, more or less.

PARCEL 3 – Fee

A parcel of land lying in the SW¼SE¼ of Section 31, Township 10 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 102, Tract 1 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
757+70.00		770+00.00	120.00 in a straight line to 200.00
770+00.00		783+00.00	200.00

This parcel of land contains 1.77 acres, more or less.

PARCEL 4 – Fee

A parcel of land lying in the SE¼SW¼ of Section 31, Township 10 South, Range 9 West, and the N½ and the NE¼SE¼ of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 102, Tract 1 and Parcel 141 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on both sides of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
742+44.24		752+00.00	223.93 in a straight line to 225.91
752+00.00		752+75.00	225.91 in a straight line to 320.00
752+75.00		756+00.00	320.00 in a straight line to 310.00
756+00.00		757+70.00	310.00 in a straight line to 120.08
757+70.00		770+00.00	120.08 in a straight line to 200.00
770+00.00		783+00.00	200.00 in a straight line to 200.00
783+00.00		795+00.00	200.00 in a straight line to 350.00
795+00.00		796+50.00	350.00 in a straight line to 320.00
796+50.00		798+00.00	320.00 in a straight line to 330.00

798+00.00	799+50.00	330.00 in a straight line to 260.00
799+50.00	805+00.00	260.00 in a straight line to 150.00
805+00.00	812+00.00	150.00 in a straight line to 150.00
812+00.00	816+07.92	150.00 in a straight line to 275.00

Station	To	Station	Width on Southerly Side of Center Line
745+00.00		758+50.86 Bk=	300.00 in a straight line to 250.00
		762+58.79 Ah	
762+58.79		778+38.26	250.00
778+38.26		787+00.00	250.00 in a straight line to 100.00
787+00.00		787+29.87	100.00 in a straight line to 47.03
787+29.87		788+85.72	47.03 in a straight line to 112.04
788+85.72		788+86.00	112.04 in a straight line to 176.19
788+86.00		795+04.10	176.19 in a straight line to 250.00
795+04.10		806+39.77	250.00
806+39.77		816+07.92	250.00 in a straight line to 400.00
816+07.92		823+00.00	400.00

EXCEPT therefrom Parcel 2.

This parcel of land contains 56.50 acres, more or less.

PARCEL 5 – Fee

A parcel of land lying in the E $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 10 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 238 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
770+00.00		783+00.00	200.00
783+00.00		795+00.00	200.00 in a straight line to 350.00

This parcel of land contains 2.41 acres, more or less.

PARCEL 6 – Fee

A parcel of land lying in the NW¼SW¼ of Section 5, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on both sides of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
816+07.92		839+50.00	275.00
Station	to	Station	Width on Southerly Side of Center Line
816+07.92		823+00.00	400.00
823+00.00		830+00.00	400.00 in a straight line to 150.00
830+00.00		831+50.00	150.00

This parcel of land contains 7.64 acres, more or less.

PARCEL 7 – Fee

A parcel of land lying in the SE¼ of Section 5 and the SW¼SW¼ of Section 4, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 139 and Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on both sides of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
842+50.00		846+00.00	225.00
846+00.00		847+50.00	225.00 in a straight line to 260.00
847+50.00		848+50.00	260.00 in a straight line to 225.00
848+50.00		849+69.57	225.00

849+69.57	863+00.00	225.00 in a straight line to 350.00
863+00.00	873+25.00	350.00
873+25.00	875+35.00	100.00 in a straight line to 100.20
875+35.00	875+70.00	100.20 in a straight line to 300.25
875+70.00	878+50.00	300.25 in a straight line to 220.00

Station	to	Station	Width on Southerly Side of Center Line
845+50.00		849+69.57	200.00
849+69.57		857+00.00	200.00 in a straight line to 175.00
857+00.00		857+75.00	175.00 in a straight line to 143.00
857+75.00		860+75.00	143.00 in a straight line to 93.00
860+75.00		861+00.00	93.00 in a straight line to 201.60
861+00.00		861+50.00	201.60 in a straight line to 176.40
861+50.00		863+00.00	200.00 in a straight line to 140.00
863+00.00		864+80.00	140.00 in a straight line to 100.00
864+80.00		875+50.00	100.00
875+50.00		882+00.00	172.90 in a straight line to 192.50

This parcel of land contains 29.91 acres, more or less.

PARCEL 8 - Fee

A parcel of land lying in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 143 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on both sides of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
875+35.00		875+70.00	100.20 in a straight line to 300.25
875+70.00		878+50.00	300.25 in a straight line to 220.00
878+50.00		879+50.00	220.00 in a straight line to 100.58

Station	to	Station	Width on Southerly Side of Center Line
864+80.00		875+50.00	100.00

875+50.00 882+50.00 172.90 in a straight line to 192.50
This parcel of land contains 2.13 acres, more or less.

PARCEL 9 – Fee

A parcel of land lying in the N½NW¼ of Section 9, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 144 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on both sides of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
875+70.00		878+50.00	300.25 in a straight line to 220.00
878+50.00		879+50.00	220.00 in a straight line to 100.58
879+50.00		881+00.00	100.58 in a straight line to 100.00
881+00.00		893+48.40	100.00 in a straight line to 171.31
893+48.40		894+40.22	171.31 in a straight line to 169.14
894+40.22		909+00.00	169.14 in a straight line to 400.00
909+00.00		915+09.00	400.00 in a straight line to 173.50

Station	to	Station	Width on Southerly Side of Center Line
875+50.00		882+50.00	172.90 in a straight line to 192.48
882+50.00		884+00.00	192.48 in a straight line to 380.00
884+00.00		886+00.00	380.00 in a straight line to 530.00
886+00.00		888+50.00	530.00 in a straight line to 400.00
888+50.00		892+00.00	400.00 in a straight line to 230.00
892+00.00		893+00.00	230.00 in a straight line to 117.82
893+00.00		897+00.00	117.82 in a straight line to 150.00
897+00.00		904+70.00	150.00 in a straight line to 197.55
904+70.00		907+00.00	233.40 in a straight line to 240.95
907+00.00		912+00.00	205.95 in a straight line to 100.00

This parcel of land contains 29.82 acres, more or less.

PARCEL 10 – Fee

A parcel of land lying in the SE¼SW¼ and the SW¼SE¼ Section 4, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 139 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on both sides of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
894+00.00		909+00.00	150.00 in a straight line to 400.00
909+00.00		915+09.00	400.00 in a straight line to 173.51
915+09.00		918+00.00	99.50 in a straight line to 98.25
918+00.00		919+00.00	191.80 in a straight line to 215.86
919+00.00		920+00.00	215.86 in a straight line to 165.00
920+00.00		923+00.00	165.00 in a straight line to 339.37

Station	to	Station	Width on Southerly Side of Center Line
904+70.00		907+00.00	233.40 in a straight line to 230.86
907+00.00		912+00.00	205.95 in a straight line to 100.00
912+00.00		930+00.00	100.00

This parcel of land contains 14.90 acres, more or less.

PARCEL 11 – Permanent Easement for Slopes

A parcel of land lying in the NW¼NE¼ of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 141 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property lying within the following described tract:

Beginning at a point opposite and 100.00 feet Southwesterly of Engineer's Station 787+00.00 on the center line of the relocated Corvallis-Newport Highway; thence Northeasterly in a straight line to a point opposite and 47.03 feet Southwesterly of

Engineer's Station 787+29.87 of said center line; thence Southeasterly in a straight line to a point opposite and 112.04 feet Southwesterly of Engineer's Station 788+85.72 of said center line; thence in a straight line to a point opposite and 176.19 feet Southwesterly of Engineer's Station 788+86.00 of said center line; thence Northwesterly in a straight line to the point of beginning.

The center line of relocated Corvallis-Newport Highway is described in Parcel 1.

This parcel of land contains 10,281 square feet, more or less.

PARCEL 12 – Permanent Easement for Slopes

A parcel of land lying in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Center Line
857+00.00		860+00.00	175.00 in a straight line to 250.00
860+00.00		861+00.00	250.00 in a straight line to 201.60

EXCEPT therefrom Parcel 7.

This parcel of land contains 33,868 square feet, more or less.

PARCEL 13 – Permanent Easement for Slopes

A parcel of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Corvallis-Newport Highway at Engineer's Stations 866+00.00 and 870+50.00 and included in a strip of land 160 feet in width, lying on the Southwesterly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 7.

This parcel of land contains 27,000 square feet, more or less.

PARCEL 14 – Permanent Easement for Slopes

A parcel of land lying in the SW¼SE¼ of Section 4, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 139 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
915+09.00		918+00.00	173.50 in a straight line to 191.80

EXCEPT therefrom Parcel 10.

This parcel of land contains 26,782 square feet, more or less.

PARCEL 15 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the NW¼NW¼ of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 141 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Center Line
753+31.91		756+50.00	158.21 in a straight line to 400.00
756+50.00		758+50.86 Bk. = 762+58.79 Ah.	400.00 in a straight line to 250.00

EXCEPT therefrom Parcel 4.

This parcel of land contains 1.24 acres, more or less.

PARCEL 16 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 140 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the center line at Engineer's Stations 863+00.00 and 873+00.00 and included in a strip of land 200 feet in width, lying on the Southwesterly side of the center line of the relocated Corvallis - Newport Highway, which center line is described in Parcel 1.

EXCEPT therefrom Parcels 7 and 13.

This parcel of land contains 1.59 acres, more or less.

PARCEL 17 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 10 South, Range 9 West, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 141 and Parcel 238 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
786+00.00		790+50.00	170.00 in a straight line to 270.00

EXCEPT therefrom Parcels 4 and 5.

This parcel of land contains 41,853 square feet, more or less.

PARCEL 18 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the NW¼NE¼ of Section 6, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 141 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Center Line
786+00.00		792+00.00	200.00 in a straight line to 430.00

EXCEPT therefrom Parcels 4 and 11.

This parcel of land contains 1.81 acres, more or less.

PARCEL 19 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the SW¼SE¼ of Section 4, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 139 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
916+00.00		917+00.00	171.25 in a straight line to 270.00
917+00.00		918+00.00	270.00 in a straight line to 191.80

EXCEPT therefrom Parcels 10 and 14.

This parcel of land contains 10,577 square feet, more or less.

PARCEL 20 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the SW¼SE¼ of Section 4, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon and being a portion of that property designated as Parcel 139 and described in that Statutory Bargain and Sale Deed to Simpson Resource Company, recorded June 28, 2002, in Book 452, Page 1697 of Lincoln County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
919+00.00		920+00.00	215.86 in a straight line to 250.00
920+00.00		924+70.00	250.00 in a straight line to 290.00

EXCEPT therefrom Parcel 10.

This parcel of land contains 11,326 square feet, more or less.





FIRST AMERICAN TITLE Property Research Report

SUBJECT PROPERTY

OWNER
ODOT

DATE PREPARED
03/01/2021

PREPARED BY
ereyes-garcia@firstam.com



First American Title

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IMPORTANT – READ CAREFULLY: THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT, IF ANY. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR



W.T.E. 20-0162005 PT

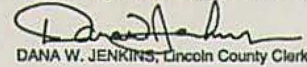
After Recording Return To:
OREGON DEPARTMENT
OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM, OR 97301-3871

Until a change is requested, all tax statements
Shall be mailed to the following address:
OREGON DEPARTMENT
OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM, OR 97301-3871

STATE OF OREGON } ss.
County of Lincoln

5 Pages

I, Dana W. Jenkins, County Clerk, in and for said county, do hereby
certify that the within instrument was received for record, and
recorded in the Book of Records of said county at Newport, Oregon.
WITNESS my hand and seal of said office affixed.


DANA W. JENKINS, Lincoln County Clerk

Doc : 200601698
Rect: 600840 46.00
02/01/2006 03:43:46pm



WESTERN
TITLE & ESCROW COMPANY

THIS COVER SHEET HAS BEEN PREPARED FOR ATTACHMENT TO THE ACCOMPANYING
DOCUMENT AS PROVIDED BY ORS 205.234. ANY ERRORS IN THIS COVER SHEET DO NOT
AFFECT THE TRANSACTION(S) CONTAINED IN THE DOCUMENT ITSELF.

☒ Deed ☐ Trust Deed ☐ Contract or Memorandum ☐ Satisfaction
☐ Assignment of Contract ☐ Reconveyance of Trust Deed

☐ Other (specify) WARRANTY DEED

GRANTOR:

1. JOE BENJAMIN ZAERR AND LOIS MARIE ZAERR, CO-TRUSTEES OF
THE JOE B. ZAERR REVOCABLE LIVING TRUST DATED JUNE 24,
1994

GRANTEE:

1. STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF
TRANSPORTATION

THE TRUE AND ACTUAL CONSIDERATION OF \$80,000.00.

WARRANTY DEED

JOE BENJAMIN ZAERR and LOIS MARIE ZAERR, Co-Trustees of the Joe B. Zaerr Revocable Living Trust dated June 24, 1994, Grantor, for the true and actual consideration of \$ 80,000.00, does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the property described as Parcels 1, 2 and 3 on Exhibit "A" dated 4/15/2005 attached hereto and by this reference made a part hereof.

Pursuant to Oregon law, ORS 374.405, there is no right of access to or from the remainder of Grantor's parcel(s) and any highway constructed on the property subject of this conveyance.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

RETURN TO AND TAX STATEMENT TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Map and Tax Lot #: 11-9-9A 500

Property Address:

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 10th day of January, 2006.

Joe Benjamin Zaerr Co-Trustee
Joe Benjamin Zaerr, Co-Trustee
Lois Marie Zaerr Co-Trustee
Lois Marie Zaerr, Co-Trustee

STATE OF OREGON, County of Benton

Dated January 10th, 2006. Personally appeared the above named Joe Benjamin Zaerr and Lois Marie Zaerr, Co-Trustees, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Seth W. Hemelstrand
Notary Public for Oregon



My Commission expires Feb. 3 2007

Accepted on behalf of the Oregon Department of Transportation

Richard R. Dwyer

PARCEL 1 – Fee

A parcel of land lying in the NW¼NE¼ of Section 9, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon, and being a portion of that property described in that Warranty Deed to Joe Benjamin Zaerr, Lois Marie Zaerr, TTE, and Jon Benjamin Zaerr, recorded September 25, 2001 in Lincoln County Book of Records in Book 431, Page 0062; the said parcel being that portion of said property included in a strip of land variable in width lying on the Southeasterly side of the center line of the relocated Corvallis-Newport Highway which center line is described as follows:

Beginning at Engineer's center line Station 902+08.73, said station being 267.75 feet South and 527.22 feet West of the North Quarter corner of Section 9, Township 11 South, Range 9 West, W.M.; thence North 49° 24' 08" East, 116.05 feet; thence on a spiral curve right (the long chord of which bears North 51° 36' 07" East, 299.82 feet) 300.00 feet; thence on a 1302.18 feet radius curve right (the long chord of which bears South 71° 55' 54" East, 2054.11 feet) 2366.65 feet; thence on a spiral curve right (the long chord of which bears South 15° 27' 55" East, 299.82 feet) 300.00 feet; thence South 13° 15' 56" East, 110.17 feet; thence on a spiral curve left (the long chord of which bears South 15° 27' 55" East, 299.82 feet) 300.00 feet; thence on a 1302.18 feet radius curve left (the long chord of which bears South 43° 45' 26" East, 1054.79 feet) 1085.99 feet; thence on a spiral curve left (the long chord of which bears South 72° 02' 56" East, 299.82 feet) 300.00 feet; thence South 74° 14' 55" East, 887.85 feet to Engineer's center line Station 959+75.44.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southeasterly Side of Center Line
897+00.00		912+00.00	150.00 in a straight line to 100.00

Bearings are based upon the Oregon Coordinate System of 1983(91), north zone.

This parcel of land contains 10,862 square feet, more or less.

PARCEL 2 – Fee

A parcel of land lying in the NW¼NE¼ of Section 9, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon, and being a portion of that property described in that Warranty Deed to Joe Benjamin Zaerr, Lois Marie Zaerr, TTE, and Jon Benjamin Zaerr, recorded September 25, 2001 in Lincoln County Book of Records in Book 431, Page 0062; the said parcel being that portion of said property included in a strip of land variable in width lying on Southwesterly side of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
912+00.00		930+00.00	100.00 in a straight line to 100.00

This parcel of land contains 3.61 acres, more or less.

PARCEL 3 – Fee

A parcel of land lying in the SE¼NE¼ of Section 9, Township 11 South, Range 9 West, W.M., Lincoln County, Oregon, and being a portion of that property described in that Warranty Deed to Joe Benjamin Zaerr, Lois Marie Zaerr, TTE, and Jon Benjamin Zaerr, recorded September 25, 2001 in Lincoln County Book of Records in Book 431, Page 0062; the said parcel being that portion of said property included in a strip of land variable in width lying on both sides of the center line of the relocated Corvallis-Newport Highway which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
930+00.00		938+00.00	100.00 in a straight line to 100.00
938+00.00		947+00.00	100.00 in a straight line to 300.00
947+00.00		950+87.59	300.00 in a straight line to 100.00

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
935+00.00		945+00.00	85.00 in a straight line to 150.00
945+00.00		950+87.59	150.00 in a straight line to 100.00

This parcel of land contains 3.67 acres, more or less.





Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

FEBRUARY 6, 2021

VIA E-MAIL

ALSEA VENEER, INC.
19215 SE 34TH ST SUITE 106-383
CAMAS, WA 98607

Reference: Water Right Transfer Application T-13533

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13533. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date the ownership report was generated or prepared; and
 - ii) List of owners at that time; and
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

Please note the proposed date by which all conditions must be met: October 1, 2022. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the preliminary determination is issued a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

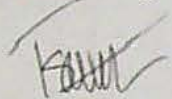
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by March 8, 2021, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at tamera.l.smith@oregon.gov or 503-986-0864 if I may be of assistance.

Kindest regards,



Transfer Caseworker
Transfer and Conservation Section

cc: Transfer Application file T-13533
Nikki M. Hendricks, District 1 Watermaster (*via e-mail*)
John McGee, Agent for the applicant (*via e-mail*)

encs

Oregon Water Resources Department

9437

10/18/2020

\$883.74

Oregon Water Resources Department for 00002990
In Payment For:

Vendor Inv	Purchase No.	Invoice Date	Invoice Amount	Discounts	Previous Payments	Current Payment
00002990		10/18/2020	\$883.74	\$0.00	\$0.00	\$883.74

RECEIVED

OCT 21 2020

OWRD

STATE OF OREGON
WATER RESOURCES DEPARTMENT725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 133723

INVOICE # _____

RECEIVED FROM: Alsea Veneer, Inc.

BY: _____

CASH: ☐ CHECK # 9442 OTHER: (IDENTIFY) ☐

APPLICATION

PERMIT

TRANSFER T-13533TOTAL REC'D \$ 883.74

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124OTHER: R 11278-21(IDENTIFY) Reimbursement Authority\$ 883.74

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 \$ _____

0203 GROUND WATER \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____

LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

EXAM FEE

\$ _____

0202

\$ _____

0204

\$ _____

EXAM FEE

\$ _____

0219

\$ _____

0220

RECORD FEE

\$ _____

\$ _____

LICENSE FEE

\$ _____

\$ _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____

0210 MONITORING WELLS \$ _____

OTHER (IDENTIFY) _____

CARD # _____

CARD # _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____

0231 HYDRO LICENSE FEE (FWWRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: 133723

DATED: 10-21-2020BY: [Signature]

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-278-21**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Alsea Veneer, Inc.**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Alsea Veneer, Inc.	Name:
Title: Transfer Advisor	Contact:	Contact:
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 19215 SE 34 th St. Ste. 106-383 Camas, WA 98607	Address:
Phone: 503 986-0886	Phone: (541) 270-1236	Phone:
Fax: 503 986-0901	Fax:	Fax:
Email: patrick.k.starnes@oregon.gov	Email:	Email:

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-13533)

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 **\$883.74**. Applicant agrees to pay the full amount of **\$883.74** 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. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
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: GEN. MGR
Paul Smith

10/19/2020
Date

For OWRD:


Dwight French, Administrator

10.22.2020
Date

Mail signed Agreement to:

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

RECEIVED

OCT 21 2020

OWRD

Oregon Water Resources Department

9430

9/13/2020

\$1,160.00

Oregon Water Resources Department for 00002979

In Payment For:

Vendor Inv	Purchase No.	Invoice Date	Invoice Amount	Discounts	Previous Payments	Current Payment
Transfer Fee	00002979	9/13/2020	\$1,160.00	\$0.00	\$0.00	\$1,160.00

RECEIVED

SEP 30 2020

OWRD

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 # 133576

INVOICE # _____

RECEIVED FROM:

BY:

CASH:

CHECK #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$ 1,160.00

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:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

EXAM FEE

LICENSE FEE

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

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 (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT:

133576

DATED:

9-30-2020

BY:

[Signature]

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

This 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.

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. If you have questions, call Customer Service at (503) 986-0801.
- ☒ 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: 94973**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ 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 (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' 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):

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503-986-0_____

Date: ____/____/____

RECEIVED

SEP 30 2020

SEP 30 2020

Part 2 of 5 – Transfer Application Map

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

OWRD

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°).

[illegible]

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as $1/40$ or $1/80$ of a cfs per acre; multiply number of acres proposed for change by either 0.025 ($1/40$) or 0.0125 ($1/80$). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$840.00
	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 \$410 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Alsea Veneer, Inc.		PHONE NO. 541-270-1236	ADDITIONAL CONTACT NO. RECEIVED
ADDRESS 19215 SE 34th St STE 106-383		FAX NO. SEP 30 2020	
CITY Camas	STATE WA	ZIP 98607	E-MAIL psmud@yahoo.com OWRD
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 John McGee, CWRE/JD McGee, Inc.		PHONE NO. 541-929-4226	ADDITIONAL CONTACT NO.
ADDRESS PO Box 1472		FAX NO.	
CITY Philomath	STATE OR	ZIP 97370	E-MAIL JohnMcGee@JDMcGee.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
The place of use was previously transferred from the applicant's land to 7 miles of US Hwy 20 for construction activity. This transfer proposes to return the water right to the original place of use, as described in Certificate 32665, and to adjacent properties owned by the applicant.

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

Check One Box

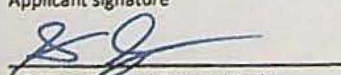
- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); 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.

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: _____.
- 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).

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

 
Applicant signature **PAUL SMUD** **9/15/2020**
Print Name (and Title if applicable) Date


ODOT Authorized Representative **Steven Schultz - Resident Engineer** **8/20/20**
Print Name (and Title if applicable) Date

Steven.schultz@odot.state.or.us
ODOT Authorized Representative E-mail Address

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.*

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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	

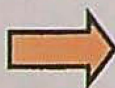
Describe any special ownership circumstances here: _____

- ☐ 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 Lincoln County	ADDRESS		
CITY	STATE	ZIP	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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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 # 94973

Description of Water Delivery System

System capacity: 0.2 cubic feet per second (cfs) OR
 _____ 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. A pump of unknown capacity at the POD conveys water through approximately 380 feet of 6 inch HDPE pipe to fill the pond. Water was pumped from the pond for 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)
POD 1	☒ Authorized ☐ Proposed		11 S	09 W	4	SE SE		790 feet North and 840 feet West from SE corner, Section 4
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ 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 # 94973

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						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1	1901	POU	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
10	S	9	W	31	NW	SW		3		INDUSTRIAL	POD 1	1959	POU	11	S	9	W	4	SE	SE	601				POD 1	1959
10	S	9	W	31	SW	SW		4		INDUSTRIAL	POD 1	1959	POU	11	S	9	W	9	NE	NE	300				POD1	1959
10	S	9	W	31	SE	SW				INDUSTRIAL	POD 1	1959	POU	11	S	9	W	9	NE	NE	100				POD1	1959
10	S	9	W	31	SW	SE				INDUSTRIAL	POD 1	1959	POU	11	S	9	W	10	NW	NW	100				POD1	1959
10	S	9	W	31	SE	SE				INDUSTRIAL	POD 1	1959	POU													
10	S	9	W	32	SW	SW				INDUSTRIAL	POD 1	1959	POU													
10	S	10	W	36	NE	NE				INDUSTRIAL	POD 1	1959	POU													
10	S	10	W	36	SE	NE				INDUSTRIAL	POD 1	1959	POU													
10	S	10	W	36	NE	SE				INDUSTRIAL	POD 1	1959	POU													
11	S	9	W	4	SW	SW				INDUSTRIAL	POD 1	1959	POU													
TOTAL ACRES:														TOTAL ACRES:												

Additional remarks: _____.

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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)
Twp	Rng			Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	
11	S	9	W	4	SE	SW				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	4	SW	SE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	4	SE	SE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	5	SE	NW				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	5	NE	SW				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	5	NW	SW				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	5	SE	SW				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	5	NW	SE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	5	SW	SE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	5	SE	SE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	6	NE	NE		1		INDUSTRIAL	POD 1	1959	POU
11	S	9	W	6	NW	NE		2		INDUSTRIAL	POD 1	1959	POU
11	S	9	W	6	SE	NE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	6	NE	NW		3		INDUSTRIAL	POD 1	1959	POU
11	S	9	W	6	NW	NW		4		INDUSTRIAL	POD 1	1959	POU
11	S	9	W	8	NE	NE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	9	NE	NE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	9	NW	NE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	9	SE	NE				INDUSTRIAL	POD 1	1959	POU
11	S	9	W	9	NE	NW				INDUSTRIAL	POD 1	1959	POU

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)	
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		
11	S	9	W	9	NW	NW				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	10	SW	NW				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	10	SE	NW				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	10	NE	SW				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	10	NE	SE				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	10	NW	SE				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	10	SE	SE				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	11	NW	SW				INDUSTRIAL	POD 1	1959	POU	
11	S	9	W	11	SW	SW				INDUSTRIAL	POD 1	1959	POU	
11	S	10	W	1	NE	NE		1		INDUSTRIAL	POD 1	1959	POU	
11	S	10	W	1	NW	NE		2		INDUSTRIAL	POD 1	1959	POU	
TOTAL ACRES:														

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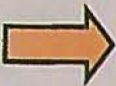
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For Place of Use or Character of Use Changes

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: 94972.

 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.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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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)
)
County of BENTON) ss

I, JOHN MCGEE, in my capacity as CERTIFIED WATER RIGHTS EXAMINER,

mailing address PO BOX 1472, PHILOMATH, OR 97370

telephone number (541)929-4226, being first duly sworn depose and say:

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 # ____; **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)

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OR

☒ Confirming Certificate # 94973 has been issued within the past five years; **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)

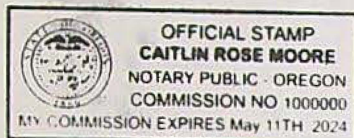
3. The water right was used for: (e.g., crops, pasture, etc.): CONSTRUCTION

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 of Affiant

6/9/2020
Date

Signed and sworn to (or affirmed) before me this 9th day of June, 2020.



[Signature]
Notary Public for Oregon

My Commission Expires: May 11th 2024

Supporting Documents	Examples
☒ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	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. 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
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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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.wrd.state.or.us

Applicant(s): Alsea Veneer, Inc

Mailing Address: 19215 SE 34th St STE 106-383

City: Camas

State: WA

Zip Code: 98607

Daytime Phone: 541-270-1236

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:
<u>11S</u>	<u>9W</u>	<u>4</u>	<u>SESE</u>	<u>601</u>	<u>I-P</u>	☒ Diverted ☒ Conveyed ☒ Used	<u>I-P</u>
<u>11S</u>	<u>9W</u>	<u>9</u>	<u>NENE</u>	<u>300</u>	<u>I-P</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>I-P</u>
<u>11S</u>	<u>9W</u>	<u>9</u>	<u>NENE</u>	<u>100</u>	<u>I-P</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>I-P</u>
<u>11S</u>	<u>9W</u>	<u>10</u>	<u>NWNW</u>	<u>100</u>	<u>I-P</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>I-P</u>

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

Lincoln County
Eddyville

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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) Yaquina River

Estimated quantity of water needed: 0.2 ☒ 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:

The place of use was previously transferred from the applicant's land to 7 miles of US Hwy 20 for construction activity. This transfer proposes to return the water right to the original place of use and to adjacent properties owned by the applicant while maintaining the original character of use, industrial use, as described in Water Right Certificate 32665.

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.

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):
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	RECEIVED	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	SEP 30 2020	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	OWRD	☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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: John O'Leary Title: Planner

Signature: [Signature] Phone: (541) 265-0223 Date: 9/22/2020

Government Entity: Lincoln County

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: _____

ALSEA VENEER
TRANSFER EXHIBIT MAP 2 OF 2
JUNE 9, 2020

TAX MAP 110904, 110909A

located in

SECTIONS 4, 9 & 10, TOWNSHIP 11
SOUTH, RANGE 9 WEST,
WILLAMETTE MERIDIAN
LINCOLN COUNTY, OREGON

CERTIFICATE 94973

THIS MAP IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES

POSITION OF POD, WATERLINE, WATER
METER, POND PERIMETER RELATIVE TO SE
CORNER OF SECTION 4 ARE BASED ON A
GPS SURVEY. POSITION OF POU BASED ON
CERTIFICATE 94973, SECTION AND TAX LOT
LINES PER COUNTY GIS.



RENEWAL DATE: 12/31/2020

LEGEND

- WATERWAYS
- - - SECTION LINE
- - - QTR-SECTION LINE
- - - TAX LOT LINES
- +++++ W & P RAILROAD
- XXXXX POND (CERTIFICATE 94972)
- ////// TRANSFER FROM
- ***** TRANSFER TO

MAP BASE: COUNTY GIS & TAX ASSESSOR MAP

JDMcGee, Inc.

Engineering & Surveying
Land Use Planning
Wastewater Design
"Solving Problems for You"

1215 Main Street
PO Box 1472
Philomath, OR 97370
(541) 929-4826
(541) 929-4827 Fax

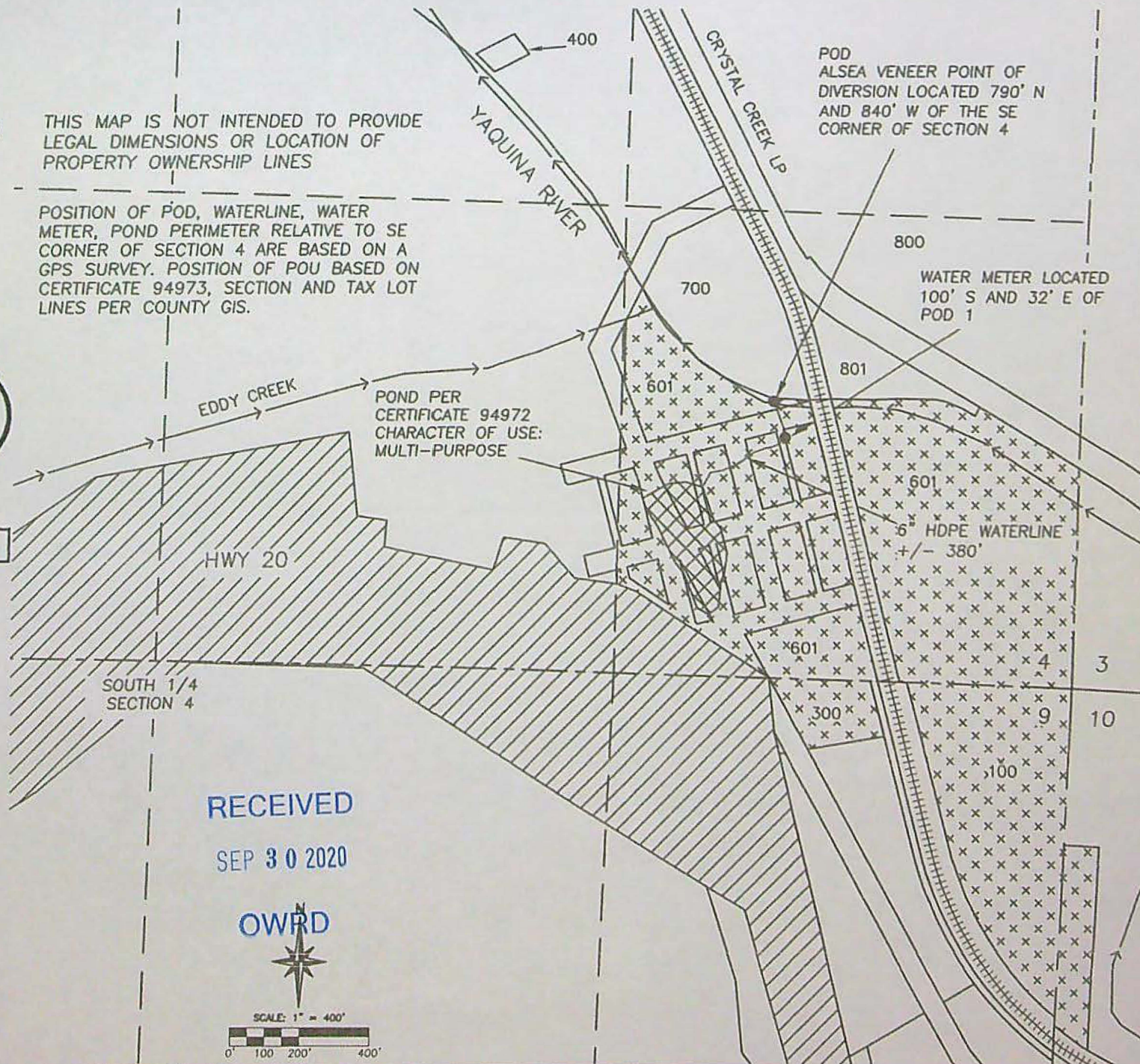
DRAWN BY: KP
JOM PROJECT #: 19-37

CHECKED BY: JOM
DATE: 6-9-20

RECEIVED

SEP 30 2020

OWRD



STATE OF OREGON
COUNTY OF LINCOLN
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALSEA VENEER
19215 SE 34TH ST SUITE 106-383
CAMAS WA 98607

confirms the right to the use of water perfected under the terms of Permit S-26548. 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(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: YAQUINA RIVER AND RESERVOIR CONSTRUCTED UNDER PERMIT R-2323, A TRIBUTARY OF YAQUINA BAY

PURPOSE OR USE: INDUSTRIAL

MAXIMUM RATE: 0.20 CUBIC FOOT PER SECOND

DATE OF PRIORITY: NOVEMBER 9, 1959

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	9 W	WM	4	SE SE	790 FEET NORTH AND 840 FEET WEST FROM SE CORNER, SECTION 4

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

Twp	Rng	Mer	Sec	Q-Q	GLot
10 S	9 W	WM	31	NW SW	3
10 S	9 W	WM	31	SW SW	4
10 S	9 W	WM	31	SE SW	
10 S	9 W	WM	31	SW SE	
10 S	9 W	WM	31	SE SE	
10 S	9 W	WM	32	SW SW	
10 S	10 W	WM	36	NE NE	
10 S	10 W	WM	36	SE NE	
10 S	10 W	WM	36	NE SE	
11 S	9 W	WM	4	SW SW	
11 S	9 W	WM	4	SE SW	
11 S	9 W	WM	4	SW SE	

Twp	Rng	Mer	Sec	Q-Q	GLot
11 S	9 W	WM	4	SE SE	
11 S	9 W	WM	5	SW NW	
11 S	9 W	WM	5	SE NW	
11 S	9 W	WM	5	NE SW	
11 S	9 W	WM	5	NW SW	
11 S	9 W	WM	5	SE SW	
11 S	9 W	WM	5	NW SE	
11 S	9 W	WM	5	SW SE	
11 S	9 W	WM	5	SE SE	
11 S	9 W	WM	6	NE NE	1
11 S	9 W	WM	6	NW NE	2
11 S	9 W	WM	6	SE NE	

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

Twp	Rng	Mer	Sec	Q-Q	GLot
11 S	9 W	WM	6	NE NW	3
11 S	9 W	WM	6	NW NW	4
11 S	9 W	WM	8	NE NE	
11 S	9 W	WM	9	NE NE	
11 S	9 W	WM	9	NW NE	
11 S	9 W	WM	9	SE NE	
11 S	9 W	WM	9	NE NW	
11 S	9 W	WM	9	NW NW	
11 S	9 W	WM	10	SW NW	

Twp	Rng	Mer	Sec	Q-Q	GLot
11 S	9 W	WM	10	SE NW	
11 S	9 W	WM	10	NE SW	
11 S	9 W	WM	10	NE SE	
11 S	9 W	WM	10	NW SE	
11 S	9 W	WM	10	SE SE	
11 S	9 W	WM	11	NW SW	
11 S	9 W	WM	11	SW SW	
11 S	10 W	WM	1	NE NE	1
11 S	10 W	WM	1	NW NE	2

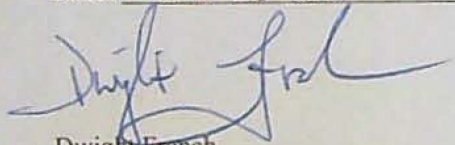
Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, in good working order at the point of appropriation.
- B. 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.

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

This certificate is issued to confirm changes in PLACE OF USE and CHARACTER OF USE approved by an order of the Water Resources Director entered OCTOBER 7, 2009, at Special Order Volume 79, Page 25, approving Transfer Application T-10878, supersedes Certificate 32665, State Record of Water Right Certificates.

Issued MAR 18 2020



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

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SEP 30 2020

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LETTER OF TRANSMITTAL



Engineering & Surveying
Land Use Planning

"Solving Problems for You"

Phone: (541) 929-4226
Fax: (541) 929-4227
E-mail: jmcgee@actionnet.net

PH11010101, OR 9/15/00

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

Job No: 19-37
Project: Alsea Veneer
Water Rights Assistance
Date: 9/25/2020
From: JD McGee, Inc.
Via: USPS

COPIES	DATE	DESCRIPTION
1	9/25/2020	Transfer Reimbursement Authority Estimate Application
1	9/13/2020	Check # 9430 for Payment to OWRD for RA Estimate
1	9/15/2020	Application for Permanent Water Right Transfer
1	6/9/2020	Transfer Exhibit Map 1
1	6/9/2020	Transfer Exhibit Map 2
1	6/9/2020	Transfer Evidence of Use Affidavit
1	3/18/2020	Certificate 94973
1	9/13/2020	Check # 9431 for Payment to OWRD for Transfer Application
1	9/22/2020	Land Use Information Form

THESE ITEMS ARE TRANSMITTED AS CHECKED BELOW OR OTHERWISE NOTED

- ☐ Approved as Submitted
- ☐ Approved as Noted
- ☐ Returned with Comments

- ☐ Rejected
- ☐ Resubmit for Approval
- ☐ As Requested

- ☒ For Approval
- ☐ For Your Use
- ☒ For Review and Comment

- ☐ For Distribution
- ☐ As Indicated Below

REMARKS:

RECEIVED

SEP 30 2020

CC:

OWRD

Oregon Water Resources Department

9431

9/13/2020

\$125.00

9430

Oregon Water Resources Department for 00002980

In Payment For:

Vendor Inv

Purchase No.

Invoice Date

Invoice Amount

Discounts

Previous Payments

Current Payment

RA Est.

00002980

9/13/2020

\$125.00

\$0.00

\$0.00

\$125.00

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SEP 30 2020

OWRD

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 # 133573

INVOICE #

RECEIVED FROM: *Alsea Veneer, Inc.*

BY:

CASH: ☐ CHECK # *9430* OTHER: (IDENTIFY) ☐

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

0412 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

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$

0202

\$

0204

\$

EXAM FEE

\$

0219

\$

0220

RECORD FEE

\$

\$

LICENSE FEE

\$

\$

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: 133573

DATED: 9-30-2020

BY: *[Signature]*



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.

<u>TYPE</u>	<u>FILE NUMBER</u>
Transfer Application	Transfer Number <u>T-13533</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	Alsea Veneer, Inc.	
Address:	19215 SE 34th St STE 106-383	
	Camas, WA 98607	
Phone:	541-270-1236	
Fax:		
E-Mail Address:		

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) business 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

I certify that I am the (check one):

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

Name: Paul Smud

Signature: [Signature]

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SEP 30 2020

OWRD

OWRD USE ONLY: Reimbursement Authority Number: R11-27821



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

October 7, 2020

ALSEA VENEER INC
19215 SE 34TH ST SUITE 106-383
CAMAS, WA 98607

Reference: Application T-13533

On September 30, 2020, we received your water right Transfer application. The application was accompanied by \$1160.00. Our receipt number 133576 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.

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 in the new place of use 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) 986-0815.

Cc: Watermaster Dist. #1 (*via email*)
John McGee, Agent
Lincoln County

Enclosure



Regular Permanent Water Right Transfer Application Checklist

Checked by PR Date 10-3-2020

(If OK, check box to left; if not, fill in the blank)

☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☒ 2. Are fees included and correct? Fee paid: 1160
If not, the correct fee would be: _____, so the amount missing is: _____

► If a Government Action POD change (see: Page 5): NO CHARGE

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE or (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☐ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application 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.

Certs & acres involved:

94973

Changes: Box

cfs involved: _____

Source: _____

Industrial Use.

ALSEA VENEER
TRANSFER EXHIBIT MAP 1 OF 2
JUNE 9, 2020

TAX MAPS 11 09, 11 10, 10 09

located in

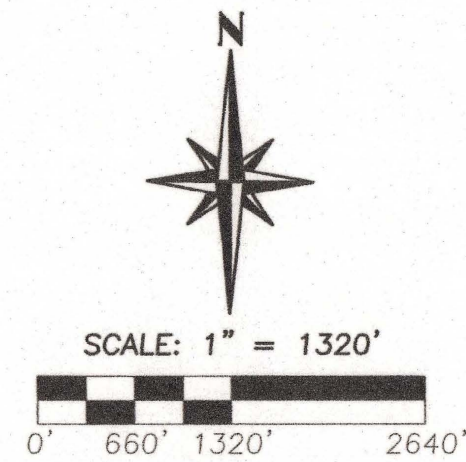
SECTION 36, T10S, R10W,
SECTION 1, T11S, R10W,
SECTION 31, T10S, R9W, AND
SECTIONS 4, 5, 6, 8, 9, 10, AND 11, T11S, R9W,
WILLAMETTE MERIDIAN
LINCOLN COUNTY, OREGON

CERTIFICATE 94973

RECEIVED

SEP 30 2020

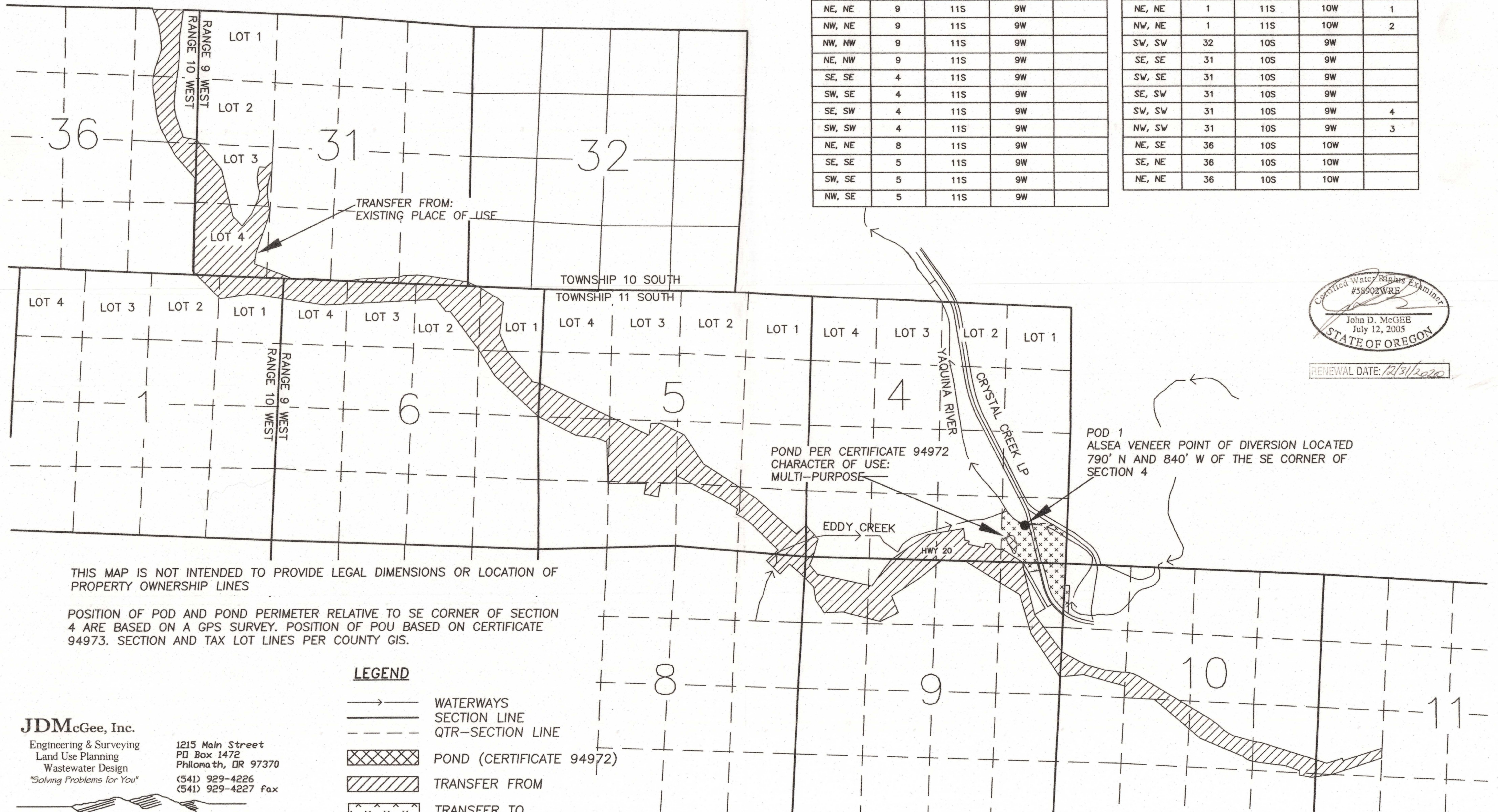
OWRD



TRANSFER FROM: EXISTING PLACE OF USE

1/4, 1/4	SECTION	TOWNSHIP	RANGE	GOV'T LOT
NW, SW	11	11S	9W	
SW, SW	11	11S	9W	
SE, SE	10	11S	9W	
NE, SE	10	11S	9W	
NW, SE	10	11S	9W	
NE, SW	10	11S	9W	
SE, NW	10	11S	9W	
SW, NW	10	11S	9W	
SE, NE	9	11S	9W	
NE, NE	9	11S	9W	
NW, NE	9	11S	9W	
NW, NW	9	11S	9W	
NE, NW	9	11S	9W	
SE, SE	4	11S	9W	
SW, SE	4	11S	9W	
SE, SW	4	11S	9W	
SW, SW	4	11S	9W	
NE, NE	8	11S	9W	
SE, SE	5	11S	9W	
SW, SE	5	11S	9W	
NW, SE	5	11S	9W	

1/4, 1/4	SECTION	TOWNSHIP	RANGE	GOV'T LOT
NE, SW	5	11S	9W	
SE, SW	5	11S	9W	
NW, SW	5	11S	9W	
SE, NW	5	11S	9W	
SE, NE	6	11S	9W	
NE, NE	6	11S	9W	1
NW, NE	6	11S	9W	2
NE, NW	6	11S	9W	3
NW, NW	6	11S	9W	4
NE, NE	1	11S	10W	1
NW, NE	1	11S	10W	2
SW, SW	32	10S	9W	
SE, SE	31	10S	9W	
SW, SE	31	10S	9W	
SE, SW	31	10S	9W	
SW, SW	31	10S	9W	4
NW, SW	31	10S	9W	3
NE, SE	36	10S	10W	
SE, NE	36	10S	10W	
NE, NE	36	10S	10W	



THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES

POSITION OF POD AND POND PERIMETER RELATIVE TO SE CORNER OF SECTION 4 ARE BASED ON A GPS SURVEY. POSITION OF POU BASED ON CERTIFICATE 94973. SECTION AND TAX LOT LINES PER COUNTY GIS.

LEGEND

- WATERWAYS
- SECTION LINE
- - - QTR-SECTION LINE
- ▨ POND (CERTIFICATE 94972)
- ▨ TRANSFER FROM
- ▨ TRANSFER TO
- POINT OF DIVERSION

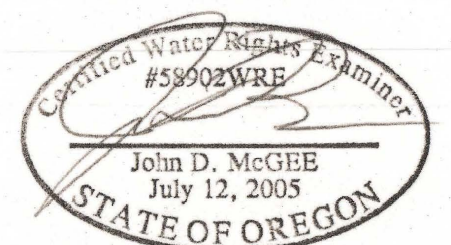
JDMcGee, Inc.

Engineering & Surveying
Land Use Planning
Wastewater Design
"Solving Problems for You"

1215 Main Street
PO Box 1472
Philomath, OR 97370
(541) 929-4226
(541) 929-4227 fax

DRAWN BY: KP
JDM PROJECT #: 18-34

CHECKED BY: JDM
DATE: 6-9-20



RENEWAL DATE: 12/31/2020